

Ashley Parcels

In Defense of Libert , Egalit , and Fraternit 

According to immigration expert Patrick Weil, “When faced with diversity, [The French Republic] tends to first forget, or even violate, its own principles, and then apply them in the worst conditions” (Giry). In 2004, France, in the name of *laicit *, the concept of the secular state, passed a law forbidding students to wear conspicuous religious symbols in schools. While this law theoretically affects all religions, very few Christians wear large enough crosses to be affected by the policy. The majority of the law’s victims are minorities, and in particular, Muslim girls.

Although France takes pride in its traditions of “Libert , Egalit , and Fraternit ,” its five million Muslims are often viewed and treated as second class citizens. After World War II, Muslims flooded into France from former colonies in North Africa, providing cheap labor for the reconstruction of the nation. They lived in low-income housing deliberately placed out of sight of Franco-French city centers and neighborhoods. They were subject to brutal and racist police actions, and they were discriminated against by French citizens. Now, their children and grandchildren, who were born in France, suffer the same treatment. A study by the French think tank Observatoire des Discriminations concerning the influence of discrimination in the workplace revealed that when two job applicants had identical credentials, the applicant with a Franco-French name was six times more likely to be hired than the applicant with a name of Moroccan origin. Furthermore, French Muslims find themselves unjustly subject to questionable police practices, including “stop and search routines,” ID controls, insults, psychological pressure, and acts of violence. In 2005, two boys, fearing the heavy-handed police checks, ran, and then were chased by the police into a subway station, where the boys were electrocuted.

This incident induced riots among oppressed Muslim youth across France. They torched cars, ransacked police stations, and plunged France into a state of chaos (BBC). Instead of attempting to understand the situation, many, even within the French government, simply lashed out at the entire French-Muslim community. In addition, the 2005 Interior Minister and current president, Nicolas Sarkozy, declared that he would “Karcherise” (clean) the ghettos of “laraciale” (scum). Sarkozy blamed the riots on polygamy within the Muslim community, and threatened to deport all rioters, even though the majority of them were native French citizens. The Muslims of France, many of them native and patriotic French citizens, were made to feel “marginalized, excluded, and invisible” (Giry).

The headscarf law only enforces bias against Muslims, who have been the primary target of the law. For example, in September 2004, several Muslim girls were expelled from public schools for wearing headscarves. In a 2006 issue of *Foreign Affairs*, senior editor Stephanie Giry asserted, “if discrimination continues to go unaddressed, there is a real danger that French Muslims might get used to being treated as though their religious and ethnic identity was decisive and then start resorting to a kind of defensive identity politics...[and] break away from mainstream republican values, and even endorse a supranational Muslim community as an alternative society.”

Although the headscarf law was passed in the name of *laïcité*, it actually violates that very principle. The *laïcité* law, which first came into being in 1905, “mandates the privatization of religion precisely in order to guarantee its free practice” (Giry). In Islam, the headscarf is a time-honored symbol of modesty, which is one of the principle virtues that a faithful Muslim should possess. The Qu’ran supports this attire, stating in verse 31 of chapter 24, “and say to believing women that they cast down their looks...and let them wear headcovering...and not

display their ornaments” (Qu’ran 24:31). *Laïcité*, which was meant to ensure the freedom of religion, is now used to suppress France’s second largest religious community.

Finally, the headscarf law violates various international human rights agreements and conventions in which France had played a leading role in creating. For example, in 2000, France signed the 2000 European Union Charter of Fundamental Human Rights, which guarantees “the right to freedom, of thought, conscience, and religion.” This includes the right “to manifest religion of belief, in worship, teaching, practice and observance.” In addition, in Article 6, Section A of the United Nations Declaration on the Elimination of All Forms of Intolerance Based on Religion or Belief, the right “to use to an adequate extent the necessary articles and materials related to the rites or customs of a religion or belief” is guaranteed. The headscarf law not only violated the principle of *laïcité*, but the human rights of the Muslims in France.

To coerce France into removing the headscarf law, foreign nations must use the international institutions to shame France, which could be willing to change its discriminatory practice in order to maintain its reputation. The United Nations General Assembly and the UN Council on Human Rights must publically condemn the actions of France as human rights abuses. France could be motivated to do what is necessary to avoid being labeled a human rights abuser. In addition, France is one of the major supporters of the European Union. To encourage France to change its unjust law, the EU must label the law as a violation of the EU Charter of Fundamental Human Rights. To maintain the integrity and stability of the European Union, France would rid itself of its unjust laws.

France’s headscarf law violates the human rights of its citizens, discriminates against its large Muslim community, and blatantly defies international law. Through diplomatic process,

the international community could put pressure on France, can bring about change, and can defend the oppressed.

Work Cited

BBC on the Internet. 2005. British Broadcasting Company. 20 Jan. 2008 <<http://www.bbc.com>>.

European Union. European Parliament. Charter of Fundamental Human Rights of the European Union. 2001.

Giry, Stephanie. "France and its Muslims." *Foreign Affairs*. New York: [Sep/Oct 2006](#). Vol. 85, Iss. 5; pg. 87. Proquest. Bellevue Community College Library, Bellevue. 20 Jan. 2008.
<<http://proquest.umi.com.ezproxy.academic.bcc.ctc.edu/pqdweb?did=1145946531&sid=1&Fmt=3&clientId=2680&RQT=309&VName=PQD>>

United Nations. General Assembly. Declaration on the Elimination of All Forms of Intolerance and of Discrimination Based on Religion or Belief. New York: United Nations, 1981