

## When Natural hair violates dress codes.



In 2017 a report by the Sydney morning herald sun was published about two African girl's that faced discrimination at their school. Two students at Bentleigh Secondary College were pulled aside by their teachers and told they had broken school dress code. Bentleigh secondary college has a strict dress code. The students who were twins wore the hairstyle of braids, significant to their culture since they were from South Sudan. The hairstyles are important and considered a protective style which makes their hair healthier and easy to manage. But apparently it was in violation to the dress code, and the girls were reprimanded for having such a hairstyle.

The principle justified his reasoning stating that "The policy applies equally to all students," But within Australian anti-discrimination law, a rule, despite its universal application, is nonetheless discriminatory if: Complying with the rule would not be reasonable; and the rule would result in a specific race not enjoying any human right on an equal footing. Notably, "human right" includes the right to education, the right to freedom of expression and the right to equal participation in cultural activities. This is necessarily a simplification – but the general gist of the law is here.

This body of law rightly recognises that treating all people the exact same way will do nothing to alleviate entrenched disadvantage based on race, sex, or other characteristics

Eventually the teacher was marked for discrimination and the Sudanese girls were allowed to wear braids but many cases across Australia just like these are still going on and are never resolved due to the fact that people don't see this as a big issue. Hair based discrimination is a problem People of colour face regularly and has almost been normalised in a sense.

In the Western world, afro-textured hair has historically been given a negative connotation and associated with idea of Exoticism and unprofessional. This is largely because of legacy of slavery and long-standing history. In the 15th and 16th centuries, the Africans were taken and forcibly transported from Sub-Saharan Africa to North America and upon their arrival in the New World, their heads would be shaved in effort to not only prevent the spread of lice but to erase their culture. many Africans used and prided themselves in their hairstyles. These braids, locks, and twists signified their tribal identity, marital status, age, and other personal characteristics. Both men and women would wear headscarves in order to protect their scalps from sunburn and lice but, as time progressed, these hair wraps became more associated with women, who began to wear them in various fashions, based on their region and personal style. In the 19th century when slaves were no longer being imported from Africa.

After the erasure of culture and the lack of braids The concept of good hair and disdain for black hair was intruded. Slaves who worked in the home didn't wear headscarves as field laborers did and, as they were often children of a white man in the family that owned them, they were more likely to have straight hair than kinky or curly, a standard closer to the European beauty.

Madam C. J. Walker, an African American businesswoman would then later help enforce the European narrative of beauty when she, achieved the formula for popular relaxer, which would straighten afro-textured hair and levelling the playing field. This is where the negative stereotype comes from.

Straight hair has always been seen as more beautiful in Eurocentric standards, because its apparently, it's much easier to manage and more presentable. the Europeans, who colonized a majority of the world have left the imprint of having lighter skin and hair, which is closer to straight is the standard. The vast majority of society today still hold on to these standards. This has left such a big impact on POC communities because they second guess themselves and also have to alter their given skin and hair just to fit into some silly standard.

But it's not just the feeling of being unwanted or the self-consciousness that colonialism has left. It is also hard for Black people to get jobs because of their afro textured hair.

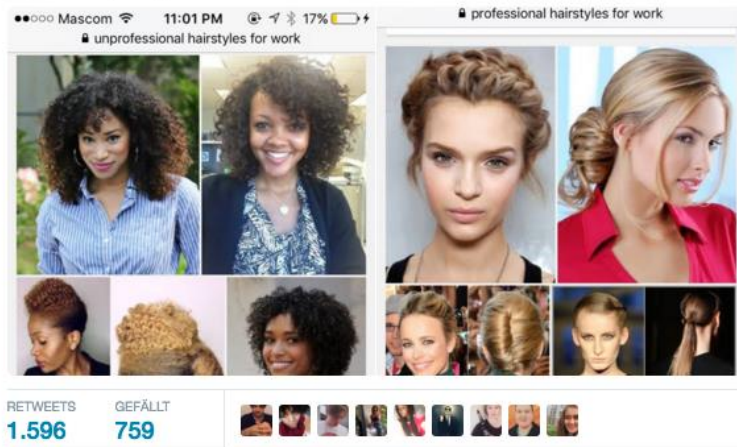
According to the Huffington Post, ***“Black women with natural hairstyles, such as Afros, braids or twists, are often perceived as less professional than Black women with straightened hair, a new study has revealed.”***

Research conducted at Duke University's Fuqua School of Business, shows evidence that discrimination against natural Black hairstyles still exist in work places and that many employers perpetuate discrimination.

The study was based on scores employers would give it. The study showed that black women with natural hair or traditional African hairstyles received lower scores on professionalism and competence and were least likely to be hired. The women with natural hair were compared with three other candidates: Black women with straightened hair, white women with curly hair and white women with straight hair, they were called back or hired in a sense.

I saw a tweet saying "Google unprofessional hairstyles for work". I did. Then I checked the 'professional' ones 🙄🙄🙄

Übersetzung anzeigen



This doesn't only just affect Black people in the work place it applies to schools were students are chased up in the dress code for simply having natural or hair or traditional hairstyles, there are many examples of this, the list simply goes on and it seems each year there is a new report coming out on why Black hair is unacceptable in schools or the workplace.

And though we know racism is wrong and it is frowned upon in our modern society, many company and schools still have a negative conation to natural hair or African hairstyles, and it often sways their decisions and judgements.

Australia does have anti race discrimination laws to stop racism in the workplace and schools but with a matter like hair there are many loopholes and it can be interpreted differently. To combat this Australia would have to enact a definite law or legalisation that stops specially the discrimination against black hair. Take America for example, they have implicated The **CROWN** (Create a Respectful and Open Workplace for Natural Hair) **Act'** (SB 188) is a California law which prohibits discrimination based on hair style and hair texture by extending protection for both categories under the FEHA and the California Education Code. Is an act that has been passed in many states and is effectively working.

And you may argue that these laws like this exist within Australia and you might refer me to the.

The *Fair Work Act 2009* also aims to protect employees from discrimination at work. Under the Act, it is also unlawful for an employer to take adverse action (for example, terminating someone's employment) because of their:

- race or colour
- sex
- sexual orientation
- age

- disability
- marital status
- family or carer's responsibilities
- pregnancy
- religion
- political opinion
- national extraction or social origin
- workplace rights or industrial activities.

It may reference race, but as I stated earlier there is no definite reference to hair or cultural hairstyles. It seems a lot of people do not associate race with cultural hairstyles. Huffington post studies show that many people who discriminate based on the idea of hair believe that Race exclusively include race, ancestry, colour, ethnic group, and ethnic identification. but is not limited hair texture and protective hairstyles. Which means that they openly discriminate against hair and see no problem with it.

This is the big problem there is no law indefinitely helps with POC hair discrimination. I advocate for the passing of a new legislation called the POC Natural hair act. The act would state that:

***“Natural hair or hairstyles that are associated with an employee’s ethnicity are not be discriminated against and should not be met with any bias. They should be given fair opportunity to work regardless of hair texture or cultural hairstyling.***

***Discrimination of Hair should also be removed from school dress codes and black hair is not to be penalised.”***

The repercussion for not following this law would be termination of one’s job. A hefty fine and penalties that could lead to imprisonment.

Passing this law would stop blatant discrimination, and open people’s eyes to their strange Eurocentric standards of beauty. It would prompt Black people to be more confident with their hair and not fear school persecution or being turned away from a job. And if that doesn’t appeal to you think of this from an economic standpoint, would you turn away a potentially good employee on the basis of hair but get another who doesn’t necessarily the job as good? Such discrimination is not only immoral, but also economically harmful. Talent and success is scarce these days, and as we know talent is not limited to just one race. Countries that discriminate against marginalized groups within tend to be less innovative – the exchange of ideas between different people breeds fresh ideas that give rise to new business opportunities, products, and services. And who wouldn’t want economic growth?

In short what I’m trying to say it that. final point is that passing this legislation will slow down discrimination, people will be aware that it happen and recognise that there is a bias and that

Black people have been bearing the bad side of this bias. Black people would be able to go to school, apply for jobs, and have the same experiences as their nonblack counterparts which I see as only fair.