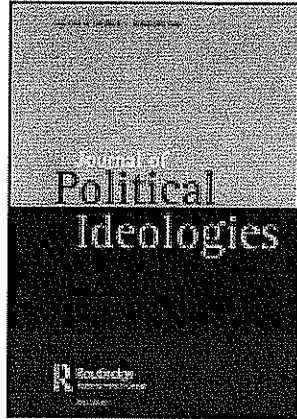


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Rousseau and the tensions of France's *Contrat d'Accueil et d'Intégration*

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ABSTRACT *The Contrat d'Accueil et d'Intégration is the keystone of France's revamped immigration paradigm aimed at integrating immigrants into French society and fostering social cohesion through adherence to a Rousseauian social contract. Because the use of the social contract as an immigration tool taps into an ideal (and thus flawed) philosophical tradition, it is important to move beyond the procedural mechanism and political implications to probe the deeper philosophical issues raised by grafting a Rousseauian social contract onto the immigration realm. From a Rousseauian perspective, discerning the nature of French republicanism is not a question of which paradigm—the traditional republican or the multicultural—has the better understanding of the fundamental values of modernity. Rather, what matters is how the French public views the scope of these values and whether the laws promulgated by the government in power reflect the general will of society as a whole. The contribution of this article lies in exposing the questions the immigrant contract raises regarding the power of the particular and/or general will, the problematic social patterns it engenders regarding the factionalization of society, and the tensions and trade-offs it creates regarding upholding the assimilationist paradigm, sentiments of inequality and fraternity, levels of social strife and definitions of national identity.*

The *Contrat d'Accueil et d'Intégration* or Contract of Welcome and Integration, which I will call henceforth the immigrant contract, is the keystone of France's revamped immigration paradigm aimed at integrating immigrants into French society and fostering social cohesion.¹ The immigrant contract was inaugurated in 2003, and was initially voluntary; it became mandatory in 2006. Its legitimacy rests on appeals to the universal values of the Enlightenment—the motto Liberty, Equality, Fraternity—and tacit appeals to Rousseauian notions of consent, civic solidarity and duty in the form of a social contract which immigrants must sign to obtain long-term residency. The purpose of the immigrant contract is to ensure immigrants' willingness to integrate into French society by committing to learn

about the values and institutions of the French Republic (which may be significantly different from their own) and the French language. The turn to a social contract marks a new mechanism in the realm of immigration by which the French government seeks to manage who gets access to rights and protection.² While contract theory offers a wide array of alternatives, from Lockean checks and balances to Rawlsian liberalism, the language of the immigrant contract's appeal to the republican values that emerged from the French Enlightenment (e.g. the Declaration of the Rights of Man, and thus the notion of liberty in Article 4 and law as an expression of the general will in Article 6) suggests the French government's understanding of the social contract is Rousseauian in nature.³ Thus, the trenchant question: what does looking at the immigrant contract through the lens of Rousseau tell us about the advantages and limitations of the immigrant contract as an immigration tool?

In this article, I explore the procedures and documents of the immigrant contract through the lens of Rousseau which reveals both the benefits of framing immigration and integration in contract language as well as the potential conditions that might undermine the purported goal of the immigrant contract: social cohesion. The French government's instrumentalization of the social contract can facilitate social cohesion by introducing immigrants to the values of the Republic and instilling a sentiment of civic duty. The language of the immigrant contract taps into a republican philosophical tradition in which the legitimacy of the state is based on voluntary consent to the social contract which requires the integration of everyone to an ensemble of non-negotiable and shared values determined by the general will of society. However, a Rousseauian social contract is by definition an act of sovereignty, which means adherence to the social contract ought to provide equal access to each member of civil society to participate in the promulgation of the laws that guide society through the democratic process of voting. This should, in theory, create a set of laws that reflect the diversity of civil society. Yet, this is not the case of the immigrant contract which is not a contract of sovereignty, but rather, a mechanism to facilitate adherence to the existent cultural norms of French society. As permanent residents, immigrants obtain equal rights under the law and equal access to social programmes, but are excluded from the right to vote. The immigrant contract is thus, from a Rousseauian perspective, founded on a paradox: immigrants sign a social contract, meaning they are subject to the same social obligations as citizens, but have no political say in the promulgation of the laws that define and uphold the values of the Republic in which they live.

While the exclusion of immigrants from making the rules is not necessarily a problem, a deeper investigation of the immigrant contract through the lens of Rousseau reveals that this paradox could undermine the sentiment of social cohesion the immigrant contract seeks to ensure. More specifically, Rousseau's recognition of the elusiveness of the general will forces one to recognize that the laws are not necessarily a reflection of the diverse and changing nature of civil society. Thus, the most important danger for social cohesion, according to Rousseau, is when one particular will dominates over others, and promulgates

laws that do not reflect the diverse views of society as a whole. The result is the emergence of factions which become dangerous to social cohesion when the laws are perceived to favour the politically powerful while marginalizing other groups within society. This contributes to the marginalized developing a deep sentiment of inequality, and eventually engaging in socially destructive behaviour that threatens the sanctity of the Republic.

With Rousseau's political musings in mind, the immigrant contract, while potentially serving to promote the integration of immigrants and social cohesion also contains inherent philosophical flaws that could heighten (as opposed to alleviate) the charged issue of diversity in France. Stated differently, it could provide a solution to the tension caused by diversity within France today, or serve to perpetuate the 'pathologies' of French republicanism by legitimizing and re-enforcing a sense of Otherness within French society between French and non-French, thus contributing to a strong sentiment of inequality among certain immigrants and inhibiting the sentiment of fraternity.

The nature of republicanism in France and its ability to accommodate difference has been the subject of much scholarly debate. One school of thought views immigration through the lens of a republican tradition based on the principles of assimilation, nationalism and the public/private divide.⁴ A second school focuses on the tensions of the republican model, arguing that it perpetuates existing structures of domination and discrimination, and calls for a republicanism with more multicultural openness.⁵ The immigrant contract fits into this debate as a political affirmation of the former. Exploration of the immigrant contract has tended to focus on placing it within the historical context of French republicanism and immigration, describing the procedures and exploring how it may serve as a mechanism for controlling migration flows.⁶ However, because the use of the social contract as an immigration tool taps into an ideal (and thus flawed) philosophical tradition, it is important to move beyond the procedural mechanisms and political implications to probe the deeper philosophical issues raised by grafting a Rousseauian social contract onto the immigration realm. My contribution lies in exposing the questions the immigrant contract raises regarding the power of the particular and/or general will, the problematic social patterns it engenders regarding the factionalization of society, and the tensions and trade-offs it creates regarding upholding the assimilationist paradigm, sentiments of inequality and fraternity, levels of social strife, and definitions of national identity. My conclusions suggest that the current moment of republication immigration is not, per se, a pathology, but rather, marks an answer to the issue of immigration that upholds a certain view of French identity at the price of re-enforcing the factionalization of society, feeding a deep sentiment of inequality among some sectors of society, and the acceptance of a certain level of social strife. In other words, it does not offer a solution to social strife issued from diversity in France, but offers a statement about French identity. The question is whether this trade-off leads, as Rousseau predicts it inevitably must, to a level of social upheaval that will threaten the sanctity of the Republic?

The immigrant contract: pathway to social cohesion

The immigrant contract is another step in a history of appeals to republicanism for guidance in dealing with the immigration issue that became a national polemic when Jean Marie Le Pen, leader of far-right party the Front National (FN), framed immigration in nationalistic and culturally exclusive terms back in the 1980s. The emergence of *la République du centre* (the Republican centre), a consensus between the left and the right, as a response established republican integration as the immigration model in France.⁷ Promulgated in 2003 as voluntary, and made mandatory in 2006, the purpose of the immigrant contract, as explained in a letter from the Ministry of Work, Social Cohesion and Lodging given to the immigrant, is to provide for the republican integration of the immigrants:

In signing this contract of welcome and integration, you [the immigrant] give witness to your will (*volonté*) to resolutely integrate to French society. You will benefit from free civic programs which will permit you to better know the values, the principles, and the institutions of the French Republic and to learn, if necessary, our language.⁸

The immigrant contract is a 'reciprocal engagement' between the immigrant and the State, a symbol of both the State's responsibility to immigrants (to provide for their integration by offering free language classes if necessary, a mandatory civic education class, a voluntary class on life in France, as well as upholding their rights under the law) and the immigrants' consent to adapt to existing French values and attain a sufficient level of French language skills.⁹ The immigrant's failure to fulfil the contract (by not attending language classes if assigned and/or not attending the civic education class) will result in the immigrant being denied a long-term *carte de séjour*.¹⁰

The immigrant contract is part of a larger understanding of the French Republic as founded on the consent of all:

the values [Liberty, Equality, Fraternity] found the republican pact. The Republic is founded on the consent and adhesion of all to [a] social contract. It is a question of the integration of everyone to an ensemble of non-negotiable and shared values ... the idea of the contract is the acceptance of the social link that binds each other to one another.¹¹

The symbolic moral value of the immigrant contract defines the duties that bind each member of society under the blanket of a set of fixed values. While Rousseau states that the social contract 'creates a moral and collective body composed of as many members as the assembly contains voters, and receiving from this act its unity, its common identity, its life, and its will [that] ... takes the name Republic,'¹² the immigrant contract assumes an already existing body of values. This reflects, as Charles Mills explains, the view that 'the social contract in its modern version has long since given up any pretensions to be able to explain the origin of society and the state.'¹³ Rather, the purpose of the social contract is to unify society under an umbrella of shared values. The immigrant contract taps into this sense of unity by positing republican values that reflect the essence of French values that have emerged from France's particular history. Immigrants thus join a

collective that already has a shared sense of culture, and therefore have a responsibility to conform to, as opposed to contest or contribute to, this view.

What are these values? The immigrant contract appeals to non-negotiable and universal values which represent the very foundations of the French Republic. These values—democracy, human rights, equality, and secularism—are what Todorov calls the 'spirit of the Enlightenment', and have, he claims, 'incontestably triumphed.'¹⁴ They are issued from the institutions of the Republic which 'are organized in the view of general interest and the common good. They have been approved by the people and its representatives.'¹⁵ They thus, as Rousseau explains, ought to persuade members of the body politic to 'obey [the laws] freely, and bear with docility the yoke of public happiness.'¹⁶ The essential values which foreigners (as well as French citizens) have a duty to observe, and must therefore understand if they are to live in France are captured in the motto 'Liberty, Equality, Fraternity,' and are defined in the following way: 'Liberty consists of the power to do everything that does not injure others ... only the law can fix the limits of liberty;'¹⁷ Equality: 'all men are born and remain free and equal in rights ... the state guarantees the equality of chance and integration. Everyone has the same rights and everyone obeys the same duties. This is equality before the law.'¹⁸ Fraternity: 'the link that unites the men and women of this country. Fraternity manifests itself during the tests that challenge this country or during the moments of shared collective joy. It is in the name of fraternity that everyone contributes to the resources of the nation by paying taxes.'¹⁹

In signing the immigrant contract, the immigrant agrees to become part of the collective, and submit his or her particular will to that of the whole in exchange for equal rights and protection from the state. In Rousseau's words: 'the social compact sets up among the citizens an equality of such a kind, that they all bind themselves to observe the same conditions and should therefore all enjoy the same rights.'²⁰ The contract marks the passage from what Rousseau calls natural liberty to civil liberty. While one loses the right to anything his or her power can attain and the right to hold any belief, one gains civil liberty, 'becom[ing] equal by convention and legal right.'²¹ In the language of the French government as stated in the Welcome Letter: 'foreigners who have acquired regularized status have the same rights and duties as French people, except the right to vote, which remains linked to nationality, and must respect the laws and principles of the French Republic.'²²

The act of signing the immigrant contract is supposed to bind the immigrant to these values as both a privilege (liberty of action and equality of chance) and a duty (being obliged to abandon practices deemed intolerable, such as polygamy and wearing religious signs in the public sphere). The enjoyment of equal rights and access to social programmes thus comes at the price of the duty to abide by the values of the state, which may limit the *perception* of liberty and equality for those who hold different cultural views. Rousseau is clear that in signing the social contract, one cannot enjoy equal rights without fulfilling certain duties: 'In order then that the social compact may not be an empty formula, it tacitly includes the undertaking, which alone can give force to the rest, that whoever refuses to obey

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the general will shall be compelled to do so by the whole body. This means nothing less than that he will be forced to be free.²³ Rousseau recognized that the personal discomfort adherence to duty may cause 'each individual, having no taste for any other plan of government than that which suits his particular interest, finds it difficult to realize the advantages he might hope to draw from the continual privations good laws impose.'²⁴ However, he also recognizes that some sacrifices are necessary for the sake of the public good.

The legacy of these famous words is seen in the duty of immigrants to adhere to the principles of the Republic by abandoning those values which clash with established republican mores. In terms of immigration, as Sergio Carrera explains, 'the current understanding of integration as a legally binding contract leaves no chance to the Other to decide whether or not to lose her/his identity in favour of the hegemonic and supposedly bounded French one.'²⁵ Rather, immigrants—if they want to gain access to social rights by obtaining a long-term *titre de séjour*—must abandon claims to diversity that are a violation of the French understanding of the rights and dignity of individuals. This understanding of duty has notably raised tension between the concept of *laïcité* and Muslim members of the community, and caused numerous debates about the headscarf affair and the burqa.²⁶

The question, from a Rousseauian perspective, is: who determines what claims to diversity are permissible within the social ethos of French society? French society as a whole? The ruling party which has the political legitimacy to promulgate immigration laws? Reframed specifically in Rousseauian terms: are the laws to which immigrants have a duty to adhere a reflection of the general will, or an obligation imposed by one particular will that does not reflect society as a whole?

The paradox of the immigrant contract and the danger of the particular will

The essence of the social contract, for Rousseau, is that 'each of us puts his person and all his power in common under the supreme direction of the general will.'²⁷ For Rousseau, the underlying principle that creates social cohesion is a general consensus among the diverse groups within society on the values that define society and the best laws that uphold these values. Rousseau, however, knew the general will to be elusive, and some of the most pregnant passages of *On the Social Contract* are warnings about when laws do not reflect the diversity of society:

[when] factions arise, and partial associations are formed at the expense of the great association, the will of each of these associations becomes general in relation to its members while it remains particular in relation to the state ... when one of these associations is so great as to prevail over all the rest ... there is no longer a general will, and the opinion which prevails is purely particular.²⁸

Pushing Rousseau's warning further, the laws should fit the nature of the people, but when they are made in accordance with a particular view that misreads the body politic, then the 'State will have no rest from trouble till it is either destroyed or changed.'²⁹ While one should be under no illusion that immigration laws in

France could be issued from the ever-elusive general will, the immigrant contract is built on a paradox that creates the conditions for potentially divisive factions to arise within the society.

The immigrant contract implies the acceptance of the Rousseauian view that values are an expression of the general public body and the social contract is a mechanism of legitimacy recording the immigrant's consent to adhere to these values. As one learns on the day of civic education: the 'people is sovereign' and 'democracy rests on a contract that presupposes the consent and participation of all.'³⁰ However, immigrants are partially excluded members of society because they do not have the right to vote. While in the past, immigration focused on making citizens from immigrants, the immigrant contract states that becoming a citizen is not a *de facto* right obtained after fulfilling certain criteria, but must be earned: 'Naturalization is not a right'; 'to become French is not a simple formality. It is a strong engagement for one-self and one's children.'³¹ For one to become a naturalized French citizen, one must 'be able to communicate in French and be assimilated to French society.'³²

According to Weil, assimilation is a 'process of adaptation whose desired result is the disappearance in the public sphere of cultural difference, the ultimate stage of acculturation.'³³ The burden of assimilation is a complex issue, perceived in different ways depending on the culture of those being assimilated. As Habermas explains:

the participants can nonetheless accept a norm as just ... if this burden appears reasonable to them, in comparison with the burden of the discrimination which is thereby eliminated. The norm must be legitimated by democratic means, in the knowledge of and according to a weighing of its non-neutral effects by the totality of those who have to bear the consequences.³⁴

In other words, the acceptability of the burdens of assimilation is derived from the legitimacy of the democratic process, meaning the expectations of assimilation are the product of the sovereign body politic.

In France, to obtain a say in how values are determined, to become part of the sovereign body politic, immigrants must become *French* by culture. Naturalization is a process which takes many years, and which is decided upon on a case-by-case basis. Presumably, this time period allows for the effective acculturation to the French way of life which will enable immigrants to make informed decisions about what is best for French society, as those with an 'assimilation shortcoming' (*défaut d'assimilation*) are denied. Immigrants, however, do not have the right to vote. While France is not alone in excluding immigrants from the right to vote, following the promulgation of the immigrant contract, a paradox—at least from a Rousseauian perspective—emerges. The paradox lies in the fact that immigrants give consent to be part of the collective (inheriting the rights and duties this implies) by signing the immigrant contract, but obtain no official voice in the process of sovereignty that decides the values of society they must adhere to and the laws they must abide by. From a Rousseauian perspective, denying immigrants who sign a social contract a say in sovereignty

raises thorny philosophical issues because, as Habermas explains, essential to the legitimacy of the social contract is the 'equal right to communication and participation ... [which] make possible a practice carried out by citizens jointly and valued as an end in itself.'³⁵ Communication is measured by legal channels to influence the laws governing the body politic, what Rousseau refers to as participating in the act of sovereignty. In the case of immigrants to France, access to these democratic channels is denied which effectively excludes them from the right to influence lawmaking aimed at their good as part of the collective.

This paradox of the immigrant contract taps into what Charles Mills identifies as the exclusionary mechanism of the social contract as a philosophical concept. Mills argues in *The Racial Contract* that the justness of the morality codified by the social contract depends on who is making the rules and the mechanisms of exclusion included in the groundwork of consent. Mills explains how a 'deceitful' social contract can have the appearance of being universal, while legitimizing 'an unjust, exploitative society, ruled by an oppressive government and regulated by an immoral code.'³⁶ While contractarianism is '(supposedly) committed to moral egalitarianism,' Mills argues that the scope of who is equal and what actions are tolerable depends on the particular moral understanding of those making the rules. The social contract therefore codifies notions of identity and morality as understood by those who stipulate the conditions of the contract, even if these notions do not actually reflect the diversity of society as a whole. Mills goes further to suggest that such a social contract can set up a social dynamic which secures the privilege of some groups while maintaining the subordination of others.³⁷ The conditions of inequality materialize precisely when factions arise. For Mills, the division of humans into white and non-white served as the line of demarcation whereby rights were restricted to whites, while non-whites were understood to be unequal.

Recognizing the non-ideal aspects of the social contract, as Mills does, is an important reminder to look beyond the egalitarian rhetoric of the immigrant contract to gauge whether it upholds certain inegalitarian trends or serves to legitimize the exclusion of certain sectors of the population. Understanding the potentially exclusionary purpose of the immigrant contract, however, is complicated by the fact that republicanism accepts certain limitations on egalitarian universalism. As Habermas explains:

Each citizen enjoys equal rights only within the restriction of a particular ethos, presumed to be shared by all members of the political community. The fusing of citizenship and national culture results in a 'monochrome' interpretation of civil rights that is insensitive to cultural differences. The political priority of an ethically-permeated common good over the effective guarantee of equal ethical liberties inevitably leads, within pluralistic societies, to discrimination against different ways of life...³⁸

In France, republicanism structured on a commitment to culture-blind universalism accepts limits of liberty in the public sphere, thus restricting acts like displaying religious symbols in schools. That said, while discrimination against certain ways of life is inherent to republicanism, it can be perceived to

target certain groups within society. French republicanism in particular has been criticized as having certain 'pathologies' that discriminate against certain groups. For example, Favell argues that republican integration has dissolved into 'exclusionary French cultural and historical particularism.'³⁹ Mbembe claims that France's post-colonial stance towards immigration is a form of state racism because it is based on systematic discrimination of peoples from former colonies.⁴⁰ And Balibar purports that national republicanism demands the stigmatization of the foreigner.⁴¹ These arguments implicate French republicanism in a very non-egalitarian political agenda that is in contradiction with the very values the immigrant contract seeks to uphold.

To determine whether the immigrant contract is a mechanism that upholds such 'pathologies', one must look at the limits on liberty and equality it imposes to gauge whether these limits are in accordance with the values of society and whether they reflect the multitude of identities that comprise French culture. The biggest danger, if we use Rousseau as a point of philosophical reference, is the risk that the values portrayed in the immigrant contract reflect a particular will that is not representative of society as a whole, but rather, a particular will inimical to the diversity of certain immigrants.

The immigrant contract is based on the values of liberty, equality, fraternity, secularism and a certain level of respect of diversity. Because the laws that define the legal scope of these values are shaped by the democratic process, determining their scope falls prey to the danger that one particular will dominates over others to define the laws that discriminate against certain immigrants. Keeping Rousseau in mind, one might ask: has the particular will of the *Union pour un Mouvement Populaire* (UMP) party imposed a specific ethos of liberty on French society that is unrepresentative of society as a whole and discriminatory? This question is important given the view expressed by some scholars that the far-right rhetoric and politics of the FN has been absorbed by the mainstream right.⁴² If the limits placed on equality by law, what Habermas calls the view to ethical liberties, are linked to a latent xenophobia veiled in Enlightenment rhetoric, then the immigrant contract could become a mechanism to institutionalize acceptable inequalities that target a certain category of immigrants. A cross-section of the laws proposed by the incumbent UMP since the inauguration of the immigrant contract in 2003 suggests that the domination of one particular will has not fully occurred, but points to three immigration trends within the current French immigration moment that are potentially problematic: the restriction of immigration, the curtailment of diversity consistent with existing laws that support *laïcité*, and the use of an Othering rhetoric that foments the factionalization of French society between French and non-French.

First, the immigration policy of the UMP shows a clear pattern of restricting immigration that reflects the political ideology of the right and far right: a focus on *immigration choisie* (chosen immigration) as opposed to *immigration subie* (suffered immigration), increasing the number of years to acquire French nationality in the case of marriage, forced expulsion quotas of illegals, limiting the number of visas given for family regroupment and requiring would-be immigrants

to fulfil immigration procedures abroad. The immigrant contract, as Pascouau explains, is part of such an ideology insofar as it merges integration measures with the management of migration flows in order to reduce immigration.⁴³ The results of the UMP's immigration policy for 2008 suggest this is the case: 104 000 immigration contracts were signed, family regroupment was down 10.6%, employment-based immigration increased to 14% of immigrants and 29 796 illegals were expelled. The restriction of immigration does not, in itself, constitute a 'pathology,' but rather, points to the political ideology democratically approved by the majority of the French population, one that is also consistent with policies of other European countries (e.g. Holland, Italy and Denmark). However, this restricted view of immigration could be perceived as discriminatory. In the words of Patrick Weil: 'an identarian ideology is expressed in the denomination itself of Minister Hortefeux, and its message seems clear: certain immigrants are desirable; others, coming from Africa or the Mediterranean, are not . . . the characteristic of the French politics of immigration is today such that it is discretely but voluntarily discriminatory.'⁴⁴ That said, the potentially discriminatory nature of restrictive immigration of the UMP's policy must be balanced by (1) the clear message in the immigrant contract regarding, within France, the equality between the sexes and races as well as the equal chance of integration for those immigrants admitted, and (2) checked against the particular wills of the rest of society.⁴⁵ With regards to the former, the Welcome Booklet goes to great length to explain to the immigrant that racism is illegal, and gives information about who to contact if one is the victim of discrimination.⁴⁶ Regarding the latter, while the specific political agenda of the UMP has led to the promulgation of laws that restrict immigration, this does not mean that the particular will of the UMP has completely controlled the immigration issue. The fact that certain ideas expressed by the UMP have not received enough support to be promulgated into law—DNA testing for family regroupment (which would mainly effect immigrants from former colonies), teaching colonialization only as a positive event in public schools, and removing the nationality of naturalized citizens who attack the police—demonstrates the power of other particular wills in influencing political outcomes concerning immigration in France.

Second, the criticism of the UMP's immigration policy by some scholars and other political parties in France notwithstanding, the limitation of certain religious liberties of certain members of society (i.e. Muslims) as an expression of *laïcité* has found support across the ideological spectrum. *Laïcité* has been the source of tension in France over the past 20 years—witness the voluminous scholarly interest on the head scarf affair—and was the subject of a public debate in 2003 when a group of scholars and politicians from both sides of the political spectrum came together to discuss the future of the concept in light of recent controversies. Despite the tension and debate, there has been, more or less, a consensus on maintaining the limits of *laïcité*. Of the 26-point proposal on how to modify *laïcité* to better fit a more diverse society proposed in 2003, only one of the propositions was adopted. Moreover, the recent banning of the burqa (supported by a 335-1 vote in the lower house of the French Parliament) marks a clear consensus on

re-enforcing the already existing laws on religious liberties *in the public sphere* (though still accepting such practice in the private sphere). This consensus marks an upper limit on the permissibility of diversity within France that represents what one might call the general will of society, or at least, the near unanimity Rousseau recognizes as necessary for a decision on important issues to be legitimate.⁴⁷

Third, the particular will of the UMP has been successful in framing immigration as a 'problem' that needs to be solved by restricting immigration and through the process of republican integration. The immigrant contract is thus not just about facilitating integration, but also about controlling who is admitted. As Carrera explains:

the reconfiguration of the use of integration from the realm of nationality to the one of immigration involves a fundamental shift unique in French history regarding the relationship between nationality, immigration, and integration. The last does not only play the role of a barrier for the non-national to become a formal juridical part of the nation and an equal member of the polity. It now also performs the function of a frontier dividing those [third country nationals] who may have access to a higher degree of security as regards their legal status of residence from all the rest who will be considered too different or who may show a 'lack of will' to lose their own differences or cultural/religious identity(ies) in favour of the one considered to be dominant and mainstream in Republican France.⁴⁸

Thus, while the immigrant contract simultaneously targets discrimination, it also paints the immigrants whose customs do not fit the French mould as Other. The problem, from a Rousseauian perspective, is that such rhetoric re-enforces factions within French society: French and non-French (i.e. the unassimilated). The former share a cultural, historical and moral identity; the latter are projected to be culturally different in such a way that conjures the sentiment of undesirability. With echoes of the civilizing mission, the immigrant contract, by requiring a day of civic education, projects the notion that immigrants need to be acculturated to be welcome: 'France and the French people have a rich history to which they are very attached, as well as one culture and certain fundamental values. To live together we must know them.'⁴⁹

The clear divide between French identity and the immigrant is, on the surface, innocuous. Such a feeling of Otherness is an inevitable part of any immigrant society, and is not necessarily problematic. However, the French/non-French factionalization can become problematic when the immigrants' Otherness is viewed as a stigma and thus contributes to immigrants having the sentiment of inequality which, as Rousseau warns, creates the conditions for social upheaval.

Factions and the sentiment of inequality: the internal other within France

According to statistics from the French government, since the inauguration of the immigrant contract in July 2003 through November 2006, 44.7% of the contracts were signed by immigrants coming from former colonies in the Maghreb and 24.8% by immigrants from former colonies in sub-Saharan Africa. Assuming this trend remains constant, this means nearly 70% of immigrants who sign the social

contract come from former colonies, and thus have a shared, if not charged, history of colonization, forged migration patterns, and established social ties with France.⁵⁰ This shared history, as Balibar affirms, ‘haunts the French situation’ of diversity.⁵¹

The shared colonial past ‘haunts’ the immigration issue for two reasons. On the one hand, there is the perception within French society that second and third generation French nationals born to immigrants from former colonies have not integrated into French society. To cite President Sarkozy’s speech on 30 July 2010 in Grenoble, France has ‘suffered from 50 years of un-regulated immigration that has ended in the failure of integration . . . it is unthinkable that the youth of second or even third generation [immigrants] feel less French than their parents or grandparents . . . to have a successful process of integration, it is imperative to control the migratory flux.’⁵² Such failed integration is considered an immigration problem because the right of immigration by family regroupment gives access to naturalized citizens’ family members, if they meet certain conditions, to reside in France. Such a right augments the possibility that the faction of unassimilated members of the body politic—those who hold onto cultural practices considered un-French and who Sarkozy linked to social unrest—will increase if unregulated. On the other hand, there is what Memmi calls the perceived lack of a sincere engagement with the colonial past—the ‘spontaneous myopia of the majority’—which is a process by which the French refuse to take notice of immigrants as part of France’s collective soul.⁵³ As Ahmed Djouder argues in his book *Désintégration*, France’s historical myopia denies those who share a colonial past with France part of their dignity—the right to equal respect—because it tacitly upholds the colonial stigma.⁵⁴ This results in what Etienne Balibar calls a form of ‘internal exclusion,’ meaning those whose heritage derives from former colonies are not absolutely outside the social system, but not completely within it either.⁵⁵

The rise of un-assimilated factions within French society is testimony to a fragmented sense of fraternity. Thus, for social cohesion to emerge, a renewed sense of fraternity with the 70% of immigrants from former colonies must be fostered through the integration process. The question is: does the immigrant contract serve to foster fraternity or does it re-enforce an already present factionalization of society?

The immigrant contract is seen as a key mechanism to facilitate integration of immigrants. For Patrick Weil, integration ‘designates in effect a multiform process, an ensemble of social interactions provoking in the individual a sentiment of identification to a society and its values, by which social cohesion is preserved.’⁵⁶ The immigrant contract serves the integration process by obliging immigrants to secure French language skills and knowledge of the essential values of the Republic, and providing the means to do so. The language requirement stipulated in the immigrant contract marks an important step towards creating a common basis for communication. Immigrants are required to take a basic test comprised of a written and an oral segment. If they do not show adequate

knowledge, the state provides free language courses which they are required to attend, at the end of which a new evaluation exam is administered.

A second part of the immigration process is the day of civic education which communicates how the state defines French values and French identity to which immigrants give their consent to adapt. Knowing the values of France is important to nurturing a sense of belonging which is paramount to successful integration. In the words of Todorov, 'to possess French culture is at first to know the history and geography of France, her monuments and documents, her ways of acting and thinking.'⁵⁷ The civics course is divided into nine sections, and consists of 105 PowerPoint slides. The nine sections are: Welcome to France, History, the Symbols of the Republic, the Principles of the Republic, the Institutions of the Republic, the Fundamental Texts of the Rights of Man, Access to Nationality, France in Europe, and the Social Contract. These slides emphasize a specific vision of French identity based on a unified history, as well as symbols and values bound to the Enlightenment and Republicanism. While it is obvious to anyone that it is impossible to learn, in a day, all of French history or come to anything other than a shallow understanding of the values of the Republic, the purpose of the civic education class is not just to teach immigrants, but to signal to those who seek to reside in France what French identity is (and what it is not).

The emphasis on the values of the Republic is designed to showcase the essence of the beliefs that underscore French identity: equality between men and women, secularism, the Rule of Law, and the scope of the fundamental liberties accorded to everyone. The PowerPoint presentation explicitly states that immigrants do not have 'to negate their origins' to adhere to French values, though they must conform to a certain set of rules in the public sphere.⁵⁸ As the final slide makes it clear, by choosing to come to France and signing the immigrant contract, immigrants voluntarily recognize the legitimacy of the rules and dominant identity already in place: 'to choose to live in France means having the will to integrate into French society.'⁵⁹ Emphasizing these values is a signal to those immigrants whose cultural mores violate them that they are not welcome in France unless they assimilate. Given that in 2007, the Sarkozy government passed a law that institutionalized a model of republican integration abroad, whereby would-be immigrants begin the procedures of immigration in their home county (including a language test and test on the values of the Republic), the immigrant contract theoretically serves as a deterrent that keeps immigrants who are unwilling to adapt from coming in the first place.⁶⁰ Anyone now wishing to immigrate to France is made aware of what is expected of them before they even arrive, meaning they can make an informed choice as to whether they truly want to come and voluntarily make the necessary sacrifices assimilation might require. One therefore has the choice not to come in the first place if one does not want to adapt to French values. This view fits into the philosophy expressed by Kymlicka in *Multicultural Citizenship* that immigrants lose their right to a distinct culture when they voluntarily immigrate, though Kymlicka also argues that the host government should make some concessions to protect against discrimination, allow for some types of affirmative action and exemptions from some rules which may violate

religious practices, and provide public funding of cultural practices.⁶¹ France, for the moment, has made concessions to protect against discrimination, but has been uncompromising on permitting cultural practices perceived to be incompatible with French values: 'no claim in the name of cultural diversity can bring into question the rights of man and the dignity of individuals.'⁶² Thus, as Memmi explains, some immigrants are left with the choice between conforming and thus selling part of their soul, or being socially excluded.⁶³

The history lesson establishes a narrative of republican unity. The PowerPoint slide show presented on the day of civic education recounts France's history in nine slides: historical monuments and institutions (Slide 8), the Gauls and Romans as the origin of French identity (Slide 9), the Middle Ages where the territory of the State began to take shape, Francois I who imposed French as the official language, the wars of religion in the 16th century, and the Edict of Nantes which established freedom of religion (Slide 10), the French Revolution which established the rights of man (Slide 11), the 19th century, including the success of the republican regime, the implementation of free and obligatory education by Jules Ferry, the abolition of slavery and the fact that France 'made itself into a gigantic colonial empire in the 19th century in Africa and Asia' (though nothing of how colonization affected the lives of now would-be immigrants was addressed—Slide 12). The civics course then jumps ahead to the First and Second World Wars (Slides 13–14), the emergence of the EU (Slide 15), and finally the period of decolonization and the period of immigration linked to France's post-war economic development (Slide 16). The history lesson highlights several important moments of a republican France: the origins of a nascent French identity with the Gauls,⁶⁴ the unity of language, the historical precursor of the separation of Church and state after the disastrous period of religious civil war, the birth of the rights of man with the French Revolution, the establishment of free education as the mechanism to acculturate citizens, the defence of the values of the Republic against Nazism, and the successful integration of certain immigrant populations. The immigrants who are praised are those who 'have taken part in [France's] development and its modernization' and those who 'have taken up arms to defend the country.'⁶⁵ The former, as one learns during the day of civic education, refers to immigration from the peripheries of Europe which led to important economic development in the 1970s and 1980s. The latter refers to immigration by those from the colonies who fought for France in World War II to save the country from Nazism. The essence of the history lesson is that French republican values are not ad hoc, but have *evolved* out of a long and sometimes violent history to a moral ideal captured in the motto 'Liberty, Equality, Fraternity,' coupled with the understanding that France's history 'is not finished as France will continue to construct itself and to defend the values of the Republic.'⁶⁶

In sum, the cultural narrative immigrants receive on the day of civic education is both exclusionary and inclusionary. The narrative is exclusionary insofar as it excludes those who are not willing to assimilate to France's republican values from finding a place within French society. While the requirement of cultural assimilation had previously been the barrier to citizenship, the promulgation of the

immigrant contract restricts access to the status of French residency to those who show a willingness to assimilate. Thus, the narrative is also inclusionary insofar as immigrants can become part of the collective body if they choose to assimilate.

However, in a culturally diverse society, as Laborde explains, 'the forcible and comprehensive imposition of the majority's cultural norms on minorities is only likely to aggravate the latter's sense of cultural alienation' unless the 'overarching national culture [is] genuinely shared by all.'⁶⁷ In other words, if factions along cultural lines are posited, then the requirement of assimilation to the republican values introduced during the day of civic education could result in the emergence of the sentiment of inequality, as opposed to fraternity and belonging. Indeed, constructing French identity on the values of the Republic can be interpreted as problematic if the narrative is not representative of all factions of society. As Wallerstein argues in response to the 2005 riots, the construction of French identity on the motto 'Liberty, Equality, Fraternity' generates blindness about France's history and social contradictions, as well as an inability to question its founding myths.⁶⁸ Ivekovic sees the tension with diversity in France as stemming from deep disillusionment with French universalism and the legacy of the Enlightenment that stymies self-criticism.⁶⁹ Does the historical narrative of the immigrant contract fall into this critique?

On the one hand, the narrative does address some of the darker moments in French history, such as the religious wars and collaboration with the Nazis. On the other hand, it does not adequately address the shared history with immigrants from former colonies. The issue of French colonialism was addressed by the admission that France was a colonial power (*one line* of Slide 12) and the dates of independence of several former colonies (Slide 16). Yet, there is no sentiment of historical responsibility, expression of self-criticism, or acknowledgment that colonialism might have had negative effects on those being colonized. While one cannot expect the immigrant contract to comprehensively address colonialism (both the good and bad) in one day of civic education, choosing not to address this part of French history is a serious oversight that sends a powerful message to those receiving this 'official' view of history. By essentially bracketing the past that links France with many of its immigrants, the immigrant contract implicitly denies peoples from former colonies—who have a historical and cultural connection to France—a part of the 'official' shared history. Such a narrative of omission arguably places obstacles in the way of feeling as if one belongs by legitimizing a narrative of division that upholds the factionalization of society into French and non-French. This adherence to one identity may serve to perpetuate what Balibar calls the sentiment of the 'hereditary status of immigrants—"once an immigrant always an immigrant", generation after generation, whatever nationality is acquired.'⁷⁰ In other words, rather than fostering fraternity, which is based on the sentiment of inclusion as an equal member in society and accomplished by constructing a historical narrative of belonging as opposed to exclusion and omission, the narrative of the immigrant contract risks fomenting the sentiment of inequality among immigrants from former colonies.

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Notwithstanding the recognition that this factionalization is not permanent—because it can be overcome if immigrants choose to assimilate—the perpetuation of factions is, from a Rousseauian perspective, dangerous to social cohesion because the perceived social exclusion of one faction augments the sentiment of inequality, which Rousseau sees as a precursor to dangerous levels of social strife. In order to avoid social strife, therefore, factions need to be reduced and a feeling of fraternity cultivated. The pathway privileged by the Sarkozy administration to accomplish these goals is to restrict immigration and promote fraternity through collective adherence to France's republican values. The logic behind this policy is to preselect those immigrants who show a strong commitment to integration, thus lessening the tensions caused by un-integrated immigrants and diminishing the negative effects of factions. The incumbent UMP has thus worked to restrict the un-assimilated factions by moving from *immigration subie* towards *immigration choisie* and fostering an attachment to French values via the immigrant contract. This policy has resulted in the restriction of family regroupment and the transfer of immigration procedures to third countries. The result, according to Bruce Hortefeux, the minister of Immigration, Integration, and National Identity in 2008, is positive: 'In fighting against clandestine immigration, in controlling the migratory flux and in favouring the integration of legal immigrants, we have thus preserved and buttressed our national identity.'⁷¹

Restricting immigration is not, however, the only solution. From a Rousseauian perspective, the sentiment of inequality felt by immigrants may stem from a disconnect between the laws and the general will. Rousseau recognized that the laws must fit the nature of the people for the Republic to function, and when they do not, the conditions for social upheaval—the perception of inequality among some factions of society—ripen. Thus, from a Rousseauian perspective, an alternative way to alleviate the tension of factions and assuage the sentiment of inequality is to forge a form of republicanism more in tune with the diversity of the populace. The assuaging of social tensions that arises from the sentiment of inequality felt by certain factions rests on the government's capacity to correctly read the topography of society, to listen to the voice of the Other, even if the Other does not have an official voice, in order to promulgate laws that reflect, in Rousseau's phraseology, the greater general will. Stated differently, this requires doing exactly what the immigrant contract states as its goal—fostering a sense of belonging and social cohesion—but accomplishes this goal by incorporating the identity of the Other (i.e. French citizens whose heritage derives from former colonies, as well as immigrants who have a shared history with France) into the 'official' French national narrative. In the words of Patrick Weil, 'what is lacking is a better taking into account of the diversity in [French] history and the national narrative. A nation is also a narration, permanently being established, that permits citizens of different pasts to find themselves in.'⁷²

Incorporating the voice of the Other assumes that the notion of what is 'different' is contingent on an ever-evolving national narrative. If this is true, then what is culturally acceptable can thus change over time, expanding to become more inclusive or contracting to be more exclusive. Thus, while republicanism is usually

viewed as inimical to cultural difference, the perception of difference between members of a certain body politic depends on how national identity is conceived and how the boundaries between inclusion and exclusion, which are inevitably the product of privileging certain philosophies and views of history over others, are defined. Republicanism could therefore be malleable, meaning a pluralistic republicanism that incorporates the difference of the Other into the national narrative could emerge. Such a view gives credence to scholars who support a more pluralist French republicanism (i.e. Laborde, Weil, Wieviorka, and Schnapper).

From a Rousseauian perspective, however, discerning the nature of French republicanism is not a question of which paradigm—the traditional republican or the multicultural—has the better understanding of the fundamental values of modernity. Rather, what matters is how the French public views the scope of these values and whether the laws promulgated by the government in power reflect the general will of society as a whole. What Rousseau teaches us is that the ‘unavoidable and inherent defect which, from the very birth of the body politic, tends ceaselessly to destroy it’ is that ‘the particular will constantly acts in opposition to the general will.’⁷³ Thus, the key to reconciling immigration and republicanism lies in constantly gauging whether the laws actually reflect the general will. Currently, the sentiment of inequality felt by non-French members of society and instances of social strife linked to the ‘problem’ of immigration have not had the effect of precipitating a loosening of French tolerance for the Other. Rather, recent instances of social strife, which have been cast as a problem stemming from un-assimilated immigrants who have been linked to increased crime, have led to the retrenchment of national identity and the positing of a fixed, non-negotiable notion of Frenchness that seems to be in accordance with the general will.

But this does not mean that social strife will not intensify in the future, or that it will always be painted as unrepresentative of the general will. The polemic caused by the jeering of the French national anthem during a 2008 France–Tunisia soccer match (presumably by immigrants and/or French citizens of immigrant descent) as well as the charged debates about national identity in 2010 suggest that the question of Frenchness, despite what the immigrant contract purports, is far from fixed and decided upon. In Rousseauian terms, this social indecision suggests that the current understanding of the French national narrative is perhaps not representative of the general will: ‘when particular interests begin to make themselves felt . . . the common interest changes and finds opponents: opinion is no longer unanimous; the general will ceases to be the will of all; contradictory views arise; and the best advice is not taken without question.’⁷⁴ If debate and discord are indicators of a discrepancy between the laws and the general will, and if one takes Rousseau seriously that the sentiment of inequality leads to a level of social unrest that will threaten the sanctity of the Republic, then future debates on immigration in France should focus on the issue of alleviating the sentiment of inequality prevalent in certain factions of society by coming to a new consensus on

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national identity that reflects the shared history between certain immigrants and the French Republic.

Conclusion

In this article, I explore France's *Contrat d'Accueil et d'Intégration* or immigrant contract through the lens of Rousseau because it implicitly taps into a Rousseauian understanding of the social contract. It is too early to tell if the immigrant contract will be successful in integrating immigrants by fostering a sense of fraternity and social cohesion (as it is designed to do). However, by reading the immigrant contract through the lens of Rousseau, three issues of concern emerge.

First, the paradox of the immigrant contract—that immigrants give consent to be part of the collective without having a say in the laws that define it—opens the possibility that a particular will inimical to diversity promulgates laws that are discriminatory towards certain groups. Second, while the evidence suggests this is not the case in France, the trend of the current immigration moment under the auspices of the UMP reveals that the immigrant contract upholds the factionalization of French society between French and non-French. Third, the immigrant contract, by demanding assimilation to French values and failing to recognize the identity of those whose heritage draws from former colonies as being part of the 'official' French narrative, arguably leads to a deep sentiment of inequality (as opposed to fraternity) among those immigrants from former colonies. This sentiment of inequality, if we believe Rousseau, is both a precursor to serious social unrest and stems from a disconnect between immigration laws and the general will of society. This suggests that the way to alleviate such tension is not to restrict immigration or focus on integration to republican values, but to forge a form of republicanism that takes into account the voice of the Other. In this regard, the shared history France has with many of its immigrants could be the pathway to empowering a new outlook on diversity by learning from the past and by theorizing about identity in a more inclusive light.

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Notes and References

1. For the sake of simplicity, I use the term 'immigrant contract' to refer to the entirety of the immigration process, including the act of signing the social contract and the documents the immigrant is exposed to during the process. Throughout this article, I cite from official documents used by the French government during the immigration process I went through in June 2007. These documents include a Welcome Booklet (WB) which explains life in France, a Welcome Letter from the Ministry of Labour, Social Cohesion, and Lodging (WL), the PowerPoint presentation on the Day of Welcome (PPDW), the PowerPoint presentation on the day of

Civic Education (PPCE) and the actual Welcome and Integration Contract (WIC). Official details concerning the process of immigration can be found at two governmental websites: www.travail-solidarite.gouv.fr and www.anaem.social.fr (accessed 20 February 2008). More information can be found by consulting the *Rapport au Parlement: Les orientations de la politique de l'immigration* (Paris: La documentation française, 2007), especially Chapter 4. All translations of French sources are my own.

2. S. Carrera, *In Search of the Perfect Citizen? The Intersection between Integration, Immigration, and Nationality in the EU* (Leiden: Martinus Nijhoff Publishers, 2009), p. 301.
3. On Rousseau's impact on this, see C. Orwin and N. Tarcov (Eds), *The Legacy of Rousseau* (Chicago, IL: University of Chicago Press, 1997), especially Chapter 7, 'Rousseau's critique of liberal constitutionalism', by A. Bloom, and Chapter 8, 'Rousseau and the French Revolution' by F. Furet.
4. See, for example, R. Debray, *Que vive la République* (Paris: Odile Jacob, 1989) and P. Seguin, 'La République et l'exception française', *Philosophie Politique*, 4 (1991), pp. 45–62.
5. See, for example, A. Favell, *Philosophies of Integration: Immigration and the Idea of Citizenship in France and Britain* (New York: Palgrave, 2001); P. Weil, *Liberté, Égalité, Discrimination: L'identité Nationale au Regard de L'histoire* (Paris: Gallimard, 2009); and M. Wiewiorka, *La Différence: Identités Culturelles: Enjeux, Débats et Politiques* (Paris: Editions Balland, 2001). For an overview of the literature, see J. Jennings, 'Citizenship, republicanism, and multiculturalism in contemporary France', *British Journal of Political Science*, 30 (2000), pp. 575–598.
6. For a good overview of the literature, see D. Schnapper, *Que'est ce que L'intégration?* (Paris: Gallimard, 2007). On the procedures and use of the immigrant contract as a tool of migration control, see Y. Pascouau, 'Integration measures in Europe: An evolving process between integration and migration flows,' in R. van Oers, E. Ersbøll and D. Kostakopoulou (Eds), *A Re-definition of Belonging? Language and Integration Tests in Europe* (Leiden: Martinus Nijhoff Publishers, 2010), pp. 153–184.
7. For a detailed history of the debates surrounding this, see Favell, *Philosophies of Integration*, *op. cit.*, Ref. 5, pp. 46–87; and G. Noriel, *Le Creuset Français: Histoire de l'immigration XIV-XX siècle* (Paris: Editions Seuil, 2006). On the specific details of the immigrant contract, see Pascouau, 'Integration measures in Europe', *op. cit.*, Ref. 6, pp. 154–162.
8. PPDW, *op. cit.*, Ref. 1, Slide 5.
9. PPDW, *ibid.*, Slide 5.
10. PPDW, *ibid.*, Slide 9; for an explanation of exemptions and exceptions, see Pascouau, 'Integration measures in Europe', *op. cit.*, Ref. 7, pp. 160, 167–170.
11. PPCE Slide 103, *op. cit.*, Ref. 1.
12. J. J. Rousseau, *On the Social Contract*, trans. G. D. H. Cole (Mineola, NY: Dover Publications, Inc, 2003), p. 10.
13. C. Mills, *The Racial Contract* (Ithaca, NY: Cornell University Press, 1997), p. 19.
14. T. Todorov, *L'Esprit des Lumières* (Paris: Editions Robert Laffont, 2007), p. 18.
15. PPCE Slide 34, *op. cit.*, Ref. 1.
16. Rousseau, *On the Social*, *op. cit.*, Ref. 12, p. 27; PPCE Slide 26, *op. cit.*, Ref. 1.
17. PPCE, *op. cit.*, Ref. 1, Slide 61.
18. PPCE, *ibid.*, Slide 73.
19. PPCE, *ibid.*, Slide 81.
20. Rousseau, *On the Social*, *op. cit.*, Ref. 12, p. 20.
21. Rousseau, *ibid.*, p. 14.
22. WIC 2, *op. cit.*, Ref. 1.
23. Rousseau, *On the Social*, *op. cit.*, Ref. 12, p. 11.
24. Rousseau, *ibid.*, p. 27.
25. Carrera, *In Search of the Perfect Citizen*, *op. cit.*, Ref. 2, p. 301.
26. Much attention has been paid to the concept of *laïcité* in this regard. See C. Laborde, 'Secular philosophy and Muslim headscarves in schools', *Journal of Political Philosophy*, 13(3) (2005), pp. 305–339. The immigrant contract also emphasizes the importance of *laïcité*, cf. PPCE Slides 28–29, *op. cit.*, Ref. 1.
27. Rousseau, *On the Social*, *op. cit.*, Ref. 12, p. 9.
28. Rousseau, *ibid.*, p. 18.
29. Rousseau, *ibid.*, p. 35.
30. PPCE, *op. cit.*, Ref. 1. Slide 27.
31. PPCE, *ibid.*, Slides 93. Compare with the words of the extreme right think tank *Le club de l'Horloge*: 'To be French, that must be deserved (*merité*)'; cited in Favell, *Philosophies of Integration*, *op. cit.*, Ref. 5, p. 54.
32. PPCE Slide 93, *ibid.*
33. P. Weil, *La République Et Sa Diversité: Immigration, Intégration, Discrimination* (Paris: Editions de Seuil et la République des Idées, 2005), p. 48.

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34. J. Habermas, 'Equal treatment of cultures and the limits of the postmodern liberalism', *Journal of Political Philosophy*, 13(1) (2005), pp. 1–28, 13.
35. Habermas, *ibid.*, p. 2.
36. Mills, *The Racial*, *op. cit.*, Ref. 13, p. 5.
37. Mills, *ibid.*, pp. 14–16.
38. Habermas, 'Equal treatment of cultures', *op. cit.*, Ref. 34, pp. 2–3.
39. Favell, *Philosophies of Integration*, *op. cit.*, Ref. 5, p. 87.
40. A. Mbembe, *On the Postcolony* (Berkeley, CA: University of California Press, 2001); see also V. de Rudder, C. Poirer and F. Vourch, *L'inegalité Raciste. L'universalité Républicaine à L'épreuve* (Paris: Presses Universitaires de France, 2000).
41. E. Balibar, *We, the People of Europe, Reflection on Transnational Citizenship* (Princeton, NJ: Princeton University Press, 2004).
42. N. L. Green, 'Of croissants and couscous: national identity after the French elections', *Dissent Magazine*, Fall (2007), available at <http://www.dissentmagazine.org/article/?article=937>.
43. Pascouau, 'Integration measures in Europe', *op. cit.*, Ref. 7, p. 182.
44. *Politique d'immigration: Le dessous des chiffres*, available at www.lemonde.fr (accessed 14 January 2009).
45. WB, *op. cit.*, Ref. 1, pp. 9–10; PPCE, *op. cit.*, Ref. 1, Slide 67.
46. WB, *ibid.*, p. 9.
47. Rousseau, *On the Social*, *op. cit.*, Ref. 12, p. 75.
48. Carrera, *In Search of the Perfect Citizen*, *op. cit.*, Ref. 2, p. 301.
49. PPCE Slide 105, *op. cit.*, Ref. 1.
50. These statistics exclude immigrants from countries coming from the EU, who no longer need visas to live and work in France. It is worth noting that the toughening of immigration laws thus seems to target non-European peoples whose customs are more diverse and perceived as less amenable to French society, www.anaem.social.fr (accessed 20 February 2008).
51. E. Balibar, 'Uprisings in the Banlieues', *Constellations*, 14(1) (2007), pp. 47–71, 52–55.
52. Available at www.elysee.fr (accessed 11 August 2010).
53. A. Memmi, *Portrait du Décolonisé: Arabo-Musulman et de Quelques Autres* (Paris: Gallimard, 2004), pp. 143–144, 123.
54. A. Djouder, *Désintégration: Enfants d'immigrés: Les Raciness du Malaise* (Paris: Editions Stock, 2006).
55. Balibar, 'Uprisings', *op. cit.* Ref. 51, p. 51.
56. Weil, *La République Et Sa Diversité*, *op. cit.*, Ref. 33, p. 48.
57. T. Todorov, *Les Abus de la Mémoire* (Paris: Arlea, 2004), p. 21.
58. PPCE, *op. cit.*, Ref. 1, Slide 104.
59. PPCE, *ibid.*, Slide 105.
60. This does not dispense immigrants from the civics course once they arrive in France, which is still required.
61. W. Kymlicka, *Multicultural Citizenship: A Liberal Theory of Minority Rights* (Oxford: Oxford University Press), pp. 14–18.
62. PPCE, *op. cit.*, Ref. 1, Slide 104.
63. Memmi, *Portrait du Décolonisé*, *op. cit.*, Ref. 53, pp. 123–125, 161.
64. This view has been associated with the rhetoric of the far right; Favell, *Philosophies of Integration*, *op. cit.*, Ref. 5, p. 56.
65. WIC 1, *op. cit.*, Ref. 1.
66. PPCE, *op. cit.*, Ref. 1, Slide 16.
67. C. Laborde, 'The culture(s) of the republic: Nationalism and multiculturalism in French republican thought', *Political Theory*, 29 (2001), pp. 716–735, 730–731.
68. I. Wallerstein, 'The French riots: Rebellion of the underclass', *Commentary*, 174 (December 2005), available at <http://fbc.binghamton.edu/174en.htm>
69. R. Ivekovic, 'Le retour du politique oublié par les banlieues', *Lignes*, 19 (February 2006), available at <http://www.editions-lignes.com/LE-SOULEVEMENT-DES-BANLIEUES.html>
70. Balibar, 'Uprising', *op. cit.*, Ref. 51, p. 58. See also E. Ribert, *Liberté, Egalité, Carte d'identité: Les Jeunes Issus de L'immigration et L'appartenance Nationale* (Paris: La Découverte, 2006), especially Chapter 5.
71. 'Immigration: Hortefeux défend son bilan et ses chiffres', www.lesechos.fr (accessed 14 January 2009).
72. Weil, *La République Et Sa Diversité*, *op. cit.*, Ref. 33, p. 106.
73. Rousseau, *On the Social*, *op. cit.*, Ref. 12, p. 58.
74. Rousseau, *ibid.*, p. 72.