# Corsica's struggle for autonomy: historical roots, institutional changes, and current challenges

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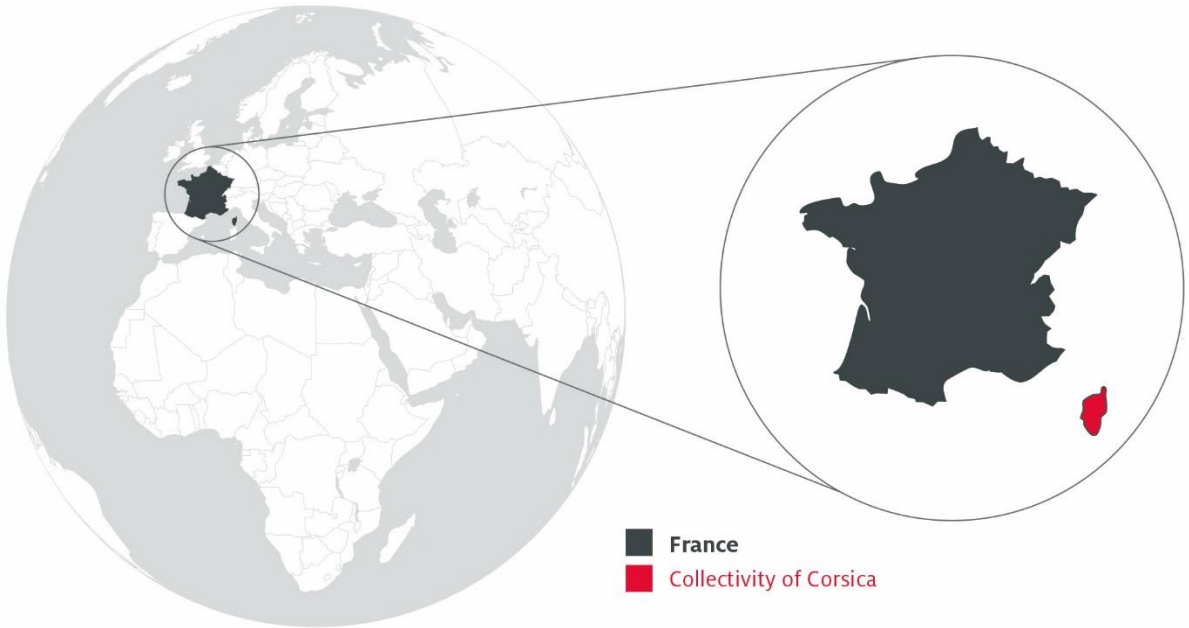

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# 1. Essential Facts and Figures

## 1.1. France's political, cultural, and economic features

France is a semi-presidential republic, and is often considered the archetype of the nation-state, with a state apparatus organized based on the principle of centralism, largely inspired by Jacobin republicanism (see section 10 of this paper). Accordingly, decision-making powers are vested in central authorities, while policies are implemented and delivered by a centralized public administration. Such a model has long inhibited the development of local institutions of self-government. A slow-paced and gradual movement towards decentralization has taken place from the 1970s-80s, in the aftermath of Charles de Gaulle's demise and in concomitance with the adoption of decentralizing reforms in other Western European countries (see subsections 3.1 and 3.2). Asymmetric devolutionary dynamics led to the establishment of suis generis autonomies, such as the fully-fledged autonomy of New Caledonia and the still-germinal autonomy of Corsica (see sections 4, 5, 6, and 7). France's poor legislation on language rights, evidenced by its refusal to ratify the European Charter for Regional or Minority Languages (ECRML), is rooted in the monolithic conception of citizenship enshrined in French constitutional tradition (see sections 2 and 10). France's monolingualism emanates from the constitutional principle of indivisibility, which applies both to the national territory and to the body of citizens that compose the nation.

It follows that minority recognition continues to be conceived within the limits of Jacobin republicanism, which perpetuates and propagates the French universalist understanding of citizenship (Schor 2001, 44), and has therefore historically been hostile towards any form of communitarianism and territorial autonomy. French constitutional jurisprudence, as shaped by the Constitutional Council (CC), has traditionally maintained a non-accommodating stance towards minority rights, while language policies have traditionally upheld the Jacobin monolingual credo (see subsection 1.3).

Additionally, France is characterized by strong territorial inequalities. Corsica lies on the periphery of the French core (i.e., Île-de-France), where institutions, political power, and economic wealth are concentrated (INSEE 2021). Corsica is the territorial collectivity of metropolitan France with the lowest GDP, amounting to 10.3 billion EUR in 2022—less than 0.5% of the overall French GDP. With a GDP per capita of 29,260 EUR in 2022, Corsicans are also the least wealthy among metropolitan French citizens (INSEE 2024). In 2020, over 18% of the Corsican population lived below the poverty line, making Corsica the territorial collectivity with the highest poverty rate in metropolitan France (Bolusset et al. 2023). The agri-food and energetic sectors are the most developed industries. Commerce- and service-related activities dominate the economic landscape of the island. Tourism

represents an important economic sector, although the negative effects of touristification are a concern for a significant segment of the island's population.

## 1.2. Corsica's ethno-demographic, socio-cultural, and historical profile

Corsica is the fourth-largest island in the Mediterranean Sea, after Sicily and Sardinia (both in Italy), and Cyprus. Geographically, this largely hilly and mountainous island is much closer to Italy than to mainland France. The distance between Corsica and Sardinia is approximately 11 km. Corsica lies about 50 km from the islands of Capraia and Elba, in Tuscany, and less than 100 km from Liguria, in northwestern Italy. Mainland France is about 170 km from Corsican shores. Highlighting Corsica's historic and geographical ties to the Italian peninsula is essential for understanding the island's ethnogenesis, linguistic identity and sociopolitical features.

In January 2021, Corsica had a population of 347,597 (INSEE 2023). From an administrative perspective, the island constitutes a single territorial collectivity (*collectivité territoriale unique*), endowed with special status within metropolitan France. It is no longer fragmented into two departments, as it was until the rise to power of Corsican nationalist forces in the mid-2010s. The island has historically been characterized by chronic negative demographic trends, due to migration towards the mainland and French colonial possessions until the 1960s, as well as rural depopulation. In fact, more than a third of the current resident population lives in two cities, namely Ajaccio and Bastia. Demographic growth is not an endogenous phenomenon but rather a result of current positive net migration. The fertility rate among native Corsicans is one of the lowest in France, and the Corsican population is one of the oldest in the country. The resettlement of French citizens from former North African colonies—the so-called *pieds noirs*—in Corsica in the 1960s had a significant impact on its socioeconomic and linguistic landscape (Hermitte 1970; Hermitte 1971). The integration of the *pieds noirs* was facilitated by state authorities which subsidized their agribusinesses in the fertile plains of eastern Corsica. This increased the sense of abandonment felt by native Corsicans, who were already struggling with economic hardships compared to the rest of France. The nostalgic colonial memory of the *pieds noirs*, their collective detachment from Corsica, and their rapid economic expansion angered many Corsicans, who began to see them as part of a central government's strategy to Francize the island (see section 9).

Physical isolation and structural underdevelopment with respect to mainland France only partly explain Corsica's quest for autonomy. The history of Corsica and Corsicans had long been separated from that of France.[1] From and ethnogenetic point of view, Corsicans are closely related to

[1] By *France*, I mean the geographically defined state entity that has borne this name since the tripartition of the Carolingian Empire and the formation of the French Kingdom in the late 10th century, covering *grosso modo* the core regions of today's French Republic.

neighboring populations such as Sardinians (Millardet 1933), and central-northern Italians, Tuscans above all (Tamm et al. 2019). After the fall of the Western Roman Empire, Corsica was absorbed into Lombard possessions, like much of today's Italy. In the Middle Ages, it was contended between the Maritime Republics of Pisa and Genoa (Gemini 2013; Cancellieri and Marchi van Cauwelaert 2023; Cancellieri 1984). Genoa eventually gained control over the island and extended its sovereignty on it from the late 13th until mid-18th century (Colombani et al. 2016; Cancellieri 1993). During this period, ties between Corsica and the Italian states strengthened,[2] and literary Tuscan—what would become the Italian language—gradually penetrated the educated stratum of Corsican society. Until two centuries ago, Italian was undisputedly the language used by Corsicans for literary, administrative, and religious purposes. Alongside it, Corsican was also used orally. The linguistic history of the Corsican language further confirms the ties to Italian and the cluster of Tuscan varieties (Arrighi 2002; Durand 2003), to the point that Corsican and Tuscan were thought to be the same language until not so long ago (Arrighi 2008). Corsican is indeed an Italo-Romance language—like all languages spoken in central and southern Italy—with a remarkably high degree of mutual intelligibility with standard Italian. It shares strong similarities with the Romance varieties of northern Sardinia and Tuscany (Arrighi 2002) and retains some Ligurian influence (Toso 2017; see section 10).[3]

Corsica's ties to the Italian cultural sphere were abruptly cut off when Genoa ceded the island to the French Kingdom in 1768, as collateral for its loans. However, a situation of Corsican-Italian diglossia persisted throughout the 19th century (Pellegrinetti 2003), with several newspapers still using the Italian language.[4] At the oral level, Corsican remained the dominant language across all social strata until the First World War.

In the first half of the 20th century, the rejection of French rule grew among early Corsican regionalists, some of whom sympathized with Italian Fascism and became agents of Italian Irredentism (Paci 2016; Poli 1977; Poli 2007; Rogé 2008; Yvia-Croce 1979; Vignoli 1981).[5] Annexation to Italy occurred between 1942 and 1943 and was facilitated by the collaboration of some pro-Italian Corsican Fascists (Paci 2015). Many other Corsicans joined the ranks of the anti-fascist (and therefore anti-Italian) resistance. After the liberation of France from Nazi-Fascist occupation, Corsican identity drew strength

[2] I refer to so-called pre-unitary Italian states, specifically those where the Italian language was used for *high* purposes (administration, justice, literature, diplomacy, etc.).

[3] The so-called *colonial Ligurian* includes the Ligurian dialects that are (or were) spoken in some pockets of land along the shores of the Mediterranean Sea, once part of the Republic of Genoa.

[4] A list of newspapers fully or partially written in Italian in the 19th century is available online at https://presselocaleancienne.bnf.fr/cherche?av=true&equRech1=mot&mot1=ita&typeRechCritere1=all&territoire=region7 (accessed November 5, 2024).

[5] Italian irredentism was one of the most influential political movements in Italy during the late 19th and early 20th centuries. It called for the annexation of territories from neighboring countries that were considered Italian, either for ethnolinguistic or geographic reasons. Accordingly, Corsica was to be reintegrated into Italy, along with the cantons of Ticino, Grigioni and parts of Valais, Nice and the Maritime Alps, Malta, Istria, the eastern Adriatic coastline up to northern Albania, and former Venetian islands in the Ionian and Aegean Seas.

from the anti-fascist struggle of the 1940s. De-Italianization was the prelude to Corsification, as opposed to Francization. The Corsican language underwent a process of *Ausbauization,*[6] further reinforcing its uniqueness among Romance languages and distancing itself from Italian, marking the distinctiveness of Corsicans from surrounding Romance-speaking populations. This was the time of the Reacquisition (*Riacquistu*), the valorization of the Corsicanness (*corsità*) through the reappropriation of the Corsican language (Dominici 2017). Corsican demands for self-government increased, and a minority of Corsican nationalists chose armed struggle as the path to full self-determination. For the National Liberation Front of Corsica (*Fronte di Liberazione Naziunale di a Corsica*)—the main nationalist armed group—Corsicans needed to end the French rule,[7] which they saw as subjugating the native population just as it did in former colonies, from Indochina to the Maghreb (see subsection 3.4).

The overview of Corsica's historical and current ethno-demographic features, its centuries-long connection to the Italian cultural space (Arrighi 2008), and its peripheralization within modern France explains the relentless quest of Corsicans for cultural and territorial autonomy.

### 1.3. Language policies, educational policies, and language vitality

France is often seen as the archetype of the nation-state, which holds that only one national community exist within the borders of the state. With the overthrow of the *Ancien Régime* and the refoundation of France as a republic, Francization became an imperative to homogenize the country (de Certeau, Julia and Revel 2002). In January 1794, Bertrand Barère de Vieuzac wrote in his "Report of the Committee of Public safety on Languages" submitted to the National Convention that "[f]ederalism and superstition speak Breton; emigration and hatred of the Republic speak German; counter-revolution speaks Italian, and fanaticism speaks Basque. Let us destroy these instruments of damage and error" (Barère de Vieuzac 1961, 713). In June 1784, Henri-Baptiste Grégoire presented to the National Convention the "Report on the necessity and the means to annihilate dialects and universalize the use of the French language". The report lists the "*l'italien de la Corse*" among the patois spoken in France, which were to be eradicated.

The French Constitution (FC)[8] states that French is the only language of the Republic (Article 2) and acknowledges that the regional languages spoken in France are part of "France's heritage" (Article 75-

[6] Mauro Tosco (2012, 243) defines *Ausbauization* as "the technical means whereby an Ausbau language is made", while according to Kloss (1967, 70) an Ausbau language is one that has "deliberately been reshaped so as to become a vehicle of variegated literary expression" (see also Fishman 1991; Fishman 2008).

[7] The concept of *internal colonialism* was used in the second half of the 20th century by national minorities in France to highlight the exploitative role of the French state towards them.

[8] An English translation of the French Constitution is available online at https://www.conseil-constitutionnel.fr/sites/default/files/as/root/bank_mm/anglais/constiution_anglais_oct2009.pdf (accessed November 5, 2024).

1, introduced by the 2008 amendment).[9] Nonetheless, administrative centralization and republican egalitarianism—two core principles of revolutionary Jacobinism—have persisted to this day, shaping the ideology of nearly all French parties, obstructing the implementation of group-differentiated rights, and, consequently, territorial autonomy and linguistic rights (Harrison and Joubert 2019). While "republicanism is the dominant language of modern politics in France" (Labord 2008, 3), French is the only language that the Republic accepts to speak. Accordingly, the so-called *Loi Toubon*[10] of 1994 strengthened the place of French as the state only language, defining it "the language of education, work, trade and public services".

The so-called *Loi Deixonne*[11] of 1951 was the first legislative act that officially recognized the existence of regional languages, providing a legal framework for the teaching of Breton, Basque, Catalan, and Occitan in the regions where they are spoken.[12] Corsican, along with other regional languages,[13] was initially excluded from this law, on the grounds of being an "allogenic dialect" (*dialecte allogène*), deemed too close to Italian (Arrighi 2008, 510; Arrighi 2002, 74; Marcellesi 1975, 5); including Corsican was seen as tantamount to recognizing Italian. In 1974, the provisions of *Loi Deixonn*e were extended to apply to Corsican as well.[14] The so-called *Loi Haby* of 1975 authorized the teaching of regional languages throughout education.[15] France's historical opposition to the full recognition and promotion of regional languages was nonetheless reaffirmed by the refusal to ratify the ECRML. A more conciliatory approach towards language diversity has emerged in the course of Macron's administration. In 2021, the French National Assembly approved the so called *Loi Molac*[16] aimed at the protection and promotion of regional language. This act marked a breakthrough in French language policies, providing, *inter alia*, for immersive teaching in regional languages "without prejudice to a good knowledge of the French language" (Article 4), additional funding to community-run schools offering teaching in regional languages through municipalities where pupils reside (Article 6), the introduction of bilingual toponymy and signage (Article 8) and the use of diacritical marks of regional language in civil status documents (Article 9). However, in May 2021, the CC struck down Articles 4 and 9 ruling that these provisions breached Article 2 of the FC, which stipulates that the language of the republic is French (Cramer Marsal 2021).

[9] Constitutional Law no. 2008-724 of 23 July 2008 on the modernization of the institutions of the Fifth Republic.
[10] Law no. 94-665 of 4 August 1994 on the use of the French language.
[11] Law no. 51-46 of 11 January 1951 on the teaching of local languages and dialects.
[12] Articles 1 and 10.
[13] Namely, Alsatian and Lorrain Franconian, Flemish, Franco-Provençal (or Arpitan), and Ligurian, as well as non-territorial languages such as Yiddish and Romani. Other regional languages, such as Italian, have long been eradicated.
[14] Decree 74-33 of 16 January 1974 extending the applicability of Article 2 and Article 9 of law of 11 January 1951 and the decree of 10 July 1970 to the area of influence of Corsican.
[15] Article 12 of Law no. 75-620 of 11 July 1975 on education.
[16] Law no. 2021-641 of 21 May 2021 on the protection of the heritage character of regional languages and their promotion.

The Corsican language gained increased recognition in 1982, when administrative autonomy was granted to Corsica (see subsection 3.1). The newly constituted region (*région*) was endowed with a special status (*statut particulier*)[17] and the assembly of Corsica was given the authority to determine additional educational activities, including those regarding the teaching of the Corsican language.[18] The so-called *Loi Joxe*[19] of 1991 established the territorial collectivity of Corsica (*Collectivité Territoriale de Corse* - CTC) and expanded the competences of its autonomous institutions. The assembly of Corsica was granted the authority to adopt a development plan for the teaching of the Corsican language, subject to an agreement between regional and state authorities. Based on this framework, the introduction of Corsican as a subject, taught for three hours a week at all levels of the education, was outlined in the 1993 "Plan for the Development of Corsica", and the 1994 "Strategy of the State in Corsica". This provision was reaffirmed by the 1999 "Plan for the Development and the Teaching of the Corsican Language and Culture" and the 2003 Convention between the State and the CTC; the former also set the goal of implementing a French-Corsican bilingual program. In 2002, a provision regarding the teaching of Corsican in kindergartens and primary schools was introduced into the French Education Code.[20] A more comprehensive linguistic policy—aimed at establishing Corsican as a co-official language in education and public services—was pursued under the "Strategic Plan for Linguistic Management and Development of the Corsican Language (2007-2013)". Co-officialization became a programmatic goal of autonomist and independentist forces in the early 2010s. In 2013, the assembly adopted a set of proposals concerning the status of co-officiality and the revitalization of the Corsican language,[21] with the main objective of protecting and normalizing Corsican and placing it on equal footing with French in all spheres (Quenot 2014).

The commitment of Corsica's autonomous institutions to establish Corsican as a co-official language on the island reflects the electoral dominance of Corsican nationalists in the last two elections (Fazi 2021).[22] Corsican authorities have intensified their efforts to extend the use of Corsican within the public institutions. In December 2021, the assembly approved a deliberation on its revised rules of

[17] Law no. 82-214 of 2 March 1982 on the special status of the region of Corsica: administrative organization; and Law no. 82-659 of 30 July 1982 on the special status of the region of Corsica: powers.

[18] Article 2 of Law no. 82-659 of 30 July 1982 on the special status of the region of Corsica: powers.

[19] Law no. 91-428 of 13 May 1991 on the status of the territorial collectivity of Corsica.

[20] Article 7 of Law no. 2002-92 of 22 January 2002 concerning Corsica. The CC upheld a narrow interpretation of the right to teach the Corsican language in nursery and primary schools. In its Decision no. 2001-454 DC of 17 January 2002, the CC ruled that Article 7 of Law no. 2002-92 was "not contrary to the principle of equality or to any other principle or rule of constitutional status", since "the teaching of the Corsican language is optional" both in principle and in practice.

[21] Deliberation of the Assembly of Corsica no. 13-096 AC of 17 May 2013 approving the proposals for a status of co-officiality and revitalization of the Corsican language.

[22] The rapport "Lingua 2020. Planification and Normalization of the Corsican Language and Progress towards a Bilingual Society", approved by the assembly in 2015, represented an additional boost for the institutionalization of the Corsican language at all societal levels and the progression towards a fully bilingual society. Other measures were then introduced to consolidate the place of Corsican in the education system: the "State-CTC Convention on the Plan of Development and Teaching of the Corsican Language" in 2016, along with a few deliberations of the assembly.

procedure, stipulating that the languages used during its debates are "Corsican and French".[23] Two months later, Gilles Simeoni, president of the Corsican executive issued an order concerning the new rules of procedure of the executive council, which stated that members of the council and the staff of its general secretariat use the Corsican and French languages in their oral, electronic and written communications.[24] In November 2022, Simeoni presented the "Report on Orientation Towards a Language Policy" to the Corsican assembly, further reinforcing Corsican institutions' commitment to take the lead in developing a cohesive language policy that goes beyond mere protection and promotion.[25] State authorities reacted swiftly against the institutionalization of Corsican as the language of the legislative and executive bodies of the island. The prefect of Corsica challenged before the Administrative Tribunal of Bastia the rules of procedure of the assembly and council that provided for the use of Corsican.[26] In March 2023, the court ruled that these provisions violated Article 2 of the FC and annulled them. The court held that the use of French, as the language of the Republic, is compulsory for all legal persons under public law and persons under private law exercising a public service function.[27] In response, the assembly passed a deliberation in April 2023, reasserting the right of the elected members of the Corsican legislative and executive "to speak their language during the democratic debates" in the assembly and council and reaffirming their commitment to the free use of the Corsican and French languages in public life.[28]

Despite the efforts to protect and promote the Corsican language, the number of Corsican speakers has steadily declined. Two linguistic surveys have assessed the state of vitality of the Corsican language. The first one dates to 2013 and was carried out under request of the CTC (Collectivité de Corse 2013; see also Quenot 2020). According to the results, Corsican monolinguals do no longer exist. The number of Corsophones is believed to be between 86,000 and 130,000, or most probably around 100,000. The use of Corsican is directly linked to age and gender; older males report to speak Corsican with higher frequency. Education remains the main channel of linguistic revitalization. Bilingual teaching interests nearly a third of Corsican pupils, while most of them study Corsican for no more than three hours per week, if not less. The place of Corsican as a school subject drastically decreases

[23] Article 1 of the rules of procedure of the Assembly of Corsica as approved by the Deliberation of the Assembly of Corsica no. 21-234 AC of 16 December 2021 approving the amendment of the internal rules of the Assembly of Corsica.
[24] Article 16 of the Decree of the President of the Corsican Executive Council no. 22/044 CE of 8 February 2022 approving the adoption of the internal rules of the Corsican Executive Council.
[25] For details, see "Lingua Corsa. Raportu d'orientazione nant'à a pulitica linguistica/Langue Corsa. Rapport d'orientation sur la politique linguistique". The report is available online at https://www.isula.corsica/Raportu-d-orientazione-nant-a-a-pulitica-linguistica_a3591.html (accessed November 5, 2024).
[26] Deliberation of the Assembly of Corsica no. 21-234 AC of 16 December 2021 and Decree of the President of the Executive Council of Corsica no. 22-044 of 8 February 2022.
[27] Administrative Tribunal of Bastia, Judgments nos. 2200748 and 2200749 of 9 March 2023.
[28] Deliberation of the Assembly of Corsica no. 23-057 AC of 28 April 2023 adopting a resolution concerning the Corsican language.

in secondary schools. Natural transmission in the family is almost inexistent, and French monolingualism seems to be an increasing trend among Corsican families.

The second most recent survey was conducted in the years 2021-2022 by the University of Corsica (Collectivité de Corse 2021). The results show a higher number of Corsican speakers, with 63% of respondents claiming to be locutors of Corsicans, while 20% declare to be passive speakers. These figures raise the number of Corsophones up between 164,000 and 177,000. Active locutors—those that choose to speak Corsican whenever possible—are believed to be slightly over 39% of the whole population, between 99,000 and 112,000, or more realistically around 105,000. Besides these figures, the survey also stresses the contrast between rural and urban areas, with the former being more Corsican-speaking than the latter. The generational contrast is likewise relevant, with older generations declaring to have a higher degree of oral proficiency in Corsican than the younger ones, whose written skills are declaredly higher. The survey also revealed that only 2% of the population speaks only Corsican on a daily basis. Bilingual schooling continues to be a relevant channel of learning, involving 44% of primary-level students and a third of secondary-level students. The decline in intergenerational transmission is partially confirmed.

## 2. Autonomy and State Structure

France is a unitary state, with a certain degree of asymmetric decentralization. Metropolitan France is currently divided into 13 regions,[29] further divided into 96 departments. Overseas France does comprise five overseas departments and regions (*départements et régions d'outre-mer*),[30] five overseas collectivities (*collectivités d'outre-mer*),[31] New Caledonia, and French Southern and Antarctic Lands and the Clipperton island. The overseas collectivities—except for Saint Pierre and Miquelon—have an autonomous or semi-autonomous status, while the overseas departments and regions share the same status of departments in metropolitan France. New Caledonia is granted a unique status in the French system and is considered a *sui generis* overseas collectivity. Its special status was expanded after the adoption of the 1998 Nouméa Accord, which provided for the transfer of an exceptionally broad set of competences to New Caledonian autonomous institutions.

The unitary profile of the French state is well stressed in the beginning of the 1958 French Constitution (FC). Article 1 establishes that the Republic is indeed "indivisible" but "organized on a decentralized basis." Title XII of the FC on Territorial Collectivities describes in detail the administrative division of the French territory, which, according to Article 72 is formed by municipalities, departments, regions,

[29] Auvergne-Rhône-Alpes, Bourgogne-Franche-Comté, Brittany, Centre-Val de Loire, Corsica, Grand Est, Hauts-de-France, Île-de-France, Normandy, Nouvelle-Aquitaine, Occitanie, Pays de la Loire, Provence-Alpes-Côte d'Azur.
[30] Guadeloupe, French Guiana, La Réunion, Mayotte and Martinique.
[31] Saint-Barthélemy, Saint-Martin, Saint-Pierre-et-Miquelon, Wallis-et-Futuna, and French Polynesia.

special-status collectivities, and overseas territorial collectivities. Article 72 also stipulates that territorial collectivities "shall be self-governing", and that, through their elected bodies, they shall have the power to make regulations on matters within their jurisdiction. Article 72-3 deals with the overseas populations and territories recognized by the Republic. While the FC does not mention Corsica, it addresses the remaining remnants of former French colonial possessions located far beyond mainland France.

If one considers overseas France, decentralization and the distribution of powers across substate administrative units are currently asymmetrical. These processes led to diverse forms of both territorial and non-territorial autonomy. The transfer of administrative and legislative competences to substate levels did not happen all at once but proceeded at different paces in metropolitan and overseas French territories (see section 3).[32] In fact, the FC grants a certain degree of autonomy or self-government only to overseas territories. These autonomy arrangements, as outlined in the FC apply exclusively to overseas France, while culturally distinct regions of metropolitan France, such as Corsica, are not mentioned. All overseas collectivities gained constitutional recognition in 2003 through Article 72-3, which explicitly acknowledges "the overseas populations *within* the French people in a common ideal of liberty, equality and fraternity [emphasis added]". By making direct reference to extra-European overseas collectivities, the FC specifically addresses those territories undergoing a process of decolonization or where anti-colonial sentiments are particularly strong, namely in the French Pacific. Article 72-3 complemented, for instance, the provisions of Title XIII on Transitional Provisions Pertaining to New Caledonia and aligned with Paris's delaying strategy regarding the Kanaks' struggle for independence (Chappell 2013), which culminated in the Matignon and Nouméa Accords. These agreements temporarily deflated the anti-colonial movement by creating the conditions necessary for establishing a system of power-sharing. Despite such legal guarantees, Paris's approach to Kanak independentism has been described as "a form of re-colonization" (Leblic 2022), within a process of decolonization (Alber 2024; see also Kowasch et al 2022 and Alber 2020).

The division between metropolitan and overseas territorial collectivities prevents Corsica from having a system different from mainland France. The inclusion of Corsica within metropolitan France stems from assimilationist policies of a unitary state, which reject any distinction between Corsicans and other French citizens (Fazi 2019). In such a constitutional framework, where territorial collectivities with different degrees of autonomy (i.e. overseas France) exist alongside a moderately decentralized core (i.e. metropolitan France), the place of Corsica remains contested.

[32] In addition to its full sovereignty over its own territory, France has minimal yet symbolically relevant, sovereignty over Andorra and the Principality of Monaco.

The implementation of decentralization policies in Corsica is consistent with the island's distinct territorial, sociocultural, ethnolinguistic, and political features. Insularity necessitates and legitimizes the territorial nature of self-government in Corsica. Moreover, it reflects Corsica's irreversible incorporation into France, as in the case of other peripheral French territories. However, achieving a certain degree of territorial autonomy has been anything but smooth. Rather, it is the result of a decades-long struggle for self-rule, pursued primarily through legal means (see subsections 3.1, 3.2, and 3.3), although pro-independence parties have maintained close ties with subversive groups (see subsection 3.4). In recent years, discussions on the autonomy of Corsica have been reignited, driven by the French president Emmanuel Macron and the rise to power of Corsican nationalists. As national and local newspapers have reported, centrifugal forces have been gaining momentum, with varying intensity, not only in Corsica and New Caledonia but also in overseas territories such as Martinique (Le Télégramme 2024) and in several regions of metropolitan France, including the French Basque Country (Ouest France 2023), Brittany (Le Télégramme 2023; Le Monde 2024; Le Figaro 2024a); Alsace (Franceinfo 2023; Le Figaro 2024b), and Savoy (Le Dauphiné Liberé 2023). Brittany has witnessed occasional episodes of political violence (Le Figaro 2023). However, with the exception of Corsica, New Caledonia and Brittany, demands for self-determination and autonomy have been primarily pursued through electoral and institutional channels, with regional authorities seeking to bring their claims to the attention of the central government.

To date, France remains an utmost example of unitary state, which has accommodated certain forms of asymmetric territorial autonomy, both constitutionalized (e.g. New Caledonia) and non-constitutionalized (e.g. Corsica). The decentralization processes initiated by Paris since the 1980s have not altered the unitary nature of the state, with federalizing tendencies emerging only at its peripheral, extra-European margins.

## 3. Establishment and Implementation of Autonomy

### 3.1. The first wave of decentralization (1980s–1990s)

The Corsican struggle for self-government gained momentum in the 1960s, coinciding with the cultural and linguistic revival known as the Reacquisition (*Riacquistu*)—a period of cultural ferment marked by the evolution, reconceptualization, revitalization, and valorization of the Corsican cultural heritage (Talamoni 2015). Unlike other waves of cultural reawakening, the *Riacquistu* was an identity-based resistance movement that, through cultural and linguistic reappropriation, projected a reinvigorated Corsican identity (Castells 1999). According to Quenot (2021, 6), it was ultimately a "collective movement of *insularization* and *Corsophonization* of literary creation (emphasis added)."

Cultural reappropriation also carried political connotations and was linked to autonomy demands. It was only in 1970 that Corsica was administratively separated from the region of Provence-Côte d'Azur-Corse, to which it had been incorporated in 1960. The debate around regionalization and decentralization began in the late 1960s, championed by de Gaulle himself, who nevertheless upheld the importance of the "centuries-old effort of centralization" in maintaining national unity (de Gaulle 1970, 270). In 1969, a referendum was held on a draft law proposing to expand the powers of regions by transforming them into territorial collectivities. Although the proposal was rejected, decentralization was implemented shortly after.[33] Under Georges Pompidou's presidency, Law no. 72-619 of 5 July 1972 elevated the legal status and role of the regions, by endowing them with a regional council with limited decision-making power and budget. Decentralization was fully implemented under the presidency of François Mitterrand. Law no. 82-213 of 2 March 1982 profoundly reshaped the territorial organization of the French state,[34] and set off a series of decentralizing reforms concerning municipalities, departments, and regions. Inter alia, it reduced the political influence of prefects and introduced the direct election of regional councils. *Lois Deferre*[35] specified the competences and the financial regimes of the new administrative bodies. While centralized dirigisme was softened by the less constrained action of territorial collectivities, France's constitutional order remained unchanged.

Several regulations concerned Corsica. Article 60 of Law no. 82-213 granted a special status (*statut particulier*) to the island. Law no. 82-214 of 2 March 1982[36] and Law no. 82-659 of 30 July 1982[37] detailed the administrative organization and the competences of the region of Corsica. Article 1 of the former emphasized that the organization of the region takes into account the geographical and historical peculiarities of the island. Importantly, a Corsican assembly, composed of 61 members and directly elected by citizens every six years, was established.[38] The reappropriation of a degree of self-governing powers challenged France's centralist tradition, for the first time.

Decentralization reforms continued in the early 1990s. For instance, further legislation on local administration of the Republic strengthened local democracy—introducing the consultative local

[33] The rejection of the draft law via referendum contributed to the downfall of Charles de Gaulle, the promoter of the referendum, and put an end to the Gaullist era.

[34] Law no. 82-213 of 2 March 1982 on the rights and freedoms of municipalities, departments and regions (as integrated by Law no. 82-623 of 22 July 1982 amending and completing Law no. 82-213 of 2 March 1983 on the rights and freedoms of municipalities, departments and regions and detailing the new conditions of exercise of administrative control on municipal, departmental, and regional acts).

[35] Law no. 83-8 of 7 January 1983 on the division of competences among municipalities, departments, regions and the state and Law no. 83-663 of 22 July 1983 complementing Law no. 83-8 of 7 January 1983.

[36] Law no. 82-214 of 2 March 1982 adopting the special status of region of Corsica: administrative organization.

[37] Law no. 82-659 of 30 July 1982 adopting the special status of region of Corsica: competences.

[38] Article 4 of Law no. 82-214 of 2 March 1982.

referendum[39]—and regulated and improved intermunicipal cooperation.[40] Law no. 91-428 of 13 May 1991 granted Corsica the *sui generis* status of territorial collectivity (*collectivité territoriale*)[41] and expanded the competences of local authorities in two main areas: (i) social and economic development—including public transports, economy, education and formation—and (ii) the promotion of identity—including the valorization of the Corsican language and culture, as well as the preservation of the natural environment (see subsection 1.3). Additionally, it introduced some changes to the organization and composition of the autonomous institutions (see section 6).

### 3.2. The second wave of decentralization (2000–2018)

The second wave of decentralization was initiated by prime minister Jean-Pierre Raffarin during the presidency of Jacques Chirac. The 2003 constitutional amendment[42] included decentralization among the core principles of the Republic listed in Article 1 of the FC, explicitly disavowing France's centralist tradition. The right to legislative and regulatory actions was recognized in the newly introduced Article 37-1 of the FC (read in conjunction with Article 72), while Title XII on Territorial Collectivities underwent substantial revisions. Among other changes, the reform introduced the right to petition in territorial collectivities, granted financial autonomy to local authorities, enabled them to hold binding referenda,[43] and gave constitutional recognition to regions, alongside other territorial collectivities. The financial autonomy of territorial collectivities outlined in Article 72-2 of the FC was implemented through a 2004 organic law,[44] while a separate law adopted in the same year regulated the transfer of competences to local authorities.[45]

At the end of 1999, the socialist prime minister Lionel Jospin launched the so-called *Matignon process*, initiating a new round of negotiations on the status of Corsica, and inaugurating a dialogue with elected representatives of Corsica. Through this process, the French government intended to "respond to Corsican claims for self-determination through the establishment of an adapted form of territorial autonomy" (Daftary 2003, 299), within the framework of a renewed system of multilevel governance. During the *Matignon process*, the French prime minister and Corsican representatives held two major meetings in Paris between late 1999 and early 2000, while representatives of the French government and members of the Corsican assembly held working meetings every Monday. Negotiations focused on six main thematic areas: economic development, financial issues, European

[39] Law no. 92-125 of 6 February 1992 on the territorial administration of the Republic.
[40] Law no. 99-586 of 12 July 1999 on the reinforcement and simplification of intermunicipal cooperation.
[41] Law no. 91-428 of 13 May 1991 adopting the status of the territorial collectivity of Corsica.
[42] Constitutional Law no. 2003-276 of 28 March 2003 on the decentralized organization of the Republic.
[43] This was further detailed by Organic Law no. 2003-705 of 1 August 2003 on local referendum.
[44] Organic Law no. 2004-758 of 29 July 2004 in application of Article 72-2 of the Constitution concerned with the financial autonomy of territorial collectivities.
[45] Law no. 2004-809 of 13 August 2004 on local freedoms and responsibilities.

affairs, Corsican language and culture, institutional and administrative reform, transfer of legislative powers. The Corsican side was divided between the autonomists, who sought to secure a broad range of legislative powers to Corsican authorities, and the republicans, who only wanted to enhance decentralization. The Corsican deputies reached a consensus on a set of proposals to present to the government, demanding legislative powers and the mandatory teaching of the Corsican language at all levels of education. After seven months of in-depth discussion, the French government developed its own set of proposals, which was presented to the Corsican deputies convened in Paris. On 28 July 2000, the overwhelming majority of the Corsican assembly approved the proposals.[46] The set of proposals was a political document that addressed most of the issues deemed fundamental by Corsican representatives, within the limits set by the government. Proposals were divided in six sections, covering the following matters:

1) reorganization of the institutional structure. A single territorial collectivity would replace the region (at that time still divided into two departments);
2) devolvement of additional competences to Corsica in the following spheres: land and infrastructure planning, economic development, education, professional training, sports, tourism, environmental protection, transportation;
3) introduction of regulatory powers (which would enable the Corsican assembly to adapt regulatory documents to the situation of Corsica) and power to derogate from French laws on a limited number of matters.
4) measures on the generalization of the teaching of Corsican in kindergartens and primary schools;
5) adoption of a new fiscal system to spur economic growth;
6) adoption of a public investment plan for economic development with large state support.

This set of provisions would have required amendments to the General Code of Territorial Units. Several legal obstacles prevented the full implementation of the Matignon proposals, which were only partially enacted by the 2002 law concerning Corsica.[47] In January 2002, prior to the promulgation of this law, the Constitutional Council (CC) struck down its provisions that would have allowed the assembly of Corsica to request the power to pass rules that derogate from national norms, until the French parliament took the necessary measures to adapt the respective national norms to the specific circumstances of Corsica (see section 6 below).[48]

Article 72-1 of the FC—introduced with the 2003 constitutional amendments—granted the possibility of holding popular consultations in the territorial collectivities with special status, when modifications

[46] Out of 51 members of the Corsican assembly, 44 voted in favor, two voted against, and five abstained.
[47] Law no. 2002-92 of 22 January 2002 concerning Corsica.
[48] Constitutional Council, decision no. 2001-454 DC of 17 January 2002 regarding the law concerning Corsica.

of their organization were proposed. Few months later, the French parliament adopted the law regarding the organization of a consultation on the institutional reorganization of Corsica.[49] Voters were asked to approve or reject the elimination of the island's departmental division in favor of a single territorial collectivity with legislative and executive bodies. This reform would have transferred all competences of the territorial collectivity of Corsica (*Collectivité Territoriale de Corse* - CTC) and its two departments (i.e. Haute-Corse and Corse-du-Sud) to the new territorial collectivity. The referendum was held on 6 July 2003, but the proposal was eventually rejected by 51% of voters.

At the national level, decentralization reforms gained momentum in the early 2010s. Law 2010-1363 of 16 December 2010[50] aimed to revitalize local democratic governance by reshaping, adjusting, and re-clustering municipalities, while improving intermunicipal cooperation. New laws adopted in 2015 provided for the broad redesigning of regional boundaries[51] and the readjustment of territorial collectivities' competences.[52] The number of French regions was accordingly reduced from 27 to 18 (see section 2). The most recent division and merge of regions illustrates how autonomy claims can be opposed or toned-down under the guise of decentralization, administrative rationalization or efficiency. Since Napoleonic times, central governments have purposedly drawn and redrawn substate administrative boundaries with the consequence of fragmenting France's prerevolutionary provinces which often retained distinct cultural or linguistic identities. Without tracing all phases of border-making and redrawing, the periodic splitting and merging of territorial collectivities has become a praxis of the French state. A few examples highlight this trend: German-speaking Alsace was merged with Champagne-Ardenne and Lorraine to form the region of Grand Est, before later being granted the *sui generis* status of "European Collectivity", within the region of Grand Est; the Celtic-speaking peninsula of northeastern France is still split between the region of Brittany and the department of Loire-Atlantique, impeding Breton reunification; the French Basque Country continues to lack territorial recognition, being part of the broader department of Pyrénées -Atlantiques within the region of Nouvelle-Aquitanie.[53]

Overcoming the departmental division and establishing a unified collectivity soon became a priority for Corsica's governments, a goal championed by Paul Giacobbi's left-wing majority after the 2010

[49] Law no. 2003-486 of 10 June 2003 organizing the consultation of Corsican voters on the modification of the institutional organization of Corsica.
[50] Law 2010-1363 of 16 December 2010 reforming territorial collectivities.
[51] Law no. 2015-29 of 16 January 2015 on the delimitation of regions, regional and departmental elections, and modifying the electoral calendar.
[52] Law no. 2015-991 of 7 August 2015 on the new territorial organization of the Republic.
[53] This same argumentation may be extended to other cases: the French Flanders, what corresponds to the former Flemish-speaking and now Frenchified County of Flanders (862-1791), is englobed in the region of Hauts-de-France and fragmented into three arrondissements; Savoy (annexed to France in 1861) remains divided between the departments of Haute-Savoie and Savoie, which are incorporated into the region of Auvergne-Rhône-Alpes; the Pays Nissart, corresponding to Nice and its Alpine surroundings, forms part of the region of Provence-Alpes-Côte d'Azur, with the effect of depriving the Niçois of any autonomy, and leaving its Gallo-Italic linguistic islands inside an Occitanic *mare magnum*.

regional elections. In December 2014 the assembly of Corsica passed a deliberation on the territorial organization of the island[54] proposing the merging the CTC and its two departments into a single territorial collectivity. The so-called *Loi NOTRe*[55] of 2015 brought modifications to the territorial organization of the Republic, including Corsica. Article 30 of this law provided for the creation of the collectivity of Corsica (*Collectivité de Corse* - CdC). Three ordinances further detailed the institutional, budgetary, and electoral measures to be applied to Corsica.[56] Starting from 1 January 2018, the CdC constitutes a special-status collectivity (*collectivité à statut particulier*).[57]

Corsican autonomy demands grew stronger with the rise of Corsican nationalists to power. In the 2015 regional elections, *Pè a Corsica* (PaC)—the nationalist alliance between the autonomist *Femu a Corsica* (FaC) and the independentist *Corsica Libera*—won the second round with over 35% of the votes, gaining the support of more than a third of the island's electorate.[58] Due to the creation of the single territorial collectivity, new regional elections were held in December 2017. PaC won in the second round with almost 56.5% of the votes and secured 41 out of 53 seats.[59]

Among the 10 tenets of PaC's electoral strategic accord were the achievement of autonomy status within three years, the co-officialization of the Corsican language, and amnesty for political prisoners convicted of pro-independence terrorist activities (Pè a Corsica 2017*)*. Since the election of the autonomist Gilles Simeoni as the president of the executive council, the pursuit of full-fledged autonomy has become the foremost programmatic objective of Corsican nationalists.

### 3.3. Towards the third wave of decentralization (2018–today)

The overwhelming victory of Corsican nationalists paved the way for a new round of bilateral discussions on the prospects of enhanced Corsican autonomy. The combined results of Corsican nationalist parties in the 2021 regional elections have further consolidated their dominant position within the legislative (Fazi 2022a). Both historical streams of Corsican nationalism (i.e. autonomism and independentism) gained representation in the assembly: 39 seats for the autonomists—32 for FaC and seven for the *Partitu di a Nazione Corsa* (PNC)—and seven seats for the independentists—six for

[54] Deliberation of the Assembly of Corsica no. 14-207 AC of 19 December 2014 pursuant to Article L. 4422-16 of the General Code of Territorial Collectivities, concerning the proposed reform of the territorial organization of Corsica.

[55] Law no. 2015-991 of 7 August 2015 approving the new territorial organization of the Republic. *Loi NOTRe* is the acronym of *Loi portant sur la nouvelle organisation territoriale de la République*.

[56] Ordinance no. 2016-1563 of 21 November 2016 adoption a set of electoral measures to be applied in Corsica; Ordinance no. 2016-1562 of 21 November 2016 adopting a set of institutional measures concerning the collectivity of Corsica; and Ordinance no. 2016-1561 of 21 November 2016 complementing and further detailing the budgetary financial, fiscal, and accounting rules that concern the collectivity of Corsica. The three ordinances were ratified by law no. 2017-289 of 7 March 2017.

[57] Special-status collectivities are mentioned in Article 72 of the FC.

[58] The results of the 2015 regional elections are available online at https://www.archives-resultats-elections.interieur.gouv.fr/resultats/regionales-2015/94/index.php (accessed November 5, 2024).

[59] The results of the 2017 Corsican territorial elections are available online at https://www.interieur.gouv.fr/Elections/Les-resultats/Locales/Election-de-l-Assemblee-de-Corse-2017 (accessed November 5, 2024).

*Core in Fronte* (CiF) and one for *Corsica Libera*. With the landmark victory of the autonomists-dominated coalition in 2017 and its electoral confirmation in 2021, achieving substantial autonomy has become one of the top priorities of the CdC vis-à-vis the French state. According to the 2017 strategic agreement of PaC, the attainment of autonomy aligns with "the principle of self-determination which is nothing other than the recognized right of the people to freely and democratically decide their essential choices" (Pè a Corsica 2017, 7). Autonomy is understood to include the devolution of law-making and administrative powers, fiscal autonomy, Corsican-French co-officiality, and the right to establish a resident status (see section 10).

A more accommodating approach towards autonomy demands seemed to be gaining traction with the election of Macron in 2017. The so-called *pacte girondin* foreshadowed a paradigmatic shift in territorial organization.[60] However, Macron has firmly rejected three key issues raised by Corsican nationalists, namely the recognition of a separate Corsican people, the co-officiality of Corsican, and the residency status. In response to the social unrest that followed the assassination of the Corsican nationalist detainee Yvan Colonna, the interior minister Gérald Darmanin declared that the government was willing to find some common ground concerning autonomy (Corse Matin 2022), inaugurating the so-called *Beauvau process* (see subsection 3.4 and section 4 below).

In February 2023, Macron remarked on the possibility to discuss the status of Corsica in the frame of a broader process of constitutional reforms. He asked the Corsican representatives to submit their proposals on the future of Corsica by 14 July of the same year. On 4-5 July, the Corsican assembly held an extraordinary session to find common ground on the autonomy issue. Six proposals were presented on that occasion. Simeoni's nationalist majority and the rest of Corsican nationalist forces ultimately converged on a shared proposal, which was supported by 46 out of the 63 members of the assembly. A nationalist consensus was reached, with the proposal championed by Simeoni receiving the endorsement of FaC, PNC, and CiF, along with one independent councilor, while one independentist representative abstained (Assembly of Corsica 2023). The proposal adopted by the Corsican assembly, titled *Autonomia*, was then submitted to Paris, ultimately becoming the autonomy manifesto of Corsican nationalists.[61] Article 2 of this document defines autonomy as the legal status that allows a territory to adopt its own laws in all domains, except those that fall under the exclusive competence of the state. Article 3 outlines the objectives of the autonomy, which are referred to as challenges (*enjeux*). The first is recognition, which requires to move away from the logic of conflict and usher a new era of relations between Corsica and the French state (and necessarily includes the resolution of conflict-related civil and criminal convictions within the framework of a peace pact for the island).

[60] Between the late 18th and early 19th centuries, the Girondins were the major proponents of some sort of decentralization, opposing the unitary state ideal endorsed by the Jacobins.

[61] Deliberation of the Assembly of Corsica no. 23-089 AC "Autonomia".

Recognition is framed as the acknowledgment of three fundamental demands: (1) the legal recognition of the *Corsican people*, its right to have its own institutions and to "project itself towards a common destiny"; (2) the co-officiality of the Corsican language; (3) the constitutional recognition of the special bond that Corsicans have to their historical homeland. The other challenges concern the social, economic, democratic, and administrative spheres that the autonomy aims to address, thereby legitimizing the transfer of competences form the state to Corsica. A three-step constitutional roadmap to autonomy is outlined in Articles 4-8 as follows: (1) a political agreement for the settlement of the Corsican issue to be submitted to the approval of Corsicans via referendum; (2) the incorporation of a new title into the FC concerning Corsican autonomy; (3) the adoption of an organic law detailing the agreement and the principles of the autonomy status, particularly regarding the allocation of competences and the fiscal regime.

On a visit to the island in September 2023, Macron delivered a speech in the assembly of Corsica and asked the political groups in the assembly and the government to agree within six months on a text that, if approved by the Corsican assembly, could serve as the basis for a process of constitutional amendment (Macron 2023). In mid-March 2024, the government and Corsican representatives reached an agreement on a one-page constitutional draft text (referred to as *écriture constitutionnelle*) which provides for the adoption of an autonomy status "within the Republic". It identifies Corsica's insularity, and distinct historical, linguistic, and cultural community as the foundations of autonomy. It also states that laws and regulations can be adjusted to Corsica's specificities and recognizes law-making powers, within the limits to be set by an organic law (Public Sénat 2024a).

On 27 March 2024, the Corsican assembly was summoned to vote on the constitutional draft text. The text was divided into three parts, concerning: the notion of the Corsican community, the granting of law-making powers, and the prospect of submitting the draft law on autonomy to a referendum for Corsican electors.[62] The first and third parts were both approved with a majority of 62 out of 63 votes, while the part regarding law-making powers was more divisive: 13 members of the assembly voted against it, and one abstained. A fourth round of voting took place to allow the submission of the approved draft text to the French parliament, which was approved by 62 members of the assembly.

Notwithstanding the assembly's approval, the process of constitutional review has not yet started, and bilateral negotiations are currently at a stalemate (see section 4).

[62] The draft text refers to the citizens who are registered in the electoral lists of Corsica.

### 3.4. Decentralization: between electoral politics and political violence

In the first two waves of decentralization, progress was driven by negotiations between center-left central governments and non-nationalist, moderately regionalist Corsican majorities.[63] Meanwhile, secessionist armed struggle remained a persistent and parallel phenomenon. In recent years, the advancement of decentralization has coincided with the electoral rise of Corsican nationalist parties.

The radicalization of Corsican nationalism was epitomized by the so-called Aléria events, which took place a few years before the first wave of decentralization reforms. In 1975, a dozen Corsican nationalist militants, led by Edmond Simeoni, occupied a *pied-noir*'s vineyard in Aléria. The state responded with disproportionate force deploying over 1000 members of security forces to quell the revolt, during which two gendarmes were shot dead. The unprecedented wave of bombing attacks carried out afterward by the National Liberation Front of Corsica (FLNC) drew media attention to Corsican demands for self-rule.[64]

Among the groups that resorted to armed struggle, the FLNC is the most prominent (Crettiez 1999).[65] Political violence escalated throughout the 1980s (Crettiez 2018), reaching a climax in 1998 with the assassination of the prefect of Corsica Claude Érignac by the FLNC member Yvan Colonna. Independentist parties have long been regarded as the "legal showcases" of armed groups, and the mouthpiece of the segment of Corsican society that sympathizes with them (Lefébvre 1992; Paci 2021). Autonomists and independentists formed coalitions in nearly half of regional elections and, despite their divergent views on the means of achieving self-determination (Fazi 2014), ties between armed groups and some nationalist parties never waned.

In March 2022, Yvan Colonna, the FLNC militant sentenced to life imprisonment for the 1998 assassination of Claude Érignac, was assaulted by a fellow detainee, and later died of his injuries. His death triggered a sudden resurgence of political violence. Riots erupted across main Corsican cities, and several armed groups linked to the FLNC announced a return to armed struggle.[66] Amid two weeks of widespread social unrest and the looming risk of re-radicalization, the interior minister Gérald Darmanin opened the door to an "historical process of discussions between the state and Corsica" (Le Monde 2022), now known as the *Beauvau process* (see subsection 3.3).

As of today, two parties represented in the Corsican assembly maintain a sympathetic stance toward the FLNC, namely *Core in Fronte* (CiF) and *Nazione*. The former, with six seats in the assembly, is the

[63] I refer to all Corsican governments up until 2015, i.e. all center-left and center-right regional governments affiliated with state-wide parties and opposed to Corsican autonomists and independentists.

[64] The main targets of armed separatists have been mainland French private and business properties, government offices and installations, as well as facilities and personnel of the French Foreign Legion.

[65] The FLNC was formed through the merger of *Fronte Paisanu Corsu di Liberazione*, *Ghjustizia Paolina* and *U Partitu Corsu pà u Sucialismu*.

[66] *FLNC Union de Combattants*, *FLNC 22 Octobre*, *FLNC Maghju 21* and *Ghjuventù Clandestina Corsa*.

only nationalist party that has not entered any coalition with the autonomists. The latter, founded in January 2024. resulted from the merger of *Corsica Libera* (which had joined Simeoni's autonomist list in the 2015 and 2017 regional elections) and *Patriotti*, an association committed to defending the rights of political prisoners linked to armed separatism. *Nazione* explicitly aligns itself with the "struggle for national liberation of the Corsican people" (Corse Matin 2024), stands in solidarity with the FLNC, and opposes the ongoing talks between the Corsican executive and the central government. While the high-level bilateral negotiations championed by Simeoni are expected to yield results, the consolidation of power by the autonomist majority owes much to the support from Corsican independentists. Autonomists have consistently sought the backing of independentists, notwithstanding their covert or overt ties with armed factions of Corsican nationalism.

## 4. Legal Basis of Autonomy

The main institutional and normative features of Corsica's territorial autonomy are outlined in the General Code of Territorial Collectivities (GCTC).[67] This means that the rules regulating the extent of Corsica's autonomous powers rests in domestic law, and not in international law, as in the cases of South Tyrol or the Åland Islands (Alber and Zwilling 2022; Spiliopoulou Åkermark et al. 2019). Unlike New Caledonia, no constitutional mention is reserved to the status of Corsica within France, whose status is constitutionally akin to that of other regions. Corsica constitutes a special status collectivity within the meaning of Article 72 of the French Constitution (FC). Article 72-1 and 72-2 of the FC, providing for citizen participation rights and revenue autonomy at the substate level, apply to Corsica, just as to other territorial collectivities. On 1 January 2018, the collectivity of Corsica (CdC) replaced the territorial collectivity of Corsica (CTC) and the departments of Corse-du-Sud and Haute-Corse (see subsection 3.2 above). The GCTC stipulates that Corsica "freely administrate itself" within the limits set by this law and other normative provisions concerning departments and regions which do not contradict the provisions of the GCTC.[68]

The transfer of legislative competences to Corsican autonomous institutions is the result of a conflictual and slow-paced process, with regionalist (later nationalist) Corsican political forces playing a central role. From a chronological perspective, a few key moments stand out in Corsica's path towards self-rule, roughly corresponding to the waves of decentralization enacted since the 1980s (see section 3). Although the legal basis of autonomy has remained unchanged, Corsica's autonomy has expanded through its transformation into a single territorial collectivity in 2018. By attaining this

[67] Law no. 96-142 of 21 February 1996 on the legislative part of the General Code of Territorial Collectivities and Decree no. 2000-318 of 7 April 2000 on the regulatory part of the General Code of Territorial Collectivities. Part Four, Book IV, Title II of the GCTC is entirely dedicated to Corsica.
[68] Article L4421-1 of the GCTC.

status, Corsica followed a similar path of institutional evolution undergone by Mayotte in 2011,[69] French Guyana and Martinique in 2015,[70] and, more recently, the European Collectivity of Alsace in 2021.[71] This institutional evolution has paved the way for greater autonomy, tough it is still considered insufficient by Corsican nationalists. This dissatisfaction explains the ongoing bilateral negotiations on autonomy (i.e., the so-called *Beauvau process*; see subsection 3.3).

For the time being, the legal basis of Corsica's autonomy has remained underdeveloped in comparison to full-fledged territorial autonomies, such Italy's special regions or some Spanish autonomous communities (see Alber and Zwilling 2022; Romero Caro and Escajedo San-Epifanio 2020). The still-highly centralized nature of the French state has prevented the establishment of any full-fledged autonomy in metropolitan France. The constitutional entrenchment of autonomy is what would provide Corsica with more solid legal foundations. To date, the legal basis of Corsica's special status is so limited that it renders the island a "legally unclassifiable territory", trapped in a state of "constitutional clandestinity" (Mastor 2021, 71). At the request of the Corsican government, the constitutionalist Wanda Mastor wrote a report outlining potential pathways for improving Corsican democratic institutions and establishing a new legal basis for autonomy. The document identifies three pathways to autonomy (ibid., 112-116): the "minimalist" option would add a new Article 72-5 in the FC, entitling Corsican autonomous institutions to adapt certain laws to local specificities; the "middle" option would add a new Article 74-2 in the FC, granting Corsica the power to adopt its own laws "without going through the filter of Paris"; the "maximalist" option would ensure access to full sovereignty via a process of self-determination, which would envisage a plebiscitary consultation and require the drafting of an *ad hoc* title to be included in the FC, as in the case of New Caledonia.

As a result of the *Beauvau process*, new pieces of legislation are expected to reconfigure the legal basis of Corsica's autonomy. Therefore, the status of the island within France is not only one of constitutional incertitude but is, for the moment, pending. The constitutional draft text on which the government and Corsican representatives reached an agreement in March 2024 is a non-binding document (see subsection 3.3 above). As stipulated by Article 89 of the FC, constitutional amendment processes can only be initiated by the president of the Republic, on the recommendation of the prime minister, and members of the parliament. Constitutional amendment bills shall then be debated and approved in identical terms by both houses of the parliament. Revisions to the FC require approval either by referendum or by a three-fifths majority of votes cast by all members of the National Assembly and the Senate convened in Congress. The path towards constitutionalizing the autonomy of Corsica may encounter obstacles due to two key factors (i) the Senate—historically controlled by

[69] Law no. 2010-1487 of 7 December 2010 concerning the department of Mayotte.
[70] Law no 2011-884 of 27 July 2011 concerning the territorial collectivities of French Guiana and Martinique.
[71] Law no. 2019-816 of 2 August 2019 on the competences of the European Collectivity of Alsace.

right-wing majorities—is currently dominated by right-wing (neo-)Gaullists and center to center-right liberals[72] and (ii) under Article 89 (4) of the FC, no amendment procedure shall be commenced or continued where the integrity of national territory is placed in jeopardy.

Opposition to Corsican autonomy may emerge in the Senate, if it is perceived as a threat to territorial integrity. Some hostility became evident when the Senate received Gilles Simeoni in audience in June 2024. Senators voiced their opposition to communitarianism, while the president of the Senate Gérard Larcher expressed reservations about transferring f legislative powers from the state to the collectivity of Corsica (Public Sénat 2024b). Members of the Senate also fear a domino effect—namely, that constitutionalizing the autonomy of Corsica would encourage other regions to demand similar status (French Senate 2024). Beyond these concerns, following the June 2024 legislative elections and the appointment of the Gaullist Bruno Retailleau as minister of the interior, the *Beauvau process* and the prospects of amending the legal foundations of Corsica's autonomy have come to a standstill.

As for today, the legal basis of Corsica's autonomy status within France remains particularly underdeveloped. The FC mentions the uninhabited Clipperton atoll in the Pacific Ocean but contains no specific provisions regarding Corsica.

## 5. Autonomous Institutions

The General Code of Territorial Collectivities (GCTC) stipulates that the main institutions of Corsica are the assembly and the executive council, which is assisted by the Economic, Social, Environmental and Cultural Council of Corsica.[73]

### 5.1. The Assembly of Corsica

The assembly is the elected deliberative body of Corsica. It was set up in 1982, in the context of the 1980s decentralizing reforms (see subsection 3.1). Initially, the assembly was elected by a proportional representation electoral system,[74] which was aimed at giving voice also to Corsican nationalists and relocate their struggles within legal and electoral boundaries. Because of this election system, stable majority was challenging, and political instability increased also due to the limited powers granted to the assembly. The president of the assembly was the head of the executive.[75] In the context of the 1984 regional election, a 5% electoral threshold was introduced to regulate the distribution of seats.

[72] Right-wing forces have dominated the Senate since 1958, except for the period between 2011 and 2014. For an overview of the Senate composition under the Fifth Republic, see https://www.senat.fr/connaitre-le-senat/lhistoire-du-senat/dossiers-dhistoire/composition-et-groupes-politiques-du-senat-de-la-ve-republique/composition-et-groupes-politiques-du-senat-de-la-ve-republique.html (accessed November 5, 2024).
[73] Article L4422-1 of the GCTC.
[74] Article 5 of Law no. 82-214 of 2 March 1982.
[75] Article 31 of Law no. 82-314 of 2 March 1982.

Early 1990s decentralization reforms (see subsection 3.1) brought several changes. The executive power was vested in an executive council, elected by the assembly.[76] The election system remained proportional but was integrated with a majority bonus of three seats (6%), granted to the list that won the absolute majority of all votes cast.[77] The 5% electoral threshold for the distribution of seats favored the formation of stable majorities.[78] Moreover, the autonomous powers of the assembly were extended in two main areas—namely, economic and social development, and cultural and linguistic promotion (see subsections 1.3 and 3.1). A new round of negotiations to reform Corsican institutions took place at the turn of the century, leading to the second wave of decentralization (see subsection 3.2).

In 2017, the single territorial collectivity of Corsica was established, by virtue of the so-called *Loi NOTRe* of 2015 and integrative ordinances, which also amended some provisions of the Electoral Code concerned with the election of the assembly (see subsection 3.3). The rules for the election of the assembly are set by Articles L335-L384 of the Electoral Code.

Currently, the assembly of Corsica is composed of 63 members, elected for a six-years term, in one single electoral circumscription corresponding to the Corsican territory.[79] The councilors are elected through a two-rounds ballot that combines proportional representation with a majority bonus. In the first round, voters can only vote for a single list, whether a party or a coalition. If no list obtains more than 50% of votes, a second round is held.[80] Only lists that received at least 7% of the votes in the first round qualify for the second round,[81] while those that received more than 5% of the votes can form alliances with lists qualified for the second round. After the second round, seats are allocated as follows: the list with the most votes is awarded a majority bonus corresponding to of 11 seats (18%), while the remaining 82% are distributed proportionally among the lists that participated in the second turn.[82] The list of candidates is closed. The president of the assembly is elected by an absolute majority of its members. If an absolute majority is not achieved after the first two secret ballots, a third ballot is held, and the election is decided by relative majority. In the event of a tie, the eldest candidate is elected as president.[83] Since December 2015, the presidency of the assembly has been held by Corsican nationalist figures. Jean-Guy Talamoni, the leader of the independentist *Nazione*, served as president until July 2021. He was succeeded by the autonomist Marie-Antoinette Maupertuis, who became the first woman to hold this position.

[76] Article 28 of Law no. 91-428 of 13 May 1991.
[77] Articles L338 and L366 of the Electoral Code, as it was in 1991.
[78] Article L338 of the Electoral Code, as it was in 1991.
[79] Article L364 of the Electoral Code, as amended by Law no. 2015-991 of 7 August 2015.
[80] Article L338 of the Electoral Code, as amended by Law no. 2015-991 of 7 August 2015.
[81] Article L373 of the Electoral Code, as amended by Law no. 2015-991 of 7 August 2015.
[82] Article L366 of the Electoral Code, as amended by Law no. 2015-991 of 7 August 2015.
[83] Article L4422-8 of the GCTC.

The assembly cannot pass formal laws but deliberates on issues that concern Corsica and supervises the executive council. It deliberates only if an absolute majority of its members in office are present or represented. Resolutions are passed by a majority of the votes cast.[84] The assembly has the power to pass, by an absolute majority, a no-confidence motion against the executive.[85] It votes on the budget, is responsible for the management of administrative finances, and adopts the plan of sustainable development.[86] It shall—on its own initiative or at the request of the executive council or of the French prime minister—present proposals aimed at amending or adapting the regulatory and legislative dispositions that concern the organization and work of the territorial collectivities of Corsica,[87] as well as those concerning the economic, social, and cultural development of the collectivity.[88] Such propositions, once they are adopted by the assembly, are addressed to the president of the executive council, who transmit them to the prime minister and the prefect, and—only when the propositions are related to legislative acts—up to the presidents of the National Assembly and the Senate. The assembly's regulatory power is yielded within the limit of the competences that are devolved by law.[89] The assembly must be consulted on the draft laws and decrees that contain provisions that directly address Corsica.[90]

From 1982 to 2015, local branches of national parties held most of the seats in the assembly. Even though Corsican nationalists won the 2015 territorial elections and gained 24 seats, the majority of seats was still divided among non-Corsican nationalist parties.[91] It was only after 2017 that Corsican nationalists—including both independentists and autonomists—were able to secure the absolute majority of seats in the assembly (46 out of 63). Henceforth, the assembly became the forefront for the implementation of the majority's autonomist program. In the period from 1982 to 2015, the composition of the assembly mirrored the right-left cleavage of the Corsican electorate, which not only reflected an ideological divide but also represented the political projection of clannism and reflected the familistic and clientelistic networks that permeated public life in Corsica (Pomponi 1977; Pomponi 1978; Lenclud 1986; Lenclud 1988; Lenclud 1993; Sanguinetti 2015). Corsican nationalists broke through such networks and became undisputedly majoritarian in the legislative, putting autonomy at the center of Corsica-France relations and boosting negotiations on autonomy. If these efforts bear fruit, further legislation is expected to expand the scope of the assembly's powers (see subsection 3.3, 4, and 6).

[84] Article L4422-7 of the GCTC.
[85] Article L4422-31 of the GCTC
[86] Article L4422-15 of the GCTC.
[87] The collectivity itself, the two administrative departments, and municipalities.
[88] Article L4422-16(I and III) of the GCTC.
[89] Article L4422-16(II) of the GCTC.
[90] Article L4422-16(V) of the GCTC.
[91] The *Front National*, which won four seats in 2015, promoted French nationalism and was thus opposed to Corsican nationalism. In 2018, the *Front National* was renamed *Rassemblement National*.

## 5.2. The Executive Council of Corsica

The executive council is composed of the president and 10 councilors.[92] All members of this body are elected by the assembly. The councilors and the president of the council are elected by list ballot. If no list obtains an absolute majority of the votes from the assembly's members in the first two rounds, a third round is held. In this case, all positions in the council are awarded to the list that receives the most votes. In the event of a tie between the leading lists, the positions are awarded to the list whose candidates have the highest average age. The president of the council is the candidate at the top of the elected list. The position of councilor is incompatible with a mandate in the assembly. Members of the assembly elected to the council have seven days from the date of the election to choose between continuing their mandate in the assembly or taking their position as councilors.[93]

The council shall lead the action of the territorial collectivity, within the limits fixed by law, and with particular attention to the social and economic development, cultural and educational policies, and spatial management. It elaborates, along with local governments, the plan of sustainable development.[94]

The president of the council has the task of implementing the decisions taken by the assembly. He/she must also issue directives on the public expenditures of the collectivity.[95] The president must present a special rapport to the assembly on an annual basis; this document must offer a comprehensive picture of the situation of the collectivity, mainly describing public spending in relation to the provision of services and assessing the collectivity's financial state.[96] The president can also convey suggestions and remarks to the prime minister in the matters concerning the organization and functioning of state public services in Corsica.[97]

Before the rise to power of the nationalist coalition led by Gilles Simeoni, heads of the executive were the leaders of either right-wing or left-wing state-wide parties, with the former being more prevalent. Since, 2015, the position of executive head has been held by Gilles Simeoni, the leader of the largest autonomist party of *Femu a Corsica*.[98] The important role of the council and its president has been reinforced under his charismatic leadership, marking a shift toward a more assertive autonomist agenda. With Simeoni, the nationalist vote has been "normalized" and is no longer an antisystem vote, as it used to be in the 1980s and 1990s (Fazi 2022a, 73). Constitutionalizing the autonomous status of Corsica within France has become the roadmap of the two last Corsican governments and has largely

[92] Article L4422-19 of the GCTC.
[93] Article L4422-18 of the GCTC.
[94] Article L4422-24 of the GCTC.
[95] Article L4422-25 of the GCTC.
[96] Article L4422-27 of the GCTC.
[97] Article L4422-28 of the GCTC.
[98] Gilles Simeoni was one Yvan Colonna's lawyers during the trial for the murder of prefect Claude Érignac (see section 3). He is the son of Edmond Simeoni, a leading figure of Corsican insurgents in the 1975 Aléria events.

been endorsed by putting emphasis on the ethnolinguistic and cultural diversity of Corsicans with respect to the rest of French citizens. The frequent use of the Corsican language by the president in institutional and public meetings has been promoted to honor the Corsican identity and legitimize the renewed claims for autonomy. In early 2022, the executive approved a decree that recognized the council the right to conduct its work in both French and Corsican, notwithstanding the opposition of Corsica's administrative tribunal (see subsection 1.3).[99]

### 5.3. The Economic, Social, Environmental, and Cultural Council

The Economic, Social, Environmental, and Cultural Council of Corsica (ESECC) is an advisory body that supports the work of the assembly and the council. The ESECC team cannot include members of the assembly or the council and is organized in three sections based on thematic areas: social and economic development; culture, Corsican language and education; and environment and quality of life.[100] The ESECC is consulted by the president of the council on all action plans and draft documents related to fields of public policymaking in which the collectivity of Corsica has competence, including social and economic issues, culture, education and the Corsican language, land use and sustainable development, and budgetary matters.[101] The ESECC also supports the assembly and the council, by carrying out research relevant to their work. It may be asked to provide opinions or conduct studies on any matter concerning the collectivity. It may also, on its own initiative, issue opinions on such matters.[102] Each year, the president of the council presents a report to the ESECC on Corsica's performance in the key areas under its competence and informs it about the measures taken in response to its opinions.[103]

## 6. Autonomous Powers

Corsica's autonomous powers are certainly broader compared to other collectivities in metropolitan France, yet they remain far from the level claimed by Corsican nationalists (see section 2). The redefinition of the scope and extent of Corsica's autonomous powers is at the heart of the current bilateral negotiations on autonomy. Instead of viewing the competences of the Corsican collectivity as a fixed or crystallized set of devolved powers, they should be considered in light of the potential changes that constitutional amendments may bring in the near future (see sections 3 and 4).

The areas in which the collectivity has certain autonomous powers are specified by Title II of Book IV (from Article L4424-1 to Article L4424-41) of the General Code of Territorial Collectivities (GCTC). In

[99] Decree of the President of the Executive Council of Corsica no. 22-044 of 22 February 2022.
[100] Article L4422-34 of the GCTC.
[101] Article L4422-36 of the GCTC.
[102] Article L4422-37 of the GCTC.
[103] Article L4422-34 of the GCTC.

addition to the competences granted by law to the other French departments and regions,[104] the powers granted to Corsica's legislative and executive bodies cover a wide range of policy areas and matters (see section 5 of this paper), well detailed in the GCTC:

- Secondary-level education, professional and vocational schools, educational guidance, and research.
- Culture and communication, with a particular focus on the development of the Corsican language and culture, for which the assembly adopts a plan of development of the teaching.
- Sport, youth and civic education.
- Land use planning and sustainable development.
- Transports and infrastructure management.
- Public housing and land ownership.
- Economic development, economic interventions, and tourism.
- Agriculture, forestry, and fishery.
- Youth professional formation and integration.
- Environment, water and energy resources management, waste management.

Corsica represents the most developed form of territorial autonomy within metropolitan France. However, Corsican nationalists (and now, the nationalist-dominated assembly and council) have long criticized the limited scope of these autonomous powers. They have lamented the mere regulatory character of their powers, demanding the granting of more substantial legislative and executive autonomy. The issue of the extent of the collectivity's normative powers has been a matter of heated debates in the last decade, and more consistently, from 2021 onwards (see subsections 3.2, 3.3, and 3.4).

A restrictive interpretation of the regulatory power of Corsica's legislative and executive bodies was already outlined by the Constitutional Council (CC) in a 2002 decision,[105] issued in the aftermath of the *Matignon process*. According to the CC, a collectivity's use of regulatory powers cannot have the goal or effect of constraining the regulatory and executive powers granted to the prime minister by Article 21 of the FC. The CC considered the provisions conferring Corsica "powers that are part of the power of enact legislation" to be in contradiction with the principle of national sovereignty; or, more precisely, to the following articles of the FC: Articles 3, which stipulates that "national sovereignty belong the people who shall exercise it through their representatives", while "no section of the people nor any individual may arrogate to itself, or to himself, the exercise thereof"; Article 34, which provides that law-making powers shall be vested in the Parliament. Likewise, the delegation of the power to

[104] Article L4424-1-A of the GCTC.
[105] Constitutional Council, Decision no. 2001-454 DC of 17 January 2002 regarding the Law concerning Corsica.

enact legislation to a territorial unit was deemed a violation of the principle of equality before the law and the indivisibility of the Republic. The CC clearly stated that, although Article 72 provides that the territorial units of the Republic shall be self-governing through elected councils, the principle of self-government cannot make the exercise of public freedoms and its related guarantees depending on decisions of substate units, *de facto* inhibiting autonomy.

The CC has therefore opted for a narrow interpretation of the scope of the autonomous powers, whose regulatory character must be strictly confined to the competences provided by law. This view contrasts with that held by Corsican nationalists, for whom autonomous powers should evolve based on a maximalist understanding of legislative autonomy (Mastor 2021; see section 4 above). Accordingly, the criterion that best encapsulates the meaning of autonomy is as follows: "a legal status enabling a territory to adopt its own laws in all areas, except those falling within the prerogatives of the state" (Executive Council of Corsica 2023, 6). Both the state and the autonomous collectivity should hold exclusive powers, as well as shared powers. In such a context, regulations adopted by the French parliament and the assembly of Corsica within their exclusive powers would have equal standing.

In September 2023, president Macron supported the idea of examining the possibility of expanding the Corsican collectivity's powers in a speech delivered to the assembly of Corsica. On that occasion, Macron stated: "I'm in favor of recognizing the specific characteristics of the Corsican island community in a separate article of the Constitution", envisaging the granting of some form of "normative capacity", moving beyond "totems for some, taboos for others […] to build Corsica's autonomy within the Republic." (Macron 2023). Still, the nature of such devolved normative capacity has often been considered as a poorly defined concept, with autonomy becoming a contested notion that lacks a shared meaning, both in Corsica and among Corsican nationalists, and in mainland France and among state-wide parties.

## 7. Financial Arrangements

The basic principles governing the financial regime of Corsica are outlined in Article 72-2 of the French Constitution (FC) and apply to all territorial collectivities. The FC acknowledges the right of territorial collectivities to enjoy revenues, of which they may dispose freely, according to the law. They are recipients of parts of the proceeds of all kinds of taxes. Tax revenues shall represent a decisive share of the revenue of each territorial collectivity. Whenever a transfer of powers between the central government and the territorial collectivities takes place, revenue equivalent to what is needed to exercise such powers shall also be transferred. Appropriate revenue shall also be allocated to territorial collectivities when their powers are expanded, leading to an increase in the expenditures of

the respective communities. Article 72-2 of the FC also stipulates that equalization mechanisms are put in place to promote equality among territorial collectivities. Organic Law no. 2004-758 of 29 July 2004 further details the scope and nature of the financial autonomy foreseen by Article 72-2, by amending and integrating the General Code of Territorial Collectivities.[106]

As is the case with autonomous legislative powers, real autonomous financial or fiscal powers are not actually granted to Corsica. The power to dispose of its own resources is constrained by the state in the name of combating territorial inequalities and implementing policies aimed at territorial equalization. The gradual elimination of the contribution on the added value of companies—the production tax, which represents a key revenue source for territorial collectivities—will weaken one of the last existing fiscal links between the regions and businesses operating within their territories.[107] The reduction of the already limited fiscal prerogatives granted to territorial collectivities will, in turn, increase their dependence on the state.

In 2023, Corsican authorities proposed that the prospective autonomy regime should include the reorganization of budgetary, financial, and fiscal relations between the state, Corsica, and the other territorial collectivities. This will serve a twofold purpose: funding of major public works on the island, and enhancing Corsica's connections within the wider Mediterranean, European, and international contexts (see also section 8).[108] The expenditures resulting from the transfer of competences should be covered by the collectivity's own revenue, supplemented by financial transfers from the state.

## 8. Intergovernmental Relations

The development of intergovernmental relations in France is hindered by its rigidly unitary system. Despite decentralization, the central government retains substantial authority to determine public policies and priorities. Article 72 of the French Constitution (FC) allows for the "combined action" of several territorial collectivities when the exercise of a power requires it, hinting at—without specifying—avenues for intergovernmental relations. However, the FC does not establish a principle of intergovernmental collaboration and provides for neither vertical nor horizontal cooperation. The state is represented in a department or region by the prefect, who is appointed by the council of ministers.[109] The prefect ensures the respect of national interests and laws, exercise administrative control, and serve as the representative of the state within the collectivity.[110] In Corsica, the state is

[106] Organic Law no. 2004-768 of 29 July 2004 in application of Article 72-2 of the Constitution concerned with the financial autonomy of local authorities.
[107] The contribution on the added value of companies (*contribution sur la valeurs ajoutées des entreprises* - CVAE) is a local tax payable by companies with a certain turnover. It is shared between the various levels of government (local authorities, regions, departments).
[108] Article 3 of the Deliberation of the Assembly of Corsica no 23-089 AC "Autonomia".
[109] Article L4422-38 of the GCTC.
[110] Article L4422-40 of the GCTC.

represented by prefects in the two departments—one in Haute-Corse and one in Corse-du-Sud—with one of them also serving as the prefect of the collectivity of Corsica (CdC).

Decentralization, without a substantial transfer of budgetary, financial, and legislative autonomy, has turned regions into "geographic giants" and "political dwarves", at once (Dumont 2019). The comparatively low level of autonomy enjoyed by substate levels of governments hinders the development of intergovernmental relations. Since 1998, interregional relations have been fostered through the non-profit association Regions of France (*Régions de France* - RdF), which aims to represent the regions in public institutions at the national and European level and to promote decentralization by identifying best practices in multilevel governance and cooperation. RdF is organized into 11 thematic commissions, representing different public policy sectors or challenges. Gilles Simeoni, the president of the Corsican executive, is currently the head of the commission on ecological and energy transition. RdF collaborates with other French intergovernmental organizations and the Congress of Local and Regional Authorities. In the wake of Paris-Ajaccio's negotiations on autonomy, the president of RdF and the Occitan regional executive has repeatedly voiced her support for Corsican autonomy, and enhanced decentralization (Corse Matin 2024).

Municipal-level settings for horizontal intergovernmental relations are also in place. They mainly take the form of intermunicipal cooperation, which occurs through public intermunicipal cooperation entities (*établissements public de cooperation intercommunale* - EPCI). The EPCI are established by the provisions of the General Code of Territorial Collectivities (GCTC) on local cooperation (Articles L5111-1-L5915-3). Article L5210-1 of the GCTC stipulates that the EPCI are founded on the "free will of municipalities to elaborate joint development projects within areas of solidarity". Corsica has 19 EPCI.

On a cross-national level, increased intergovernmental relations between Corsica and Sardinia have often been advocated by regional authorities (Pastorel and Olivesi 1990; Olivesi 1991; Olivesi 1999; Bernabéu-Casanova 2011). In 2019, both the legislative bodies of Corsica and Sardinia voted in favor of creating a European Grouping of Territorial Cooperation (EGTC), which has yet to be established.[111] Cross-national substate forms of intergovernmental relations are not only intended to foster economic development or joint public policymaking. From the perspective of Corsican authorities, such relations would institutionalize Corsica's innate Euro-Mediterranean projection and lend political significance to the historically entrenched relations between Corsica and Sardinia (Farinelli 2021).

Systemic and formalized relations between central authorities and territorial collectivities are still underdeveloped. Such a structural deficit is certainly a source of frustration for territorial collectivities,

[111] Deliberation of the Assembly od Sardinia no. 8-80 of 19 February 2019 adopting the drafts of the statute and convention of the European Grouping of Territorial Cooperation "GEECCTT-ILES" - European joint management of cross-border transports between the island and Deliberation of the Assembly of Corsica no. 19-132 AC of 25 April 2019 enabling the Corsica's Office of Transports to establish the European Grouping of Territorial Cooperation (EGTC) «conjoint European management of cross-national connections and transports for the island» between Corsica and Sardinia.

which end up being deprived of institutionalized channels for vertical or horizontal dialogue and coordination. The absence of multilateral cooperative mechanisms further exacerbates the grievances of territorial collectivities. The lack of arbitration and conflict-management mechanisms has arguably contributed to perpetuation of political violence in Corsica.

## 9. Inter-group Relations within the Autonomous Entity

Since the early Middle Ages, Corsica has been predominantly inhabited by a Romance-speaking population, closely related to the populations of peninsular Italy and Sardinia. Dialects of Ligurian are spoken in the coastal village of Bonifacio and in Calvi, while Ajaccio's variant of Corsican still retains a remarkable Ligurian lexical influence (Toso 2008a; Toso 2008b).

A dialect of Modern Greek was traditionally spoken in the village of Cargèse, which was once part of a larger cluster of Greek-speaking hamlets (Stephanopoli de Comnène 1997; Stephanopoli de Comnène 2000; Stephanopoli de Comnène 2002a; Pomponi 1974). The villagers are descendants of a group of Greeks who settled in Corsica in the late 17th century, after one of the Ottoman invasions of the Peloponnese. While their language went extinct, some descendants of the Greek settlers follow the Byzantine rite, while remaining adherents of Catholicism (Stephanopoli de Comnène 2002b). Migration, intermarriage, and demographic decline contributed to the loss of a distinct Greek identity. However, some aspects of the Greek heritage have been preserved and shaped a unique Greco-Corsican identity (Nicholas 2006).

In more recent times, Francophobic sentiments grew as a reaction against Corsica's incorporation into France. The most violent manifestations of anti-French ressentiment occurred after the massive inflow of *pieds noirs* in the post-Algerian decolonization period (see section 1.2). Many of the French repatriates played a pivotal role in the modernization of agriculture and viticulture, quickly achieving entrepreneurial success. The arrival and prosperity of the *pieds noirs* also had political implications. They represented a bastion of Frenchness (*francité*) and were seen as a vehicle for Francization. French settlers sponsored the immigration of North Africans to Corsica to increase the labor force needed for their industries. Anti-French violence erupted for the first time with the Aléria events of August 1975, followed by a disproportionately heavy-handed response from the French government. The National Liberation Front of Corsica (FLNC) emerged shortly thereafter, starting a conflict against the French state that has lasted for over 50 years (see subsection 3.4). Properties belonging to mainland French citizens have been primary targets of bombing attacks carried out by the FLNC.

In response to armed separatism, the New Action Front against the Independence of Corsica (*Front d'Action Nouvelle contre l'Indépendance et l'Autonomie* - FRANCIA) was founded in 1977 (Fazi 2022b; Paci 2021). Most of FRANCIA's affiliates were reportedly linked to the Civic Action Service (*Service*

*d'Action Civique*), a nationwide Gaullist militia, formed by anti-Nazi resistance veterans, anti-communists, and French Algerians who opposed Algerian independence. FRANCIA targeted symbols of Corsican nationalism, such as radio stations and party offices, as well as Corsican nationalist militants. Although it did not reach the same level of militarization as the FLNC and ceased to be active in the late 1980s, FRANCIA was responsible for further exacerbating intergroup tensions.

Anti-French sentiment can be understood as a multidimensional feeling, rooted in the forced incorporation of Corsica into France. On the one hand, it rejects the notion that the island belongs to France, carrying strong nationalistic and anti-colonial undertones. On the other hand, it is a visceral response to the major challenges faced by Corsican society, such as touristification, rising rental prices, and migration[112]—issues for which the French state is often held responsible.

Despite the distinct ethnolinguistic affiliations, neither past nor present negotiations regarding Corsica's autonomy have contemplated the establishment of a power-sharing system, or the adoption of proportional representation mechanisms based on ethnolinguistic affiliations. According to the universalist imperatives of the French republican tradition, the public sphere must remain one, unitary, and indivisible, regardless of communitarian sentiments (see sections 1 and 10).

## 10. Membership and Special Rights

In France, the notion of citizenship (*citoyenneté*) is almost indistinguishable from that of nationality (*nationalité*), a distinction that is maintained in other Romance languages. French revolutionary thought conceptualized citizenship as a political category that includes all individuals who adhere to the sovereign nation. In the Jacobin understanding, the nation refers to the body of people who overthrew the *Ancien Régime* and established the Republic. The national community is viewed at once as the human substratum that underpins the state and the collective body in which sovereignty lies (Lecoq-Pujade 2022). It follows that "citizenship […] developed within the frame of the nation-state, to the point of being structurally linked to the notion of nationality" (Guiguet 1997, 13). The identicalness between citizenship and nationality explains the identicalness between the idea of unitary state and that of sovereign nation (Caporal-Greco 1995). Accordingly, the French Constitution (FC) states that "national sovereignty shall vest in the people" and that the Republic is founded on the "government of the people, by the people and for the people".[113]

Article 1 of the FC stipulates that France shall ensure the equality of all citizens without distinction of origin, race, and religion and the Constitutional Council struck down the reference to the "Corsican people" as a component of the French people in the 1991 draft law on the territorial collectivity of

[112] For a concise overview of migration inflows in Corsica, see Pesteil (2009).
[113] Articles 2 and 3 of the FC.

Corsica, arguing that the FC "recognizes only the French people, made up of all French citizens without distinction of origin, race and religion".[114] Concealed behind the veil of universalism and the principle of equality is a monistic conception of citizenship, based on a mono-national credo (Lefebvre 2003).

The debate over the legal recognition of a distinct Corsican people has been revived by ongoing negotiations on autonomy. The 2003 report on autonomy, adopted by the assembly of Corsica, explicitly identifies the legal recognition of the Corsican people as a central issue, stating that "the Corsican people is a historical, political, cultural and sociological reality" (Executive Council of Corsica 2023, 7). The constitutional recognition of the Corsican people would mark a departure from the Jacobin-inspired notion of citizenship. It would also pave the way for introducing a Corsican resident status (*statut de résident*), similar to that in place in New Caledonia. The resident status would supposedly help to tackle real estate speculation, defending the right to housing of Corsican residents and the intergenerational transmission of real estate property, while containing the rise of rental prices due to the inflow of tourists and the purchase of second homes by non-residents (ibid., 20). However, this proposal has raised discontent outside Corsica. It is considered potentially unconstitutional, as establishing a resident status would legitimize unequal treatment among French citizens by distinguishing between residents and non-residents. As of today, the Macron administration opposes the implementation of a resident status, in line with the French anti-communitarian conception of citizenship and unitary understanding of nationhood.

## 11. General Assessment and Outlook

To date, a fully-fledged territorial autonomy remains elusive for Corsica. Despite Macron's stated openness to renegotiating the status of the island within the Republic, skepticism prevails among Corsican nationalists. Decentralization has progressed since the 1970s but has not challenged France's unitary structure (Hintjens, Loughlin, and Olivesi 1995). Corsica has been granted a *sui generis* form of insular self-government within the loosely decentralized framework of metropolitan France. However, its atypical and ambiguous status—compared to both mainland and overseas territorial collectivities—has not met Corsicans' current needs and expectations.

A fully developed and constitutionally enshrined territorial autonomy has become a priority with the rise of Corsican nationalists to power. Their initiatives have brought Corsica back onto the national political agenda (Fazi 2018). The *Beauvau process* reflects the French government's renewed approach to Corsican autonomist demands, and the shared willingness to reach an agreement on the island's status within France (see section 3 and 4). While Simeoni's autonomist majority has engaged in a

[114] Constitutional Council, Decision no. 91-290 DC of 9 May 1991 regarding the law on the status of the territorial collectivity of Corsica.

constructive process of negotiation, combative pro-independence movements and organizations continue to oppose ongoing bilateral talks, wary of any deal with France. Groups linked to the National Liberation Front of Corsica (FLNC) have remobilized, reviving armed struggle as a supposedly viable path to self-determination. Disenchantment with the ongoing negotiation process has also grown due to the harsh repression of Kanak nationalists' protests against the reform of voter eligibility rules in local elections in New Caledonia. Many fear that the large-scale deployment of anti-riot security forces there reflects the enduring colonial mindset of the French state.

More than 250 years after Corsica's annexation to France, any assessment of its prospects for autonomy risks being rather speculative. Jacobinism permeates nearly all state-wide political parties and is embedded in all levels and facets of the French state. The rise of the far-right *Rassemblement National* in the 2024 European and legislative elections may stifle the constitutional review process initiated under the Macron administration. The *Beauvau process* has effectively stagnated, overshadowed by more pressing concerns, such as governmental stability. The French government's so-called three red lines—the legal recognition of a distinct Corsican people, the co-officiality of the Corsican language, and the resident status—remain non-negotiable and polarization risks increasing under a more centralist government.

While the future of Corsica's autonomy remains uncertain, Corsican nationalists have managed to usher in a landmark negotiation process on the island's status. However, territorial autonomy remains constrained and limited by a Jacobin-minded constitutional jurisprudence. Macron's neo-Girondin strategy has not yet paid off, while the government's heavy-handed and unyielding handling of the Kanak uprising has been amply denounced by Corsican nationalists. A well-functioning autonomy is difficult to foresee, as it depends on various contingencies. Currently, the Corsican question is far from settled, exposed to the instability of state-wide politics, and susceptible to the lingering risk of falling once again into a cycle of violence.

Alternatively, given that decentralization is a "principle in permanent evolution" (Sauviat 2017), Corsica's quest for autonomy could, instead, represent the steppingstone for a state-wide third wave of decentralizing reforms. Through negotiations on autonomy, Corsica is now experiencing its long-awaited "constitutional moment" (Fazi 2014). Whether this process will continue and bear fruit remains unclear, and depends on the goodwill of all the actors directly and indirectly involved in the current autonomy debates and negotiations, in Corsica and France as a whole.

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## Case law

**Constitutional Council**

Decision no. 91-290 DC of 9 May 1991.

Decision no. 2001-454 DC of 17 January 2002.

**Administrative Tribunal of Bastia**

Judgment no. 2200748 and 2200749 of 9 March 2023.

## List of abbreviations

CC – Constitutional Council

CdC – Collectivité de Corse (Collectivity of Corsica)

CiF – Core in Fronte (The Heart Forward)

CTC – Collectivité Territoriale de Corse (Territorial Collectivity of Corsica)

EPCI – Établissement public de cooperation intercommunale (Public Intermunicipal Cooperation Entities)

ECRML – European Charter for Regional or Minority Languages,

ESECC – Economic, Social, Environmental, and Cultural Council of Corsica

FeC – Femu a Corsica (Let us make Corsica)

FLNC – Fronte di Liberazione Naziunale di a Corsica (National Liberation Front of Corsica)

FRANCIA – Front d’Action Nouvelle contre l’Indépendance et l’Autonomie (New Action Front against the Independence of Corsica)

GCTC – General Code of Territorial Collectivities

PaC – Pè a Corsica (For Corsica)

PNC – Partitu di a Nazione Corsa (Party of the Corsican Nation)

RdF – Régions de France (Regions of France)

## About the author

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