The French Model: Color-Blind Integration

Erik Bleich

In explicit opposition to the United States, France maintains a firm "color-blind" approach to policy making. France has roundly rejected all elements of race-based affirmative action, both hard and soft. Although it passed antidiscrimination laws as early as 1972, France targets no social policies specifically to benefit groups defined by race or ethnicity, nor does it collect census, employment, or other forms of data that reveal a citizen's race or ethnicity. French political elites, left-leaning interest groups, and even minorities themselves have overwhelmingly opted for a color-blind approach to policy making.

France has upheld and reaffirmed this formula in the decades since World War II, even in the face of a substantial influx of ethnic minority immigrants. Of the countries in Europe that have been the primary recipients of migration since the war, Britain, France, and the Netherlands are most closely comparable to the United States and to other immigration targets in that they have transformed relatively high percentages of first- and second-generation immigrants into citizens. Yet unlike France, both Britain and the Netherlands have adopted some elements of affirmative action policies. Each country is "race-conscious" to the extent that it collects systematic ethnic data and tailors particular policies to benefit specific ethnic or racial groups, even if not to an extent comparable with American policies (Rath and Saggard 1992; chapter 10 in this volume). Although it has percentages of immigrants and minorities equivalent to those found in Britain and the Netherlands, France has chosen to anchor the color-blind end of the international policy spectrum. Understanding how and why it developed its policies and how they are sustained may shed light on the potential for a similar approach in other countries.

Before accounting for the French model, it is necessary to understand its contours and contents. Even though French policy is officially color-blind, France's leaders are not blind to the challenges of diversity.
tern holds in France, although affirmative action advocates are much weaker there than in the United States. I examine French interest group politics on equal rights and opportunities issues, focusing on the anti-racism movement. Although this movement briefly opened a window of opportunity for affirmative action policies in the early to mid-1980s, this window closed quickly because the movement fragmented and the threat from the far Right increased.4

Finally, affirmative action can be justified or rebuffed on the basis of its policy effectiveness in achieving concrete goals. A policy may aim for a measure of proportional equality among its citizens, or more simply for social peace. From this perspective, the core issue at stake is whether affirmative action is right or wrong, nor whether social groups lobby for or against it, but rather whether it is effective or not in solving problems of discrimination, social order, and unequal group representation.5 This chapter shows how these problems are either difficult to perceive in France given existing institutional practices and prevailing beliefs, or are differently interpreted given the dominant French approach of color-blind integration.

In practice, all of these factors—morality issues, interest group lobbying, and assessments of policy effectiveness—may operate simultaneously; nevertheless, by distinguishing them analytically and examining each in turn, it is possible to understand why France has eschewed policies of affirmative action. I conclude by reflecting on the lessons that the French experience may afford those interested in the applicability of the color-blind model to the United States.

**Immigration and Color-Blind Integration**

Contrary to popular perception, France has long been a country of immigration (see Horowitz and Noiriel 1992; Noiriel 1988). During the decades following World War II, immigrants from non-European regions began arriving on French shores in substantial numbers. By 1975 there were almost three and a half million foreigners living in France, of whom almost 1.3 million originated from Africa or Asia (Weil 1995a, annex VI).6 The 1990 census showed foreign Africans and Asians in France numbering 2,069,890, or 3.7 percent of the total population of 56,634,299 (see Weil 1995a, annex VI).7 Because only non-French are enumerated (and then only by country of origin, not by ethnicity or race), it is impossible to gauge precisely the number of ethnic minorities in France. Nevertheless, its relatively inclusive citizenship and naturalization laws (Brubaker 1992) and the presence of citizens from former French colonies,8 combined with the official numbers of non-French Africans and Asians, implies that the visible minority population may be close to 5 percent of the total population. With millions of ethnic minority citizens and long-term settled residents, France has clearly entered an era of demographic multiracialism.

In contrast to the United States and to Britain, however, France has not viewed its new demography and "ethnic dilemmas" through a multicultural or race relations prism. Although it has not pursued difference-blindness to its logical extreme, France has developed a model of color-blind immigrant integration that closely parallels the chimeraical American ideal of the melting pot.9 During the 1980s and 1990s—as immigration became a contentious issue in France—politicians, policy makers, experts, intellectuals, and the public engaged a high-profile and protracted debate over how to cope with the "problems" of immigration (see, for example, Commission de la Nationalité 1988). Perhaps the most prominent issue considered was the mode of interaction between immigrants and the host society. The options revolved around three potential models—assimilation, insertion, and integration (see Haut Conseil à l'Intégration 1991). Whereas assimilation was ultimately judged too stringent because it required immigrants to forgo their native cultures and group-based identities in public and private life, insertion was judged too lax because it allowed minority cultures and groups to claim rights and recognition in the public sphere.10 Instead, France opted for a middle ground of integration, which permits immigrants and minorities to retain their religion, culture, and identities in the private sphere, while disallowing any group-based claims on the state.

Attempting to strike the delicate balance between unity and diversity, the High Council on Integration (1991, 18) described the French philosophy: "it is a question of evoking the active participation of different and various elements in the national society, while at the same time accepting the maintenance of cultural, social and moral specificities and taking for granted that the whole is enriched by this variety, this complexity. Without denying differences, knowing how to take them into account without exalting them, a policy of integration accents similarities and convergence." As Silverman (1992) warns, it is tempting to oversimplify the French model as a coherent alternative to the more communitarian approaches favored elsewhere. Without falling into this trap, it is nevertheless correct to perceive a certain level of national policy coherence.

The color-blind element of the French model has two aspects. First, organizing social inquiry or targeting social policy based on group
markers of "race" or skin color is strictly taboo. There is not a single policy in France that targets individuals or groups by race or by skin color. Avoidance of race as a meaningful social variable is sometimes by design and sometimes unconscious. Whereas in the United States, own and Winant 1994) by collecting, analyzing, and often anguishing over race-based group differentials, France pays scant attention to such concerns and downplays their significance. Moreover, there is no census question on race or ethnic origins. Collecting data on potentially vulnerable minorities is so anathematized in France that a 1978 law (78-17) rendered computerized storage of information on race illegal, except with express consent of the individual or after obtaining formal approval from a national commission. French elites, of course, recognize that social and political tensions may arise in a multiracial society. The cornerstone French antiracism law, passed in 1972 (72–546), banned discrimination and racist acts in private and public life, punishing perpetrators in criminal courts with stiff fines and jail sentences. Yet the logic of French law is precisely opposed to that of affirmative action. Its aim is to punish racists committing bigoted acts motivated by racist intent, not to foster numerical racial equality nor to compensate a class of victims defined by race.13

Second, issues that would be interpreted in the United States as containing a racial dimension are typically viewed through a different lens in France. The integration model focuses attention on problems and social divides associated with culture, class, geography, and citizenship status rather than race or skin color. To be sure, discussions of significant differences between immigrants and native French easily become elided with distinctions based on skin color (Silverman 1992, 3–5). Nevertheless, formal research and policies track foreign residents—subdivided by country of origin—rather than racial or ethnic minorities (such as Afro-Americans or Latinos) when calculating social mobility and acculturation (see Favell 1998, 72–73; Hargreaves 1995). Because immigrants rather than minorities are the salient out-group, much emphasis is placed on acquisition of French citizenship as the crucial step to attaining equality within the polity (Brubaker 1992; Commission de la Nationalité 1988; Favell 1998). Once within the formal bounds of the nation, all categorization by the previous nationality ceases, as citizens are regarded as equal, irrespective of origin, race, or religion. By consequence, French institutions focus on immigrant problems of poor housing, low skills, and educational difficulties as problems potentially faced by all residents. As one cabinet minister declared at the end of

the 1980s, "integration policies for immigrants and their children (populations issues de l'immigration) have to be seen as part of a global policy undertaken by the Government with respect to disadvantaged groups" (cited in La Peyronne 1993, 161).

To the extent that there is any special consideration given on the basis of ethnicity, it is targeted at "immigrants" rather than "minorities" and formally takes place through nonracialized avenues. The principal government institution for integrating immigrants (the Social Action Fund for Immigrant Workers and Their Families, or FAS) allocates a portion of its resources to intercultural studies and to programs focused on groups such as North Africans, West Africans, and Southeast Asians. Its primary goal, however, is to foster integration by overcoming problems of cultural misunderstanding rather than to promote diversity or group equality (Fonds d'Action Sociale 1996), marking a critical difference from affirmative action for immigrants in the United States (see chapters 2, 4, and 5 in this volume). At its most multicultural, the FAS may grant funds to a group of Algerians for an ethnic festival. Yet from the state's point of view, money is given to a local association, not to a minority group seeking to promote its community's identity (confidential interview, Paris, 17 March 1997). Of course in practice, this money also serves both to promote an ethnic identity and (perhaps more important) to placate and to co-opt a potentially active ethnic organization—but these are never admitted as the primary functions of the funding. As Soysal (1994, 61) stresses, even these "multiculturalist tendencies in policy remain within the bounds of 'republican citizenship,'" deemphasizing collective incorporation and reifying individual membership.

The closest the French come to redistributive policies based on ethnic identity markers is through informal, soft quotas in public housing. In lieu of ethnic data, ethnicity is judged based on last names on applications or discerned from face-to-face applicant interviews. These quotas, however, operate in reverse, limiting immigrants' access to buildings and encouraging native French to occupy publicly financed apartments (Hargreaves 1995, 198–99; La Peyronne 1993, 244–45; Schain 1993, 61–63).14 Such actions are justified as preventing ghettoization of ethnic groups.15 As Weil (1995a, 399) explains, "between quotas and ghettos, the public powers very clearly chose quotas." The means may be distasteful to liberal Anglo-Americans, yet the results are clear: local concentrations of foreigners, immigrants, and minorities in France are less dramatic than those in Britain or in the United States (La Peyronne 1993, 236–45; Weir 1995).
French policies, though race- and color-blind, are not wholly difference-blind. Beyond immigrants, at least four other identity groups benefit from varying levels of recognition and unequal treatment before the law: overseas French citizens, regions, religious groups, and women. French citizens from the four overseas départements—almost exclusively individuals of color—have received special administrative attention once in metropolitan France. In the 1980s, a state agency (the National Agency for the Insertion and Promotion of Overseas Workers, or ANI) began providing assistance aimed solely at these citizens, such as loans and direct financial aid, as well as interventions made on their behalf to the state or to welfare organizations (Domenach and Picouet 1992, 96–99). Regions, too, have taken advantage of the more relaxed attitude toward minority cultural claims of the once-Jacobin state. Languages such as Basque and Breton have seen a recent revival with support from successive governments in Paris. And Corsica, like the overseas departments, now enjoys a modicum of regional autonomy from the centralized state (Safran 1989).¹⁶

Counting and labeling citizens by their religious affiliation remains taboo (and prohibited by the 1978 law); yet bargaining between the state and religious elites is not uncommon.¹⁵ Not only have French politicians met with Catholic, Protestant, and Jewish organizations, but they have also actively sought to create a formal Muslim structure.¹⁷ Finally, difference-blindness is least applicable to women, who are not only enumerated in censuses, but who have been the objects of what little formal affirmative action France has implemented. After arriving in office in 1981, the Socialist party established a Ministry of the Rights of Women, which developed and supported training programs designed to encourage women to move into more high-tech occupations (Jenson 1988, 160–64). The impact of such programs was extremely circumscribed, however, and provoked reservations among some legal experts (Dekeuwer-Defossez 1985, 137–41; Jenson 1988). Moreover, once the Socialist government tightened its belt in 1983 the policy momentum was largely lost (Jenson and Sineau 1995). Viewed from an international perspective, affirmative action policies for women have found only limited purchase in France. (Recent decisions about political “parity” for women—discussed below—are an important exception to this rule.)

But even if France may flirt with the logic of affirmative action by providing goods or recognition to various groups, these exceptions never break the color-blind rule. Even the exceptions must be recognized as minor and marginal, relative to the dominant mode of interaction with most minorities—as immigrants to be integrated. The French model is therefore very different on the ground from the American model. If racial or ethnic minorities benefit from government policies, it is indirectly as immigrants, natives of overseas departments, or through their religious affiliations. Not all minorities are eligible for benefits, and the policies in place also benefit nonminorities. Moreover, since these policies rarely have a strong redistributive intention, what benefits are available typically pale in comparison to those afforded by affirmative action programs. The avowed goal of French policy is to minimize friction and competition between groups defined by ethnicity or race and to maximize national social cohesion. As one well-placed interviewee proclaimed, the French approach is not the easy solution, it is the hard one.¹⁸ The color-blind integration model thus stands in self-conscious contrast to the logic of affirmative action, representing the road not taken by the United States.

Cultural Barriers to Affirmative Action

Although several types of factors serve to reinforce the color-blind model in France, perhaps the most visible and potentially the most influential are those embedded in French political culture. Race-based affirmative action policies are not legitimate in France because they immediately and consistently evoke cultural repertoires that condemn them as inappropriate. Of course, that French political culture would be interpreted as insurmountably hostile toward preferences was not inevitable. Many liberals in the United States argue that affirmative action can be morally justified on the ground that it fosters substantive equality (equality of outcome), even if it is at the expense of procedural equality (equality before the law). France has a strong penchant for substantive equality, plainly visible in its progressive welfare state. This strand of French thinking could have been deployed to argue for policies that benefit disadvantaged ethnic minorities. Yet these themes have been overshadowed and overpowered by others with more specific prescriptions for interethnic relations. When contemplating actions vis-à-vis minorities, French leaders instinctively refer to two sets of historical reference points: the integrative Republican tradition of the Revolution, and the anti-Semitism that culminated in the Vichy regime.

As Brubaker (1992) has demonstrated, discussions of immigration and citizenship in France virtually always activate memories of the nation’s Revolutionary and Republican history. These epochs are complex and multifaceted, and therefore no simple line can be drawn between them and France’s present-day integration model (Brubaker 1992, 98–
102; Noiri 1988, 339). Nevertheless, casting an eye back to the Revolution and the Third Republic, modern-day political and intellectual elites have focused on elements seen as “naturally” supporting the color-blind integration paradigm. Most centrally, they evoke the principle of equality before the law and the ideal of the indivisible nation.20 Grounded in the Declaration of the Rights of Man and of the Citizen, Sieyès’ pamphlet “What Is the Third Estate?,,” and the emancipation of slaves,21 these values forcefully shape attitudes toward immigrants and minorities. The principles of formal, procedural equality and unmediated relations between individuals and the state serve forcefully to delegitimize affirmative action. As the HCI (1991, 19) spelled out the French logic, “the identitarian and egalitarian principles which stretch back to the Revolution and to the Declaration of the Rights of Man and of the Citizen impregnate our conception, founded thus on the equality of individuals before the law, whatever their origins, their race, their religion . . . to the exclusion of an institutional recognition of minorities.”

If memories of the Revolutionary and Republican traditions help shore up the egalitarian aspect of the color-blind integration model, rejection of the collaborationist regime of World War II has also influenced French thinking on the evils of ethnic and racial distinctions. Memories of mass arrests and deportation of Jews during the Vichy era have deeply delegitimized any policy that singles out ethnic groups for categorization. This link was evident in 1978 during passage of the law against collection of ethnic or racial data.22 Even today, a cold sweat runs down many French backs when talk turns to categorizing minorities. Although leading demographer Michèle Tribalat recently obtained permission to conduct large-scale research based on ethnic variables, her project was placed in jeopardy for precisely this reason (Tribalat 1995, 14–17).23 Speaking about the process of classifying immigrant minorities, one well-placed and powerful observer reflected:

What would we have to have? Legislation which says that one is recognized as being an immigrant, in order to have special rights, if one has parents of foreign origin or has at least two grandparents of foreign origin. That would be an acceptable definition. Do you know what that is? That is the ordinance of 18 November 1940 which defines the Jew according to the Vichy regime, which says that one is a Jew if one has one Jewish parent or two Jewish grandparents. It is impossible to imagine a French law which uses this formulation. It would have a frightening effect. It is absolute evil.24

These factors help create an especially strong stigma against unequal treatment on the basis of race or ethnicity. French national elites are typically unwilling to turn a blind eye to programs that explicitly violate the color-blind principle.25

Beyond historical memories that delegitimize affirmative action lies one final cultural factor that undergirds France’s integration policies: the American anti-model. French intellectuals and policy elites typically use the United States (and sometimes Germany, Britain, and the Netherlands) as a “reverse exemplar” (Bennett 1991) to legitimize the color-blind model (see Fassin 1999; Haut Conseil à l’Intégration 1991; Schnapper 1992; Todd 1994). Drawing on American writers’ own discourse, they associate the U.S. model with ethnic politics, ghettos, tribalism, balkanization, segregation, and apartheid (Grajon 1994; Massey and Denton 1993). The U.S. and French models are often cast as binary opposites serving to reinforce pride in and attachment to the assimilationist flavor of France’s melting pot. On other occasions the American anti-model is used not as a foil for France’s approach but rather to draw attention to aspects of domestic society that come dangerously close to an American “negative utopia,” or to threaten a similarly ominous future should France let down its guard (Wacquant 1993). Moreover, even when analysis of the United States is subtle, it is rarely positive (Grajon 1994). General agreement reigns on both the Left and the Right that the French color-blind model of integration has distinct advantages over rivals that recognize minorities. The HCI (1991, 19) argues that the French conception of integration must obey a “logic of equality,” not a “logic of minorities.” The combination of such anti-modeling with the incantatory references to deeply embedded French national values creates powerful rhetorical disincentives to adopting affirmative action policies.

The Politics of Antiracism

Although cultural barriers to color-conscious policies are high, politicians and policy makers in France—as elsewhere—tend to respond to the demands of their constituents. If French civil society were to lobby for affirmative action, it may muster enough pressure to break through the philosophical opposition to such policies. There has, in fact, been a relatively strong and sustained antiracism movement in France, which at times has captured national headlines and has been courted vigorously by leading politicians. Yet although there has been grass-roots mobilization emphasizing ethnic criteria and even pressure for ethnic
or gender equality of representation, concrete policy changes have been negligible. Potential vanguard groups such as liberal human rights organizations, minorities themselves, and women's groups have not been able to present a united and consistent political front and have not been able to overcome the cultural and political barriers against affirmative action.

The origins of the anticommunist groups seem to mitigate against sympathy to ethnicity-conscious policies. Organizations such as the Human Rights League, the LICRA, and the MRAP were founded prior to large-scale Third World immigration, principally to address problems of anti-Semitism in France and abroad. By the end of the 1970s, they had demonstrated strong support for French laws and policies that vigorously punished acts of racism but that favored integration and in no way countenanced ethnic categorization. In contrast to the American approach during the civil rights era (Skrentny 1996, 15), there was no implicit belief that the French anticommunist law would bring about "proportional racial equality." Moreover, the very word "race" was nearly left out of the law because of some Parliamentarians' reluctance to include a term that might give succor to those who believe in the existence of races.

If the human rights groups leading the antiracist movement until the 1970s tended to support the color-blind integrationist line, more recent pro-immigrant liberals and minorities themselves have exhibited a greater variety of positions on such policies. Immigrant and immigrant-rights groups began mobilizing in France following the mass protests and general strike of May 1968 (Blatt 1996). Momentum picked up during the 1970s, with these groups focused primarily on obtaining better living and working conditions and a more secure administrative status for immigrants living on French territory. By the early 1980s, however, some groups were building a more formidable challenge to the ethnically neutral French model. A series of political and policy changes had catapulted immigration and antiracism to the forefront of domestic politics during these years. The arrival of the Socialists in power in 1981 resulted in a series of pro-immigrant policies such as granting of ten-year residency permits and a legal revision that enabled foreigners to form officially recognized associations. On the opposite side of the political ledger, the far-right National Front (FN) made its first electoral breakthrough in 1983, consolidating its support in the following years. The shifting tectonic plates of French politics left immigrants and minorities searching for new issues. If, as in the United States, pro-immigrant and human rights groups pursued diver-
gent goals in earlier years (see chapter 2, this volume), by the early 1980s their interests and identities began to converge around the banner of antiracism.

The early 1980s saw the modest spread of "pluralicuralism" throughout France, exemplified by the government's support of regional cultures and by increasingly "intercultural" rhetoric in schools (Henry-Lorcerie 1983; Safran 1989). Within this context, antiracist groups began to call for the same "right to difference" that was being advocated for regions. Most significantly, second-generation immigrants of North African heritage—known in French as beurs—began to organize around their ethnic identity and to seek common goals (see Blatt 1996; Bouamama 1994). A series of attention-grabbing marches in 1983, 1984, and 1985 boosted antiracism to a high-profile issue and served to highlight the role and activism of the beurs. This new cluster of French citizens, self-defined by ethnicity and placing demands on government, prompted several observers to wonder if France was veering down an American path toward ethnic identification and lobbying (Leveau and Wihiol de Wenden 1988; Pinto 1988).

Although there were some attempts to employ group mobilization for larger shares of both political and economic goods, there were only a few explicit calls for a direct analog to American affirmative action. The main national organization of beurs sought instead to increase their ethnic group vote and thus to pressure political parties into putting more beurs forward for elected office. Local beur organizations, by contrast, concentrated on tapping into social funding for job training, neighborhood-based economic renewal, and other Welfare State provisions (Poinson 1993). Working within the context of these pressures, the Socialist government of the 1981–86 period increased the FAS budget and reorganized its decision-making machinery to include representatives of different ethnic immigrant communities (Hargreaves 1995, 204–5). Yet the divergent goals of the beur movement proved irreconcilable, and the pressure for anything resembling affirmative action was not sustained (Blatt 1996, chap. six; Poinson 1993).

Concurrent with internal divisions among beurs, another development limited the political impact of ethnic politics. Emerging in 1984, a rival antiracist organization—SOS Racisme—became an instant media and political success in the joust for public attention. Selling a more traditional color-blind product and enlisting the support of both minorities and the majority, they emphasized opposition to acts of racism perpetrated against individuals, decried racist groups, and abhorred public expressions of racism, such as those manufactured in increasing quantity
by the far-right FN. In keeping with the era, they also preached protection for the "right to be different" and stressed the benefits of ethnic diversity. The FN leadership, however, had proven adept at bending the discourse of difference to its own purposes, agreeing that difference was a value to be upheld, as long as "non-French" groups practiced their differences outside of French borders. From a discourse of inclusion, FN leader Jean-Marie Le Pen crafted a politics of exclusion, appealing to white French voters who felt marginalized in an economically troubled France.

Reacting to this turn of events, leading intellectuals such as Pierre-André Taguieff argued that the discourse of difference was damaging to the antiracist cause. Taguieff (1987, 328–29) asserted that "the recognition of the Other can only be hierarchical" and that any "right to difference" could lead to a "difference of rights," an intolerable situation given deeply cherished Revolutionary and Republican principles. Even leaders of SOS-Racisme began to publicly condemn the "community logic" of multiculturalism, further marking the declining fortunes of the "right to be different" (Désir 1991). Although the antiracism movement remains in France today, its character has changed. Not only has it fragmented, but the power of the early 1980s call for tolerance of difference and diversity has been greatly eroded. The strength of the FN and the rhetoric of intellectuals have brought the movement in line with the prevailing doctrines of the color-blind integration model. They have shifted the focus of antiracist activities away from substantive racial equality and recognition of difference and back to earlier themes of immigrants' rights and opposition to public racist statements.

If human rights and immigrant groups have not been successful in pressing for affirmative action, France's women's rights movements have until recently also been a less effective spearhead in lobbying for proportional representation and equal shares of societal goods than their counterparts in other developed countries (Gaspard 1997; Jenson and Sineau 1995). The notable exception to this rule has been the recent push for "parity" in Parliament that elicited a measure of popular support and sympathetic reactions from political leaders anxious to appeal to a large segment of the electorate. Aside from the modest initiatives taken in the early 1980s (Jenson 1988, 160–64), however, French women's groups have not succeeded in instituting any official form of affirmative action in the spheres of education and employment. Moreover, leading activists for the movement deny that ethnic minorities are in any way analogous to women, suggesting that whatever benefits accrue to women are unlikely to be automatically extended to minorities. In sum, neither the minorities nor the women's push for elements of identity-based proportional equality have generated enough political support to overcome substantial ideological and political opposition to race-based affirmative action.

**Problems of Discrimination**

Accounting for approximately 5 percent of the total French population, minorities never had raw political numbers on their side. Yet, as important as such demographic pressure may be for policy making, straightforward lobbying was not the path to affirmative action even in the United States (Skrentny 1996). Rather, affirmative action—like any policy—can come about and be sustained as a solution to administrative, political, or societal problems. As Skrentny (introduction, this volume) observes, proponents value affirmative action for a variety of reasons, whether moral, political, or economic. Nevertheless, strong support for affirmative action can also be based on purely practical grounds.

The pragmatic logic that typically undergirds arguments for affirmative action sees it as a solution to one or more high-profile societal problems. According to a common line of analysis, racial discrimination is a significant cause of disproportional allocation of jobs, housing, education, and other goods. Because minorities are victims of discrimination, they obtain such goods in lower quantities than one would expect in a discrimination-free world. Moreover, this line of reasoning is often extended by arguing that discrimination and disproportional allocation of goods contribute to social tensions and social disorder when unhappy victims turn violent. Working backwards in a reverse (and possibly—but not necessarily—spurious) logic, some observers view the existence of social disorder such as crime and rioting or the fact of nonproportional distribution of jobs, education, and housing, as prima facie evidence of discrimination. If riots erupt in the inner cities or minorities are unemployed in higher numbers than the majority, racism is argued to be at the root of the problems. In this context, affirmative action is seen to be an efficient means for overcoming the perverse effects of discrimination, for effecting a more proportional distribution of goods, and for maintaining social peace.

In order to examine why this logic does not function in France as it does in other contexts, it is necessary to examine how France deals with the interrelated concerns of discrimination, disproportional allocation of societal goods by race, and social disorder. Belief in the existence
of serious and pervasive discrimination has long sustained affirmative action policies in the United States. Yet there has been a tendency among many observers to argue that discrimination is simply not a pressing social issue in France. Throughout the 1960s, the government avoided acting on antidiscrimination proposals by arguing that racism was not a problem in France and that what little racism existed was caught by the fragmentary laws in place at the time (Cohen 1980, 114). Moreover, the experiences of non-French commentators—such as James Baldwin—tended to lend credence to the view that there was simply no comparison between racism in the United States and in France (see Baldwin 1998). Even the domestic French proponents of antiracism legislation argued that the French were not as racist as other countries’ nationals (Paraf 1964, 164-74). If discrimination is not a problem, then why bother with affirmative action as a solution?

If pressed, however, most agree that France is not an ethnic or racial utopia. In eight polls conducted between 1990 and 1996, never fewer than 89 percent of respondents stated that racism was either very widespread or relatively widespread in France (see table 1). Moreover, a 1996 survey showed that 32 percent of French respondents believed that racism was more widespread in France than in other European countries, as opposed to only 16 percent who felt it was less widespread (Commission Nationale Consultative des Droits de l’Homme 1997, 369).14 Europe-wide data confirm this intuition, demonstrating that France ranks third of twelve (behind Greece and Belgium) in an “index of xenophobia” (Mayer 1996, 124). There have been periods in France with high-profile and persistent racial attacks, including a time during the early 1970s when a spate of aggressive acts against Algerian immigrants contributed to Algeria’s decision to cut off migration flows to France (Benoit 1980, 363-64; Weil 1995a, 112-15). In addition, even in the current era, the consistent support of millions of French voters for the openly anti-immigrant National Front raises eyebrows and questions about the pervasiveness of racism in France.15

This evidence and acknowledgment of the many facets of domestic French racism, however, do not necessarily translate into an argument for affirmative action. Policy makers and intellectual elites largely concur that racism manifests itself differently in France than in the United States or in other countries. Whereas other nations frequently define their primary out-group based on skin color, they argue, the French tend to use other criteria. In keeping with the immigration paradigm, France exhibits more signs of xenophobia and cultural racism than of aversion based on color. The questions asked in Europe-wide surveys may show France ranking high on aversion, but the questions are focused on attitudes toward people of “another nationality,” not another race (see Mayer 1996). And survey data within France demonstrate substantially higher levels of antipathy directed toward “Arabs” and “Muslims” than toward “blacks” and even show warm feelings for black French citizens (see tables 2 and 3). The different bases for discrimination seem to reinforce the French perception that their problems are (and therefore their policies should be) different from those found in the United States and elsewhere.

Moreover, surprisingly few experts or observers make the connection between the types of racism that are known to exist in France and quotidian discrimination with regard to housing, employment, and educational and political opportunities. Much more than in the United States or in Britain, the prototypical racist act in France is understood to be either a racist statement by a far right (or a mainstream) politician, or else promulgation of a state policy that adversely affects immigrants.

**TABLE 1**

Opinions on the Level of Racism in France

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<td></td>
</tr>
</tbody>
</table>


**TABLE 2**

Opinions on the Number of Persons of Different Groups Residing in France

<table>
<thead>
<tr>
<th></th>
<th>Too many</th>
<th>Not too many</th>
<th>No answer</th>
</tr>
</thead>
<tbody>
<tr>
<td>Arabs</td>
<td>61</td>
<td>31</td>
<td>8</td>
</tr>
<tr>
<td>Muslims</td>
<td>58</td>
<td>33</td>
<td>9</td>
</tr>
<tr>
<td>Blacks</td>
<td>38</td>
<td>51</td>
<td>11</td>
</tr>
<tr>
<td>Asians</td>
<td>30</td>
<td>60</td>
<td>10</td>
</tr>
<tr>
<td>Jews</td>
<td>20</td>
<td>67</td>
<td>13</td>
</tr>
<tr>
<td>Central Europeans (Poles, Romanians)</td>
<td>19</td>
<td>69</td>
<td>12</td>
</tr>
<tr>
<td>Mediterranean Europeans (Portuguese, Spaniards, Italians, Greeks)</td>
<td>17</td>
<td>73</td>
<td>10</td>
</tr>
</tbody>
</table>

The dominant response tends to be public marches and protests. By contrast, job discrimination garners much less attention than it would in the United States.

French institutions may themselves help perpetuate this situation by muting important problem indicators. Punishing discrimination through the criminal law with its elevated standards of proof dissuades victims from filing complaints and limits the number of recorded convictions for such crimes to an average of fewer than nine per year between 1990 and 1994 (Commission Nationale Consultative des Droits de l’Homme 1997, 362–63; Costa-Lascoux 1994; Vourch, de Ruiter, and Tripiher 1996). The low level of convictions, in turn, may divert attention from the pervasiveness of the problem. Although there is periodic attention focused on equal access to nightclubs, housing, or employment, there has been little sustained public interest in the specific types of discrimination problems to which affirmative action offers a tangible solution.

If proof of discrimination is difficult to come by, disproportional distribution of goods by race or ethnicity is virtually impossible to observe. Because France collects no systematic data on race or ethnicity, it is very difficult to measure allocations of housing stock, placement in higher education, unemployment rates, or quality of job by race or ethnicity. Moreover, there is little or no effort to do so. Whether because most minorities—as immigrants—are assumed to be of a lower socioeconomic status, or because minority citizens are presumed to be equal, France is not conscious of ethnic group differentials in the manner of the United States. Nobody in France, for example, measures the number of ethnic minorities in Parliament. French observers simply do not take for granted that race- or ethnic group–based representation and differentials are a meaningful tool for judging whether French society functions equitably. That minorities are almost certainly significantly underrepresented in the French establishment and at the more pedestrian levels of quality housing and jobs is simply not perceived as problematic, to the extent that it is perceived at all given the lack of data.

Finally, although there have been incidents of urban disturbances both in the early 1980s and in the early 1990s, such “riots” were interpreted through the color-blind integration filter. Rather than being cast as “race” disturbances pitting minorities against natives or the police, the troubles in the outskirts of Lyon in 1981 and 1990 in immigrant-dominated housing projects were seen as urban problems, not ethnic problems. In the early 1980s, the state responded by creating a National Commission on the Social Development of Neighborhoods, which focused its attention on problems of housing (Schain 1993, 64). In 1990, the government created a new Ministry of Urban Affairs and provided additional funding to areas with high levels of social problems such as unemployment, poor-quality housing and neighborhood infrastructure, and tensions between police and local residents (Hargreaves 1995, 202). Although the effect of such policies disproportionately shifted resources to minority-populated communities, the policy targets were general social problems, and anybody—including nonminorities—residing in such areas benefited from state action. The state’s responses thus demonstrated that it made the connection between disproportional allocation of societal goods and social disorder. Missing from the nexus outlined above, however, was a connection between these factors and racial discrimination. Because factors of race and discrimination are not seen to be relevant to major social problems, affirmative action is not perceived to be a valid policy solution.

Conclusion

Affirmative action has found no purchase in France. It has been delegitimized on ideological grounds, it was undercut on political grounds, and it is not viewed as justifiable based on problems of discrimination or social disorder. Though neither difference-blind nor devoid of racism, France has developed and maintained color-blind policies of integration of minorities-cum-immigrants that set it apart from its European neigh-

### TABLE 3

<table>
<thead>
<tr>
<th></th>
<th>Subtotal, sympathy</th>
<th>Subtotal, antipathy</th>
<th>No answer</th>
</tr>
</thead>
<tbody>
<tr>
<td>Mediterranean Europeans (Portuguese, Spaniards, Italians, Greeks)</td>
<td>89</td>
<td>5</td>
<td>6</td>
</tr>
<tr>
<td>French West Indians (Guadeloupe, Martinique)</td>
<td>85</td>
<td>8</td>
<td>7</td>
</tr>
<tr>
<td>Central Europeans (Poles, Romanians)</td>
<td>76</td>
<td>12</td>
<td>12</td>
</tr>
<tr>
<td>Black Africans</td>
<td>75</td>
<td>17</td>
<td>8</td>
</tr>
<tr>
<td>Asians</td>
<td>74</td>
<td>15</td>
<td>11</td>
</tr>
<tr>
<td>Jews</td>
<td>68</td>
<td>17</td>
<td>15</td>
</tr>
<tr>
<td>Young French of Maghrebi origin (Beurs)</td>
<td>54</td>
<td>36</td>
<td>11</td>
</tr>
<tr>
<td>Gypsies, travelers</td>
<td>50</td>
<td>39</td>
<td>11</td>
</tr>
<tr>
<td>Maghrebis</td>
<td>50</td>
<td>30</td>
<td>10</td>
</tr>
</tbody>
</table>

come successful in national politics if linked to racism (Skrentny forthcoming).

A third problem for an American advocate of color-blind policy noted by his or her French counterpart relates to the perceived effectiveness of affirmative action and the legacy of years of racial data collecting in the United States. Unlike in France, racial statistics showing inequality are ubiquitous in the United States, buttressing defense of affirmative action as an effective and efficient remedy. With statistics regularly showing, for example, a black unemployment rate that is double that of Euro-American whites, color-blind policy can appear irresponsible.

Finally, unlike the French, many Americans value something approximating proportional racial equality, and many believe that the distribution of socioeconomic resources and life chances is linked to racial discrimination and perhaps even to social stability (see, for example, Bergmann 1996, 155–56, 164–65; Fiscus 1992; Hacker 1995; Sullivan 1986, 96–98). The 1964 Civil Rights Act itself aimed to overcome the perverse effects of racial discrimination on proportional equality (race differences in unemployment rates were then and now regularly discussed), and later policy developments were in part due to fears of 1960s-style riots (Bilton 1978; Skrentny 1996, 67–110). Affirmative action appears to many to be an efficient means for bringing about equality and integration, or at a minimum for offsetting the disadvantages associated with being a minority (see chapter 8 in this volume; Patterson 1997, 147; Skrentny 1996, 111–44). This observation raises the hypothesis that support for ending affirmative action is likely to be highest when such concerns are directly addressed. Opponents of affirmative action may need to search for alternative policies that produce the desired societal goals of compensating for existing or past discrimination, producing a measure of proportional racial equality, and preserving social order. Until then, proponents of a color-blind model leave open strong and persuasive arguments for continuing affirmative action.

Notes

1. In this chapter I follow Skrentny (1996, 7–8) who defines affirmative action as "race-conscious" rather than "color-blind." Specifically, affirmative action policies view race as "real," count anonymous minorities, reevaluate previously accepted standards of merit, and deemphasize discriminatory intent, while emphasizing representation, utilization, or employment of minorities.
2. See chapter 10 in this volume for the distinction between hard and soft affirmative action as applied to Britain.

3. France is divided into one hundred administrative units: ninety-six (Corsica included) constitute "metropolitan" France; four—Guadeloupe, Martinique, Réunion, and Guiana—are known as overseas departments (DOM).

4. On policy windows of opportunity, see Kingdon 1995.

5. A fourth possible rationale for affirmative action is that it is economically beneficial to industry (see chapter 4 in this volume). Because this does not enter into the French debate, I will not examine it in this chapter.

6. Foreigners therefore constituted 6.5 percent of the French population in 1975; Africans and Asians accounted for 2.5 percent of the 52.6 million total.

7. Maghrebis (Algerians, Moroccans, and Tunisians) make up by far the largest proportion of this group (619,923, 584,708, and 207,496, respectively) with Turks and other Africans (201,480 and 178,133, respectively) also contributing relatively large numbers. Of course, as in most European countries, immigrants tend to be concentrated in urban, industrial areas, raising their percentages in some regions well above the average (see Hargreaves 1995, 68; Weil 1995a, annex VI). The foreign population of France in 1990 was just over 3.6 million, or roughly 6.4 percent of the total French population (Weil 1995a, annex VI).

8. As of the 1990 census, the population of Antillian origin in metropolitan France was estimated at 330,168, or 0.6 percent of the total French population (Domenach and Picouer 1992, 183). These statistics were derived primarily from data on place of birth and place of current residence of French nationals.

9. The French model is commonly referred to as the "crenoult franci", or the "French melting pot." It should be noted, however, that French immigration policy has not always been purely color-blind. Elements of ethnic selection have at times entered into immigration calculations, most prominently during the 1930s and 1940s (see Weil 1995a, 41–91; Weil 1995b) and again in the late 1960s when quotas were imposed restricting Algerian migrants to France (see Blatt 1996, 75–78; Silverman 1992, 48–49).

10. Favel (1998, 46–62) notes, however, that prior to explicit reflection on integration, insertion was viewed less as a coherent model and more as a pragmatic approach to dealing with concrete immigrant problems at the local level.

11. Henceforth HCI.

12. Of course issues of compensation and proportionality are much disputed in the United States, as is the function of affirmative action more generally. The crucial point is that French law has limited itself to an extremely narrow interpretation of racism that involves an identifiable perpetrator rather than taking group attributes into account (see Fiscus 1992; Freeman 1978; Sullivan 1986).

13. Schain (1991, 62) notes that there have also been quotas limiting minorities in areas such as schools, summer camps, and winter ski schools.

14. Such goals have also been pursued in the United States; the Scarritt City housing development in Brooklyn offers one example (Glazer 1987, xxvi).

15. Weil (1995a, 398–405) argues, however, that since poor housing stock was typi-

16. There are limits to such autonomy and recognition, however; these were clearly demarcated by the Constitutional Council (the French equivalent to the U.S. Supreme Court), which judged that the term "Corisican people" was contrary to Republican principles outlined in the Constitution (Granjon 1994, 24).

17. This, in spite of the insistence of the 1905 law regarding separation of church and state that the "Republic does not recognize or provide financial subsidies or salaries to any creed." For the text of the law and a brief introduction into church-state relations in France, see Haut Conseil à l'Intégration 1992. As this document shows, the state also recognizes congregations and provides financial support for religions under some circumstances, notably in schools.

18. In 1990, the Minister of the Interior set up the Council of Reflection on Islam in France in order to connect itself to the domestic Muslim community (Row 1994). This organization was not wholly successful, however, and efforts to find Muslim interlocutors have subsequently continued through other channels (Favel 1998, 182–83; Hargreaves 1995, 206–8).


20. The course of French history is, however, littered with weighty exceptions to these principles. Women in the Third Republic were not allowed to vote, to give just one example.

21. France permitted slaves only in its overseas colonies, freeing them first during the Revolution and then once and for all during the Second Republic (Dubois 1998). Slavery has never been officially permitted in metropolitan France (Peabody 1996).

22. Interview with Charles Palant, former general secretary of the Movement against Racism and for Amity between Peoples (MRAP), 10 March 1997. Note that many minorities and pro-minority groups in both the United States and Britain were also opposed to collecting ethnic statistics at one time. The practice is now generally accepted as beneficial in both countries.

23. She measured both "ethnic belonging" (based on language use) and "ethnic origins" (based on parent origin). Because of the "French taboo against social scientific use of origins," she states that the completion of her project was uncertain for a long time (Tribalat 1995, 14–17). Recently, the taboo manifested itself in a book dedicated to denouncing collection of ethnic data as playing into the hands of the far Right (Le Bras 1998).


25. As established in the first section, however, French state officials are less reluctant to bargain with representatives of established groups than they are formally to categorize group members.

26. The International League Against Racism and Anti-Semitism, and the Movement against Racism and for Amity between Peoples.

27. Interview with Alain Terrenoire, rapporteur for the law, 5 April 1997. See also
the French law 72-546 and National Assembly reports numbered 2357 and 2394 from the fourth legislature for the original bill and the Government amendments.

28. The closest (but still very distant) analog to liberal U.S. civil rights groups.

29. Although as Blatt (1996, 322–24) notes, by 1983, the "beer" march was a shadow of its former self and the movement had lost much momentum.

30. In a little-known 1985 article, George Pau-Langevin (1985, 54–55), then a vice president of MRAP (but not necessarily speaking for the organization), suggested that ethnic statistics could be used to aid disadvantaged minorities in the realm of housing and employment and even suggested that some public housing should institute priorities for "ethnic minorities, in the manner of programs called 'Affirmative Action' in the United States." The rarity of such a position in France cannot, however, be overstated.

31. On parity, see Gaspard et al. 1992; Jussen and Sineau 1995; L'Express, 6–12 June 1996; Le Monde, 8–13 March 1997; and Kramer 2000. Note that although the percentage of women in the National Assembly almost doubled following the 1997 elections, the total remained at only ten percent, leaving France with the second-lowest percentage of women Parliamentarians in Europe (Gaspard 1997, 5–7).


33. In the case of the United States, affirmative action was useful in the search for bureaucratic legitimacy, as an effort to confound an opposition party, and as part of a design to quell riots and to maintain social order (Skrentny 1996).

34. Forty-two percent thought it was neither more nor less widespread and ten percent did not respond (Commission Nationale Consultative des Droits de l'Homme 1997, 369).

35. But see Mayer and Perrineau 1996 and Kitschelt 1995 for arguments about the full range of factors contributing to the rise of the National Front.

36. Substantial aversion to second-generation immigrants from North Africa, however, seems highly problematic for the color-blind model. Since the bears are either citizens or citizens-in-waiting, and since they have been educated in France, widespread aversion to them is difficult to attribute to cultural factors. The only explanation compatible with French visions of the nation as a color-blind society is the possible (and probably fallacious) assumption by survey respondents that the bears are practicing Muslims and therefore uphold what are seen to be "non-French" values.


38. Moreover, as Costa-Lascoux (1994) reports, owing to the process of record keeping, these figures underestimate the total number of convictions, further muting this potential problem indicator.

39. There is some evidence that these issues are working their way up the public and administrative agenda in France (Haut Conseil à l'Intégration 1998).

40. Of course, it is possible to do so by immigrant status and nationality. In addition, Tribulat's (1995; 1996) recent work does compare certain measures of ethnicity to a broad range of socioeconomic variables.

41. In the United States, by contrast, problems of poverty and rioting were often viewed as co-extensive with issues of race. Moreover, although many U.S. policies were color-blind on the surface, it was apparent that they were aimed at minorities, often in the hopes of quelling social disorder (Button 1978; Skrentny 1996, 98–99).

42. For an argument for class-based policies in the United States, see Kahlenberg 1996. The French model also focuses on issues relating to the cultural adaptation required of immigrants who do not speak fluent French or who are not familiar with French administrative institutions.

Acknowledgments

I am grateful to Keith Bybee, Laurent Dubois, Adrian Favell, Jane Jenson, Jennifer Pitts, Patrick Weil, and especially to John Skrentny for helpful comments on earlier versions of this chapter. For financial support I would like to thank the Mellon Foundation, the Social Sciences and Humanities Research Council of Canada, the Krupp Foundation, and the Center for European Studies at Harvard University.

References


On the spectrum of affirmative action policies discussed in this volume, policies in India can be placed near the extreme positive end in terms of time since initiation, groups covered, and level of implementation. Begun in the 1930s, Indian affirmative action policies, called "reservations," are used primarily in higher education and public employment. They are targeted at the lower castes, or "backward" classes. They take the form of hard quotas ranging as high as 50 percent, depending on the state implementing them (Parikh 1997, 9, 180).

For proponents, the Indian policies can be considered successful on many dimensions. This does not mean, however, that they are uncontroversial or universally accepted. They have been connected to episodes of violent social conflict, reservation debates have helped to destabilize and bring down governments, and opponents consistently assert that reservations reduce government efficiency and benefit the least deserving of targeted groups. Nonetheless, reservations continue to be institutionalized and supported by the courts, the major parties, and the public. By the end of the twentieth century, reservations became taken for granted, even by opponents. How and why did such controversial policies become an accepted part of the policy landscape in India?

I contend that affirmative action has endured in India in part because the size of the targeted group is much larger than in other countries, but not only for this reason. In addition to the large number of potential beneficiaries, the policy is significant as a political litmus test, and it is critical in creating both cohesive pro- and antireservation coalitions and the responses of political parties to these coalitions. Although the variation within the groups that are eligible for reservation benefits is great, differences are frequently subsumed to create a politically salient coalition termed "backwards" that sees itself in unified opposition
COLOR LINES

AFFIRMATIVE ACTION,
IMMIGRATION, AND
CIVIL RIGHTS OPTIONS
FOR AMERICA

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