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‘A necessary evil’?

The problematisation of family migration in French parliamentary debates on family migration, 1974-1993

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Introduction

‘L’immigration subie’: endured immigration. That is what family migration was in the eyes of French President Nicolas Sarkozy. He pled for replacing family migration by labour migration, which he referred to as *immigration choisie*: chosen immigration.¹ Sarkozy’s rhetoric was part of a widespread political problematisation of family migration in Europe in the mid-2000s, where politicians represented family migration not only as economically disadvantageous, but also as a threat to national identities and values. Three decades earlier, French politicians likewise described family migration as a phenomenon for France to endure: Deputy Minister on Immigration Paul Dijoud talked about *‘un mal inévitable’*: a necessary evil.² In this chapter, we offer a brief genealogy of the problematisation of family migration in France, based on an analysis of 195 plenary debates and parliamentary questions from the period 1974-1993. In particular, we examine when and how politicians mobilized gender and family norms to problematize the way in which migrants ‘do family’.

Both political and scholarly discourses on family migration politics tend to focus on marriage migration, notably on policies targeting ‘fraudulent marriages’ and ‘forced marriages’. In doing so, scholarship inadvertently contributes to equating ‘family’ with the straight, monogamous couple and their offspring. To avoid such naturalisation of what ‘family’ is, this chapter starts with the question: how do politicians define what counts as family for the purpose of immigration? Family norms, intrinsically connected to gender and sexuality norms, are inevitably mobilized in the politics of family migration to determine which families ‘belong’: which families love, marry, have sex, and parent ‘properly’ and which do not. Only relationships which are institutionally recognized as constituting ‘real’ or ‘proper’ family provide ground for family migration rights.

In this chapter, we argue that representing migrants as doing family ‘right’ or ‘wrong’ is a powerful way of placing migrants inside or outside of the national public, social and cultural order. We show how conceptions of family and conceptions of nationhood intersected in parliamentary discourses to render transnational families as ‘outsiders’ or ‘insiders’ to the French nation, which in turn justified increasing or restricting their family migration rights.

Intersections of intimacy and belonging: citizenship, security, and rights

¹ Assemblée Nationale (further: AN), *Commission des lois constitutionnelles, de la législation et de l’administration générale de la République, Compte rendu No 7*, 25 July 2007.

² AN plenary, 3rd session 15 November 1976, p. 8028

In exploring how the politics of belonging, membership and citizenship inherent in family migration policies and debates relate to constructions of “security”, we draw on the work of Fassin (2012: 112-113). Fassin argues that in European public and political debates, migration is represented as a threefold threat. First, migrants are perceived as a threat to public security (migrants as terrorists and criminals); second, as a threat to social security (migrants as job-thieves and welfare profiteers); and third and finally, as a threat to identity security (migrants as racial and religious Others who undermine ‘the continuity of a white, Christian Europe’). We build on Fassin to argue that the extent to which family migrants *and* their resident family members are seen to threaten or consolidate the public, social, or cultural national order determines the stratification of their family migration rights. Furthermore, we argue that all three types of constructions of (in)security are deeply gendered. Stereotypes of terrorists, criminals and rapists cling to single migrant men in particular. Migrant women are often expected to be housewives and therefore not to “contribute” to the national economy. Perhaps most importantly, constructions of the national cultural and identity order are deeply gendered. Feminist students of nationalism and empire have shown that collective identities and boundaries – be they cultural, racial, or national – are defined in deeply gendered ways, as gender and family norms are represented as “the ‘essence’ of cultures”(Yuval-Davis 2008 [1997]: 43–45, 67). These politics of intimacy extend beyond notions of femininity and masculinity to what Stoler (2001: 829) defines as “intimate domains – sex, sentiment, domestic arrangement, and child rearing”. From colonial times to the present day, defining who ‘We’ are and how ‘We’ are different and better than ‘Them’ inevitably involves reference to proper roles of men and women, proper dress, proper parenting, and proper loving (Hajjat 2012; Turner 2015). Thus, the politics of belonging are intrinsically connected to the politics of intimacy.

Scholarship on the politics of family migration in Europe has shown that since the mid-2000s in particular, transnational families have been represented in public and political discourse as a threat to the security of national identity and culture, because ‘they’ do not do family, marriage, love and parenting ‘right’ – like ‘we’ do it (for an overview, see D’Aoust 2018). Representing transnational families as a threat to the national cultural order (security) allows for excluding them from the imagined national community (citizenship) which justifies denying their claim to family reunification (rights). As Odasso and Salcedo (2021, in this volume) put it, marriage migration is presented “as a breach that migrants exploit in order to enter the French nation, a form of simplified administrative regularization for irregular migrants already on the territory, a source of inter-communitarian closure – due to binational, but endogamous unions – and a burden for social security”. Betty de Hart (2021) argues elsewhere in this volume, that “family migration has been seen as a threat to the nation” not only since the mid 2000s, but at least since the early 20th century. In this chapter, we also go back in history to trace continuities and discontinuities in the discursive connections between security, citizenship and rights in French family migration politics between 1974 and 1993.

1974-1981: The right to family migration?

In the first three decades after the Second World War, immigration to France consisted predominantly of labour and (post)colonial migration flows, which were inextricably intertwined. While formal labour recruitment procedures were in place as of 1946, most immigrants came through informal channels, first mostly from Spain, Italy and Portugal, later also from North-African countries, in particular from Algeria. Reunification with spouses and children was possible, provided the primary migrant had employment and suitable housing. In the 1970s, an estimated 85% of

families entered France on a tourist visa and regularised their stay after arrival.³ The living conditions of immigrants in France during this period were extremely precarious and their legal status was highly insecure. In 1974, 3,5 million foreigners were living on French territory, of which 700 thousand Algerians and an equal number of Portuguese. (Hollifield, 1999: 61; Weil, 2004: 90-111).

Confronted with an unprecedented economic crisis and increasing unemployment rates, the centre-right government of newly elected President Valéry Giscard d'Estaing fundamentally changed the course of its immigration policies. On 3 July 1974, it issued an executive decision that suspended all labour immigration *and* family migration.⁴ While family migration was barely discussed at all in parliament in the 1960s, this 1974 *circulaire* opened up a series of discussions about the right to family migration. However, the opposition to the decree by left-wing parliamentarians, migrants' rights associations and emigration countries, as well as the practical difficulty of controlling family migration (Weil, 2004 : 133) led the government to revoke the ban in 1975, and to issue a more liberal executive decision in 1976 that specified the conditions for family migration.⁵ While the opposition to the 1974 ban argued that family migration was a right laid down in international law (Cohen, 2014: 203), the government used a different rhetoric to justify the liberalisation: family migration was defined as "*un mal inévitable*", a "necessary evil".⁶ Deputy Minister on Immigration Paul Dijoud stated that the French government had thus far facilitated family reunification for labour migrants for "humanitarian, economic, demographic and social reasons".⁷ He described family migration as "the natural extension of the immigration of workers" but also as a threat to the national social order, as it was "undeniably the cause of most social problems created by the presence of a foreign population in France".⁸ Prohibition of family migration was perceived as economically and morally impossible, but family migration should be controlled and organised. As Dijoud argued in Parliament:

[F]amily migration ... is not encouraged, nor is it forbidden. It is not encouraged because we are aware of the painful consequences ... especially when it is massive and uncontrolled ... Therefore, we merely do our best to organise it, regulate it, and protect it, since it appears inevitable. We also do not forbid it because a liberal country with a dynamic tourist sector cannot close its borders to families coming to France for a couple of weeks but who, actually, decide to stay in our country... Family migration is ... in a certain way, a necessary evil.⁹

In 1977 however, the government issued another decree, which restricted the right to family migration to members of the accompanying family who did not seek a work permit. More specifically, it meant that migrant women coming to France through the family reunification procedure could not aspire to work:

French women are the most affected by the current economic difficulties since they make up 60 per cent of job-seekers. It would therefore be inappropriate to admit more unemployed female workers. On the other hand, it is not forbidden for women who wish to do so to join their husbands in France, but then without the possibility for them to obtain a work permit.¹⁰ (*Minister of Labour*)

³ Ministry of Labour, Minutes of third meeting Working Group 'Family Migration', 6 February 1975, *Archives Nationales* (further: ArN) 19990260, Nr 19.

⁴ *Circulaire* n° 11-74, 9 July 1974 and n° 9-74, 5 July 1974, ArN 19990260 Nr 1.

⁵ *Décret* n° 76-383, 29 April 1976, ArN 19990260 Nr 1.

⁶ AN plenary, 3rd session 15 November 1976, p. 8028

⁷ Letter Deputy Minister Dijoud to President ONI, 9 January 1975, ArN 19990260 Nr 19.

⁸ *Ibid.*

⁹ AN plenary, 3rd session 15 November 1976, p. 8028

¹⁰ AN plenary, 2nd session 26 October 1977, p. 6644

While this measure is emblematic of a major shift in migration rationale – since it put an end to nearly three decades of labour migration as the privileged migration channel –, it is also grounded in a highly gendered representation of migrant families. Betty de Hart (2021, in this volume) describes how similarly gendered assumptions brought Dutch policymakers to raise obstacles to the immigration of migrant husbands, who were seen to use family reunification as a “loophole for gaining access to the Dutch labour market”. In the French debates, the focus was not on the migrant husband but on the migrant wife, who was depicted as the perennial housewife. This stereotypical representation of migrant women as passive and (economically) dependent on their husband functioned as a self-fulfilling prophecy, as the 1977 *circulaire* forced migrant women to conform to this image. As in many other European countries (Strasser et al., 2009), family migration policies in France were thus rooted in the traditional breadwinner model. Strikingly, these gendered representations opened up a pathway to France for migrant women in spite of overall restrictive migration policies: it is because migrant women were perceived as housewives that they were *not* seen as a threat to the national social order. This contrasts starkly with more recent policy approaches such as Sarkozy’s, where family migration is restricted because it is perceived as economically unproductive. In the 1970s, family migrants were admitted precisely because they were assumed (and obliged) not to engage in paid labour.

Moreover, this policy epitomises an evident double-standard between migrant women and non-migrant women, as the 1970s witnessed an increasing number of women accessing an increasing number of labour markets (Majnoni d’Intignano, 1999). As evident in the minister of Labour’s statement above however, emancipation via access to paid labour was thought relevant and desirable only for non-migrant (white) women – not for migrant women. The following quote from a communist MP reflects this invisibility, as he formulates a dichotomy between female workers and migrant workers, assuming that female workers are not migrants and that migrant workers are not women:

A factory owner . . . was dreaming this week in an economic newspaper of a female labour force that would replace migrants. Will you [the government] go that far?¹¹ (*Communist MP*)

Thus, migrant women were invisible both as women – in debates about women’s emancipation – and as migrants – in debates about immigration.

The quote above also goes to show that gendered representations of migrant families are shared across the political spectrum. Left-wing parliamentarians defending migrants’ rights rely on the same gendered tropes as politicians pleading for restriction, as evident in this intervention by a socialist MP:

How can we properly welcome families in which the mother, often poorly educated, from a foreign country and ill-adapted to urban life, cannot get access to the social services that would at least allow her to become a proper head of household [*un véritable chef de famille*], a proper mother [*une véritable mère de famille*]?¹²

Thus, migrant women were assumed to perform the very particular role of housewife, within a breadwinner model that reflects traditional white middleclass family values and practices. The figure of the migrant woman is visible only as a housewife and as a mother, and the mother of many:

¹¹ AN plenary, 3rd session 26 October 1978, p. 6762

¹² AN plenary, 9 October 1974, p. 4915

Today still, this should be reaffirmed, the decline in couples' fertility curve would be even more acute and dramatic had it not been for migrants' wives and daughters.¹³ (*centre-right MP*)

The insistence on the superior fertility of migrant women creates another double-standard with French women: while in the mid-1970s French women are fighting for reproductive rights (contraception and abortion), this fight is not deemed relevant for the migrant woman. This representation of French white women as emancipated and migrant women as traditional is typical of the intersection of gender with ethnicity and race in European migration politics (Roggeband & Verloo, 2007).

In this period, French politicians did not represent the gender and family norms and practices of migrant families as problematic or deviant. The traditional male breadwinner/female nurturer model which was assumed to characterise migrant families may have been increasingly contested in the 1970s, but it was still valued and practiced widely in French society. The assumption that migrant families were traditional was therefore no ground to exclude them: to the contrary, as we have seen above, migrant women were admitted to France only *because* they were assumed to be housewives. There are almost no references to migrant families as non-conforming in parliamentary debates in the 1974-1981 period. The sole exception is a debate about migrants' housing conditions in 1973, in which extended and polygamous families are defined as abnormal, i.e. outside of the national norm:

Right-wing MP: What exactly is meant, in article 1, by the words 'family environment' [*cadre familial*]? Is it the family in the restricted sense, as we understand it in our country, that is to say parents and children, or in a much wider sense?

...

Minister of Labour, Employment and Population: Let us stick to the strict definition of the family, that is limited to lineal relatives . . .

Right-wing MP: What about polygamy?

President of the Assembly: We are talking families of the normal kind. (*Smiles*)¹⁴

The connection between family norms and nationhood is evident in this excerpt. The smiles after the President's closing comment reflect how self-evident the exclusion of polygamy from the national gender order was for French parliamentarians in 1973. However, the fact that polygamy is only smiled about and does not trigger any further discussion presents a striking contrast with later periods where, as we will show, non-normative families (and polygamous families in particular) are a recurring object of sharp problematisation.

In 1978, the *Conseil d'Etat* condemned the 1977 decree that prohibited migrant spouses from entering the labour market, on the ground that the government made exceeding use of its executive power. In what became a foundational ruling for French family migration policies, the *Conseil d'Etat* declared that migrants' right to lead a normal family life was a fundamental right.¹⁵ Henceforth, whether or not to grant the right the family migration was no longer subject to political discussion; later discussions and legislations focused rather on *stratifying* that right.

¹³ AN plenary, 9 October 1974, p. 4910

¹⁴ AN plenary, 9 May 1974, p. 1091

¹⁵ Conseil d'Etat, judgement n°10097 10677 10679, 8 December 1978

I. 1981 – 1986: liberal moment

In 1981, the Left won both the presidential and the legislative elections. With François Mitterand as President and Mauroy as Prime Minister, the Left was in power in France for the first time since the *Front Populaire* of 1936. The new government's discourse was all about change and rupture with the past, based on the values of international solidarity and the fight against exploitation. The government immediately proceeded to significant liberal reforms of migration policy, including regularisations for all undocumented families living in France and a complete reopening of family reunification.¹⁶ Most notably, the ten-year residence was introduced, which ensured the right to live and work for a considerable period of time both to migrants and their family. This was a milestone in French migration policies since it acknowledged the long-term settlement of migrant families in France (Lochak, 2014). However, these policies soon met with increasing resistance. Poor economic prospects and high levels of unemployment led to discontent and feelings of insecurity among increasing parts of the population, which was partly redirected at the immigrants' presence. Furthermore, the early eighties were the period of the '*étés chauds*', marked by unrest and violent incidents in the degraded suburbs of the larger cities with a high concentration of migrant population. In response, the left-wing government opted for a more restrictive policy orientation, arguing that to integrate resident immigrants and to stop the rise in xenophobic public sentiment, the inflow of new migrants was to be controlled strictly. Stricter conditions on family migration were put in place, including the requirements of "offering the family appropriate housing" and having "sufficient and stable resources".¹⁷ Nevertheless, the period from 1981 to 1986 is characterized overall by a more liberal policy approach to family migration.

Parliamentary discourse on migrants in this period is highly ambivalent. On the one hand, there are numerous mentions of *le droit à la différence* – the right to be different – and diversity is often celebrated by left-wing parliamentarians:

. . . the goal in the long run is to enable the blending of all communities in the same national unity, provided that the cultural specificity [*particularisme*] of each community is respected.¹⁸ (*socialist MP*)

However, the early 1980s also witnessed the emergence of a growing anxiety about migration and Islam as a threat to the national identity order on the political right:

Our national identity must be protected. . . . That is why we reject any conception of a multi-ethnic or multi-religious society, which would inexorably lead to the break-up of the national community, since our purpose is ultimately to defend our values and our culture.¹⁹ (*centre-right MP*)

However, neither the defence of 'national identity' nor the celebration of *le droit à la différence* is directly connected to family norms in this period, and problematisation of the migrant family remains limited. On both sides of the political spectrum, the migrant family is still understood to be the traditional nuclear family. Overall, what characterises migration debates in the 1981-1986 period most when it comes to the role of family norms, is silence. This absence of debates on family norms is particularly noteworthy when it is compared to the surge of discussions in the following period. There are rare references to non-normative families, notably polygamous families, but these are isolated provocations by the right-wing opposition which are successfully dismissed by government representatives as irrelevant to serious political debate and policy-making:

¹⁶ Law n° 81-973, 29 October 1981

¹⁷ *Décret* n°84-1080, 4 December 1984

¹⁸ AN plenary, 2nd session 28 June 1984, p. 3845

¹⁹ AN plenary, 1st session 6 June 1985, p. 1504

It is humanly laudable to allow family reunification, but have you considered the surge of *pseudo-parents* that are we witnessing lately? There is a fine line, Madam Minister, between good intentions and their pervasive effects.²⁰ (emphasis added; *centre-right MP*)

Minister of Social Affairs and National Solidarity: Family reunification must be allowed when the working man, or the one who initiated the family reunification procedure, can provide decent housing to his family and allow them to live a decent life in France. . .

Right-wing MP: Housing for how many wives Madam Minister? One or two?

Minister: Sir, I would like to remind you that when it comes to family reunification, the problems that we encounter today are difficult problems. I ask from all of those who often have a passionate stance towards immigration to please be aware that this is about the life and dignity of four million men, women and children...²¹

Here, we observe the nascent problematisation of migrant family forms as fraudulent threats to the security of the national order. However, in contrast to later periods, these problematizing discourses fell flat in the early 1980s, as the left-wing government brushed such comments aside.

The early 1980s may have been a liberal moment, but still politicians did not accord much more consideration to migrant women than in the earlier period. From 1981 to 1986, migrant women remained largely invisible in parliamentary debates. They are only mentioned in discussion on the problem of the precarious residence status of migrant women after divorce, where they are represented as vulnerable and submissive victims of husbands who ‘abandon’ them. This is the first appearance of a trope which will become ever more influential in the following years not only in French public debates on family migration but also elsewhere in North-Western European public debates: the problematisation of the migrant family as the locus of patriarchy, tradition and oppression of women (Kraler & Kofman, 2009: 4).

II. 1986 – 1993: The problematisation of family norms

The aftermath of the 1986 legislative elections marks the most dramatic shift in parliamentary debates about family migration in the 1974-1993 period. The election of a right-wing parliamentary majority engendered the *cohabitation* of socialist President François Mitterand with a right-wing government led by Prime Minister Jacques Chirac. In these elections, the far-right *Front National* obtained an unprecedented 10% of the votes and entered Parliament for the first time, based on a political campaign centred on the ‘immigration problem’ through a discourse that mixed islamophobia and racism with extreme nationalism. The entrance of the *Front National* on the political scene has decisively influenced the electoral strategies and political discourse of the traditional Right, which feared the loss of part of its electorate to the FN. The Right now began to use immigration as an electoral issue, at times even adopting and thereby legitimising part of the FN’s discourse. As part of the FN vote came from the traditional left-wing electorate, even the Left appears to have felt it couldn’t leave the monopoly of anti-immigrant discourse to Le Pen. Thus, the ‘effet Le Pen’ seems to have been a general shift to the right of the political discourse on immigration in France (Guiraudon, 2000, p. 183-184; Nair, 1992, p. 64-70; Weil, 2004). In this political context, the newly constituted government resolved to make a restrictive turn in migration policies, and did so in 1986 with the first so-called *Loi Pasqua*. The law was called after Minister of the Interior Charles Pasqua, who approached migration as a security issue. Border controls were

²⁰ AN plenary, 2nd session 30 September 1981, p. 1401

²¹ AN plenary, 1st session 13 November 1984, p. 5931

strengthened and the competencies of the police were substantially enlarged, especially after the terrorist bombings in Paris in 1986.

This securitisation concerned not only the public order but also the cultural order, as French national identity and values were represented as threatened by immigration. In particular, migrant family norms and values were increasingly presented as incompatible with the French national (gender) order. This resulted in successive restrictive reforms of family migration policies, notably in the first and second Lois Pasqua of 1986 and 1993. For instance, the 1986 law diminished the security of residence rights of foreign youngsters raised in France, of foreign parents of French children, and of foreign spouses of French citizens (*Les nouvelles conditions d'entrée et de séjour des étrangers en France*, 1989: 23).

Notably, these reforms introduced criteria that specified what constitutes a 'real' and 'proper' family – so that 'deviant' families could be kept out. For instance, to obtain the *carte de resident* or to be shielded from deportation, the 1986 *Loi Pasqua* introduced a one-year period of marriage between a French citizen and his/her foreign spouse, as well as the condition that the spouses demonstrate "*une communauté de vie effective*" or "effective cohabitation". Similarly, the migrant parent of a French child would only be granted residence rights if they held parental authority or provided for the child (*'subvenir à ses besoins'*).

At the discursive level, problematisation of migrant family values and practices took a flight in the period of intense migration reform between 1986 and 1993. As the 1978 ruling of the *Conseil d'Etat* settled the debate on the question whether family migration should be allowed or not, the debate shifted to a new question in the late 1980s: 'what is a "proper" family?'. As the extracts from French parliamentary debates analysed below illustrate, it is in this period that we can distinctly identify the emergence of the discourse on 'different' or 'wrong' families which has come to be dominant in France and in other European countries in later periods (Odasso & Salcedo, in this volume; Bonjour & Block 2016; D'Aoust 2018).

A very explicit instance of the growing affirmation of family norms is the Senate proposal to introduce the notion of a 'normal family' in the 1993 bill. A socialist member of the *Assemblée Nationale* explicitly questioned the legitimacy of this state imposition of family norms:

What did our fellow senators mean? How is the 'normal' family defined? Is it the number of children, is it the presence of both parents, is it the absence of divorce? It is not about public order anymore but about a certain moral order that our fellow senators introduced in the law.²²

The dramatic burst of discussion about family norms in this period focuses on two topics in particular: sham marriages (or *mariages blancs*) and polygamy. Marital fraud was represented as a loophole in migration law, an easy way into the nation for migrants with no respect for the French legal order:

How can an undocumented migrant, with just one word, regularise his situation? . . . Just by getting married. Every year thousands and thousands of people living in our country with no legal status regularise their situation through marriage: when they enter the city hall they are illegal aliens, they come out fifteen minutes later with a marriage certificate with which they can obtain a residency permit and, after six months, allows them to apply for the French citizenship²³. (*centre-right MP*)

²² AN plenary, 2nd session 13 July 1993, p. 3282

²³ AN plenary, 1st session 9 December 1992, p. 6794

Moreover, concerns about marriage fraud for migration purposes were expressed in terms of a threat to the “institution of marriage”, represented as central to the French legal order and national identity:

Several measures aim, in this regard, to enforce respect for [*à faire mieux respecter*] the institution of marriage. For instance, article 21 limits the family reunification procedure to only one partner and his/her children, whereas articles 7 and 15 endow certain rights to the foreign husband of a French woman providing that the spouses cohabit effectively. It is this very concern for the preservation of the integrity of the matrimonial institution as is it conceived in the French legislation that grounds the measures ... which aim to prevent the celebration of a marriage in France whose goal is not a matrimonial union.²⁴ (*centre-right MP; emphases added*)

Thus, the focus on fraudulent marriages allowed the political majority to represent migrants at once as a threat to the national legal order, gender order, and identity order. This met with objections from the left-wing opposition which pointed out the suspicion surrounding migrants’ family life and the normative assumptions about what constitute a ‘real’ family:

You are concerned about marriages of convenience. All right. They happen less frequently than you say so too. Is it nonetheless a reason to increase the policing of families and to regard as real families [foyers] only those who can heroically prove to be so?²⁵ (*socialist MP*)

These discourses on fraudulent marriages rest on highly gendered tropes (cf De Hart in this volume), the most common being about the ludicrousness of a marriage involving a young man and an older woman:

When can we doubt the sincerity of someone asking you to celebrate a marriage? I’ll tell you: it is when a young twenty-year-old Sri Lankan man comes to you with a French woman who is sixty-three!²⁶ (*centre-right MP*)

As perceptible in this intervention, the growing concern with marriages of convenience led to an increasing portrayal of migrant men as a threat not merely to migrant women, but also to white French women who are consistently imagined as vulnerable victims blinded by love, falling prey to manipulative migrant men (on similar discourses in the Netherlands, see De Hart 2021 in this volume; on recent iterations of this discourse in France, see Odasso & Salcedo 2021 in this volume). This is consistent with what has been identified as the “representation of migrant men as ... deceiving and motivated by material gain – never by love” (Bonjour & De Hart 2013: 73; cf Wray 2006; Carver 2016). The following excerpt is an even more striking example of this phenomenon:

There are cases, and these are not rare, of a foreign man marrying a mentally ill French woman. It is then obvious that consent is not legitimate or informed . . . It even happens that the woman divorces a couple of months later, before once again becoming the object – the term is appropriate – of a new marriage with another foreign man. I know of at least one case where a woman did this three times.²⁷ (*centre-right MP*)

The alleged vulnerability of white French women in need of protection from the state here comes to symbolize the vulnerability of the national identity order and of the nation as a whole – the security of which is to be ensured by a strong state imposing restrictive immigration policies.

²⁴ AN plenary, 1st session 16 June 1993, p. 1671

²⁵ AN plenary, 1st session 13 November 1984, p. 5931

²⁶ AN plenary, 1st session 30 May 1991, p. 2449

²⁷ AN plenary, 10 October 1991, p. 4439

Besides marriages of convenience, polygamy was a key topic in migration debates from 1986 onwards, culminating in the second Loi Pasqua of 1993 which was the first French immigration law to legislate – and to rule out – this matrimonial practice (Ferré, 2001: 8).

[W]e should not accept the entire family of the foreigners who will come. . . .Some men have three, four wives . . . and ten children, for whom social security will have to pay.²⁸ (*centre-right MP*)

The debate about polygamy has become polemical because of the unbridled immigration that we are experiencing. Now is the time to affirm our conception of marriage and to prevent polygamous marriages from having any effect in our country. The aim of this measure is not exclusion, but clarity, it is to declare ‘this is what we consider fundamental.’ The laws of the Republic have to be respected by those who wish to settle here.²⁹ (*centre-right MP*)

While left-wing parliamentarians were vocally opposed to the restrictive measures that targeted marriages of convenience, their discourse was far more ambiguous when it came to polygamy:

. . . you are mistaken on the means of action. Not about everything, I conceded it. With regard to polygamy, there is an unacceptable judicial vacuum that would actually justify a piece of legislation in and of itself. We condemn polygamy, not in the name of a civilizational model or cultural hegemony, but because it is an infringement of women’s universal rights. Similarly, it would be appropriate to tackle the issue of forced marriages.³⁰ (*socialist MP*)

This excerpt is quite representative of the attitude of socialist parliamentarians who intervene in the polygamy debate: while they do not always approve of the government’s proposed measures to rule out polygamy, they share the view that this matrimonial practice is problematic. However, socialist MPs insist that their motivation for opposing polygamy is drastically different from that of the right: it is in the name of ‘women’s rights’ rather than in defence of a ‘moral’ or a ‘civilizational’ order. It should be noted, however, that the women’s rights argument is also frequently used by opponents of polygamy on the right. This is emblematic of the sort of political consensus across the political spectrum that the ‘othering’ of marriage practices has often generated in European politics (Bonjour & de Hart, 2013). It is also reminiscent of the gendered and racialized rescue narratives which historically served to justify European colonialism, summarized famously by Gayatri Spivak (1988) as “white men saving brown women from brown men” (cf Bracke 2012). While migrant women are not much more visible in these parliamentary debates than they were in earlier periods, a noteworthy phenomenon in the 1986-1993 debates is the mobilisation of the figure of the migrant woman as part of this colonially-inherited rescue narrative:

Are we going to legalise the excision of little girls and have the social security reimburse it just because it is a traditional custom in certain African countries? Will we stop having girls and boys together in schools just to please imams?³¹ (*far-right MP*)

In particular, young women from migrant communities have great need of our help in order to feel comfortable in society. We need to get rid of a sexual discrimination which is not compatible with our principles.³² (*centre-right MP*)

On the other hand, the consensus against polygamy should be nuanced, as some socialist and communist MPs at times point out the political opportunism behind the prohibition of polygamy:

²⁸ AN plenary, 2nd session 3 June 1991, p. 2696

²⁹ AN plenary, 3rd session 17 June 1993, p. 1823

³⁰ AN plenary, 1st session 16 June 1993, p. 1670

³¹ AN plenary, 3rd session 9 July 1986, p. 3095

³² AN plenary, 2nd session 22 May 1990, p. 1616

We have expressed our opposition to polygamy but, please! Let us stop this demonization that aims to show that these communities cannot be integrated!³³ (*socialist MP*)

Oh, I hear some of you claim that migrants are coming with their three wives and numerous children, and that we should act! I obviously do not deny that the issue of polygamy is judicially complex, but do not use it as a pretext. The measures that you intend to pass will lead, in practice, to a ban on family migration.³⁴ (*communist MP*)

Notwithstanding such nuances, the consensus around the defense of ‘women’s rights’ against ‘foreign’ family norms contributed to the assertion of “norms of gender equality and individual freedom . . . as crucial elements of national identity” (Bonjour & de Hart, 2013: 64). Thus, rescuing women is equated with rescuing the national social and identity order, and hence with rescuing the nation.

Debates about the ‘normality’ of family life also address parenthood, as parliamentarians mobilized notions of what makes a ‘real’ parent and dismissed ‘abnormal’ filiations. For instance, centre-right MPs regularly mentioned ‘doubtful paternity’ as an example of fraudulent migration practices.³⁵ In contrast with the issue of polygamy, the left-wing opposition rejected this suspicion surrounding migrants’ parenthood unambiguously:

. . .the biological father of a French child who recognised that child, may never exercise parental authority if the mother recognised the child, may be sick, unemployed and may therefore not provide for the child’s livelihood; but he may nevertheless legitimately care [*avoir une affection légitime*] about the child and should, consequently, be protected from potential deportation. You have not considered such cases. And yet these are not details. We are touching upon – and this is the case for the whole immigration question, this is what we should constantly be aware of – the heart of people’s lives.³⁶ (*socialist MP, 1986*)

In contrast with earlier periods, the late 1980s and early 1990s are marked by a recurring reaffirmation of national identity through the condemnation of polygamy and other ‘irregular’ family norms, such as marriages not motivated by love or ‘abnormal’ filiations. Bonjour and De Hart (2013: 69) have analysed similar political processes where the presentation of ‘marriage migration as the product of “deviant” cultural practices legitimizes restrictive reform while offering politicians the opportunity to define and affirm “[national]” “cultural codes” and thereby – intentionally or unintentionally – to construct “boundaries of belonging” (Yuval-Davis, 2008 [1997]: 48–49)’. We observe the emergence of this mechanism in French parliamentary debates from 1986 onwards, as family norms are increasingly equated with “French” “values”, “customs” and “institutions”:

How could we be against such measures? Integration in a country involves respect towards the ways and customs of this country. Polygamy has never been part of our civilization. The role of the French legislation is not to encourage it, nor to sustain it.³⁷ (*centre-right MP*)

We [mayors] have been contrived – otherwise we expose ourselves to legal prosecutions – to celebrate marriages that we knew, as you do Sir, did not exactly correspond to what the founding fathers of the Republic meant when they created this institution [of marriage].³⁸ (*centre-right MP*)

³³ AN plenary, 2nd session 16 June 1993, p. 1690

³⁴ AN plenary, 2nd session 17 June 1993, p. 1787

³⁵ AN plenary, 1st session 15 June 1993, p. 1608; AN plenary, 1st session 16 June 1993, p. 1676

³⁶ AN plenary, 1st session 10 July 1986, p. 3105

³⁷ AN plenary, 2nd session 16 June 1993, p. 1688

³⁸ AN plenary, 3rd session 25 November 1993, p. 6452

We cannot accept in our home country [*chez nous*]³⁹ to endure the consequences of foreign legal systems that create bonds of dependency between an adult and a child that are actually very different from the French conception of adoption.⁴⁰ (*socialist MP*)

. . . the North African community is still widely attached to a civilization that is not ours, and which is even very far from ours when it comes to many things that we consider essential, such as equality between the sexes or the conception of family life. Therefore, the unbridled increase of this population in some areas will always, above a certain level, lead to unsolvable issues.⁴¹ (*centre-right MP*)

Thus, right-wing MPs represent migrant family practices not only as ‘deviant’ from the national norm but as reflecting unsurmountable cultural differences that represent a threat to the national identity order.

Conclusion

In this chapter, we have shown through an analysis of French parliamentary debates how, from 1974 to 1993, family and gender norms shaped the interplay between constructions of citizenship, security and rights in French parliamentary migration debates. The extent to which transnational families were represented as a threat to the national public, social and identity order defined their inclusion or exclusion in the national imagined community, which in turn stratified their access to family migration rights. In the early 1970s and 1980s, migrant families were assumed to function according to a traditional breadwinner model. This did not result in their exclusion however – to the contrary, it is because migrant women were assumed to be housewives and not job-seekers threatening the social order that they were admitted in the 1970s – and effectively forced into the housewife role through a prohibition of engaging in paid work. The contrast between emancipatory discourses on white French women – both with regard to paid labour and to child-bearing – and the traditional role ascribed to migrant women is striking in this period.

It is also striking that the restrictive policies of the 1970s and the more liberal policies of the early 1980s were not underpinned by different discourses on migrant family and gender norms and practices. The assumption that migrant families were traditional remained the same, as did the low level of problematisation of migrants’ gender and family norms and practices. In the 1970s, restrictive policies were justified with the argument that the number of immigrants overall was ‘out of control’, often coupled to a paternalist notion that regaining control over immigration was a prerequisite for the French state to be able to offer proper living conditions to immigrants in general, and to enable migrant women to fulfil their attributed role of housewife and mother in particular. Even restriction-minded politicians did not feel the need to argue that there was anything ‘different’ or ‘wrong’ about migrant families. In this period, migrants’ family practices were not perceived as a threat to the national identity order.

It is only in the late 1980s that we observe the emergence of the discourse that is so familiar to scholars of family migration politics in Europe today: right-wing politicians began to represent the way immigrants ‘do’ family as essentially different from the ‘French’ way – which served to reaffirm French national identity order and to exclude immigrants and their descendants from that order. Besides the increasing electoral pressure from the far-Right *Front National*, a reason for the

³⁹ “*chez nous*” translates literally as “in our home”.

⁴⁰ AN plenary, 1st session 16 June 1993, p. 1671

⁴¹ AN plenary, 3rd session 9 July 1986, p. 3096

emergence of this discourse in the late 1980s may be the moral and legal entrenchment of the right to family migration in the previous decade: as the question *whether* to admit families was settled, politicians shifted their efforts to debating *which kinds* of families to admit.

As scholarship has shown, there are obvious similarities between these discourses and colonial discourses aimed at proving the superiority of European civilization and the legitimacy of colonial rule by pointing to 'backward' and 'oppressive' gender and family practices of racialized Others. However, our analysis shows the importance of careful contextualisation. Such discursive colonial heritage is not present above the surface everywhere and always. In French parliamentary debates, it disappeared below the surface in the 1970s and 1980s, to re-emerge in the late 1980s when it served a particular political purpose: to reassert the boundaries of the French national order and the legitimacy of the French state in protecting that order.

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