

Interviste / Interviews

The Catholic Metamorphosis in France: from Bioethics to Same-Sex Marriage. Interview with Philippe Portier

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Abstract: Philippe Portier answers Michele Saporiti's questions on his book: *Métamorphoses Catholiques*. Starting from the French Catholicism historical background, the interview shows the main phases of the new mobilizations in the Catholic world: from bioethics to same-sex marriage, from education to freedom of expression.

Keywords: Catholics, Same-Sex marriage, Bioethics, Secularity, Politics of intimacy.

Same-sex marriage is not the first and will not be the last chapter of a massive mobilization in France. New radical and media actors have appeared in the Catholic world, gathering together other religious as well as secular people. They deserve scrutiny in order to understand what is happening in French society and how secular States with their laws are perceived by these new militants. Philippe Portier – director of studies at the École Pratique des Hautes Études (Paris-Sorbonne), director of the religion and secularism group GSRL (EPHE-CNRS) and professor of Political Science at Sciences-Po (Paris) – together with the sociologist Céline Béraud try to give a shrewd and up-to-date analysis of these undeniable changes in his last book: *Métamorphoses Catholiques*.

M.S.: The massive catholic mobilization against the approval of the Taubira law¹ on the “mariage pour tous”, is just the last step within “a change of strategy”, as we find in the book. Does it represent a real metamorphosis or a periodical awakening for Catholics?

Ph.P.: In order to understand what happened with the same-sex marriage issue, we must return to the history of Catholicism in France. At the end of the 19th century,

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a real awakening of Catholic involvement started not only in politics, but also in the social and economic sphere: they wanted to build up a new Christian order. At that moment in France, similarly to other national contexts, the Catholic Church created some organizations whose aim was to penetrate the secular society with this evangelical message. From that perspective, some political parties, very closely aligned to Christian Democracy (especially, for example, the Liberal Popular Action) appeared. However it was not rare to find Catholic people preferring the moderate right parties to the democratic Christian party (ALP), and sometimes the extreme right with the Action Française of Charles Maurras (which was powerful before its condemnation by Pius XI in 1926). This choice was clearly developing a strategy of Catholic penetration in the right wing, which had no catholic names, although they had catholic references. Within these right wing parties, there was a considerable number of Catholics, defending their own purposes in the French political scene. Penetration and not concentration among Catholics: a different plan of action compared with the Italian case.

What I just said with reference to the political scene can also be applied to the social context. In fact, we can find, for instance, some Catholic Trade Unions since the end of the 19th century. These trade unions, marked by Catholic names, were re-organised just after the First World War. These Catholic Trade Unions were built in order to penetrate the economic arena. Moreover, if we look at the parochial world, we can find a particularly interesting phenomenon: some new organizations called Catholic Actions. Some of them were “general” and they aggregated people coming from very different parts of society and disparate social classes. Alongside of them, we can also find “specialized” Catholic Actions: movements joining together, in their own ranks, people coming from the very same social classes. For instance, in France we had rural or student or even labour Catholic Actions, what we call *action catholique ouvrière*. They were widespread especially among the Catholic youth, as the Labour Catholic Youth (*Jeunesse ouvrière chrétienne*) or Student Catholic Youth (*Jeunesse étudiante chrétienne*). Thus, during the first part of the 20th century Catholic organizations were devoted to re-conquering the secular and modern society in France. Beside the organisational or institutional division, they constituted a sort of Catholic block, under the ruling of the bishops.

After this first phase of the 20th century, there has been a sort of split between these movements. After the Second World War, some of these organizations chose the left wing of the French political scene. It was especially the case of the Labour Catholic movement, who often chose to be allied with the communist party and sometimes with other more moderate left parties, chiefly from the government of Pierre Mendès France, representative of the moderate left. It goes without saying that from the hierarchy viewpoint, the Bishops, it was really unbearable to have such a division inside the Catholic world. This represented the beginning of the difficulties for the Catholic pillar in the French context.

After this first split, during the 60's and the 70's the division between these movements became even more relevant. Together with the alliance with the political left, a heavy contestation was coming from the left side of the same Catholic Church

against the hierarchy and the Pope's authority. A great part of the Catholic Actions or the Catholic Trade Unions militants definitely cut the link with the hierarchy, publicly pronouncing discourses in favour of left wing governments. We can only imagine how this terribly heavy loss of militancy deeply shook the Catholic Church in France and French Catholicism. The Church lost its own militants, who decided to appear in the public space without any reference to their catholic identity: a political or social one, independent from their own religious belonging, was shown. They became secular people without any connection with the religious establishment they belonged to before. This perfectly illustrates the process named the *internal secularization* of religions. It is not surprising how French Catholicism seemed to lose its own rules, doctrines, militants in such a way; and we cannot understand what happened in France with the *marriage pour tous* without going back to these previous and critical steps.

If we compare the contemporary phase of Catholicism in France with the situation in the previous decades, a real metamorphosis has happened. As we have seen before, from the 50's to the 70's, Catholicism was experiencing profound difficulties in France as political or social force. Nevertheless, during the end of the 80's, all the 90's and the beginning of the 2000's, a sort of re-involvement of new Catholic militants in social and political issues was produced. Their doctrines and modes of actions were significantly different from the previous movements, when they were linked with the French left wing. We can definitely affirm that the 90's and the first decade of 2000 mark a revival in Catholicism. In particular, during the 90's a new generation of militants appear within the catholic church: I will call them the Catholics of identity. They always belong to the middle and upper classes. During the 60's and 70's, the main part of the Catholic Church, was made, on the contrary, by the Catholicism of openness: an openness to the world and its diversity. The reference to *identity* for this new generation of militants, which becomes stronger as the militants of openness leave the church, aptly explains how they define themselves. They try to strengthen their own religious belonging (namely identity) by the means of a deep opposition to the modern and external world. Furthermore, a second feature in their mode of action must be underlined. These Catholics both want to and do intervene in the bioethical and biotechnological domain and, more generally, in all which concerns the "*politics of intimacy*"²: education, body, family, procreation. The mobilization must be explained also in reference to the emergence, during the 80's and 90 's, of a new generation – neo-conservative – of priests and bishops (those who have been appointed by John Paul II and Benedict XVI).

In detail, their first mobilizations at the beginning of the 90's aimed to struggle against the new bioethical law (concerning cell research or artificial procreation, also with reference to homosexual couples). After that, there has been a second mobilization at the end of the 90's against the legal recognition of civil partnership by the *pacte civil de solidarité* (PACS). Later, education became their new goal in the 2000's (in particular with reference to the gender theory teaching in public schools in France), in addition, of course, with the same-sex marriage issue.

Thus, all these mobilizations have clearly shown how the Catholic movement deeply changed in the topics it wanted to tackle. As we see, at the beginning of the 20th

century the struggle essentially regarded social (how to deal with capitalism, conditions of work etc) as well as political topics (whether secularism could be acceptable for the Catholic conscience). Currently these issues are no longer important for the new generations of Catholics of identity. They mainly focus on the politics of intimacy. In the light of this historical reconstruction, we can definitely argue that there has been not simply a change, but a metamorphosis in the French Catholic world.

M.S.: “*Déthéologisation de la production juridique*” and “*éthicismation de la production juridique*”³, using your own expressions. The increasing bio-law in contemporary legal systems goes hand in hand with several religious mobilizations in bioethics, as you were explaining before.

P.P.: First of all, there has been an undeniable legal change in France since the middle of the 60’s and much more during the 70’s. What changed? At the end of the 19th century and during the first part of the 20th century, the secularization of the politics shaped a new situation. The 1905 law⁴, which dealt with the separation between Church and French State, marked this crucial passage. Nevertheless in that time, laws on the intimacy or family issues reflected the Catholic ethos. It has not been the case since the 60’s and the 70’s, when the political secularization of law was followed by the cultural secularization of law. In many European countries, but especially in France, law strictly separated itself from the Catholic culture. For instance, contraception was authorized in 1967, abortion in 1975 and a new form of divorce by mutual agreement was introduced in the same year. A real revolution in the family status was produced. Furthermore, even homosexuality was de-penalized with a socialist law during Mitterrand’s presidency at the beginning of the 80’s, in 1982. A profound separation between the legal production and the Catholic culture was accomplished.

What is the meaning of this separation? An expression may explain and recap what happened: the autonomy issue. One’s self-determination over her or his physical body or personal life became more and more important in the social and public conscience in France. This represented the achievement of a mental revolution that must be explained.

After the 60’s the governance of life ceased to belong to the Catholic Church through the Republican law. A new way of life started. Indeed, the legal production, leaving any reference to religion and clearly separating from it, gave more and more importance to one’s autonomy. This authentic shift formed a new ethos in the French population. The key word of French people who were asked about some specific topics (such as family, procreation and education) became independence. That is to say that French citizens wanted to choose their own life, without any interference or intervention of the State. The laws I mentioned before are exactly in connection with new social and moral morphology. A sort of durkheimian analysis of these events might be done at this point: a parallelism between the evolution of the social conscience and the evolution of the juridical product can be indeed pointed out.

Nevertheless, at the same time “a post-secular attitude”, quoting Habermas⁵,

raised: a form of resistance coming from that part of the population, who could not accept a deregulation of the social conscience, pretended to produce a deregulation of legal production. When Habermas says that the current situation is marked by post-secularity, he wants to express this crucial idea: the process by which society becomes more and more secular (and this is the situation in contemporary France, where most people do not believe in God or do not take part in religious rituals) goes together with a deep revival of religious movements⁶. These movements cannot accept the bare secularization fact; in particular, the secularization in the way certain topics are regulated, first of all family or intimacy. These people, ruled by the Catholics of identity, want to fight against what they call and consider “the decay of the society” and the denial of human dignity.

This condition might be described as “a war of culture” between two parts of the population in France. These two parts are divided on the problems of family, on the problem of education and on the problem of homosexual marriage. On one side, the population of tolerance, accepting the autonomy principle in society, as far as this kind of autonomy does not endanger the autonomy of the others. Here we have a horizontal limitation of liberty claim. On the other side, the second part- a minority- of the French population, who wants to defend and affirm the rule of heteronomy. According to them, the good way of living is prescribed by the rule of God, or for a subpart of them, by the rule of Nature or by a common anthropology. The “bona vita” is not the capability to do everything, but the duty or the obligation to respect the natural order in the real world. This entails precise consequences in the juridical sphere: positive law must be in accordance with the natural law and with the anthropological schemes of this absolute model of good life.

This wave of secularization and at the same time of counter-secularization of people living on a heteronomous world of concepts, namely post-secularity, represents the key perspective by which the contemporary French context might be considered.

M.S.: There are two core expressions recurring in your book that might help with a deeper comprehension of the gay marriage issue. These are the “Gender theory” and the “Human Ecology”, this latter expression from Benedict the 16th. How have they been used with reference to the homoparental family issue?

Ph.P.: These two expressions both refer to the theory of natural law. This theory often appears in the French Catholic language, but it is expressed through anthropological or modern schemes or meanings. Regarding the first expression, the Catholics prefer using “human ecology” rather than natural law. We can surely find some explicit references to natural law in the Bishops’ texts or in those of Catholic community, but they are very rare due to the secularization of the Catholic language during the *mariage pour tous* mobilization. In other words, they appropriated the new language of modernity (with this reference to ecology), but in order to defend an old cause: the natural law cause.

Let us now consider the theory of gender. It has been a mobilization and reflection cause from the middle of the 90’s in France but also in the Catholic Church in Rome.

During that time, some texts were published by the Congregation for the Doctrine of the Faith, ruled by Ratzinger. They openly criticized the theory of gender. In the spirit of those documents, this theory represented a deconstruction theory of common anthropological categories, or common natural law categories, in society and in the organization of the world. Indeed, according to the Congregation for the Doctrine of the Faith's documents, the gender theory wants to destroy: the natural complementarity and difference between male and female; the natural relation between man and woman; the constitutive base of society, the traditional and heterosexual family. So we can understand the reasons why this theory of deconstruction of sexual belonging personally affected French and Roman Catholics. It was a reason of true anxiety for the permanence of the old order of things. Behind this expression ("the old order of things") I want to point out the reference to the scholastic and thomistic theory of natural law, repeatedly rediscovered during the last century. In spite of the Council Vatican II, the return of the old mental structures of reflection (derived from the scholastic universal thinking) marked the last decades. Ideas are no longer expressed with the traditional language of natural law; despite that, they do speak about the deconstruction of universal and perennial categories.

If we move to the French institutions, during the 2000's there have been many mobilizations even in the French Senate against this theory of gender. A sort of alliance between the Catholics of identity and a political élite belonging to the right wing parties emerged, defending the same positions. It was not surprising, then, to see these two groups of people together in the streets of Paris against the loi Taubira and the *mariage pour tous*.

M.S.: Your book suggests not to identify this mobilization as an exclusively Catholic one. There have been other non catholic and even non religious actors sharing a certain concept of family and nature. According to you, did the "Manif pour tous" movement and the French Catholic Church succeed in creating a cross centre of convergence even for the future?

Ph.P.: It is perfectly right. There has been a sort of coalition between Catholic militants and people coming from other religions: some Muslims; some Protestants from the Evangelical side mainly; some Jewish. The manif pour tous created a front of religious actors. Within the mobilization, together with these religious people, we have also found some philosophers, psychologists and jurists coming from the agnostic side of society. Undoubtedly, as statistics explicitly confirmed, the main part of this mobilization was constituted by French Catholic people, despite alliances with other religious or secular people. Beside that, we must warn that the marriage pour tous mobilization is not the only one and even less the last. We can point out three further sectors, which have mobilized not only the Catholic population, but also Muslim, Jewish people and sometimes secular people. The first one is education.

Under the presidency of Holland, some French socialist ministers wanted to re-introduce in the school curriculum some teachings, concerning the civic and moral

education of students. A greater part of Catholics considered a State willing to take some decisions against or beyond the will of the family unbearable. These people made a strong distinction between two ideas: education and instruction. The State must provide an appropriate instruction; but education depends exclusively on family. But their struggle was also specifically addressed against the gender theory teaching during biological sciences classes.

The second further sector of mobilization deals with an extremely contemporary issue, especially after the recent events in Paris in January 2015: the freedom of expression and free speech⁷. Is it possible to attack or criticize religions by caricatures? Since the 90's another alliance was made between religious actors against the atheistic satirical sketches on religion. A proper juridical mobilization was started by Catholics, Muslims, often with the participation of some exponents of the secular society who want to defend religious identities and to fight against "Islamophobia". For instance, Charlie Hebdo was involved in several trials due to its religious caricatures during the 90's and the beginning of 2000's.

The third domain of mobilization regards death: how the euthanasia issue should be regulated by the State? With reference to this subject, we can definitely find the same split in French society during the *mariage pour tous* bill. On one side, the people who were in favour of same-sex marriage, applying a horizontal limitation of liberty even regarding end of life decisions. As a matter of fact, they wish to decide on their life as much as on their end of life, due to the autonomy principle adoption. Consequently they strongly support "the soft death" legal recognition. On the other side, people opposing a vertical limitation of liberty. According to them, it is necessary to put our own freedom under the rule of general or natural morals and traditional anthropological categories, forbidding man or society to choose or accompany one's death, even if this person wants it to be so. It stands to reason how the euthanasia issue reproduces the great division inside French society between those who support the principle of autonomy and those who support the principle of heteronomy. Heteronomy is no more said in the old language of God, or in reference to biblical duties. The new language of heteronomy is very close to the language of social sciences and anthropology. I must specify, however, that on this topic, the level of mobilization of the catholic side is lower than on the theme of marriage and education. The bishops are also much more silent about it. It is necessary to add, once again, that this part of the population favourable to the morality of the heteronomy is in fact a minority. We must remember that French society is secularised for the main part of it.

M.S.: The Taubira Law has also produced, after its approval, a peculiar judiciary battle that is still on going. I am referring to the legal campaign led by the association "Les maires pour l'enfance". This campaign denounced the lack of a conscience clause in that law for mayors and deputies, whose conscientious scruples forbade compliance, in order to refuse the celebration of same-sex marriages. After the decision of the Conseil Constitutionnel, who rejected the French mayors' claim for conscientious objection, the case is now hanging in front of the European Court of Human Rights. Could we really argue that the *laïcité à la française*⁸ cannot stand such claims?

Ph.P.: There has been a thorny debate on this question even before the bill became law. In particular, in November 2012 president Hollande during a speech in front of the mayors' association expressed the possibility of introducing a clause of conscience. He was applauded by the audience for what they considered very good news. Immediately after this speech, the LGBT associations heavily protested and asked the president to receive their leaders. The LGBT associations leaders were received by Holland; after their discussion, he publicly admitted that an error had been made: no clause of conscience would have been included in the marriage *pour tous* law for mayors. They would be obliged to celebrate same-sex weddings.

If we consider the Conseil Constitutionnel's decision, no space for doubts or further interpretations is left: it is not possible to have a conscience clause in that law. But we must clarify that this statement of the French Constitutional Court is not the result of the French model of secularism. Indeed, several hypothesis of conscientious objection are already recognized in the French legal system. There are two domains: military duties and abortion.

Regarding the first one, general De Gaulle decided to introduce the possibility to object to military conscription in the 60's. With reference to the second domain, instead, in public or State hospitals it is possible for doctors to object, refusing to take part in voluntary interruptions of pregnancy, if their involvement seems unbearable for their own conscience. Thus, we may say that in French legislation the conscience clause is provided for specific topics, but it has not been the case: why did it happen?

The bare fact that mayors do exercise public or State powers makes the possibility to object towards their mandatory duties (in this case the homosexual marriage) much more difficult than in the case of abortion. The reason why can be easily explained. They keep a part of the State sovereignty in their own office: this is completely different from State doctors in public structures. This counterargument against mayors' claim has been pointed out even by same-sex marriage supporters. Moreover, there is a further reason: a political reason. The militants in favour of the *mariage pour tous* did not want any possibility of conscience clause, because the recognition of this clause would have represented a sort of defeat for their demand for civil rights. Nevertheless, mayors' claim was not a real problem for some French Socialist party exponents. Even if symbols are important in the fulfillment of public functions, they made the following observation: despite the fact that the status of mayors does not allow them to have any conscience clause, empirically they can (if they so wish) give their power to celebrate marriages to their deputy. So please, they said: do not protest!

If we consider this way of thinking analytically, two main arguments can be pointed out. The first is juridical. It is not possible for you to object because you are a State authority: therefore you must obey the laws of the Republic. But the second empirical or political argument is much more relevant in some way. If we consider the homosexual movements, the prevision of a conscience clause in the law would have been a political and symbolic failure for them. It would have meant that the homosexual marriage was not of the same nature as the heterosexual one. This discussion was really present in the left-wing French parties inner debate, especially in the Socialist party. The equality between homosexual and heterosexual people,

they said, had to be a perfect equality. Concerning marriage, it was consequently not possible to create two categories of citizens.

So, the Socialist opposition to the conscience clause in the *mariage pour tous* law must be interpreted as a mean by which assuring equal rights to all categories of French population. In general, the French Socialist party has often repeated the importance of giving certain rights to new categories of people, while being so difficult to significantly change the economic trends in France.

M.S.: Media still tend to describe the catholic world as a monolith, usually without distinguishing the institutional level positions from the others. This new mobilization might probably remove this misleading veil. How many forms of Catholicism has the gay marriage issue revealed in France?

Ph.P.: The same-sex issue has pointed out different realities in the French Catholic world. First of all, let us consider militants. Besides the Catholics of identity, who were very active against the Taubira law, willing to assert their own identity against the secular world, we also find another side, still present in the Catholic movement: the Catholics of openness. These people, gathered in some movement such as *David et Jonathan* (a homosexual Christian movement founded in 1972) or *Les réseaux du Parvis*, represent groups of openness to liberalism and liberal societies. These movements are very few in the militant world of French Catholicism. In brief, we had a majority of Catholics of identity and a small part of Catholics of openness in this legal and political affair. The latter do exist, without being very numerous. We might add that the pontificate of Francis is giving them new courage in order to transform things inside the Church: they have many hopes in the pope's renewal action.

If we shift our focus from the militants to people not going regularly to church, these ordinary believers stand, for the main part (60% vs 40), in favor of the *mariage pour tous*. We can say that the more you are integrated in the church (the criterion being the your attendance at the mass), the more you share the morals of the institution.

M.S.: Let us take a final glance at Italy, where Catholics still represent the majority of the population. The book makes a specific reference to the "sentinelle in piedi" phenomenon. They expressly define themselves, in their website, as a "form of resistance" apolitical and non-confessional, even though their target is political (the Italian bill against homophobia). Besides sharing of rhetoric with the "Manif pour tous", there is probably a revival of a typical jusnaturalistic right: the right of resistance towards power. Did "the appeal to heaven" become the appeal to the street or to the public opinion?

Ph.P.: I am not sure that we can oppose these two things. If we come back to the beginning of the 20th century, for instance, in the French Catholic movement the appeal to God was linked with the appeal to the French public conscience. The Catholics asserted that the law about the separation between the State and the Church was against the law of God as well as against the French tradition. Nowadays I would

say that things have not really changed. Surely there are no references to heaven, or they are extremely rare: they want to speak with what Habermas called the necessity of “translation” due to the secular population they address themselves to. Nevertheless, the appeal to heaven has been just substituted by the reference to a strong or thick ontology: natural law, universal anthropological categories. In other words, an order of things that cannot be destroyed by human law. The same hierarchical structure between the ordinary human positive law and an upper law (namely the natural or anthropological law) still persist. Even using some secular categories in order to speak to a secular population, the Church and the Catholic movements constantly make references to a form of heteronomy. But, as we can read in their speeches, their heteronomy call is in connection with the deep spirit of French people. Indeed, they say, we can easily find in the French population a sort of reaction against the deconstruction of the old order of things.

In the Catholic movements reasoning a connection between some philosophical, anthropological and political argument is made: “We represent the true people against intellectual or LGBT minorities, who represent the fake people”. This mode of argument produces a sort of return to the philosophical categories of the French Catholic movement at the beginning of the 20th century. It was inspired, in part, by the philosophy of Charles Maurras⁹. He was an extreme right wing philosopher at the beginning of the 20th century who systematically opposed the true people and the fake people. The true ones had the real roots in the French culture; the fake people, also called “the legal people”, are those in Parliament, in parties: these people were very far from the sane spirit of our French people. As we can see, in contemporary Catholic movements we always have a sort of swing or a mixture between theological (even if said with modern words) and “democratic” (if we can consider the reference to sane people as being democratic) arguments. That is the reason why it is very difficult to oppose an appeal to God and the appeal to the street: in their discourses, even at the beginning of the 20th, both aspects were combined, not so differently to nowadays. However, I must add once more that, beside the reference to the traditional culture of our country (which shapes the “sane part” of the population), the right of resistance towards French government has been justified also by a more modern – “democratic” (in the sense of Tocqueville) reference to the value of equality; especially to the equality of children, which was a central argument during the *mariage pour tous* mobilization.

Notes

¹ Law n° 2013-404, 17th of May 2013.

² See Pérez-Agote and Dobbelaere, 2015.

³ See Feuillet- Liger and Portier, 2012.

⁴ The, so called, *loi sur la laïcité*, 9th of December 1905, “concernant la séparation des Eglises et de l’Etat”.

⁵ See Habermas, 2008.

⁶ See Portier, 2011.

⁷ See Portier, 2013.

⁸ See Portier, 2016.

⁹ See Maurras, 1937.

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