1989 was not only the year the Berlin Wall finally collapsed. In France, 1989 was primarily the year of the Bicentennial of the French Revolution—that is, at long last, the Revolution was over (at least, according to François Furet¹). This meant that, henceforth, instead of opposing 1776 to 1789, a (good) liberal Revolution to a (bad) radical Revolution, French “neo-liberals” could invoke de Tocqueville to denounce the perils of democracy in America—thus turning around the transatlantic mirror: in contrast to a French tradition of civility fortunately inherited from a happy combination of the Old and New Regimes merging in the “République,” “democratic passions” (meaning the immoderate love of equality) jeopardized the American nation. This became intellectual common sense in Parisian circles in the following years, in response to American (so-called) political correctness, and shortly thereafter, to (so-called) sexual correctness.

In France, 1989 was also the year of the affaire du foulard: should young Muslim women be allowed to wear a veil in public schools? The political choice was generally presented as an alternative between the principle of laïcité (secularism) and a (somewhat unprincipled) cultivation of cultural difference. Language notwithstanding, this debate was not so much about religion: in fact, it reflected a growing concern about the “integration” of immigrants, or rather, second-generation immigrants, in French society. The defense of a national model against the perils of ethnic fragmentation was elaborated by public intellectuals such as Elisabeth Badinter, Régis Debray, and Alain Finkielkraut—in the name of the “République.” Resisting ghettoïsation, they identified the French nation with what they defined as a universalist model of individual integration. In the process, they too drew on a transatlantic contrast: American differentialism (that is, the communautarisme of identity politics) was the mirror image of French universalism (that is, the individualisme of Republican politics).

R. Célestin et al. (eds.), Beyond French Feminisms
© Roger Célestin, Eliane DalMolin, Isabelle de Courtivron 2003
In France, 1989 may then have been the moment when “liberal” intellectuals (à la Furet) and defenders of the “nation” (à la Finkielkraut) united under the banner of the French “République” against the American countermodel, as they identified the critique of egalitarianism with the critique of identity politics. After the final collapse of Communism, America became the new Other. (Or should one say that America was, yet again, the other Other?) This political alliance largely defines the intellectual climate of the 1990s in France—for the beauty of this rhetorical construct of a contrast between national political cultures is that it applies equally well (or poorly, depending on one’s perspective) to extremely diverse issues: not only ethnicity, but also gender and sexuality.

Indeed, not only does the “Republican paradigm” define French public debates in the recent period about “immigration” (with the transatlantic contrast generally presented as one between the French “melting-pot” and American “multiculturalism”), but it has also been used to discuss the politics of feminism (for example, in Mona Ozouf’s essay Les mots des femmes), and the politics of homosexuality (in particular, in Frédéric Martel’s essay Le rose et le noir). In each case, the authors define, in contrast to the “disuniting of America,” the so-called modèle républicain. For example, gay counterculture is rejected in the name of individual integration: the yearly Gay Pride demonstration is according to this view but another example of “Americanization.”

Given this universalist framework, one would expect French “Republicans” of all stripes to embrace wholeheartedly the issue of same-sex marriage: it would seem to be the culmination of a universalist agenda. Or at least, so it has been recently, in the United States—precisely where French universalists look not for a model, but rather for a counter-model. This is how Hannah Arendt’s “Reflections on Little Rock” could be recently updated for contemporary American purposes—from the Civil Rights movement to the Gay Rights movement, from the late 1950s to the late 1990s: “The right to marry whoever one wishes is an elementary human right compared to which . . . nearly all other rights enumerated in the Constitution are secondary.” Indeed, whereas the Supreme Court of the United States started racial desegregation in schools with Brown v. Board of Education in 1955, it did not complete its work until desegregation applied to marriage as well, with Loving v. Virginia in 1967: only then was the old logic of Plessy v. Ferguson in 1896 finally and completely overturned—races could not any longer be deemed equal while they remained separate. Desegregation can be the most powerful weapon against discrimination—especially within marriage.

One essential question remains—whether the shift from race to sexual preference is legitimate. Does the same logic apply in both cases? Can one extend the argument—from one kind of discrimination to another, from one minority to another? Paradoxically, the answer may be easier to provide in France than in the United States: since 1985, French law (in contrast to American federal law) has explicitly rejected discrimination based on “sexual orientation” (or rather, literally, “mores”), alongside other forms of discrimination—based on race, sex, national origin, religion, and so on. The parallel between miscegenation laws and the issue of same-sex marriage should thus be even more obviously convincing in France than it is in the United States.

Of course, as many have pointed out, not every legal distinction can be considered a form of discrimination: equal treatment only applies to comparable situations. For example, we find it obvious that children and adults should not be entitled