The budget and penal reform in France: an acceleration of reaction

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The French population has been waiting for the details of the Raffarin government's 2003 budget since the traditional date in early August, when the government calculated that its publication might weaken its already unsteady position in opinion polls. In the meantime, it has kept a resolute silence on the issue, giving itself until September 18, and then the 25th, to present the budget.

Despite the Raffarin regime's attempt to present it in the best possible light, the budget shows the government's repressive and anti-social outlook. It eliminates 1 billion euros from the labor minister's budget, decreeing the elimination of 100,000 of the 260,000 "work-solidarity contracts" and the totality of the youth-work program, adding however that it would "take place gently."

The proposed budget includes small increases for segments of the culture ministry's budget, which is nonetheless cut as a whole by 4 percent; the section charged with monuments and national property lost 78 percent of its budget. The national education ministry's budget increased slightly, mainly due to mandatory pay increases for teachers; however, several thousand staff—teachers' assistants and disciplinary staff—lost their jobs. The research and agriculture ministries also face substantial cuts.

The budget massively increases spending on the armed forces, the criminal justice system and police. Amongst other things, the government will build a second aircraft carrier and beef up coastline defenses against illegal immigration with the 11 percent increase in military spending. The justice budget increased by 7.5 percent and allows the government to increase prison construction by 70 percent.

Substantial sections of the bourgeois press criticized the budget—the newspaper *Libération* described it as "loose ends and bluffing." The press noted the fact that it relies on projected economic growth of 2.5 percent in 2003, a figure that seems increasingly impossible to attain. The European Commission also criticized the budget's fiscal irresponsibility, noting that it counted on too many replacements of retiring government workers.

The unveiling of the budget comes at a very delicate time for the Raffarin government. Its privatization policy is largely dead in the water: two of the main companies to be privatized, France Télécom and Electricity of France (EDF), are drowning in debt after ambitious international acquisitions in the last few years. France Télécom in particular has 70 billion euros of debt that the state will have to repay, at least in part. These companies' stock valuations do not therefore make their sale an attractive proposition.

There have already been strikes at Air France, by the supervisory staff in the schools and in Parisian public transportation networks. Strikes are brewing among the national education personnel, at Alcatel and in the workforces of companies that might be privatized.

Official polls have recently noted sharp drops in support for the government and in its policies, which substantial majorities oppose on several key issues—unemployment, the length of the workweek, pensions and immigration.

The government decided that Raffarin should appear on the TV program "100 Minutes to Convince" to try to improve the budget's public image. On the air, he was asked if he was troubled by memories of the 1995 public sector strikes, which paralyzed the Juppé government for several weeks after it tried to push through economic reforms similar to those put forth by Raffarin. The prime minister ducked the question by asking his questioner if he looked like a "psychotic."

In fact, one of the Raffarin government's principal concerns is that public opinion could turn massively against it. This explains the preoccupation with "communication" that it flaunted on television, which does not seek to keep the French people informed of its concrete intentions—which, as in the budget, are usually revealed only at the last minute—but rather to present unpopular measures in the best possible light. This also explains the implicit contradiction between its campaign promises, when it spoke of cutting 40 percent of the public sector workforce by 2016, and the Raffarin government's recent proclamation that its "objective is not to eliminate jobs here or there" in the public sector.

The government is also facing a serious crisis since the publication in *Le Monde* of some details concerning the barbaric projects of Interior Minister Nicolas Sarkozy, who has proposed a reform of the penal code. The document proposes a drastic increase in sentences aimed at poorer layers of the population—3,500-euro fines and six months of jail for

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squatting; 2,000 euros for repeatedly missing school; 7,500-euro fines and six months in jail for begging or prostitution, with deportation if the prostitute is foreign. Directly attacking political expression, the proposed law would allow the deportation of any foreigner on a temporary or nonauthorized stay in France if he or she participated in a demonstration or engaged in "nocturnal disturbances."

The proposal would radically change penal procedure, lengthening the maximum delay between the arrest of a suspect and his contact with a lawyer to 36 or even 48 hours, allowing more "immediate appearances" before a judge with rapid sentencing, and eliminating the requirement that police notify someone upon arrest of his or her right to remain silent. It would allow the genetic fingerprinting of any suspect and extend the "extraordinary" surveillance measures put in place after September 11, 2001 by the previous Socialist Party (PS) government.

The government tried to downplay the issue's importance, claiming that it was a "rough draft" which had been "superseded" by new projects, without specifying what the new projects' contents were. In any case, this "draft" allows a glimpse at the methods and aims of the Raffarin government: with public opinion increasingly opposed, the regime favors increasing the repressive power of the state apparatus.

The government's justification of these measures undercuts the arguments, heard during the second round of the presidential election this spring, according to which one could rely on the French right to be a "republican [i.e., democratic parliamentary] obstacle" to the far right. Justifying his proposal, Sarkozy explained that he had to face the "new delinquency phenomena that ... brought Mr. Jean-Marie Le Pen to the second round of the presidential election." Given that 72 percent of voters thought that the campaign that Sarkozy's party launched against "insecurity" was either "bad" or "very bad," Sarkozy is essentially admitting that the Raffarin government is courting opinions that were previously confined to the far right.

The Socialist Party, badly shaken by its massive defeats in the presidential and legislative elections, is trying to present itself as a serious opposition to the governmental offensive while regrouping itself around its right wing. The PS leaders have noisily criticized Raffarin's proposed privatizations, Sarkozy's penal reforms and the decree increasing the amount of overtime that an employer can require of an employee. However, their criticisms have a hollow ring—the PS oversaw many privatizations, set in place the surveillance laws after September 11, 2001 and had agreed that the law setting the workweek at 35 hours had to "become more flexible."

The leading circles of the PS are embroiled in cynical machinations, as the different factions jockey for power in the post-Lionel Jospin [former PS prime minister 1997-2002] era, with the threat of popular radicalization continually in the backs of their minds.

The "left" of the PS, organized in the Socialist Left (GS) movement, has split—one section, led by Julien Dray, is trying to unite with the centrist Socialist Henri Emmanuelli to "weigh on the majority of the PS," while the other, led by Jean-Luc Mélenchon, is denouncing a "premeditated liquidation carried out without discussion inside the GS."

The center of the PS, led by interim leader François Hollande, is courting the party's free-market right wing, represented by Laurent Fabius and Dominique Strauss-Kahn. Hollande first insisted that the different "sensibilities" that had divided the PS should disappear, publicly asking Fabius and Strauss-Kahn to join him and floating the possibility that they would liquidate their movements into the Socialist center. He then met with Strauss-Kahn to ask him not to dissolve his movement, as some of the latter's supporters had proposed.

The free-market wing of the PS seems to be waiting for Hollande to offer it better terms for a union with the center of the party. Claude Bartolone, a Fabius supporter, asked why the Fabius circle should "create a unified group in which [they] would only be second-class guests." A supporter of Strauss-Kahn, Jean-Marie Bockel, denounced "left-wing ideologism," implicitly attacking Hollande's hypocritical opposition to Raffarin's privatization policy by remarking that "Lionel Jospin certainly privatized more [companies] than some of his right-wing predecessors." He insisted that "the principles of social justice must be compatible with those of private initiative."

As opposed to the political parties' falling in line around a well-worn reactionary program, important indicators suggest a rise of popular discontent. The union bureaucracies are already expressing concern that the government's extremist policies might undermine their influence in the working class by exposing their inability to halt the government's reactionary plans: according to François Chérèque, head of the CFDT union, "We are not partisans of direct democracy. There are in France intermediary bodies, unions and associations, which are constantly at work on the ground and have the capacity to express its demands. If politicians short-circuit this civil society, the gulf between the general population and the elite revealed by the earthquake of April 21 [when Le Pen arrived at the second round of the presidential elections] threatens to widen."

To fight the Raffarin government's policies, workers cannot count on either the established left parties dominated by the PS or the union leaders, resolute defenders of the profit system. A serious opposition can only arise on the basis of the political independence of the working class on a socialist perspective.

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