

## **(Post-)queer citizenship in contemporary republican France<sup>i</sup>**

The latter half of the 1990s saw much of French political debate focusing on a series of issues arising from the development and implementation of the PACS (Pacte civil de solidarité) legislation. Opponents and proponents clashed over questions related to the potential impact the PACS was perceived as having on family structures, filiation, and citizenship of the contemporary *métropole*. It is through such questions that discussions of the legislation evolved into an engagement with the values of late 20<sup>th</sup> century republicanism, and, through the work of such authors as Martel, Fassin, and Foerster, as will be argued here, the PACS debates ultimately mapped out a way forward for the postqueer citizen and a renegotiation of French republicanism.

In 1996, Frédéric Martel published *Le Rose et le noir*, a comprehensive history of gays and lesbians in France covering the period from 1968 to the year of publication. A crucial resource for those working in gay and lesbian studies, Martel also offered, in the 1996 epilogue to his work, a critical engagement with the traditional republican framework by which it was informed, setting forth a position opposed to the imposition of an American-style community-based model of society. Martel's own view of the situation changed between 1996 and the subsequent re-edition of the book in 2000, a year after the implementation of the PACS legislation, and he has accordingly rewritten the final stages, including the epilogue discussed here. Despite this post-PACS rewrite, the arguments put forward in the first publication remain relevant insofar as they encapsulate a pro republicanism stance still adopted by many in the French political arena, particularly in relation to issues related to sexuality, sexual citizenship, and gender:

Pour parvenir à une meilleure intégration des minorités et des populations vulnérables et pour lutter plus efficacement contre l'exclusion, nos démocraties modernes connaissent une tentation communautaire. (Martel 1996 : 398)

Martel maintains that this 'tentation communautaire' should be viewed not as a positive end goal to be achieved by the particular minority groupings concerned, but rather as a stepping stone towards a more productive model of broader societal identity construction. His position, as expressed here, can thus be read as resolutely pro-republican in a traditional, anti-communitarian stance, arguing against the recognition of cultural difference on an individual or collective level.

In part, Martel's concern stems from his contention that 'la logique communautaire mène quasi nécessairement à la logique identitaire' (Martel 1996: 403), which he views, in turn, as being at odds with the founding principles of French republicanism. While Martel is eager for

those who feel the need for such a movement to have the freedom to fight for it, he also seems keen to ensure that the ambiguities of such struggles be foregrounded:

Si je reste persuadé que ceux qui ressentent la nécessité d'un mouvement identitaire doivent se battre pour cela, comment se dispenser de souligner les limites de ce combat et ses ambiguïtés. (Martel 1996: 403)

He is particularly keen to avoid what he views as an attempt to transfer the American model onto the French Republic, and his criticism of this model is scathing. He argues that, had the 1970s gay movement and, later, AIDS activists in France acted differently, there may well have been 'une victoire française d'assimilation (la société intègre les individus mais ne reconnaît pas les groupes) sur le modèle américain communautaire' (Martel 1996: 404). The value judgement inherent in Martel's description is clear from his subsequent remark to the effect that America is a 'société qui cultive sa propre *fragmentation* au bénéfice de communautés juxtaposées' (Martel 1996: 406 [my emphasis]). Rather than viewing the notion of fragmentation negatively, this article will ask whether the 'fragmentation' at issue necessarily leads to breakdown, or can, if brought into dialogue with the work of figures such as Eric Fassin and Maxime Foerster, be read as a sign of positive and constructive transition.

### **Dialogue, Mediation, Negotiation**

Paradoxically, it is this notion of fragmentation and the possibility of positive, constructive transition that points towards contemporary evolutions in the status of the postqueer *citoyen*. However clear Martel is that his own preference does not lie with an American model of society structured around minority communities, his 1996 epilogue offers a constructive approach to the topic. Martel equates community with ghetto, suggesting, for example, that what may be regarded by some as the positive process of 'coming out', is in fact an expression of Foucauldian power relations forcing the individual into processes of confession, thus placing the individual in the position of dominated, rather than dominating (Martel 1996: 399). However, he is also clear that this is not a necessary component of the model but rather stems, at least in part, from the tendency on the part of the individual members of the minority groupings concerned to opt for either a 'communautarisme défensif' or a 'communautarisme offensif' (Martel 1996: 403). Neither path lends itself to integration or assimilation within broader society (Martel 1996: 399). Rather both options, in Martel's view, highlight difference to the exclusion of the norm, i.e. difference as particularism demanding recognition, whereas others argue for equality through difference and an expansion of the terms of traditional French republicanism to encompass this notion.

He is, however, open to the suggestion that dialogue between communities may, in some way, offer a solution to the problem, and equally keen to underline that universality and identity do not benefit from being opposed in too sweeping or simplistic a manner:

[L]a plupart des individus se situent néanmoins sur des positions qui sont des combinaisons de particulier et de l'universel [...]. En outre, il est certainement possible d'envisager une position intermédiaire, restant précisément à définir – sinon à inventer –, qui combinerait multiculturalisme avec défense de l'Etat républicain. (Martel 1996 : 404)

This article argues that such combinations are, in fact, viable in a contemporary context and that it is precisely this 'position intermédiaire' which can be seen as being occupied by the postqueer citizens of contemporary metropolitan France.

Political debate in the years following publication of the first edition of *Le Rose et le noir* came to revolve around issues related to the PACS. These issues, in turn, intersected with a series of broader gender and family-oriented debates, all of which centred on the key notion of 'filiation'. This concept, according to Fassin, became the 'cornerstone' (Fassin 2001: 225) of rhetoric in public discourses on the PACS and in the wider debate it provoked regarding the evolution of family structures in France, due to a perception that '[f]iliation structures the human psyche (as a symbolic link between parent and child) and at the same time culture itself (as consanguinity complements affinity)' (Fassin 2001: 225).

Ample illustration of the centrality of this notion can be found, for instance, in the evidence presented in Gélard's 1999 report to the Sénat's *Commission des lois*. The *Commission* expressed its opposition to the establishment of the PACS on a number of grounds, not least because of what it termed the:

dangers que représente ce statut pour le mariage et l'union libre ainsi que des risques qu'il comporte en matière de filiation du fait qu'il s'adresse indifféremment à des couples qui ont vocation à procréer et à d'autres qui ne le peuvent pas. (Gélard, 1999)

This conclusion was reached, in part, thanks to evidence presented to the *Commission* by Irène Théry who was perhaps the most vocal opponent of the legislation. Théry frequently turned to the notion of an 'ordre symbolique' – and the duty (as she saw it) of French law to uphold this order – in her public arguments against the proposed legislation. She did so not least because, in her view, 'filiation without sexual difference would [...] undermine a symbolic order that is the very condition of our ability to think and live in society' (Théry in Fassin 2001: 229 [In English in original article]). In Théry's view heterosexual marriage within the French Republic should be considered as 'l'institution qui lie la différence des sexes à la différence des générations.' She maintained that 'la famille doit rester le lieu de la "différence symbolique" des sexes' and that 'il pourrait être dangereux de nier les conséquences sur la filiation de la différence biologique des parents' (cited in Gélard, 1999).

Just as opponents of what was to become the PACS had recourse to the concept of filiation, so too did proponents of the legislation frame their endorsement in similar terms:

[Le PACS] ne modifie ni les règles en matière de filiation et d'adoption, ni les règles concernant la procréation médicalement assistée ou l'autorité parentale. S'agissant de la filiation, le Pacs n'a aucun effet. (Martel, 2001)

Similarly, Elisabeth Guigou, then Minister of Justice, made clear that:

The Pacte does not concern the family. Accordingly, how could it possibly have an effect upon the rules of filiation? (cited in Stychin, 2001: 361)

Clearly, such concerns can be understood within longer-term developments of French society in which 'toute l'histoire de la famille, depuis 1945, se résume [...] à un inexorable déclin de la 'puissance paternelle' (Fize 1998: 20). However, the significance of links drawn between filiation and national identity, between family and nation, becomes increasingly pertinent when considered alongside, firstly, the rise in support for the Front National – up to and including Le Pen's victory over Lionel Jospin in the first round of the 2002 Presidential election – and, secondly, the role played in mainstream French political debates by questions related – whether in reality or in the popular imagination – to immigration. In short, 'the subject of immigration and the citizenship principle of *jus soli* have become highly politicised' (Lefebvre, 2003: 33). It is precisely the 'long struggle of the French government to balance *jus soli* and *jus sanguinis* principles' (Lefebvre, 2003: 34) which lies at the heart of questions of French citizenship and national belonging that means that the notion of filiation never seems to be far from the fore:

[C']est parce que les fils d'immigrés se rendent compte qu'ils sont français, que leur avenir est dans la France et qu'ils n'ont pas d'autre patrie, que soudain ces problèmes d'identité prennent une telle tournure. (Dahomay, 2005)

Fassin is right, then, to link ongoing debates on filiation in the context of the PACS legislation to broader concerns related to 'the French nation and *nationalité* through citizenship' (Fassin 2001: 225) and the search for a relevant response to the question 'who is French, and who is not?' (Fassin 2001: 232)

Some have viewed France as 'a society where issues relating to [...] sexual difference have been persistently *obscured* by discourses on Republican universalism inherited from the French revolution' (Tarr and Rollet 2001: 5) [my emphasis]. However, such issues in fact *interact* with these discourses, highlighting discrepancies between republicanism in its 'inherited' form, and a renewed, renegotiated form which would be more appropriate as an expression of the values of contemporary France. This is not to deny that, in some formulations, French republicanism and debates relating to sexuality and sexual difference are at odds. However, Fassin, for example, has described that it is possible for such debates to be

expressed in terms which are not in contradiction with the universalism of French republicanism, precisely by 'relying on the language of equality and discrimination (rather than of sexual difference)' (Fassin 2001: 230).

Analysis of constructions of sexualities does, indeed, involve consideration of more traditional expressions of republicanism. However, it does so only insofar as these are shown to be in need of renewal or, at the very least, a degree of renegotiation, and insofar as traditional expressions of republicanism, as Foerster (2003: 10) suggests, are themselves 'parasités [...] par une autre idéologie qui lui est antérieure et antithétique: la différence des sexes.' Foerster's interpretation brings into play the 'ordre symbolique' (Foerster 2003: 50), which was evoked, in turn, during debates on the PACS and the series of gender and family-related issues it was seen to carry in its wake. It is by positioning of the family as a site of wider social crisis that the PACS engages with the over-arching question of a challenge to, or renegotiation of, French republicanism in its contemporary form. In terms of sexuality *le citoyen* is perceived to be fractured, highlighting the need for a negotiatory discourse to emerge which would allow *la République* to rephrase its republicanism in order for it to remain relevant to an evolving society. The debates on 1990s family structures, filiation, and what it is to be French, demonstrate that republicanism, as it is traditionally expressed, is not yet able to account for the difference which makes up the contemporary republic.

French republicanism, in its traditional formulations, is based on the fundamental notion of *le citoyen* as an abstract individual who enters into a direct relationship with the State not mediated through any aspects of sub-State-level identity. In theory, the resulting ideology, which lies at the heart of French identity, considers all citizens to be equal, precluding the possibility of discrimination on the basis of any 'distinguishing feature', such as, for instance, sexuality. In practice, however there is widespread debate on the relevance of this founding ideology in a social, political, and cultural climate very different to that of 1789. In other words, there is a social reality, played out in such domains as sexuality, which demands a renegotiation of republicanism in order for the ideology to remain of relevance to *le citoyen*.

The dialogue between the writings of Martel, Fassin, and Foerster illustrates the ways in which constructions of a postqueer citizen engage with the broader political debate. This interaction points to the fragmented subjectivities which can be seen to emerge in members of minority communities as they attempt to reconcile difference with republican universalism. This debate is being actively pursued in contemporary France. Jacky Dahomay, for instance, offered an interesting analysis of 'les paradoxes du républicanisme français' (Dahomay 2005)

and suggested that there is a key question which needs to be posed in order to work towards 'une nouvelle identité républicaine' (Dahomay 2005):

Pourquoi ne pas se demander [...] ce qui, dans la tradition républicaine même, pose problème et qui empêche à (*sic*) des citoyens français de se sentir pleinement français? (Dahomay 2005)

Dahomay's article engages explicitly with France's post-colonial history, but the question he poses can be extended to other groups: they too find themselves physically located within metropolitan France, while simultaneously having denied to them a full sense of belonging to the republic on the basis of a particular aspect of their identity. Indeed, postqueer citizenship can be understood as offering a series of responses to Dahomay's questions, suggesting ways in which it might be possible to envisage 'une unité citoyenne française qui n'exclue [*sic*] pas la différence culturelle' (Dahomay 2005).

The question of 'cultural difference' which is raised by Dahomay and many others lies at the heart of much contemporary debate on a reframing of French republicanism. When set against a French republican context, attempts to construct one's identity in terms of sexual difference will necessarily be in opposition to the abstract universalism of the founding republican ideology. As a result, we see emerging the model of fragmented *citoyens* who, in expressing their cultural difference, place themselves at odds with the traditional republican ideology.

La France, qu'elle le veuille ou non, est devenue profondément multiculturelle. Elle doit le prendre comme une richesse qui ne peut contredire l'universalisation de la vie publique. La France s'est créolisée, en quelque sorte, s'est métissée. (Dahomay 2005)

Again, Dahomay's terms emerge from the field of post-colonial theory but they can be expanded to encompass difference on a wider scale, including sexuality. Since the social reality of contemporary France is multicultural, or rather pluricultural, as such it is plurivocal, with individual citizens expressing difference in a series of key sites of identity construction. However, rather than positioning these citizens as the republic's 'other', their expressions of difference can be equated with an attempt and a desire to renegotiate the terms of those forms of traditional French republicanism in a manner that challenges the existent binary between assimilated and 'other', in sexual, gendered, or ethnic terms.

Overall, then, what emerges here is a vision of the individual as a fragmented self. This context is not to be understood in a 'simply' post-modern sense, but rather specifically as a reflection of, response to, and engagement with ongoing debates regarding the nature of French republicanism in a contemporary context. The postqueer citizen is complexly fragmented insofar as aspects of its identities express particularities which cannot be expressed within a traditional French republican framework, but rather must be assimilated in

order to result in a universalisable *citoyen*, wiped of all traces of difference and thus equal to all others.

However, the notion of difference which the complex and fragmented self implies is primarily to be understood when set in contrast to the republican model offering a universalisable identity and, within this model, despite republicanist claims to the contrary, there exist what I would term identity equations. In other words, the *citoyen* is not a blank canvas, but rather encompasses a series of normative assumptions about, for instance, sexuality which are necessary in order to make sense of the very notion of cultural difference. What emerges from these different identities is, in fact, not an incoherent juxtaposition of individual and collective particularities, nor a communitarian model which seeks to supplant traditional republicanism. On the contrary, these identities testify to a negotiatory discourse which, while seeking to highlight the failings of republicanism to retain relevance in the face of changing social, political, and cultural realities, does so in order that republican definitions and values may be challenged and renegotiated so that its relevance be reclaimed.

Dahomay, for instance, does not seek an alternative *to* republicanism, but an alternative *within* it, asking whether ‘une autre politique d’intégration républicaine’ is possible (Dahomay 2005), while French sociologist Michel Wieviorka (1996) refers to ‘une République qui parle d’égalité et de fraternité’ but which fails to live up to its own promises. And this brings us back to Foerster and his assertion that republicanism holds within it the potential for ‘le régime politique le plus *queer* qui puisse exister’ (Foerster 2003: 10) and a ‘Marianne travaillée de l’intérieur’ (Foerster 2003: 94). While this usage of ‘queer’ may still be problematic within standard French and Foerster’s imagery may be a little too radical for some, its reflection can be found in more mainstream political, critical and media discourse. His vision of Marianne as representing a republic challenged from within echoes Deleuze and Guattari’s discussion of challenge emanating ‘du dedans’ and Judith Butler’s comments, in relation to representations of gendered identities, that ‘a new configuration of politics would surely emerge from the old’ (Butler [1990] 1999: 112). More recently, Dahomay has suggested that a solution to the problem of republican integration can be found only if:

Nous tentons de comprendre les paradoxes du républicanisme français et la nature des antinomies qui le travaillent. (Dahomay 2005)

Only then will the fragmented postqueer self find coherence and unity within and through difference. French republicanism, as traditionally understood, is thus invited to consider its ambivalences and paradoxes, to recognise the contemporary period as one of ‘transition rather than transformation’ (Bhabha 2005) and to strive for a negotiatory discourse which seeks to

posit intersections of discursively constructed and performed identities as a positive engagement with contemporary republicanism.

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