The Implication of the Concept of the French State-Nation and 'Patrie' for French Discourses on (Algerian) Immigration

Ulla Holm

The purpose of the article is to explore how the 'exceptionality' of the concept of the French political state-nation together with the concept of 'patrie' (country) frames what can be said and not said in the discourses on (Maghrebi) immigration. The question is therefore how the building blocks of the definition of the French state-nation and 'patrie' frame the discursive struggle between the dominant and marginalized discourses. Furthermore I will investigate to which extend the discourses on immigration succeed in 'securitizing' the immigrant.

The article proceeds in three parts. The first analyses the relationship between the concept of the political nation, state and *patrie*. The second part analyses how the above mentioned concepts relate and frame the different discourses[1]. The last part discusses to which extent immigration has been 'securitized'[2].

The Concept of state, nation and 'patrie' (country)

The 1789 revolution was an uprising by the nation against the royal state. In one jump the revolutionaries seized the state of *l'Ancien Régime* and transferred the concept of sovereignty from the monarch to the nation. In that moment the nation was elevated to the condition of statehood. The nation became a state and the state became the embodiment of the nation. The two concepts became totally fused.

"The revolution, and the republic which grew out of 1789, shed light upon the French concept of the nation. This is a political notion because the nation perceives of itself as a body of citizens. The concept of nation, that is based on the idea of the social contract

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[1] I analyse the right and left republican discourses that comprise the Gaullist party (RPR), a certain part of the Socialist party is carrier of. The Communist discourse is not treated apart because it shares the discourse of the left republican. The discourse of the Greens is the same as the 'pluralist' discourse of the majority of the Socialist party and parts of the Liberals (UDF). A case apart, is the discourse of the extreme Right that is analysed separately.

[2] The intention of the paper is not to discuss various initiatives of integration. That kind of analysis is linked to sociology.

between the individual citizen and the state-nation, where every citizen is a part of a whole in a universal perspective, means that every individual can become a citizen in France, or elsewhere, if he agrees to enter into this political and social contract. A nation that bases its existence on a contractual and universal concept is a political nation. Only the political nation is able to create the political identity of one people thus preventing the interests of the individual from controlling society. Without a common will, there is no nation. Without a voluntary contract, there is no nation. The nation is open to all those who wish to join this political project and the French nation respects similar projects of other nations. Together with those nations, the French nation will build up the universal principle of freedom."

This declaration comes neither from abbé Sièyes, the theorist of the importance of the Third Estate, nor from Rousseau but from the then Socialist Minister of Defense, Jean-Pierre Chevènement, who wrote the above words in 1988 in the Socialist review *République*, The words are totally in line with republican Jacobinism. During the revolution (1789-93), the Jacobin political theory developed its thesis on state, nation and society. It emphasized 1) indivisible national sovereignty, 2) the role of the state as a transformer of society, 3) administrative centralization, 4) the equality of citizens which is to be secured through equal legal rights, and 5) uniform education for individuals to ensure a uniform political concept of the citizen. The general concept underlying these elements is a strong belief in the necessity of upholding a powerful state and an indivisible, sovereign, and public authority that rules society thereby preventing its fragmentation into particular interests. The idea of the active citizen who *is* the nation cannot exist without the strong state. The state thus becomes the guarantor of the national political identity. The unification of state and nation implies that the citizens endorse the same set of political values. They constitute a uniform mass. This revolutionary concept of citizen heralded the transition from a society that reposed on differences in privilege, to a contractual society which exists between the state and the nation where the individual is no longer in the power of destiny but shapes his or her own future based on deliberate and voluntary support of a legal society. The individual choice of a national citizenry, therefore has nothing to do with ethnic, cultural or biological criteria. It is a choice determined by will expressed in the famous word of the Ernest Renan: "The existence of a nation is a daily plebiscite" (1882).

The relationship between the French revolutionary state-nation and the Jewish population is an illustration of this. In 1791, a representative declared that Jews as a nation have no right to exist because there cannot be a nation within a nation. But, as individuals, their rights as citizens can be guaranteed, and in this way they can become citizens of the French nation (Winock, 1990: 188)[3].

Due to the concept of individual universalism, France is proud of being able to turn foreigners/immigrants into citizens. Basques, Corsicans, Bretons, Algerians, Tunisians and so forth are not considered as minorities. It is therefore a revolt against the ideals of the 1789 Revolution to give specific rights to ethnic or religious groups. If the immigrant actively and individually chooses to become a citizen in the political state-nation he will be French on a par with the French who has been living for generations at the French soil. His or her national sentiments are not judged by ethnic and religious criteria. The 'ethnic' citizen does not exist or rather does not have to exist. This means that in the Jacobin conception of state-nation there is a great mistrust of the 'right to difference'. Ideally, 'Verfassungspatriotismus' is what matters.

This is the ideal concept of the political nation, but this concept is linked to another concept 'patrie' (country) which makes the relation between politics, nationality and emotionally affiliation much more complex.

"La Patrie": a Culturally Defined Concept

Beneath the ruling political concept of the citizen, a culturally defined bomb is ticking in the form of a culturally defined concept 'patrie'(country) that is in opposition to the political concept of nation but linked to it. This concept has survived since the Revolution. It has been manifest primarily in the regionalist movements, amongst the right-wing intellectuals, and Catholic fundamentalists. But also important historians from the 19th century (Michelet for example) very often refer to the concept of 'patrie' as a constitutive element of the political nation. This concept posits the non-institutionalized affiliation of a particular group to defined territory on the basis of common history, habits, language, culture and religion. The concept relates to a

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[3]The admission of Jews to full citizenship was rescinded during World War II by the Vichy regime.

deep, trans-historical and organicist concept of the community. The 'patrie' thus exists before the birth of the individual. It is eternal and it links the past with the present and the future. The individuals feel equal because they are unified in a common community and speak the same language. To generate true patriotism, the political ideal of the republic has to be absorbed within the spiritual unity of the nation; the love of country preached by republican thinkers is translated into a different love: love of one's own culture, one's own language, one's own religion (Viroli, 1995: 139). The rational 'I think' is thus replaced with the mystical, 'it thinks in me', as the French philosopher A. Finkielkraut writes in his book " La défaite de la pensée" (The Defeat of Thought)(Finkielkraut, 1987) concerning the difference between the French republican concept of nation and the German organic concept of nation[4] (Kulturnation) which he rejects as a concept because it fosters exclusion of the foreigner. But the problem of this reading of Renan is that he only reflects on Ernest Renan's statement about the existence of a nation as a daily plebiscite. He does not discuss the organic concept that is inherent in Renan's definition of a nation.

Finkielkraut's 'reading' of Renan has been seriously challenged by   other   readings (Safran,1991;Silverman,1992;Roman,1992;Hermet,1996)   which underline the importance of the concept of a spiritual common past and tradition which is evident in Renan's lecture at Sorbonne in 1882 entitled 'Qu'est-ce qu'une nation'. In this lecture Renan spoke about 'the nation as a soul, and as a spiritual principle'[5]. The readings of the above-mentioned writers showed that the notion of the political nation never since the revolution has 'lived' alone as a pure political concept.

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[4]Finkielkraut warns explicitly in his book against a French cultural nation à la German *Kulturnation*. In line with this mistrust to a cultural defined nation, Finkielkraut was in 1989 co-signer - together with four other outstanding intellectuals - of an open letter to the Minister of Education. The letter supported the exclusion of three girls from school because they were wearing headscarfs that was regarded as a violation of the secular uniform public space. (Silverman, 1992: 112) (see below)

[5] In the words of Ernest Renan, in his classic lecture "Qu'est-ce qu'une nation?": A nation is a sentiment, a spiritual principle which is based on two things: One is in the present, the other in the past; one is the common possession of a rich inheritance of memories, and the other, a common consent, a desire to live together, and the will to help the heritage that each individual has received prevail in the future. The nation, like the individual, is the culmination of a long history of efforts, sacrifices, and devotions. The cult of ancestors has made us what we are. A heroic past, great men...common glories, a common wish to do things together- these are the conditions of being a people (Renan, 1947, I: 903-904).

It has always existed together with 'patrie'. The latter is always bound to the former concept. The two concepts constantly relate to each other. The concept of 'patrie' being linked to the concept of the political state-nation as sub-concept. The French have thus succeeded in living without the earth-bound cultural concept of Kulturnation, because the 'patrie' is a back-up for the political nation. The 'earth' is assured by 'patrie' but is held in check by the political nation that for its part assures an ideal political dimension because it does not need to relate to 'the earth'. If the two concepts become disconnected, the 'patrie' becomes a purely cultural concept - a concept of Kulturnation - and the political nation becomes a 'cold political beast'.

The three concepts, state, nation and 'patrie' are "bound in a marriage with firmly defined roles. The 'patrie' and the nation call upon each other either lovingly or hatefully. The state and the nation are inseparable whereas the state as an institution and the 'patrie' have nothing to do with each other" (Peloille,1983:106).

Since the mid-1980's the relationship between the three concepts have been challenged by different discourses of the so-called second generation of migrants but also by regionalists movements and by the extreme right. They all are struggling for the 'right to difference' that is protest against the abstract political idea of nation materialised in the centralised state. Emphasis on ethnic differences is thus a growing challenge for the French political concept of the state-nation. This might result in an increasing central position of the concept of 'patrie' which endangers the hitherto fine balance between the notion of nation and 'patrie'. If this balance is going to be changed the concept of 'patrie' might be detached from the notion of the political nation.

The question is therefore, whether the 200 years old symbiosis between the centralised state and the political nation is about to be relaxed, leaving room for more 'patrie'. If this is the case, the political nation will be transformed into a Kulturnation ie. a 'patrie', which is hard believable. If the fusion of nation and state becomes still more challenged because still more state-qualities are lifted up to the European level there is a risk for distintegration of the two concepts. Thus the important question is how the relationship between the political nation and the cultural 'patrie' will develop in the future because the relationship between the two concepts are of high importance with regard to the perception of immigrants.

The Fear of multiculturalism

"There are different conceptions. One is based on the right of ethnic minorities, of communities; this is the concept that has been adopted in Anglo-Saxon countries but is also prevalent in Europe, notably in Eastern Europe. The other concept is ours, French but also continental, based on individual adhesion... Those who talk of communities are wrong. It's another way of imprisoning people within ghettos rather than affirming their right to opinions as individuals". (The former president of the French Council for Integration, Marceau Long, quoted in *Libération*, 19 February 1991)

The French left and right republicans mistrust the Anglo-Saxon multicultural model, which is regarded as 'ethnicisation' of integration (Jenkins and Sofos,1996:115)[6]. An ethnic defined nation will - according to the concept of the political concept of nation - be identical to disintegration of the nation into ghettos each with its own ethnic culture. This process might trigger what is called in France 'tribal wars'. In October 1992, the periodical *Le Nouvel Observateur* put the question of the risk of tribalism to a number of historians and

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[6] Many concepts are used in order to describe the different ways of integration of immigrants. The most frequently used are: assimilation, integration, insertation. The reports of the state concerning the immigrants' situation in France are most often labelled either 'insertation' or integration' and the state organisations dealing with immigration are called: *Comités interministériels à l'intégration*, *Secrétariat général à l'intégration, le Haut Conseil de l'intégration* The concept of 'integration' is posited in opposition to the notion of 'exclusion'. It is a highly vague concept because usually it is defined as following: It implies a pluralist society which in the long run will result in re-organisation of society which actually cannot be defined" (Martin,1994:271). A report on immigration from 1991 published by the *Haut Conseil à l'intégration* tried to define the concept by setting up a chain of conditions for successful integration i.e.: Political participation, legal equality, attempt to converge and accept differences and inter-group solidarity (Martin, 1994: 250). At the same time, the report underlined that all these concepts are intertwined and always in process. Thus, the report cannot fix and thereby stabilize the meaning of the concept. The concept 'assimilation' is mostly banned from official language because of its air of French colonial past and because it connotes mechanism of cultural identification i.e. the cultural dimensions of the process of immigration and the cultural and social differences established between immigrant groups and those who welcome them (Silverman:1992: 12). It connotes thus a total carbon copy of an ideal type of Frenchman. This is a concept of total identification that only the extreme right and hard-core republicans adhere to. But according to Francoise Lorcerie, integration and assimilation are de facto nearly similar expressions. They cover the same procedure and vision of the relationship between the immigrants and the state-nation (Lorcerie, 1994: 252).

sociologists. The revealing title of the questionary was "*The Shattered France. Are we in Danger of gradually sliding towards an American Model?* (Le Nouvel Observateur, 12-18 October, 1992) This title implied that the American melting pot model[7] was seriously threatening the political culture of the unified state-nation. The title simultaneously implied that what happened in the Soviet Union could happen in France, because *The Shattered France* implicitly refers to the book, *The Shattered Empire* by the French Soviet (Russia) researcher H. Carrère d'Encausse where she predicted the disintegration of the Soviet Union.

In an interview in 2000, one of the protagonist of the republican model, Samir Naïr, a wellknown political scientist[8] - synthesized the radical republican fear of disintegration of the political nation: "How to defend the French singularity at the European level when the cultural and social Anglo-Saxon model (communitarism, differentialism), which is opposite to our concept of republican citizenship, is about imposing its model all over in Europe?" (*Label France*, January 2000, no. 38)[9].

Primarily, this mistrust of ethnic particular interests has its roots in the conceptualization of the state-nation. It is furthermore fueled by the memories of the atrocities of the Algerian war of independence (1956-1962). Fear of revival of war and barbarism because of the existence of big Algerian communities in France is still existing (Geisser, 1997:23). Thus, the 'idealization' of the concept of the political nation and the bad experiences of the past make huge part of the political and intellectual fearing the existence of ethnic communities and minorities.

The Socialist discourses posit the affiliation to the concept of the state-nation as nodal point as for construction of French identity. But because of the linkage of the concept of 'patrie' they vacillate between

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[7]   In fact, it is more like a salad bowl than a melting pot.

[8] Samir Näir is also member of the republican left wing party, *The Citizens' Movement* (MDC) and in this capacity, he is a member of the European Parliament.

[9] Naïr syntetized very well the difference between universalism and particularism in 1992: "Whilst the major preoccupation of the republican concept was the concern with universalism, the proposed model of an abstract ideal as the goal of all ordinary citizens, equality as the *sine qua non* of communal life, the construction of a neutral public space - the new concept (of multiculturalism) is centred on the individual subject, rejects the abstract project, prioritizes liberty over equality and opens up the public space to the clash of cultural particularism" (Naïr, 1992: 44-45). See also J.-H. Kaltenbach, M. Tribalat (2002).

an 'idealisation' of the abstract concept and taking into account more 'patrie'. Since mid-1970s most of the socialists adhere to more cultural differenciation. Former Prime Minister, Michel Rocard advocated the right to difference which the so -called second generation (les Beurs i.e. young Arabs) used as slogan in their manifestions in the 1980s[10]. The former Prime Minister, Lionel Jospin, declared at the socialist Congress in 2000 that in fact society is marked by what he called 'métissage' (hybridization) i. Multiculturalism, and the political values should guarantee that people safeguards mutual cultural respect (www.ppsinfo.net/entretiens/yamgnane/grenoble: *Pour une véritable politique francaise de l'immigration: promouvoir l'intégration républicaine*).

Since mid-1970s the liberal discourse of *Union for French Democracy* (UDF) has as the Socialist one the same vacillation as for the relationship between the three concepts. But because of the liberals' belief in an 'open society' that equates less state intervention the liberal discourse is more prone to give in to the individual right to choose one's own way of living. Therefore control of construction of identity is a negative concept. Former President Giscard d'Estaing (1974-1981), the then leader of the liberal coalition UDF, declared therefore in 1975 that pluralism starts with recognition of difference (quoted from Silverman,1992:88). The Former liberal Prime Minister, Alain Juppé stated in July 2001 that integration and pluralism go hand in hand(www.udf.org/presse/interviews/fb).

According to C. Whitol de Wenden, the notion of multiculturalism in the integration discourse of the Socialist and liberal parties, has to be regarded as a transitional form as for integration into the political nation. It is considered a process that means that the concept of multiculturalism is instrumentalized in relationship to later political integration (Wihtol de Wenden, 1999). This interpretation of the intentions of the parties is not evident when one analyses the discourses of the liberals and parts of the PS. De Wenden's interpretation is more an interpretation of the 'inner' motives of the actors than a discursive analysis. When analysing the discourses, the notion 'pluralisme' i.e. pluralism of culture is frequently used thereby opening up for new relationshipsbetween 'patrie' and political republican values is constituted (see figure. p. 36).

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[10] Since the beginning of the 1990s the second generation do not use this slogan that much. Instead, the right of citizenship and public financing of mosques have come to the fore. Thus, religious difference and political equality go hand in hand.

In the left and right republican discourse multiculturalism is a negative word which is posited in opposition to integration into the political nation (de Wenden,1999:123). So do the extreme Right (*The National Front* and *The National Republican Movement*)[11]. But in opposition to the discourse of the right and left republicans, the extreme right discourse essentializes culture. It delinks tendentially the concept of 'patrie' from that of the political state-nation by inverting the relation between politics and culture. Culture is thus something that exists before one becomes a political individual. The foreigner, the immigrants have to 'drink', to absorb the spirit of the culture before being permitted to enter the political nation. French identity is represented as a cultural organic body that has been contaminated by the impure blood of the foreigners. In order to 'purify' the body from this 'virus' one has to raise the 'suspension bridge' either by introducing criteria of 'national preference', by using the criteria of 'jus sanguinis' in granting national citizenship (see: Jus Soli and Jus Sanguinis: The Relationship between the Political Nation and the 'Patrie') or by expulsing the 'others' especially the Maghrebi immigrants onto the other side of the Mediterranean[12]. In the discourse of the extreme Right, a harmonious society will arise and conflicts and differences will only take place in a disharmonious periphery (Huysmans,1995:56), if 'patrie' gets the upper-hand.

The concept of 'national preference' signalizes that different identities might live <u>beside each other</u> in parallel communities with clear-cut borders towards each other; but they should not live together. Thus cultural relativism - which was the mark of the left in the 1970s - serves as legitimization of exclusion in the discourse of the extreme Right.

The culturally defined concept of 'patrie' balances with the introduction of a biologically defined cultural concept. Culture - common past, habitudes, language and religion - is no longer something which one can be brought up to, but something which is in the genes, the blood. From 'ethnicisation' to 'biologicalizition' there is

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[11]In January 1999 *The National Front* was split into two parties which programmatically are identical. The break-up was due to personal struggles for power.

[12] The withering away of national borders that in the discourse of the Extreme Right might result in hybridization of identities is represented as opposed to history. Le Pen and the leader of the *National Republican Movement*, Bruno Mégret both refer to the battle at Poitiers 732 where the French king Charles Martel stopped the Arab invasion from Spain (see above-mentioned websites). The victory is in the discourse of the two leaders seen as a sign of the necessity of struggle against internal and external enemies.

only a small jump. If the 'other' is inherently different to oneself it is not difficult to transgress the cultural relativism ending up in concept of race which is more prone to securitization (see: The Headscarf affair: An Example of 'Securitisation' of Islam and Secularism).

Thus delinking the concept of 'patrie' from the political nation results in 'patrie' being an 'empty signifier' which means that the signifier ('patrie') is emptied of any precise content due to 'the slidings of the signifieds under the signifier. It is so over-coded that it means everything and nothing (Torfing, 1999:301). Not being held in check any more by the concept of the political nation, new meanings are inscribed into the concept of 'patrie'. The empty signifier, 'patrie' becomes a nodal point by fixing different element within a chain of equivalence. In this case, it means that 'patrie' is linked to a biological sub-concept and to a cultural relativist one. The other discourses exclude the biologically defined sub-concept, which is alien to the whole construction of the relationship between state-nation-'patrie'[13].

Furthmore, 'patrie' is linked up to yet another sub-concept: christianity. Because 'patrie' relates to the notion of a common past, the extreme Right can posit Christianity as part of the past. It is easy to do that, because it relates to the words of de Gaulle: "France est 'la fille aînée de l'église'"(France is the earliest daughter of the Church)[14]. Thus the emphasis on the concept of Christianity being a sub-concept of 'patrie' constructs a clear-cut line of demarcation to especially Muslims (see: The Headscarf affair: An Example of 'Securitisation' of Islam and Secularism). Thus, ethnicity and religion exclude Muslims from being assimilable. But religion as important marker of French identity and as line of demarcation to the 'Other', produces its counter-concept: secularism. This concept is in all discourses - with the exception of the discourse of the extreme right - bound to the fusion of the state-nation (see figure: p. 36). In the discourse of the Extreme

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[13]That is not to say that it does not have a life of its own. At the end of the 18th century and the mid-1900th, the notion of a biologically defined concept of 'patrie' appeared. This was foremost due to the Catholic and republican struggle about which elements of French history constitute the 'real' history. In the Catholic discourse, the relationship to *L'Ancien Régime* with its rootedness in province and Christianity, constitutes the 'real' France'. The past and religion are what matters in this discourse. In contrast, the republican discourse posits the 1789 Revolution as the ' Secular Event', which designs the future. A chain of equivalence between Revolution, secularism and future is established. The other chain of equivalence is constructed among the elements of Christianity, past, feelings.

[14] This is a reference to the baptism of the Frankish king Clovis in 496.

Right, secularism and christianity go together in the sense that 'patrie' is about Christianity and the past, and secularism is about the secular State. Hence, the state guarantees that religion is linked to 'patrie' but not to the nation because in the discourse of the Extreme Right 'patrie' has replaced the nation. The notions of a secular state and a Christian 'patrie' constitute the Muslim as the 'Other'.

In real life, an 'ethnicisation' and religious differenciation is at work[15]. The Socialist-led coalition government (1997-) suggested for exemple in spring 1997 the establishment of state-subsidized Muslim university, where French Muslims can be qualified as imams. The intention of this proposition was to prevent the Saudis from continuing financiation of mosques and Koran-schools. Thus, the initiative is at the political level an outcome of the socialist discourse on integration into the political nation by 'nationalizing' Islam, i.e. institutionalizing Islam in various organizations which have to be closely linked to the state policies on integration.(Kastoryano,1996:14).

In the municipalities, flats are allocated on the basis of ethnic criteria. The state pays for teaching in mother tongues. Furthermore, it finances various associations of immigrants in order to promote culturel and social conscience. These initiatives indicate that a gradual 'ethnicisation' and religious differenciation is going on in various social spaces. This is tantamount to introduction of normes of particularism by ways of differentiated procedures for allocation of ressources. The real 'etnicisation', which is represented as a threat to French identity in the hard-core republican discourses, legitimizes the existence of minorities and ethnic subcatories. The institutionalization of cultural differences is legitimized in the socialist discourse in two ways: as a necessary means to prevent foreigners from becoming a cultural carbon copy of the French and as a means to ease integration into the political nation. Thus the increasing 'ethnicisation' and 'communitarianism' is the unanticipated result of opposition to the discourse on assimilation[16] and it gives evidence of the fragile balance between the notion of 'patrie' and that of the political nation.

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[15]For example, a 'Charter on Muslim Cult' has been adopted(Roy,1995, Cesari,1997).

[16] Discourses frame what can be said and thereby done. They can predict in a negative way what may be done in the future. That is not to say that changes in 'reality' do not influence the discourses. But I do say that these changes are inserted into discourses which make sense at the national political arena. The discourses pick up elements of the discourses and relate them in new ways in order to cope with 'new realities'.

Mitterrand's handling of possible tensions between the Arabs and the Jews during the US led Gulf War against Iraq (1991) is an example of this balance. His Prime Minister Michel Rocard convened representatives from the two communities in order to prevent them from using verbal and physical violence towards each other during the war. The posssible conflict between the two communities was represented as both a threat to national unity and as a possibility of approachment between the two communities. In the words of former leader of the Socialist party, Laurent Fabius: "Let us promote dialogue between Arabs and Jews. Let us act in the name of integration. But let us not return to the past when France was only a aggregate of various communities" (quoted from Geisser,1997:218). Dialogue, yes. But the revolutionary concept of state and nation does not have to be dissolved. If this happens the culturally and partly politically fragmented *l'Ancien Régime* will re-emerge.

The socialist discourse thus posits dialogue and 'balkanization' (aggregate) as binary concepts. Both concepts relates to the question about ethnicisation of the political nation, but whereas discourse on 'balkanization' relates to essentialized ethnicity, dialogue relates to negociations of cultural differences which are not that rooted that they cannot be integrated into the concept of the political nation. But the <u>negotiating management</u> discourse has a built-in expansion of ethnic claims which belongs to the concept of 'patrie'. The socialist discourse thus represents a process where 'patrie' becomes still more important at the expense of the political nation

The dominating discourse about fear of fragmentation of the national territory into various 'tribes' has thus since the beginning of the 1980s competed with a discourse about the necessity of <u>controlled communitarization</u> performed by the state. The former discourse is shared by left and right republicans and the extreme right. The latter unifies the Green Party, the majority of the Socialist Party, and the liberals.

Originally, it was the Right that in their struggle against the Jacobinism of the 18th century tried to justify the particularism of the provinces by invoking the 'right to difference'. Today, it is primarily the Right that is carrier of the discourse on ethno-particularistic threat to national unity. This turn stems from the fear of the withering away of the signification of the national borders thus making the way for 'invasion' of foreigners. The discourses of the socialist and liberal parties have difficulties in striking a balance between the notion of 'patrie' and the political state-nation. This is owing to the feeling of guilt

about French behavior towards Jews during the World War II and towards the natives in the colonies after the war. Furthermore, the Socialist party adheres to a state-like Europe that results in 'fuzzy' borders inside Europe. Thus the territorial state is no longer capable of being the entrepreneur as for the definition of the relationship between nation -state and 'patrie'.

The Immigrant: Worker, Arab, Illegal, 'Clandestine'?

Until the mid-1920s the (Algerian) immigrant was termed 'colonial worker' (travailleur colonial). Just after the World War II, this notion was replaced by ' French Muslims working in the metropolitan territory' (Francais-musulmans travaillant en métropole). The first term indicates that the metropolitan territory is identical to a working place whereas the second one designates a religious differenciation in relation to the secular French state-nation.

This conceptual sliding was due to hard discursive struggles between the Right and the Left in the inter-war period as for granting citizenship to Algerians. The left advocated French citizenship to educated Algerians even if they wanted to maintain their affiliation to the Muslim cultural and legal system.[17] The Right was absolutely against this fusion. It won the battle of the construction of the Algerian identity. Algerians had to abjure his Muslim identity if he wanted to be turned into a Frenchmen. This split-up of identities resulted in fueling the suspicion as for the Algerians' capability of distinguishing between religion and politics. This was clear in an official report about immigration published by the right-wing government in 1969: "by 2000 there will be so many Algerians that they will constitute an unassimilable island" (Hargreaves,1995;87).

The fear of the existence of a huge island in the middle of the French 'sea' is thus rooted in the French colonial construction of the 'ignoble Algerian savage' because of the perceived lack of Algerian will to receive the French message about secularism. Particularily in the discourse of the extreme Right and the Right, the Algerians still prove their rooted unassimibility to French values. The discourse of the Right therefore represents the Algerians as a double threat because they are spatially both inside the borders and outside the

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[17]In the 1880s, the Algerians were forced to choose either to become a French citizen or to live as a Muslim in terms of civil Muslim law.

borders, in Algeria. They threaten thus both the survival of the nation and the state (see: 'Securitization of the 'Algerian' Immigrant). The terrorist bombing in Paris 1994, 1995 by Algerian armed islamists groups were represented as a threat to the survival of the state and the nation.

After the decolonisation of Algerian in 1962 and until about 1970, the Algerian immigrant was most often designated 'immigrant worker'(le travailleur immigré). Hence, he was a member of a distinct social category together with other immigrants, whom the state did not care for as long as he worked. The worker was socially situated in the pheriphery of society in shanty towns (Silverman,1992:46). A social and geographical 'pheripherization' and 'invisibilitization' characterized thus this period. This was foremost due to the fact that the immigrant was regarded as an economic commodity, who did not possess any individual properties.

All political discourses in that period was primarily an economic discourse, but to a certain extent, the discourses also 'ethnized' the immigrants. They were divided already in 1946 immigrants into geographical terms, which expressed different degrees of trust in the immigrants' capability of integration into the French state-nation. As well as the urban space of immigration was characterized by the centre-periphery, the countries of emigration were mapped out into a construction of centre-periphery. The centre was Germany, Great Britain and Northern Europe because their immigrants were regarded as assimilable. The immigrants from Spain, Portugal and Italy constituted the first concentric circle. The Yugoslavians the second one because they were considered Europeans but not that assimilable as the Southern Europeans. Farthest out, all non-European countries. The case of each non-European immigrant had to be judged individually because he was not at all considered assimilable. The centre-periphery model was not applied to French colonies because they had individual arrangement with the metropolitan territory. Furthermore many of the colonized had French citizenship.

An built-in tension was thus present between the universal message of the political nation - i.e. everybody can be a French if he/she subscribes to the French political values - and the de facto 'ethnicisation' of foreigners by classifying them in Europeans (assimilable), less Europeans (assimilable but it takes time), not

Europeans (it is maybe possible to assimilate them. But it takes a long time)[18].

The tension became visible after 1968, where various external and internal factors resulted in politicizing this tension. From 1968 to 1978 a lot of decrees on limitation of immigration was set in work. It was foremost the Algerian who were targeted, because they were considered a threat to the societal stability being highly politicised both towards their own Algerian State and towards the French state. The French right-wing governments therefore proposed a system of quotas whose intention was to favor immigrants who were regarded as being best assimilable. And this was not the case for the Algerians[19]. The ethnic selection was linked to economic arguments: We do not need any more unskilled workers because we have high unemployment. Thus, in opposition to the dominating discourse in the 1950 and 1960s a negative relationship between economics and immigration was constructed. This was an outcome of the Middle East War of 1973 when a sharp rise in oil prices sparked widespread fears over the prospects for economic growth throughout Western Europe. Like all other European countries, France suspended immigration. De facto it was a halt to immigration. Instead, a law about family reunification was promulgated in order both to underline the humanism of the republic and to integrate the immigrants. This reunification meant a 'visibilization' of cultural differences in the public space which in the discourses became manifest from the end of the 1970s in the use of the term 'Arab' and later 'Algerian', 'Tunisian' and so forth. Furthermore, the term 'legal' entered the discursive political space.

Whereas the immigrant up to 1968 was regarded as an economic, invisible manpower, he/she became still more considered a threat to French identity. In order to combat the perceived threat to societal identity, the governments launched programs for integration,

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[18] Europeans were more commonly referred to as *étrangers* (foreigners. (Hargreaves, 1995; 18)

[19] The French and Algerian states have ever since the peace treaty of Évian (1962) concluded annual agreements as for the amount of Algerians emigrants. These agreements have also been calculated on the basis of French perceived need of workers. In 1971 the French right wing government reduced the quotas because of Algerian nationalisation of French owned oil wells. In 1973, the Algerian government prohibited emigration because of many racist attacks on Algerians. But it had to suspend this prohibition because of state deficits. Thus the question of emigration and immigration is highly politized by both states.

thus making a distinction now between those who were legally inside the territorial borders and the illegals who were outside the borders. Thus the two terms 'Arab' and 'illegal' became negative terms. The first one because 'Arab' signifies a boundless individual, not bound to any state-nation but to an amorphous Mediterranean space that is characterized by identical uniformity. This concept of uniformity connotes the term 'invasion' because of its lack of differentiation. The second one, the illegal, because it connotes invisible mass, who penetrate the border. (see below)

Alongside these 'Arabisation and illegalisation 'discourses there was a competing discourse which can be classified as 'differentialisation' discourse. Contrary to the 'Arab' discourse, the latter marks the national identity of the 'Other'. Doing this, specific Arab nationalities were constructed as threatening. This applied especially to the Algerians who because of the past are considered the most threatening because the most unassimilable (Silverman, 1992:74-75).

Thus, since the end of the 1970s discourses about immigrants as threat to French identity have been visible. But they stopped temporarily the first three years of Mitterrand's era (1981-1995). From 1981 until 1983 the immigrant was termed as immigrant worker just as in the 1950s-1960s. But in opposition to these times, the immigrant worker was now inscribed into a discourse of social solidarity between French and immigrant workers. This discourse became marginalized from 1983 because of change of Keynesian economic politics to more liberal economic politics and because of the success of the extreme Right in the municipal elections 1983. Instead the discourse on threat to identity was reinforced with relationship to debates on citizenship, legal equalities, right to difference, individual assimilation, communitarism as means of integration, and especially the role of Islam in the secular state-nation. (De Wenden, 1995:63). All these debates were crystallized in what could be termed a discourse of juridical differentiation of the immigrants, expressed in the words of Mitterrand: "I think it is necessary to distinguish between applicants of asylum, travelers who are only in France for a few days or months, applicants of visa and finally those who are legally in France"(Barats, 1999:48). One more term could be added: extra-communitarian resident' (Henry,1994:59). It is a term used since the 1990s in legal documents. The opposition to that term is of course 'intra-communitarian resident'.

The above-mentioned terms construct a border between the legal space of Europe and the rest of the world. The 'juridification' discourse deepens the above mentioned binarity by positing 'legal immigrant' in opposition to the illegal, the 'clandestine' the 'sans-papier' (without passport and other identification papers). All extra-communitarian residents are thus potentially exposed to police raids because it is not written on their back whether they are legal or illegal. The 'juridification' discourse has thus a built-in criminalization of the extra-communitarian immigrants. Furthermore, the term 'illegal' refers to the notion of furtiveness of the immigrants. This is represented as undermining the social cohesion because the illegals are difficult to find because of their stealing away across the borders at night thus 'infecting' the social body without the knowledge of anybody.

The 'juridification' discourse is shared by a huge spectrum of the political parties. Parts of the Left is carrier of this discourse because it sets up 'objective' criteria of how to handle immigration. The left discourse might legitimate the construction of the border between legal and illegal by referring to 'objective' criteria which apparently are 'cleaned' from discrimination and racialisation. The extreme Right is carrier of the same discourse but it legitimate it in another way by referring to a future harmonious French identity paradise with fixed French identities without disturbing element. The Right is divided between the two reasons for legitimizing the discourse.

But the discourse 'securitizes' (see for definition pp. 21-23) and thereby stigmatizes illegal immigration stressing the link between criminality and illegality. At the political level this leads to claim for change of the laws of nationality in order to prevent immigrants from becoming too easily French citizen. Thus the linkage between criminality and illegality renders visible insecurity in a supposed internal order. The feeling of insecurity fosters more insecurity that results easily in 'securitizing' the illegal which again results in claims for changing the laws of nationality in order to reestablish order.

Jus Soli and/or Jus Sanguinis: the Relationship between the Political Nation and 'Patrie'

In French legal philosophy there is a distinction between nationality and citizenship. Nationality is granted either according to the principle of *jus soli* (living on French soil) or according to *jus sanguinis* (bonds of blood). Citizenship is based upon the Declaration of the Rights of

Man from 1789. It is inserted as the preamble of the Constitution. Thus citizenship is a universal principle. The French reality is otherwise. The immigrant gets only citizenship if he/she has been granted French nationality. An immigrant who has been living on French soil for maybe five years without being 'nationalized' has no vote. Fusion of nationality and citizenship is reality (Schnapper, 1995:69)[20].

A legal reflection of the notion of the political nation is the emphasis on the concept of *jus soli*, rather than *jus sanguinis*, that is, birth and residence in France, and adherence to republican principles, rather than descent from French ancestors, in the granting of French nationality (Safran, 1991:221). But the French Codes of Nationality[21]

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[20] Since mid-1980s, a heated debate on possible delinkage of nationality and citizenship has been launched. It is due to the fact that the integration discourse posits the notion of rights and duties in relationship to national identity. The program of the Socialist party (1981) proposed that immigrants - having not been granted French nationality - should have the right to vote at the municipal level. But the socialist party 'forgot' the proposal when constituting the Socialist coalition government in 1981. Ever since, Socialist party members regularly put the proposal on the political agenda. Regularly, it is removed from the agenda. Before the municipal elections in 2002, the party has once more put this question on the political agenda (www.psinfo.net/entretiens/yamgnane/grenoble). But it remains to be seen whether they stick to that after elections. The hesitation is due to the refusal of the Right to delink citizenship from nationality and because delinkage of nationality and citizenship is a heresy to the idea of the fusion of nation and state: Either one is a political member of the whole construction or not at all. Furthermore, the idea of the unified state-nation implies that political middle level authorities are unwelcome. The centralized state-nation holds all political legitimacy. A local representative is thus foremost seen as a local representation of the national level. Thus the logic runs: no nationality, no representation at the local level, because the local level is closely tight up to the superior level, the state-nation. But this way of thinking territory, state and nation has been heavily under attack since 1981. Both the increasing regionalization and the request of vote at the local level in the name of integration change the relationships inside the 'normal' concept of the state-nation (Holm: 1993). Furthermore, the fact, the EU has introduced the notion of European citizenship underlines the discrimination as for citizenship between Europeans who have not lived for a long time on French soil and immigrants who have maybe lived there for long time without the right to vote.

[21] Since 1968, the Algerians have 1968 'double *jus soli*'. It signifies that if an Algerian is born in France having a parent born in Algeria before 1962 (year of independence), the child is automatically French and Algerian. This is due to the fact that Algeria during the colonisation was an administrative part of France. But in other ways they are discriminated in comparison to other foreigners. A child born in France by Algerian parents living in Algeria have no rights to stay in France permanently if the parents only have a visa of three month. This discrimination is maybe going to be abandoned because of a governmental proposal of a supplementary clause which will considerably ameliorate conditions for entrance, working and staying in France (*Le Monde*, 28th of July, 2001, p. 6).

is in reality a mixture of *jus soli* and *jus sanguinis* and have been so ever since Napoleon (Withol de Wenden,1995:59)[22]. The codification is thus a balance between the notion of the political nation and that of 'patrie' (common past, cultural heritage, rootedness).

The Code of Nationality has been changed numerous times since 1851. The greatest change took place in 1993 by the adoption of the so-called 'Pasqua-laws'[23]. Both before and after the adoption a heated debate was going on amongst the right and the left politicians and out-standing intellectuals[24]. The left republicans' discourse represented the laws as violation of the principle of universalism, i.e. the ideal principle that everybody can be French, when born in France (Naïr, 1997). The former Code of Nationality stipulated that children born by foreigners but having residence in France automatically is granted citizenship at the age of 18. It was especially this automation which became contested because of suspiciousness of the Muslim's (read: Algerians) will to integration. In the discourse of the Right, the idea of a solemn and formal declaration - an American-style oath of allegiance to the French state-nation was claimed. The majority of the parties did not put into question the principle of *jus soli.* The Left only wanted the principle to be the only one for becoming French citizen. But the Left borrowed elements of former Right-wing discourses (back to *L'Ancien Régime* by underlining the priority of the concept of 'patrie') in its defense of the expansion of the *jus soli*. It underlined the affiliation to specific region, locality and history. Hence, they put the concept of 'patrie' into a priviliged position. At the juridical level it was linked to *jus soli* which is an contradiction in terms, but it manifest the unstable relationship between the concept of the political nation and 'patrie'.

In the discourse of the Right the strengthening of the political contract between citizen and state-nation was at the centre. The right-wing discourse was thus a pessimistic version of the 'normal' left republican discourse by underlining the importance of the concept of the political state-nation. All parties have to refer to the same building

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[22] Identity during *l'Ancien Régime* was only a question about *jus soli* (Wihtol de Wenden, 1995: 59)

[23] Charles Pasqua: Former right-wing Minister of the Interior (1993-1995).

[24] In 1986, when Jacques Chirac was Prime Minister and Mitterand President (the first so-called cohabition), Chirac tried to change the Code of Nationality. A state -report proposed that nationality should be a voluntary request and not an automatic right (Silverman, 1992; 146). But Chirac dropped the proposal because of fierce opposition.

blocks as for the construction of the state and nation. But the legitimization of doing that is different in the different discourses. This fact has consequences at the political level.

The Right won the struggle for changing the Code of Nationality. The pessimistic view on the Muslim capability of integration got the upper hand. This resulted in promulgation of the Pasqua-laws (1993) that meant an annulment of the automation in granting citizenship to children born in France by foreign parents. Between their sixteenth and twenty-one year they had now to show up at the police station declaring that they wanted to be French citizen. Citizenship was granted if they had a clean criminal record or 'only' a sentence up to six months. Thus the code was an expression of the fragile balance between 'ethnicisation (i.e. criminalization of certain ethnic groups) and the values of the political nation.

The majority of the Pasqua-laws were annuled when the socialist-led government came into power in 1997. According to the law Guigou (1998) citizenship was again granted to children born by foreigners – either at 13th or 16th or finally at their eighteenth year(www.admi.net/cgi-bin/adminet/article). The law reintroduced the principle that children born in France by Algerian parents born in Algeria before 1962 become French at the birth, whereas children from other former colonies have to wait until their 13th year (De Wenden; 1998; p. 102).

The ever heated debates on the Code of Nationality are owing to the attempt at materializing the ideal of the political contract. Because of the close relationship between the concept of the political nation and that of the 'patrie' it is impossible to establish either the concept of *jus sanguinis* or the concept of *jus soli.*

Both right and left republicans discourses refer to republican values (political contract) as the fundamental pillars of the 'exceptionality' of the French state-nation. But in the right-wing discourse, republicanism has to be materialized in an oath to the Republic because of mistrust to the 'Muslim Other'. Many left republicans are not at all foreign to that idea because they of all parties cherish the principle that the citizen actively has to manifest his/her allegiance to the political values: 'the nation is a daily plebiscite' (Ernest Renan: see: La Patrie: a Culturally Defined Concept).

The Extreme Right tries to make the *jus sanguinis* prevailing. But at the same time it underscores the necessity of safeguarding the republican values. This is very evident in their programs where both

the *National Front* and the *National Republican Movement*[25] require on the one hand *jus sanguinis* as the only criterion for obtaining citizenship - i.e. blood and genes are what counts - and on the other naturalization on the basis of taking an oath on the Constitution (Program of the *National republican movement* and of the *National front*, www.m-n-r.com/site/idees/programme; www.front-national.com/programme/axes). Underlining this condition for naturalization the Extreme Right is completely on line with the discourse of the right and left Republicans.

The struggle between the different discourses will certainly continue and eventually be sharpened if the Maghrebi states 'produce' still more immigrants. But is unlikely that the discourse of the Extreme Right becomes dominating because of the historically rooted 'exceptionality' of the French concept of the political state-nation. At the juridical level it is likely that the fear of immigrations will result in further tightening of control of borders, restriction of delivery of visa and hunt for 'clandestines'- illegals. But these politics do not in themselves change the relationship between the state-nation and 'patrie'. Many means of control are available at the political level which do not basically change the 'normal' relationship. But if suddenly, a many Maghrebi migrants knock at the French door, the relationship between the three concepts might change in the discourse of especially the Right. Hence, the dominating discourse on the capacity of turning the migrant into a Frenchmen will be seriously challenged by the 'patrie' discourse which underlines the border to the Other', especially to the Muslim.

'Securitization' of (Algerian) Migration

The term 'securitization' is derived from the term 'security'. This neologism has been invented by the co-called Copenhagen School represented by especially Ole Wæver. The theory of 'securitization'[26] operates with 'security' as a speech act: "Security is a speech act, a discursive practice through which a condition of insecurity is identified,

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[25] The insertion of the term *republican* in naming the party, indicates the importance of making reference to the shared codes. Doing so, the Party tries to attract adherents who are scared of le Pen's 'biologialisation' of the concept of 'patrie'.

[26] The following is a synthesis of Wæver's theory of 'securitization'. See: Wæver, 1993, 1995, 1998.

threats are pointed out, and an object of security is constructed. In *naming a certain development a security problem, the state can claim a special right*. It is thus only from the moment when somebody - mostly the political elite - claims that something is threatened, that an issue becomes a question of security concern. This use of the speech act - i.e. naming an issue a security problem - has the effect of raising a specific challenge to a principled level, thereby implying that all necessary means would be used to block that challenge. "Security" signifies a situation marked by the presence of a security problem and some measure taken in response "(Wæver,1995:54). 'Security' is not in the theory of 'securitization' a question about objective threats. For example whether immigration is or is not a threat in terms of their number on a specific territory. It is a question about a political choice as for how to deal with an issue.

Immigration is 'politicised' if it is taken out of the private realm and placed on the public agenda; if it is discussed as a - posssible - field of public policy, requiring the enactment of legal rules, the active participation of law enforcement and administrative organs, the allocation of public resources etc. An example of a successful attempt at 'politicisation' is the penalization of domestic violence. The 'politicisation' of an issue thus put an issue on the political agenda of the established rules of the game. 'Securitisation' can be considered as a more extreme version of 'politicisation'. When an issue is 'securitised', it is not presented as merely a matter of public concern; rather, it is conceived of as a matter of emergency, requiring extreme measures in order to cope with the exigencies of the situation. In the event of securitisation, some valued object is presented as existentially threatened, which calls for measures that by-pass the 'normal' rules of the political game. But "securitisation is not fulfilled by only breaking rules (this can take many forms) nor solely by existential threats (they can lead to nothing) but by cases of existential threats that legitimise breaking rules". A successful 'securitisation' thus has three components or steps: existential threats, emergency action, and effects on interunit relations by breaking free of rules"(Buzan, Wæver,1998:25-26). The first element distinguishes 'securitisation' from 'normal' offences: the 'securitising 'actor does not merely violate rules nor merely argues in favor of a violation of rules. He or she claims that the preservation of a valued object (the nation, the state e.g.) makes the violation of rules a matter of necessity. Hence, 'securitisation' takes an issue beyond the political agenda.

The definition of 'securitisation' as the move - as a process - that takes 'politics beyond the 'normal' rules of the game' raises some questions concerning the effects of a successful act of 'securitisation' on the validity of (legal) rules. But the main question is who can do or speak security successfully, on what issues, under what conditions and with what effects? (Buzan, Wæver,1995). Thus, when does immigration become fully 'securitised' thereby claiming suspension of hitherto 'normal politics', in this case the suspension of the 'normal' concept of state-nation?

An example of breaking the 'normal' rules is the suspension of some national laws in four towns in Southern France. The extreme right mayors succeeded in dramatizing the necessity of the survival of the French identity. They broke the principle of equality before the law that is one of the most important elements of the concept of the definition of the political state-nation. All mayors broke the rules with regard to transgressing national laws on culture and social welfare. Books on Jews and Islam were prohibited and 'the national preference' prevented immigrants from access to social housing and social allocations. These politics were quite in line with the discourse of the leader of the *National Front*, le Pen. He thus declared in 1984: " In some years, we risk that the actual six millions of immigrants will have tripled. Don't be mistaken: Its is the existence of the French nation which is at stake" (quoted from Taguief, 1991:217). This transgression caused an outcry from the majority of the French citizens with the exception of the four towns. But the security speech act was successful in the four towns and therefore the mayors are carrying on with breaking the 'normal' rules thereby 'securitizing' immigrants[27].

Many different actors can make use of the 'security move', but there are only a relatively limited number of possible 'referent objects' (Wæver,1998, Wæver, 1995:67). Wæver suggests a theory of a duality of state security and societal security. While survival for a state is a question of sovereignty, survival of society is a question of identity, and while societal security can be relevant for state security, it is also relevant in its own right. Still according to Wæver, state security has sovereignty as its ultimate criterion, and nation (society)[28]

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[27] After the municipal elections in 1996, there were only two extreme right mayors (elections every six years). Since 2002, there is only one.

[28] The theory of securitization does not make a clear-cut distinction between nation and society. In several articles there is an oscillation between society as referent object for threats and nation as referent object. This means that it is difficult to see whether the

has identity. A state that looses its sovereignty does not survive as a state; a nation that loses its identity fears that it will no longer be able to live as itself (Wæver, 1995:67). In separating cultural and political identity from state identity, the security construct has been considerably complicated. Now the game involves states and nations (societies), state identity and cultural identity and many kinds of threats, among which mass migration is increasingly becoming identified as a threat to the nation (society). Immigration - in this theory - is linked to the separation of the nation (society) from the state: foreigners, understood as cultural others, seem primarily to threaten the nation (society), rather than the state (Huysmans: 1995, 56). It is perceived as threatening the identity of the nation. If this theoritization of the state and nation as different referent objects for 'securitization' is analytically correct, the hitherto dominating political concept of the fused French state-nation is endangered. Furthermore, if parts of the functions of the state are withering away by being lifted up to the European level, the nation is left alone on the territory thus having to defend its identity by itself. Ole Wæver suggests that this defense will be done by culture (Wæver,1995:68). In the French case, this means that the concept of 'patrie' will replace the concept of the political nation. Thus, successful 'securitization' of immigration will involve a break-up of the concept of the political state-nation. This is unlikely to happen because the building blocks that define this concept is profoundly sedimented, but the relationship between them are budged.

The Headscarf affair: an example of securitization of Islam and Secularism[29]

"*L'État laïque est, pour chacun, la seule garantie d'une libre relation avec le sacré; il sort de sa propre définition lorsqu'il refuse de prendre en compte le sacré"* (Pisani: 1989).

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authors are analyzing the nation as an imagined community or society as civil society made up by both individuals and collectivities or they mix analytically the two concepts. At any rate, they have chosen the word 'societal security' for designating threats to society and nation.

[29]The purpose of this chapter is only to analyse how the concept 'securalism' is constructed and how Islam fits into the concept. It is not my intention to cover the huge debate on the role of Islam in France. For introduction to the position of Islam in French society and state-nation see the works of for example Gilles Kepel and Olivier Roy,

(secularism is for everyone the only guarantee for a free relation with the sacred; it differs from its own definition if it refuses to take into account the sacred).

"*France shall be an indivisible, secular (laïque), democratic and social Republic. It shall ensure the equality of all citizens before the law, without distinction of origin, race or religion. It shall respect all beliefs"* (Constitutional Law, Article 2, June 1958).

"*L'approche francaise consiste à bannir l'expression "intégration des immigrés de confession musulmane". La tradition nationale étant fondée sur le principe de la laïcité, l'appartenance confessionnelle n'est, en principe, pas prise en compte* (Schnapper, 1995,69) (the French approach consists in banning the expression "integration of immigrants of Muslim confession". Because the national tradition is founded on the principle of secularism, the confessional affiliation is not taken into account).

On January 21, 1792 the King was decapitated and the death of the king resulted in the birth of the nation. The popular sovereignty replaced the King's two bodies (otherworldly and earthly). The transcendental sacred became transformed into the immanent sacred: the embodiment of the sacred nation in national body incarnated in the state. The immanent sacred (Addi: 1999-2000, 35) thus made up for the former royal transcendental sacred. In the Revolutionary discourse the sacred body of the people became linked with secularism because it represents the earthly faith in people and thereby the political nation. Thus, faith in secularism has become a kind of 'sacralized' immanens. Being sacralized, secularism is perceived as untouchable. It is a kind of holy object that has to be safeguarded at the invisible holy place: the state-nation. Nobody enters this place without having genuflected to secularism.

France was the first of all European countries to put into effect the fundamental dissociation between citizenship and confession. The Third Republic (1875-1939) effected more radical separation than any other states. Thus, since 1872, no statistics, no census have mentioned the religion of the citizen[30]. In 1905, the state was divorced from the church. Until then, a harsh debate between Catholics and

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[30] This was not the case for Alsace-Lorraine because of its specific religious status. It was not until 1967 that the reference to religion was removed from the census.

republicans took place as the position of religion and secularism in relation to the definition of the state and nation. In the republican discourse, the catholic hierarchy represented conservatism because of its claim of reestablishment of the monarchy and privileges and fusion of the earthly and the otherworldly. On the contrary, the republican discourse posited a (un)clear line of demarcation between the earthly and the worldly. No confession should be allowed in the public state-sphere. So it still is[31]. Religion is a private matter, not a public one. Hence, the state has not to dispense any religious education in public schools. The school has to socialise and nationalise not 'confessionalise'. Therefore, no religious symbols are allowed on school buildings (or any other public buildings). Instead, Marianne - as symbolic representation of the fusion of the secular state and nation in the form of the republic (Østergård, 1986:16) - has replaced the crucifix.

The term secularism is a contested concept. A French researcher wrote about the ambiguity of the concept: "the great paradox of our concept of secularism is that it permits everything and the opposite of everything"(quoted from Motchane, 1999-2000;23). This is owing to its 'status' as 'floating signifier', i.e. a signifier that is overflowed with meaning because it is articulated differently within different discourses (Torfing,1999:301). The articulation is 'a practice that establishes a relation among elements such that their identity is modifies as a result of the articulatory practice'(Torfing,opus.cit.:298).The concept of secularism has inscribed many different meanings which is articulated differently in the right and left republican discourses and in the extreme right discourse. They posit the elements of the concept in different orders thus opening up for 'floating meanings' which each discourse tries to stabilize by ways of 'hierarchisation' of the different sub-concepts ordered into chains of equivalence and difference. The discursive identities are thus inscribed both in signifying chains that stress their differential value, and in signifying chains that emphasize their equivalence. The tension between the differential and equivalential aspects of discursive identities is unresolvable, but political struggles may succeed in emphasizing one of the two aspects" (Laclau, Mouffe,1985:51).

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[31]In reality things are different from that conception. Alsace-Lorraine has a special religious status and the Jews are allowed to wear the kippa at school.

The order of the chain of equivalence and difference in relationship to the concept of secularism is organised as follows (Motchane,1999-2000:13-27):

future/past
reason/obscurantism
progress/regress
equality/subjection
public/private
freedom of conscience/the fetters of conscience.

The sub-concepts on the left constitute the chain of equivalence that stabilize the meaning of secularism. On the right the chain of difference which only give meaning in relation to the concepts on the left. This constructed binarity or antagonism relates to the opposition that has been constructed by all republicans between *L'Ancien Régime* and the time after the Revolution 1789. *L'Ancien Régime* is regarded as the time of obscurantism because faith and state was linked together in the two bodies of the King (see above). Faith and not reason guided the behavior of the subject. The counter-concepts: reason, and freedom of conscience (Enlightenment) guarantee against the return of the past. Thus, the past structures the present and the future. If one does not adhere to the latter principles, there is a high risk of the return of the past in form of return of religion as a public matter which will undermine the revolutionary notions of equality, liberty and fraternity incarnated in the above written concepts on the left. But the conceptual problem is neither any priority of the concepts is constructed, nor is it clear whether all the sub-concepts that define secularism have to 'present' in the discourse on secularism. If a discourse posits equality as a nodal point as for definition of secularism, i.e. equal before the law, does that necessarily mean exclusion of girls wearing headscarf at school? Public' what does that mean? It only gets meaning by being posited as an antagonism to private? But how to define the line of demarcation between the two spaces, as Francoise Lorcerie writes in an excellent article (Lorcerie,1994).

The actual secretary general of the Socialist party, Henri Emmanuelli declared at the Socialist congress in 2000 that 'secularism is identical to 'freedom of conscience'. Without that liberty democracy looses its authencity. Without that, the political equality

becomes fictive and conditional' (www.psinfo.net/entretiens/emmanuelli/grenoble. But this statement does neither fix the meaning. On the contrary, it opens up for a definition of 'freedom of conscience'. A faithful Muslim would answer that his freedom of conscience demands five prayers a day in the public realm when working or going to school.

Thus the binarity opens up for further questions. It was supposed to close the meanings. But on the contrary a surplus of meaning is always there. Thus it is a question of the negotiating power of the different discourses to temporarily fix the meaning of the concept of secularism. This difficulty in stabilizing the meaning of the 'floating signifier': securalism was evident in the discussion about wearing headscarf at school.

In 1989 - the year of the fall of the Wall of Berlin - France became engaged in a heated debate about three Muslim girls right to wear headscarfs at school. Being transcendent God (Allah) need to be (re)presented in a material world (Laustsen, Bagge, Wæver,2000: 718). It can be by means of rituals (for example, the five daily Muslim prayers), social codes (for example, halal-meat, the headscarf)[32]. It was the headscarf and not the halal-meat which became 'securitized'. But why exactly the headscarf as threat to secularism? Could it not have been halal-meat as materialized sign of Muslim faith? In principle, yes.' American hamburgers are for example very often represented[33] as a threat to 'la cuisine francaise'. But Mediterranean 'stuff' has for many centuries been integrated into French cooking because of the colonial past and the 'turn' to the Mediterranean. Thus halal-meat is not represented as something threatening as in Denmark where the identity is placed in a meatball. (Frello, 2000)

The headscarf is represented as threatening because it relates to debate of the 18th century about whether religious insignia were permitted or not at school (se above). But the permission of wearing the Jewish kippa at school shows that signs of religious faith are negotiable. A sign being securitized in a discourse is thus dependent on how 'the conceptual universe' is structured through times. The general representation of especially the Algerian Muslim as a threat to the political nation 'transports' the fear into all public spaces. Particulary into spaces that are considered 'sacred' like the school.

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[32] the headscarf is a pre-Muslim clothing.

[33] Destruction of the restaurant of MacDonald is not that seldom in France.

The so-called 'headscarf affair' crystallized the discursive struggle between protagonists of 'pluralist' integration and those of the unitary republican model. The discourses about the headscarf all shared the same nodal point: secularism. But the carriers of the discourses disagreed as for the political means to employ in order to safeguard secularism as an important element of the definition of the republic or whether secularism should be posit into another relation to the state-nation.

The debate was sparked off by the decision of the principal to exclude the girls. By excluding them from the public space - the school - Muslim faith became 'securitized' because secularism was perceived as being threatened by what is called in French 'intégrisme' in this case islamic integrism (i.e.fundamentalism)[34]. Integrism became 'securitized' because it was represented as an existential threat to the state and nation. Integrism was perceived as undermining the cohesion of the state and nation by putting into question the existence of the concept of secularism which links together the notions of liberty, equality and fraternity, which on their side are the markers of the political state-nation[35]. Thus removing the concept of secularism signifies the total break-up of the concept of the political nation. Therefore, the removal of the concept of secularism is represented as a security threat to the survival of both state and nation. Hence, in the left and right republican discourse, secularisme is regarded as the guarantee of the preservation of the political state-nation (Motchane, 1999-2000,37) in terms of "We will no longer be us, i.e. Frenchmen, if secularism is not any more bound to state-nation". If we do not exlude the girls from school, secularism and the state-nation will not survive". Or as some republicans declared in 1989 that 'the permission to wear a headscarf would be equivalent to the Munich of the republican school'[36]. Many intellectuals warned against

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[34]The term 'intégrisme' connotes Catholic fundamentalism, which also is perceived as a threat to the survival of the secular republic.

[35] Separation of state and religion constitutes only the administrative aspect of the concept of secularism. But the separation is seen as a guarantee of upholding the notion of the political state and nation, contained in secularism.

[36] Since the World War II, every time the idea of the political state-nation has been regarded as being threatened, the republicans have pronounced the word 'Munich', which refers to 1938, when France and England failed to intervene against the annexation of the Sudetenland by Nazi Germany. The warning deals both surrender of the ideals of the republic internally and externally.

this 'securitisation' of secularism. For example, a famous French historian, Le Goff did that by referring to the risk of the construction of a *Maginot line* between the notion of securalism and the right to express his/her religious faith (Le Goff,1990).

The discussions were so heated that the government made the choice of appealing to the *Constitutional Council* for a decision. The council 'desecuritized' to a certain extent the problem by announcing that "freedom of conscience comprises the right to express and to manifest religious faith at school with all due respect for pluralism and individual freedom but without being detrimental to school activities, programs and assiduity" (quoted from Lorcerie, 1994:271). Thus on the one hand, a 'desecuritizational move' of the represented symbol of Islam, the headscarf, was taken in the name of the concepts of individuality and pluralism, the latter being the expression of the former. On the other hand, 'a securitization move' was taken: a warning against cultural and religious turmoil was issued. Thus, the state mixed two discourses: the pluralist integration discourse and the unifying republican discourse. At the political practice level, this mixture indicates that each principal has to judge whether a headscarf has to be considered a threat or not to secularism and order. This 'localization' of negotiation of the relationship between religion and secularism signifies a retreat of the state leaving de facto more room for 'communitarism'.

The mixture of the two discourses became even more evident in 1994 where the right-wing government issued a decree which prohibited 'ostentatious religious signs at schools', but it was once more left to each school to interpret what is ostentatious. This ambiguous decree made the French researcher, Riva Kastoryano, to declare 'that it is at the local level that the forces of power between the law of the Republic and that of the Koran take place. The former being incarnated by society (nation). The latter by community (Kastoryano, *Le Monde*, 15-16,December, 1996).

The tendential delinkage of secularism from the concept of the state-nation both put into question at which level secularism has to be defended or whether it has to be defended. The unifying republican discourse and the discourse of the Extreme Right put the return of secularism to the state-nation level as nodal point. The pluralist integration discourse of the Socialist party (Jospin,2000) posits negotiation into the centre as for the future relations between secularism, integration and the political state-nation. The tension inside the pluralist integration discourse between 'securitization' and

'desecuritization' was not solved at the political level. But the 'securitization moves' were held in check by the 'desecuritization moves' which were linked to the concept of equality which (see above) is one of the most important concepts of the concept of the political state-nation. Jospin for example legitimized the decree by saying that exclusion of the girls from school would signify the abandonment of the notion of equality (Silverman,1992).

The discourse of the Extreme Right and Extreme Left 'securitized' secularism. The extreme Right legitimized the exclusion by referring to the notion of the political state-nation that guarantees that securalism is upheld. Secularism incarnated in the political nation-state was thus a means of excluding the Muslim faith that is considered a threat to the survival of the state-nation in this discourse. The binarity was constructed around the concept of Christianity and Islam because in the extreme right discourse, the 'patrie' has been added a new element, Christianity (see above). The discourse thus took an element from its conceptualization of 'patrie' and posited it relationship to secularism by stating that if Christianity has to survive in France the public space has to be secular.

The extreme left discourse posited securalism in the centre of the construction of the political state-nation by referring both to the binarity between public and private and furthermore to the survival of the fusion of the secular, political state-nation. Hence both discourses legitimized exclusion of the girls by referring to the same concept but by ordering the chain of equivalence in different ways.

The question as for the future is therefore how the discourses will relate secularism to the concept of the political state-nation. This question is also linked to the future discussions on the notion of integration and multiculturalism. All the questions are dealing with the relationship between state-nation and 'patrie' and with the sub-concepts which try to stabilize the meaning of the nodal points. Furthermore all the questions have very much to do, how the European integration and further Maghrebi immigration will come about. The more external pressure from immigration and European integration, the more pressure for redeployment of the elements of the state-nation-state and 'patrie. The latter is linked to the nation, and the state-nation is linked up to the concept of secularism. If these relations change we will witness the 'arrival' of quite another France than the France which has existed for the last 200 years: a kind of *Middle Age***:** a mosaic of different communities in different regions without a king but with the Christian God as federator. This is a rather unimaginable

scenario, but is lies in the discursive cards that the hitherto dominating discourse on the fusion of state-nation and 'patrie' as a cultural back-up is seriously challenged.by a communitarian and multicultural discourse.

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The Impact of the Concepts of State-Nation "Patrie" for Discourses on Immigration.

4. carriers of discourses   PS, liberals   right and left republicans   extreme right

3. discourses   integration   total assimilation   particularism
cultural pluralism and   carbon copy of the   communitarism
adherence to political values   Frenchmen

2. different relations of
state-nation "patrie"

state-nation → "patrie" ; secularism

state-nation ; secularism

state-"patrie" ; secularism Christianity

1. building blocks of
all discourses on immigration

secularism ; state-nation → "patrie"