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Diversification of the Republic: Cultural Diversity in Contemporary France

by

Alexander Steven Rosas

A dissertation submitted in partial satisfaction of the

requirements for the degree of

Doctor of Philosophy

in

Jurisprudence and Social Policy

in the

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of the

University of California, Berkeley

Committee in charge:

Professor Christopher Kutz, Chair

Professor Kristin Luker

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Professor Jonah Levy

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by

Alexander Steven Rosas

Abstract

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Doctor of Philosophy in Jurisprudence and Social Policy

University of California, Berkeley

Professor Christopher Kutz, Chair

This dissertation examines issues of cultural and religious difference in France -- how France can and should reconcile itself to the diversification (and the attendant and inevitable conflicts in moral, cultural and religious values, traditions and identities) inherent in globalization. In particular, I explore whether and to what extent French Republicanism (and the practices and theories thereof) -- rooted in theoretical and historical conceptions of the Social Contract and the General Will and in the romanticized political and social construct of the uniform and universal French citizen -- can take on and accommodate cultural and religious difference within its view of the state, the nation, law and politics. In short, I consider whether and to what extent the model that has theoretically and historically advanced a colorblind and assimilationist attitude to difference contains, in reality, a certain flexibility for a diversity of moral, cultural and religious values and identities, in the particular form of the 4-5 million Muslims in France today. I contend in this dissertation that a level of flexibility and elasticity is already evident in the theories and practices of French Republicanism, which has transformed over time as the French Republic has adapted to different circumstances of diversity; and that this transformation underscores the fact that French Republicanism, as a political model, is not monolithic or 'fixed' in time, but is contingent and consists in multiple and alternative narratives of and visions for the French republican nation-state vis-à-vis diversity. In this dissertation, I work to reconceive of French Republicanism in more 'diversity-friendly' terms and to carve out from the history of ideas in this area a theoretical and practical space for cultural difference within the French Republic.

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INTRODUCTION

DIVERSITY IN THE FRENCH REPUBLIC

This dissertation examines the potential for cultural difference within the theories and practices of French Republicanism. With anxieties over diversification, immigration, modernization and globalization, the French Republic -- its historical evolution, its essence, its potential and its future -- has been an area of much critical attention in recent years. Particularly, as Muslims in France increase or are believed to increase in size, in stature, in their visibility and often in their unassimilability, as a 'visible' minority, academic and non-academic commentators alike have rushed forward to discuss, debate and speculate as to the relationship and impact of this cultural and religious Other to and on the French Republic, its traditions and its values. Indeed, this discussion occurs at the most abstract levels -- the issue of whether French political discourse will be compelled to accept the "liberal summons," for instance -- down to specific and contested issues, like dress in public schools and halal food in prisons and hospitals (Hanley 2003: 46). Do Muslim students (or tax collectors or postal workers) who request exemptions to wear their headscarves in school or at work, laborers who organize and advocate around their ethnic origins, women who choose to wear full veils (niqâbs) in the streets of Paris, parents who speak to their children in Arabic, students who seek affirmative action assistance for university admission based on minority status, women who perform ritual excisions on female babies at the request of their parents, Muslims who ask for time off from work for worship or for Muslim holidays, or North African men who wear djellabas or other traditional clothes instead of those more common in the 'West' -- in short, those who exhibit visible markers of cultural difference -- disrespect, violate and undermine the colorblind basis of the French Republic? Or is there a more nuanced account to be advanced; is there or can there be (and to what extent is there or can there be) a theoretical or practical space for (some or all of) these and other forms of cultural difference (real or constructed) within the French Republic? This question lies at the heart of my dissertation, which considers and carves out from the history of ideas in this area the theoretical and practical potential for cultural difference within French Republicanism.

I. THE MONOLITHIC FRENCH REPUBLIC

In discussions of French Republicanism and cultural difference, one often sees reproduced an almost mythical narrative of the French Republic, with a clear, consistent historical development, a well-defined vision for politics, law and society, and at all times, a resistance and hostility toward divided loyalties, *communitarisme* and thus cultural difference. Where Jacques Chirac proclaims that France will 'lose her soul' if she accepts internal difference and cultural pluralism, where Nicolas Sarkozy declares the burqa and niqâb to be an affront to and a debasement of the French Republic and its values, or even where Jean-Marie Le Pen asserts that France has both the right and the obligation to "defend [its] national personality," there is an (unspoken) assumption that there is, in fact, a cohesive and knowable notion of the French Republic (and its values, beliefs and traditions), with which cultural differences and minority identities are necessarily inconsistent (Fernando 2005: 12; Feldblum 1999: 36). And such a

vision has been seen in numerous forms and in defenses (like those of Chirac, Sarkozy and Le Pen) and critiques of French Republicanism alike -- the idea that as a political framework and model, French Republicanism is fundamentally (fundamentalistly) acultural (monocultural), colorblind (assimilationist), centralized (coercive), unified (homogeneous), democratic (oppressive to minorities), universal (hegemonic) and equal in its treatment of all citizens (blind to indirect forms of discrimination and disparate outcomes). In reality, however, there is truth in all (to a lesser and greater extent) and none of these characteristics. The narrative(s) of the French Republic is one of universalism and particularism, of diversity and uniformity, of centralization and decentralization and so on and so forth, as it is created and recreated over time. Perhaps this is even more true in the present, where the value system has become more 'fluid' (Hanley 2003: 28). David Hanley observes that today, French values are far from static (28). Whether the result of the decline of organized religion on the whole and the rise of Islam, the blurred distinction between the left and the right (which used to be a clear divide between the clericals and the republicans) or some other factor(s), French Republicanism has revealed its contingent and 'flexible' nature: "[T]here are not the same ideological certainties which enable people to fit into one camp and feel a strong identity; it is a far looser ... society with much more floating identities. ... [I]t is doubtless much harder to invent the style and the policies which will keep it coherent" (28-29). The French state, for instance, as the cornerstone of the French Republic, has shown its true colors. It is not the famous "eternal and universal figure" that it is often made out to be; it is constantly in motion and necessarily varies with the times: "The French state is plural, multiple and fragmented. It is a conglomerate of diverse activities and specialized bodies" (Sadran 2003: 48). In short, a careful and nuanced account of French Republicanism, as it interacts with and relates to cultural difference, is in order. That is what this dissertation seeks to accomplish.

II. RESEARCH QUESTION AND SIGNIFICANCE

In the dissertation, I set out to offer an account of 'traditional' theoretical and historical forms of French Republicanism; to demonstrate how that political framework, while it contains certain 'core' elements and traditions, is not fixed in time or essence but is contingent in political and historical terms; and to examine how French Republicanism perceives and interacts with cultural forms of difference, as it does with the Muslim population in France today. As above, the **central thesis** is that there exists (or can exist) within French Republicanism a practical and a theoretical space for cultural difference -- that there are alternative narratives and visions of French Republicanism in which cultural diversity assumes a more foundational role. And even to the extent that those interpretations are weaker and less popular, even sporadic, it is nonetheless important that scholars and commentators turn to study them today; the impetus in France could not be clearer. With the pressures of diversification in the form of 4-5 million North African immigrants and their descendants (as well as other cultural and racial minorities on whom I do not focus substantially in my dissertation), the visible nature of their cultural differences and the perceived incompatibility of those differences with the values and traditions of the French Republic, it is critical to examine (or reexamine) the status of and the potential for cultural difference in France now and in the future. Hanley words it in somewhat broader and more colorful terms as France needing to come to terms with the 21st century; if France, he writes, resists its own 'reinvention' (for him, that means turning toward the "liberal

summons," although the argument can be generalized), she will be forced "against her will -- with some kicking and screaming -- to accept the prerequisites of the [21st century] state. ... 'Stop the world, I want ... off' is not a realistic option" (Hanley 2003: 46).

Further, while my main focus is on France, as one controversial and central case study, my analysis and conclusions are relevant and speak to a much more expansive conversation of how modern nation-states, more and more diverse in their populations, can and should come to terms with the diversification (and the concomitant conflicts in moral, cultural and religious values and identities) inherent in globalization. Indeed, this conversation continues both near to and far from France -- from issues of Islam in neighboring countries (e.g., the debate over the construction of mosques in Italy; the minaret controversy in Switzerland; the 2011 ban on the burqa and niqâb in the German state of Hesse; debates over Islamophobia, discrimination and cultural minorities in the Council of Europe and European Union; and so on and so forth), to clashes in culture across the world. The illustrations are endless. But what they all hold in common, whether the issue is one of religion or language or familial relations or gender relations or dress or food, are broader issues of how modern nation-states can and should reconcile themselves with various forms of cultural difference -- that is, how can and should nation-states in a diverse world establish and maintain authority; to what extent can they derive and enforce a cohesive and uniform set of rights and obligations; under what circumstances should accommodations and exceptions be permitted; and how can and should a nation-state vis-à-vis law, for instance, achieve a balance between social solidarity and minority identities? While I do not always discuss each of these issues directly or individually, I nevertheless seek to situate my work in conversation with each of them in my study and analysis of France.

III. DISSERTATION OUTLINE

I structure the dissertation in three sections. **Section One** explores the nature and evolution of the 'traditional' French republican model, both as a theoretical framework à la Jean-Jacques Rousseau and as an historical agenda originating during the French Revolution. I use a philosophical lens, combined with an historical literature, to examine how Rousseauian theory formed the basis of and was later enacted (albeit often only symbolically and rhetorically) in the concrete form of the French Republic. I discuss this in terms of the French republican nation-state (or 'state-nation'), and while I emphasize that this model is not, in fact, monolithic or static, I work to identify and elaborate several 'core' tenets of French Republicanism, which have remained more or less constant over time and which form the basis of a 'traditional' view of the French Republic. **Section Two** moves the discussion into the realm of immigration and the Muslim Other. After a short overview of French immigration, in order to show how North Africans came to be so dominant in France and what factors were instrumental in this regard and to underscore that North Africans were not the first or only immigrants to test the 'limits of universalism' in France (Lewis 2007), I examine and break down the 'challenges' brought about through immigration from North Africa and offer an account of the 'Muslim Other.' In particular, I consider how the Muslim Other is perceived as a threat to the traditions of French Republicanism (as set out in Section One) in both religious and cultural (also intertwined with racial) terms. **Section Three** seeks to reconcile French Republicanism with the Muslim Other and other forms of cultural difference. Both normative and historical, this section constructs

an alternative account of the French Republic, one rooted in diversity and constituted by many different historical narratives, so as to identify and carve out a theoretical and practical space for difference within the French republican tradition. With a focus on two historical accounts of regional difference and on several indications of a more 'multicultural' take on difference in the 1980s, I advance the idea of a heterogeneous (in contrast to an homogenous) French unity, based in pluralism and shared political values. As one final note, while I approach this work dominantly as a normative political theorist and see my role in the generation (rather than the testing) of theories, I also strive to bridge and integrate the literatures and perspectives of different academic fields, like those of intellectual and cultural historians and legal scholars, as they address and illuminate critical aspects of the same core problem -- that is, should and can (and if so, how can) the French Republic 'reinvent' and reconcile itself with cultural difference now and in the future (Milner and Parsons 2003).

SECTION ONE

THE TRADITIONAL FRENCH REPUBLIC

I. INTRODUCTION

With the 'fundamental' and 'universal' values of *liberté*, *égalité* and *fraternité* at the core, the Jacobins conceived of and worked to construct in the late 18th century a distinctive model of political practices and values, state institutions and societal relations drawn in substantial part from the philosophical works of Jean-Jacques Rousseau (Rousseau 1772, 1765, 1762, 1758, 1755). And even now, over two hundred years after the French Revolution, this model (or some idealized version of it) continues to saturate and delimit French political and legal discourse. From public expectations as to the functions of state institutions and functionaries; to the behaviors of lawmakers and jurists; to the attitudes of the French state in relation to its citizens, aliens and other nation-states, French Republicanism continues to structure and "define the limits of the acceptable -- and the unacceptable -- in French public life" (Hazzareensingh 1994: 96). In the well-known words of Régis Debray, "La République et la France sont tellement identifiées dans la tête des gens que même ses adversaires n'osent plus la remettre en question" (Debray 1998: 19). In this section, I detail the theoretical and historical nature and evolution of this French republican model, in order to offer a structured framework from which to build the discussion in this dissertation and more critically, to demonstrate how this model, which is often seen as monolithic, inflexible and fixed in time, is merely the result of a contingent historical agenda and a varied set of political processes. After two initial clarifications, I organize this discussion of French Republicanism in terms of the French republican nation-state -- or in more accurate terms, the "state-nation" (Hayward 1983: 21). **First**, I describe the French state as the ultimate embodiment of the French General Will, and I discuss how it came to be a centralized functional force, with considerable and direct authority over the French citizenry. Under the rubric of the state, I also introduce the related notion of *laïcité* (as the French version of secularism) and the ideal of strict colorblind equality under the law. **Second**, I describe the French nation as directly tied to the French state, and I trace the evolution in France of the modern doctrine of nationalism, with its universalistic mission and zeal.

II. PRELIMINARY CLARIFICATIONS

Before I continue with this discussion, two brief clarifications are in order. **First**, I am sensitive to the fact that there is no monolithic notion of French Republicanism and no one unified or singular characterization of the French state or of French politics.¹ Since 1789,

¹ Andrew Knapp and Vincent Wright offer a brief overview of the changes in French political traditions between the Revolution and the Fifth Republic -- the Constitutional monarchy (1789-1792); First Republic (1792-1804); First Empire under Napoléon I (1804-1814); Restoration monarchy (1814-1830); Orleanist monarchy (1830-1848); Second Republic (1848-1852); Second Empire under Napoléon III (1852-1870); Third Republic (1870-1940); Vichy France under Marshal Philippe Pétain

France has transitioned through 11 distinctive régimes or governmental arrangements -- three monarchies, two empires, a right-wing authoritarian régime (under the Vichy France of Marshal Philippe Pétain) and five republics, each with a different constitution (with the most recent constitution adopted in October 1958, driven by Charles de Gaulle and drafted mainly by Michel Debré). However, as I describe below, while I am certainly aware of (and will discuss in some detail) the historical complexities of and variations within French Republicanism and across French political traditions, I am also of the view that there are several salient theoretical features of and ideas about French republican politics, which have remained more or less constant across different historical iterations of French Republicanism -- the idea of a centralized state, for instance (Beller 2004: 587; Safran 2009; Cole 2006: 45; Cole and Hanley 2006: 25; Knapp and Wright 2006: 40-44; Hazareesingh 1994: 65). (And I believe this to be true in spite of Article I of the 1958 French Constitution, which states that France shall be organized on a decentralized basis.) I conceive of and structure the discussion neither as an all-inclusive history of the French Revolution nor as a detailed treatise on French intellectual history; many other scholars have already taken on this heavy task (Sowerwine 2009; Andress 2006; Fortescue 2000; Blanning 1996; Furet 1995; Lyons 1994; Goubert 1991; Baker 1990; Censer 1989; Schama 1989; Sutherland 1986; Hunt 1984; Lefebvre 1963; Coubertin 1897). Rather, I work to identify and elaborate what I think to be certain 'central' features of French politics, law and society (and the intricate interrelation therein) as born of the French Revolution, crystallized in the Third Republic and alive and well today in the Fifth Republic. Further, I concede and later defend that French Republicanism is not an inelastic or 'essential' framework or model, which makes a straightforward account difficult. Thus, what I describe in this section is what I consider to be (and what I label) the 'traditional' form of French Republicanism -- similar to what Cécile Laborde terms 'official' republicanism -- as manifested in theoretical and historical terms (Laborde 2008: 8). I later complicate and problematize this idea.

In addition, it should be commented that French Republicanism is, in many ways, distinctly 'French' -- a manifestly 'French' model of and theoretical framework for politics, law and society, which resulted from the French Revolution and evolved over the course of and in the context of modern French history. Laborde describes (in the language of Ludwig Wittgenstein) how the relation between French and other (i.e., Anglo-Saxon) forms of republicanism is often ambiguous and difficult to describe in concrete terms: "Republicanism in France may seem to have 'gone native' to the point of blurring any 'family resemblance' with other republican traditions. Its emergence [and its singular set of commitments are] bound up with the revolutionary repudiation of the lessons of history" (Laborde 2008: 3; Wittgenstein 1953: 32). Thus, while my analysis is certainly relevant to a more expansive conversation of normative theory and on republicanism more broadly, my focus remains primarily on this distinctly

(1940-1944); Post-War régime (1944-1946); Fourth Republic (1946-1958); and Fifth Republic -- and observe that "[f]or most of the 170 years between the Revolution and the establishment of the Fifth Republic in 1958, France suffered from a lack of consensus about the nature of the régime under which the country should be ruled" (Knapp and Wright 2006: 2-4). And further internal and external pressures continue to shape and reshape French politics -- from technological, ideological, commercial and cultural forms of globalization to changes under the European Economic Community and later the European Union (Knapp and Wright 2006: 27-31; Hewlett 1998; Hazareesingh 1994).

French form of political tradition, rather than on, for instance, the theories of republicanism and Madisonianism that emerged out of the American Revolution (Wood 1962). Of course, I refer at times to the more abstract theories of and the broader academic literature on various republican forms (Laborde and Maynor 2008; Honohan and Jennings 2006; Weinstock and Nadeau 2004; Maynor 2003; Honohan 2002; Pettit 1997; Higonnet 1988). However, I do so not to advance overarching or generalizable claims about republicanism; rather, I seek to clarify and elaborate certain elements of French Republicanism as the dominant focus area for my dissertation.

Second, while the Rousseauian model of the Social Contract and the General Will had a considerable and visible influence on the values and politics of the French Revolution (and I thus frame, at least in part, the discussion below in Rousseauian terms and with the careful use of Rousseau's own texts), it is also true that the actual historical application of Rousseau's model by the revolutionaries was at best unclear and more likely severely flawed, at least as Rousseau would have seen it. Indeed, Rousseau's influence was more symbolic than concrete in nature, and one can readily identify tremendous variation and improvisation on the part of the revolutionaries on his theoretical ideals -- and because he articulated those ideals (somewhat) clearly in his *Social Contract*, one can make clear-cut comparisons between his political treatise and its successive historical applications (Cobban 1934: 28-33; Furet 1997: 172). What one concludes is that the revolutionaries' interpretation of the *Social Contract* and other Rousseauian texts was superficial: "Each drew what he wanted from it ... [with no] attempt to penetrate its complexities and extraordinary abstraction" (Furet 1997: 178). No one tried to implement its specific dictates; instead, the *Social Contract* provided buzzwords like the General Will but "no constitutional formulas" (178). But still, everyone really drew on Rousseau. Any and every faction invoked Rousseauian terms and ideas (McDonald 1965).

Deviations from strict Rousseauian theories were indeed numerous. Even from the start, for instance, Rousseau abhorred the idea of an immense nation-state, and he would have condemned the use of his political treatises to establish the territorially expansive French Republic. The size of nations and the extent of states, Rousseau wrote, are the radical defect and the main "source of the misfortunes of the human race" and of the "innumerable calamities" that decimate societies and that "sap and destroy civilised peoples" (Rousseau 1772: 181-83). It is only in small nation-states that citizens can know and monitor themselves correctly and thus achieve success. Rousseau claimed that, historically, virtually all "small states, no matter whether they are republics or monarchies, prosper merely by reason of the fact that they are small" (181). To Poland, in his *Considerations on the Government of Poland*, Rousseau advised that it should, first and foremost, contract its borders and subdivide down into a federal system of small states and administrations, so as not to be "crushed by [its] own mass" (182-83).² While still not the absolute ideal, this contraction and subdivision would advance Po-

² Rousseau expressed his surprise that the "vast extent of Poland has not already resulted a hundred times in the conversion of the government into a despotism, that it has not bastardised the souls of the Poles and corrupted the mass of the nation" (Rousseau 1772: 182). He thus advised Poland to "change in the extent of [the] country," whether through the contracting of borders or the subdivision of Poland into numerous small states; this was the cure for the "radical defect" that Poland faced (182-83).

land a bit closer to it -- an ideal vividly described by Rousseau in his *Letter to M. d'Alembert on the Theatre*. There, he recounted idealistically his childhood travels to Neufchâtel, which was, for him, the quintessential harmonious, industrious and self-sufficient small town and the model toward which all good nation-states should strive -- a situation where citizens are able to censor one another and where independent and blissful "farmers, all in comfortable circumstances ... cultivate with all possible care lands the produce of which is theirs ... [and] put to use the inventive genius which nature gave them" (Rousseau 1758: 60-62). In short, Rousseau would have viewed an expansive France as destined for failure and resented the role his work would have had in that failure.

With that mentioned, however, Rousseau's influence on French politics, law and society has been manifest in several critical respects from the French Revolution forward. At a minimum, Rousseau offered to the revolutionaries a "philosophical justification for the foundation of a new social order" (Hazareesingh 1994: 70). On one level, Rousseau was merely a symbol -- an 'idol' around which the revolutionaries could coalesce and find common motivation, whether out of an "authentic" sense of kinship or from mere habit and rhetorical expedience (Furet 1997: 169). Revolutionaries consistently identified Rousseau as their 'great' inspiration, and praise for Rousseau and his *Social Contract* was common in national debates -- as in, for instance, the National Constituent Assembly, which installed in October 1790 the bust of the famed thinker (and his famous treatise) in the Assembly Hall (168-69). This all does not, of course, overlook the fact that Rousseau had his fair share of critics and enemies. For instance, Edmund Burke in his 1791 *Letter to a Member of the National Assembly* denounced Rousseau in no uncertain terms, and Benjamin Constant later condemned Rousseau's *Social Contract* as "le plus terrible auxiliaire de tous les genres de despotisme" (Burke 1791; Constant 1818: 278). Further, numerous intellectuals would later blame Rousseau for his influence on the French Revolution during the Reign of Terror and for the failure of the Revolution as a whole. To underscore this dramatic shift in popular sentiment, François Furet quotes Napoléon in 1800: "He was a real lunatic, your Rousseau; it was he who led us to where we are now" (Furet 1997: 169). The "brutality" of Napoléon's statement, Furet notes, is "diametrically opposed" to the extreme adulation that Rousseau had received only seven years earlier (169).

But with this historical debate between Rousseau and his enemies aside, the central point for the discussion here is that Rousseau's influence on the Revolution (and therefore on French politics from the late 18th century onward) was substantial, even if debated and contradicted. As I further elaborate in this section, while Rousseau had more of a symbolic than a concrete role in the events of the French Revolution and its aftermath, one should not entirely discount his overall contributions in very real terms. In many ways, Rousseau offered to the revolutionaries the foundation for a new French nation-state and a novel republican approach to the conditions of the 18th century, and I thus use this theoretical foundation to structure the historical discussion below (Livesey 2001: 36; Neidleman 2001: 75). In fact, this method -- the use of Rousseau and his texts to examine the French Revolution and subsequent French politics -- may offer more clarity than a strictly historical account. As Furet comments, the easiest way to understand the French Revolution may be to view it with a philosophical lens: "[Rousseau] may not have left the revolutionaries any political formulas, but his writings re-

main indispensable to the interpretation of their experience" (Furet 1997: 181). And to close, it almost goes without further explanation that the history of the French Revolution as the start of a new French political order is essential in any discussion of modern France. The Revolution separated the "present from the past" and introduced a new French republican model and tradition -- one unique to France and one that continues to define the French political experience (Weber 1976: 109; Laborde 2008: 3; Safran 2009: 3-8; Raymond 2006; Sa'adah 2003; Rémond 2002; Livesey 2001; Hazareesingh 1994: 65; Brubaker 1992; Hayward 1991; Keohane 1980; Cahm 1972). It was the start of a modern France and is thus my focus below.

III. THE FRENCH REPUBLICAN STATE

Traditional French Republicanism is predicated on the notion of a powerful and centralized state -- one that serves as the supreme embodiment of the General Will and that has an unmediated relation with the citizen, and one that maintains and is maintained by a unified nation. In what follows, I discuss the French nation-state -- or "state-nation" -- both as it unfolds in Rousseau's work and as it has historically been translated into reality. My discussion starts with the centralized French state and then turns to the notions of the modern French nation and French nationalism. I structure these elements in a more thematic than chronological manner.

A. ROUSSEAU AND THE REPUBLICAN STATE

The Rousseauian General Will is a critical feature of French Republicanism, and the discussion here thus starts with a broader discussion of Rousseau's *Social Contract*, in which the General Will is elaborated. At the start of that normative text, Rousseau observes (or at least assumes for the sake of his discussion) that humanity has reached a decisive moment in its history, where individuals acting alone can no longer flourish or even survive in the original state of Nature -- the state which Rousseau commends in his *Discourse on the Origin and the Foundations of Inequality Among Men* as the most conducive to Peace and the best suited to Mankind (Rousseau 1762: 14-15; 1755: 151).³ To survive in this 'modern' world, with its increased obstacles to self-preservation (e.g., interpersonal conflicts and limited resources),

³ In his *Second Discourse*, Rousseau writes at numerous points of the benefits of the state of Nature, with its blissful, noble and self-sufficient "Savage" (as some have written of and for which some have criticized Rousseau) (Ellingson 2001): "So long as men were content with their rustic huts, so long as they confined themselves to sewing their clothes of skins with thorns or fish bones, to adorning themselves with feathers and shells, to painting their bodies different colors, to perfecting or embellishing their bows and arrows, to carving a few fishing Canoes or a few crude Musical instruments with sharp stones; In a word, so long as they applied themselves only to tasks a single individual could perform, they lived free, healthy, good, and happy" (Rousseau 1755: 167). But as soon as the division of labor materialized (iron and corn), humans were no longer self-sufficient, and greed and deceit emerged; the state of Nature fell: "[T]he moment one man needed the help of another; as soon as it was found to be useful for one to have provisions for two, equality disappeared, property appeared, work became necessary, and the vast forests changed into smiling Fields that had to be watered with the sweat of men, and where slavery and misery were soon seen to sprout and grow together with the harvests" (167). Indeed, references to this effect are common in his *Second Discourse*.

humans must, at Rousseau's direction, redirect and combine their individual forces "to form by aggregation a sum of forces capable of overcoming all obstacles, to place these forces under common direction, and to make them act in concert" (Rousseau 1762: 14). For Rousseau, this is the critical issue -- that is, to "find a form of association which defends and protects the person and property of each member with the whole force of the community, and where each, while joining with all the rest, still obeys no one but himself, and remains as free as before" (14-15). To this question, the Social Contract is the answer.

For Rousseau, the Social Contract is the ideal aggregation of individual forces insofar as it offers to each contracting individual so much more than what he loses. In more detailed terms, each party receives civil and moral liberties, which exceed in benefit his natural liberties: "Although in this [civil] state he loses many of his natural advantages, he gains so many in return, his faculties are exercised ... his ideas are broadened, his sentiments ennobled and his whole soul elevated" (20). As he turns from a "stupid and limited animal" into an intelligent man, the individual receives his civil liberty (and thus ownership over all he possesses) and his moral liberty, which alone makes him master of himself (20). In other words, while it may not be ideal for the individual to have to move away from the state of Nature, the Social Contract offers a schema by which he can still retain his freedom and fulfill his natural inclination toward his own self-preservation. However, in order to achieve these benefits, the Social Contract requires the total alienation of each member and his rights to the community as a whole, as that absolute alienation is necessary to maintain individual liberty and to thwart tyranny: "[S]ince each gives himself entirely, the condition is equal for all; and since the condition is equal for all, it is in the interest of no one to make it burdensome for the rest. ... [E]ach individual, by giving himself to all, gives himself to no one; ... [and therefore] gain[s] the equivalent of all [he] lose[s], and greater force to preserve what [he has]" (15). To reduce the Social Contract into an accessible form, Rousseau elucidates it as follows: "Each of us puts in common his person and all his powers under the supreme direction of the general will; and in our corporate capacity we receive each member as an indivisible part of the whole" (16). It is this idea of the General Will that is at the true core of Rousseau's theory.

While abstract and at times a bit unclear, the General Will is Rousseau's most famous and useful formulation. In Judith Shklar's view, it ties together Rousseau's moral and political works as no other words could (Shklar 1969: 184). Introduced first in his 1755 *Discourse on Political Economy* and elaborated in his 1762 *Social Contract*, the General Will is Rousseau's innovative vision for a moral politics, which allows individuals to participate as citizens in the Social Contract while still retaining their individual freedom (Bloom 1997: 157). In what remains of this sub-section, I further describe the Rousseauian General Will as indivisible, infallible and inalienable -- although the three characteristics intersect with each other -- and I discuss how it is inextricably tied to the Rousseauian notion of the individual-as-citizen. As a foundation, Allan Bloom describes how rationality is at the center of the General Will. The individual will, Bloom comments, is individual by its very nature and therefore unconcerned with the interests of others (157). But with his rationality, Bloom believes, the individual can abstract, make generalizations and will that which he believes all would will. In fact, this is what makes a community feasible -- shared and harmonious wills centered around the common good or interest (157). In essence, then, the General Will is the common good -- or it at

least directs the forces of the state toward it -- and it serves the ethical function of creating a civic and moral bond between individuals and the state, with the latter being the embodiment of the Rousseauian General Will (Rousseau 1762: 25; Cobban 1934: 135).

To start, the most obvious and central feature of the General Will is that it is, as the term suggests, general. But what does it (or does it not) mean to be general? First, it is not necessary that all citizens in the community share the same views. That situation would be what Rousseau terms the Will of All, which is distinct: "The [General Will] looks only to the common interest, while the [Will of All] looks to private interest, and is simply a sum of particular wills" (Rousseau 1762: 29).⁴ Further, it is not even necessary that *most* citizens in the community share the same view. For Rousseau, the General Will stems "not so much [from] the number of voices as [from] the common interest that unites them" (33). While it may in fact be true that the decisions of majorities offer some evidence as to the content of the common interest, that remains to be seen, for as Joshua Cohen writes, one cannot so safely assume that the "mere existence of a general will is sufficient to provide individuals with an incentive to vote ... the common good rather than their personal preferences" (Cohen 1986: 36; Coleman and Ferejohn 1986). Moreover, Rousseau, himself, distinguishes the General Will from the results of actual procedures (e.g., elections), which societies use to determine their actions. In other words, for Rousseau, the General Will is not the course of action actually decided on in the election, for instance, but rather that course of action that 'ought' to have been decided on (Trachtenberg 1993: 8). While there is an extensive literature on the measurement of the General Will and the common interest -- and the possible and desirable democratic procedures related to those ideas -- the critical point for this discussion is that Rousseau's focus is less on numbers and more on the nature of the will as general in object and essence (Estlund 2008; Trachtenberg 1993; Cohen 1986; Riker 1982; Noone 1980). Nonetheless, this theoretical discussion remains difficult to translate into reality, as is clear from the discussion below. Alfred Cobban and other scholars of Rousseau concur that to state in general "that the General Will embodies the interests of the community as a whole does not take us very far" (Cobban 1934: 131-32). Indeed, much "meaningless verbiage" surrounds and obscures Rousseau's account of the General Will (132). What one knows for certain, however, is that the General Will is general and therefore indivisible and inalienable (which is evident in Rousseau's opinions on political representation, which I describe in a moment) and that Rousseau endows it with unlimited sovereignty. To alienate or divide the General Will is to eviscerate the entire sovereign and to welcome anarchy; there is no partially General Will and absolutely no compromises, for the "will either is or is not general. ... In the first case, the declaration of that will is an act of sovereignty and constitutes law. In the second, it is only a particular will" with no sovereign authority attached (Rousseau 1762: 26-28).

Another vital feature of the General Will is its infallibility. As Rousseau states in no uncertain terms, the General Will is "always right, and always tends to the public good" (28).

⁴ One should note that the Will of All is not a formal term in Rousseau's theory. Although he defines it early on in the *Social Contract*, he often uses the term inconsistently, sometimes even as synonymous with the General Will (Rousseau 1762: 29). A strict interpretation demonstrates the key difference, but one should exercise caution.

Rousseau's bold statement does not mean, however, that one will always find himself in immediate agreement with the General Will. From time to time, individuals may feel in conflict with or even harmed by the General Will. But this discord never reveals any weakness in the General Will; it merely demonstrates that those individuals have erred, miscalculated or have otherwise been deceived, which is only human (Rousseau 1762: 118; Shklar 1969: 190). Because the General Will is, for Rousseau, infallible and fundamentally just and because there was consent at the moment of the Social Contract, those individuals (as citizens) must conform in the end to the General Will.⁵ After all, it is the General Will which offers those citizens civil and moral liberties and which serves as the foundation for all other rights (Rogoff 1997: 50-52). In reference to laws, then, as registrations of the General Will, citizens have consented to and benefit from following them, even where those laws seem adverse to their own individual interests: "The citizen consents to all the laws, even to those which have been passed over his opposition, and even to those which punish him for any violation. The constant will of all the members of the state is the general will; that is what makes them citizens and free" (Rousseau 1762: 117). The statement that the citizen remains free, even when punished or forced to abide by laws as the instantiations of the General Will, is critical: "Every decision, act, or decree of the [community] must be understood to be the result of his own will," and he must view his own interests as securely linked and identical to the public business (Bloom 1997: 158; Rogoff 1997: 53).

As Shklar further elaborates in her discussion of the Rousseauian General Will, even in extreme circumstances, where a citizen is vehemently at odds with the General Will and believes that he is no longer free, Rousseau holds firm to the infallible nature of the General Will. To dismiss that idea would be to dismiss the entire notion of civil society (Shklar 1969: 190). What is more, one must not fail to recall that the individual has chosen to live under the Social Contract, since each individual (on his coming of age) has the right to choose either to live under and receive the benefits of the Contract or to leave his community and recover his natural liberty (Cobban 1934: 116). And even after this coming of age, Rousseau allows for citizens (at least those without debts) to leave the community (Shklar 1969: 190). But in any event, what is absolutely forbidden is for an individual to remain a citizen and to conduct war against the General Will, since such would violate the terms of and the reciprocity which underlies the Social Contract. In those situations, the sanctity of the Social Contract must overcome, with force if necessary, as that Contract "includes the tacit agreement, which alone can give force to the rest, that anyone who refuses to obey the general will shall be forced to do so by the whole body; which means nothing more or less than that he will be forced to be free. For this is ... the secret and the driving force of the political mechanism" (Rousseau 1762: 19). While this statement may at first seem coercive and authoritarian, and was later used in

⁵ Martin Rogoff argues that this view of the General Will as infallible is true for Rousseau because he believes that individuals are either virtuous or have the potential to be so, a view which Rousseau expresses in *Émile* and *La Nouvelle Héloïse*, and that the proper political structures can foster that virtue in furtherance of the common interest and public good: "[A] people could only ever be what the nature of its government would allow it to be; thus, the great question of the best possible government appeared to me to reduce itself to this: What is the type of government most likely to develop the most virtuous, the most enlightened, the wisest, the best people" (Rogoff 1997: 52; Rousseau 1782).

that manner, what Rousseau gestures to is the rule of law. Volitions of the General Will are articulated in laws -- it is law which "operationalizes" the General Will -- so as Cobban contends, Rousseau's controversial statement, while severe in tone, merely validates the rule of law and the related idea that a state may 'force' its citizens through coercive mechanisms to obey its own laws as rightful enactments of the General Will (Rogoff 1997: 53; Cobban 1934: 126-27). And the rule of law, closely intertwined with notions of *liberté* and *égalité*, holds a special position in the Rousseauian Republic (which he even defines as a state ruled by laws) as a means to rule and to preserve that republic (Kylmäkoski 2001: 40-41; 177).

A central theme, then, in a discussion of the General Will is the direct relation of that will -- vis-à-vis laws, for instance -- to the citizenry, and vice versa. At the core of Rousseau's theory is the idea that citizens have the right and the obligation to engage in the General Will and to do so in an unmediated and active manner. It is for this reason that Rousseau leaves little room in his theory for intermediary bodies, which stand in between the state and citizens; indeed, he has an almost inveterate hostility toward such bodies (Schnapper 2002: 198).⁶ Particularly, Rousseau fears that such bodies may sway the citizen's loyalties away from the common interest, and therefore exercise an illegitimate influence over, divide and distort the indivisible General Will, which is to be the direct and sovereign creation of the citizens themselves. As one concrete illustration, Rousseau fiercely condemns the notion of political representation; public business, for him, must remain just that: "As soon as public service ceases to be the main business of citizens [and citizens hire representatives to do public service in their stead] ... the state is ... on the brink of ruin" (Rousseau 1762: 102). He explains, "The idea of representatives is modern; it comes to us from the feudal system, that absurd and iniquitous government which degrades the human species, and dishonors the name of man" (104). In essence, Rousseau's main criticism of political representation is that it is an attempt to alienate the sovereign General Will, which is unworkable at the most fundamental level in a Rousseauian state. The sovereign, Rousseau asserts, must not and cannot be represented or alienated, since it "consists entirely in the general will, and will cannot be represented; will either is, or is not, your own; there is no intermediate possibility" (103). And while citizens may

⁶ As with much of Rousseau's work, certain caveats are in order. Alfred Cobban comments that where Rousseau denounces intermediary associations, he takes aim at particular institutions -- those whose interests are divorced from those of the community or who exist only to interfere with and exert an illegitimate influence over legislation, for instance (Cobban 1934: 75). In other words, Rousseau has in mind institutions like the *Parlements* of France and the *Petit Conseil* of Geneva and not all sub-state associations. Cobban thus concludes that Rousseau does not refuse to all associations the right to exist and to regulate their own internal affairs (75). Rather, he sees Rousseau as defending the "ideal that that which touches the whole community should be regulated by the whole community" (76). And Rousseau seems to realize that the elimination of all sub-state associations is not feasible when he offers an alternative in the *Social Contract*: "[I]t is important that there should be no partial society in the state. ... And if there are partial societies, their number must be multiplied and provision made against their inequality" (Rousseau 1762: 30). As I discuss later, I do not claim that revolutionary and other actors did not invoke Rousseau to favor the elimination of all sub-state associations. They did. Nevertheless, this area may be another where theory deviates from history.

elect *députés* (distinct from representatives in that *députés* remain subject in each decision and at all times to those who elected them), the actions of those *députés* nevertheless cannot and do not constitute law, since "[a]ny law which the people has not ratified in person is null and void; it is not law" (104). For instance, Rousseau contends that the English are mistaken in believing in their freedom. With their Parliament, he observes, the English have freedom only on the election day. As soon as the members of Parliament have been elected, the English are once again "enslaved and reduced to nothing" (104). At stake, then, is true freedom itself: "[A]s soon as a people gives itself representatives, it is no longer free, and no longer exists" (106). Intermediary bodies must be avoided.

Connected with this discussion of intermediary entities is the discussion of organized religion, which also becomes a significant challenge to the Rousseauian General Will. The existence of churches (most notably the Church of Rome) also introduces, for Rousseau, the difficulty of divided loyalties, where the individual becomes torn between his state and his Church (and his attendant roles as citizen and as believer) as two conflicting sovereigns. This situation "renders [individuals] liable to contradictory duties, and presents them with the possibility of having to choose, sooner or later, between being faithful to the religion or loyal to their state" (Cobban 1934: 76; Rousseau 1762: 142-55). While some rulers (such as in England and Russia) have anointed themselves as heads of national churches so as to circumvent this issue, Rousseau thinks that their efforts were in vain, since they merely became the instruments and servants of the church and the priests: "[T]hey have given themselves less mastery than the churchmen; they have acquired the right not so much to change the church as to preserve it. ... Thus there are two powers, two sovereigns, in England and Russia just as everywhere else" (Rousseau 1762: 146). The core concern, then, is the same as with other intermediate bodies -- that the institutions of organized religion will shift the citizen's loyalty and concentration away from the common interest and that those institutions, which have no right to interfere with the sovereign or to establish law, will nonetheless craft and enforce rules and morals that affect the entire society. This concern is a main basis for the historical discussion of French secularism or *laïcité*, which I introduce later in this section.

To close this discussion, I should mention that there are certain instances where Rousseau writes of a civil religion, which elevates some of his ideas (like the sanctity of the Social Contract, the General Will and the rule of law) to the level of faith (142-55). While he favors secular interests on the whole, Rousseau also writes of the tangible benefits that religion (or at least faith) can offer to the republican nation-state. As above, Rousseau condemns in no uncertain terms forms of organized religion, including those based on vacuous ceremonies, deceit and intolerance or those that shift a citizen's loyalty away from the General Will. Christianity is one of Rousseau's chief enemies in this regard.⁷ He asserts that since Christianity has

⁷ In response to those who assert that a Christian people would constitute the "most perfect" society, Rousseau expresses severe skepticism: "I would even say that the society thus postulated would, for all its perfection, be neither the strongest nor the most enduring ... it would lack bonds of union" (Rousseau 1762: 149). Even in such a society, where everyone may do his duty and submit to laws and live without vanity or luxury, a critical element would still be absent. Because the "home country" of the Christian is not of this world, there would remain a level of detachment and indifference to the society:

no specific relationship to the republican nation-state, it leaves laws "with nothing more than their own intrinsic force. ... [T]hus one of the great bonds uniting particular societies remains without effect" (149). What is more, instead of binding the hearts of citizens to the state as a 'good' religion should, it has the opposite effect; it detaches citizens from the state and even all that is worldly (149). However, a religion carefully conceived can actually act in service to the General Will, Rousseau believes, insofar as it combines divine faith with the love of laws and insofar as it makes the nation-state *the* object of adoration of its citizens, teaching them that to "serve the state is to serve its tutelary deity" (153). He, therefore, constructs the notion of a civil religion, an entirely civil faith that serves as a sort of social and moral cement for a society. In particular, this civil religion consists of certain *sentiments de sociabilité*, the dogmas of his religion, which are to be few in number, simple and precise in formulation and without commentaries. He lists them -- the existence of a benevolent, intelligent and providential God; the continuance of life after one's death; the happiness of the just and the punishment of the wicked; and the sanctity of the Social Contract and its laws (153). He also lists intolerance, both civil and theological, as the sole negative dogma: "It is a feature of the cults we have rejected" (153). And while his *sentiments de sociabilité* are few in number, Rousseau reiterates that they are non-negotiable. All members of the state must abide by these sentiments, the violation of which may be met with banishment or even death. It is noteworthy, too, that these severe punishments are not, for Rousseau, to punish impiety but rather "for unsociability, for being incapable of sincerely loving law and justice" (153).

B. THE REVOLUTION AND THE REPUBLICAN STATE

The revolutionary desire to create and maintain a stable French Republic, based on the Rousseauian ideas of the Social Contract, the General Will and the rule of law, led to the construction of the strong and centralized French state, which has remained to this day (Knapp and Wright 2006: 40-44). For France, in contrast to other nearby countries like Germany and Italy, the state has been and remains the critical feature of politics. Modern French history is, in many ways, the history of the French state as the guarantor of *liberté, égalité* and *fraternité* (Cole and Hanley 2006: 29; Raymond 2006). With its networks across the now over 640,000 km² of French territory and in nearly all areas of French life, the French state is a prime functional force, which often takes the occasion to remind citizens of its "benevolent and paternalistic vocation" (Hazareesingh 1994: 151).⁸ In this sub-section, I discuss the consolidation of

"It is true that he does his duty; but he does so with profound indifference as to the good or ill success of his efforts" (150). And this condition is unacceptable to Rousseau. Further, Rousseau believes that the idea of a Christian republic is a contradiction in terms: "But I am mistaken in speaking of a Christian republic; each of these words excludes the other. Christianity preaches only servitude and dependence. Its spirit is too favourable to tyranny for tyranny not to profit always by it. True Christians were made to be slaves; they know it, and do not really mind; this brief life has too little value in their eyes" (151).

⁸ The role of the French state in the French economy is often discussed and debated in the academic literature. Indeed, France has a tradition of direct state intervention into industrial and economic transactions -- the *dirigiste* view that the French state should regulate economic activities and protect the public sector (Clift 2008: 191-208). While this area is a controversial one in which much aca-

French state authority as it flowed out of the Rousseauian model of the General Will. In this discussion, I am aware that France is a country of numerous contradictions and that with the French tradition of *étatisme* also comes a strong affection for anarchic individualism. With that said, however, I am of a similar mind to scholars like Jack Hayward who assert (albeit with certain nuances) that amidst the contradictions, the attitudes of the dominant French elite toward politics have been and are dominated by the belief in the need for a powerful, unified and centralized state authority, which can contain the forces that constantly threaten the stability of France (Hayward 1983: 5-6). Similarly, I am of the mind that, even with fluctuations in state authority over the course of French history -- what Charles de Gaulle described as the vacillation between the enormous "sufferings of a dispersed people and the fruitful grandeur of a nation rallied under the aegis of a strong state" -- that history has nonetheless been dominated by "the near-continuous presence, under successive régimes, of a strong, activist, often intrusive state" (Knapp and Wright 2006: 1).⁹ In this sub-section, then, I examine how the centralized French state came to be, with a focus on the late 18th and 19th centuries.¹⁰

The French revolutionaries took to heart this idea of a powerful French state, centered around the General Will and with an unmediated relation to the French citizen. In a move that

demographic research has been and can be done -- even more so as globalization intensifies -- I leave this discussion to scholars of French political economy (Levy 1999; Schmidt 1996; Hall 1986; MacLennan, Forsyth and Denton 1968).

⁹ For the discussion here, I am not as much concerned with the issue of where within the French state the locus of power, in fact, resides. While I understand that this issue is important and controversial in a complete review of the French state, I am concerned more with the relation between the state and other sub-state actors, like associations and individuals. But at least a few words are in order in this note. Sudhir Hazareesingh comments that the 'true' nature of the French state has always been (or at least has been viewed as) rather intangible and full of contradictions, which make the identification of its internal locus of power (if such a locus even exists) difficult (Hazareesingh 1994: 152). Nonetheless, the controversy over whether power lies more with the administrative or the political elites (or with other economic or social interests) has been intense. On one side, administrative elites, the *hauts fonctionnaires*, see themselves as guardians of the common good. Similar to the revolutionary elite, the administrative elite has often been of the mind that only a "trained, disciplined and efficient body of public servants could act as guardians of the long-term interests of society, because only they [held the common good] as their prime motivation" (153). On the other side, political elites have often seen the common good as a matter for their own definition, and stress the ease with which they can control and/or dismiss the civil service. And still others view the state's vocation as a servant to the economic interests of dominant social forces, or contend that this issue has become moot over time, as the civil service has taken over the political elite. Those of the latter view discuss how more and more of the political elite has been educated in the *Grande Écoles* (which train the high civil service) or were otherwise in the civil service before their political careers (154). Thus, while I sometimes describe the French state in what may seem as more monolithic terms, I concede also that there are numerous internal factors at work in the creation of a robust and centralized (albeit multifarious) state.

¹⁰ This model of state centralization is also connected to, if not synonymous with, a model of Parisian centralization, where the dictates "imposed from above on rebellious provinces and local identities" come from the homogenous elite centered in Paris (Cole and Hanley 2006: 25).

Rousseau would have extolled, at least in part, the National Assembly formally endorsed in August 1789 the foundation for a new constitutional order based in the General Will.¹¹ In Article 6 of the Declaration of the Rights of Man and of the Citizen, the Assembly affirmed law as the embodiment of the General Will and stressed the direct role of all citizens in the formation of that law: "La loi est l'expression de la volonté générale. Tous les citoyens ont droit de concourir personnellement ou par leurs représentants à sa formation." (Of course, it must be observed that Article 6 introduces representation into the formation of laws, which Rousseau condemns in no uncertain terms, as above.) And French revolutionaries continued their efforts to eliminate the obstacles to effective and direct state action (Brubaker 1992). Cloaked in the rhetoric of individualism as the new pivot of French political life, French leaders abolished guilds, combinations and associations of all kinds in furtherance of the Rousseauian mission for exclusive and unmediated relations between citizens and the General Will -- relations untainted by intermediary associations as the bearers of dangerous and anti-universalist agendas. Patrice Higonnet describes in his historical work on American and French Republicanism how, in France, individualism (for which actual convictions were, in fact, quite shallow) became an important theme between 1789 and 1791. In the political arena, every individual "was to stand alone. No institutions of any kind, social or political, could be allowed to separate the citizen from the nation" (Higonnet 1988: 2-3). Even the Jacobin Clubs, which were instrumental in the Revolution, were suddenly viewed with mistrust, both in their right to submit collective petitions to the National Assembly and in their right to exist at all (3). In short, the Revolution substituted out the mediated and indirect relations characteristic of the *Ancien Régime* in favor of the immediate and direct relations that Rousseau envisioned. The individual citizen was now left to face the state, unshielded by any intermediary bodies (Brubaker 1992: 48). For instance, the oft-cited *Loi Le Chapelier* of 1791 abolished professional and trade associations, which had hitherto offered individual tradesmen certain protections. It even went so far as to declare that such an abolition was a fundamental basis for the French Constitution and that all remaining assemblies would be viewed as seditious: "L'anéantissement de toutes espèces de corporations des citoyens du même état ou profession étant une des bases fondamentales de la constitution française, il est défendu de les rétablir de fait, sous quelque prétexte et quelque forme que ce soit." And while this law focused mainly on trade associations, the symbolic nature of the law was much broader and reflected the staunch commitment to a strong and centralized French state.

The Revolution, then, cleared the way for and actively constructed a new centralized authority. Indeed, its efforts were so active and unwavering at times as to escalate into all-out violence, as in the Terror and the extended, bloody conflict between the revolutionaries and counterrevolutionaries in the Vendée in Western France (Silve de Ventavon 2001; Gras 1994; Martin 1987; Bordonove 1964; Tilly 1964). Of course, one should not overlook the fact that

¹¹ One implication of the move from natural to civil and moral liberties (described above) is that once the state has been established, natural liberties cease to function. As a minor caveat, then, Alfred Cobban observes that a document like the Declaration of the Rights of Man and of the Citizen, which makes claims based on natural rights (as it does from Article 1 on), could not exist in a pure Rousseauian republican state (Cobban 1934: 116).

French centralized authority started well before the Revolution (Tocqueville 1856: 32-41).¹² The seeds of the modern French state were sown as far back as Philip the Fair, even before the Valois and Bourbon Dynasties established what we now know as the *Ancien Régime*. In later years, Louis XIV was particularly efficient in establishing a network of officials in each of the provinces, and before him, Cardinal de Richelieu and Cardinal Mazarin had made substantial efforts to centralize the state administration. Nonetheless, while this state machinery was certainly functional under Louis XIV and, on the eve of the Revolution, Louis XVI, it was not without substantial faults. Particularly, vast differences in laws, cultures and traditions across the country, combined with assertions of local identity and autonomy, continued to afflict the monarchy and undercut its centralized effectiveness. So as the *Ancien Régime* came to a close in the late 18th century, French unification was inchoate at best. As revolutionary Mirabeau famously remarked in 1789, "le royaume n'est encore qu'un agrégat inconstitué de peuples désunis" (Wihtol de Wenden 2004: 72). In short, then, while one can certainly identify elements of the French state well before 1789, the Revolution still resulted in a mass consolidation of authority and the creation of a hyper-centralized state, the likes of which had not been seen since the decline of the Roman Empire (Tocqueville 1856: 9).

Even those elements of the French state that had existed before were destroyed by the Revolution. The considerable challenge to and the weakening of the nobility and the Church, for instance, the first two estates, left a void, which the new French state was forced to fill in order to reconstitute the French social fabric (Hazareesingh 1994: 158-59). Alexis de Tocqueville recounts in his 1856 *The Ancien Régime and the Revolution* how beneath its anarchic tendencies and frenzied structures, the French Revolution was ready to take on this task: "Beneath the ... chaotic surface there was ... [a] highly centralized power which attracted to itself and welded into an organic whole all the elements of authority and influence" that had hitherto been scattered between the three Orders of the State, professional associations, families and individuals -- to use Tocqueville's words, between a crowd of lesser, uncoordinated powers (Tocqueville 1856: 8). The French Revolution, with its Rousseauian influence, thus made possible the modern and centralized French state. In more colorful terms, Karl Marx describes how the French Revolution, with its "gigantic broom," cleared out all of the medieval rubbish, seigniorial rights and other historical relics, and thus cleansed the "social soil of its last hindrances to the superstructure of the modern state edifice" (Marx 1871: 54; 1852: 142). And this state edifice, founded in the Revolution in the Jacobinist tradition, which extolled the virtues of centralized authority, has continued on to this day with relatively minor modifications (Safran 2009: 3; Popkin 1998: 140). Of course, this was not inevitable, but a reality furthered by other subsequent actors in French history, with one of the most dominant being Na-

¹² Alexis de Tocqueville contends that state centralization was, in actuality, an institution from the *Ancien Régime* and not a new creation of the French Revolution: "Far be it from me to deny that this centralization was a glorious achievement and that other nations envy us in this respect, but I do deny that it was an achievement of the Revolution" (Tocqueville 1856: 32). Tocqueville elaborates how the *Ancien Régime* controlled the activities of France from its Parisian center and how long "before the Revolution, Ministers of State had made a point of keeping a watchful eye on everything that was happening in the country and of issuing orders from Paris on every conceivable subject. As time went on and with the increasing efficiency of administrative technique, this habit of surveillance became almost an obsession with the central government" (61).

poléon Bonaparte, to whom I turn in a moment.

C. LAÏCITÉ AND THE REPUBLICAN STATE

Before I discuss Napoléon, however, a brief introduction to *laïcité* is in order as a fundamental part of the republican tradition and the direct result of this consolidation of power within the state edifice. (This short interlude takes me a bit off of the timeline, but it is relevant to the conversation at this point. I will return to it in a fuller form in the second section.) Loosely translated as secularism, the term *laïcité* (which I will leave in French in this dissertation) is used in France to connote the ideal relation between the French state and religion. But more than that, *laïcité* is often viewed as a cornerstone of France and of the republican Social Contract and an ideal which unifies the republican priorities of freedom of conscience, equal treatment for all and a neutral political power (Laborde 2008; Bowen 2007; Gunn 2004; Stasi 2003). The Stasi Commission, which Jacques Chirac commissioned in 2003 to reflect on the application of *laïcité*, echoed this vision of *laïcité* as an essential republican principle around which the French Republic, itself, was constructed: "La laïcité est constitutive de notre histoire collective" (Stasi 2003: 25).¹³ Here, I briefly set the historical context of *laïcité*, and return in the second section to a discussion of *laïcité* in the present. As one small clarification, I do not seek to rehearse or summarize the extensive, diverse literature on *laïcité* (Poulat 2010, 2003; Baubérot 2008, 2006, 2004, 2000; Frégosi 2008; Monod 2007; Roy 2007; Lalouette 2005; Peña-Ruiz 2005; Costa-Lascoux 1996; Lassieur 1995). Instead, I work to illuminate here how *laïcité* flows from the Rousseauian idea of a strong centralized state with an unmediated relation with the citizen and to the very real revolutionary desire to consolidate authority within the state as a direct challenge to the Church.

I should mention, too, that the term *laïcité*, itself, is difficult to describe in concrete terms (or at least a fair amount of scholars see it as such, Patrick Weil not one of them (Weil 2009: 2704)). As John Bowen remarks, while there exists some sort of illusion that *laïcité* has a fixed definition that everyone seems to know and a continuous history that stretches cohesively from the French Revolution forward, it is, in reality, a controversial term with a contested and often contradictory history (Bowen 2007: 32). There is no historical actor named *laïcité*, whom we could follow and observe over time (33) And even if there were, it is still unclear what exactly we would look for -- a coherent theory or set of theories; a sort of "atheistic religion" à la Henri Peña-Ruiz; a collection of laws that deal with the relation of the state to organized religion à la Olivier Roy; or some sort of combination thereof (Peña-Ruiz 2005; Roy 2007; Bowen 2007). Further, even in the case of laws, there is still indefiniteness. The well-known Law of 1905, which is often cited as the clearest articulation of *laïcité*, does not even mention the term, and the 1946 and 1958 French Constitutions, which both declare that

¹³ The Stasi Commission, named after the chair Bernard Stasi, was established in July 2003 in order to reflect on the principle of *laïcité*. The Commission issued its final report and recommendations in December 2003, including the recommendation for a law on the Islamic headscarf and other ostentatious religious signs in state schools (Stasi 2003); I return to these issues in the second section. Members of the commission included Jean Baubérot, Hanifa Cherifi, Régis Debray, Gilles Kepel, Marceau Long, Patrick Weil and other officials and scholars.

France is *laïque*, never bother to state what that means. The notion of *laïcité*, then, cannot be understood or defined with mere reference to a certain code or a written text. It must be understood more broadly and as a series of debates, laws, theories and discussions about the role(s) of organized religion in France and its relation to other societal institutions and actors, as set in and defined (and redefined) by an intricate and rich historical context.¹⁴

The discussion of *laïcité* starts with an historical discussion of church-state relations in France. The basic narrative of *laïcité* (to the extent that such a narrative exists) starts around the time of the Revolution (or as some tell it, as far back as the Edict of Nantes in 1598 under Henri IV, which ended the French Wars of Religion and accorded the Huguenots considerable religious rights) (Bowen 2007: 22; Gunn 2004: 433). At that time -- that is, at the conclusion of the 1700s -- resentment toward the Roman Catholic Church, as a reminder of life under the *Ancien Régime*, intensified. Church lands were seized and sold off; monastic vows were dissolved; and after 1790, the Church was further reorganized and subordinated to the French state -- with, for instance, the new obligation that all church officials take an oath of loyalty to the French state and constitution, which many ultimately refused to do (Gunn 2004: 434).¹⁵ In a move reminiscent of Rousseau's critical account of organized religion, religion as a whole became a target, as revolutionaries turned against Protestants and Jews, too, and toward a mission of de-Christianization in Year II, with extreme violence and destruction (438). T. Jeremy Gunn describes the mass destruction of churches and religious treasures, even the decapitation of medieval sculptures of prophets and priests, which were ripped from their coves at Notre

¹⁴ Despite the absence of a clear definition of the term, one often sees much adulation for and reverence of *laïcité* as the cornerstone of France (Gunn 2004: 428). T. Jeremy Gunn collects several quotations from prominent French politicians with effusive praise for the term -- from Jacques Chirac's statement that "*laïcité* is inscribed in our traditions. It is at the heart of our republican identity. ... It is in fidelity to the principle of *laïcité*, the cornerstone of the Republic, the bundle of our common values of respect, tolerance, and dialogue, to which I call all of the French to rally. ... Its values are at the core of our uniqueness as a Nation. These values spread our voice far and wide in the world. These are the values that create France," to Jean-Pierre Raffarin's observation that "[l]aïcité is a cardinal value. ... [It] is our common approach. *Laïcité* allows France to be a land of tolerance. *Laïcité* prevents France from pitting [religious and ethnic] communities against each other" (428-29). As Interior Minister, Nicolas Sarkozy asserted that "*laïcité* is not a belief like others. It is our shared belief that allows others to live with respect for the public order and with respect for the convictions of everyone" (429). But while these quotations demonstrate the status of *laïcité* within realm of French politics, they do not do define the term clearly, nor situate it within its historical context, which is critical.

¹⁵ T. Jeremy Gunn describes how as of July 1790, the Constituent Assembly transformed the structure of the Catholic dioceses in France -- how it removed almost 50 bishops; cut off foreign relations, including those with Rome; and reorganized, renamed or eliminated Church offices to bring the Church under the 'uniform' control of the French state (e.g., the salaries of new bishops were to come from the state, and those bishops were required to take an oath to the state) (Gunn 2004: 434). As Gunn notes, these actions were enormously divisive -- on one side there were those who declared allegiance to the French state and on the other was the resistant element, who remained loyal to Rome: "Many ... historians of the period have judged it to be perhaps the single biggest mistake of the period, with some describing it in terms such as the beginning of a 'holy war' or a 'civil war,' as 'destructive, indeed, disastrous,' and even as revealing an 'instinct for intolerance'" (Gunn 2004: 495; Schama 1989).

Dame and tossed into the Seine (438). And such destruction became even more prominent as the polarization between the state and the Church became even more extreme. To defend the Church against the state was to declare war on the democratic values which the Republic was seen to represent; and to associate with the Church was to alienate oneself from and undermine the General Will: "It was as if a person could not be ... Catholic and ... French," a view consistent with Rousseau's repudiation of intermediate bodies and identities (439).

While it is difficult to distill this narrative into a short sub-section and there were numerous related debates at the time (for instance, with some of the belief à la Rousseau that a national religion was needed for societal cohesion, whether that be concentrated around the Catholic Church or the short-lived cults of Reason and Freedom), the end result was (at least the start of) a dramatic shift in church-state relations -- both in social terms (with the violent mistrust of religion as associated with the old régime) and in actual legal terms (as in the law of 1795 on church-state relations, which reaffirmed the freedom of religion, declared that the state would not subsidize religious ministers and, at the same time, forbade the wearing of religious clothing or ornaments in the public sphere) (438). As Bowen writes, it was at this time that the French state seemed to retreat from encouraging religion to instead take on the "privatized notion of religion as faith and conscience" (Bowen 2007: 22-23). The back-and-forth moves between the Church and the state continued into the 1800s, as the tension continued between religious affiliation on the one hand (almost all French citizens were members of the Catholic Church) and anti-religious sentiment as nourished and legitimated during the Revolution on the other (23). (At this time, the famous Concordat of 1801 between Napoléon and Pope Pius VII represented an important event in church-state relations, with the (limited) restoration of the Catholic Church in France (albeit in a manner which maintained the balance in favor of the state) (Dean 2004; Ardura 2001).)

In the last two decades of the 1800s and into the next century, France underwent another significant redefinition of church-state relations, with further efforts made to weaken the Catholic Church, which continued to sponsor and support anti-democratic and anti-republican movements; and the term *laïcité*, which became more frequent in common parlance (*Le Petit Robert Dictionnaire* included it for the first time in 1871), became more firmly connected to and associated with the French Republic in opposition to the Church.¹⁶ In particular, between

¹⁶ The conflict in church-state relations came to a head in the famous Dreyfus Affair. In that scandal, Alfred Dreyfus, a Jewish captain of the French artillery, was convicted by court martial in December 1894 of treason and sentenced to life imprisonment. Several years later, new evidence was uncovered, which identified Commandant Ferdinand Walsin Esterhazy as the real criminal. But when Esterhazy was court-martialed, the court substantially limited the ability of the prosecution to put on its case, and he was acquitted. With the help of Émile Zola and his famous article *J'accuse!* in *l'Aurore* on January 13, 1898, word spread of this cover-up, and polarization increased. Dreyfus was finally exonerated in 1906, but the conflict continued. The Dreyfusards characterized the situation as a plot of the Catholic elite (e.g., Stanislas du Lac) and the military, and the debate over the role of organized religion within French society broadened and intensified -- those "favoring a return to an era where the Church was in charge of morality" faced fierce resistance from those with passionate anticlerical and secularist positions (Bowen 2007: 25). While there is, of course, much more to the scandal and its aftermath, I raise it only briefly to elucidate further the tensions between the republican state and the Church at that time

1880 and 1905, France enacted more than two dozen laws to advance *laïcité*. For instance, Gunn describes a series of actions at this time that were aimed at Catholic congregations (and the restriction thereof) -- from two decrees in 1880 under Charles Louis de Freycinet, which (1) restricted the *Société de Jésus* (the Jesuits) and (2) mandated that all 'unauthorized' religious congregations submit within three months for legal recognition, to an outbreak of raids across France, which resulted in the closure of 261 religious houses and institutions and the eviction of 5,000-10,000 monks (Gunn 2004: 439-40). Efforts were also made to secularize schools so as to provide a 'republican' education and to reduce the clerical indoctrination of youths by the Church. Jules Ferry (the then Minister of Public Instruction) forged the school as a site "into which, for the first time in the history of the nation, the Church could not go" (Bowen 2007: 25). Laws were enacted in furtherance of this secular vision of schools, and while religious education was allowed after hours and students could attend catechism once a week, only lay teachers and secular lessons were allowed inside of the classroom (25). I return to the topic of education later on.

These events all led to two foundational laws -- the famous Laws of 1901 and 1905 -- on which I will conclude this sub-section. First, the Law of 1901 on associations (which continues to form the basis of French laws on associations even now) established the "legal basis for a wide range of social and cultural activities" and associations, but was, at the same time, a further attempt to limit the power of the Church (Bowen 2007: 26). In particular, the law required that religious congregations seek authorization from the Parliament, and as Bowen explains, that requirement was later used (as under anticlerical Prime Minister Emile Combes, for instance) to force the closure of ten thousand Catholic schools and resulted in the exodus of several thousand monks and nuns from France (Bowen 2007: 26; Gunn 2004: 440).¹⁷ (The law did not define what constituted a religious congregation, but it was understood to extend to institutions like monasteries, convents and religious schools (Gunn 2004: 440).) Second, in 1905, the National Assembly enacted the famous Law on the Separation of the Churches and the State, which was the unilateral break with the 1801 Concordat and thus the end of the "regime of recognized religions" in France (Bowen 2007: 26). In Article 1, the law declares that France guarantees the freedom of conscience and the free exercise of organized religions, and in Article 2, it announces that France *ne reconnaît, ne salarie ni ne subventionne aucun culte*. The modern view of *laïcité* as a combination of freedom of conscience, an equal respect of all faiths and beliefs and an institutional separation between Church and state, is often seen to be articulated and instantiated in this foundational law (Weil 2009: 274). At the time, though, it was much more controversial and faced much resistance from the Church. I revisit *laïcité* in the next section, but I return now to the discussion of Napoléon and the further consolidation

and for a more concrete reason, to provide a context for subsequent laws (like the Law of 1905, as below), which can be interpreted as an attempt of the Dreyfusards to weaken (or as some would argue, to take revenge on) their Catholic enemy (Begley 2009; Burns 1998; Cahm 1996; Rutkoff 1974; Arendt 1942; Kayser 1931).

¹⁷ In 1904, another law was introduced, which went as far as to forbid those who belonged to religious orders from teaching (Bowen 2007: 26; Baines 1996). (John Bowen notes, however, that the dearth of public school teachers led to a delay in the enforcement of the law, and many teachers received permission to leave their orders and return as 'secular' teachers (Bowen 2007: 26).)

of the French state.

D. NAPOLÉON AND THE REPUBLICAN STATE

In this complicated history of French state centralization, Napoléon (the First Consul) was a tremendously influential actor, even before he abandoned the façade of the Consulate and crowned himself Emperor in 1804. Of course, I do not have the space here to detail all of the Napoléonic state or all of the man behind this state; the literature in this area is extensive (Blaufarb 2007; Woloch 2001; Lyons 1994; Lefebvre 1969; Markham 1963; Herold 1955). I focus instead on this issue of centralization as one of the (if not the) most notable and durable features of the Napoléonic state, which the First Consul took directly from the Jacobinism of the 1790s: "From the apex of the administration to its lowest level, a firm chain of command was conceived within the State," which locked all of its agents into a severely centralized system of control (Hazareesingh 1994: 159). With a streamlined French state, Napoléon worked to eliminate revolutionary factions and to consolidate power within state institutions, like the Conseil d'État, to which he appointed himself. The establishment of the prefect system was particularly valuable in this way. These French state officials, selected in Paris and then sent out to the localities, had substantial authority to oversee local administrations, but were, at the same time, strictly controlled from Paris, which used the prefects as a powerful mechanism to enforce its laws, conduct surveillance and to impose its will across the country (Popkin 1998: 114; Hazareesingh 1994: 159). As Hayward remarks, the prefects were, in essence, miniature emperors, who ruled localities as agents of and mobilized local resources for the benefit of the centralized state (Hayward 1983: 30). They were to be heroic local leaders, who ensured universal loyalty and obedience to the laws from Paris, fostered consensus and maintained order and stability.

As another clear illustration of state centralization at this time, in the realm of French law, the French Civil Code of March 1804 (modified in name to the *Code Napoléon* on September 3, 1807) was a notable shift toward centralization and a concrete articulation of core revolutionary values. In the words of Henri Martin, "In spite of its faults ... the French civil code is ... as a whole, the realization of the views of the [18th] century and the principles of 1789. New France may revise or correct but cannot replace it. ... [The code] is a monument to the French Revolution" (Martin 1867: 171). Particularly, the Code was the culmination of over a decade's worth of work by revolutionaries to replace the multitudes of local laws and customs, which varied considerably, with one unified national system of law -- the creation of an entirely new and strictly rational legal order, which consisted of straightforward and non-technical language, which all citizens could understand and follow.¹⁸ As John Merryman ob-

¹⁸ While the official enactment of the French Civil Code was in March 1804, the move toward that Code started under the National Convention over a decade earlier. William Smithers notes that the laws enacted between 1789 and 1793 were "confused" and chaotic, so the decision was made in July 1793 to commission a committee (composed of Cambacérès, Treilhard, Merlin de Douai, Berlier and Thibaudeau) to draft a clear and concise civil code (Smithers 1901: 138). That code was presented to the National Convention in August 1793, but it was never enacted in full. Nevertheless, it was, as Smithers states, the "forerunner and base of the *Code Napoléon*" (139). After the end of the National Convention in October 1795, however, efforts toward a civil code remained dormant (with the excep-

serves, the Civil Code was envisioned as a sort of "popular book that could be put on the shelf next to the family Bible, or perhaps, in place of it [in a manner reminiscent of Rousseau's notion of civil religion] ... a handbook for the citizen, clearly organized and stated in straightforward language that would allow citizens to determine their legal rights and obligations by themselves," without a specialized education (Merryman 2007: 28-29).¹⁹ And while it drew some of its influences from elsewhere -- the Justinian Code of Ancient Rome, the Burgundian Code and the Code of the Visigoths, for instance -- it also clearly reflected French history and traditions (Civil Law, Feudal Customs, Royal Ordinances and Laws of the Revolutionary Assemblies, for instance), which it extended into areas like inheritance, domestic relations and contracts (Smithers 1901: 142; Halpérin 1992). Between 1804 and 1810, these efforts toward the centralization of French law continued in other areas as well -- civil procedure, commerce and criminal law -- and later laws expanded to the *Code forestier*, *Code rural* and *Code de justice militaire*. What is noteworthy about these codes, as well as the resultant unification of French law and centralization of the state, is how they have held fast over the years (van den Berg 2007: 269-275). As William Smithers comments, even with the turbulent history of the French state, "her codified laws as a whole have substantially maintained their original base and structure" and have been influential worldwide (Smithers 1901: 128). In fact, reflecting back on his life from exile and defeat, Napoléon claimed the *Code Napoléon* -- which had become an instrument of French rule in Europe and a foundation for French national unification -- as the greatest achievement of his rule (Lyons 1994: 94f; van den Berg 2007).²⁰

tion of the futile work of Cambacérès, a member of the Council of 500 under the Directory, to secure attention for the civil code) until 18 Brumaire gave rise to the Consulate in November 1799. In July 1800, Napoléon established a commission of Portalis, Tronchet, Bigot de Préameneu and Malleville (all lawyers and statesmen) to restart the work to draft a civil code. The commission's work was circulated for suggestions, presented to the Conseil d'État over which Napoléon presided and debated for months before the Legislative Corps, which ultimately enacted *Le Code civil des français* on March 21, 1804 (141).

¹⁹ Furthermore, as suggested above, the statist motivations for the Civil Code should not be underestimated. John Merryman writes that one of the main motivators of the Code was statism and the glorification of the new French nation-state (Merryman 2007: 28). Similar to the Code of Justinian, which worked to eliminate all prior laws, the French Civil Code, too, was an attempt to create new laws and a new rational and secular legal order, in order to bring about unification and centralization. Laws with origins before the creation of the new French state or from outside of the French state (as in the case of European common law, which composed a considerable portion of French law prior to the Revolution) were considered offensive to the spirit of French nationalism and statism (in spite of the fact that the Code incorporated much prior law in the end) (28-29).

²⁰ Such an assessment would not be incorrect according to numerous legal scholars and historians. For instance, in his evaluation of natural law codes, Peter van den Berg argues that the French Civil Code had a "more profound effect on the conduct and mind of man than any code before it" (van den Berg 2007: 269). He continues in his praise for the Code: "In its structure and in the precision, clarity, and sharpness of its 2,281 articles the *Code civil* is superior even to the Austrian ABGB. The structure is that of the system of the Law of Reason. ... As a code of private law the *Code civil* is of outstandingly high quality. It is superior to the two German codes of its time both in its taut and clear structure and its lucid epigrammatic language. ... The *Code civil* therefore proved the most successful Code of the

E. EQUALITY AND THE REPUBLICAN STATE

Also intertwined with and a cornerstone of the Rousseauian and French states is the ideal of equality under the law, to which I turn to close this discussion of the state. For Rousseau, equality is at the heart of the Social Contract and the General Will. Because his Social Contract is his ideal "form of association ... where each, while joining with all the rest, still obeys no one but himself, and remains as free as before," it follows, then, that Rousseau must elaborate some idea of equality so that these conditions can hold true, and of course, he does (Rousseau 1762: 14). In fact, the entire General Will is based in equality, whereby each citizen alienates himself entirely to the General Will and receives, in turn, an equal and indivisible part of the whole: "For in the first place, since each gives himself entirely, the condition is equal for all; and since the condition is equal for all, it is in the interest of no one to make it burdensome to the rest" (15). As a result, liberty subsists. But what also subsists is a certain form of equality. Rousseau does not advocate that the resulting conditions should be the same for all citizens (i.e., he does not favor a measure of equality based on outcome); he makes that obvious: "We must not take this word to mean that degrees of power and wealth are exactly the same" (55). He instead encourages a sort of minimum baseline, below which relative differences in control and wealth may undermine liberty and must, therefore, be checked: "[S]o far as power is concerned, it is not great enough to permit men to resort to violence, and is never exercised otherwise than by virtue of rank and law; and that, so far as wealth is concerned, no citizen is rich enough to buy another, and none so poor as to be forced to sell himself" (55). What Rousseau really intends when he says equality, then, is a more formal equality under the law. Bound under the same conditions of the Social Contract and the General Will, all citizens enjoy the same rights and receive the same benefits (and share in the same burdens) under the law. By the very definition of the Social Contract, every law (as a registration of the General Will) "obliges or favours all the citizens equally; which means that the sovereign is aware only of the whole body of the nation, and recognises none of its individual members" (33). As a brief note, this discussion further underscores, for Rousseau, the necessity of the rule of law, both because law results from an equitable process in the advancement of the common welfare and because law (and one's obedience thereto) results in and maintains a formal equality between citizens.

Particularly because it resonated well with the revolutionary endeavor to abolish the old order and its feudal hierarchies, equality became a central element of the French reference frame (Cole 2006: 36). Indeed, the resuscitated beliefs that all men are born equal, that there should be equal laws for all and that power should be vested in the nation and the people as sovereign "formed part and parcel of [the Revolution] and ... can be seen to be its most fundamental, durable and authentic characteristics" (Tocqueville 1856: 6). Of course, these be-

century. ... It is therefore no surprise that the *Code civil* had effect *elsewhere in the world*" (272-75). And the Code would not have been possible without the efforts of Napoléon: "It took the initiative of Napoléon Bonaparte, First Consul after 1800, to energize and actualise the planned code, an achievement which ranks along with his administrative reforms as the most constructive and beneficial act of a statesman still devoted to the good of his nation. ... His hand can be seen in many of the detailed rules, and the whole production shows his organizational power and limitless self-confidence" (271).

liefs were in stark contrast to the practices under the *Ancien Régime*, in which one's freedoms and rights varied according to one's status in the stratified old régime -- *roi* over *gouverneur*, *noblesse d'épée* over *noblesse de cloche*, *seigneur* over *consulaire*, man over woman, Catholic over Protestant and Jew and so on and so forth (Popkin 1998; Doyle 1990; Barnave 1988; Palmer 1971). The structures of status and favoritism were enmeshed in the fabric of French society in what Abbé Emmanuel Joseph Sieyès described in his *Qu'est-ce que le tiers état?* (in regard to the first two estates) as the "malignant tumor that torments and undermines" (Sieyès 1789a: 70). "It must be *neutralized*," he declared (70). The Declaration of the Rights of Man and of the Citizen, then, was a notable shift, and it formalized in 1789 the idea that men are born and remain free and equal in rights: "Les hommes naissent et demeurent libres et égaux en droits. Les distinctions sociales ne peuvent être fondées que sur l'utilité commune." The Constitution of 1791 echoed the Declaration and went further to declare that laws extended in an equal manner to all Frenchmen: "Il n'y a plus, pour aucune partie de la nation, ni pour aucun individu aucun privilège, ni exception au droit commun de tous les Français." And further iterations and invocations of the General Will in French history, even for all of their differences, continued to reflect this same central belief -- that the General Will (and thus laws) must flow from all citizens and extend to all citizens as equal (Neidleman 2001: 83). In short, equality demanded both equal civic participation and equal treatment or protection under the law (83).

However, at the moment that the revolutionaries announced the value of equality, they clawed it back to control its reach, in particular in the case of women, blacks and other 'enemies' of the French Republic. For instance, French citizenship and nationality law at the time of the Revolution offers some useful illustrations of this retreat. As 'French persons' came to be defined for the first time under the Revolution, heated debates about who was (or who could become) a French citizen (and thus an equal participant in the French nation and state) came to the fore (Weil 2008). Could Protestants, Jews and other non-Catholics be 'full' citizens? Freed slaves? Women? How does one determine who is foreign under the law? Is *jus sanguinis* or *jus soli* (or a combination thereof) more desirable? And as was debated in Napoléon's time, should military concerns (such as the need for more soldiers) influence citizenship considerations? These and many other issues dominated the national debate, and while I do not have time to discuss them in detail here, I mention them to illustrate that, while the abstract notion of equality came to be almost axiomatic, the definition of those entitled to that equality as citizens was and remains to this day hotly contested.²¹ And even when one could

²¹ Lynn Hunt offers a short overview of these debates over who could be classified as a 'citizen' -- debates which extended to the poor versus propertied; non-Catholics versus Catholics; free blacks; and women (Hunt 1996: 16-32). For instance, in the realm of women's rights, there were a few, like Condorcet, who advocated for such rights, arguing that "[e]ither no individual in mankind has true rights, or all have the same ones (Condorcet 1790: 120). In response to those who believed that women were incapable of citizenship -- for instance, because they had not achieved excellence in the arts and sciences or because they had shown themselves to be more 'sensitive' and emotional, rather than rational and with an internal sense of justice -- Condorcet answered that these observations prove nothing: "It is not nature but rather education and social conditions that cause this difference" (121). But, as Hunt notes, "[H]is pleas fell for the most part on deaf ears. None of the national assemblies ever considered legislation granting political rights to women" (Hunt 1996: 26-27).

call himself a citizen, there was a further debate as to what level of equality he was then entitled. Here, it is useful to describe the distinction made between 'active' and 'passive' citizens. Just seven months after his *Qu'est-ce que le tiers état?*, Sieyès advocated in his *Préliminaire de la constitution française* for a distinction between citizens (Sieyès 1789b: 81). While all inhabitants of the country should hold certain natural rights -- like those to their person, property and liberty, for instance -- not all should hold robust political rights, those by which the society constitutes and maintains itself (81). The latter, Sieyès wrote, should be reserved for 'active' citizens -- those who take a 'full' role in the formation of public authorities and who "contribute to the public establishment ... like the true shareholders in the great social enterprise" (81). Women, children, foreigners and others who "contribute nothing" to this establishment should have "no active influence on public affairs" (81). Even with the vocal objections of prominent critics like Maximilien Robespierre, the Constitution of 1791 formalized this distinction and created additional standards to be an 'active' citizen. One had (1) to have been born or become a Frenchman; (2) to be at least 25 years old; (3) to meet articulated standards of domicile; (4) to pay a certain tax; (5) to not be a servant; (6) to be inscribed on the roll of the National Guard; and (7) to take the civic oath. Of course, these added requirements excluded a sizeable portion of the French population. Jacques Thoutet of the Constitutional Committee of the National Assembly estimated that the number of active citizens (with deductions made for women, minors and several others) was 1/6 of the total population or about 4.4 million citizens of the 26 million individuals in France (Thoutet 1789: 82). In short, what was a more universalized and egalitarian form of civil citizenship was undermined by a hierarchical scheme of political citizenship (Brubaker 1992: 87). And while this distinction fell by the wayside over the years -- starting with the *levée en masse* in 1792 (described below) -- the broader debate about equal participation in the General Will and equal treatment under the law as the result of that Will remained and remains an area of controversy.

IV. THE FRENCH REPUBLICAN NATION

A. ROUSSEAU AND THE REPUBLICAN NATION

Closely connected to the notion of a centralized state, as the embodiment of the General Will, is the Rousseauian idea of the nation, as the moral and emotional foundation of the republic. For Rousseau, the state and nation are intimately connected. Both are constructions of will (in contrast to the work of some German Romantics, who view the nation as emerging from nature²²), and both are needed to sustain a community of men. Hans Kohn offers a careful account in this area (Kohn 2005). Rousseau, he notes, sees the importance of a true moral and collective self of which the individual becomes a member, in body and in mind (246). He insists on individualism but also on community, and he underscores the need for civic virtue (which he draws from a heavily idealized vision of Ancient Greece and Rome) and duty. But such virtue and duty, Rousseau believes, do not and cannot flow from reason alone; they must

²² David Bell discusses how before the 18th century, the idea of the 'active' construction of a nation "lay beyond the mental horizons of Western Europeans" (Bell 2001a: 5). For Europeans, Bell writes, "nations were facts of nature ... basic divisions of the human species, not products of human will" (5). Of course, nations could have founders, but this did not come close to modern nation building (5-6).

have their "seat in the deep emotions of the heart which determine human behavior and control all those appetites which he felt were the greatest enemies of man's rational liberty" (248). This attraction to sentiment and emotion and this insistence on the sense of 'community mindedness' and of an almost religious connection (e.g., civil religion) between the individual and the fatherland is, in many ways, one of Rousseau's most influential concepts: "He taught men that their foremost loyalty was due to the 'national' community, based [on] law, liberty, and equality, and held together by a feeling of brotherhood and mutual devotion" (251). In this way, Rousseau provides the modern nation with its emotional and moral foundations: "[H]e mobilized the *amour de la patrie* and the *élan de la vertu* for the state" -- and also for modern nationalism (251).

While Rousseau is certainly influential in the creation of modern nationalism, he oddly never directly or systematically elaborates the notion of *la nation* in his work, nor would he have conceived of himself as a modern nationalist. It could be that Rousseau merely advocates patriotism, which (while oftentimes used as a synonym of nationalism, mainly because the two often coincide) refers more to an emotion aroused by the idea of the state, not the nation (Cobban 1934: 156; Viroli 1995).²³ Indeed, Marc Plattner thinks it rather odd that Rousseau is viewed as the intellectual father of nationalism, both because his more individualistic (and cosmopolitan) tendencies seem to be in tension with the essence of nationalism and because his theories are often characterized by the desire to revert to small republics (*polis*), in contrast to the expansive territorial units associated with modern nationalism (Plattner 1997: 185). But even Plattner comes to see how Rousseau may, in reality, be a modern nationalist at heart (196). Rousseau's works on Poland and Corsica may more clearly illuminate this fact. While the recommendations in both works are tremendously different -- mainly because the two countries themselves (one a small island in the Mediterranean Sea and the other a large kingdom on the mainland) are so different -- a common core theme that runs between them is Rousseau's idea about national character. In his *Constitutional Project for Corsica*, he underscores that the "first rule to be followed is the principle of national character; for each people [a term which he uses synonymously with *nation*] has, and ought to have, a national character" (Rousseau 1765: 293). And Rousseau makes a similar statement in his *Considerations on the Government of Poland*, where, to counter the Europeanization that he observes,²⁴ he rec-

²³ Patriotism is much more than a necessary outcome for Rousseau; it is also a reliable indicator that the emotions of the citizenry are directed at the General Will, rather than at self-interest. In more Rousseauian terms, it is an indicator that *amour de soi* (the sentiment that an isolated man feels for himself) and *amour propre* (our treacherous nature from which all our vices arise) have been transformed and re-channeled into a love of country vis-à-vis the emotions of patriotism. This transformation is needed to ensure the formation of a "proper emotional relation between individuals and the state" -- one without the divisive rivalries between individuals as the result of *amour propre* and without the individual indifference and detachment which result from *amour de soi* (Trachtenberg 1993: 134). Zev Trachtenberg offers a fuller account in his text (133-43).

²⁴ In *Considerations on the Government of Poland*, Rousseau states that "[t]oday, no matter what people may say, there are no longer any Frenchmen, Germans, Spaniards, or even Englishmen; there are only Europeans. All have the same tastes, the same passions, the same manners, for no one has been shaped along national lines by peculiar institutions. All, in the same circumstances, will do the same

ommends that we "incline the passions of the Poles in a different direction ... [and] give their souls a national physiognomy which will distinguish them from other[s]" (Rousseau 1772: 169). The end result is (to circle back to the discussion of the General Will and law above) the rule of law. The souls, indoctrinated into the nation, will follow laws (as registrations of the General Will) "without evasion because those laws suit them and rest on the inward assent of their will" (169). Loving the fatherland, Rousseau writes, citizens "will serve it zealously and with all their hearts" (169). It is in this way that the General Will, the state, the fatherland and the nation all come together for Rousseau and the discussion of patriotism and nationalism intertwine.

Furthermore, what is even more nationalistic about Rousseau's discussion of Poland and Corsica is the manner in which the nation must be actively and deliberately constructed and maintained over time. As historian David Bell describes, nationalism is more than national sentiment, a critical distinction that he finds unclear in the works of nationalism scholars like Ernest Gellner and Eric Hobsbawm (Bell 2001a; Gellner 1983; Hobsbawm 1990).²⁵ Whereas a certain level of national sentiment might emerge in due course from normal interactions between individuals in close proximity, nationalism is an intentional and political endeavor that has "as its goal not merely to praise, or defend, or strengthen a nation, but actively to construct one" (Bell 2001a: 3). In essence, then, the doctrine of nationalism (in particular for Rousseau) links closely, even if unclearly, the nation with the state, bringing together political boundaries and national divisions under the umbrella of the nation-state as the locus of authority and loyalty (Plattner 1997: 184). In this way, Rousseau is resolutely nationalistic. In his work on Corsica, for instance, where he offers the rule of national character, Rousseau adds that if a people (a nation) does not possess that character, one should "start by giving it one" (Rousseau 1765: 293). And more concretely, in his work on Poland, Rousseau recommends that the weakened Poles first set about constructing and facilitating their own nationalistic zeal so as to "stand ready to defend" Poland against her enemies (Rousseau 1772: 168). Further highlighting the idea that nationalism is an intentional and political process, Rousseau stresses that national institutions (such as education, which I discuss below) are critical in this defense of Poland: "It is [these] institutions which shape the genius, the character, the tastes and the manners of a people ... which inspire it with that ardent love of country, based on ineradicable habits" (168). Here, Rousseau harkens back to the (idealistic, at least in his view)

things; all will call themselves unselfish, and be rascals; all will talk of the public welfare, and think only of themselves; all will praise moderation and wish to be as rich as Croesus. ... What do they care what master they obey, under the laws of what state they live" (Rousseau 1772: 168-69). Poland, he writes, must chart a different course.

²⁵ David Miller makes a related (albeit a distinct) point about the notion of the nation as distinctive of other kinds of identities or sentiments. Particularly, he describes how national identity is, *inter alia*, an active identity: "Nations are communities that do things together, take decisions, achieve results and so forth" (Miller 1995: 24). He continues, "The nation becomes what it is by the decisions that it takes" (24). In this sense, too, then, the nation is not a passive (or static) institution; rather, it is created and recreated over time -- most often via proxies (e.g., statesmen, soldiers and the like) who are believed to represent the national will -- and is, in that important sense, an intentional and not an accidental venture (24).

days of Lycurgus, who imposed upon the Spartans an "iron yoke, the like of which no other people ever bore" (164). But in so doing he "kept the fatherland constantly before their eyes, in their games, in their homes, in their loves, in their festivals; ... [and thus] was born that ardent love of country which ... turned them into beings above the level of humanity" (164). In a similar manner, Rousseau admires Numa and Moses, who are also to be celebrated for their creation of institutions to foster the bonds that "might attach citizens to the fatherland and to one another" (165). In short, what Rousseau seems to admire is this trend toward nationalism, the political process by which these leaders created (at least in Rousseau's romanticized view of them) a people, where none had before existed.

B. THE REVOLUTION AND THE REPUBLICAN NATION

More than the construction of a centralized state, then, whose reach could extend into the smallest towns, the revolutionary mission was also a truly nationalistic one, and the desire to establish a French nation (and a universal one at that) was evident from the start. Similar to Rousseau, the French revolutionaries, in their construction of the modern French nation-state, linked the ideas of the General Will, the nation and the state, such that one could not be realized or understood in the absence of the others. In French tradition, the French nation seems to flow from the French state and is conceived of within the "institutional and territorial frame of the state" (Brubaker 1992: 1). In this vein, Jack Hayward observes that France is a state-nation, rather than a nation-state, since the French nation is the "artifact" of the French state (Hayward 1983: 21). Dominique Schnapper makes the kindred observation that one cannot fully understand the French state without understanding its central role in the construction of the French nation, for the French nation is the "fruit of a political will put into action by the Central state ... which strove to constitute around itself, inscribed upon the national soil, a nation culturally and politically unified by its action" (Schnapper 2002: 196-97). At times, it can be difficult to identify this element of active construction, which may be obscured by invocations of France's 'essential' and 'primordial' nature, but it nonetheless remains at the heart of the nationalistic crusade. (In reality, those claims of France's 'essential' nature only further demonstrate the existence of the nationalistic endeavor, since mythical claims of the nation as an extension of history or of a people unique and distinct within nature are a considerable part of that endeavor (Miller 1995: 35).) As Bell notes, even those who insist on the nation's 'natural' distinctiveness still see the need for concerted political action, whether it be to rid the nation of impurities or to revive national characteristics that have been lost, abandoned or weakened over the years (Bell 2001b: 1215-16).²⁶ And such necessitates the full force of the mod-

²⁶ David Bell comments that, in this manner, the notion of nationalism is inherently paradoxical (Bell 2001a: 5). At one level, it takes for granted -- as it might have to do in order to succeed -- the nation and its existence. Nationalism, Bell comments, almost "irresistibly calls forth images of immemorial pasts," unbroken lineages and deep bonds (5). Indeed, such invocations of the nation's primordial essence -- linked to its blood, language or land -- offer nationalists a justification for the "large political claims that they tend to make on its behalf" (5). But at the same time, nationalists recognize the need for comprehensive political action (e.g., education, the promotion of common symbols and loyalties and the strengthening of borders) in order to "complete and perfect the national identity, so as to forge a truly cohesive body" (5). (The two sides are often reconciled by framing a new national construction instead as an act of "reconstruction, recovery and regeneration" (5).)

ern French state. In this sub-section, I offer a brief historical foundation of the French nation and of French nationalism as inextricably tied to the French state, with a dedicated focus on the late 18th and early 19th centuries as the birth of the modern notion of the French nation. At the end, I also discuss several national institutions relevant to this idea of construction.

As one minor historical clarification, I do not mean to suggest that France did not have a certain level of collective consciousness before 1789. It did. Historians like Colette Beaune have described the phenomenon of national sentiment as far back as the Middle Ages (Beaune 1985). Historian Eugen Weber observes that "long before the Revolution formulated and perfected the terms of the social contract, the inhabitants of the land called France had achieved the spiritual unity that is the necessary precondition of nationhood" (Weber 1976: 95). Weber borrows from philosopher Julien Benda to elaborate this unity as a certain community of ideas about certain fundamental problems; a certain identity as to how one conceives of the external world, orders values and classifies items and ideas; and a certain common spirit (Weber 1976: 95; Benda 1932). But as Bell clarifies above, there is a clear distinction between national sentiment and nationalism. Nationalism, itself, is more modern, and it was not until the late 18th century that nationalism, connected to the revolutionary endeavor to transform the absolutist monarchy into a nation *une et indivisible*, came to full force (Sa'adah 2003: 17). Even Weber concedes that while 40 French rulers had made strides toward a unified France, it still had not been elevated to the level of a fatherland -- of an abstraction that could stand in for an individual's more local experiences (Weber 1976: 96). It was the Revolution which finished the work, "abolished local particularisms [and] perfected a national unity stronger and more compact than any other nation ever knew" (95). Bell remarks that before the Revolution, the idea of forcing one language and one uniform set of ideas and standards on "Basque shepherds and Breton fishermen, Picard farm laborers and Lyonnais servants, Parisian lawyers and Marseilles merchants ... [as well as] Versailles courtiers" would have seemed absurd (Bell 2001a: 198-99).

Prior to the Revolution, references to the nation were uncommon, for under the monarchy, it was traditionally admitted as truth that the Crown, the State and the Nation were the exact same unit, embodied in the monarch himself. However, in the late 18th century as the Revolution was underway, the notion of the French nation came into clearer focus. In their early revolutionary forms, references to the nation evoked two ideas -- first, the notion of the French population as the bearer of rights; and second, the idealized vision of the nation as the "transcendent source of political authority" of which the monarch could no longer claim to be the exclusive embodiment (Keitner 2007: 24). In its earliest forms, then, the notion of the nation was rooted in the discussion of the sovereign and its location. Under the *Ancien Régime*, the monarch was, of course, the absolute sovereign and the final word on all matters. But as the French Enlightenment got into full swing and thinkers like Rousseau, Diderot, Montesquieu and Voltaire worked to break down²⁷ and reexamine the basis on which the authority in

²⁷ I do not mean to suggest that the French Enlightenment is the sole (or even the main) cause of the French Revolution, although one could argue that it offered a theoretical foundation (even a justifica-

French state and society rested, it became clearer that the embodiment of the sovereign in a single monarchical will was not an inevitable outcome (Sa'adah 2003: 18). The French nation, then, was the direct result of this transformation, as the sovereign was relocated in the French people -- within the French nation. Further, the location of the sovereign is not merely a structural consideration; it has direct relevance to the emotional relation between the citizen, the state and the nation. Under the *Ancien Régime*, as an illustration, individuals did not identify much with their country. As Tzvetan Todorov asks, how can one identify with one country over another when all it takes for one's country to become another is a royal union, and how can one believe that a war is his own concern when it results from the monarch's whim (Todorov 1993: 175)? He cannot, Todorov answers. But as soon as the nation becomes sovereign, the individual can feel more of an investment in and attachment to his state and his neighbors, and the idea of nationalism can materialize (175). Voltaire, too, writes that a republican citizen will always be more attached to his country since he will always have a direct investment in the outcome; he is, in essence, partial owner: "Un républicain est toujours plus attaché à sa patrie qu'un sujet à la sienne, par la raison qu'on aime mieux son bien que celui de son maître" (Voltaire 1752). The relocation of the sovereign in the nation is critical.

Historically, this 'relocation' started in the early days of 1789, as the elections for the Estates-General transformed the idea of government through involving much of the French (at least the adult male) population: "In every parish and district of the country, all adult men ... were called together not only to choose their representatives but also to voice [via *cahiers de doléance*] their views on what issues the Estates-General should consider" (Popkin 1998: 27). The immediate effect was to raise the level of popular political consciousness and to foster the belief that these delegates would be national in their representation (Popkin 1998: 27; Jenkins 1990: 18). The relocation of the sovereign was in motion, even though the delegates of the Estates-General were embroiled in numerous difficulties. According to Brian Jenkins, a truly decisive moment in the construction of the French nation came in July 1789 when the Third Estate assumed the title of National Assembly and swore the famous 'Tennis Court Oath,' under which it resolved to meet until a constitution was finished (Jenkins 1990: 18). This moment was revolutionary in that the delegates of the Third Estate had signaled to the monarchy and the first two estates that the Third Estate was no longer subordinate; it was to be the collective voice of the nation (19). Of course, this single oath did not eliminate the old order all at once, but it did nonetheless start the national transformation. The National Assembly set to work to draft the constitution and more broadly, to take on the task of regeneration and creation of a new moral and political order (Jenkins 1990: 20; Hunt 1984). In this endeavor, the idea (as well as the images and rhetoric) of the nation was critical. As an illustration, the Declaration of the Rights of Man and of the Citizen formalized in Article III the conviction that the French nation, not the French monarch, is sovereign: "Le principe de toute Souveraineté réside essentiellement dans la Nation. Nul corps, nul individu ne peut exercer d'autorité qui n'en émane expressément." This belief was further echoed in the short-lived Constitution of 1791 in Title III: "La souveraineté est une, indivisible, inaliénable et imprescriptible. Elle appartient à la nation; aucune section du peuple, ni aucun individu, ne peut s'en attribuer l'exer-

tion) for the Revolution and its ideals. The numerous causes of the French Revolution are described fully in the literature (Chartier 1991; Doyle 1981; Lefebvre 1947; Mornet 1933).

cice." And such a belief continues to today in the Constitution of 1958 in Title I: "La souveraineté nationale appartient au peuple."

However, as the Revolution continued, another more aggressive and messianic dimension of modern nationalism was unveiled. As Rogers Brubaker remarks, the French Revolution can be seen as, among other things, a national revolution, which suggests for him both the creation of an indivisible nation of free and equal citizens, who stand in direct relation to the state; and the introduction of a militant and mobilized nationalism, which stands in direct contrast to the indifference to the nation and to nationality that reigned under the *Ancien Régime* (Brubaker 1992: 43).²⁸ This combination of nationhood and nationalism was not, however, an initial intent of the revolutionaries. As seen above, the initial invocations of the French nation were as a sort of rhetorical and theoretical basis for a new political order, more of an abstract justification or a call for a legitimate order than a combative or radical crusade. In that vein, while the new nation was seen as against sub-national entities, it was not seen as against other nations (44). (The Constitution of 1791 in Title VI even went so far as to renounce wars of conquest.) At least early on, then, the Revolution and its idea of the nation were universal but not aggressive toward other nations. National and internal boundaries were to be transcended, and the values of *liberté*, *égalité* and *fraternité* were to be France's munificent contributions to mankind (44). At this time, France was even liberal to foreigners residing in its borders, according them significant rights and eliminating the *droit d'aubaine*, which had limited inheritance rights of foreigners. But the halcyon days of the French nation soon ended. Motivated mainly by the issue of *émigrés*, the Legislative Assembly voted on April 20, 1792, to declare war on Austria, and nationalism became associated with the defense of the Revolution against the treasonous *émigré* nobles in league with foreign monarchs: "The declaration of war had an immediate and long-lasting impact on the course of the Revolution. It raised the stakes of the political debate enormously. For patriots, opposition to any aspect of the Revolution [which included the French nation] now looked like treason and deserved the harshest possible punishment. Political disputes thus took on a life-and-death character that made compromise harder to accept than ever" (Popkin 1998: 65). In some ways, this shift (while it certainly did not have to be *so* radical) may have been at least somewhat needed to ensure the viability of the French nation (and the state). While the relocation of the sovereign in the nation was significant as a theoretical foundation for a new order, much more was needed. National cohesion could not be based merely on an abstract, contractual fiction: "Criteria for national membership had to be identified and bonds of solidarity cultivated to foster cohesion, commitment, and compliance within a nation-based regime" (Keitner 2007: 69-70). The French nation needed further content.

²⁸ Rogers Brubaker considers the Revolution from four different perspectives, which he argues "bring into focus the multiple significance of the French Revolution for the development of the modern institution of national citizenship" (Brubaker 1992: 39). These perspectives include the French Revolution as a (1) bourgeois revolution; (2) democratic revolution; (3) national revolution; and (4) bureaucratic, state-strengthening revolution. I focus on (3) in the text, although I recognize the value in all four. (1) considers how the Revolution created a framework for the emergence of a bourgeois society: "Above all this meant the establishment of equality before the law and the consideration of the legal right to private property" (39). (2) views the Revolution as all about political rights, rather than civil equality, and (4) views the Revolution as all about clearing obstacles to effective state action (35-49).

As the Revolution took a radical turn, so, too, did nationalism, as factionalism and war bred mistrust of the *étranger* and the idea of the French nation-state fundamentally altered the discussion of French nationalism. First, it had become clear that building a nation in late 18th century France was not the same as building a nation in the time of Pericles or Cicero; more aggressive action was now needed (Bell 2001a: 200). As Bell describes, the circumstances necessitated not merely the transformation of the character of 28 million human beings across an extensive territory, but "even more important, the homogenization of those ... human beings, the reduction of their tremendous diversity to a single, national essence" (200). In a related movement, then, nationalism changed from an abstract device (as described above) to a full-on "ideological instrument of state power, deployed [to assemble] mass support to the regime and [attack] its enemies (both with and without)" (Hazareesingh 1994: 125). Ironically, Bell notes, revolutionaries turned to the methods of Reformation-era priests and made (what turned out to be futile) efforts to send "well-drilled republican versions of the Jesuits out into the countryside to teach, persuade, and indoctrinate by every possible means, and to provide ... a common education, a common set of allegiances, and a common language" (Bell 2001a: 200-01). While these efforts were undermined by war and economic strife, it remains significant that the French state had taken on this role, which was now more than a small project of a philosophical and political nature; it was an extensive project to create and promote an ideal, uniform French citizen -- and more than that, to spread that 'universal' ideal, with its attendant values, across the world.²⁹ As statesman Pierre Victurnien Vergniaud declared, "It is not for ourselves alone, it is not for that part of the globe tha[t] one calls France, that we have conquered liberty" (Brubaker 1992: 4; Vanel 1945: 109). But with this invention of the national citizen also came the fortification of national borders and the invention of the *étranger*, who could now be excluded in ways that were infeasible under the *Ancien Régime*, where this level of national self-definition and self-interrogation had not occurred (Brubaker 1992: 47). And this more forceful brand of French nationalism endured throughout much of the 19th century as well, fueled by conflict after conflict; concerns over the Eastern borders (the status of Alsace and Lorraine); increased immigration from neighboring countries and from North Africa; economic and intellectual decline; and societal fragmentation with the continued tension between centralism and localism (Hazareesingh 1994: 126).

²⁹ Intertwined with this notion of French nationalism (and French Republicanism) is also the claim -- one which the French Enlightenment furthered -- that France is the quintessential and universal representation of the modern nation-state and the model for all of humanity -- the idea that the Revolution serves as the "blueprint" and manual to nascent nation-states worldwide for how to transform *liberté*, *égalité* and *fraternité* into 'natural' law (Silverman 1999). However, the entire notion of French universalism -- with its 'elusive' origins in Catholicism -- is difficult, even internally contradictory (Schor 2001: 44). (Naomi Schor writes that France was, from the Middle Ages on, referred to as the "eldest daughter of the Church" and that it drew from that relationship its "reputation and mission as a disseminator of a universalist creed" (44). The French Revolution, then, "did not mark a rupture between a pre-universalist and a post-universalist France but rather drew on and gave new impetus to France's time honored civilizing mission" (44).) Schor observes, "[T]o speak of French universalism is and is not an oxymoron: it is to the extent that universalism is defined as the opposite of particularism, ethnic, religious, national, or otherwise. It is not to the extent that French national discourse has for centuries claimed that France is the capital of universalism and, though often challenged, that claim has remained largely secure" (43).

To be clear, the task at hand for these radical revolutionaries to create a unified French nation was immense and extraordinarily difficult. In reality, France was a truly multi-national society; it had historically been and remains to this day incredibly diverse and varied in terms of customs, histories, languages, laws, values and the like.³⁰ (I revisit this discussion in the third section in my analysis of Jules Michelet and Fernand Braudel.) Under the *Ancien Régime*, as a start, a broad diversity cut across a France of over 27 million inhabitants and about 277,200 miles² of territory. William Doyle describes in detail this diversity in France, particularly as the country dealt with continuous additions and other territorial issues -- the addition under Louis XV of Lorraine in 1766 and Corse in 1768; sites of German culture and control in Alsace; papal control of Avignon; and an autonomous republic at Mulhouse, to name just a few (Doyle 1989: 2). The historical memory of France as an assorted collection of autonomous, autarchic feudal domains remained, as Doyle recounts, alive and well in the 18th century, and from Normandy, Picardy and Brittany down to Languedoc, Roussillon and the tiny Pyrenean counties of Foix and Nébouzan, France was marked by a multiplicity of local cultures, histories and customs. In terms of law, for instance, aside from the occasional royal edict, the various domains had few (or no) common laws or centralized administrative procedures, which left them free for more local pursuits. As one illustration, whereas the Southern Provinces tended to favor written, codified Roman law, the Northern Provinces relied more on local custom, which meant that laws could vary considerably between different areas of the country. Particularly with laws related to inheritance and property, inconsistencies across districts could create real practical difficulties -- when one held land in several districts, for instance, or moved from one location to another. The same was true with taxation, as each district utilized its own independent system to calculate taxes. Doyle describes how a delivery sent down the Saône and Rhône Rivers from Franche Comté to the Mediterranean could face duties at 36 customs barriers (4). The broader message, one elaborated in the extensive historical literature in this area, is that France under the *Ancien Régime* was not *une et indivisible* as may have been later claimed; rather, it was a decentralized mixture of social, cultural and

³⁰ Eugen Weber details how cultural differences existed not only between the French regions but also between the more urban and the more rural populations, and how even as the more urban areas became more and more alike, rural areas "continued to show a remarkable diversity from one region to another and even from one province to the next" (Weber 1976: 9). Weber quotes statesman Léon Gambetta, who remarked in 1871 that there is an "enormous distance between them and us" (5). And 'us' and the 'rurals' were not neutral terms. The 'civilized' elite demeaned the 'savage' rural peasants, and Weber quotes several historians, who document the disdainful actions of the sinful, miserable, lazy and avaricious peasant, marked only by his foulness, dirt, superstition and ignorance (4). It is notable also that such divisions between the civilized 'urbans' and the unwashed 'rurals' took on racial overtones. Weber mentions that in Languedoc, the 'rurals' were seen as of another race and that well into the 19th century, mid-wives in villages continued to knead babies' round skulls in an attempt to mold them into a more elongated skull associated with "more intelligent city folk" (7). What is more, Weber observes that the peasants, themselves, took on this identity: "The peasant was ashamed to be a peasant; he was ashamed to be uncivilized; he agreed with his judges that there was something valuable and vastly superior that he lacked, that French civilization" (7). The point here is that difference and diversity existed on many fronts in France and that the urban-rural distinction was quite salient.

political localities. And most notably, until the Revolution, diversity had not caused much of a stir; it was considered by most to be normal in everyday French life. As Weber contends, it was not until the Revolution advocated for the notion of national unity and for the "ideal of oneness" at all levels that diversity came to be viewed as an "injustice, failure, something to be noted and to be remedied" by the French state (Weber 1976: 9).

The revolutionary and nationalistic crusade toward and the myth of national unity thus had to overcome difficult circumstances and construct a cohesive nation out of an otherwise diverse France. In this venture, the invention and use of national symbols were critical, not merely rhetorical or aesthetic. Lynn Hunt contends that symbols are the means and ends of power: "The exercise of power always requires symbolic practices. There is no government without rituals and ... symbols" to reaffirm the sense that that government is legitimate (Hunt 1984: 54). And it is not as if these symbols, rituals and narratives derive from the recesses of time; they must be constructed. Hunt notes that the French did not start out with a set of fixed symbols and tales to advance their revolutionary cause; they established them as they went in order to "express accurately the ideas and principles of the new order" (54). In contrast to the United States, for instance, where the Constitution is the formal, central symbol of the nation and of national unity, in France, the nation had to be symbolized by other means, since the French constitutional tradition is much more short-lived, and constitutions, themselves, carry little symbolic value (Rogoff 1997: 68). Particularly, France traditionally turned to other abstract symbols -- the idea of *La Belle France*; historical events, actors and memories; the notion of *civilisation*; or even the *Code civile* as the codification of the General Will (68). For instance, the *tricolore* has become an enduring emblem of France and the French nation, although it began in 1789 as the ad hoc creation of Lafayette, who, as head of the new National Guard, sought an image to encourage his civic soldiers (Hayward 2007: 43). Combining the white flag of the royal guards with the blue and red flag of the Paris militia, Lafayette created what became the "visual symbol of national unity" that would be carried onto the battlefield in the many battles to come and would later be formalized as the 'official' French emblem (43). In 1792, the officials similarly chose the Goddess of Liberty as a symbol for the nation, and by the end of the 18th century, *Marianne* was indelibly tied to memories of the French Revolution, the Republic and the nation: "Like a Counter-Reformation saint, she represented the [most desirable] virtues ... : the transcendence of localism, superstition, and particularity in the name of a more disciplined and universalistic worship. Liberty was ... based on reason" (Hunt 1984: 61-62). Liberty, then, took on the concrete form of an ordinary woman and was often seen in festivals (discussed below) as the national or universal ideal.

Moreover, as is often the case in the construction of nations, there has been the concerted effort by many French nationalists to infuse the French nation with a sort of historical form of authority and identity. While the French Revolution certainly had as one of its ambitions to make a break with history, revolutionaries and later actors still turned to history in a search for "mythical historical roots" to connect the French nation as one (Hayward 2007: 42). At first, these roots emanated from the Gauls or the Gallo-Romans and later the Franks.³¹ But

³¹ There is a rich historical discussion on the 'true' ancestry of the 'French.' Gordon Wright notes that the 18th century aristocracy believed that they were "set off from the masses" by a difference in blood

in any event, they emanated from history in an effort to construct some semblance of shared past experience. Historians like the celebrated Michelet in the 19th century (to whom I return in the third section) were influential in giving substance and form to the French nation. In his numerous texts, Michelet offers a romantic and emotion-filled history of the nation. For instance, Michelet announces his eternal love for France, the fatherland, and he frames his connection to all citizens as one of close friends: "I love France, because she is France, and also because she is the country of those whom I love and have loved" (Michelet 1846: 121). In his celebrated, multivolume *L'histoire de France*, Michelet further describes *his* France and its universal and organic essence: "C'est un grand et merveilleux spectacle de promener ses regards du centre aux extrémités, et d'embrasser de l'œil ce vaste et puissant organisme où les parties diverses sont si habilement rapprochées, opposées, associées, le faible au fort, le négatif au positif" (Michelet 1835c: 176-77). In a word, these romantic histories were a crucial vehicle to construct the French nation, and as Sanche de Gramont observes, were all the more necessary because of its remarkably diverse and tumultuous history (Gramont 1969). And the fact that they were revised and romanticized must not be underrated. As Ernest Renan writes, historical error is central to the nation: "L'oubli, et je dirai même l'erreur historique, sont un facteur essentiel de la formation d'une nation, et c'est ainsi que le progrès des études historiques est souvent pour la nationalité en danger" (Renan 1882: 7-8). Such errors often advance common memories that construct and reinforce the nation as a whole.

Even with the invention of these symbols and the invocation of a romanticized French history, more was needed to construct fully the French nation. As Renan observes, the nation has two fundamental elements, one rooted in history and in a sense of shared past experience and another in the present: "Une nation est une âme, un principe spirituel. Deux choses qui, à vrai dire, n'en font qu'une constituent cette âme, ce principe spirituel. L'une est dans le passé, l'autre dans le présent. L'une est la possession en commun d'un riche legs de souvenirs; l'autre est le consentement actuel, le désir de vivre ensemble, la volonté de continuer à faire valoir l'héritage qu'on a reçu indivis" (26). This latter element -- this current and consensual desire to live together as one nation -- was also of key concern to the revolutionaries, who would not leave national unity merely to chance. They deliberately set about to create and facilitate this unity, whether by a sudden effusion of will set to eliminate all resistance or by a slow laborious movement designed to "change engrained habits of thought" (Bell 2001b: 1234). To be clear also, this notion of national unity was understood from the outset as uniformity, a choice

and that they were descended from the Franks, who had "overrun the indigenous Gauls twelve centuries earlier" (Wright 1966: 5). During the Revolution, then, some of the "masses" saw the events that unfolded as a "kind of massive ... revenge of the Gauls" on the Franks, and school textbooks and historical discussions then often referred to the Gauls as 'our' ancestors (5). But while the myth was central to the nation-building agenda, in fact, the French population, like all others in Europe, is mixed in origin: "From prehistoric times until the end of the first Christian millennium, invasion brought a series of injections of 'new blood.' Over the next eight or nine centuries, a rather complete blending process occurred; then, from the later nineteenth century onward, France was again to become the melting pot of Europe. Most of the components of the mixture are known; only the proportions, and the real significance of these proportions, remain unclear" (6). Descendants of the Gauls, the Norms, the Franks, the Burgundians, Roman immigrants and others, the France population has truly heterogeneous origins (6-7).

that was advanced by the French Revolution and beyond (Mény 2002: 186). Even Rousseau had advocated this uniformity, as citizens must feel themselves as "naturally belonging to and sharing a common fate ... [and] see their fellow citizens as beings like themselves" (Forbes 1997: 235). Such is the intended result of the Social Contract, for at the moment that he enters the contract, the citizen takes into himself, as his self, "a self that is common and general, and that each individual engaged in the pact does the same; each self has, one might say, the same melody" (Strong 1994: 77). At the end of the *Ancien Régime*, then, local laws, customs, institutions and traditions remained in tact, but with the Revolution came the obsession with rational uniformity, which was inflicted in all areas, from the re-creation of administrative units to the introduction of new standard measures (the metric system became the official system of measurement in the late 18th and early 19th centuries), in what Yves Mény characterizes as "unity-as-uniformity" (Mény 2002).

As one central illustration of Mény's "unity-as-uniformity," the French language came to be seen as fundamental to the Revolution's crusade for national unification: "In Revolutionary rhetoric, the French language became both constitutive and emblematic of political and cultural solidarity" (Keitner 2007: 77). Before the Revolution, regional languages (like other forms of regional difference) were not seen as a problem. But with the Revolution came the 'rational' belief, in the words of Jacobin Bertrand Barère, that the "language of a free people must be one and the same for all" (Bell 1995: 1405). In more colorful terms, Barère insisted that the continued existence of regional languages would mean the downfall of the French nation: "[F]ederalism [an oppositional movement] and superstition speak Breton, emigration and hatred of the Republic speak German; the counterrevolution speaks Italian, and fanaticism speaks Basque. Let us break up these instruments of harm and error" (Hunt 1996: 21). Thus, the Jacobins started a crusade in 1794 to eradicate all local languages and to make the French language uniform throughout the nation. The Convention instituted various language restrictions in the armed forces and for official documents, and in Alsace and Roussillon, a "linguistic terror" occurred. As Bell details, non-French materials were censored, non-French speakers were dismissed from their posts, and plans were drafted for the forcible transfers of populations (Bell 2001a: 175). One official even went so far as to suggest that the state guillotine a quarter of the population of Alsace (175). While much more has been written (as in Ferdinand Brunot's 12-volume *Histoire de la langue française*) about language, the broader message is that the Revolution's crusade to create a uniform French nation was extensive (Brunot 1905).³²

³² I do not mean to suggest that the revolutionaries were able to eradicate all differences within France. In actuality, the revolutionary crusade for a unified French nation *une et indivisible* was slow, and sub-national diversity remained (and remains) a reality well beyond the Revolution. One useful indicator of diversity in France is the use of the French language as against regional languages. Although the French language was a significant element in the nationalistic mission of the revolutionaries, evidence shows that it was not until the early 20th century that French took hold as the national language (Weber 1976: 78-79). Before that, the efforts to advance one national language foundered. In 1863, the official statistics indicate that 8,381 of the 37,510 French communes and 448,328 of the 4,018,427 French schoolchildren (7-13) knew no French, and other statistics indicate that many more citizens could understand but not write (or read) in French (67). Well into the Third Republic, then, the French language was a foreign language for much of the French nation.

C. HOMOGENIZING INSTITUTIONS

In order to advance its nation-building agenda, as intertwined with notions of *laïcité*, civil religion, civic virtue and universalism, the French state constructed forceful institutions of homogenization (Cole and Hanley 2006: 36; Hayes 1930). Here, I discuss three such institutions, which I have selected because of their importance to and influence in the construction of the French nation: (1) festivals; (2) armed forces; and (3) public education.

1. PUBLIC FESTIVALS

Public festivals and celebrations (and solemnities) became a central tool in the construction and maintenance of a likeminded citizenry, indoctrinated into the new civil religion à la Rousseau and imbued with civic virtue. I mention them first of these three tools because they were, in some ways, the most traditional; they harkened back to the classical days where festivals, statuary and oratory were used to instill civic virtue in the citizens of Ancient Rome and Greece. (Because of their association with classical traditions, they were also more favored in the earlier days of the Revolution, rather than later on, where the focus shifted to the army and education.) Rousseau, himself, conceived of such festivals not merely as a convenient tool in the formation of a unified citizenry, but as absolutely key for the maintenance and ultimate survival of that citizenry. Whereas lectures draw limited audiences and distributed written materials reach only the literate elite, festivals are, Rousseau observed, accessible and fun, and are thus a more effective and popular vehicle to transmit and reinforce norms and to foster a cohesive identity (Ozouf 1988; Rousseau 1772). To this end, such festivals are not, for Rousseau, to be general or generic; rather, festivals are to be closely connected to the citizenry at stake. For the same reasons that he praised the promotion of public bullfights as contributing to the level of dynamism within the Spanish nation, Rousseau advised Poland in his *Considerations on the Government of Poland* to "invent games, festivals and solemnities so peculiar to this particular court that they will be encountered in no other. People in Poland must be entertained even more than in other countries, but not in the same manner. ... [E]very Pole must be made to say from the bottom of his heart: *Ubi patria, ibi bene*" (Rousseau 1772: 171-72). Further, Rousseau instructed Poland that such festivals and celebrations (and he recommended to the Poles horsemanship as a "suitable" exercise, which "lends itself to brilliant public spectacles") must be noble and majestic, with the participation of the entire citizenry and with an air of decorum that encourages confidence in authority and avoids the gaudiness found in royal courts (172-73). It is in this manner (at least in part) that all "patriotic virtues should be glorified" and the fatherland be sustained (170).

Revolutionaries took to heart this Rousseauian advice during and after the Revolution and organized numerous festivals during which citizens could embrace hands to reaffirm their common desire to submerge their individualized identities in the new collectivity; to renounce the caste-like distinctions of the *Ancien Régime*; and to celebrate their new national community and identity (Hunt 1984: 206; Ozouf 1988; Hemmings 1987; Tiersot 1908). They even went so far as to institutionalize festivals in the Constitution of 1791: "Il sera établi des fêtes nationales pour conserver le souvenir de la Révolution française, entretenir la fraternité entre les citoyens, et les attacher à la Constitution, à la patrie et aux lois." The best known festival,

the *Fête de la fédération* was the model festival for all the rest, where over 300,000 Parisians assembled in the rain to cheer on Louis XVI, leaders of the National Assembly and members of the National Guard, and to celebrate the union of the whole of France as one nation *une et indivisible* and as the new Republic of Virtue. Held on July 14, 1790, on the one-year anniversary of the assault on the Bastille, the festival was, in many ways, the realization of Charles Villette's vision that France sit together around the "great national table" and take a "huge civic meal" in a dramatic show of national unity (Ozouf 1988: 33). As the central act in this national show, Louis XVI (now, himself, a constitutional monarch and a citizen of this new French nation) swore loyalty to the new constitution and thus to a new order, France's entry into "a world of light" (33). And the festival, itself, was an extraordinary event, where hundreds of thousands gathered in the large oblong outdoor stadium that had been erected alongside a huge altar to the *patrie*. Emmet Kennedy further sets the scene: "[T]he cavalry entered, followed on foot by the National Guardsmen and soldiers [in their] brightly colored uniforms. ... Bas-reliefs on the altar represented on one side a beautiful woman ... and on the other a warrior [who pronounced] the oath of the patrie, an oath that Lafayette administered to the crowd. ... Talleyrand, moreover, celebrated Mass ... [but he did so] on the altar of the patrie, not on the altar of Christ," consistent with Rousseau's vision of civil religion (Kennedy 1989: 331). And this festival was but one of the many that occurred. The 1790 *Fête de la fédération* was, itself, the culmination of a series of other *fêtes de la fédération*, wherein local leaders and units of the National Guard would organize *fédérations* and bring together several towns or regions in ceremonies to honor the new constitution (Popkin 1998: 56). As Mona Ozouf writes, historians need only to skim the extensive archives of the festivals to be "struck at once by their sheer variety and abundance" (Ozouf 1988: 13).³³

As one final note, it is worth mentioning that these festivals were saturated with the images and messages of the French nation, which further underlines their role in the nationalistic endeavor. While a full account of these images and messages is infeasible here, I offer one brief illustration through a discussion of the *Marseillaise*, which was a critical tool in the dissemination of the national message. The song of the Revolution, which later became the national anthem of France, the *Marseillaise* (the work of Claude Rouget de Lisle in 1792 to give the French courage in their battles with the Austrians and Prussians) combines the values and ideals of nationalist and republican traditions to transmit to citizens, through evocative images (like that in the first verse of the foreign soldier coming to slash the throats of our sons and our wives), the 'essence' of and constant need to defend the French nation (Hazareesingh 1994: 78). Indeed, this message was heard and well received by the citizenry, and the *Marseillaise* was sung often at festivals, in schools and by the army as a commemorative hymn and an emotive "ode to the Revolution" and its victories over its enemies: "Allons, enfants de

³³ From festivals to commemorate youth and victories to the state and the nation, celebrations occurred everywhere and often, whether in more elaborate forms as in the *Fête de la fédération* or *Fête de l'Être suprême* or in the more unstructured, local events: "[F]estivals to celebrate Youth, Victories, Old Age, Agriculture, Spouses, the Republic, ... the People -- there seems to be no end to the number of festivals!" (Ozouf 1988: 13). As Mona Ozouf describes, even the smallest towns would take out their flags and drums, rehearse their songs and summon their joiners and painters three or four times a year (or a month) in a drive that lasted the course of the Revolution (13). Ozouf cites Michelet, who writes, "Not to have had any festivals" was to have had a "truly impoverished childhood" (15).

la patrie. Le jour de gloire est arrivé!" (Kennedy 1989: 277). In the refrain, it summons citizens to arms to defend the French nation: "Aux armes, citoyens, formez vos bataillons! Marchons! Marchons! Qu'un sang impur abreuve nos sillons!" And there were countless other songs that advanced the message of the Revolution.³⁴ As Cornwell Rogers argues in his research on the songs of the Revolution, such songs were one of the (if not the) most salient forms of self-expression at the time and were used by revolutionaries of all varieties to broadcast their message to the inchoate French nation and to embody the beliefs and ambitions of that nation (Rogers 1969: 5-6). Rogers lists hundreds of songs that celebrated a wide range of events and were sung in a wide range of venues, from clubs and theaters down to the streets of Paris (Rogers 1969: 267-303; Pierre 1904).

2. MILITARY SERVICE

Military service was another key facet of this revolutionary and nationalistic endeavor, first and most clearly because soldiers were needed to defend the French nation against its adversaries, both foreign and domestic (i.e., counterrevolutionaries). But more than that, military service was key both because the institution of the military, itself, facilitated national integration and because the mere idea of the citizen-soldier as the devoted and loyal defender of the French nation and the Republic of Virtue held much sway across the country (Moran and Waldron 2002; Forrest 1990; Bertaud 1979; Scott 1978). On one level, the army was one of the most successful nationalistic institutions because, as Bell describes, the army took young men from across the country away from their homes for months or years, where (in addition to defending the French nation) they visited other regions of France, learned the French language, sang French songs and dabbled in occasional lessons about the French nation and the virtues of the Revolution (Bell 2001a: 201). The result was the creation of a common national identity that, as yet, civilian institutions had not been able to replicate (201).

Second, in addition to the concrete role that the army had in the indoctrination of the many youth who served their nation, the abstract myth surrounding the army was of similar (if not more) value in the construction of the nation. Alan Forrest describes how the idea of the *soldat-citoyen* ascended to the level of revolutionary myth -- one rooted in classical virtue reminiscent of Ancient Greece (and thus of Rousseau) and in republican ideas of *liberté* and *égalité*, and one which served as the prominent reminder that "all should serve the nation in moments of great danger, that rich and poor alike should share in acts of collective sacrifice" (Forrest 2009: 1). Forrest discusses (in more detail than I can offer here) how this myth came to be so instrumental in French nationalism (even until World War I and the French Resis-

³⁴ There are, of course, a host of other symbols associated with and used by the revolutionaries to further the revolutionary cause. For instance, *bonnets* and *arbres de la liberté* were common at revolutionary festivals and flowed directly from the desire by the National Convention to rid the country of monarchical symbols. (For further information, J. David Harden describes these *bonnets* and *arbres*, both in France and elsewhere (Harden 1995: 66-102).) Further, one should not neglect other images in the form of visual art and theater used to convince wavering citizens of the "rightness of the revolutionary cause and the villainy of the counterrevolution" (Kennedy 1989: 235). In his work on French cultural history, Emmet Kennedy details how visual art, theater and music were all used at this time to undermine the *Ancien Régime* or to advance the Republic (235-90).

tance under Vichy), even where it deviated markedly from historical reality. Certainly, there were virtuous and idealistic soldiers, who believed in the Revolution and sincerely wanted to better mankind (5). But more certainly, the army of 1789 was in disarray. Some of the soldiers inherited from the Bourbon monarchy could be lured to the revolutionary cause, but many others tended toward disobedience or even mutiny and counterrevolution. Forrest and other historians observe that there were massive holes in the command structure as officers resigned and/or emigrated and how provisions were short, a dire situation that was only exacerbated as the Girondins united forces with the far right in the move toward war on Austria. The French nation was on the brink of failure as the Revolution continued on. Particularly, the dearth of enlisted soldiers became a serious issue. After two recourses to volunteers in 1791 and 1792, it became clear that more drastic methods were needed. 1793 witnessed such measures in a series of 'recruitment' drives (or drafts) -- the *levée des 300,000* in February and March (which introduced a whole set of issues beyond the discussion here³⁵) was followed by two smaller *levées* before the *levée en masse* was decreed on August 23 to raise a force of almost 750,000 soldiers to defend the nation and ensure its security (Forrest 1989: 32).

Even with these difficulties, however, the nationalistic and romanticized myth of the revolutionary citizen-soldier and his victorious army increased in stature: "This was an army of idealists without precedent in history. ... Future generations ... [would find] excitement in the revolutionaries' ambition, in the belief that France could be defended by volunteers alone, in their boldness ... [and in] the scale of their achievement" (Forrest 2009: 20). As Forrest observes, the idealized soldier was to become in the coming decades a mixture of different ideals. He was a committed and virtuous revolutionary, a thinker, a warrior and at all times, a republican. He was the volunteer of 1791 and 1792 and the *requis* of 1793. And he was the revolutionary *notable*, who earned his way into the ranks of the National Guard (21). And all of these ideals, embodied in one mythical man and soldier, served the cause of the Revolution and the French *patrie*. In fact, the *levée en masse* had much to do with this romanticization of French history, for it came to stand not for a weakened line army in need of hundreds of thousands of forced recruits, but for the national political ideal of collective sacrifice, devotion and patriotism, irrelevant of one's social or economic class: "Difference was forgotten, subsumed in their shared identity as Frenchmen, as citizens of the new republic" (21).³⁶

³⁵ The *levée des 300,000* marked a clear break with the notion of volunteer soldiers, and instead moved to local quotas based on the local population. As Alan Forrest writes, while this suggested for the first time that citizens should serve their nation as soldiers, there was still no set obligation to do so; quotas could be filled on whatever basis the locality decided (Forrest 2009: 17). While some took volunteers or asked for nominations for the "most patriotic men," other localities coerced 'service' out of paupers from their poorhouses, migrant workers and other 'marginal' citizens; some individuals paid apprentices or bribed influential officials to be exempted from service (17). Forrest notes that while the *levée* no doubt increased the number of soldiers for the army, "it also raised charges of inequity and even of widespread corruption" that left many bitter and disaffected: "It was hardly the stuff of which legends are made" (17). (This issue was corrected for the *levée en masse* (18-19).)

³⁶ The Declaration of August 23, which instituted the *levée en masse*, even reflected this nationalistic crusade. After it declared that "dès ce moment jusqu'à celui où les ennemis auront été chassés du territoire de la République, tous les Français sont en réquisition permanente pour le service des armées,"

Of course, this myth of the citizen-soldier did not endure by itself. It was a very intentional vehicle used by revolutionary and later leaders to implant in the citizenry a nationalistic sentiment and a sense of civic duty and virtue. For instance, the Jacobins would often entertain and, at the same time, instruct French citizens with tales of selflessness, honor, sacrifice and bravery by soldiers. The Committee of Instruction would even distribute collections of these tales in order to educate children on the French nation (28). As one illustration, in Year II, a brochure by Léonard Bourdon was distributed in state schools in order to teach students the value of heroism (28). It told of a tale set on 27 Brumaire in a battle against the Prussians, in which the French were, of course, victorious. Particularly, the tale focused in on one brave volunteer soldier, who made the ultimate sacrifice (Bourdon 1794: 66-67). With the national interest above his own, the citizen-soldier dove into the Prussian entrenchments, seized control of the bridles of their horses with one hand and slashed with his sword with the other. But he was attacked. The soldier cried out to his comrades, "Carry me off, my friends, that I may not have the mortification of dying in the camp of these villains" (66). After he reached the woods, he turned to his comrades and told them to leave him behind to die. His last words were "*Long live the Republic*" (66). Similarly, many French historians romanticized French military history and cultivated the myth of the citizen-soldier. From Albert Mathiez to Albert Soboul, Forrest contends, French historians have constructed the ideal of the "nation-in-arms in which the soldiers fight less for themselves or for their officers than for a political idea" (Forrest 2009: 15; Mathiez 1925; Soboul 1959; Jaurès 1910; Michelet 1878). In this area, Michelet is once again considered the romantic historian, who held the soldier in high esteem as the man of arms, who rose from the population to defend the French people (Forrest 2009: 178). In his *Histoire de la révolution française*, Michelet details how, in the memorable battles of 1793, our "soldats eurent le sentiment de cette prodigieuse arrière-garde d'une nation entière qui était là debout pour les soutenir; ils n'eurent pas avec eux les masses du peuple, mais sa force, son âme, sa présence réelle, la divinité de la France. L'étranger s'aperçut que ce n'était plus une armée qui frappait: au poids des coups, il reconnut le Dieu" (Michelet 1847: 297-98). And this romanticized image and others like it had a tremendous influence in the coming decades, as Michelet introduced a generation of students, thinkers and leaders (e.g., Jules Simon and Georges Clemenceau) to his almost mystical perception of the French nation (Forrest 2009: 178).

3. PUBLIC EDUCATION

Last but not least, the most noted of these centralized institutions is the French public school, which became over the years the most influential and closely held vehicle to construct French citizens, to foster national identity and unity, to advance *laïcité* and civil religion and to cultivate virtue (Green 1990: 146). (As I discuss later on, the fact that schools are so important to the French national mission has made them a likely site for controversy and contes-

the Declaration identified a role for all citizens in this nationalistic mission: "Les jeunes gens iront au combat; les hommes mariés forgeront les armes et transporteront les subsistances; les femmes feront des tentes, des habits, et serviront dans les hôpitaux; les enfants mettront le vieux linge en charpie; les vieillards se feront porter sur les places publiques pour exciter le courage des guerriers, prêcher la haine des rois et l'unité de la République."

tation.) From the French Revolution to the present, state schools have served as the 'mills' of citizenship and Frenchness, engines that have solidified French identity and unity and instilled in individuals-made-citizens common French values and a profound appreciation for French historical triumphs and memories. Rousseau, himself, saw education as the "important question" and defended the ideal nature of state education as uniform, universal and exclusive in content to the nation-state: "All, being equal under the constitution of the state, ought to be educated together and in the same fashion" (Rousseau 1772: 177). For the Poles, then, education must be conducted so as to foster a 'collective' Polish existence: "I wish that, when [the Pole] learns to read, he should read about his own land; that at the age of ten, he should be familiar with all its products ... all its provinces, highways and towns; that at fifteen he should know its whole history, at sixteen all its laws; that in all Poland there should be no great action or famous man of which his heart and memory are not full" (176-77). And such should not be left merely to chance. Not only must the Poles have only Poles of the best moral fiber and achievements as instructors, but the national curriculum must be strictly controlled under the law: "The law ought to regulate the content, the order and the form of their studies" (177). It is in this manner that education can attain its full Rousseauian potential -- that is, to "give souls a national formation, and direct their opinions and tastes in such a way that they will be patriotic by inclination, by passion, by necessity" (176).

In that vein, French revolutionaries used national education as a means to create a unified French state. For instance, one early advocate of free, universal and secular education was Condorcet, who believed such a form of education to be structurally necessary for stabilization of a new political and social order (Livesey 2001: 168-69). In 1792, Condorcet elaborated what he saw as the aims (and the benefits) of a nationalized system of public education: "Offrir à tous les individus de l'espèce humaine les moyens de pourvoir à leurs besoins, d'assurer leur bien-être, de connaître et d'exercer leurs droits, d'entendre et de remplir leurs devoirs; [a]ssurer à chacun la facilité de perfectionner son industrie, de se rendre capable des fonctions sociales auxquelles il a droit d'être appelé" (Condorcet 1792: 1-2). For these and other reasons, he defended his conclusion that "ainsi, l'instruction doit être universelle, c'est-à-dire s'étendre à tous les citoyens. Elle doit être répartie avec toute l'égalité que permettent les limites nécessaires de la dépense" (7). But while his views were heavily influenced by Rousseau, as idol of the revolutionaries, and while those views foreshadowed the status of French education to come, their actual realization was much slower. As was the case for Rousseau, the difficulty for Condorcet was to demonstrate how universal education could be successfully institutionalized (Livesey 2001: 169-70). And attendant circumstances (such as the lack of the infrastructure, a shared language and an agreement on the nature of education) made it all even more difficult; the first definitive revolutionary laws on education on 3-4 Brumaire, Year IV (1795) were weak at best and failed to overcome these circumstances.

As time continued, education became more and more important to the French national venture, in particular under the Directory and as the role and vision of the teacher was transformed. While often characterized as ineffective and crooked, the Directory started to make substantial educational advancements at the close of the 18th century. Particularly, the Directory continued the efforts of the Convention to substitute aristocratic royal academies of the *Ancien Régime* with meritocratic professional institutions, like the *École normale* and *École*

polytechnique, which were (at least in theory) to recruit students based on merit and not social status. And while some historians have criticized these institutions as being more bourgeois than universal in nature, the seeds of the centralized and competitive French educational system of today were certainly sown (Popkin 1998: 101-02). At the same time, the vision of the teacher shifted and became more political. The teacher became a central actor within the nation -- an *instituteur*, as the revolutionaries termed him, whose role was now to *institute* the French nation (Weber 1976: 332). As François de Neufchâteau, the then Minister of the Interior, instructed the teachers of the central schools after 18 Fructidor (September 1797) on their vital role in the promotion of liberty in modern society, "[T]he nation rests its hopes in you ... [to prepare] our children for the vocation of liberty, [to perpetuate] ... our taste for knowledge and useful work, [and to prepare] ... the coming generation for public life. ... You must make the human species aware of the precious features of the capacity for self-improvement that it has been granted by nature" (Livesey 2001: 167). In short, the shift to a more central, political, secular and universal vision of republican education had started.

Napoléon, with his vision of a standard, uniform system of education under the control of the Ministry of Education, was instrumental in this continued shift in education, in the area of secondary education in particular. While the Directory had devised a national and secular system of secondary education with its *Écoles centrales*, Napoléon believed these schools to be overly lax and too autonomous; teachers, he criticized, could choose what to teach and students what to study (Lyons 1994: 104). And the local administrators, not the state, chose their instructors, determined their curricula and followed their own rules in a manner which undermined the integrating and nation-building function of education that Napoléon so desired (105). With his focus on secondary education (mainly that of the middle-class elite as future state servants) and in a shift toward his dream that, at all times of the day, he would know exactly what was being taught in each classroom across France, Napoléon replaced the secondary schools of the Directory with his own *lycées*, in which state-trained, state-qualified and state-selected teachers would all teach the same courses from identical textbooks (105). The education law of 1802 established 45 such *lycées*, and the state severely monitored their every action -- from student uniforms (at first, a dark blue outfit with a two-pointed hat) and library contents (from a list of 526 texts, 142 of which were classical works) to the academic curriculum (a six-year schema, with a renewed focus on literature, Greek, and Latin) (106). (Beneath these elite *lycées* was a network of municipal *collèges*.) These *lycées* were one of Napoléon's enduring legacies in this revolution of education.

This shift encountered numerous difficulties as the 19th century unfolded, but as the Third Republic neared, it was clear that schools had taken on a critical role, credited by many scholars with the "acculturation process that made the French people French" and ultimately 'civilized' them (Weber 1976: 303). Weber offers a careful historical account of state schools as an agent of change at this time. Particularly, Weber notes that while a form of public education was available in the late 18th and early 19th centuries, it was not until several decades later that circumstances were truly ready for a universal system of secular state schools (303). Several key laws facilitated this transformation. For instance, in 1833, François Guizot, the then Minister of Public Instruction, introduced a law that worked to centralize control of education. The law, *inter alia*, reaffirmed certain standards of education established in 1816 and

forbade the operation of schools that did not have an official certification that such standards had been met (307). (The law also required every commune to establish at least one elementary school and every department to maintain a normal school to train primary school teachers.) Further, a network of school inspectors monitored this and other laws to ensure national and uniform standards. The next significant series of laws came in 1880s with the reforms of Jules Ferry; between 1881 and 1886, tuition was eliminated for state elementary schools, reaffirmed as non-clerical; school enrollment became mandatory; towns with over 20 school-age children were required to build and maintain a public elementary school; subsidies were instituted to build up and keep up schools and to compensate teachers; and an elementary teaching program was created (308-09). Elaborate regulations and controls were also instituted. But more than that, the success of state schools at this time was a result not only of these reforms in law, but also the broader societal context -- the "attendant circumstances that made adequate facilities and teachers more accessible; that provided roads on which children could get to school; that, above all, made school [more] meaningful ... once what the school offered made sense" (303).

In short, it was in the late 19th century that French schools became a veritable force of social acculturation and national unification. Better trained and more respected in French society, teachers embraced their roles as the "harbingers of enlightenment and of the Republican message that reconciled the benighted masses with a new [and superior] world" and motivated their students to learn not merely for the love of art or science but for a love of France, whose "creed had to be inculcated in all unbelievers" (once again, the institutionalization of Rousseau's civil religion) (303-36).³⁷ In that vein, teachers offered a new national (as opposed to a local or provincial) education, which held at its core the idea that the fatherland was not to be found in the hamlets and towns, but instead in all of France, and focused on the lessons of civics, morality, duty and effort. Students were instructed that they fit into a society and culture broader than their own communities (331). Weber observes that there was no better instrument than French history to advance this new form of patriotism (333). In history textbooks such as Ernest Lavis's 1884 *La première année d'histoire de France*, school children were instructed on the meaning and significance of the French fatherland. As Lavis imparts to students in his introduction, "[V]ous apprendrez ainsi ce que vous devez à vos pères et pourquoi votre premier devoir est d'aimer par-dessus tout votre patrie, c'est-à-dire la terre de vos pères" (Lavis 1884: 2). Such is a common theme in French textbooks³⁸ -- the idea that stu-

³⁷ The secular nature of state education, which I have already mentioned, cannot be underemphasized here. As teachers introduced students to a love of France, as above, they also introduced students to a secular God in the form of the fatherland and its symbols: "A Catholic God ... was replaced by a secular God ... Catechism was replaced by civics lessons ... Biblical history, proscribed in secular schools, was replaced by the sainted history of France" (Weber 1976: 336).

³⁸ Carlton Hayes has assembled an annotated list of French textbooks which disseminate such themes, from Jean Bedel's *L'année enfantine d'histoire de France* (a 'sketch' of French military history, "from ancient Gaul to the Great War, with attention to national heroes") to Alphonse Aulard's *Éléments d'instruction civique, cours moyen* (a collection of sixteen lessons on France, the French nation, patriotism and the like, which declares in the first lesson that "France is our country, it is our nation, it is our fatherland") (Hayes 1930: 343-99; Bedel 1898; Aulard 1902).

dents have the duty to defend the *patrie* zealously and even by force. In the classic *Le tour de la France par deux enfants*, Bruno, too, reminds children of their duty to the fatherland and to remain French at any cost. The story concludes as the two main characters, André and Julien, kneel on the French soil and cry out, "France aimée, nous sommes tes enfants, et nous voulons devenir dignes de toi!", and Bruno reiterates as her final words her main themes: "*Devoir et Patrie*" (Bruno 1877: 150). Duty and Fatherland. And such is the key role of French public schools -- to inculcate students into the ideal of the 'universalized' French nation, with its attendant notions of civic virtue and civil religion, and to offer those students the knowledge and skills to make informed choices and to participate in the centralized body politic (i.e., to be citizens). Seen as the microcosm of political society, schools are to teach the values of *liberté* and *égalité* and to instill in the students a sense of *fraternité* that "transcend[s] their local, cultural, and religious affiliations" (Laborde 2008: 49).

In this section, I have elaborated the theoretical and historical nature of the French republican model and its most salient constituents (e.g., the French state, the French nation and the French state-nation), in order both to construct a framework for the critical and normative discussion to follow, and more centrally, to demonstrate how that framework (which is often discussed today as if it is fixed and 'natural' after the Revolution) derives, in actuality, from a particular set of historical processes and personalities, which may be more problematic to advance today. Particularly, as I discuss in the next section, while French Republicanism à la Rousseau has dominated the approaches to and the theories of French politics, law and society (and the inter-relation therein) and has been instrumental in the construction of the modern French nation-state, it has also led to a distinct form of universalism and nationalism turned cultural assimilation, even turned ethnocentrism, which I believe to be unsustainable. As the revolutionaries and later actors worked to construct their vision for a strong and centralized French state, built around a unified and uniform French citizenry, with a common national identity, they also constructed and reinforced a salient dichotomization between the French self and the non-French Other, the borders of which have been contested and defined and re-defined over time. Today, the 'Muslim Other' in France raises questions as to the placement and maintenance of those borders and more broadly, the desirability and sustainability of this 'traditional' French republican model, to which I turn my attention in the next section.

SECTION TWO

THE FRENCH REPUBLIC AND THE MUSLIM OTHER

I. INTRODUCTION

The ideal of the seamless French nation-state, *une et indivisible*, did not (to the extent that it was ever true) endure. Industrialization, modernization, colonialism, war and immigration all changed France forever -- undermining long-standing traditions, redefining the societal agenda and introducing new and difficult challenges, which France faces even more so today. Indeed, the structured (and substantially rural) France of the early 1900s has transformed into a "much more uneven society," which is "much more difficult to steer" (Hanley 2003: 32; Sadran 2003). Particularly, immigration (as intertwined with industrialization, modernization, colonialism and the World Wars) and its legacies have brought to France a host of new challenges, with the attention now being focused most on immigrants from the Maghreb. In what follows, I elaborate the 'challenges' brought about through North African immigration, and I discuss how the North African (Muslim) 'Other' contests or is believed to contest (or undermine) the desirability and durability of the 'traditional' and historical French republican nation-state, as depicted above. I separate this discussion into two main sections. The first offers a short overview of immigration as it emerged in France in the mid-1900s, with a focus on the immigration of North Africans. The second section breaks down the challenges that those immigrants (and their children and grandchildren), as a 'visible' cultural and religious Other, raise and/or are seen to raise with regard to the status and future of the French nation-state.³⁹

II. OVERVIEW OF FRENCH IMMIGRATION

Since the 19th and early 20th centuries, France has been a country of sustained immigration. While neighboring countries were forced to deal with the difficulties of emigration,

³⁹ In this discussion, one might consider that one reason that immigration has been so challenging for France lies in the chronological relation between national formation and immigration. Whereas other nations, like the United States, were founded on and after immigration, the reverse was true in France, where the 'national phenomenon' stretches far back and immigration is more recent. As discussed earlier, the true 'dean of nations' was more or less formed and its foundational myths (i.e., the Revolution) more or less firm(er) before mass immigration started (Noiriel 1996: 6-7). Immigrants to France, then, arrived in a nation whose institutions were (or were at least seen as) stable and established and where challenges (real or otherwise) to those institutions thus raised extended and heated debate. Of course, there are further nuances, as the French nation was formed and reformed over time (in light of colonization and decolonization, for instance), but the broad observation remains significant. Gérard Noiriel elaborates that this 'chronological contrast' between the United States and France, as one comparison, has had certain concrete effects on the discussion of and discourse around national origins and identities, and should not thus be ignored (7). In the case of France, Noiriel describes how this contrast has shaped successive historical interpretations of the French nation, in which immigration is then treated as an "issue that remains incomprehensible ... without *raison d'être*" (see next footnote) (7).

France faced the challenges (and received the benefits) of immigration (Laurence and Vaisse 2006: 30). Over most of the 19th and 20th centuries, France received more immigrants than any other country on the continent, and in the 20th century, France even overtook the United States (which instituted severe immigration restrictions in the 1920s) as "the most important country of immigration in the industrialized world" (Hargreaves 1995: 5). In this sub-section, I offer a brief account of immigration in France, with a focus on immigration of North Africans, who are the most relevant to my research and are the most controversial Other in France today. As above, I do not intend to offer a full history in this vast area of study; I leave that to historians and other scholars of immigration (Boubeker and Hajjat 2008; Noiriel 2007, 2004, 1996; Tandonnet 2006; Weil 2005; Dewitte 1999; MacMaster 1997; Schor 1996; Hargreaves 1995; Tribalat 1995; Horowitz and Noiriel 1992; Lequin 1988; Wihtol de Wenden 1988).⁴⁰ Rather, I work to set the foundation for the modern-day discussion, which follows next, with the history of how North Africans came to be so dominant in France. (It is not irrelevant, for instance, that they were often recruited by the French state to immigrate to France.) In addition, since much of the immigration to France through to the mid-1960s originated in neighboring countries and not in North Africa, I also want to stress the fact that North African immigrants are not the French nation-state's first encounter with difference. In fact, France has a history of diversity, not only from its diverse and distinct regions, but also from immigrants of a wide range of nationalities, whose integration into the French nation was not as smooth and effortless as some may want to evoke romantically today. (The violent anti-Italian riots in the Southern France at the close of the 19th century and the institutionalization of anti-Semitism under Vichy further bear out this observation.)

Since the late 19th century, France has taken in considerable numbers of immigrants. While the most dramatic influx of immigrants came around the time of the World Wars and later on as modernization and industrialization (and reconstruction) took hold, even by 1876, there were over 800,000 foreigners in France, and the total numbers continued to rise (Hollifield 1992: 46). With available census data, James Hollifield describes the evolution of foreigners in France. In 1921, there were over 1.5 million foreigners (3.9% of the total French population) (Hollifield 1991: 116). And by 1930, France had the highest level of foreigners in the world -- 515 foreigners for each 100,000 French citizens (the United States had a ratio of 492 to 100,000) (MacMaster 1997: 4; Noiriel 1996: 5). The census in 1931 recorded over 2.7

⁴⁰ It is notable that France has been afflicted by a "sustained bout of collective amnesia" when it comes to a discussion of immigration (Hargreaves 1995: 4). Until recently, there has been very little awareness by French nationals of the role of immigrants in their country's history. Gérard Noiriel describes how this lack of awareness was due (at least in part) to the dearth of historical research in this field (Noiriel 1996). While legal scholars and later sociologists made some in-roads in this area in the late 19th and early 20th centuries, historians remained behind the times. Alec Hargreaves argues that before the 1980s brought a surge of interest in immigration studies, historians seemed blind to historical realities. Entranced by the central myth of French national identity, historians in France continued to pay little attention to "the contribution of immigrants to the national experience even when, by the middle of the [20th] century, sustained migratory inflows had for several generations been an integral part of French society" (Hargreaves 1995: 5). This blindness was also reflected in school textbooks, which would omit entirely or merely skim over -- sometimes in only a few sentences -- the history of immigration (Noiriel 1996: 4).

million foreigners (Hollifield 1991: 116). While there was a decrease in immigration after the turbulent 1930s and 1940s (the 1954 census recorded 1.4 million foreigners), the number of immigrants continued to rise through to the 1980s -- over 3.44 million foreigners in 1975 and over 3.68 million in 1982 (116). Also of note in this census data are the nationalities of the immigrants. In the data from 1921, 1931 and 1954, immigrants to France were mostly fellow Europeans -- Italians, Belgians, Spaniards, Poles and, to a lesser extent, Germans, Portuguese and Yugoslavs -- whereas African immigrants (mostly from North Africa but a small minority from West Africa) were much fewer in number. But as time went on, African immigrants became a much greater force. Whereas immigrants of African nationalities numbered around 37,666 to the over 1.4 million immigrants of European nationalities in 1921, by 1975, in contrast, there were 1.192 million African immigrants to the 2.103 million European immigrants; the 1982 census revealed an even tighter ratio -- 1.574 million African to 1.760 million European immigrants (116). And while the data may vary a little between sources, the point is that France has a long background in immigration, the content of which has shifted over time.

As an initial addition, it is worth noting that during times of heightened immigration, it is evident that the demand was for certain 'useful' immigrants, not for all immigrants, and that economic concerns were at the fore. Historian Gérard Noiriel breaks this down into several categories with the available statistics from three moments of high immigration -- 1891-1901, 1931 and 1975 (Noiriel 1996: 100). In terms of the male-female ratio, for instance, Noiriel finds that there have always been more male than female foreigners in France -- 136 foreign-born men to 100 foreign-born women in 1866; 156 to 100 in the late 1920s; and almost 150 to 100 in the 1970s (100). And this situation stands in stark contrast to 'native' French citizens, who have historically been more female than male -- 90 native-born men to 100 native-born women in the late 1920s and 93.5 to 100 in the 1970s (100). The trends in age show the same desire for the most 'useful' immigrants. Productive adults (rather than children or the elderly) were most dominant -- 22% of all immigrants in 1891 were men between 20 and 29, a trend also confirmed in the data for 1931 and 1975 (100). And as is often the case, immigrants to France were recruited and retained for work that French nationals turned down -- dangerous and tiresome work in chemical and textile factories and mines and on various construction sites and farms, for instance. As a consequence, the foreigner in France can be described with a high degree of precision. In Noiriel's own words, "[B]rought in to perform a job, [the foreigner in France] is a rather young man, almost always a blue-collar worker, engaged in the most physically and nervously exhausting forms of work Foreign-born women are fewer in number and less often ... wage earners" (105). Of course, this is not to suggest that immigrants are uniform in origin; there are numerous ethnicities and nationalities and a mixture of colonial workers, refugees, border dwellers, seasonal laborers and on and on (105). Nonetheless, the focus remained on certain categories of immigrants -- dominantly youthful and blue-collar men -- who could offer useful economic services to France.

A. INDUSTRIALIZATION AND IMMIGRATION

At its core, the history of French immigration in the late 19th and 20th centuries starts with the history of French modernization, industrialization and, after World Wars I and II, re-

construction.⁴¹ As France moved toward industrialization, demand for labor increased substantially, but in contrast to German⁴² and English industrialization, the labor needs of which were satisfied internally by domestic rural workers, French industrialization needed to stretch beyond French borders. Of course, there was considerable migration between the regions and between rural and urban areas in France as well, the effects of which should not be underestimated or undervalued: "Les déplacements de populations entre les diverses régions françaises ont constitué aux XIX^e et XX^e siècles un phénomène majeur qui a porté sur des effectifs considérables et abouti à un profond remodelage de la société et de l'espace" (Schor 2007: 43). In fact, internal migration led to the massive redistribution of French men (later women) within France, and as historian Ralph Schor observes, it was integral to French modernization: "Les migrations se révèlent, de l'ouverture vers le monde, de la conquête de l'autonomie par les individus" (66). Nevertheless, while internal migration was considerable in the 19th and (even more so) in the 20th centuries, it was insufficient to meet the demands of French industrialization. As Hollifield contends, the continuing strength of traditional towns and small-scale agriculture in the 18th and 19th centuries led to a general unwillingness of rural workers to leave their homes and farms, forcing the recruitment of foreigners (Hollifield 1992: 47; Hargreaves 1995: 8). In a sense, Hollifield writes, France was forced to "invent a working class" to meet the need for labor, and it did so through the recruitment of foreign labor (Hollifield 1992: 47; Lequin 1988: 335-52). Firms took the lead in recruitment, with a focus on the surrounding countries; through to the 1920s, Belgian and Italian immigrants accounted for over half of all foreigners in France (Hargreaves 1995: 9). As the 20th century started, then, France (with its relatively relaxed system of immigration control at the end of the 19th century) recorded over a million foreigners, 222,000 of whom were naturalized (Wihtol de Wenden 1988: 27). And as the 20th century unfolded, more and more foreigners came to reside in France, raising a host of difficult and controversial issues that remain.

1. WORLD WAR I AND THE INTERWAR PERIOD

World War I and World War II were watershed events in terms of French immigra-

⁴¹ While economic considerations were dominant for most of the immigration to France at this time, there were some instances in which political pressures were at the fore. Alec Hargreaves lists several cases -- Italian political exiles in France in 19th century, whose numbers increased in 1922 when Mussolini rose to power; almost a half a million Spanish political refugees who fled to France during the Civil War (1936-1939); Armenians who fled genocide under Ottoman rule; around 100,000 Russians hostile to the Bolshevik Revolution; increasing numbers of Jews from Russia and later Germany and other Eastern European countries; and later, refugees from former colonies (Hargreaves 1995: 9-10).

⁴² As one clarification, while Germany was, for much of the time, a nation of emigration, and while it relied more heavily than France on its own internal laborers, it is not accurate to say that foreign labor had no role at all. James Hollifield observes that the Poles in particular provided substantial labor to Germany, initially for the rural estates of Prussia and the mines of Silesia and later as a crucial source for industry during World War I; by 1918, there were more than 700,000 Poles in Germany (Hollifield 1992: 47). (Under Hitler and the Nazis, the Germans also relied on foreign labor, but resorted instead to the use of forced foreign labor (around 6 million in 1944-1945), in addition to 2 million prisoners of war and inmates in concentration camps (48).)

tion. Both wars left France devastated in terms of its labor market and infrastructure, and both forced France to look beyond its borders to reconstruct and to further industrialize and modernize. To start, while the exact statistics fluctuate somewhat from source to source, it is clear that World War I took a severe toll on France, more so than on its neighbors. Historian Eugen Weber writes in his *The Hollow Years* that in August 1914 and for the 51 months that followed, 1,000 Frenchmen were killed every day -- nearly 1 out of every 5 men mobilized in combat or 10.5% of active French men (Weber 1994: 11). About 1.4 million French lost their lives, either as a result of direct combat or from disease, and even more French -- over 1 million more -- were left maimed, mutilated or disabled for life (Weber 1994: 11; Schor 1996: 45). Weber estimates that half of the 6.5 million survivors of the war were wounded (Weber 1994: 11). These casualties and disabilities were felt immediately across the industrial sector, which was additionally restricted by the 1919 *loi de huit heures*, which limited the workday for many laborers to a maximum of 8 hours (Cross 1984: 195).⁴³ While the law had certain benefits, it also caused certain difficulties for industry, which needed an estimated 1 million additional workers due to the reduction in work time (Deschodt and Huguenin 2001: 39). In addition, as would continue to distress France for decades, the casualties of World War I were also felt in terms of the birthrate, which fell substantially with the decrease in fertile French men. Annual births, which were over 600,000 in 1913, decreased by almost one-half in 1916, which cast much doubt that France could swiftly refill its labor force (Temime 1999: 59- 61). As Weber remarks, when one considers the devastation of World War I on the French population, one must account not only for those who died or were wounded, but also for those who were not conceived; he estimates that during the carnage, 1.4 million "souls had been left unborn" (Weber 1994: 12). Combined with the fact that France embraced certain methods of birth control earlier than its neighbors, the losses from the war meant that French birthrates declined from low levels to even lower levels in the decades that followed. Between 1900 and 1939, Weber observes, the French population increased by only 3% -- and that much only because of immigration -- whereas the German population increased by 36%, the Italian by 33% and the British by 23% over the same years (13). Finally, in addition to the urgent need for labor to continue with French industrialization, labor was needed to reconstruct a broken French infrastructure -- 4,250,000 hectares devastated; 295,000 houses destroyed and another 500,000 damaged; 4,800 km of railways and 58,000 km of roads to restore; 22,900 factories to reconstruct; and 330 million meters³ of trenches to fill (Deschodt and Huguenin 2001: 39). In short, because of a combination of factors -- "les pertes humaines dues à la guerre, la reconstruction économique des régions dévastées, les exigences de l'agriculture ... enfin par le développement du marché de consommation lié à l'extension de l'empire colonial" -- France required a vast labor force, for which foreigners were needed (Wihtol de Wenden 1988: 36).

This time period marked an important shift in the recruitment of this alien labor force.

⁴³ The 1919 law was the long-awaited result of the efforts of union activists and socialists to reduce the number of hours in the workday. French socialist politician Jules Guesde characterized the law as "the most important reform which can be realized under capitalism" (Cross 1984: 195). When enacted, the law reduced the workday from 10 or 12 hours to 8, to make a 48-hour week. It was thought that the shorter workday would stimulate "leisure industries, [enhance] the quality of family life, [contribute] to the decline of alcohol consumption and [encourage] suburbanization" (195).

First and foremost, the total number of foreigners in France increased swiftly and substantially after the war -- from 1,532,000 foreigners in 1921 to 2,409,000 in 1926 and 2,715,000 in 1931 (36). Between 1921 and 1926, the number of foreigners in France increased by 10% every year, in contrast to 2% before the war, and when the 1930s started, France had become the foremost country of immigration in the world (33). Moreover, it was at this time that the French state became more involved in matters of immigration. Catherine Wihtol de Wenden remarks that the war transformed political discourse on immigration and resulted in substantial modifications in laws and policies (29). Particularly, while the French state had traditionally been laissez-faire in its attitudes toward immigration, World War I and the decades that followed introduced a more active (albeit a still tentative) state. During the war, for instance, the state instituted a number of measures designed to track and monitor foreigners. A decree on August 2, 1914, mandated that all foreigners in France register and declare their nationalities with the police station or city hall in the areas where they resided -- a law that was overtaken and strengthened in a decree in 1917 that instituted an identification card for foreigners who remained in France for over 15 days. At the same time, the state started to promote the recruitment of foreign laborers by institutions which had before been uninterested (29). As three illustrations, in 1915 and 1916, the ministries of labor, agriculture and war all created various offices, which handled matters related to foreign labor.

Of course, I do not mean to suggest that the French state welcomed immigrants in all instances. The 1920s and (even more so) the 1930s brought considerable political resistance and social agitation against unrestrained immigration, and foreigners came to be viewed as the primary source of societal unrest, a threat to French jobs and a critical site for state regulation and control. Particularly, as the severe effects of economic turmoil (and related to that, the increased prevalence of xenophobia) were felt across France in the 1930s, the state started to rethink what had been its more 'open door' approach and to limit the number of immigrants in France (Herchenroder 1939: 226). Work permits became much more difficult to obtain and renew, and in a law on August 10, 1932, the state worked to fix by decree the ratio of foreign to domestic workers (in favor of the latter) in various businesses and enterprises (226). These efforts (and numerous others) were successful; the number of foreigners fell from 2,715,000 to 2,198,000 between 1931 and 1936 (Schor 1996: 127). Weber estimates that, as the result of the state's 'encouragement' of 'outward-migration,' about 43,000 immigrants left France in 1930, 93,000 in 1931 and 180,000 in 1932 (Weber 1994: 92). But while it is true that anti-immigrant conditions had a negative effect on immigration, immigration, itself, did not end, nor did most of the foreigners already in France merely vanish with the shift in laws and sentiments. The fact remained that over 2 million foreigners continued to live in France throughout the decade that Weber refers to as *The Hollow Years*.

Moreover, it was at this time (around and after World War I) that North African immigration increased in France. It was slow, but not all that insignificant (Godard and Taussig 2007: 20-21; Wihtol de Wenden 1988: 45). The main focus of the state and firms (for instance, via the *Société Générale d'Immigration*, which was established in 1924 to assist firms and farms in securing suitable sources of foreign labor) remained immigrants from 'desirable'

countries -- Belgians, Italians and other neighbors. But this did not mean that North African laborers (and more so, Algerian laborers) were ignored. Due to its colonial ties to France,⁴⁴ Algeria was a rational target to fulfill the needs of the French labor market. Before 1905, migration from Algeria was uncommon because the *code de l'indigénat* (which dated from 1874) forbade Algerians to travel outside of their own *douar* without an official permit (MacMaster 1997: 50). However, with the reforms advocated by the so-called liberal and activist *indigénophile* politicians, like Albin Rozet and Victor Barrucand, Algeria saw a liberalization between 1905 and 1914 of these restrictions under the *code*. On January 28, 1905, the Governor General issued an order that allowed certain categories of Algerians to travel to France, and on July 15, 1914, the abolition of the permit was confirmed in law (51). French firms wasted little time in taking advantage of these reforms. Neil MacMaster describes how Algerian laborers (mostly Kabyles, mountain-dwellers of Berber descent who lived to the east of Algiers) were recruited at first for agriculture, chemicals, coal mining and other dangerous, exhausting labor, which the French and the 'desirable' laborers refused to do (51). In Marseilles, Algerians were also utilized as a means of breaking strikes (as in the strikes that occurred in oil and sugar refineries in 1909 and 1910), which meant that immigration from Algeria came to be marked early on by a hostility of French and other European workers toward those 'primitive' laborers from overseas (52). As World War I neared, Algerians were found not only in Marseilles and other Mediterranean cities but farther and farther north -- from the *Michelin* tire factories of Clermont-Ferrand and the coal mines of the *Compagnie de Courières* in the Pas-de-Calais to Paris and the *Bassin du Maubeuge* in the north (52). While still gradual, Algerian migration was on the rise.

With World War I, then, came "unprecedented manpower requirements," which forced France to locate and attract even more sources of foreign labor, and Algeria came to be integral to this endeavor (58). MacMaster adds that this situation was all the more true because, at the outbreak of the war, the most common sources of foreign laborers (e.g., Italians, Poles, Belgians and other neighbors) were cut off from France at the very moment that France mobilized its own male nationals for the armed forces (58). The result was that France mobilized around 757,000 colonials -- 222,000 Algerian and Indo-Chinese workers and 535,000 Senegalese and Algerian soldiers (58).⁴⁵ In the labor sector, while the law of October 12, 1915,

⁴⁴ The French rule of Algeria endured from 1830 (at the close of the Bourbon Restoration under Charles X) until 1962 (after the 1961 referendum on Algerian self-determination and the Évian Accords, which ended the Algerian War). While the intricacies of colonial rule (and life under colonial rule) are relevant to a broader discussion on France and Algeria (and their interconnected histories), I bracket them out for the sake of focus in this dissertation and leave them instead to numerous other scholars in this field (Gallissot 2006; Stora 2001; Aldrich 1996; Ageron 1991).

⁴⁵ While the recruitment of Algerian soldiers had before been rare and on a volunteer basis, the French state shifted by decree in February 1912 to a system of mandatory three-year enlistment for *indigènes* (MacMaster 1997: 59). Early on, between 1914 and 1916, this decree was rarely enforced. Later on, however, in 1917 and 1918, massive French losses forced France to turn to forced Algerian recruits. Neil MacMaster writes that there were an estimated 87,519 volunteers and 82,751 conscripts over the entire period of the war (59). While France worked to segregate Algerian soldiers from having contact with French cities and the local French population, it did not entirely succeed. MacMaster writes that,

had once again restricted the free movement of Algerians to France, and the *Service de l'Organisation des Travailleurs Coloniaux* (SOTC) (instituted by the Ministry of War in 1916) had centralized the recruitment and control of colonial workers into militarized labor barracks established close to wartime industries, factories and docks, Algerians were becoming more and more settled in France. Even though the SOTC created measures to segregate Algerian from French laborers -- and also from French women, with whom the SOTC feared the colonial workers would have sexual relations -- absolute segregation was infeasible: "In practice it proved impossible to maintain an impermeable barrier. Algerians [traveled] daily from the barracks to work where they inevitably came into contact with French ... workers" (62). Also integral to later migration and settlement were the *ouvriers libres*, Algerians who had entered France before the law of October 12, 1915, had ended uncontrolled movement to France. The *ouvriers libres* (of whom there were about 30,000) were concentrated in Paris, Lyon and Marseille, where they established and resided in small enclaves, which also became safe havens for clandestine laborers who had fled the terrible conditions of the SOTC barracks (62-63). It was these enclaves and communities that later became a natural "point of arrival and reception for post-war immigrants and [that] consolidated a pattern of enclave formation which has survived down to the present" (64). Indeed, after the war ended, immigrants continued to live in these enclaves and to work in the same factories and mines. With their introduction (sometimes brutal) to industrial labor and urban life -- but also to higher wages and increased social benefits -- Algerian workers often became accustomed to and settled in France, which later fueled much migration.⁴⁶ As Wihtol de Wenden estimates, there were 21,700 emigrants from Algeria to France in 1920, 44,500 in 1922, 58,590 in 1923 and 71,028 in 1924, and while the Algerians were still few relative to other nationalities -- 2.4% of foreigners in France in 1921 and 2.9% in 1926 -- they were certainly on the rise as time went on (Wihtol de Wenden 1988: 45).

even with the various segregationist measures, the experience of France and of "life in the army had an enormous impact and was to influence many thousands of ex-soldiers to return in later years as labour migrants" (60). In the traditional and historical republican vein described earlier, the military became (somewhat by accident in many ways) a symbol of French unity and a site of assimilation. Algerian soldiers often referred to French soldiers as their 'brothers,' and were trained in modern military methods and Western values and culture (61). MacMaster quotes an interview with one old soldier, who commented that he returned from the front "transformed, both in his way of dressing and of thinking. He was forward looking ... and showed an enterprising attitude towards his land. He had been impressed by the technical power of the French" (61). With that said, however, unlike recruited labor at this time, which had a substantial effect on future migration to France, recruits in the military did not. MacMaster notes that the harsh conditions -- 25,000 Algerians lost their lives -- and minimal benefits for soldiers did not serve to initiate emigration from Algeria after the war (65).

⁴⁶ In addition to the pull factors outlined above, there were also a number of 'push' factors that encouraged emigration from Algeria after the war. Neil MacMaster describes the conditions of extreme destitution in Algeria -- conditions that were only worsened by the severe drought that plagued Algeria in 1920, which ruined the grain harvest and killed off livestock; and then by the famine that followed in 1921, where tens of thousands of dead bodies lay scattered next to the roads (MacMaster 1997: 69). Combined with a severe shortage of land and jobs, high taxes and low wages, these conditions drove tens (even hundreds) of thousands (dominantly those from rural societies) to seek what they had heard would be better opportunities across the Mediterranean.

2. WORLD WAR II

World War II marked another central event for immigration to France. Between the 1930s and the start of the war, French laws on immigration were disorganized (Weil 2008: 77). Brutal in some ways and lackadaisical in others, the laws on the books were often inconsistently and 'flexibly' enforced (77-78). But as war once again took its toll on France, immigrant labor, too, reassumed its status as an issue of concern for the French state. Reminiscent of World War I, World War II also left France devastated in terms of its labor market and infrastructure. Deaths of French soldiers and civilians numbered around 1.7 million, and an estimated 1.45 million adult laborers were needed for immediate national reconstruction -- with over 550,000 homes, 91,000 factories and countless roads, train stations and communication and electrical lines decimated (Schor 1996: 192). In this context, the French *populationnistes* -- academics and officials associated with the old *Alliance nationale pour l'accroissement de la population française* established in 1896 -- rose to the fore to set the intellectual agenda on immigration and to hold considerable influence with French authorities (Reggiani 1996: 725). Particularly, Robert Debré and Alfred Sauvy advocated vocally that France must once again concentrate on immigrant laborers to rebuild France and to offset the decline in the French birthrate, even if the resistance was ferocious: "Au lendemain de la guerre actuelle, la France aura un besoin vital d'immigrants. Pour relever les ruines, pour reprendre le travail agricole et industriel, il faudra ajouter à l'effort des Français celui d'une main-d'œuvre étrangère certainement nombreuse" (Debré and Sauvy 1946: 225; Hollifield 1991: 117).⁴⁷ This view resonated with the concerns of the nationalist (Gaullist) leaders of the time, who worked to rebuild and reestablish the French state as legitimate and stalwart in the wake of defeat and Vichy and who were convinced that immigrant laborers were the most logical vehicles to this end (Hollifield 1991: 117).

⁴⁷ At this time, there was also an intense debate around ideas of ethnic selection in immigration law, and Robert Debré and Alfred Sauvy were advocates of such a selection. While the two did not advocate 'racial' classifications like those of René Martial, they did believe in certain cultural differences, which made certain immigrants more 'desirable' than others -- that is, some immigrants were too distant from French civilization under their theories (Debré and Sauvy 1946; Martial 1934). Another influential actor in this debate was Georges Mauco. Patrick Weil recounts how Mauco drafted with the *Haut Comité de la population* general guidelines for the ministers of foreign affairs, interior, labor, agriculture and the like, under which "la politique de l'immigration doit subordonner l'entrée des individus aux intérêts généraux de la nation sur les plans ethnique, sanitaire, démographique et géographique. La sélection devra tenir compte de critères d'abord ethnique" (Weil 1991: 80). In this vein, an *ordre de désirabilité nationale ou ethnique* was to be determined, and national or ethnic ratios were to be enforced. Under this model, the first order of *désirabilité* consisted of the 'Nordics' (e.g., Belgian, Luxembourg, Swiss, Dutch, Danish, Finnish, Irish, English, German and Canadian), for whom the desired ratio was 50 of 100 immigrants (81). The second order of *désirabilité*, at the desired ratio of 30 to 100, included the 'Mediterraneans,' at least those from the north of the Mediterranean states (e.g., Spanish from Asturias, León, Aragon, Galicia, Catalonia, Navarra and the Basque; Italian from Tuscany, Piedmont, Lombardy, Veneto, Emilia and Liguria; and Portuguese from Beira) (81). The third order, at a desired ratio of 20 to 100, was the 'Slavs' (e.g., Yugoslav, Czech and Polish) (81). And at the bottom of this system, "[t]ous les étrangers d'autres origines [dont] l'introduction en France devra être strictement limitée aux seuls cas individuels présentant un intérêt exceptionnel" (81). Further discussion of the debates on ethnic selection and the various decisions that followed can be found in the diverse literature (Weil 1991: 80-85; 2003: 368; Le Bras 1994).

field 1992: 53). Hollifield comments that in light of the shortage of laborers (which the low birthrate further aggravated) and the ambitious goals of the state for economic modernization (as in the famous 'Monnet Plan' of French civil servant Jean Monnet, at the end of World War II, which estimated that France would need over 430,000 new immigrants between 1946-1947 alone), immigrants came to be seen as the decisive ingredient in the move toward further economic growth (Hollifield 1992: 52; Mioche 1987).

Here, the French state took the lead. While it had (as described earlier on) taken some tentative measures to regulate immigration during and after World War I, the state after World War II more seriously embraced the *étatiste* tradition and led the efforts to recruit immigrants and to modernize the industrial sector. In a move reflective of the Jacobin view of the centralized French state as the core of political, economic and social life, the French state issued on November 2, 1945, an ordinance that served as the basis for French immigration for decades to come. A reversal of the restrictive laws of 1932, 1938 and 1940 that limited immigration, the ordinance in 1945 worked to increase the number of immigrant laborers in France, but it did so, nonetheless, in a manner that also further formalized state control over foreigners entering, residing and working in France (DeLey 1983: 198). *Inter alia*, the ordinance created three kinds of residence cards that varied in duration -- 1, 3 or 10 years in accordance with various criteria -- and it allowed for immediate removal of foreigners found to be *une menace* to the public order. In addition, the ordinance established the *Office National d'Immigration* (ONI), which was intended to consolidate within the Provisional Government under Charles de Gaulle the control over the recruitment and regulation of foreign laborers. Under the control of the Ministry of Labor and overseen by a 24-member administrative council, which included delegates from the major trade unions and relevant ministries, the ONI was tasked with the recruitment (via branch offices in labor-sending states) of foreigners to work in public works and construction, as well as in the automobile, chemical, mining and steel industries (199). And while it faced some bureaucratic difficulties (resulting from the bickering that occurred between various ministries for control of the institution, for instance), the ONI was reasonably successful from its birth in 1945 until late in the next decade, when French businesses began to disregard and circumvent its dictates (199). (At the start of the 1960s, clandestine immigration (outside of the ONI) was considerable.)

Further, while the French state via the ONI favored the recruitment of laborers from the more 'desirable' neighboring countries -- at first, the ONI established recruitment branch offices in Italy only, for instance -- the difficulty was that these so-called 'desirables' were much less attracted to France than as before, and considerably less so than laborers from the Maghreb countries (Algeria, Tunisia and Morocco), who came to France in increasing numbers. Alec Hargreaves describes how, after World War II, living standards and conditions were on the rise across the continent -- advanced substantially by the creation of the European Economic Community in 1957⁴⁸ -- which reduced the incentives for intra-continental migration (Hargreaves 1995: 12). At the same time, however, the differences between France and

⁴⁸ The creation and evolution of the European Economic Community (EEC) and the nature and history of European integration in broader terms is discussed in detail in the academic literature; I omit it here for brevity's sake (Gilbert 2003; Urwin 1995; Toulemon 1994; Weigall and Stirk 1992).

the Maghreb became even more distinct, which made migration across the Mediterranean all that more attractive. With regard to Algerians (who held the formal status of French nationals and who, under a 1947 law, had total freedom of movement in and out of France), the chance to migrate to France was even higher (12). (As French nationals, Algerians also did not have to deal with the regulations of the ONI.) The result was clear; the total number of Algerians in France increased from about 100,000 in late 1945 to 250,000 in 1950 and 350,000 in 1962 (MacMaster 1997: 19). And while Algerian (and Maghrebin) immigration was on the rise in France, immigration from its neighboring countries was on the decline, and it continued steadily in that downward direction after World War II. In numerical terms, whereas Europeans comprised 89% of the total alien population in France in 1946, they constituted only 41% in 1990; similarly, while Maghrebins were only 2% in 1946, they climbed to 39% in 1982 (Hargreaves 1995: 12). This era, then, was the start of the large influx of North African immigrants to France, which was heightened as France moved toward decolonization in Algeria and economic growth continued in the decades that followed.

3. LES TRENTE GLORIEUSES

During *les trente glorieuses*, the three decades after the war when France witnessed sustained economic growth, the demand for labor continued to soar. In the 1950s (and even more so after 1953 when France was able to counteract inflation after the war), France experienced unprecedented industrial expansion and a considerable increase in business confidence, both of which were reflected in the labor market (Hollifield 1992: 56). With domestic sources of labor immediately exhausted, immigrant labor became (as the Provisional Government under de Gaulle had correctly forecasted) even more central to the French economy, chiefly in construction, manufacturing (e.g., steel, chemicals and glass) and mining (56). Immigration more than doubled in the 1950s. In addition, the decolonization of North Africa (and related to that, the end of the Algerian War) between 1958 and 1962 brought even more immigrants to France -- both the white colonist *pieds noirs* (who feared violence and other forms of retribution in Algeria) and non-white North Africans (such as the *harkis*, soldiers of Algerian descent, who had favored a French Algeria and who fought alongside French soldiers during the war). And even in these uncertain times, France flourished. Hollifield adds that the conflict in North Africa did not seem to unnerve the French economy; monetary stability was restored in 1958, and investor confidence was on the rise, resulting in a favorable climate for economic growth (61). Immigration continued. (In contrast to the period between 1946-1966, where average annual immigration was 66,400, 1956-1967 saw an annual average of 248,800 (61).) While a fuller discussion of these decades may be valuable in a broader discussion of the history of French immigration, I focus instead (for the sake of a more coherent work) on two related trends relevant to a discussion of the North African Other. The first is the dramatic shift at this time to North Africans as the dominant source of foreign labor. Although Maghrebin immigration started at the time of the World Wars, as described above, the 1960s were when it came to full fruition -- when, as Hollifield writes, sources of "desirable" and "assimilable" immigrant laborers (such as the Catholic Italians and Poles) were exhausted and Muslim immigrants began to take their station as dominant (58). The second is the shift at this time to a discussion of foreigners in France not exclusively in the context of international 'migration,' but also in terms of so-called second- and later, third- generation immigrants, born and raised

in France.

First, the era of decolonization, in combination with sustained economic growth in France, led to increased immigration from the Maghreb. Indeed, the relation between colonization and immigration is, as Maxime Tandonnet observes, difficult and ambiguous, and the former colonized are sometimes driven for commonsensical but also emotional reasons to the land of the former colonizer: "Les migrants se dirigent le plus souvent vers le territoire des ex-colonisateurs, phénomène qui s'explique par des raisons pratiques -- la langue -- mais aussi sans doute psychologiques; comme si, au goût de l'indépendance et de la liberté, se mêlait la nostalgie de l'imbrication entre le monde occidental et le pays du Sud, que fut aussi la colonisation" (Tandonnet 2006: 9). In the case of the Maghreb countries and France, these reasons for migration were further heightened with the burgeoning economic and social conditions described above, which meant that immigration from the desirable countries (in Mauco's view) had slowed, while demand for labor continued to increase. It was in this context in the 1960s that French immigration was reconceived and restructured, and Maghrebin (along with Portuguese and Yugoslav) immigrants overtook the Poles and Italians, who had been dominant in France for so long. While the figures fluctuate somewhat between sources, the 1975 census confirms the end result of this shift; that census counted 710,690 Algerians, 260,025 Moroccans and 139,735 Tunisians in France, in contrast to the around 462,940 Italians and 93,655 Poles (Hollifield 1991: 116).

To start, immigration from Algeria remained substantial -- from 208,540 Algerians in France in 1954 to 350,484 in 1962, 473,812 in 1968 and as above, 710,690 in 1975 (Zehraoui 1999: 122). And this was the situation even amidst concerns (1) that the newly freed Algeria would terminate emigration -- which nationalists like the militants of ENA and later, of PPA, MTLD and FLN believed to be a shameful mark of colonialism -- and (2) that France, defeated in a violent war, would exact revenge and slam its doors shut to Algerian immigration (MacMaster 1997: 203). Neither occurred. On the one hand, decolonization left Algeria in a state of economic chaos -- the result of and further exacerbated by the exodus of Algeria's most educated administrators, engineers and technicians (careers from which 'native Algerians' were excluded); the destruction by the militant French OAS of Algerian infrastructure, such as schools and oil facilities; and the devastation during the war of the rural areas, which had resulted in the forced movement of millions of rural villagers from their homes and in the abandonment of fields and livestock (202-03). The circumstances, then, seemed to encourage emigration, and even though there was much debate and resistance, the government of Ben Bella agreed, allowing emigration to continue (203). On the other hand, France, in order to maintain economic control over the region, had agreed in the Évian Accords (which ended the Algerian War) to two clauses -- one which guaranteed Algerians a *carte d'identité* for free circulation between the two countries, and one which accorded Algerians resident in France substantial rights (203). Under these circumstances, then, immigration from Algeria, rather than stalling as some had forecasted, continued and even increased.

Furthermore, migration from Morocco and Tunisia was also on the rise. Protectorates of France until 1956, but not full colonies, both countries had substantial economic and cul-

tural ties to France, which facilitated migration even after formal ties had been severed.⁴⁹ In the case of Morocco, emigration was not new, although before World War II, it had been confined to the other Maghrebin nations (Chattou 1999: 128). Particularly, after June 1963 when France and Morocco entered into a formal agreement, which made Morocco an official source of labor for France, migration north across the Mediterranean increased. Where Moroccans in France numbered only 10,734 in 1954 and 33,320 in 1962, by 1968, their numbers had more than doubled to 84,236 (128). By 1975, they had reached 260,025, which meant that Moroccans had the swiftest increase among the Maghrebin countries (Chattou 1999: 128; Wihtol de Wenden 1988: 140-41). This situation remained true even in the 1970s, when France turned more and more to restrict immigration and to encourage immigrants to return home. Similar trends were also seen in the case of Tunisians, whose numbers in France increased to 139,735 in 1975 (Hollifield 1991: 116). Indeed, immigration from Tunisia was substantial, albeit a bit later than that from Morocco and Algeria (Wihtol de Wenden 1988: 141). As was the situation with Morocco, Tunisia, too, entered into an agreement with France in 1963 over labor, but in 1964, France voided that agreement in retaliation for Tunisia's nationalization of colonial lands, which hindered mass immigration from Tunisia for a little while. It did rebound, however, and migration from Tunisia, as well as Morocco, accelerated.

Second, it was after World War II and into the 1960s that foreigners in France came to have a more permanent presence. In the specific case of Maghrebin immigrants, for instance, the tradition well into the late 1950s was one of circulation or rotation; Maghrebin men would travel to France alone, work and return home to their families and communities. As MacMaster recounts in detail, even after several decades of work and life in France, Algerian men in general continued to view themselves, first and foremost, as members of their home communities (MacMaster 1997: 67-68; Gillette and Sayad 1984). Even as he toiled in the mines or factories, MacMaster describes, the migrant and his *imaginaire* remained with his native village (MacMaster 1997: 67). His fundamental goal was to maximize his savings in the shortest time and return home, and his mental state in France was always that of the transient (67-68). But as World War II came to an end, France started to encourage immigration of families, which changed the conventional French immigration scene. As one could have no doubt forecasted, the initial efforts of the French state in this regard focused on the 'desirable' nationalities; Italian and Portuguese families, for instance, came to France at increasing rates after the war. Efforts were even taken to discourage the immigration of Maghrebin families. For instance, in 1956, in order to lower the number of Algerian workers residing in horrible housing conditions, the government arranged for hostel accommodations, which, while beneficial, were also intended to be unsuitable for families and to discourage wives and children from coming to France (Hargreaves 1995: 15-16; Weil 1991).

However, even with these efforts of the French state (combined with those of Algeria and other former French colonies to discourage and limit emigration so as to recover from the

⁴⁹ For the sake of cohesion, I bracket out the more detailed discussion of the relation between France and Morocco and Tunisia. This discussion can be found in the historical literature on French colonialism in North Africa (Naylor 2009; Rivet 2002); in Morocco (Gershovich 2000; Hoisington 1984; Porch 1983; Bidwell 1973); and in Tunisia (Saïdi 2007; Cohen-Hadria 1976).

devastation of colonial rule), the trend toward Maghrebin familial settlement in France was evident. While this settlement was slower among Maghrebin immigrants than among immigrants from elsewhere, like Italian and Portuguese immigrants, it started to gather strength in the 1960s (Hargreaves 1995: 16-17). To illustrate, whereas females constituted only 2.3% of Algerians, 1.7% of Moroccans and 8.5% of Tunisians in France in 1946, they increased notably to 16% of Algerians, 16.2% of Moroccans and 31.5% of Tunisians in France by 1962 (16). By 1968, 26.7% of Algerians, 21.8% of Moroccans and 33.3% of Tunisians in France were women, and the numbers continuously increased over time (16). (In 1990, Maghrebins in France were around 41-43% female (16).) With the feminization of immigrants in France also came a shift in the discussion of foreigners in France -- from one of migration to one of second-generation immigrants, born and raised in France (and who, as a result, were also considered French nationals under the law -- a law that flowed from the reintroduction of *jus soli* in 1889) (Weil 2008; Zehraoui 1999: 122; Wihtol de Wenden 1994: 70). (I describe nationality law in brief in a moment.) To elaborate this shift in the context of Algerian migration, MacMaster describes how the increasing numbers of women and children emigrating from Algeria signaled the gradual end to rotation as the dominant scenario and the start of fixed settlement (MacMaster 1997: 181-83). And as I later discuss in detail, this familial settlement introduced a new level of difference into the French nation-state, as Maghrebin families (who often knew no French) settled in segregated enclaves and tried to reconcile old customs with their new lives in France.

4. NATIONALITY AND THE SECOND GENERATION

A brief word on French nationality law is relevant here. As Patrick Weil writes, since the French Revolution, France has amended its laws on nationality more often and more drastically than any other democratic nation, and since a fuller discussion in this area could easily consume volumes, I leave it for another venue (Weil 2008: 3).⁵⁰ However, a word on the reemergence of *jus soli* is relevant here in order to demonstrate further how second-generation immigrants became even more settled within the French nation-state. The debate over what it means to be French -- to have the *qualité de Français* -- came about at the time of the Revolution, and modern nationality law followed in the Civil Code at the start of the 19th century. In contrast to the view under the *Ancien Régime* and the Revolution, the Code reversed the idea that one was French if one were born on French territory, in favor of a nationality based on

⁵⁰ Patrick Weil writes that while the debates over nationality laws have been heated -- many animated leaders, from Napoléon Bonaparte and Marie-Joseph de Lafayette early on to Marshal Philippe Pétain, Charles de Gaulle and Jean-Marie Le Pen, have been involved -- and have resulted in many different laws and policies as to who can call himself a 'French' person, there are three principal phases of these laws (Weil 2008: 3-5). The first phase started with the French Civil Code: "From this point on nationality became a right attached to the person: like the family name, it was transmitted by fatherhood" (4). The second phase started with the nationality law of 1889 and its return to (a sociological) *jus soli* (as above): "[I]t marked the return of *jus soli*, but in a form that differed from the old legislation in that it was no longer based on allegiance but rather on socialization" (4-5). The third phase was when nationality law became a direct instrument to stem the problem of depopulation: "With a law passed in 1927, French nationality became available on a vast scale to immigrants who sought it through naturalization of marriage" (5).

bloodlines. With the institution, then, of *jus sanguinis* (which leaders Emmanuel Sieyès and François Tronchet had advocated and which won out only after a substantial debate), one became French at birth only if he was born to a French father (19-29).⁵¹ As time moved forward, however, *jus sanguinis* encountered difficulties. Most notably, the army faced recruitment issues whereby many claimed to be foreigners (or retained their status as such) in order to avoid mandatory military service (38).

By the 1850s, then, extensive nationality reform was underway, and on February 7, 1851, France introduced what has become "one of the foundations and distinguishing features of French law" -- the idea of double *jus soli*, under which a child born in France to a foreign father (and after 1891, also a foreign mother), who was himself also born in France, was considered French (42-43). After further debate to hammer out some of the details and amend the Code -- to eliminate one's ability to renounce his nationality so as to evade military service, for instance -- France turned to further institutionalize the idea of double *jus soli* with the law of 1889. Under this foundational law, a foreigner born in France was an 'automatic' French national if his father and/or mother was also born in France. Otherwise, he became a French national when he reached adulthood (52-53). Foreigners not born in France could also ask for naturalization (52). And thus, *jus soli* came to be reintroduced in France, but unlike its 'feudal' form, this time, it was introduced in a manner that linked French nationality to considerations of socialization, measured by the length of time that the individual or his father and/or mother had lived in France. It was now assumed in French law that after two generations in France, "francization" or assimilation would have occurred (Feldblum 1999: 25). On this assertion, Weil turns to Lucien Gérardin, who writes that the law worked to translate "cette vérité constante que le milieu dans lequel il vit agit sur l'individu" (Gérardin 1896: 3; Weil 2008: 53). The child, Gérardin continues, born in France to a father and mother born outside of France will internalize, first of all, their foreign values, habits and feelings (Gérardin 1896: 3). But as he continues to live to adulthood in France and to interact with his classmates and workmates, he will come to internalize *notre civilisation* (3). Such is the central idea that underlies the (re)establishment of *jus soli* in the law of 1889 and its continuation in the decades that follow -- codified in the French Nationality Code in Article 23 (which continues the tradition of double *jus soli*) and Article 44 (which allows for French nationality when a child born in France to a non-French father and mother reaches adulthood, assuming also that the child has resided in France for at least the last 5 years and meets several other conditions, like an absence of criminal convictions) (Feldblum 1999: 25). (Recall that immigrants of Algerian origin in France became French nationals at birth if their fathers or mothers had been born in Algeria before 1963, since France considered Algeria to be a French *département* (26).) The history of nationality law in France is, of course, more intricate, and elements of it have shifted over time (most notably under Vichy). However, even this short discussion here illus-

⁵¹ Here, there are additional nuances beyond this discussion. As one illustration, for a time, the relevant terms of the Constitution of 1799 were still in force, which allowed a foreign man to become a French national a decade after he registered his intent to do so, and a mechanism was restored in 1802 that allowed for naturalization in the case of foreigners who rendered valuable services to France. Also, foreign children born in France could become nationals if they so desired the year after they became adults (Weil 2008: 31).

trates how the law in this area redefines and affects second and third-generation immigrants-turned-French-nationals, and how that law has underneath it more assimilationist motivations toward socialization.

B. SETTLEMENT AND INSTALLATION

Even as France confronted the oil crisis of 1973 and the recession that followed, North Africans retained their foothold in France. The mid-1970s were difficult. The rising costs of fuel contributed to high inflation, which, in turn, led France down the road to economic crisis and its first sustained increase in joblessness since World War II (Hollifield 1986: 115-17). As one could have foreseen, France turned to limit or ban immigration and the recruitment of foreign laborers and to encourage foreign workers to return to their countries of origin (117). It entered into numerous bilateral agreements with sending countries to limit migration and to facilitate the reintegration of those migrants who returned home, and as of 1976, it even offered financial incentives to foreigners to leave France -- 76,000 (2/3 of whom were from the Iberian Peninsula) took advantage of this assistance between 1977 and 1979 (119). But even with these efforts, foreigners continued to live and work in France. Their numbers even increased at this time. There are several reasons for this increase. First, as Hollifield observes, the French ban on the recruitment of immigrant laborers and on immigration in general was not categorical (in contrast to the German ban), and the Ministry of Labor continued to admit considerable numbers of immigrants, even after France banned it in 1974 (118).

Second, the limitation on immigration inadvertently accelerated the settlement of those workers who were already in France, who then demanded to be reunited with their wives and children (Hollifield 1986: 120; Schain 2008: 48-49). And while France tried at times to limit familial reunification, it often failed to do so; later, administrative *circulaires* and court decisions also reversed these limitations. To illustrate, Zoubir Chattou describes how at this time the number of Moroccans in France, in fact, increased -- from 260,025 in 1975 to 367,896 in 1982 -- and how a central reason was reunification of families, which accelerated in the late 1970s: "Même après l'arrêt de l'immigration, les effectifs des migrants ont connu une croissance importante. Le regroupement familial a certainement contribué à cette évolution, de même qu'il a entraîné une féminisation de la présence marocaine en France" (Chattou 1999: 128-29). Furthermore, because immigrants in France at this time had higher birthrates than did French natives, second-generation immigrants (and the integration thereof) became a controversial issue, which endures. Thus, even though it made concerted efforts to rein in immigration -- the same immigration that it had encouraged for decades -- when the economic exigencies would have made doing so desirable, France nonetheless confronted the harsh truth that, once started, immigration is difficult to contain. As Hollifield comments, the lesson to be learned here is that immigration, more often than not, becomes a permanent phenomenon; while it might be beneficial to recruit foreign laborers to deal with labor shortages in the short term, it is not as straightforward to get rid of those laborers in the long term (Hollifield 1986: 128). Inevitably, many workers choose to settle; that was most certainly the case in France (128). In short, then, the immigration that France encouraged in the mid-19th and early 20th centuries is now a lasting truth for France, as the 1970s clearly revealed.

The 1980s and 1990s continued in this vein. Immigration to France slowed a bit in the 1980s and stabilized at low levels; the ratio of immigrants to non-immigrants remained constant (Simon 2003: 1094). This occurred amidst a series of laws on immigration (the 1980 *Loi Bonnet*, 1986 (1993 to 1994) *Lois Pasqua*, 1989 *Loi Joxe*, 1993 *Loi Méhaignerie*, 1997 *Loi Debré*, 1998 *Loi Chevènement* and 2003 and 2006 *Lois Sarkozy*) and related to the control of immigrants (the 1981 *Loi Peyrefitte* and 1983 *Loi Badinter*), which reflected the battle between the Right and the Left to define and redefine the French attitude toward immigration (Schain 2008: 41). Some restrictive and others less so, these laws had concrete effects on immigration flows to France and on the rights accorded to those already in France, but in any case, France had and continued to have a large number of foreigners integrating into French life. What is more notable here is the changing nature of those immigrants residing in France, continuing the shifts described above -- more women, more children and more North and sub-Saharan Africans, who were more settled in France.

The image of the transient guest worker and the immigrant was reconfigured. First, he became less and less European. In 1982, European Community (EC) nationals accounted for only 48% of all foreigners in France (down from 60% in 1975 and 72% in 1968) (Feldblum 1999: 21). By 1990, they constituted only 36% (21). North Africans, on the other hand, continued to increase; both the 1982 and 1990 censuses show them at almost 40% of all foreigners in France (21-23). (Smaller numbers of immigrants from sub-Saharan Africa, Southeast Asia and Turkey were also recorded.) Second, as above, foreigners in France were more and more female -- to over 43% in 1985, for instance -- and their average age continued to fall (21). In 1982, there were an estimated 2 million children of foreign origin in France, and while children (under 20) constituted only 27% of the French in the early 1980s, they accounted for an estimated 40% of North Africans in France (23). Finally, in addition to these transformations, foreigners were becoming more and more settled in France. To illustrate further, in 1981, over 70% of immigrants in France had settled there for at least a decade, and that statistic increased to over 80% in 1985 (21-23). And in 1985, 23% of the 'foreigners' in France were, in fact, born in France, which further corroborates the assertion that so-called second-generation immigrants had become a lasting (and controversial) fixture of France.⁵² Settlement had occurred. While there were fluctuations at the close of the 20th century -- familial reunifications, for instance, had fallen continuously to 25,000 by 2004 from 81,000 in 1973 -- this trend toward extended immigrant families carried on (Laurence and Vaisse 2006:

⁵² Although second-generation immigrants were indeed on the rise in France, it is noteworthy that they were never really discussed in any substantial manner. Patrick Simon observes that while foreigners and issues related to foreigners were discussed and debated for more than a century, second-generation immigrants never made it onto the agenda (Simon 2003: 1091). Particularly, this absence, Simon believes, is due to the French model of integration, whose main objective is to create 'citizens' out of immigrants within one generation: "In its efforts to retard the creation of a second generation, the French model of integration minimizes the transmission of cultural legacies from the immigrants to their children ... [and denies] any collective acknowledgement of immigrant origins" (1092). Even if one had wanted to describe the second generation in fuller detail, there was no statistical data with which to do so; the census tracked only nationality and country of birth (1098). However, there have been efforts, such as those of Simon, himself, to conduct further research and to learn more about the situation of second-generation immigrants.

17). And the immigrant birthrate contributed to this trend; while the fertility rate for North African women in France has declined over the last two decades, it has remained higher than for French women. To illustrate, while the birthrate is about 2.57 children a woman for Algerians and 2.9 for Moroccans in France, it is about 1.94 for French women, although the former figures start to decline the longer that immigrant women live in France (27).

With that, this section arrives at the end of the 20th and the start of the 21st centuries, where immigrants and their descendants continue to constitute a sizeable share of French society -- around 10 million in France today are the children or the grandchildren of immigrants (Hargreaves 1995: 25). Indeed, immigration has transformed and continues to transform and challenge France along numerous dimensions. Of course, I could not, in one section or even a dissertation, detail the entirety of French immigration history, but I offer an overview here to demonstrate how immigrants (Maghrebini immigrants in particular) came to reside, work and settle in France (and the role of the French state in that regard) and how the myth of the unitary French nation-state was undermined even as it was still in formation. Today, North African (and to a much lesser extent, Turkish and sub-Saharan) immigrants challenge (and/or are seen to challenge) the fabric of the traditional and historical French nation-state, and I turn now to discuss this area further.

III. THE MUSLIM OTHER

With over 3 million (at least) of North African descent in France, North Africans have now come to be an important part of the French political and social landscape, and while they are neither the first nor the only settlers from outside of France, they are currently the most controversial and tend to be seen in an even more negative light than their Italian, Polish and Portuguese (and so on) colleagues. As Jonathan Laurence and Justin Vaisse describe, North Africans come from a different continent and culture, most often also from a different religion (Islam), and have thus faced a high level of discrimination and hostility (Laurence and Vaisse 2006: 49). And in fact, some of these negative feelings were forged centuries ago, long before immigration began; North Africans in France are burdened by the "history of tumultuous relations between France and the Arab-Muslim world" -- from the threat of the Saracen and Ottoman armies to the Crusades, where the Muslim was the enemy (50). It is with these historical memories, then, combined with the revolutionary desire to maintain a French nation *une et indivisible*, that issues of the installation and integration of North African immigrants occur. It is here that I should add that when one writes of the North African Other in France, one necessarily writes of the Muslim Other, which is how the issue is more commonly raised in the academic and non-academic literatures, which often shift from one to the other with no division. And indeed, this reference to North Africans as Muslims is appropriate, as the three Maghrebini countries are, in fact, 98-99% Muslim. As I discuss below, one must be a little bit more nuanced in the reverse direction to recognize that not all Muslims in France are of North African origin. While most (60-70%) French Muslims are of North African descent and came to France as a result of the waves of immigration described above, Turkish, Asian and other African immigrants also add to increasing size of the Muslim Other in France, and I involve them as well in the discussion that follows. This section further describes the Muslim (and in doing so, the North African) Other in France and breaks down the issues that this cultural and

religious (and racial) Other has raised and/or is believed to raise to the 'traditional' view of the nation-state that emerged from the French Revolution. First, however, two clarifications are in order.

First, it should be noted that the statistics in this area are not definitive. While I do not advance statistical arguments in this work, I raise this issue so as (1) to recognize the inevitable variation that exists between sources as to issues as basic as the number of Muslims in France at a given moment; and (2) to underscore the influence of French Republicanism as colorblind in a particular concrete case. In the republican tradition of colorblind equality under the law, France does not collect or record official statistics on categories like race, ethnic origin or religion; the last census that recorded religion, for instance, was in 1872, and France restricted under a 1978 law the collection of racial and/or ethnic statistics (17).⁵³ Instead, the official census categorizes French residents under one of three classifications: (1) French by birth; (2) French by naturalization; and (3) foreign (Kastoryano 2002: 23). Under double *jus soli*, then, as described above, the children of foreigners move, over time and generations, into categories (2) and (1), which makes it difficult to determine their national, religious and cultural origins. In the absence, then, of official statistics, estimates as to the number of Muslims and those of Muslim origin in France today vary considerably. On one extreme (which includes the Front National, who wishes to scare French citizens into more conservative immigration and integration policies, and Muslim associations, who want to inflate the numbers of Muslims so as to increase their stature in France), estimates are as high as 8 million (Laurence and Vaisse 2006: 18). And on the other extreme, estimates, like those of Michèle Tribalat for 1999, are as low as around 3.65 million (18). Most, however, seem to center around 4-5 million; Laurence and Vaisse settle on 5 million, which they identify as the consensus of French state and Muslim leaders and as a number which will hold true for at least a few more years (Laurence and Vaisse 2006: 18; Ternisien 2002; Leveau 2001; Boyer 1998). I follow this estimate below. Even with the indefinite nature of the statistics, however, it is certain that there is a substantial Muslim presence in France and that of all 27 of the EU countries, France is home to the largest number of Muslims, with 2003 estimates at 3.3 million in Germany; 1.5-2 million in Great Britain; and a little under 1 million each in Italy and Holland (Laurence and Vaisse 2006: 22).

Second, to refer to the Muslim or North African Other might suggest to some an homogenous or monolithic unit; this is not the case. There is, in fact, tremendous diversity between Muslims in France today (Godard and Taussig 2007: 23-99; Laurence and Vaisse 2006: 15-22). First and foremost are the divisions based on national origin. 60-70% of Muslims in France (around 3 million or so) come from North Africa (Algerians and Moroccans being the most dominant, and Tunisians less so), with growing numbers of Turks and West Africans. In more detail, with the 1999 INED census, which Tribalat works from above, the estimates are

⁵³ As one aside, to which I return later on, it is worth noting that there has been an intense debate as to whether France should become more active in the census in collecting data on race and ethnic origin and as to whether such data would be effective in, for instance, combating racial and/or ethnic discrimination, or whether such data would, itself, be a source of discrimination (Sabbagh and Peer 2008; Tribalat 1995; Le Bras 1998).

as follows: (1) over 1.5 million of Algerian origin; (2) 1 million Moroccans; (3) over 400,000 Tunisians; (4) around 340,000 sub-Saharan Africans (Senegal and Mali); (5) 313,000 Turks and (6) 70,000 from Asia and the Middle East (e.g., Iran, Lebanon, Pakistan and Comoros) (Godard and Taussig 2007: 25-27). Also relevant are Muslim converts (estimated at 50,000) and illegal immigrants (estimated between 50,000 and 150,000), who might also be Muslims (Laurence and Vaisse 2006: 18). Within national origin, too, there are even more divisions -- such as the distinction within Algerian immigrants between Arab and Berber *harkis* and *français musulmans* (and their descendents), who were colonial administrators and soldiers, and the mainly Arab labor migrants (and their descendents) recruited after decolonization (21).

Moreover, these differences are often, to the extent that generalizations can be drawn, significant in terms of how certain 'categories' of immigrants integrate into and assume certain roles in French life. As one illustration, John Bowen describes how, among the Maghrebin countries, certain nationalities tend to have gravitated to certain cultural and religious roles (Bowen 2007: 51). Moroccans, he writes, have assumed a strong role as leaders in mosques, which Bowen attributes to the strength of their religious training in Morocco (51). Algerians, who have the deepest relations with France, are most visible in political and cultural associations and in the civil service (51). And in the case of Tunisia, which suppressed free speech after 1991 and developed an opposition to the political expression of Islam, many politically-minded and active Tunisian intellectuals fled to France, where they now "dominate the world of French-language Islamic education" (37). Further, religious observance (as I discuss next) also varies with national origin. Studies indicate that sub-Saharan Africans are the most observant of French Muslims, in contrast to Algerians, who are found to be the least. In 2001, Tunisians were estimated to attend mosque services on a more regular basis than do Moroccans and Algerians (88). Within national origins, too, are further distinctions to be made and researched -- between Berber Algerians and Arab Algerians, for instance. (Tribalat found in a 1995 study that the former were less observant in terms of abstention from alcohol and pork than were the latter (Bowen 2007: 87; Tribalat 1995).) While these national and ethnic distinctions could, in a sense, continue on forever, I raise only a few illustrations to demonstrate how variations according to national origin among French Muslims are substantial and significant, and while I often refer to French Muslims in holistic terms, I also recognize the numerous and nuanced variations within.

Variations are found in other areas as well. Most obviously, Muslims in France vary widely in terms of their levels of religious devotion. Laurence and Vaisse estimate that, of all French residents of Muslim origin, around 66% self-declare an affiliation with Islam, which is about the same as for French residents of Catholic origin who self-declare an affiliation with Catholicism (Laurence and Vaisse 2006: 15). In addition, of those self-declared Muslims, the rate of attendance at religious services is similar (even a little higher but still low) than to that of self-declared Catholics -- estimates of mosque attendance were around 16% in 1989 and 1994 and 20% in 2001 -- although the authors estimate that day-to-day observances (such as abstention from alcohol, daily prayers or fasting during Ramadan) are higher in the case of self-declared Muslims (78). 2004 estimates of fasting during all or some of Ramadan, for instance, were around 75% (79). As with all religions, then, there are different levels to which one subscribes, if at all, to the tenets of the faith, and in the case of Islam, French Muslims

range on one side from non-believers, to believers but not observant believers in the middle, to the followers of a more fundamentalist Salafism of the Saudi Arabian Wahhabi strand on the other (Roy 2007: 9; Bowen 2010; Laurence and Vaisse 2006: 92). This variation also underscores the distinction (albeit a blurred one) that exists between Muslim culture and Muslim religion and the fact that one can affiliate with one or the other to different degrees. As Laurence and Vaisse write, one can belong to the Islamic *umma* as a matter of religion, but also as a matter of culture; where Muslims in France identify as 'Muslim' instead of as Arab or Moroccan or Turkish (and so on), that identification can be and more often is based on familial and community bonds rather than on Islam (Laurence and Vaisse 2006: 74). The *Haut conseil à l'intégration* (HCI) concluded the same in 2000, when it found that the number of residents of the Muslim 'religion' was closer to a million, the rest being of the Muslim 'culture' alone, a distinction that the HCI works to maintain in its work (Bowen 2007: 51; HCI 2000: 27). To close this short discussion, I mention age as another variation within French Muslims, since as much as half of them are under 24, which, in turn, affects and redefines institutions like state schools (Laurence and Vaisse 2006: 22). Furthermore, this fact circles back to issues of religious devotion as well, as recent studies reveal that Muslim youth tend to assert their religious identities more and have higher rates of religious observance than do their elders, as was certainly the case in the 1980s in France (Laurence and Vaisse 2006: 77; Khosrokhavar 1997).

With all of this said and all of the variations that exist, it must still be recognized that the Muslim Other is often treated and viewed in a singular, monolithic light. As Joan Wallach Scott remarks, there are often few distinctions made between immigrants, a term which became synonymous with North African, which became synonymous with Muslim, which was conflated with Islam (Scott 2007: 17). On one level, there are some similarities between Muslims in France. Laurence and Vaisse describe, for instance, an inchoate French Muslim identity of sorts, which flows from a shared lived experience of life in France, which includes "the bitterness of exclusion as well as successful efforts to integrate" (Laurence and Vaisse 2006: 16). But in most instances, such a claim is more difficult than not. Nevertheless, there are efforts by the French state and other actors to project a constructed sense of unity and solidarity onto 'the' Muslim 'community' as a monolithic Other on which to focus and with which to negotiate (Roy 1994: 54). Often political and institutional in nature, this construction occurred most recently and notably with the 2003 establishment of the *Conseil français du culte musulman* (CFCM) and the related *Conseils régionaux du culte musulman* (CRCM) to serve as a sort of representative institution for the Muslim faith and the identified interlocutor between Muslims and the French state.⁵⁴ Bowen contends, and I tend to agree, that these new

⁵⁴ The CFCM and CRCM were established in 2003 as an "identified interlocutor" between the French state and the Muslim faith, the Muslim equivalent of the Bishops' Conference for Catholics, the Protestant Federation of France for Protestants and the Consistory for Jews (Bowen 2007: 48; Laurence and Vaisse 2006: 135-62; Fernando 2005). Efforts to create such a body had started much earlier, and different short-lived versions (e.g., the Council for Reflection on French Islam in 1991, the Representative Council of French Muslims under Charles Pasqua in 1995 and the Consultation of French Muslims in 1999 under Jean-Pierre Chevènement) were established and dismantled over the years (Bowen 2007: 49-50). John Bowen, Jonathan Laurence and Justin Vaisse describe the history of the CFCM in further detail, from the preparations made for the elections to task forces established to discuss each of

institutions were not structured so as to be representative; rather, with the CFCM and CRCM, the French state constructed a "Muslim counterpart for practical discussions of policy" and a "single, national body with which to negotiate and deliberate, and from which it may draw legitimacy for its decisions" (Bowen 2007: 48; Godard 2009: Interview). While I describe these institutions only briefly, they illustrate my observation that, while diverse in nature, the Muslim Other is still often perceived (and institutionalized, in the case of the CFCM and the CRCM) as a sort of unified community, which undermines the values, traditions and history of the French nation-state.

A. THE RELIGIOUS OTHER

The perception of the Muslim Other exists on multiple levels and manifests in multiple forms. I start here with an account of that Other in religious terms -- an account which looks at Islam and the followers of Islam as inconsistent with the theoretical and historical tenets of traditional French Republicanism, in particular the notion of *laïcité*. (In the next sub-section, I broaden this account to look at the Muslim Other in cultural terms.) While most Muslims in France are, like their fellow French Catholics, relatively moderate, even non-observant, when it comes to their affiliation with religious faith, they are still often treated by many with mistrust as the Islamic Other in France today. Particularly, French Muslims have been seen as an extraordinary and direct threat to the French idea and republican tradition of *laïcité*, a secularist doctrine that constructs a strict separation between church and state and between public freedoms and private worship and faith -- a concern that has risen today to an almost existential level, as Islam is seen "to call into question the very identity of the country" (Roy 2007: 1). Perceived as a totalizing and even a fundamentalist religion to which followers must submit in all areas of their lives, Islam, it is feared, will invade the public sphere, blur the lines between church and state that France has worked so hard to clarify since the Revolution (as in the first section), divide loyalties and thereby diminish the freedoms and rights of other citizens, even undermine societal order (Ewing 2000: 35; Salemohamed 2000). This sub-section, then, examines Muslims in France as a religious Other. First, using the historical discussion of *laïcité* in the first section as the foundation, I provide a few words about *laïcité* in the present. I then discuss how Muslims are cast as a direct threat to this republican tradition, as in the very controversial issue of the Islamic headscarf in state schools.

1. CONTEMPORARY LAÏCITÉ

Earlier, I offered an historical overview of *laïcité*, a doctrine which connotes the ideal relation between the French state and religion and which emerged out of the difficult struggle between the French state and the Catholic Church (seen as the anti-democratic relic of the old régime) at the time of and after the Revolution. Here, I flesh out that discussion and extend it more directly to today. First, with its strong foundation in the Revolution and the events that followed, *laïcité*, it is often asserted, is a distinctly 'French' doctrine, which has become key to

the central responsibilities of the CFCM (e.g., training imams and licensing halal sacrificers), as well as the practical difficulties and critiques that have been raised (Bowen 2007: 55; Laurence and Vaisse 2006: 135-621; Godard 2009: Interview).

national identity. And indeed, this claim is valid in many ways, as the distinct evolution and institutionalization of the doctrine (as discussed above) would suggest (Davie 1999: 212; Custos 2006; Baubérot 2003). However, the truth is more nuanced in fact. Cécile Laborde elaborates how French *laïcité* is a sort of 'version' of liberal secularism and of the 'secular core' of liberalism, which includes a combination of the principles of equal respect, freedom of conscience and a neutral political power, and it is, in that sense, not entirely different from other 'secularisms' found in other countries (Laborde 2008: 32). (Weil advances a similar argument and defends *laïcité*, as it is formalized in the Law of 1905, as constructed in a 'liberal framework') (Weil 2009: 2704-05).⁵⁵ However, as Laborde adds, while similar in some characteristics to liberal forms of secularism, *laïcité* is also a distinctly 'French' doctrine, whether that is the result of the history of conflict between the French state and the Catholic Church; the history of certain ideas about the centralized role of the state and its relation to its citizens; or some added or combination of factors (Laborde 2008: 32). The doctrine, as I describe it, has redefined and infused the 'secular liberal core' with a unique republican spirit, which has made it an interesting (albeit controversial) area of research.

One central distinction between *laïcité* and other forms of 'liberal secularism' (and the reason that French *laïcité* seems to resist the traditional categories of state-religion relations) lies in the strong and active role of the French state as the guarantor of freedom of religion, as well as in the manner in which that state defines (limits) the conduct of other actors in French society in the order to maintain that freedom. Here, a more general account of the nature of civil rights and freedom in France is needed. As Michel Troper writes, in France, civil rights are not conceived of as 'natural' rights, claimed or asserted against the state (as in the United States, for instance) (Troper 2000: 1268). Instead, civil rights are the rights to the freedoms which flow from the state, as defined and delimited in state law (1268). Consistent, then, with the Rousseauian love of the rule of law and his insistence that laws, as registrations of the indivisible, inalienable and infallible General Will, are to be followed, freedom in this context is not inherent or natural, but results from republican participation in the Social Contract, which demands "one's exclusive submission to law" (1268). Further, because his individual identity in this framework is inextricably linked to the state and because his freedom derives from the laws of that state, of which he was, himself, an author, the engaged citizen, too, holds certain

⁵⁵ With that said, the historical context remains relevant. Patrick Weil observes that while the Law of 1905 was founded on the principles of freedom of conscience, separation of church and state and equal respect of all faiths and beliefs, in a manner similar to the laws of other secular countries, these principles must be understood within the 'French' historical context: "[T]he different historical context had an impact on the discourses, the representations and the jurisprudential interpretation of the Law. The 1905 law of separation between Church and the State was built against the influence, indeed domination, of the Catholic Church in public affairs. It was a victory for a majority of French citizens educated in the Catholic faith, but who wanted the Catholic Church to be put in its place, out of public education and public influence" (Weil 2009: 2704). For instance, the notion of freedom of conscience with regard to religion (i.e., the free exercise of religion) exists in both the United States and France, but unlike in the United States, where the free exercise of religion is a right against the state, in France, given its historical background (i.e., the constant intrusions of the Catholic Church into public affairs), it is often perceived as "protecting the individual against any pressure of the religious group" (2705). In this way, then, the history is key in a discussion of *laïcité* today.

obligations to maintain the conditions for those freedoms, so as, in fact, to maintain his own freedoms -- obligations that citizens of other democracies with a different view of civil rights might not hold (1268). In the case of religious freedom, then, this freedom, too, derives and flows from, not against, the state (Weil 2009: 2704), and it demands also that citizens take an active role in the maintenance of that freedom (or the conditions thereto) vis-à-vis *laïcité* -- in basic terms, in the maintenance of law.

To return to the definitional discussion, then, the institutional division between church and state flows directly from the history of conflict between the French state and the Catholic Church, described earlier, and it has resulted in a relatively clear doctrine, at least in theory, which some have characterized as one of double institutional incompetence, as in the Law of 1905. Political and administrative power rests in the secular hands of the state, which neither recognizes, nor salaries, nor subsidizes religion. Religions are then left to "define for themselves, dogma ... and rules of behavior and dress. The state does not interfere with this definition of religious norms" (Custos 2006: 341). But to describe *laïcité* as a mere institutional division omits what makes it distinctive and controversial; in addition to being a doctrine of institutional separation (church from state and state from church), it is also a doctrine of conscience, which defines norms of conduct for other societal actors, which include individual citizens (Laborde 2008: 33). Laborde draws out this distinction in her account of *laïcité*; she comments that *laïcité* makes more rigorous "demands on state institutions (in terms of abstention and non-discrimination) and on its citizens (in terms of restraint)" than other forms of liberal secularism (33). Olivier Roy advances a kindred claim; he describes *laïcité* as an exacerbated or politicized version of Western secularism, which has evolved both as the strict separation of church and state, an institutional division formalized in law, and as an ideological doctrine, which claims to offer a value system common to all citizens (Roy 2007: xii). Some scholars have gone even further to characterize *laïcité* as an atheistic civil religion, which defines certain *sentiments de sociabilité*, in Rousseauian terms (Rousseau 1762: 142-55). For instance, Dominique Custos maintains that *laïcité* is more than a constitutional principle; it is a "corpus of republican values," which the state then disseminates as a "civil religion" (Custos 2006: 341). And this statement resonates, for me, with that of Talal Asad, who remarks that the French secular state abides today, in a sense, by the creed *cuius regio eius religio* (the religion of the ruler is the religion of his subjects) (Asad 2006: 94). Although the state here disclaims religious allegiances, Asad nonetheless finds significant this notion of a single sovereign state, which is drawn from a single abstract source and becomes almost transcendent, to use Durkheimian terms, and which still possesses, as I contend, the vast potential to shape the minds and conduct of its citizens (94). It is this role of the sovereign state as creator of values and guarantor of freedom, and the active role of the engaged citizen in this venture, that I find instructive and distinct.

More than an institutional division, then, *laïcité* is also a doctrine, as introduced above, which defines certain norms of conduct and obligation for societal actors (Laborde 2008: 44-48). Citizens under this model are asked to balance their freedoms of religion and conscience against the interest in a secular state, and as guarantor of freedoms (and in the historical tradition of the strong centralized state), the French state is most often the one called on to assess this balance. As Laborde remarks, citizens cannot at all times be allowed to make public use

of their private freedoms of conscience and worship; in the public sphere, the interest in freedom of religion and conscience must be balanced against other values and interests that derive from *laïcité* (Laborde 2008: 47-48; Gauchet 1998: 84). This all does not suggest that religion can never enter the public sphere; that would be a clear over-statement (even though critics of *laïcité* often make that assertion). What it does mean, however, is that where religion enters the public sphere, a careful balance must be struck, and although religious norms are entitled to a certain level of protection, that protection is not limitless or absolute. Indeed, there exists within *laïcité* and within French Republicanism as a whole a normative hierarchy, such that where an interest or norm of the French state is at stake and where that interest or norm comes into conflict with one of a religious nature, the state must prevail: "Because State order supercedes religious order, the State may restrict the expression of the religious order whenever it runs counter to State rules" (Custos 2006: 341).

The controversies that follow are most often around the issue of how this balance is to be reached. The clearest, most non-controversial case is that of French state officials, where the state has a clear and strong interest in being and being seen as neutral (and that interest is formalized in law) and where this state interest and norm therefore override religious interests and considerations. As extensions and representatives of the state, public officials (e.g., public transportation officials, postal workers, tax collectors and schoolteachers) hold an obligation of restraint or *devoir de réserve* to be and to be seen at all times as neutral, so as to afford all citizens of all beliefs equal respect and treatment (Laborde 2008: 48).⁵⁶ Almost 5 million citizens, Laborde estimates, are in such public positions (48). The more controversial cases are those that lie in the middle, where, for instance, the state declares that it has an interest in maintaining the secular nature of schools (as in the case of the Islamic headscarf), which then overrides the religious interests of students. While I do not take a stance on this debate here, I raise it to show that *laïcité* and its extension within French society is widely contested, and the conflict in interests is often difficult to reconcile. And this issue is further compounded if one considers, as Laborde does, that *laïcité* endorses a more expansive "conception of the public sphere than political liberalism, as well as a thicker construal of the public selves which make up the citizens of the republic" (32). The implication, then, is that the French state and thus its interests and norms extend further into French society and influence individual conduct to an extent not necessarily found in other theories of the modern democratic state.

⁵⁶ The 2003 Stasi Commission reiterated this requirement of neutrality by state officials: "[I]l faut que l'administration, soumise au pouvoir politique, donne non seulement toutes les garanties de la neutralité mais en présente aussi les apparences pour que l'utilisateur ne puisse douter de sa neutralité. C'est ce que le Conseil d'Etat a appelé « le devoir de stricte neutralité », qui s'impose à tout agent collaborant à un service public (Conseil d'État 3 mai 1950 *Demoiselle Jamet* et l'avis contentieux du 3 mai 2000 *Melle Marteaux*). Autant, en dehors du service, l'agent public est libre de manifester ses opinions et croyances sous réserve que ces manifestations n'aient pas de répercussion sur le service (Conseil d'Etat 28 avril 1958 *Demoiselle Weiss*), autant, dans le cadre du service, le devoir de neutralité le plus strict s'applique. Toute manifestation de convictions religieuses dans le cadre du service est interdite et le port de signe religieux l'est aussi, y compris lorsque les agents ne sont pas en contact avec le public. Même pour l'accès à des emplois publics, l'administration peut prendre en compte le comportement d'un candidat à l'accès, s'il est tel qu'il révèle l'inaptitude à l'exercice des fonctions auxquelles il postule dans le plein respect des principes républicains" (Stasi 2003: 52).

Furthermore, *laïcité* affects the conduct of religious organizations as well, which also seem to hold an obligation of internal laïcization. As Laborde writes, the foremost obligation on such organizations under the doctrine of *laïcité* that divides church and state is to "respect the law, renounce all claims to political power" and refrain from intervention in partisan public debates (44). To this end, she outlines three 'indices of laïcization' -- (1) the privatization and individualization of religious life as both discrete and personal; (2) a revision of religious dogmas to assert the dominance of the state over religious laws, norms and doctrine; and (3) a 'nationalization' of religion, such that believers show allegiance to France, not foreign authorities (e.g., the Roman Catholic Church) (45). As 'official' republicans (to use Laborde's term) contend, then, *laïcité*, as a doctrine of double institutional incompetence, is not and cannot be maintained through state action alone. Organized religions, too, must make sacrifices and rework their internal structures, which is what some have concluded the Catholics, Protestants and Jews have done in France over the last century. For instance, while the Catholic Church had once claimed itself to be a 'total' institution, which extended across all of one's social and cultural life, some see it now as a success story of laïcization; the Church took on its less visible role (45). The status of Jewish law in France is also seen to many as a success. Whereas Jewish law had once asserted its dominance over other forms of law, many now extol what they understand as the Jewish embrace of the creed *Malkhuta dinah* (the country's law is the law) (45). As I discuss shortly, these 'success' stories of internal laïcization can be romanticized and idealized, and are often used to show how a French version of Islam must proceed, if it is even possible for it to do so. In short, as with individual citizens, *laïcité* defines and limits conduct and carries obligations, too, on the level of organized religions, to maintain the conditions for religious freedom. In Bowen's words, organized religion in France is to remain "organized, bounded [and] ... contained. ... If it strays into the street ... it is out of bounds" and can be quashed in the name of public order and state interest (Bowen 2007: 18).⁵⁷

2. THE RELIGIOUS OTHER AND LAÏCITÉ

Political and other public discussions often present or at least discuss Islam in France as a considerable threat to the notion of *laïcité*, both in a broader sense and as manifested in certain concrete situations, as in the debate around the Islamic headscarf in state schools. At the most abstract level, there exists a general feeling of uneasiness and an intense debate, both in France and across the continent, as to whether 'Islam' can be reconciled with secular Western values (Bowen 2010). Of course, this question is problematic from the start, as Roy notes:

⁵⁷ As one would predict, there is further and substantial debate around the notion of *laïcité*, which I do not cover in detail here. For instance, there is the issue (which could be fleshed out in abstract or specific terms) as to whether this institutional separation is even possible in practice or whether the claim of neutrality by the state merely masks the fact that French public space is still permeated by Catholicism; this claim is similar in nature to broader critiques of colorblindness, which I discuss below (Laborde 2008: 69). And other scholars discuss whether, even if *laïcité* were the appropriate response to the historical threat of the Catholic Church at one time, it remains so now, or whether it has become a hindrance to freedom of conscience and religion. In that vein, there is an intense debate about whether *laïcité* advocates the freedom from (and a limit on) religion, rather than a freedom of religion. Some scholars (e.g., Jean Baubérot and his *laïcité ouverte*) offer alternative constructions of *laïcité*. I return to some of these debates in a broader sense in the discussion of the cultural Other.

"[The] question rests on an essentialist worldview, according to which there is *one* Islam, on the one hand, and *one* Western world [with its own set of defined values], on the other hand" (Roy 2007: vii).⁵⁸ But the concern is nonetheless raised, and often stems from the account of Islam as a totalizing religion, with a set of foreign values, which will inevitably and have already, to return to Bowen's terms, "[stray] into the street," drastically out of bounds (Bowen 2007: 18). The logic of that concern could, for instance, be fleshed out as follows: that Islam entails a total submission to God and the Shari'a as an absolute form of law; that Shari'a enters and controls all aspects of the believer's life, public and private (e.g., "religious rituals, social manners, political institutions, personal relationships ... civil, commercial, criminal, and family matters"); and that it is, for the reasons of divided loyalties and the inappropriate fusion of public and private, inconsistent by its very nature with *laïcité* (Baines 1996: 308).⁵⁹ There is substantial variation, of course, in this broader discussion of Islam, and there are even indications that views are shifting -- Bowen cites a study from 2006, which found that the "French people as a whole think Islam can fit" into France: "When asked if there is a conflict between being a devout Muslim and living in a modern society, 74 percent of all French people said no, there is not" (Bowen 2010: 3). However, the issues around Islam in France and *laïcité* are far from resolved, as the controversy around the Islamic headscarf in state schools shows and to which I now turn. As a caveat, I discuss the headscarf issue for a limited purpose -- that is, to offer a particular example of how Islam collides or is seen to collide with French *laïcité*. I

⁵⁸ Of course, there are numerous forms of Islam, a situation which is further compounded by the fact that there is no centralized authority or force (as with the Catholic Church, for instance) to set doctrine and enforce values. And this is even more true in the case of immigrants, whose religious beliefs are influenced both by their home countries and by their countries of settlement and which thus makes for a very dynamic Islam(s): "Islam in Europe is fluid, and its career has been fraught with many changes attributable to its functioning within European host countries. Thus, it is possible to say that Islam has undoubtedly been reproduced in Europe, and it has also been produced" (Wieviorka 2002: 133). For instance, in France, Michel Wieviorka observes that there is an identifiable range of Islams -- from a more ritualized, traditional and apolitical version (the "Islam of older people") and a more institutionalized but apolitical version as represented in the Paris Mosque ("republican in spirit"), to the Islams of the *banlieues* (which stem from the lack of social integration of immigrant teenagers) and a rigid "political form of Islamism, which advocates a sociopolitical conception of the religion based on anti-Westernism" (133). Within all of these and other forms, Wieviorka stresses the influence of French society: "[T]he various forms of Islam in France have more to do with issues in French society than with issues from the originating societies. ... [A] proper analysis of Islam in Europe should take the host society and the way it deals with Islamic populations into account" (133).

⁵⁹ Olivier Roy summarizes this "familiar" (and "essentialist") view as centered around three points: (1) that in Islam, there is and can be no separation between the state and religion (*din wa dawlat*); (2) that Shari'a (and its concrete application in the *fiqh*) is "incompatible with human rights" and with democracy "because the law of God is imposed on man;" and (3) that the "believer can identify only with the community of believers (*umma*)" and not a political community of citizens (Roy 2007: 42). For Roy, this view leads to one of two conclusions -- either that Islam must be reformed or that it cannot be reformed. The latter conclusion, then, "definitively [bars] from modernity" Muslims as Muslims (43). Further, Roy notes that there is a more fundamentalist view of Muslim dogma as well, which believes that Islam is a totalizing, all-inclusive and inviolable religion (43). Both essentialist views see "Islam as a fixed and timeless system," and are advanced by critics of Islam and fundamentalists alike (43).

acknowledge that the relevant issues are much more extensive and diverse, but I leave a more far-ranging discussion to other scholars in this vast field (Thomas 2009; Laborde 2008; Winter 2008; Bowen 2007; Scott 2007; Debray 2004; Vianès 2004; Limage 2000; Minces 1990).

Nowhere has this conflict between Islam in France and *laïcité* been more heated than in the debate around the Islamic headscarf in public schools: "The headscarf affair has situated Islam at the core of negotiations challenging the relationship between state and religion" (Kastoryano 2004: 1239).⁶⁰ Particularly, the controversies started in October 1989, after the bicentennial celebration of the French Revolution that July, when three Muslim girls (Samira Saidani and Leila and Fatima Achaboun) were expelled from Collège Gabriel Havez in Creil for their failure to remove their headscarves. Bowen observes that at a different time, the girls would have gone unnoticed; indeed, headscarves had been worn in this and other schools for years (Bowen 2007: 83). But 1989 was a critical time; with events like the Ayatollah Khomeini's famous fatwa against Salman Rushdie⁶¹ and the emergence of the Islamic Salvation Front in Algiers, religion (i.e., Islam) "seemed to have crossed into politics" in a manner and to an extent which caused much discomfort in France (83). Combined, too, with the growth of the Front National under Jean-Marie Le Pen, this isolated affair in Creil ignited a national debate. Eugène Chénier, the principal of the school, claimed that he was enforcing *laïcité*, which he viewed as an "inviolable and transparent principle, one of the pillars of republican universalism" (Scott 2007: 22). (He later claimed, too, that he was "holding the line" against "insidious

⁶⁰ Whether or not the headscarf is a requirement under Islamic law (or a mere tradition that has come about in modern times) is contested. John Bowen observes that the Qur'ân does not mention veils or headscarves; while there are references to a 'curtain' (hijâb) between men and women, this could take a number of forms, including the separation of women from men in a house or other concealing clothing (Bowen 2007: 68-69). Further, these references are few and far between; there are only three verses in the Qur'ân which mention the hijâb or other coverings in reference to women (Winter 2006: 287-88). (In the Qur'ân, there are nine references total to the hijâb, but six of them do not concern women at all (288).) Verse 53 of Sura 33, extended in Verse 59, describes the appropriate behavior for and toward the Prophet's wives; those who address the Prophet's wives should, for reasons of modesty, do so from behind a curtain or hijâb: "And when you ask [his wives] for something, ask them from behind a partition. That is purer for your hearts and their hearts" (Qur'ân 33: 53). Furthermore, the Prophet's wives and daughters, as well as other female believers, are instructed to lengthen their clothing: "O Prophet, tell your wives and your daughters and the women of the believers to bring down over themselves [part] of their outer garments. That is more suitable that they will be known and not be abused" (33: 59). Verse 31 of Sura 24 also addresses women: "And tell the believing women to reduce [some] of their vision [i.e., to turn their eyes away from temptation] and guard their private parts and not expose their adornment except that which [necessarily] appears thereof and to wrap [a portion of their veils] over their chests and not expose their adornment" (24: 31). In short, Bronwyn Winter and others have concluded that "[n]othing in the Qur'ân prescribes that Muslim women must wear the hijâb, nor does it prescribe punishment for those who does not" (Winter 2006: 288).

⁶¹ The 1989 Rushdie Affair (i.e., when the Ayatollah Khomeini called for the death of Salman Rushdie under Islamic law for his 1988 *Satanic Verses*) raised concerns and fostered certain labels about Islam -- "that it was intolerant; that Muslims, once in power, would kill those who left the religion and would cut off the hands of thieves; and that the relative success of the Iranian mullahs meant that Islam was on a worldwide roll, certain to come to power elsewhere" (Bowen 2007: 83; Weller 2009; Pipes 2003).

jihad" (22).) And the media, politicians and the public took the debate further to broad issues of national identity and unity, universalism and republicanism, as well as the desired place, if any, for cultural and social difference and for immigrants in France. In November, the Conseil d'État ruled that the students' wearing of religious signs in state schools was not necessarily at odds with *laïcité*, insofar as those signs were not "ostentatious or polemical" and did not constitute "pressure, provocation [or] proselytism" or otherwise disrupt order (25). The Conseil left such determinations to local school authorities to handle on a case-by-case basis. The ruling calmed matters down for a short time.

But the controversies reemerged again in 1994 and 2003. In 1994, Chenière returned to national attention, this time as the elected representative of the department of the Oise for the *Raillement pour la République* (RPR), when he introduced a bill to ban all 'ostentatious' signs (in contrast to 'discreet' signs) of religious affiliation (26). The then Minister of Education, François Bayrou, followed suit with such a ban in all schools, and national debate set in once again, with most of the same issues, as more than a hundred students were expelled under this new directive (Bowen 2007: 90). Scott observes that, as before, the event was linked to current events (such as the violent civil war between the generals and Islamic movements in Algeria); memories of events like the Dreyfus Affair; and issues surrounding the nature and future of the French Republic and the inherent nature of Islam (as intolerant and oppressive) (Scott 2007: 27; Bowen 2007: 89). As before, the Conseil d'État ruled, and reaffirmed its decision from 1989. And while public attention then shifted to other matters, the issue of 'Islam in the Republic' was certainly not dead. In 2003, the headscarf issues returned to the fore under the then Interior Minister Nicolas Sarkozy, who insisted that women remove their headscarves for official identification photos. And while schools were not at issue there, the "link clicked with many in France ... [who had the] diffuse sense that the scarves were the key to a whole host" of issues: "Ban the scarves and things will, somehow, get better" (Bowen 2007: 98-99). A host of proposals ensued, and over that summer, Jacques Chirac appointed a commission, to be led by Bernard Stasi, to reflect on the application of *laïcité* in France. Debate was intense.⁶² And in December, the Commission issued its recommendations, which ranged from issues like labor discrimination, an institution for Islamic studies and halal food to those of Muslim and Jewish holidays and educational curricula, and called for a law to ban all 'con-

⁶² An interesting case emerged in late 2003 as the Stasi Commission was still in its deliberations. Two sisters (Alma and Lila Lévy) in Aubervilliers were expelled from Lycée Henri-Walon for their failure to remove their headscarves in school and to wear instead a "light scarf tied behind the head" (Bowen 2007: 110). While school administrators attempted to compromise with the two sisters, Alma and Lila refused and were thus expelled for reasons of wearing "ostentatious" clothing and for disturbing order, both legitimate grounds under the decisions of the Conseil d'État. What made the case interesting was that both sisters had recently converted to Islam, "much to the consternation of their parents [one a Jew 'without God' and one ethnically a Kabyle and baptized a Catholic, but who did not practice] and paternal grandmother, all of them leftists and avowedly secular" (Scott 2007: 30). Joan Wallach Scott notes that the case was unique because there was no family influence to wear the veil or any affiliation with any Islamic organizations, but that fact raised even more concern and the fear that "Islam had the power to supplant even a secular" family and lifestyle (31). Politicians and the public searched for the 'radicals' and fundamentalists who had put them up to this 'resistance' and used the occasion to "sound their slogans" (Bowen 2007: 111-12).

spicuous' signs of religious affiliation in state schools (Stasi 2003). This last recommendation was the only one which Chirac enacted, which he did in March 2004, with enforcement as of October.⁶³ The law (2004-228) inserts Article L. 141-5-1 into the Education Code: "Dans les écoles, les collèges et lycées publics, le port de signes ou tenues par lesquels les élèves manifestant ostensiblement un appartenance religieuse est interdit." And although there are additional nuances, which could be discussed here (and which Bowen does in his discussion of the development and the subsequent interpretation and enforcement of the law (Bowen 2007)), I leave this particular discussion to raise several points, which flow from the headscarf issue; as mentioned before, my focus not so much on the Islamic headscarf issue, itself, but more so on what it has come to represent in terms of difference and the Republic's approach thereto.

The headscarf controversies and the subsequent Law of 2004 are central to this discussion because they call out very bluntly and symbolically the 'Muslim' in France as a religious Other, which visibly and fundamentally violates the tenets of *laïcité*. At stake, then, are many of the same concerns raised above -- that Islam is a totalizing and all-inclusive religion, which has failed to contain and bound itself (because it has refused to do so or cannot do so, either as bad as the other) and instead strays into the street and even more alarming, into the classroom, as one of the (if not the) most closely held of state institutions in France. In short, the veil is conflated with fundamentalist Islam, which divides loyalties and undermines the French state and its authority and mission, and is used rhetorically to reinforce the fictional divide between Islam and the West; fundamentalism and secularism; and tradition and modernity: "[T]he veil was [for many] the ultimate symbol of Islam's resistance to modernity" and secularism (Scott 2007: 2). The use of the veil in this manner is all the more interesting (and confusing) given that the numbers do not show it as a significant concern. Before the law, only 14% of Muslim women polled wore the headscarf, and Scott cites further statistics, which reveal that as many as 45% of Muslims agreed that headscarves should not be worn in public schools (3, 26). So, as Scott asks, why the headscarf? On one level, the French state has latched onto and used the controversies (which center around a visible marker and its presence in an important secular context, state schools) in order to construct and exaggerate a religious Other much bigger (and scarier) than it is in fact, making "no distinction[s] between one Muslim and another" (26). In that way, the fundamentalist Muslim with its 'defiant' veil has become 'the' ultimate fictional Other against which a mythical French national identity can be reformed, reasserted and reaffirmed. Furthermore, the use of the veil may mask other issues within French society. Scott argues that the veil -- and it did not necessarily have to be the veil, for there are other signs of religious identification that could have been singled out -- has served as a sort of "ideological litmus test" (us versus them) and that banning it has become a "substitute solution" for a host

⁶³ Portions of the Commission's recommendations were almost pluralistic in nature. With the declaration that "[l]a liberté de conscience permet à chaque citoyen de choisir sa vie spirituelle ou religieuses" and the further call for a "respect de la diversité des options spirituelles," the Commission (with some caveats) recognized "the need to adopt policies that ended that the marginalization of Muslims and that would make them feel more fully a part of French society," and made recommendations to that effect (e.g., the creation of Muslim chaplaincies in hospitals and prisons, and the institution of Yom Kippur and Aïd-El-Kébir as national holidays) (Stasi 2003: 21, 30; Scott 2007: 34). It is significant, then, that Chirac deliberately chose to enact only one recommendation, which definitely reflected a "hardening" of the state's attitude on issues of Islam and religion in general (Scott 2007: 34-35).

of domestic economic and social concerns: "[T]he veil in republican discourse served to cover a body of intractable domestic issues even as it revealed the anxieties associated with them" (Scott 2007: 17-18; Bowen 2007).

Moreover, the debate around the headscarf further elucidates the nature of *laïcité* as a cornerstone of the French Republic. It is sometimes pointed out that the Law of 1905, as the doctrinal basis of *laïcité*, imposes certain requirements on the state -- "La République ne reconnaît, ne salarie ni ne subventionne aucun culte" -- but that the same law imposes no such reciprocal requirements on citizens, who are, under that same law, guaranteed the freedom of conscience: "La République assure la liberté de conscience" (Godard 2009: Interview). So, if one were to consider the ban on the headscarf merely under this law, a difficulty arises, since citizens hold no legal obligations in that regard, even if state officials (e.g., teachers) would. I find this significant for two related reasons. **First**, it reiterates what I discussed earlier in that *laïcité* is much more than a doctrine of institutional separation. It is a doctrine of conscience and of conduct (i.e., *sentiments de sociabilité*) that places responsibilities both on the state and on virtuous republican citizens to maintain the 'free' nature of public space. (Laborde equates it to the liberal doctrine of toleration, as a broader moral and social theory and as a set of ideas and commitments that extend beyond an institutional element (Laborde 2008: 7).) Thus, the citizen, along with the state, has an obligation to ensure the secular nature of state schools, for instance; the female Muslim student, first and foremost a republican citizen, has as her chief concerns fidelity to the law (of which she (via her parents) is theoretically an author) and her duties (in terms of her restraint) to maintain a free and secular (the terms being linked) public space. **Second**, the controversies demonstrate, I would claim, that *laïcité* is more general still, and it includes in its set of values and conduct both religious and broader cultural attributes. At the very least, it is certainly fair to say that the headscarf affairs (intertwined with concerns of the treatment of women and the like) were not only about Muslims as a religious Other, but also, if not more so, about Muslims as a cultural Other within France today, an entire population and way of life 'at odds' with French traditions, norms and values (Scott 2007: 17; Bowen 2007: 46; Asad 2006; Laborde 2001).

B. THE CULTURAL OTHER

The more significant (albeit interrelated) issue, I believe, is that Muslims in France are viewed as a visible cultural Other and a direct challenge to French national cohesion, identity and unity, not only for the reasons mentioned above, but also because 'their' traditions, values and ways of life (of which religious beliefs are *one* constituent) are seen as radically different, as a discernible tear in the French social fabric. And the headscarf, as a sign of fundamentalism, Islamic militarism and/or the oppression of women, is only the start.⁶⁴ From foreign ac-

⁶⁴ The feminist issue with regard to the headscarf in France is interesting, although I do not discuss it in detail here. While many from the United States and elsewhere (e.g., Human Rights Watch) decried the Law of 2004 as a violation of religious freedom and an instance of "universalizing French racism," many feminists stood in favor of the law, as a vindication of women's rights (Winter 2006: 280). But not all feminists agreed. Did the headscarf stand for "the subordination of women, their humiliation, and their inequality," as many feminists and politicians claimed, or is it a choice by Muslim women to

cents or, worse, foreign languages and foreign-sounding names, to different forms of dress, different tastes and needs in food, different burial rituals, and even different forms of music and visual art, certain discrete and visible cultural differences are associated with and ascribed to an essentialized Muslim population as 'the' cultural Other. And such difference causes considerable concern. As Franck Frégosi observes, "Islam is seen and shows itself, and that stirs fear" (Star Tribune: 19 October 2003). This remains the situation, too, even where there is no one singular Muslim culture in France (not even a really robust Muslim community) and even where many Muslim immigrants and their descendents have substantially, even fully, assimilated into mainstream French culture -- taken on secular norms, learned the French language, attend French schools, dress in Western clothes and even intermarry with the 'true' French. It is significant, too, on this latter issue, that much of the discussion of this cultural Other centers around immigrants, even to include so-called second- and third-generation 'immigrants,' who were born and raised in France and are French citizens: "The term immigrant is often diverted from its original meaning to refer to ... non-Europeans [i.e., North Africans] ... irrespective of whether or not they were born in France and are French nationals" (Aissaoui 2009: 1). Essentially, the Muslim remains an alien; the fact that Muslims born in France are still viewed as or named 'immigrant' reflects the significant fact that they "have still not been accepted as part of the polity" (Tibi 2002: 33; Bowen 2004: 44). In this section, I elaborate this view of the Muslim as a cultural Other. First, I revisit the discussion of traditional French Republicanism in order to flesh out the notions of *laïcité* and colorblindness in the cultural context, and second, I discuss how that Other challenges or is seen to challenge that idealized framework.

1. REPUBLICAN COLORBLINDNESS

In many ways, the basic discussion of French colorblindness is as a mere extension of *laïcité*, as both an institutional doctrine and a doctrine of conscience, from the realm of state-church relations to that of state-culture relations. Indeed, Laborde observes that while *laïcité* originated with religion, it has taken on a "more extensive meaning" (Laborde 2001: 720). At its core, then, are two concerns -- neutrality of the state and more controversially, neutrality of public space. The first concern is addressed in law. Article I of the Constitution of 1958 sets forth the idea of strict colorblindness under the law -- a desire which flows both from the idea that the state should promote commonness, rather than stress differences, between individual citizens, and from the belief that this colorblind approach fosters a neutral state within which all citizens are true equals under the law and in the eyes of the state: "La France est une République indivisible, laïque, démocratique et sociale. Elle assure l'égalité devant la loi de tous les citoyens sans distinction d'origine, de race ou de religion." Similar to the Law of 1905, Article I asserts the neutrality of the French state vis-à-vis culture, and thereby creates an institutional division between culture and the state. The institutions of politics and law are to be colorblind, 'colorless' and neutral; particular cultures (or races, national origins or religions) and their values are to have no place within those institutions or in the administration of law.

Moreover, as was the situation with *laïcité* and church-state relations, colorblindness

embrace and demonstrate "modesty and sexual unavailability" (Scott 2007: 153)? And such ignited a broader debate about the nature and feminist meaning of the headscarf in France (Ezekiel 2006).

extends well beyond the standard of state neutrality to include the public sphere more broadly. Laborde elucidates and then defends the reasoning behind this goal: "The public sphere, in the name of autonomy, equal respect, and civic solidarity, should remain neutral toward ascribed identities as well as toward a number of private social practices ... religions, lifestyles, conceptions of the good, and cultural preferences. ... Public neutrality, as well as the separation between public and private that it entails, is the condition both of access of all to the public sphere and of respect for differences, which must remain private" (720). Indeed, Laborde's last point here is reminiscent of the claim that visible signs of religious affiliation could result in pressure, provocation or proselytism or otherwise disrupt public order, and thus limit freedom of choice and conscience in the public sphere; public cultural differences are seen to pose the same risks. Laborde extends her claim from liberty to equality as well to defend that "the 'bracketing off' of cultural difference in the public sphere is fundamental because it guarantees that individuals will be treated equally. Equal respect is central to modern democratic societies ... [and c]ultural differences are unimportant in the face of the essential unity of mankind, which demands that individuals be respected" without distinction on the basis of race, national origin or religion (Laborde 2001: 719; Schnapper 1994: 106). It is important to reemphasize, then, that the obligation to create and maintain this colorblind and colorless public space falls both on the state (which must, under Article I, "assure" equal treatment under the law, an even more 'affirmative' statement than in the Law of 1905, which refers more to state restraint) and on virtuous citizens. As was the case of *laïcité* in religious matters, *laïcité* in cultural matters, too, advances rigorous demands on state institutions and on citizens, to exercise 'restraint' and to put the public republican interest over their own private (cultural) concerns. In a sense, one is to conceive of himself as two, as a citizen who occupies public (civic) space and as an individual who resides in the private (civilian) sphere. That is, in essence, the basis of the Social Contract. And the state (through its various agencies devoted to the administration of culture, for instance) is to police this "frontier ... through a mixture of coercion [laws] and consent" and with the assistance of republican schools as the "locus for the inculcation of the hierarchy between the two spheres" (Silverman 1999: 129; Ingram 1998).⁶⁵ In this way, it is believed, the conditions of and for liberty and equality are more fully achieved.

It must be admitted that French Republicanism is fundamentally assimilationist in this manner. Colorblindness as a doctrine of conscience entails certain obligations on citizens to conform and to assimilate to certain *sentiments de sociabilité*, in order to maintain the neutral public space. As Tribalat writes, the French republican model is explicit in its assimilationist approach, in the belief that "assimilation is a condition of national integration" (Tribalat 2003: 129; Boucher 2000). (For Tribalat, assimilation is a social process whereby aliens learn about and adapt their behavior to the core "principles of the nation and the customs of the host society" (Tribalat 2003: 130). This adaptation requires, too, the abandonment of those cultural specificities in conflict with these central principles and customs.) For instance, in cases of

⁶⁵ The military should not be ruled out either as a direct or indirect means of indoctrination: "With the end of the draft in 2002 and the subsequent crisis in enlistments, suburban ghettos have come to be seen as reservoirs of ambitious and available potential recruits. ... In the words of one top officer, the state wants to make the words 'army' and 'integration' rhyme once more" (Laurence and Vaisse 2006: 118).

naturalization by decree, Tribalat describes how the préfecture conducts a full evaluation of the candidate's morality, loyalty and assimilation: "This investigation verifies that the candidate's competence in French is sufficient for everyday life, and enquires into the candidate's interest in the host society ... [measured by] his or her personal and professional sociability and respect of French customs and practices" (129). Failure to assimilate, she comments, is "a reason for rejection of requests for naturalization" (130). While assimilation often takes on a negative meaning in discussions of France and its minorities, it is not 'inherently' harmful or detrimental, but the effort to identify and preserve 'common' values: "Cultural and linguistic assimilation and the intermingling of populations reduce tensions over essential values [like secularism and equality] It is this erosion of particularisms that allows the survival of the universalist myth" (130). The difficulty and controversy, however, are with how far this assimilation extends.

There are intense criticisms of this view, and I sketch them briefly not to advance the full critical account but to add further nuance to the discussion of Muslims as a cultural Other. On a more basic and practical level is one critique that colorblindness is not at all times desirable, in particular in discussions of indirect discrimination. While the French state has made considerable efforts to combat discrimination,⁶⁶ colorblindness may still limit the state in certain basic ways. For instance, there is an intense debate about the collection (or lack thereof) of ethnic and racial statistics by the state. Indeed, the ban on ethnic and racial categorization to monitor issues like discrimination or to create and motivate laws and policies remains "one of the cornerstones of the colour-blind model that remains in the new landscape of the French politics of difference" (Lépinard 2008: 106; Sabbagh and Peer 2008). In the case of the census, there has been a continuing debate about the non-use of racial and ethnic categories, declared under a 1978 law to be 'sensitive' data categories to be submitted to the highest form of review, with the central issue being whether their use would foster racial and ethnic communities and ghettos, which would divide the nation, or would instead allow the state to more effectively and fully measure, track and combat discrimination, in particular indirect forms that are more difficult to identify (Lépinard 2008: 106-07). Eléonore Lépinard, for example, is of the latter view and observes that these limitations on ethnic and racial statistics have two undesirable consequences -- first, to prevent implementation of affirmative action policies based

⁶⁶ France has taken a number of actions to combat racial and other forms of discrimination, the exact details of which are beyond this discussion (Suk 2007; Bleich 2004, 2003; Hargreaves 2004; Fysh and Wolfreys 2003). Erik Bleich notes that while the colorblind French state refuses to use the term 'race' and avoids racial categorization, it does not ignore racism, and has enacted laws (as in its Penal Code and Labor Code, for instance) to prohibit discrimination in public and private life and to punish perpetrators (Bleich 2004: 165-66). Moreover, the European Union (and Council of Europe) has influenced anti-discrimination laws in France. From references to anti-discrimination in the Treaty of Amsterdam to the 2000 EU Directive, which implements equal treatment between persons irrespective of racial or ethnic origin, the EU has had a concrete effect on French law. For instance, pressure from the EU resulted in the amendment of French law on November 16, 2001, to conform with the 2000 EU Directive, and in the creation in December 2004 of the *Haute autorité de lutte contre les discriminations et pour l'égalité* (HALDE), which holds extended powers to combat discrimination, hear appeals and offer recommendations to state agencies and firms (Lépinard 2008: 104-05).

on ethnic or racial categories;⁶⁷ and second, to undermine "elaboration of consistent and effective policies" to counteract discrimination: "[T]he absence of ethnic monitoring makes it very hard to actually track and measure indirect discrimination. ... To prove indirect discrimination based on race or ethnicity, one must show a systemic bias in numbers The ban ... makes such proof unavailable in the French context, and therefore weakens the new legal tools designed to combat ethnic discrimination" (Lépinard 2008: 106-07; Simon and Stavo-Debaugue 2004; Sabbagh 2002).

While these practical considerations as to the workability and desirability of the color-blind model are, of course, central to the debate, the more abstract issue as to whether a color-blind, colorless and neutral state is even possible should not be overlooked. Indeed, it is more relevant to the concern of the Muslim as a cultural Other in France, for if the critique proves true that state neutrality and the 'colorlessness' of public space do not exist in practice or are otherwise impossible to achieve, the issue of the cultural Other becomes more systemic, more permanent and altogether more disturbing. The basic criticism here is that the claim to colorblindness only serves to mask a particular cultural orientation on the part of the state and thus becomes complicit, then, in the construction and oppression of a cultural Other, under the veil of universalism. Many scholars elaborate this view and an overall suspicion of colorblindness and universalism as potential barriers to, rather than vehicles to promote, inclusion (Markus, Steele and Steele 2002: 453-72; Schofield 1986). For instance, Gino Raymond describes how beneath claims of colorblind universalism in France rests a powerful particularism, which entails the monopolistic control of public space on the part of the 'neutral' state and the construction of the Other as negation of universalism and the "embodiment of antithetical values" and traditions; the Other, he writes, sustained and clarified the French Republic and its aspirations (Raymond 2006: 12; Scott 2007: 7). There is no more powerful a claim than that of universalism: "The claim to power is the claim to speak for the commonality of humanity" (Dyer 1997: 2). In short, for those of this view, French universalism has deteriorated, if it ever even existed. As Trica Keaton asserts, "Youth of immigration expose fundamental contradictions between France's notion of universalism as a national interest and the lived reality of ethnic distinction and racial discrimination" (Keaton 2005: 407). Universalism and the reality of diversity are inherently at odds (i.e., universalist discourse, differentialist practice); instead, one sees, Keaton observes, racialization, stigmatization, marginalization and continued "arrogant assimilation" (Keaton 2005: 407; Blanc-Chaléard 2006: 60). She thus brings the discussion back to assimilation and the criticism that assimilation means more, at least in practice, than

⁶⁷ France has implemented a form of affirmative action (or positive discrimination), based not on race or ethnic origin, but on residential location (Laurence and Vaisse 2006: 184; Sabbagh 2002). In 1981, François Mitterrand created *zones d'éducation prioritaire* (ZEPs), disadvantaged neighborhoods in the *banlieues*, which would be allocated additional funds and resources. In 2001, in a controversial move, Sciences Po went as far as to sign contracts with certain ZEP high schools in order to target ZEP students, excusing them from the Sciences Po entrance exam, lowering their tuition and offering merit-based aid. While French positive discrimination does not operate with racial or ethnic criteria, the effects cannot be overlooked in that regard, for as Jonathan Laurence and Justin Vaisse note, of the 1.8 million ZEP students concerned, many (or most) are minorities: "ZEPs are designated in areas where, due to a combination of socioeconomic factors, minority students are likely to reside" (Laurence and Vaisse 2006: 186).

the acceptance of basic political values and democratic procedures. Driven by the fear of divided loyalties, diminished state power and *communautarisme*, the French state has set out and demands a more profound and substantive form of assimilation into the 'French' lifestyle and a 'common' value and ethical schema, to which the Muslim Other stands in hostile opposition: "[S]ameness is an abstraction, a philosophical notion meant to achieve the formal equality of individuals before the law. But historically it has been applied literally: assimilation means the eradication of difference" (Scott 2007: 12).⁶⁸ And even in instances where the state 'tolerates' difference, it does so, Vincent Geisser notes, in a 'cold' manner, so as to encourage faster assimilation (Geisser 2009: Interview; 2003).

2. THE CULTURAL OTHER AND COLORBLINDNESS

Within this framework and in light of these controversies, Muslims are often seen as a cultural Other, which undermines the ideal of colorblindness. Similar to the view of the religious Other, the cultural Other takes on an essentialized, extreme and caricature-like form. He is the fundamentalist, who is unable and/or unwilling to restrain himself and whose culture, as with his religion, violates and undermines the colorblind order of public space and strays way out of bounds.⁶⁹ At one extreme, the Muslim is depicted as a violent criminal, a "terrorist in-

⁶⁸ This form of assimilation seems to echo more closely those sentiments of Rousseau. For Rousseau, the General Will flows into and demands a total commonness between individuals-as-citizens in order to maintain the general nature of that will and of the inalienable, indivisible and infallible sovereign. Particularized interests and 'unshared' values risk that sovereign's destruction. But for Rousseau, this commonness seems to extend well beyond territorial and political considerations to include all features of the individual's life, from birth until death: "When first he opens his eyes, an infant ought to see the fatherland, and [until] his death he ought never to see anything else. ... This love [of the fatherland] is his whole existence; he sees nothing but the fatherland" (Rousseau 1772: 176). In other words, citizens must see themselves as members of a singular being (the fatherland), which belongs together and shares a common fate (Forbes 1997: 235; Parry 1995: 114). Thus, the notion of a dual identity is directly ruled out. In Rousseau's view, the idea of a French Muslim or Asian American or Russian Jew is utterly ridiculous and severely flawed; one either is or is not a member of the General Will (and thus the state and nation) or one is not. As above, there is no middle ground; the General Will either is or is not general. For Rousseau, then, this desired commonness between citizens is profound and even extends to and transforms the individual's mental processes. As N.J.H. Dent writes, when he becomes a citizen, the individual takes on and consents to, as a condition of holding the status of citizen, a certain 'non-controversial,' determinate and uniform set of values and objectives (Dent 1988: 174). The result is that if two individuals, each claiming to be citizens, advance two different declarations -- as to matters related to the common interest, for instance -- one of them is mistaken and is not acting as a citizen (174). What Dent's claim suggests to me is that this understanding of the state and the nation relies on a uniform method of reasoning, which influences and even dictates how the individual-turned-citizen considers and makes decisions (Strong 1994: 77; Habermas 1992: 102).

⁶⁹ As a brief aside, in October 2005, riots broke out in France. Three teenagers of North African descent hid in a power station -- there is a debate as to whether the police chased them there -- and two were electrocuted, the third hurt. Riots then ensued, dominantly in the *banlieues* around Paris, in what some characterized as the "worst civil unrest since the 1968 student revolts" (New York Times: 6 November 2005). While the media in the United States and elsewhere made the riots out to be the violent

carnate" and "a bearded fanatic (le barbu) hiding a hand grenade under his djellaba" (Snethen 2000: 256). Or in the case of Muslim girls, who, too, have been "constituted as the antithesis of the national identity," the Muslim Other is associated with (as the perpetrator, the accomplice or the victim) a whole host of visible and unacceptable 'fundamentalist' practices -- from honor killings, veiling and forced seclusion to coercive marriages, domestic abuse and female genital mutilation (Keaton 2005: 411).⁷⁰ In essence, the debate comes down to the more general issue, as with religion, as to whether 'Muslim culture' (which does not, in fact, exist in a cohesive or singular form) can be reconciled with the West. Moreover, this debate takes on a clearly racial element; the religious Other becomes a cultural Other, who, in turn, becomes a racial Other. As that Other, the Muslim also becomes a target of a distinctive form of racism inextricably linked to culture -- a "racism without races" in the words of Étienne Balibar and Immanuel Wallerstein or a "new racism" according to Michel Wieviorka (Balibar and Wallerstein 1988; Wieviorka 2002). Wieviorka elaborates, "[C]ultural racism, or rather, the cultural approach to racism, has stressed the difference of its victims. ... The new racism... thus takes great interest in the cultural characteristics of its targets" (Wieviorka 2002: 139). Muslims are thus the most straightforward target: "As a religion, [Islam] comes from abroad, it is practiced by migrants who are often phenotypically distinct, and it constitutes a cultural characteristic in which it is possible to see a difference which is ... described as insurmountable or impossible to integrate" (Wieviorka 2002: 140; Aissaoui 2009; Beriss 2004: 123; Bleich 2003; Ben Jelloun 1999).

clash of civilizations -- France versus its Muslim Other -- and the failure of the French model of cultural integration (the New York Times, for instance, reported that the "disturbances ... have called into question [the French republican] model [of integration], which discourages recognizing ethnic, religious or cultural differences" and the German Frankfurter Allgemeine declared that the French model of integration was 'in flames' and likened the violence to "an intifada at the city gates" (New York Times: 6 November 2005)), the truth is that the 2005 riots were not an instance of the Muslim Other and did not involve strong assertions of cultural or religious identities, even though immigrants and their descendants were involved. In fact, in 2006, the Attorney General of Paris concluded that there was "no trace of any demands based on identity," and even Jean-Marie Le Pen, "always ready to stoke conflicts of a cultural or racial" variety, admitted as much (Todorov 2010: 95). On the other hand, the issue of culture is not irrelevant to the riots, although it is relevant in the reverse direction than the media suggested. As Tzvetan Todorov contends, the violence was not the result of multiculturalism or of strong cultural and religious identities; rather, it was the consequence of the "absence of that initial minimal culture which every human being needs to construct his identity" (95). Todorov observes, "The participants in this violence suffer not from multiculturalism but from what ethnologists call deculturation. ... From the time they first enter school, they feel excluded. They often emerge from an immigrant background, but are separated by one or two generations from that origin. ... None of the other paths that lead to social recognition is accessible to them, and a certain number of them turn to violence and the destruction of the social framework in which they live" (95-96).

⁷⁰ Although I omit, for the sake of focus, the details and debate surrounding female genital mutilation in France, I should note that it has been an extremely controversial issue. While France does not have specific laws to ban the practice, and thus looks to broader laws like Article 312 of the Penal Code on the assault of children or other clauses on violence which results in mutilation, it is the only European country to have actively prosecuted both families and practitioners; there have been more than 20 trials since the 1980s (Guiné and Fuentes 2007: 501).

This vision of the fundamentalist cultural Other was seen most recently (and controversially) in the debate and subsequent law to ban the burqa and niqâb in all public spaces in France (Bouzar and Bouzar 2010). In force as of April 11, 2011, the law provides for a 150 Euro fine and/or citizenship lessons in 'republican values' for women who violate the law and a 30,000 Euro fine and prison time of up to one year for those who force a woman to wear the niqâb. Sarkozy has denounced the burqa (and niqâb) on multiple occasions, calling it a "sign of subjugation [and] of debasement," inconsistent with core ideals of liberty and equality and unwelcome in the French Republic: "La burqa ne sera pas la bienvenue sur le territoire de la République française. Nous ne pouvons pas accepter dans notre pays des femme prisonnières derrière un grillage, coupées de toute vie sociale, privées de toute identité. [Elle est] contraire à nos valeurs et contraire à l'idée que nous nous faisons de la dignité de la femme" (Assemblée Nationale: 27 January 2010). And in fact, Sarkozy moved forward with the total ban on the burqa and niqâb, in spite of the more moderate recommendations of the 'Burqa Commission' for a partial ban (in hospitals, schools, public transport and government offices) and the advisory views of the Conseil d'État that a full ban would likely be unconstitutional (although the Conseil Constitutionnel approved the law in October 2010) and violate the European Convention on Human Rights; the Assemblée Nationale passed the bill by 335-1 in July 2010 and the Senate by 246-1 (with around 100 abstentions from the left) in September. While I raise the issue only briefly, it underscores how Muslims in France, in this case Muslim women, are linked to and associated with so-called 'fundamentalist' practices, whether as perpetrators or victims, and are thus called out as an Other and viewed with suspicion -- and all of this, too, when only an estimated 1900 women (less than 0.1% of Muslims in France) wear the niqâb in France.

Internally, too, many Muslims (mainly Muslim youth) have come to see themselves as a cultural Other. For instance, although Muslims in France are not, as above, an homogenous or unified community, various French Muslim and immigrant associations (also discussed in the next section) have emerged and advocate for increased recognition as distinctive and marginalized cultural and religious minorities (Laurence and Vaisse 2006: 98-131). Laurence and Vaisse elaborate three stages of immigrant associations in France -- first, the workers' rights associations and trade unions of the 1960s and 1970s, with their secular focus on legal rights; second, the "civic-minded *beur* movement"⁷¹ of the mid-1980s, which came about in response

⁷¹ 'Beur' is a colloquial term for the French-born children of North African immigrants, and it is often used in reference to the dual identification and negotiation between the cultures of their parents and that of France: "As the children of migrants, the *Beurs* are heirs to a dual cultural heritage. At home, their Muslim parents do their best to transmit to their children the language and religion transported with them from North Africa. But outside the home, these youngsters are immersed in the culture of France, notably through the secular education dispensed by state schools. ... These different cultural strands often fit uncomfortably together, and it is no easy task for youths from immigrant backgrounds to reconcile them in a harmonious whole" (Hargreaves 1989: 661). (John Bowen describes in broader terms how many Muslims in France find themselves stuck between two different sets of social norms (Bowen 2004). In order to gain recognition, citizenship and acceptance, Muslims must "accommodate some of the demands that they assimilate," but on the other hand, to the extent that they follow certain tenets of the Islamic faith, they may also feel that they need to engage in the "regular and often public performance of religious practices" (or other cultural practices like dress and food) and "maintain their

to discrimination, racism and the rise of the Front National; and third, a more 'social' movement, marked somewhat by a sense of "community isolationism" and re-Islamization (89-90). The result of myriad factors, this re-Islamization, an increased religious (and cultural) consciousness, identification and affiliation as Muslim, has been visible and burgeoning among teenagers: "Re-Islamization is now a well-documented phenomenon. It can be understood as the process whereby French youth of African, Turkish, or Middle Eastern origin turn to Islam in their search for identity -- and often, but not always, to a form of abstract and globalized Islam" (Laurence and Vaisse 2006: 90; Tiberj and Brouard 2005; Roy 2004). And while this discussion is often focused on religious forms of identification and affiliation, I think that the significance is broader. Re-Islamization highlights the (immigrant) teenager turning to Islam and Muslim culture -- in short, embracing the status of cultural and religious Other -- in order to situate himself within a France which excludes and marginalizes him: "[T]he youth who is refused entry to a club because he is a little too dark, who is the victim of discrimination in his employment, or who is systematically stopped by the police to check his identity, may be attracted by a religion that offers him resources Islam in this instance offers him a space ... and protects him from ... a hostile outside world" (Wieviorka 2002: 137; Laurence and Vaisse 2006: 90; Khosrokhavar 1997). And the studies show that this holds true across the sexes and even among older, more successful and better integrated immigrants, for whom Islam provides "a way to acquire historical depth and memory, to belong to a community" (Wieviorka 2002: 138). In short, the cultural (and religious) Other is constructed not only from the outside; it has a significant internal elements as well.

In this section, I have offered an account of the North African Muslim Other and the French Republic, both how North Africans came to be and settle in France and how the North African became a cultural and religious Other, viewed as a threat to the traditional French Republic. The purpose has been to show how modern French history is not a narrative of uniformity but a varied history of diversity vis-à-vis immigrants (first Italians and Belgians, then North Africans) and to identify the ways in which those immigrants (and their descendents) have been and continue to be characterized as outsiders, as an essentialized Other. As I discuss in the next section, this construction and reification is not sustainable or desirable in the long term, so I turn my attention, then, to consider alternative views of diversity in France today.

membership in the global *umma* (community of Muslims) beyond the borders of France" (44). It is a difficult bind.) There is a diverse literature on the *Beurs* -- *Beur* identities, movements, literature, art and music, for instance, and accounts of the 1983 *Marché des Beurs* against institutionalized racism (Tarr 2005; Derderian 2004; Wihtol de Wenden and Leveau 2001; Elia 1997; Ireland 1995).

SECTION THREE

DIVERSIFICATION OF THE REPUBLIC

I. INTRODUCTION

In academic and non-academic discussions of modern France, one often sees the reproduction and promotion of the popularized myth that the French nation-state is rooted in an historical continuity and cohesiveness -- the romanticized tale of how the French Revolution (or even events and actors before 1789) constructed a unified and uniform French republican nation-state, which then succeeded in canceling out particularistic ideologies, values and identities, in favor of a French universalism and the assimilation of individuals as citizens. (The Muslim Other, in this view, is a substantial disruption.) For instance, historian Carlton Hayes writes that no other modern nationality holds a common consciousness "more deeply rooted or more stubbornly enduring than the French" (Hayes 1930: 1). While the "often noted" indicators of French unity (e.g., the "relative uniformity of the French countryside" and the "constantly repeated pattern of manners and customs through the length and breadth of France") may at times be overstated or embellished, they nonetheless demonstrate, for Hayes, the existence of a verifiable truth -- the "truth that the natives [i.e., the native 'French'] are essentially a singularly homogenous nationality. All Frenchmen take it for granted that they are Frenchmen. All Frenchmen take it equally for granted that France is the leader and champion of the world's civilization. ... Frenchmen love their native land above everything else" (1-2). However, while Hayes' introductory statement resonates with certain elements of French national identity and history, and may hold a certain political appeal today, it also drastically oversimplifies the point, for it obscures the reality that French history is not one essential or singular truth; it is a narrative of diverse identities, values, traditions and characters with which France has had to reconcile itself many times over the modern era. North African immigrants were not the first 'form' of difference to 'contest' the myth of the uniform French nation, nor will they be the last.

In this section, which is both normative and historical, I advance the argument that this diverse narrative and these varied cultural identities, values, traditions and characters, which are so often veiled in discussions of France and French history, lie and should lie at the heart of French national identity today (Braudel 1988). Plurality, I contend, can be a basis for national identity and unity, and in situations of marked cultural difference, as in France today, it should serve that function. Further, such a view is not at all alien to or infeasible in France, even with its traditional colorblind, universalist and assimilationist rhetoric. To substantiate this claim, then, and to situate it within the French context, I describe how France has already been 'tested' by circumstances of considerable diversity and how it has responded not exclusively with the politics of assimilation, marginalization or exclusion of cultural difference, but also, at times, with its toleration and even its direct or indirect recognition. Here, I focus on two historical accounts of regional difference and on the discussion of immigration and multiculturalism in the 1980s, although one could furnish evidence for the same effect from other situations in modern French history. I structure the discussion in two main sections. First, I

offer an account of 'heterogeneous' national unity and identity, and I contend that such an account is beneficial and practical in diverse nation-states (Wright 1966: 4). I situate this account within the French context in particular, and advance the related historical claim that the French Republic has, at times, been 'flexible' in its treatment of difference, even where theory and rhetoric would indicate otherwise, and that the idea of a heterogeneous French unity and identity is not without important historical precedent. Second, I speculate briefly as to how this adaptation of the French Republic to cultural diversity could theoretically manifest today. With the recognition that the reaction of the French state to cultural and religious difference has been inconsistent at times, and has often evinced a marked divide between French republican theory and French republican practice, I consider to close this section how theories of constitutional patriotism in the abstract could come to inform contemporary circumstances of cultural diversity in the French Republic today and may assist in the formation of a more coherent and sustainable approach to cultural difference in the future.

II. HETEROGENEOUS FRENCH UNITY

As described earlier, with profound cultural and religious difference (real and imagined) within its borders, France is often perceived as situated at a critical crossroads. Confounded by 'insurmountable' cultural and religious diversity and the rise of particularistic and 'divisive' ethnic identities, France, it is often thought, can either succumb to the "relativism of values" and social fragmentation of 'multicultural' societies, or instead reaffirm a rigid social structure through the strict assimilation or exclusion of "non-conformist and undesired individuals" (Tribalat 2003: 121). However, such a view is limited and limiting and is based on the mistaken beliefs that value differences necessarily lead to societal fragmentation and that no moderated or nuanced solution exists -- that, for instance, the notions of cultural diversity and cultural unity are necessarily and forever at odds with one another. Furthermore, such a view suggests that these circumstances are somehow extraordinary and that France has never before had to take on or adapt in a more nuanced fashion to what some also believed to be 'insurmountable' and irreconcilable cultural differences. In this sub-section, then, I argue in favor of a heterogeneous French unity and identity, and I contend that such a unity is not merely normatively beneficial but historically feasible. I describe how France has historically been infused by a multitude of cultures, to which it has adapted and responded over time. Indeed, the French Republic has, at times and at certain levels, worked to negotiate a balance between a rigid societal structure governed under the strict theoretical tenets of French Republicanism and an 'unrestrained' multicultural fragmentation, and it has adopted, at least in practice, a more flexible and diversity-oriented approach to French culture and the French nation-state than political rhetoric today or strict theories of French Republicanism à la Rousseau would permit or suggest. In fact, what some have characterized as an incoherence under the veneer of French national cohesion and universalism; an ambiguous and elusive character of France's "proper nature"⁷²; or a sort of "schizophrenia" within French Republicanism and French po-

⁷² Gordon Wright observes that, whether this incoherence is the result of its varied history (which has produced a "uniquely cosmopolitan and diversified culture") or its location ("[n]o other major state opens out in three directions: on the Mediterranean world, on north central Europe, and on the Atlantic"), France's historical development, fate and identity remain ambiguous: "Indeed, down to our own

litical discourse vis-à-vis cultural minorities, may instead be an indication that a more diverse and a more 'flexible' conception of the French Republic is possible (Wright 1966: 5; Geisser 2009: Interview; Rambaud 2009: Interview; Cartrite 2009: 129).

With that said, a few initial clarifications are in order. **First**, I do not mean to suggest here that France has now or ever transitioned into a 'multicultural state' or that French Republicanism, in its traditional theoretical sense, has somehow lost its influence; earlier discussions in this dissertation certainly undermine that thesis. Politically, theoretically and rhetorically, multiculturalism remains a fiercely contested (and often degraded) notion in France, even if France is, as Catherine Wihtol de Wenden writes, "de facto, a multicultural country" (Wihtol de Wenden 2004: 70; Wieviorka 2008; Fernando 2005). As Sophie Guérard de Latour observes, the mere suggestion of multiculturalism in France continues to trigger intensely negative reactions: "Il suffit qu'on l'évoque pour qu'un rejet multiforme s'exprime, qu'il traduise le refus du modèle de société américaine, communautariste et ghettoïsée, les craintes associées au retour du fondamentalisme islamique, ou plus largement la peur de l'étranger dans le contexte d'une immigration jugée de plus en plus envahissante" (Guérard de Latour 2009: 9). But the argument that French Republicanism is an ideal that has remained strictly in tact is similarly overstated. Notions of French unity and French Republicanism have historically transitioned between stricter versions of Rousseauian Republicanism or Jacobinism and more diversity-friendly methods. **Second**, I do not contend that France (nor any other country for that matter) has ever achieved the perfect and most desirable balance between (republican) societal cohesion on one side and minority identities on the other; that would also be to overstretch the point. What I do contend is that there are historical and empirical indications that French national culture and French Republicanism contain within them a certain level of practical and perhaps theoretical flexibility and that these indications are useful and reassuring in examining conditions of cultural diversity in France today. **Finally**, while my discussion here is at times historical, my intent is not to offer a detailed history of diversity in France; that debate is extensive, well-documented and stretches as far back as the war between the Franks and Gallo-Romans at the start of French history and the ongoing debate as to whether the Gauls were indigenous or an amalgam of Neolithic and Celtic stock (Wright 1966: 6; Martin 1951). Rather, with a focus on two accounts of regional difference and on issues of multiculturalism in the 1980s, I advance an abbreviated historical claim, in a form sufficient to counter the argument that the French Republic has always been and always will be hostile to cultural, religious and ethnic differences and identities and to bolster my normative claim within the French context that a more diversity-oriented conception of French Republicanism is desirable.

To start, while it may seem easy to assert boldly that diversity and unity are always at odds with one another and to point out salient historical examples to this effect, such is not -- or at least does not always have to be -- the case. At least in theory, it is reasonable (and sensible) to think that cultural diversity is not the enemy of a unified national identity but could, in fact, form the basis of that unity and identity, built around, for example, notions of fairness and equal and cross-cultural respect, participation and communication. And it is defensible,

day there remains a certain ambiguity about France's proper nature -- an ambiguity that conflicts with the passion of Frenchmen for coherence, clarity, and logic" (Wright 1966: 5).

too, that such diversity is not merely a necessary evil with which nation-states are now forced to deal, but it may actually serve to enrich, rather than debase, modern societies. In this section, then, I take on two tasks -- first, to consider, with reference to certain accounts, the notion of French national unity and identity amidst marked diversity; and second, to advance the claim that this unity based on diversity, toward which France has been seen to move at various times, is normatively beneficial. In this vein and as an initial illustration, I find instructive the recent work of historian Tzvetan Todorov on the construction of a cohesive identity at the level of a transnational Europe (Todorov 2010: 168-95). In his *The Fear of Barbarians*, Todorov contends, *inter alia*, that out of the vast diversity across the continent -- countries with wildly different cultures, traditions and histories -- can come a sense of unity and coexistence, founded not on uniformity but on diversity and the management and recognition of difference: "[T]he unity of European culture resides in the way it manages the different regional, national, religious and cultural identities that constitute it, granting them a new status and benefiting from this very plurality" (174). European identity, then, is not based in and does not result in the "eradication of particular cultures and local memories" (175). Rather, it embraces diversity and accords to it positive status. This last point is key for Todorov, for the passive acceptance of diversity is insufficient to create a truly cohesive and robust identity; while tolerance may be the minimal form of coexistence, a more active, positive and "vital" form of interaction would be better: "In this way, a purely negative and relative trait is transformed into an absolute positive quality; difference becomes identity, and plurality unity. And it really is a unity, however paradoxical this may seem" (180). While there may, of course, be certain differences between identity at the transnational and national levels -- one may assert the need for a 'thicker' and more 'substantive' identity at the national level, for instance -- the broader lesson remains. Out of diversity can come unity, and such unity need not necessarily be based in uniformity.⁷³

A. FRANCE AND ITS REGIONS

The notion of a French identity based in diversity and the vision of a cohesive but di-

⁷³ Tzvetan Todorov describes how the European countries have come to embrace this conception of their transnational identity based in diversity. They have moved from violence to toleration to productive cross-national, cross-cultural interactions, and have benefited substantially as a result: "The countries or cultures that cohabit in Europe ... have not remained content merely with mutual toleration, but have engaged in more vital interactions" (Todorov 2010: 181). As one concrete representation that "pluralism ... and openness to others" have become the "distinguishing feature of Europe" -- the motto of the European Union is even "united in diversity" -- Todorov discusses the significance of Europa as the name for the European continent (179-80). He recounts the tale told by Herodotus of how Europa (daughter of Phoenician King Agenor, from a land that is now Lebanon) was ravished by Greeks from Crete and then lived in Crete and gave birth to a royal dynasty, and he describes how the naming of the European continent after this woman is of considerable importance: "So it was an Asian woman who had come to live on a Mediterranean island who was to give her name to the continent. This act of naming seems to announce, from the dark, backward and abysm of time, the future *vocation* of Europe. A doubly marginal woman becomes its emblem: she is of foreign origin, uprooted, an immigrant against her will; and she lives on the edge, far from the centre of the land, on an island. The Cretans made her their queen; the Europeans made her their symbol" (179-80).

versified France are not necessarily harmful and are by no means unrealistic or unthinkable, most of all when one investigates the enduring nature of regional differences across France. Gordon Wright, a well-known historian of modern France, describes how in France the particular (in terms of regional differences) has long existed alongside the universal -- how historically, French unity was not (and is not) an 'homogenous' unity, but instead, a 'heterogeneous' one, within which regional differences have survived in tact (Wright 1966: 4). In fact, if language alone can serve as a reliable indicator of cultural diversity, France is extraordinarily diverse; its regional languages alone (e.g., Alsatian, Lorrain, Basque, Breton, Catalan, Corsican, Flemish, Gallo, Norman, Occitan and a range of Franco-Provençal dialects) make France the most multilingual nation-state on the European continent (Oakes 2001: 88). Of course, I do not mean to suggest that the relation between France and its regions has always been unstrained or that 'heterogeneous' French unity has always achieved success. In more abstract terms, the existence and maintenance of the particular were not entirely beneficial to those who carried that label, as above, as French universalism vis-à-vis the centralized French nation-state could and often did (both in the internal case of the regional Other and in the external case of the French colonies) invent and impose the label of particular Other in order to marginalize, exclude and coerce certain individuals and peoples (Raymond 2006). More concretely, the history and survival of regionalist movements in, *inter alia*, the Basque, Corsica, Alsace-Lorraine, Brittany and Savoy (or even the very real, albeit not entirely recent, memory of the counterrevolution in the Vendée) certainly demonstrate the considerable tensions -- and sometimes violence -- which have existed between Paris and the regions of France (Meyran 2009: 96-105; Knapp and Wright 2006: 349-88; Le Roy Ladurie 2005; Chartier 2004; Wright 2003; Limouzin 2000; Loughlin and Mazey 1995; McDonald 1990; Greilsammer 1975; Payne 1975; Gooch 1931; Hauser 1924). Nevertheless, what the powerful presence of French regional differences demonstrate, I contend, is that French history and French identity are fundamentally rooted in diversity and that the French republican nation-state has been seen to reconcile itself with this diversity, even if it has at times resisted and worked to erase it.⁷⁴

Here, I turn to the works of French historians Jules Michelet (1798-1874) and Fernand Braudel (1902-1985), who, in their respective multi-volume texts, *L'histoire de France* and *L'identité de la France*, offer interesting and valuable accounts of French regional differences (Michelet 1835a; Braudel 1988). Of course, Michelet and Braudel are neither the first nor the only scholars to offer detailed historical accounts in this area, but I focus on these celebrated French historians because they illustrate (at least abstractly) the reality and conceivability of an almost 'mosaic-like' understanding of the French nation-state and because they demonstrate how the account of France as an homogenous and universal being is false, even undesirable. Both accounts are revealing and almost normative in that they fervently defend the republican

⁷⁴ There are some empirical indications that one can hold multiple identities, without one undermining the other(s). Alistair Cole cites a 2001 survey from Efficienc 3 on Breton public opinion; the survey asked respondents whether they considered themselves to be Breton and not French (2%); more Breton than French (15%); Breton and French (57%); more French than Breton (17%); and French and not Breton (8%) (and other (1%)) (Cole 2006: 61-62). The results show that while Breton identity is alive and well, it is not "in opposition to an overarching French nationhood. ... Even those working for greater Breton autonomy ... felt a deep sense of their French identity and declared themselves proud to be French (61).

ideal of a cohesive and powerful France and are quite patriotic or nationalistic in this regard, but at the same time, recognize and embrace, at least to a certain extent, the diversity that exists within France -- a reality to which scholars of modern France have too often given short shrift. As Braudel observes, "While [historians and other academics] ... all agree about the diversity of France, even taking a sort of gourmet pleasure in doing so, it is only to turn away immediately, once the ritual reference has been made, and ... entirely to concern themselves with France as a unit. As if what really mattered was ... to look not at diversity but at unity; not at the real but at the desirable" (Braudel 1988: 40). After the most superficial of references, the "blinkers are put back on," and historians roll down the "familiar old track" (40). Of course, a 'deeper' look into France is not simple; Braudel comments that Eugen Weber learned this lesson the hard way as he found himself lost in a "multitude of particular Frances, all inclined to draw apart from one another" (39). But, the recognition of and focus on French diversity remains nonetheless vital to any study of France. As Michelet sketches his *Tableau de la France*, he insists, "[L]et us view France in its whole, that we may see how it will divide of itself," suggesting that the notion of a cohesive but diversified France -- formed around a heterogeneous unification, to use Wright's terms -- exists in fact (Michelet 1835a: 110). I use Michelet and Braudel's accounts in this sub-section to flesh out this 'alternative' view.

1. FRENCH REGIONAL DIVERSITY

For Michelet and Braudel, diversity is at the very heart of French history and identity. Braudel amends Lucien Febvre's famous statement that "France's name is diversity" to declare even more confidently that 'France' is diversity: "[I]t is the dazzling triumph of the plural, of the heterogeneous, of the never-quite-the-same, of the never-quite-what-you-find-elsewhere" (Braudel 1988: 38). And it is so in a manner and to an extent which distinguishes it from its neighbors. Braudel contends that while other countries may claim to embody diversity, too, they cannot do so with "quite the same [level of] exuberance or obstinacy" as can France (38-39).⁷⁵ Diversity, he asserts, stretches across and runs deep into the population(s): "France is not *one*, but many" (42). Since the earliest of times, local diversification has been evident and has resulted in a wealth of Frances and, at a more localized level, of Alsaces, Brittanies, Burgudies, Provinces and so on. And such contrasts continue to flourish and 'cling to life,' even today. Braudel claims that even the floodtide of urbanization, which some had feared would "wash away the country's ... variety" and obscure its 'ancient' differences, resulted in no more than a "superficial" veneer of uniformity (71, 49). Similarly, the centralized and centralizing French state, in its Jacobinist crusade to create a French nation *une et indivisible*, has not fared too well either, Braudel states. It has failed to 'flatten out' France and to hide the French mosaic, with its "hundreds and thousands of coloured fragments," under a thick "coat of monochrome paint" (39). "Not at all," he affirms (39). Instead, any uniformity that may have been

⁷⁵ Braudel writes that while countries like Italy, Germany and Spain have a "perfect claim to be named diversity too," they have still not reached the same level of 'exuberant' or 'obstinate' diversity as has France (Braudel 1988: 38-39). The historical veracity of this comparative claim could, of course, be contested, as the literature on those countries and others on the continent has shown, and I do not wish to take a strong stance on this issue. I only seek to describe how Braudel envisions diversity as key to French national identity and how he proudly embraces that identity vis-à-vis other countries.

achieved in the past has been superficial and ephemeral: "No structuring force from the political centre ever succeeded in imposing unity on a diversity which seemed to have ineradicable vitality. No sooner was it disciplined than it broke out again" (72). (Jack Hayward advances a similar claim that the 'unitary' French state has been unable to subsume the regions: "Despite the incomparable assimilative power that France had shown over the centuries, the obsession with national unity betrays an uneasy sense that the peoples which make up France may have been swallowed but are not wholly digested" (Hayward 1983: 21).) In essence, Braudel conceives of France not as one society, but fundamentally as many, both horizontally and vertically. The indicators and everyday observation, he writes, lead one to the same conclusion -- that the plural in France continues to inundate and swallow the singular; France is, in fact, one and *divisible* (Braudel 1988: 39).

To elaborate this diversity, Michelet and Braudel (in a manner reminiscent of André and Julien's travels in Bruno's 1877 classic) take their readers on a colorful and detailed tour of France (37). Michelet starts his historical travels in Brittany (the "poor, hard [and] resistant element of France"), Poitou (with its "mixed and contradictory character") and Deux-Sèvres and the Vendée, before he moves to Limousin, Languedoc, Provence, the Pyrenées, Franche-Comté, Lorraine, Normandy and Flanders, with a visit to Burgundy and Champagne (a vinous and cheerful zone of eloquence, elegance and ingenious literature) (Michelet 1835a: 110-42). In every town, region and province, Michelet describes the variations in the peoples and their 'characters,' which are influenced and molded by the location, landscape and climate (and the histories thereof) in which those peoples have resided.⁷⁶ In Brittany, for instance, or at least in what he terms *Bretagne bretonnante*, Michelet describes "a country which has become altogether foreign from ours" (111-15). With more of a resemblance to the 'primitive' Gauls than to the 'civilized' French, the Breton character, Michelet describes, is one of "untameable resistance, and of blind, obstinate, intrepid opposition" and power (112). ("Often when our country has been held at bay ... , Breton heads and breasts have been found harder than the stranger's sword.") Further, this local character has influenced the culture, literature and great thinkers of the region, from Pelagius to Descartes; the latter, Michelet writes, with his "independent genius" and "disdain of facts," is the quintessential representation of the hard spirit so characteristic of Brittany (112). In stark contrast, then, stand the provinces of Burgundy and

⁷⁶ Similar variations in character and culture exist vertically within the regions as well. To illustrate, as the traveler moves across Burgundy -- what one thinks of as the "land of orators; of lofty and solemn eloquence" -- he may first encounter another side to the province in the "dry and somber" districts of the old Druidical city of Autun (Michelet 1835a: 133). Unlike her 'daughter' Lyons, Michelet recounts, Autun has not found herself seated "on the great high road of the nations, beautiful [and] amiable," but rather left "chaste and severe ... solitary on her torrent-stream of Arroux, in the depth of her mysterious forests, among her crystals and her lava" (133). It is not until the traveler leaves Autun and Morvan, "ascend[s] the Saône by Châlons, then turn[s], through the Côte d'Or, to the plateau of Dijon, and follow[s] the current towards Auxerre" that he encounters what Michelet characterizes as the "true Burgundy" -- that of "cheering smiles and of the grape," where "vine-leaves adorn the arms of the cities, where all are brothers or cousins, a land of hearty livers and of merry Christmasses" (133). Further examples abound within Michelet's nuanced descriptions across the other provinces and regions of France, but the overall point is, I think, well taken; extensive regional and cultural difference underlies the French nation-state.

Lyonnais, which, unlike other provinces at the time, had not had to fend off foreign invasion and thus had "the leisure to cultivate the delicate flower of civilization" and to become "more fertile in the products of thought" (131-34). In the "amiable" and "eminently sociable" city of Lyons, situated at the 'sacred' convergence of the Rhône and Saône, Michelet finds the origins of industrial growth, a fervent love of God and an odd (but intense) mysticism as it stemmed from Lyons' industrial character: "[N]o where else does man's heart so yearn for heaven. ... The [sedentary artisan seated at his trade] and silk weaver in the humid obscurity of the streets of Lyons ... shut out from the world, have created a world for themselves, a moral paradise of sweet dreams and visions [T]hey gave themselves God" (132).

Braudel, too, offers a rich historical description of French provincial and regional diversity, but his focus rests substantially on observed variations in land and climate -- the "mosaic of soils, sub-soils and micro-climates that is translated into the patchwork of the French landscape" -- which he (and Michelet, too, for that matter)⁷⁷ believes to be inextricably linked to variations in culture and character (Braudel 1988: 65; Michelet 1835a: 110). For instance, in his account of French diversity, Braudel narrates with nostalgia how the softened green and yellow hayfields of the Alps stand in complete contrast to the hard limestone spurs of inland Provence, and how the traveler can sense when he nears the Montjoie Valley because of a distinct dryness in the air (Braudel 1988: 43-44, 64). And he describes his various travels across France -- from the dark pine trees and steep meadows of the Jura, west to the low flatlands of the Bresse; and from the leafy valley of the Juine over to the broad horizons, expansive wheat fields and red clovers of the Beauce: "Sometimes a mere quarter of a[n] hour in the car can bring a change of scene as quickly as the interval does at the theatre" (52). And even if one confines his examination to a particular province, there remains tremendous variation within. For instance, Braudel describes Champagne as "par excellence a land of contrasts" -- a country of monotonous chalk and clay and of lush pastures and woods, alongside riverbanks and stretches of marshlands (53). For him, this diversity across the French landscape is a central feature of French identity as distinct from the identities of other countries -- a direct contrast, he contends, to the monotonous landscapes of the Northern European nations and to the dusty and minium-colored earth of tropical countries, such as Brazil and Madagascar (65).

For Braudel, this account is more than a description of trees, hills, soil and weather; he sees this vast diversity across France as inextricably intertwined with and reflected in the profound cultural diversity in the French population(s), where factors such as terrain, climate and elevation lead different localities to very different characters and ways of life. In the area of climate, for instance, Braudel turns to and quotes Maximilien Sorre, who examines how climatic variations affect local lives in concrete ways: "[Climate] presents in each locality its

⁷⁷ For instance, Michelet describes how the men and women on the coast of Brest reflect that "sinister and formidable" landscape, as the "extreme limit" where land and sea and man and nature confront one another (Michelet 1835a: 113). He continues that this "funereal coast" and hard terrain resulted in a fierce and rough culture: "On this coast, man is hard. The accursed son of creation, a true Cain, wherefore should he spare Abel? Nature spares not him. ... Here, nature expires; humanity becomes mournful and cold. There is no poetry, little religion ... the very senses seem dead; and there is no love, nor shame, nor jealousy" (113).

own individual character, which may be irreducible to that even of its nearest neighbour. A slight change in altitude, the difference between two sides of the same hill, a shift from slope to plateau The local nature of climate is the essential reality" (Braudel 1988: 64; Sorre 1943: 14). In short, Braudel sees a France in which each constituent part is marked not only by its own particular landscape and climate, but also and as a result, by its own unique "lived culture" -- a "way of life and a way of death [and] a set of rules governing basic human relations" (Braudel 1988: 37; Le Bras and Todd 1981: 7). Furthermore, these differences in lived culture exist at both the broadest and the most local levels. At the expansive level of 'civilizations,' Braudel writes that France, while it has been known for its singular and elitist 'French' civilization, consists, in fact, of two great civilizations, which have been in conflict with one another for centuries; the northern civilization of the *oil* and the southern civilization of the *oc* stand in hostile opposition to one another, divided by the extensive "linguistic frontier running from La Réole on the banks of the Garonne to the Var basin" (Braudel 1988: 85-91). Braudel adds, "What we think of as civilization (the way people are born, live, love, marry, think, believe, laugh, eat, dress, build homes, lay out fields or behave towards each other) was practically never the same in the south . . . as in the north There always has been and always will be 'another' France in the south" (86). And, of course, this level of diversity is found on the local levels as well, and Braudel carefully describes the "vigorous particularisms" that exist in regions down into towns, those distinctions (from traditions and costumes, to languages and folklore), which still "take one's breath away" (91).

2. FRENCH REGIONAL UNITY

While regional differences are extreme, it all nonetheless seems to work for France, as Michelet and Braudel suggest. Both historians still envision a unified 'France' constituted and even enriched by local diversity. For Michelet, it is undeniable that each part of France has its own character, culture, history and function, but at the same time, each remains connected to the French whole, which Michelet envisions as one person. He describes, "France is not the calculating head of England . . . nor that cancer, Ireland . . . England is an empire; Germany, a country -- a race; France is a person" (Michelet 1835a: 142). To venerate the whole, then, is to venerate its constituent parts. Just as advanced creatures in the animal world are comprised of and dependent on intricate sets of individual organs, working together for the survival of the whole, so, too, are advanced nations: "Nations may be classified in a similar manner [to animals]. The common enjoyment of a large number of parts, the continuity of these parts, and the reciprocal functions which they discharge to each other, constitute in their perfectness social superiority" (142). In the case of France, then, one must not only, at Michelet's instructions, consider France in pieces. He must also embrace her as an integrated whole, *un grand et merveilleux spectacle* and a "vast and powerful organism, whose different parts are so fitly approximated, opposed, or blended together, the weak with the strong, the negative with the positive" (141).⁷⁸ In essence, the regions of France integrate into a personified whole, which

⁷⁸ Michelet's full description reads as follows: "C'est un grand et merveilleux spectacle de promener ses regards du centre aux extrémités, et d'embrasser de l'œil ce vaste et puissant organisme où les parties diverses sont si habilement rapprochées, opposées, associées, le faible au fort, le négatif au positif; de voir l'éloquente et vineuse Bourgogne entre l'ironique naïveté de la Champagne et l'âpreté critique,

Michelet characterizes as a double organic system (much akin to the human gastric and cerebro-sprinal apparatus), with Normandy, Brittany, Guyenne, Poitou and Auvergne on one side and Languedoc, Provence, Burgundy, Picardy and Flanders on the other, and with Paris as the sensorium (141). The different parts of France fit, balance and harmonize with one another, and the result is beautiful: "The power and beauty of this great whole consist in the reciprocal support and continuity of the parts, in the distribution of the functions, in the division of social labor" (141). And this all remains true for Michelet even at the frontier provinces, where one might foresee a higher level of detachment from the French whole. While foreign factors certainly have influenced the characters and cultures of these provinces, those influences have, in reality, only served to strengthen the greatness of France. Michelet contends that the frontier provinces have been successful in blending elements of "foreign genius" with "French" character, which has made them even more powerful and set them in even more intense opposition to their foreign neighbors -- the best of both worlds: "To Germany, [France] opposes a German France; to Spain, a Spanish France; to Italy, an Italian France. ... Different shades of the same colour do not harmonize so well together as opposite colours, and all great hatreds are between relatives" (141).⁷⁹

Even with these differences -- the "superabundance of local particularities" across the provinces -- Braudel, too, seems to envision France in unified terms (Braudel 1988: 91). All of the fragmentation that he details in his two-volume set is contained within a single whole named France, for which Braudel declares his affection and loyalty from the very start: "Let me start by saying once and for all that I love France" (15). *France* is his country, nation and fatherland. His language suggests that France is, for him, much more than a disparate set of independent localities; it is a complete and comprehensive entity worthy of study (as he sets out to do in his work) and love. What is interesting in his historical account, then, is the role that diversity takes on within his view of French unity. Particularly, I find instructive his im-

polémique, guerrière, de la Franche-Comté et de la Lorraine; de voir le fanatisme languedocien entre la légèreté provençale et l'indifférence gasconne; de voir la convoitise, l'esprit conquérant de la Normandie contenus entre la résistante Bretagne et l'épaisse et massive Flandre. Considérée en longitude, la France ondule en deux longs systèmes organiques, comme le corps humain est double d'appareil, gastrique et cérébro-spinal. D'une part, les provinces de Normandie, Bretagne et Poitou, Auvergne et Guyenne; de l'autre, celles de Languedoc et Provence, Bourgogne et Champagne, enfin celles de Picardie et de Flandre, où les deux systèmes se rattachent. Paris est le sensorium" (Michelet 1835b).

⁷⁹ As one clarification, Michelet could be read (and sometimes has been read) to advocate a strong French centralization, at the cost of local particularities. Indeed, there is truth to that interpretation, where, for example, he writes of a 'beautiful centralization' that has resulted in French superiority: "It is precisely because centralization is powerful, and general life strong and energetic, that local life is weak; and this it is which constitutes the beauty of our country" (Michelet 1835a: 141-42). And to the extent that Michelet advocates that level of centralization and assimilation, my own claim would differ from his. However, while there is some language to the contrary, I would offer a nuanced reading of Michelet as advocating some sort of balance, even if he and I would ultimately disagree as to where that balance should lie. And even if he does lean toward strong centralization, he does not go so far as to eliminate regional differences (or to believe that such differences can be eliminated), which he describes as contributing to the French whole as an important aspect of French history and identity.

age of France as a jigsaw puzzle -- a vision of France as constituted by small, distinctive and often oddly formed pieces that interlock (and complement one another) to form a tessellated, unified whole, more complete and often more beautiful than its constituent parts. In this way, Braudel's description of France as a rich, colorful patchwork advances a view similar to that of Michelet -- of a France both unified and diversified, as all-inclusive (42). These analogies suggest that localized differences, as the individual pieces of the French puzzle, are not to be eliminated or even weakened, in Braudel's estimation. Instead, they are a source of identity, even pleasure. What Frenchman, Braudel inquires, "could fail to take pleasure in the sight of a France that is many-coloured, full of the unexpected" (41)? He thus encourages his readers to seek out this contrast within France, to "tak[e] to the road" and to see France; there is no point, he writes, in a theoretical discussion of "the diversity of France; you must see it with your own eyes, take in the colours and smells, touch it with your own hands, eat and drink it, to get its authentic" flavor (50). ("My advice ... is to be on the lookout for divergences, contrasts, breaks, frontiers.") While it can be a source of dissention and division, diversity remains at the heart of and enriches French identity, and I use Michelet and Braudel's work to offer an account of how what might seem to be a contradiction in terms can and has at times come together in the case of France and its regions.

B. IMMIGRATION, MULTICULTURALISM AND THE 1980s

In a more concrete way, issues of immigration and multiculturalism in France in the 1980s can also reveal an alternative, more flexible and more diverse account of French unity and identity, and a practical balance within French Republicanism between 'commonness' and difference. In reference to immigrants and their descendants, there are clear indications that the French republican nation-state has reacted and adapted to circumstances of cultural difference; the discussion is not limited to regional distinctions. And as I discuss below, a flexible and more 'open' approach to such difference can be beneficial; Braudel, himself, writes of the benefits which immigrants bring to France: "France has received and absorbed various waves of immigrants, who have enriched the country materially and culturally" (Braudel 1990: 203). In more general terms, since the late 1960s, there have been numerous 'recalibrations' of and exceptions introduced into the "supposed assimilationist, centralized French model of Jacobinism" (Wihtol de Wenden 2004: 75). Such may have only been inevitable. As Susan Collard had predicted, "The absorption of some influence of those cultures that would be called ethnic is long overdue" (Collard 2000: 49). In what could be reflective of a more general shift in the nature of the modern nation-state or what Maxim Silverman characterizes as the breakdown in the 'universalistic mission' of modern society, the "shift from a hierarchical to a relativist perspective and the rise of ethnic and cultural identities," the myth of the ideal French republican nation-state, linked to the notion of a unified and uniform French culture, has at the very least, been critically reexamined (Silverman 1999: 47). Particularly, as Wihtol de Wenden writes, 'multiculturalism' has become more and more apparent in France as the state has responded to increased immigration and cultural difference, assertions of local cultures and the complicated pressures of Europeanization (Wihtol de Wenden 2009: Interview; 2004: 70-79).⁸⁰ Jean-Loup

⁸⁰ 'Multicultural' pressures have come not only from within France, but also externally, from the European Union, Council of Europe and even the United States, to which France has had to adapt and re-

Amselle takes the contention a step further to observe that 'North American ideas' of multiculturalism have begun to infuse French thought: "North American ideas have penetrated French society so thoroughly that French sociologists [like Pierre Bourdieu and Alain Touraine] with very different theoretical positions all enthusiastically hail the virtues of ... multiculturalism" (Amselle 2003: x-xiii; 2001; Bourdieu 1997; Touraine 1997). And whether or not one would take it to that extreme, the basic point remains that exceptions to, even a reconception of, the French republican model are in motion. Internally, French society has come to be redefined in more pluralistic terms, and collective historical memories, like those of the French Revolution and the Resistance, have been deromanticized and/or overtaken with a more 'ethnic' consciousness (Safran 2009: 75; Wihtol de Wenden 2004).

This move toward a more ethnic consciousness started most visibly in the early 1980s, as French republican practice departed from its traditional theoretical foundations to enter its more 'multicultural' phase (Kastoryano 2010: Interview). In particular, this trend accelerated markedly as the Socialist Party (PS) came to power in France in 1981, and François Mitterrand and the platform of his newly unified party (in a period which Patrick Ireland terms the 'Mitterrand Experiment') veered away from the center-right views of Valéry Giscard d'Estaing (Ireland 1994: 61). Issues of immigration and the treatment of immigrants took on much importance in the PS platform, as did questions of cultural pluralism and ethnic difference: "[A] commitment to cultural pluralism figured [in the PS platform]. The ethnic 'label,' long denied and denounced in Jacobin France, received unprecedented official acceptance, even encouragement. ... The PS acknowledged that immigrants would remain in France and emphasized their right to live and work there without abandoning their cultural/ethnic identit[ies]" (Ireland 1994: 62; Wihtol de Wenden 1988). In response to Mitterrand's election, immigrants took to the streets and gathered outside the Place de la Bastille to celebrate, as Mitterrand and the PS promised better conditions and the expansion of civil rights (Ireland 1994: 61). In fact, in an interesting shift toward more "inclusive and rights-oriented" tactics (those of insertion, rather than integration or assimilation), Mitterrand moved forward with some of his initial promises, such as more liberal policies on familial reunification, increased protections against administrative abuses (e.g., deportation without due process) and a one-time regularization scheme for the *sans papiers* (Ireland 1994: 62; Amselle 2003: 109; Wihtol de Wenden 1988: 288; Marie 1983: 27). Furthermore, as Ireland describes, consistent with the goal to normalize the status of immigrants, the PS instituted increased labor rights -- for instance, insulating immigrants from deportation for participation in "militant trade union activit[ies]" and increasing (under the Auroux Laws of 1982) immigrant involvement in industrial labor relations institutions and issues (Ireland 1994: 62; Amselle 2003: 109-11; Glendon 1984: 449-91). This approach was sustained across Mitterrand's first and second terms, with the assistance of certain diversity-friendly ministers, like Pierre Joxe and Georgina Dufoix (Amselle 2003: 109-10). Indeed, the 1980s marked an remarkable shift in French republican practice, as immigrant identities and

spond in recent years (Safran 2009: 75-76; Carrera 2009: 291-349). Indeed, both the rise of the European Union and the "overwhelming presence" of the United States have seemed to diminish the global importance of France, fueling an internal "self-doubt about [its] accomplishments and anxiety about its future," in particular about the exclusiveness of its own national and cultural identity and the possible end of the 'French exception' (Safran 2009: 76; Boyer 1992; Furet, Julliard and Rosanvallon 1988).

the rhetoric of *diversité* came to be reaffirmed and politicized within and by the French state (Kastoryano 2010: Interview; 2004: 1238; 2002; Wieviorka 2008, 2005; Favell 2001; Feldblum 1999).

Illustrations from this period (1981-1991) are plentiful, but one important example of how cultural and ethnic identities came to be invented, affirmed, institutionalized and politicized in France comes in the discussion of associations. France has historically had an uneasy relationship with associations, since they are theoretically inconsistent with and a break in the ideal of the centralized French state with an unmediated and direct connection to the citizenry. Today, however, the Law of 1 July 1901 covers and allows citizens to create voluntary associations, defined very broadly as an agreement between two or more individuals to share, in a permanent manner, their knowledge or activities for a reason other than the sharing of profits. Under this legal framework, the French state, in fact, encourages associations, but more consistent with the ideals of traditional French Republicanism and unlike in the United States, for instance, where associations are seen as liberal democratic necessities and as limitations on state power, associations in France are created to serve as representatives to the state, intermediaries between individuals united around (a) common interest(s) and the public authorities (Kastoryano 2002: 101). Traditionally, these associations were mostly labor unions and other professional organizations based on collective interest, rather than on local, regional, religious or cultural identities (101). However, in October 1981, this convention shifted when laws on associations were liberalized and extended to foreigners, and foreign associations took on the same status as their French equivalents (Ireland 1994: 62-70). Immigrants now had the right to administer their own and French associations and to receive state funds via the *Fonds d'Action Sociale*, an immigrant welfare institution founded in 1958 to aid in the integration of foreign workers (63).⁸¹ What is of substantial interest, then, is how these liberalized associations came to be used to politicize and institutionalize the identities of cultural and ethnic minorities in France. After the new law in 1981, the number of associations increased dramatically; they exceeded 4200 by the mid-1980s, with ethnic associations as the main source of this increase (64). And more and more, these associations extended their activities to include not only social services and "religious and folkloric activities," but also advocacy for the recognition of ethnic and cultural identities and worth in France (65). Under the rubric of associations, then, immigrants moved in the realm of politics: "[F]oreigners active in labor unions, parties ... or other political groups have organized around special cultural features, invented and reaffirmed in their relation to politics" (Kastoryano 2002: 101; Wihtol de Wenden 2004: 73; 1988). As Riva Kastoryano observes, whereas the immigrants of the 1960s and 1970s framed their interests in class-based terms, later immigrants and their descendants articulated their concerns "in terms of culture or religion, in an 'identity of origin,' reinterpreted within [t]he framework of

⁸¹ Since the 1980s, associations have become more and more dependent on FAS and other state funds. Richard Derderian estimates that the number of minority associations funded by FAS has grown from 300 in 1983 to 4000 in 1991; the FAS budget has also grown, from 600 million francs in 1980 to 1.2 billion francs in 1990 (Derderian 2004: 38). Some believe that this dependence has created problems for associations, who spend much of their time on applications for subsidies, rather than on "meaningful" social or cultural activities: "Minority activists no longer know how to survive without recourse to state subsidies" (38). Another notable result is the associations' loss of autonomy.

new collective actions" (Kastoryano 2002: 103; Feldblum 1999: 34-36; Cesari 1994).

This example of associations, as well as other related policies at this time, shows how cultural and ethnic diversity came to be more visible and political in France, and more critically for this discussion, underscores how this diversity came to be accepted and incorporated into the framework of French Republicanism, as a compromise between traditional theory and the demands of circumstances. Kastoryano notes that associations, under this new liberalized framework, came to serve a dual function -- to cultivate among foreigners a 'collective awareness of belonging' within France, but also to integrate those 'foreign' identities into state structures and to create (as was the conventional reason for associations in France) intermediaries between immigrants and the state (Kastoryano 2002: 99-101). Thus, the motivations behind this liberalization of associations were not 'multicultural' in nature, even if there were certain multicultural effects; rather, one could see it as an attempt to establish a sort of tentative balance, to allow for cultural and ethnic difference and respond to the frustration among minorities with the forced "homogenization of differences" and, at the same time, to control and mediate that difference within a republican (and state-controlled) framework (102). Kastoryano contends that through the institutionalization of collective ethnic and cultural identities vis-à-vis associations, French state authorities are able to "give [structure to] and 'instructions' for differences in a republic. The aim, then, is to assimilate differences into a republic ideological framework and institutional structure. This is how rhetoric meets policy" (103). And this balance is further illustrated by the actions of the associations, themselves; while often formed around shared cultural and ethnic identifications, these associations of foreigners would often hide this fact in their public pronouncements, in order to work within the more traditional 'republican mindset' and to frame themselves as standard associations and intermediaries to the state, rather than as 'divisive' cultural or ethnic institutions: "Association activists ... altered their speech, rejecting any idea of ethnic or cultural community and its representation in the public domain" (102). And while one could still believe that this balance is not ideal -- that it is too assimilationist or too multicultural -- it still demonstrates a potential 'compromise' that can be carved out of a more 'elastic' conception of the French Republic; the discourse around and the definition of cultural pluralism was not and is not set in stone.⁸²

⁸² As one final note in this sub-section, it is important to recall that this period, with its ethnicization in French politics, was not without substantial difficulties and a critical backlash against what were seen as emerging forms of multiculturalism; with the recognition and visibility of ethnic and cultural identities also came the conditions for more direct exclusion, discrimination, ethnocentrism and racism. As Jean-Loup Amselle writes, affirmative action breeds the conditions for "affirmative exclusion" (Amselle 2003). For instance, the rise of the Front National (FN) (which Jean-Marie Le Pen founded in 1972 as a far-right, nationalistic, anti-immigration and 'traditional values' political party) brought controversies (sometimes violent) of racism and anti-racism to the fore (Shields 2007; Mayer 2002; Davies 1999; Taguieff 1998; Camus 1996; Simmons 1996). The FN railed against (North African, Western African, Middle Eastern and other) foreigners, holding them liable for the social and economic ills of France and branding them a threat to French national identity and tradition, and immigrants (often through their own ethnic associations) and their allies (e.g., the PS and the other left and center parties) moved to engage them in the political arena (Kastoryano 2002: 102; Wihtol de Wenden 1988). While I do not wish to replicate here the vast literature on the FN and other far-right movements in France, I raise the topic briefly in the context of the 1980s to reiterate my initial observation that the French re-

The purpose of this sub-section has been to provide an account of a more flexible and diverse French identity and unity -- as in the historical narratives of Michelet and Braudel or in the events and politics of the 1980s, a time when France moved more toward multiculturalism than it ever has before -- and to illuminate, even if briefly, the history of cultural diversity that exists alongside a 'vision' of French universalism (Kastoryano 2010: Interview; Raymond 2006: 12). In this account, however, I have necessarily had to confine my focus to only a few accounts and instances, while numerous other illustrations could be marshaled for and against a more diversity-friendly France. But the fact that one could identify instances in either direction and that there is a true debate as to the present and desired nature of the French Republic signals to me that French Republicanism as a political framework is, in fact, political, contingent and in motion at all times. So while the "droit à la différence" (as SOS Racisme first declared in the 1980s) and the discourses of pluralistic identities and citizenship are still viewed as inconsistent with French forms of integration and social cohesion, there are also indications of change: "Some features of multiculturalism [have] finally penetrated the French model of citizenship" (Wihtol de Wenden 2004: 71; Kiwan 2009).⁸³ To finish this discussion, then, a few words are required about France in the present. Over the last decade, the elastic approach of the French state toward colorblindness and cultural and religious minorities has continued,

publican approach to questions of pluralism, immigration and cultural and ethnic difference remained (and remains) substantially contested. As Miriam Feldblum describes, "Some understood pluralism to be the active tolerance for a range of diversities, regardless of their basis. ... Others expressed a clear wariness about differentialism, and called for a return to the visions of the French model and the articulation of national unity" (Feldblum 1999: 36). And while the heated nature of this debate and the eventual return of "national identity, national community [and] national membership" (in contrast to differentialism and a respect for difference) as the dominant discourse have at least some roots in the rise of the FN, the debates over pluralism and difference, Feldblum observes, "spanned the political spectrum, as the far Right, Right, Left, state officials, and immigrant movements advanced their various visions of French pluralism" and French Republicanism(36).

⁸³ For instance, bilingual education has been a contested issue for centuries, since even before students under the Third Republic were punished for communicating in their native tongue (e.g., fed stale bread and water and sent out to clean the latrine or forced to wear a token of shame) (Weber 1976: 313). But there are signs that the state is becoming more willing to engage the issue further, even though French remains the official language (Article 2 of the Constitution of 1958). With both internal and external pressures (like recent criticisms from the United Nations Economic and Social Council and international and regional declarations like the European Charter for Regional or Minority Languages (1992) and the Universal Declaration of Linguistic Rights (1996)), France is being forced to consider the role of regional and foreign languages (Helot and Young 2002: 97; Cartrite 2009). As one illustration, in January 2001, Jack Lang, Minister of Education from 1992-93 and 2000-02, acknowledged the range of languages in France, and suggested that teaching these languages in schools could be beneficial and could even bolster one's appreciation for the French language: "Contrairement à une illusion fort répandue, la France n'est pas un pays monolingue. La langue nationale est commune à tous ses habitants ... Ceci ne doit pas faire oublier que les langues régionales sont parlées et comprises par une partie non négligeable de la population. ... L'apprentissage d'une langue vivante, non seulement ne nuit pas à la maîtrise du français, mais contribue au contraire à aiguiser la capacité de l'enfant à voyager à l'intérieur de la langue nationale et à en mieux comprendre la singularité et les similitudes avec les autres langues" (Lang 2001).

although the center-right governments of Jacques Chirac and Nicolas Sarkozy have seemed to transition France out of its more 'multicultural phase' of the 1980s, toward what Kastoryano terms its 'post-multicultural phase,' which is all the more difficult to characterize (Kastoryano 2010: Interview).⁸⁴ For instance, even within his one presidential term, which started in May 2007, Sarkozy has shifted considerably in his views and statements on issues of cultural difference -- from his December 2008 call for social diversity as a French virtue⁸⁵ and his choice of Algerian-born Yazid Sabeg as the commissioner to enact this vision, to his recent February 2011 interview on TF1, where he declared multiculturalism a failure: "La vérité c'est que dans toutes nos démocraties, on s'est trop préoccupé de l'identité de celui qui arrivait et pas assez de l'identité du pays qui accueillait. ... Si on vient en France, on accepte de se fondre dans une seule communauté, qui est la communauté nationale, et si on ne veut pas accepter ça, on ne peut pas être le bienvenu en France" (Le Figaro: 10 February 2011). So, on one level, traditional French republican values have reasserted themselves as against the national disintegration which is feared under a model of 'Anglo-Saxon' multiculturalism; it was, after all, Chirac who stated boldly that France would 'lose her soul' if she went toward cultural pluralism and accepted internal differences (Fernando 2005: 12). Despite this rhetoric, however, the narrative is more complicated and obviously and inevitably political, and from discussions of anti-discrimination, positive discrimination, political representation and social integration, both in the case of immigrants and their descendents and in broader terms, as in the case of gender,

⁸⁴ The CFCM (discussed above) and broader efforts to create an 'Islam of France' are relevant here, and I hope to explore them further in future work. Besides its role as an interlocutor between the state and the Muslim religion, the CFCM is a deliberate attempt to create an 'Islam of France,' rather than a mere 'Islam in France' (Laurence and Vaisse 2006: 138). Particularly, the CFCM is the institutional effort to reduce foreign influences and to facilitate the development of more localized forms of authority (138). Jonathan Laurence and Justin Vaisse describe the CFCM as the vehicle by which the Ministry of the Interior has been able to "make contact" with local associations and Muslim leaders, with the "aim of cultivating an organized religion that is more or less at peace" with the French state; the state collaborates with the CFCM on, for instance, the appointment of chaplains in prisons, the training of imams and the financial support of mosques (138). So while it is an effort by the French state to "treat Islam as it does other organized religions," it is also an effort to foster a sort of "cultural synthesis," by which France should take on and embrace its *Islamicité* and French Muslims should take on their *francité*, to use Jacques Berque's terms (138). In that way, the CFCM, too, is a possible illustration of this compromise between traditional French Republicanism and culture and Muslim values and identities, despite its numerous flaws and difficulties. And this discussion of an 'Islam of France' versus an 'Islam in France' continues in other fora as well, as in, for instance, the recent (April 5, 2011) and controversial convention of the Union pour un mouvement populaire (UMP) (held at Sarkozy's request) on the theme of *laïcité* and the place of Islam in the Republic.

⁸⁵ As one illustration, Sarkozy's first cabinet seemed to be representative of his vision of 'the Republic in all its diversity.' Sarkozy, himself of mixed national and ethnic ancestry as the son of a Hungarian immigrant father and of a mother of French Catholic and Greek-Jewish descent, selected a diverse first cabinet -- Senegalese-born Rama Yade as Secretary of State for Human Rights and later, Secretary of State for Sport; feminist Fadela Amara (of Algerian descent) as Secretary of State for Urban Policies; Rachida Dati (of Moroccan and Algerian descent) as Minister of Justice; and Bernard Kouchner (of Jewish and Protestant descent) as Minister of Foreign Affairs, as four such instances.

inconsistencies (and thus the potential space for compromise, I contend) remain.⁸⁶

C. THE EVOLUTION OF FRENCH CULTURE

The question then arises as to whether such an elastic interpretation of the French Republic is unstable and detrimental, and whether any modifications that may have occurred in the political model, its conception of 'French culture' and its approach to cultural difference in the past, while they may have been necessary at the time, were only necessary evils and must be avoided in the future. In this sub-section, I dispute that claim and advance in more abstract terms the normative claims that 'French' culture (more broadly construed) should not be immune to change, and that such 'alterations' of French Republicanism toward a more diversity-friendly model were and are beneficial in that they allow for and facilitate this change. On the issue of culture and of cultural difference, there is a broad range of arguments that one could advance in favor of cultural difference and the recognition of cultural identities. Theorists of culture, diversity, morality and rights have generated an extensive, varied discussion about the moral value (or the lack thereof) of culture and of cultural diversity -- from theorists like Johann Herder and Charles Taylor, who hold that culture is an irreducibly social and intrinsic good, and Iris Marion Young and Michael Walzer, who assert that theories of justice should account for culture, to Chandran Kukathas, who discards such an idea in favor of the libertarian freedom of association (Kymlicka 2007, 2005, 1995; Song 2007; Parekh 2006; Benhabib 2004, 2002; Kukathas 2003; Barry 2001; Shachar 2001; Young 2000, 1990; Deveaux 2000; Okin 1999; Taylor 1994; Margalit and Raz 1990; Walzer 1983). I do not intend to rehearse the entirety of this literature. Instead, I advance the narrower and more conservative normative claim that the overall 'recalibration' of French culture and the French nation has been and remains beneficial for its survival; in particular, the French nation must, as with all nations, undertake a continual process of critical reevaluation and self-reflection, which can only occur, I contend, under circumstances of diversity. While I limit my discussion to this one instrumental claim, I do not preclude other parallel claims as to the instrumental and/or intrinsic value of culture or of cultural diversity. One could contend (and I think effectively) that cultural minorities in France have a right to cultural recognition, the absence of which "can inflict harm, can be a form of oppression, [and can imprison] someone in a false, distorted, and

⁸⁶ The politics of difference in the area of gender also has an interesting background, which relates to a broader discussion of French Republicanism and colorblindness. Just as the French Republic is (supposed to be) blind to differences in culture, it is also theoretically blind to differences in gender. The separation between French republican practice and theory was most striking, then, in the discussion of parity that started in France in the early 1990s, when women's organizations advocated for a constitutional reform to guarantee the equal representation of women (with a 50% quota) in political assemblies -- in other words, an amendment to take gender into account in matters of political representation and to reconceive of equality in terms of outcomes, instead of treatment (Lépinard 2008: 94). In June 2000, France passed a law, which mandated that, in certain situations, the number of male and female candidates for an office must be the same and that, in other cases, even the outcome must accord with male/female parity. While this reform has obvious implications for a discussion of colorblindness and of political compromises of French Republicanism, I bracket it out here for the sake of time and space, and leave it to the extensive literature already written on the topic (Lépinard 2008, 2007; Opello 2006; Scott 2005; Allwood and Wadia 2000; Bataille and Gaspart 1999; Mossuz-Lavau 1998).

reduced mode of being" (Taylor 1994: 25). Or another could assert in the utilitarian spirit that societies and their members are likely to be 'better off' and enriched with a wide range of cultural and material forms and resources from which to choose. I neither deny nor defend these claims here, but I do believe them to be consistent with my overall normative claim.⁸⁷

The central thesis is that 'French' culture should not be immune to change and to critical self-reflection and reform; the romanticized notion of a 'national ideal' to be maintained at all costs is false and ultimately destructive. Rather than being the source of inevitable cultural deterioration and a threat, change is, in the words of Samuel Scheffler, inevitable and essential to culture and its overall survival: "[T]o prevent a culture from changing, if such a thing were possible, would not be to preserve [it] but rather to destroy it" (Scheffler 2007: 207). In particular, fierce adherence to the cultural past or to a particular idealized conception of that past is to deny a culture and its members the chance to evolve and adapt to and confront changing political, economic and social circumstances in the present. Jeremy Waldron asserts that "[t]o preserve or protect [a particular culture], or some favored version of it, artificially, in the face of ... change, is ... to cripple the mechanisms of adaptation and compromise ... with which all societies confront the outside world" (Waldron 1995: 109-10). For instance, the resistance to change weakens a nation through robbing it of the chance and resources to reflect (through discussion, criticism and debate) on itself and evolve. Jürgen Habermas writes, "The accelerated pace of change in modern societies explodes all stationary forms of life. Cultures survive only if they draw strength to transform themselves from criticism and secession" (Habermas 1994: 132). And such a critical transformation cannot occur in a cultural vacuum; it is best achieved, I believe, under internal circumstances of diversity and through external "exchanges

⁸⁷ To the extent that I gesture to or embrace one view here, it is one which views cultural diversity as a normative benefit because it offers to society and all of its members a wide array of choices by which to examine and reexamine critically and carefully one's own culture, values, traditions, beliefs and way of life and to evaluate and reevaluate one's culture in the context of other alternative cultural views. In this way, cultural diversity bolsters liberty and enriches and advances society, and not only for the minority; everyone benefits from this diversity of views and 'context of choice' (Kymlicka 1995). (Richard Falk reinforces this latter claim, where he contends that societal diversity 'enhances' our lives, 'enriches' our experiences and 'expands' our cultural resources (Falk 1988).) While he has some concerns about this line of defense for multiculturalism, Will Kymlicka, too, articulates a kindred vision of cultural diversity in his discussion of liberalism and individual freedom and of the 'good life' (Kymlicka 1995). One benefit of liberalism, he writes, is that it offers to individuals a "wide freedom of choice in terms of how they lead their lives. It allows people to choose a conception of the good life, and then allows them to reconsider that decision, and adopt a new and hopefully better plan of life" (80). So, as two conditions for the good life, individuals must (1) have the "resources and liberties needed to live their lives in accordance with their beliefs about value, without fear of discrimination or punishment" and (2) be "free to question those beliefs" (Kymlicka 1995: 81; Rawls 1993). It flows from this latter condition, then, that individuals "acquire an awareness of [and have full access to information about (vis-à-vis education, for instance)] different views about the good life," such that a radical (or a less radical) reevaluation and revision of ends is possible (Kymlicka clarifies that it is not, however, required) (Kymlicka 1995: 81-82). My dominant focus in the case of France, then, is on the availability and viability (rather than on the assimilation) of these different cultural views, such that French society (vis-à-vis the state) and all of its members can participate in this important critical self-evaluation and transformation.

with strangers and things alien" (132).⁸⁸ Otherwise, the reflection lacks a genuine understanding and thus a full consideration of alternative views. Of course, this claim does not necessarily mean that all distinguishing features of a culture will (or should) change over time. In almost all cases, some features will remain constant, and members of a culture should not carelessly sever cultural elements, which they deem unnecessary at the time (although in extreme situations, there could be a "need to compromise a culture beyond all recognition in order to retain allegiance") (Waldron 1995: 109). In any event, what must occur is the continuous and critical reflection on the culture itself to consider carefully the relevance and viability of certain cultural characteristics; to determine "which elements of a cultural heritage require modification and which should be carried forward unchanged;" to interpret "the relevance of older values and ideals for novel problems and predicaments;" to decide "how the culture's traditional ways of thinking can best be extended so as to assimilate the never-ending accumulation of new historical experience;" and to reflect analytically and fully on "which influences from other cultures are to be welcomed and which are to be resisted" (Scheffler 2007: 108).

Ultimately, any culture that survives and thrives will have had to have changed: "It will have assimilated new experiences, absorbed new influences, reaffirmed some prior practices and ideas, modified others, and ... [rid itself of] others. Survival is successful change"

⁸⁸ This argument has several interesting connections to the work of John Stuart Mill, which are worth discussing at least in brief, as a useful elaboration (on an abstracted level) of the instrumental value of cultural diversity. Where Mill examines, *inter alia*, the relation between the state and the liberal individual, one could abstract his theories to the level of the state and sub-state actors, both individual and collective (even if Mill, himself, would disavow the application of his theories to collective actors, for their promotion could advance the 'despotism of culture,' which he criticizes as a "hindrance to human advancement") (Mill 1859: 70). In *On Liberty*, Mill extols the many virtues (as he sees them) of individuality, both to the individual and to society as a whole. On the one hand, individuality allows the individual to be original, to discover the world and to be the best that he can be; he is then poised "not only to discover new truths, and point out when what were once truths are no longer, but also to commence new practices, and set the example of more enlightened conduct and better taste and sense" in his individual life (64). On the other hand, individuality also makes possible the betterment of society as a whole, in the discovery of new truths, the commencement of new traditions and the advancement of more 'enlightened' conduct. For instance, it allows for individuals of genius to emerge -- those who epitomize individuality and eccentricity at their finest; who possess the critical potential to move their societies forward, beyond the mediocrity that Mill sees as all too common in the world; and who open the eyes of those around them to better modes of action, to mental vigor and to moral courage through their guidance (65). Thus, Mill advocates that societies foster and maintain the conditions of freedom and liberty necessary for these 'eccentric' individuals to come forth and lead; the concern is not rooted, as Rousseau might view it, in diverse and eccentric thought but in the lack thereof: "That so few now dare to be eccentric marks the chief danger of the time" (87). For the broad discussion here, there are two important lessons -- first, the importance that the sub-state actor not to bend to the norms and customs of the state without first evaluating and reflecting on those norms and customs; and second, the potential benefit that non-conformity and eccentricity by the sub-state actor could have in moving the society and state forward. On this latter point, Mill posits that the mere example of non-conformity by these actors and the "mere refusal to bend the knee to custom [are] itself a service" to society (67). In this way, Mill offers a valuable account of diversity and its extrinsic value as a resource for evolution, transformation and advancement.

(108).⁸⁹ Preservation of cultures absent this form of critical and intelligent reflection robs current and future members of a culture of choice -- whether, for instance, to affirm or abandon a culture, in whole or in part, or to otherwise amend the culture to modern circumstances. Both Habermas and Waldron advance kindred arguments concerning this notion of cultural norms, which must bind but at the same time be open to reinterpretation. Where Habermas contends that the only sustainable forms of tradition and life are those which "bind their members" but simultaneously allow for critical examination and the "option of learning from other traditions or converting and setting out for other shores," Waldron writes that for one to insist that a culture be 'secure' is to "insulate itself from the very forces and tendencies that allow it to operate in a context of genuine choice" (Habermas 1994: 130-31; Waldron 1995: 109).

To resituate this normative claim in the French context, then, I would contend that the 'exceptions' introduced into the 'traditional' French republican model are not necessary evils, but are beneficial, both in that they allow for increased diversity, as the foundation for critical self-reflection à la Habermas, Scheffler and Waldron, and in that they are, in fact, themselves, the product of this reflection -- a critical reexamination and subsequent alteration of the overall political culture and model. And indeed, this process and the conditions which underlie it must continue and be supported in the present. The impetus could not be clearer (or as some argue, more urgent). Modern conditions are ripe for self-evaluation. As Habermas observes, the "diversity of cultural forms of life" and worldviews is constantly on the rise; there is "no alternative to this development ... , [h]ence republicanism must learn to stand on its own feet" (Habermas 1998: 117). And upon that evaluation, some scholars have identified the need for possible alterations. Amselle, for instance, writes of the "cracking" in the French republican model and the need for a "new social contract" in order to correct or diminish the political under-representation of minorities (Amselle 2003: 114-15, 120). Gino Raymond calls for a new conception of citizenship, which is rooted not in the realm of abstract universalism but in reality and in the "identity of the individual" (Raymond 2006: 12). And Michel Wieviorka asserts that instead of "demonizing 'Anglo-Saxon' multiculturalism," France should acknowledge the realities of cultural difference, reconsider the monolithic view of traditional and elitist French culture and blend together universalism and particularism -- the "right to difference ... within the framework of universal values of reason and the law" (Silverman 1999: 63). Wihtol de Wenden takes this even further to call for multiculturalism (or at least a multiculturalism *à la*

⁸⁹ These arguments cut in both directions toward majorities and minorities alike. All cultures must be open to adaptation -- what Habermas terms 'unrestrained revisionism' -- even to the point of taking on foreign influences and/or breaking with their own traditions and values (Habermas 1994: 131). In the case of immigration, for instance, both the culture of the host country and that of the immigrants must change; neither can nor should be preserved in their original forms. Immigrants will inevitably reconcile themselves with their "new neighbors, new customs, new ideas, new values, new modes of dress, new expectations, new languages, new cuisine [and] new tastes," and so, too, must the host country; there is "no other way" (Scheffler 2007: 103-04; Habermas 1994). Similarly, Bassam Tibi encourages Muslim migrants to change: "[I]t is not only Europe that needs to change; the migrants need to change as well. ... Otherwise, it would involve only 'one-way change' and 'one-way tolerance.' ... Muslim migrants should be requested to redefine their identity in the diaspora by adding a European component. ... Muslims in Europe need to find a commonality between themselves and European civilization (Tibi 2002: 32).

française): "Multiculturalism is the only way to maintain a strong and vibrant French identity, open to the new challenges of globalization and of cultural identities, migration flows, diversity of religions, attractiveness of communitarian belongings, localism and transnational networks, soft and plural allegiances to political institutions, nations and states. ... [T]he republican model of integration has no other choice but to negotiate with multiculturalism" (Wihtol de Wenden 2004: 79; Interview). To continue to demand that Muslims and other cultural minorities assimilate into abstract 'universalism' only leads to and reinforces "feelings of injustice, radicalness and the conviction that the republican model is ... inaccessible" (Wieviorka 2003: 142). The difficult question, then, is how French Republicanism can reconcile itself to these 'realities of cultural difference' and conceive of a compromise between these realities on one side and French national identity, cohesion and social solidarity on the other.

III. HETEROGENEOUS UNITY AND POLITICAL VALUES

To close this section, then, I offer a few words about a potential compromise between universalism and particularism, and I examine the notion of political values -- that is, procedural democratic values, instead of substantive cultural values, which I elaborate below -- as a basis for the French Republic. In other words, I raise the question of whether French national unity and cohesion, as above, must be based in substantive cultural uniformity, or whether it can instead coalesce around shared political and democratic values. Here, I consider the issue only briefly by way of conclusion, and intend to return in future work to elaborate the details by which such a framework could be institutionalized and otherwise enacted in France. On a basic level, the relevant distinction that I draw is a simple one between nationalism and patriotism -- loyalty to the nation versus loyalty to the state. While the two notions are often used synonymously, there is a clear analytical distinction, which may become even more relevant in multicultural states. For instance, as Maurizio Viroli describes, nationalism and patriotism, while not inconsistent or necessarily at odds with one another, exist on a spectrum, where the relevant question is not 'one or the other' but instead one of emphasis -- that is, on which core values the dominant emphasis is placed (Viroli 1995: 2). Whereas patriotism has been "used over the centuries to ... invoke love of the political institutions and the way of life that sustain the common liberty of a people, that is love of the republic," nationalism (as forged in the late 18th century) has been invoked to "defend or reinforce the cultural, linguistic, and ethnic oneness" of a people. Viroli elaborates, "Where the enemies of republican patriotism are tyranny, despotism, oppression, and corruption, the enemies of nationalism are cultural contamination, heterogeneity, racial impurity, and social, political, and intellectual disunion" (1-2). In broad terms, then, what I propose for further consideration is whether or not the focus of the French state should shift from nationalism back toward republican patriotism (which lost much of its influence in France in the late 19th century as nationalism came to the fore), with the renewed emphasis on democratic political institutions and procedural values (Martin 1951: 249).

Constitutional patriotism offers a valuable sense of the intermediate space that I envision. While born in the context of post-war Germany and most recently discussed on the level of the European Union, constitutional patriotism has, I think, much potential relevance for the French case -- as a "normatively attractive form of civic, non-national ... attachment for [an] increasingly multicultural societ[y]" (Müller 2007: 52). At its abstract foundation, constitu-

tional patriotism à la Habermas and Jan Werner Müller concerns the same sort of core values at stake in a traditional conception of French Republicanism -- "the idea of individuals recognizing each other as free and equal and finding fair terms of living together" (Müller 2007: 52; Habermas 1998, 1994). On the one hand, Habermas understands, like Rousseau, the practical need to integrate citizens into a common culture -- for Habermas, a political culture based on constitutional principles derived from and interpreted through the nation's own historical experiences. These principles, he believes, serve as fixed points of reference, which situate individuals as citizens within a cohesive nation-state (Habermas 1994: 134). On the other hand, Habermas affirms a normative good in the preservation of different ethnicities and their various forms of cultural life. He maintains that the integrity of the individual is not guaranteed absent the collective identities and the intersubjectively "shared experiences and life contexts" into which that person has become socialized and acculturated (129). Therefore, Habermas works to disaggregate but retain both ideals, leaving the individual with the freedom to embrace his own individual or collective 'ethnic cultural identities' but also to retain and preserve powerful ties to and identification with the broader nation-state vis-à-vis shared political principles. In this manner, I find constitutional patriotism to be an important reference point for a unified but diversified France, as a viable intermediate "between universal norms and particular contexts," as Müller writes (Müller 2007: 59). While some have characterized it as "a sort of particularism in a universalist disguise," I contend that this odd and almost paradoxical balance between the universal and particular is what makes constitutional patriotism even more relevant to France -- that constitutional patriots, too, and their values are situated within, not somehow above, a particular culture: "So constitutional patriotism *is* specific" (6, 60). Political values are accessed from and interpreted within the particular national and historical context(s) (59).

The result is a sort of 'tiered' nation, with the simultaneous existence of a shared political culture and differentiated 'ethnic' cultures and identities. This political culture is based on democratic procedure, and it is into this procedural culture that all citizens can expect to assimilate. The strong formative and pedagogic role of the state is thus retained in tact. Within diverse modern societies, Habermas argues that the citizenry as a whole can no longer be held together through a substantive consensus on values but must instead be held together through a consensus on democratic procedures (e.g., legitimate rules and processes for the enactment of laws and the exercise of coercive state authority); citizens who are "integrated in this way share the rationally based conviction that the unrestrained freedom of communication in the political public sphere, a democratic process [to settle conflicts] ... and the channeling of political power" constitute a check on illegitimate power and ensure that "administrative power is used in the equal interest of all" (Habermas 1994: 135; Müller 2007: 54). What Habermas addresses, then, are laws, policies and institutions formulated in order to facilitate democratic deliberation and contestation, not to perpetuate particularized schemes of substantive cultural values. Rather than shroud cultural differences in a veil of strict colorblindness, Habermas, in a departure from traditional forms of French Republicanism, for instance, works to "sharpen sensitivity to the diversity" of the different forms and ways of life within a multicultural society (Habermas 1994: 134). To this end, Habermas believes that democratic institutions must remain 'malleable' and 'porous' to the influx of "issues, value orientations, contributions and programs originating from [and within the neutral] political public space" (Habermas 1992:

506). All citizens must converge together in this neutral political space, to reaffirm their existence and membership in the democratic nation (Habermas 1974).

This neutral space becomes more and more difficult to construct and maintain (but all the more needed) as societies become more multicultural in composition and as cultural differences become more marked, disparate and extreme, which makes it even more crucial that the construction of this space and related institutions is deliberate and precise. Habermas is well aware of the risk that the most powerful, often cloaked in the rhetoric of universalism, could invade, distort and bias the procedural political culture (Habermas 2004: 14). So while Habermas calls for the integration of citizens into the common political culture, a culture upon which no one can be permitted to encroach, he does not advocate and, in fact, seeks protection for individuals from an 'ethical-cultural integration' through which individuals are assimilated into "the way of life, the practices and [the] customs of the local [majority] culture" (Habermas 1994: 138). To collapse the distinction between political and 'ethical-cultural' integration would, Habermas believes, lead to tyranny, whereby the dominant culture would abuse state power "at the expense of the equal rights of other cultural forms of life and violate their claim to mutual recognition" (134). The common political culture would become value-laden and biased. For instance, Habermas stresses that immigrants cannot be coerced into surrendering their own traditions and values, although their assimilation into and respect for the political culture is required, since "that identity is founded on the constitutional principles anchored in the political culture and not on the basic ethical orientations of the cultural form of life predominant in that country" (139).

While there are certainly many more issues and nuances to be considered, in particular when one examines more fully how such a framework would be institutionalized in France in practice⁹⁰ -- for instance, if and how laws could maintain the break between the political and the ethical-cultural -- I do think that the notion of political values as the basis of national unity may be fruitful as one turns away from the staunch revolutionary view of unity-as-uniformity (Mény 2002) and works to strike a balance between universalism and social cohesion on one side and cultural and ethnic difference on the other -- the challenge of reconciling (in Silverman's words) a "respect for multidimensional differences [with] the need for common rules and social solidarity" or of "blending" (in Wieviorka's words) the right to difference with the "universal values of reason and law" (Silverman 1999: 59, 63). And in fact, what I gesture to here could be a simple return to (one particular version of) French Republicanism, at least as some, like Cécile Laborde, would assert; she contends that French Republicanism is not based on a common cultural identity, rather on a "shared willingness to be an active member" of and a responsible citizen in the republican nation-state -- a view of republicanism not inconsistent

⁹⁰ For instance, under this proposal, there would need to be concrete reform of educational curricula so as to take better account of cultural diversity, to reformulate myths and to instill political (and not ethical-cultural) values. And such may be necessary to maintain the active role of schools in French society: "A curriculum which fails to recognize cultural diversity is likely to be one of those factors that alienates many pupils and leads them to reject the very basis of the institution that is failing them" (Starkey 2003: 114; Bleich 1999: 60). I leave the fuller discussion of curricular reforms to education scholars and practitioners.

with what I propose here (Laborde 2001: 719; 2008).

IV. CONCLUDING REMARKS

In this section and the dissertation as a whole, I have examined how French Republicanism, as a political model and framework, conceives of, approaches and interacts with various forms of cultural difference, in particular with the North African or 'Muslim Other.' The broader purpose has been twofold. **First**, I have supported the initial assertion that the French Republic is not compromised of or constituted by one continuous or cohesive narrative, which stretches from Rousseau's desk to the French Revolution to the present; rather, it is a diverse assortment of narratives, which shift on the basis of historical circumstances, political necessities, social and economic conditions and individual personalities, from Maximilien Robespierre to Nicolas Sarkozy. Certainly, there are certain 'core' features of French Republicanism, which I have laid out in the first section, but those features, too, have been interpreted and re-interpreted over time and to a visible extent. **Second**, in reference to issues of cultural difference, I have argued that this assortment of narratives is not necessarily an indication of weakness or a 'crack' in the model; they are inevitable, realistic and revealing in this discussion, for they illuminate how cultural diversity underlies the history of the French Republic in certain fundamental ways and they thus uncover a certain flexibility or elasticity within French Republicanism for cultural difference. For instance, the illustrations and historical accounts discussed in this section demonstrate how France consists, in fact, of numerous Frances, which are simultaneously attached to and detached from one another, within a Braudelean vision for a 'patchwork' or 'puzzle-like' France (Braudel 1988: 42). In other words, a diversified France can exist within a France *une et indivisible*, even if the two notions seem inherently contradictory. In truth, for Braudel and Michelet and as certain events and policies in the 1980s show, the French Republic has actively (albeit with a certain level of inconsistency) worked to foster this coexistence and to balance, in practice if not in theory, a unity-as-uniformity with a unity-at-least-tolerant-of-or-'flexible'-in-its-treatment-of-diversity. And finally, as I contend in this section, the flexibility is not merely a necessary evil; it is normatively beneficial to France, as it allows the nation-state (and its dominant cultural framework) to evolve and react more effectively to modern circumstances and to enrich the lives of its citizens.

There is and maybe always will be an ongoing dialogue and tension in France between unity (as uniformity) and diversity, between universalism and cultural difference, even if that discussion is often obscured by the universalized and revolutionary myth, which "infused the cold monster of state authority with the hot blood of democratic nationalism" (Hayward 1983: 2). And it is critical that one engage in that dialogue and work to negotiate a sustainable and desirable balance between national and social cohesion and 'conflicting' cultural values, traditions, beliefs and identities, and that one recognize that the terms of this negotiation are not set. There is, at least in practice, a viable space within French Republicanism for a compromise -- that is, a potential space for cultural difference within the French nation-state -- which has, at times, been more flexible than 'traditional' theory and rhetoric would admit. Indeed, the French Republic remains, to extend Michelet's metaphor, a "living" and breathing organism, which continues to evolve to its surrounding circumstances; it is not foreordained, rather a "work in progress" (Michelet 1835a: 142; Hayward 1983: 2; Wright 1966: 587).

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