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Abstract

This study sets up as context the French Republican model—lauding a universal and difference-blind conception of citizenship—in contradiction with the universal principle stated in the Human Rights Treaties. Considering that the Hmong has been living in France for more than 40 years and still not enjoy equal rights as the French citizens, this study questions the essence of the French Republican model. One of its visible consequences is the perpetuation of the political exclusion of minority groups, including of the Hmong community in France, which prevents them from representing and defending their interests in the political

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sphere. This political exclusion leads them to be socially excluded and from expressing the particularity of their identity. To reveal the inferior position of the Hmong in the French society, this study collects data through a set of qualitative methods of data analysis. As the implication, the study argues that the French republican model needs some revisions and thus calls for a new concept of citizenship that would bring more inclusion to the Hmong and equal rights. In conclusion, this study finds that the French republican system with its values tends to discriminate minority groups in France, including the Hmong people.

Keywords: Citizenship, French republican model, Universalist principle, social and political exclusion, inclusion.

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Introduction

The Hmong as a community is a group of people sharing significant cultural characteristics, a common belief system, language, traditions, rituals, and routines. The Hmong is originally an ethnic group from China who suffers persecutions, moves to Indochina (a French colony at that time), and settles in the mountains of Laos. Several years later, the Hmong were forced to take part in the Indochina Wars alongside with the French (1946-1954) and the American (1950-1975) to fight against the Japanese Imperial Army and the communists, respectively (Grall, 2006). Their

motivation to engage in these Wars proved to be more cultural than political in the sense that both imperialism and communism represented a direct threat to the Hmong culture and identity (Grall, 2006).

At present, the Hmong community in France is struggling to gain some recognition from their compatriots, more freedom and equality and consequently a political representation that would allow them to see integration and enjoy their cultural right to complete freedom without fear of repercussions. While the Human Rights situation for the Hmong in Laos or Vietnam regarding the freedom of expression has been reported by the United Nation Report (2010) as violated, this article will focus on the current Hmong situation in France.

Although no credible census existed in the 1990s, Lemoine (2005) estimates around 16,500 Hmong living in France, including 1,500 in French Guyana. Some extensive literature about the Hmong community and the Hmong Studies Journal remain the most authoritative and widely cited scholarly journal on Hmong culture and history are known since 1996. However, these kinds of literature mainly discuss the Hmong's experience in the US. Therefore, this article aims at contributing to a better understanding of the Hmong community in France and the struggle they face regarding political and social exclusion.

With the Universal Declaration of Human Rights (UDHR 1948) at the center of the French's Republic Model, emphasized by the French motto "liberty, equality, fraternity," it seems that France has a universal duty of protection. However, while the

Hmong have been living in France for more than 40 years now and planning to settle permanently, the recognition of the Hmong as a different cultural entity has never been successfully achieved. The Hmong community still represents a politically and socially excluded group in France that remains ignored and its history and culture misunderstood. Therefore, there are some contradictions in the French's Republican Model that would allow analysis on the inferior position of the Hmong within the French society.

French political philosopher and historian Ernest Renan has best theorized the French Republic as the "desire to live together" (in Latour 2016) that strives to distinguish race and nation, arguing that, unlike races, nations are formed on the basis of a voluntary association of individuals with a common past. To Renan, what constitutes a nation is not speaking the same language, nor belonging to a common ethnographic group but "having done great things together, wanting to do more in the future" (Latour, 2016). Therefore, the French Republic must be understood as a social contract signed between the residents of France and the French Republic, in addition to the acceptance of a set of values — the principle of secularism and republican equality (Latour, 2016).

The French republican model is also being defined as the followings (Bessone et al., 2014):

The French's Republican Model has long promoted an individualist, universal, and difference-blind conception of citizenship. This conception is also associated with a perfectionist view of justice according to which the state provides moral unity and a common ethos for

society. Opposed to this view is the liberal conception of state neutrality regarding comprehensive sets of moral beliefs (Rawls, 1971). French Republicanism sees liberal neutrality as a false regime of toleration that, in reality, ensures only social conformism and the reproduction of social fragmentation and domination effects. When viewed as such, toleration is better understood as the respect due to each citizen as a member of the sovereign. However, the sociological and historical reality of decolonization and immigration has strained the coherence of this conception and thus helped to reveal the tension between the universalism and particularism inherent in republicanism or, more precisely, between the universalism of republican principles and the particularistic application of such principles to a specific nation, defined in political and territorial terms (Reynaud-Paligot, 2006; Weil, 2005; De Rudder, Poiret, & Vourc'h 2000; Mayer & Wieviorka, 1993).

To understand the operationalization of the French Republican Model, it is then necessary to look closer at the concept of democracy. As stated by Pinkney (2002), democracy is a broad concept that implies different interpretations from one country to another according to its culture, history, and other external elements. In France, the republican values are what characterize the French democracy. Therefore, democracy can be interpreted from different angles; nevertheless, considering the focus of this

article on the Hmong community, this article would look at the definition provided by Dahl (1989) below more closely:

Democracy is a system of procedures by which majorities tend to have their way: the majority rules. Liberal democracies require mechanisms of aggregating citizen preferences within majoritarian institutions, and this is perhaps the essence of the concept of democracy. However, democracy is also a system in which institutionalized respect for the rights of political minorities to try to become a majority must exist. In particular, political minorities in a liberal democracy must be given the means of contestations – the right to try to convince others of the rightness of their positions. Setting up institutions of majority rule turns out to be a comparatively simple task, ensuring the right of unpopular political minorities to compete for political power turns out to be far more difficult.

The definition provided by Dahl (1989) is potent to analyze the concept of the contradiction of the system when considering the point Dahl raises about the relationship of majority-minority. This definition applies to this article when considering the underprivileged position of the Hmong in the system. This article will also consider Forst's statement (2007) that minorities live in "a precarious position of second-class citizens dependent upon the goodwill of the authorities."

While the Republican Model does not recognize the minority groups in France, the concept of democracy acknowledges

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the existence of an asymmetric power (majority-minority). Therefore, France's democracy in practice proves the paradox of the Republican Model within the French democracy. This idea is defined by Guimond's work (2016) who mentions that "the Republican state is blind to cultural and ethnic differences."

In a nutshell, the French system with its paradoxical universal principle and the republican values reveal the presupposition of this article that citizenship is an ambiguous concept that contributes to discrimination, unequal treatment and unequal distribution of rights between the minorities and the citizens in France. The principle of universalism creates an endless system in which political and, hence, social exclusions are unavoidable if one is not a French citizen. Therefore, this article recognizes that the Republican Model turns out to be paradoxically anti-liberation and that there is an asymmetry of power that perpetuates the exclusion of minority groups. This article admits that there are cases of "social exclusion" (Mathema. 2015) in which people are denied access to their rights due to their gender, ethnicity, religious beliefs, sex, sexual orientations, geographical locations, or economic status. This article understands social exclusion as "the outcome of multiple deprivations which prevent individuals or groups from participating fully in the economic, social and political life of the society in which they are located" (Giddens 2001).

The concept of democracy is as complex as the concept of citizenship and needs to be explored to understand the interrelation between both notions. In "Conceptualizing the

Popular Politics of Citizenship" Stokke (2013) emphasizes the increasingly complex and political nature of citizenship and the challenges of providing a singular and uniform definition of this concept. The article underlines the complexity of citizenship because of the different dimensions of citizenship that exist, as will be described below.

Citizenship as membership is the first dimension, considering a distinction between insiders and outsiders in a community (Stokke, 2013). However, "the meaning of community and the criteria for inclusion have changed over time and show contextual variations across space" (Stokke, 2013). Applying this definition to the French context where nationality is essential. outsiders are all the residents of France who possess no French nationality and therefore not French citizenship. As stated in Stokke's article (2013), "the modern meaning of citizenship that has dominated since the French Revolution rests on membership within a nation that is assumed to be bounded, homogeneous, and stable" (Beckman & Erman, 2012; Brubaker, 1992). However, the definition of a nation as homogeneous and stable is questionable whenever the increased attention to cultural diversities and identity politics is taken into account. From here, there is a notable distinction between "citizenship" and "nationhood." French discourses define nationhood as people living under common law and the same legislative assembly. Therefore, the Hmong in France are members of the French nation with their status of "residents of France." but they are not members of the citizenry.

Citizenship as legal status is the second dimension, based on membership of a political community which means that

there is a contractual relationship between an individual and the state that carries with it both rights and responsibilities (Stokke, 2013). In France, for example, citizens are bound to the Republican Pact. However, there are also different forms of partial citizenship between non-citizens and full citizens, stratified according to the rights and possibilities for political participation that exist for different groups of citizens. Heater (1999, as cited in Stokke, 2013) thus identifies a hierarchy of four partial forms of citizenship in addition to the ideal or full citizenship. When referring to the definitions provided, the Hmong in France seem to belong to the fifth category: those persons who are not nationals of the state in which they live; they are, therefore, not legal citizens and have no political rights, but they enjoy many civil, social and economic rights associated with citizenship (Heater, 1999, p. 87, as cited in Stokke, 2013). Accepting this definition, this article's author considers the Hmong in France as "denizen." Based on their situation in France, the political rights of the Hmong are not being acknowledged (right to vote and right to be elected). The French system, however, compensates this gap by providing the Hmong some social and economic rights: health insurance, workers' compensation, maternity leave for women, .and so on (Vie Publique, 2013).

The third component of citizenship is the set of institutionalized rights that follow from legal status as citizens. Citizenship rights may be categorized in different ways, (Roche, 2002) referring to the individual entitlements that guarantee civil, political and social rights.

"Civil rights are rights that protect individual security and privacy; rights to access to justice and legal representation; and, rights to freedom of conscience and choice, including free speech and press, freedom of religion, etc. Political rights are rights to participate in the public arena and political process, including rights to vote and stand for office, to form political organizations and parties, to express opposition and protest, and so on. Social rights include enabling welfare rights such as health care and pensions; opportunity rights especially in education; redistributive and compensation rights such as low income, unemployment and work injury compensation" (Janoski & Gran, 2002, as cited in Stokke, 2013).

Referring to the situation of the Hmong in France, these different categories of rights reveal a contradiction in the distribution of rights, thus questioning the truthfulness of the principles of equality, closely related to the last dimension of citizenship.

"Citizenship as participation" is the fourth and last dimension that states the responsibilities of an active citizen, coming in the forms of obligatory taxes or military service (Stokke, 2013). The first meaning of participation, however, is about involvement in the public governance of affairs that are common concerns to the community of citizens. Participation is an especially prominent theme within the civic republican approach to citizenship. The Hmong as residents of France have indeed the duty to pay taxes, but their status of "denizen" impede them from obtaining the

right to vote. As mentioned in Vie Publique (2013), foreigners can, however, be elected to posts that do not commit national sovereignty like an employee or parent representatives. Surely, foreigners are ineligible as mayors or deputies because it would allow them to participate in the appointment of Senators, thus a body depository of national sovereignty. The Hmong, coming from a non-member State of the European Union, cannot access the civil service to official positions, supervisory positions and jobs in public services, in addition to jobs related to the sovereignty (e.g., diplomacy, defense). Only some jobs like researchers in research institutions, professors of higher education and doctors of hospitals are open to them under certain conditions. As stated in Stokke (2013):

"However, commonly observed that the substance of popular control is challenged in both old and new democracies and at all levels in the democratic chain: public affairs are often narrowly defined and governed in a less than democratic manner; the channels of representation are poorly developed and susceptible to non-democratic practices, and political communities are often defined and represented in such a way that some groups are excluded from both juridical and political citizenship" (Harriss, Stokke, & Törnquist, 2004; Törnquist, Webster, & Stokke, 2009, as cited in Stokke, 2013).

Therefore, when considering the context of France, whereas the participatory model revolves around people's direct involvement in decision-making and monitoring of public

affairs, the Hmong are in the margin of the society and suffer from discrimination regarding a fair rights distribution. In this context of inequality, he Hmong opted for indirect participation in cultural spheres through the organization of the Hmong Festival. This alternative vent to participation refers to the "third policy decision-making" mentions in Stokke (2013), contrasting the more common forms of representative democracy based on interest aggregation and emphasizing on the coming together of the public in discussions that aim at consensual policy-making.

To sum up, this section has presented the general picture of necessary information and definitions to set up a shared understanding of the purpose of this article. The notions presented in this section – Republican Model, universalist principle, democracy, citizenship—are complex and could be defined under different dimensions. However, when considering the definitions provided for the concepts mentioned above, they are all interrelated and leading to the same situation of social exclusion for the Hmong community in France. The next section will analyze the paradox of the French's Republican Model.

The Paradox of the French Republican Model: An Endless Cycle of Exclusions

The context of the French's Republican Model is the republican values of liberty, equality, and fraternity, which constitute the French national motto. These values, in addition to the statement that "men are born and remain free and equal rights" stated in the UDHR of 1948 are pillars of the French Republic and at the center of the French Constitution. The French Republic—defined as one and indivisible with the revival of the third republic—is a political construct of a community of citizens who are tied to the Republican Pact. The Republican Pact is based on the universal values of freedom, equality, and fraternity; values that are endowed to all citizens equally regardless of their social, religious or ethnic backgrounds (Latour, 2016). To be a French citizen under the Republican Model means to sign the Republican Pact, implying acceptance of a set of values and principles as the followings. First, the republican citizenship or republican equality is the idea that there are no groups, ethnic minorities or communities in France, but only citizens who are all equal before the law. Therefore, France does not recognize separate communities (Latour, 2016). Second, the secularism has valued the separation of the Church and the State but also supported the prohibition of the wearing of ostensible religious signs in public spaces and public institutions.

The French Republic, under the universalist model, is naturally refusing community monitoring. The only acceptable dichotomy that prevails in France is between nationals and non-nationals, thus leaving aside non-citizens (Latour, 2016). The French nation is, therefore, not based on ethnic divisions; for this particular reason, the Hmong diaspora in France remain mainly unrecognized.

If each State is free to choose its political model, it seems that the motivation of France to prefer the Republican Model over a multicultural model is a belief that minority groups are threats to democracy.

Ethnic groups in France do not represent a threat to democracy, but the French democracy itself represents a threat to minority groups. The exclusion of minority groups in France practiced by the State diminishes the groups' capacity to exercise genuinely free choice and prevent them from participating in the political sphere (Kymlicka, 1995). Beyond exclusion, the denial of the community to freely interact within the French society could be interpreted as a way of oppression when considering that the right to vote is being denied (Taylor, 1994).

Another justification for France to prefer a universal model of integration can be explained by the heritage of the Revolution (1789-1799) but also the Nazi occupation and the Vichy Regime (1940-1944) (Latour, 2016). This discourse has often been interpreted as the rejection of racial nationalism of the German type—Aryan race—in favor of a pledged model of the nation. However, this universalism of the nation is being challenged by some authors who believe that Renan's conception of the nation as a spiritual principle is not exempt from a racial dimension and that his claim for an everyday plebiscite "only concerns those who have a common past, that is to say, those with the same roots" (Latour, 2016). As a result, the French model, by nature, is reluctant to accept any community monitoring. The only acceptable dichotomy that prevails in France is between nationals and non-nationals, rejecting the multicultural model that asserts the "right to difference."

While France pretends to be the country of Human Rights and to be an exemplary model of democracy, questions remain when analyzing deeper the reasons behind the adoption of the republican model and the universalism principle in a way that it aims at differentiating French nationals from the non-nationals. The next section will examine more in-depth the paradoxes of the French model and the republican principles and underlying difficulties to negotiate the Hmong values and principles within the French Republican system that by definition does not recognize minority groups.

While the International Treaties define universalism as applicable to every human being regardless of any distinction. France seems to interpret "universalism" differently. France, as a member state of the United Nations, has to comply with the Bills of Rights and its duty to "promote universal respect for, and observance of, Human Rights and freedom" (including the Universal Declaration of Human Rights of 1948) that guarantees that the Hmong, as human beings, are free to enjoy the same rights as the French nationals without fear of discrimination. However, the reality is different. This article notes the difference of interpretation of the notion of "universalism" as used in the French Pact and the International Treaties. By "republican universalism," the French state implies a cultural standardization, which is perceived as a tendency to attenuate differences among populations in one nation regarding culture, lifestyle, norms, values, etc. Therefore, France's usage of the notion of "universalism" is seen as a potential threat towards a group with a specific identity, such as the Hmong, to preserve and practice their culture and traditions.

Rocard (1991) who served as the French Prime Minister under the presidency of François Mitterand from 1988 to 1991 commented on France's policy of integration that equality is on the basis of the French social contract, and it is the responsibility of the State to ensure that everyone stands equal without discrimination. In theory, there should be an equal distribution of the opportunities among the French populations, but in reality, minority groups are not seen as a priority in France. Therefore, there is a conflict of two logics with each one having its legitimacy. On the one hand, the French Republic is claiming universalism as a principle of the republic to deny minority monitoring; on the other hand, minority groups like the Hmong are claiming the recognition of their individual rights to be politically and socially included within the French society.

In a nutshell, the French Republican Model and the principle of universalism are ambiguous notions. In a context in which France has the freedom to choose the model of its choice and has the legitimacy to adopt the Republican Model, France has yet to comply with the International Bill of Rights and, therefore, has to consider the political and social interests of the Hmong, among other minority groups. The next section will then examine the meaning of citizenship in France and its relation to the right to vote to reveal the reality of the Hmong's political exclusion.

The Hmong in France: Deprivation of Political Right

The end of the Vietnam War had forced the Hmong into exile to escape the reprisals of the new communist government in Laos. However, while most Hmong have been granted refugee status under the 1951 Geneva Convention, the quotas set by France prevent other Hmong from receiving naturalization

(Morillon, 2001). These Hmong finally obtained a ten-year resident card after a thorough bargain - representing an authorization to live permanently in France. The Hmong have now been living on the French soil for more than 40 years and have planned to settle permanently. Although the Hmong showed a real commitment to obtain French citizenship, most of them still live in France under the authorization of stay (visa) of 10 years, impeding them from accessing their political rights.

While the Hmong are proud of their identity and trying to preserve it, acquiring French nationality and breaking up with their Lao nationality—dual nationality is not possible—is not emotional but political and ideological (Dewitte, 2001). First, for the Hmong, the demand for French naturalization is a need for security to ensure their permanent presence on the French soil, as well as a guarantee for returning to France freely without risk of denial of entry when visiting Laos (Dewitte, 2001). Second, acquiring the French nationality means accessing some rights reserved for nationals only: obtaining a travel document, a final residence permit, and possible protection abroad.

Among these rights, the political right is predominant for the Hmong to acquire the right to vote and to represent their interests within French territory. Acquiring French nationality is, therefore, significant to belong to France, to adhere to the republican and democratic values and principles and to settle permanently in France or to extend the possibilities for professional integration in France. In other words, for a population who has been forced to exile into France, obtaining the French nationality represents the symbol of integration and not to feel stateless.

There are several ways of obtaining French nationality: by the law of the soil, by marriage, and by the administrative application for naturalization. The latter is the most common, but the process is complicated. The requirements are numerous and restricted, especially with today's current situation in France. If the conditions required are "simple" in theory (like at least being eighteen years old, having been habitually resident in France for five years, being "assimilated to the French community" and having "good life and manners"), in practice these requirements follow stringent conditions that fell under the "national interest" (Dewitte, 2001). For example, the requirements demand family, material and professional stability, sufficient command of the French language, and a minimum degree of conformity with the cultural behaviors, and practices of a hypothetical "average Frenchman. The other conditions are "good life and morals" to the absence of criminal convictions pronounced in France and, in general, behaviors that contravene life in society (Dewitte, 2001). In other words, for the French administration, the candidates must prove their firm intention of establishing their existence in France for a long term.

Some indications of the "naturalization" are holding a job that is predominantly stable and having sufficient skill with the French language to be able to carry out the processes of everyday life. Therefore, the Hmong who do not speak or understand the French language properly face even bigger difficulty in acquiring French citizenship by naturalization. Behind these requirements hides a meritocratic dimension of naturalization that rests on gratitude expressed to what France has done for them (Dewitte, 2001). In other words, France practices discrimination by setting

up some requirements to obtain citizenship for foreigners in France, forcing them to make many efforts to "deserve" to be a French. Moreover, naturalization also responds to a "state-candidate domination relationship" that encourages the expression of certain cultural or alleged traits such as "Asians" would be respectful and deserving to explain why the Hmong are more likely than other groups to acquire naturalization (Dewitte, 2001). These remarks, therefore, justify the discriminatory nature of the French government in granting naturalization that is based on racial stereotypes.

Although France does not explicitly refuse the naturalization, the conditions to obtain naturalization remain challenging, impeding the Hmong to enjoy the benefice of Articles 1 and 3 of the ICESCR (1966) that ensures people's "right of self-determination" to pursue economic, social and cultural development.

Therefore, denying or even creating obstacles for those who want to obtain French citizenship, France impedes the Hmong from enjoying civil rights free from discrimination such as the right to a nationality (Article 5 of ICERD, 1960). This article defines "discrimination" as "any distinction, exclusion, restriction or preference based on ... national or ethnic origin which has the purpose of nullifying or impairing the recognition, enjoyment or exercise, on an equal footing of Human rights and fundamental freedom in the political, economic, social, cultural or any other field of public life" (Article 1 of ICERD, 1965).

The case of the Hmong in France proves that France recognizes distinctions between citizens and non-citizens (Article 1 Paragraph 2 of the ICESCR, 1966). At the same time, France has the duty under Article 5 of the ICERD (1965)— ratified in 1983—to guarantee equality between citizens and non-citizens in the enjoyment of these rights. However, the reality behind the universalist principle is discriminatory and purely protecting the French interests.

Considering the elements stated above, the France government's blocking the Hmong from gaining French citizenship although they respond to the criteria established under the domestic laws is contradicting the General Recommendations XXX on Discrimination against Non-Citizens (2002). Chapter IV on "access to citizenship" states that non-citizens should not be discriminated with regard to access to citizenship or naturalization, and attention should be paid to possible barriers to naturalization that may exist for long-term or permanent residents (Article 13). The deprivation of citizenship for long-term or permanent residents could result in creating a disadvantage for them of any sorts and result in a violation of the Convention's anti-discrimination principles (Article 15). Therefore, these articles protect the Hmong as non-citizens because it is the State's responsibility to ensure that citizenship is not denied to avoid creating disadvantages. Denying the access to citizenship to the Hmong and delaying its obtaining run against their dignity as human beings to enjoy the right to a nationality. The disrespect to these articles is a direct violation of ICERD (1965) and in the Preamble of ICCPR (1966) recognizing "the ideal of free human beings enjoying civil and political freedom and freedom

from fear and want can only be achieved if conditions are created whereby everyone may enjoy his civil and political rights, as well as his economic, social and cultural rights."

Furthermore, the Hmong is considered as second-class citizens in France, and their rights to vote and to be elected are denied (Article 25 (b), ICCPR, 1966). Therefore, the practice in France to prevent some people from accessing French citizenship and, therefore, political right becomes normal. The criteria of citizenship prevent the Hmong from their right of self-determination to "freely determine their political status and freely pursue their economic, social and cultural development" (Article 1.1, ICCPR, 1966). France under Article 2.1 undertakes "to respect and to ensure to all individuals within its territory and subject to its jurisdiction the rights recognized in the present Covenant, without distinction of any kind, such as race, color, sex, language, religion, political or other opinions, national or social origin, property, birth or another status." The Hmong in France, nonetheless, still suffer from inequality of treatment.

The discriminatory requirement of the nationality to obtain the political right to vote and, therefore, the right to defend and represent the Hmong political interests lead further to social exclusion. This article recognizes that social exclusion stands against the values and principles of democracy because it discriminates certain individuals or groups and prevents them from having equal access to rights, power, resources, and dignity (Mathema, 2015). Giddens (2001) defines social exclusion as "the outcome of multiple deprivations which prevent individuals or groups from participating fully in the economic, social and

political life of the society in which they are located." Therefore, when considering the above definition of exclusion, this article perceives that the social exclusion of the Hmong as a predictable consequence of the Republican Model.

In France, since the French nationality is the mandatory requirement to obtain the right to vote, France's denial to provide the right to vote to foreigners who fit the criteria can be interpreted as discriminatory under the International Laws in the sense that particular groups, like the Hmong, are not being entitled with the capacity to express their demands and to defend their interests within the French nation. The political right is a core value that France protects preciously. It is difficult for non-citizens in France to take part in the political sphere although ICCPR (1966) ensures political and civil rights to every human being. Based on the elements stated above, this article argues that the traditional figure of the citizenship in France is blurred, reflecting a profound change in the relationship between the state and the society (Pinkney, 2002). The general implication was that economic development was the main driving force for democracy, albeit a rather narrowly conceived democracy in which opportunities for constitutional changes of government were given greater prominence than political participation or social equality" (Pinkney, 2002).

In 1981, François Mitterrand was president and the right to vote for foreigners was among its 110 propositions (Perrault, 2012). Since 2012, the French President François Hollande, who had promised the right to vote for non-EU foreigners during his term of office, has repeatedly rejected this reform. The President never ruled that the necessary conditions for amending the Constitution

are met, and over time the political context has become less and less favorable.

It seems that the French are more reticent about the right to vote for foreigners (Samson, 2015). Seventeen countries of the EU have already introduced the right to vote for foreigners in full or in part, whereas the decline in the percentage of French people who are in favor of this right is worrying (M'Bodje, 2016). This drop in percentage is the reflection of the current discourse on foreigners, the confusion between migrants and refugees, and the ideas of the extreme right, which have penetrated a certain number of people's conscience (Kaci, 2016).

While France as a State Party should ensure the dignity of its individuals, refusing the naturalization of the Hmong means France creates "obstacle to friendly and peaceful relations" (ICERD, 1966) within the nation between French nationals and the Hmong. These obstacles might be potential to "disturbing peace and security among people and the harmony of persons living side by side even within one and the same State" (ICERD, 1966). Therefore, in a democratic country such as France, since the right to vote for foreigners seems to be a long-due promise, the government should be held accountable to fix this situation. Schmitter & Lynn (1991) admit that Presidents might not "follow the course of action" they first proposed, but "they must ultimately be held accountable for their actions through regular and fair processes." In other words, postponing the passing of the law for the foreigners to access the right to vote is the result of a social discomfort where France does not respect its integration policy by leaving foreigners on the margins of the French society. This attitude is incoherence that

France has difficulty positioning itself as to the fate of foreigners, resulting from an economic crisis that has affected and impacted social relations in France (Kaci, 2016).

To conclude, this paragraph supports the argument of this article to consider the Republican Model as a vicious circle that, under the name of the universalist principle, perpetuates discrimination practices around citizenship and prevents the minority groups to be equally represented in politics. This section proves that the paradox of the Model leads not only to the political exclusion of the Hmong but also to their social exclusion within French society. Such democracy often creates a society that practices political and social exclusion: it is dangerous to the democracy because it leaves some people aside and, therefore, contradicts the values and principles of democracy based on the value of equality.

Conclusion and Discussion

Although the Hmong community has been living on the French soil for more than 40 years now, they are still not able to enjoy equals rights as the French citizens. This community's identity is ignored and misunderstood. The French Republican Model has excluded the cultural minorities from the integration policies, believing that once economic prosperity and the benefits of political, legal and commercial integration have materialized, social integration would automatically follow. Therefore, the current system gives little concern to the cultural communities such as the Hmong. While France pretends to be the country of

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Human Rights, a member state of the United Nations, and signatory of the UDHR (1948), the ICESCR and ICCRP (1966), the reality falls far behind. Although there is a legal obligation of France under the International Bill of Rights as well as the Treaty on the European Union (1992) to guarantee its people's rights regardless of their origins, citizenship or nationality, there are contradictions within the French Republican Model that set the Hmong at the inferior position within the French society. In France, the exercise of citizenship is accessible only through the French naturalization, which is obtainable through specific conditions. As a result, the Hmong remain "denizens." They are members of France society recognized as residents with some rights and duties, but their participation in the political space and the Hmong capacities and strategies for participation remain restricted. The non-recognition of minority groups in France justifies the differences in treatment that exists between the citizens and non-citizens under the name of the "republican citizenship." Besides becoming a non-recognized minority group, the Hmong also face obstacles in obtaining French citizenship and the right to vote. The elements presented in this article have proved that the right to vote is in principle closely linked to the nationality, which remains the legal bond giving an individual the status of a citizen of France. France decides to apply formal restrictions that prevent non-nationals in France to access the right to vote. In a society that is focused solely on the citizenship instead of other socio-cultural components, the French republican principles of universalism could prove to be unfair to minority groups. Therefore, the French democratic system, which is supposed to mainstream these marginalized communities including the Hmong, cannot take place in meaningful ways. Such democracy often creates a society that practices social exclusion and poses dangers to democracy because it brushes some people aside and contradicts the values of democracy based on the principle of equality. This political exclusion of the Hmong is the reflection of France's democracy that has not been able to address the Hmong's demands sufficiently.

In a context where France is currently facing an identity crisis and lack of unification among its inhabitants, a solution needs to be found to reconcile the Republican values with other collective identities, mainly coming from immigrants such as the Hmong. Indeed, because of the current political, economic and social context, France lacks a common French identity resulting in significant challenges for France as it poses a threat to its legitimacy, credibility, and authority as an institution that claims to be the country of Human Rights.

In this context, the Hmong identity must be recognized equally as a factor that contributes to the legitimacy of the French identity. Therefore, in this unstable context, it is imperative to promote the values of diversity as a unifying force, in which the events aim at encouraging a sense of belonging to the same "French community," highlighting the richness and diversity of the Hmong culture. Indeed, the presence of the Hmong in France is the result of French history, and awareness should be raised about that community to understand France from another perspective.

The Hmong should not be interpreted as differences in skin color, cultural practice, and spiritual commitment but as a political entity on its own. Applying the legal obligations under the International Human Rights Treaties to which France is bound is necessary to switch the government's perception of the minority groups as a threat to democracy. Finding solutions to the problems caused by social heterogeneity is necessary. One of the solutions consists of offering the right to vote to non-citizens in France to include them in the political negotiations for their interests to be represented equally as the other French citizens. Offering the right to vote is a necessary condition for the survival and the consolidation of the democracy as it helps minority groups to feel included and respected for their rights.

Therefore, for this movement of integration to work, the adoption of social policies in favor of those who might be marginalized and kept out of the progress is necessary. In this way, the Hmong would find their place in the society and gain confidence in themselves to fulfill a desire to live and work together with the French and to learn from each other's differences.

However, the Republican principles set up a strong sense of loyalty and duty to the nation above allegiance to any collective identity. Therefore, the presence of the Hmong as collective identity is based on shared beliefs, values, and practices that derive from the larger French community; the identity of France is constantly contested and negotiated. As a result, the protection of the Republican values results in the most destructive form in some radical political movements such as Marine Le Pen and the Front National (FN). Therefore, taking into account the increasing popularity of Marine Le Pen in the presidential election of May 2017, the rights of the Hmong and their identities are threatened further. Indeed, the Front National political claims

for a policy of assimilation that neglect any relations with the immigrants' country of origin. In that context, the Hmong would need to redouble their efforts to preserve their identities.

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