As protests against police violence spreads

# High court declares Marseilles transport workers strike illegal

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Following a week of protests and clashes between unemployed youth and police, which began in Paris but which have now spread to many major French cities, a court in Marseilles declared a 32-day strike by RTM (Regie des transports de Marseilles) transit workers illegal.

The high court in Marseilles ruled that should the RTM strike continue, the eight different unions representing the workers involved would have to pay €10,000 for every day the strike lasted. The court gave workers just 12 hours to resolve their strike before punitive fines came into force. The court also stipulated that any decision about the course of the strike had to be settled by secret ballot. Up until now, French industrial practice has been to conduct all votes involving strikes or other forms of factory protest by an open show of hands.

The intermediary appointed by the French government to intervene in the strike, Bernard Brunhes, and the RTM management were able to convene the high court and win a judgment within the space of a few days under conditions in which the city of Marseilles is increasingly affected by the daily protests against police repression which have swept across parts of the French capital. Over the weekend, further clashes between youth and police took place in Marseilles as well as a number of other towns.

The speed with which the court arrived at its judgment indicates that all of the parties concerned—the right-wing municipal council of France's second biggest city, the courts and the national government—were anxious to close down the strike as soon as possible and prevent any coordination of action by strikers and oppressed youth against the police and judiciary.

The trade unions involved in the strike played a key role in demobilizing the striking workers. Following the court judgment, one of the representatives the CGT (Confédération général du travail—General Confederation of Labour), trade union for the transit workers, Charles Andreani, announced that his union would not defy the court and advised his members to return to work. Workers will meet again this week to discuss any further action.

The strike by staff employed at the Regie des Transports de Marseilles began on October 4 against management plans to privatise the company and enforce redundancies. In an entirely provocative manner, the municipal council employed scabs in an attempt to break the strike. Nevertheless, strikers managed to severely restrict bus services, and the city's metro service was also hard hit.

The transport workers strike follows on the heels of militant action by ferry workers in Marseilles at the end of September also opposing privatization. The diverse forms of protest undertaken by 500 workers employed by the company SNCM (Société nationale Corse-Méditerranée—National Corsica-Mediterranean Co.) was characterized by violent clashes between ferry workers and police, who at one stage used tear gas to prevent protesters blocking the entrance to the city's harbor. With no indication of any letup in the strike the French government sent in heavily armed paramilitary forces to repossess a ferry that workers had occupied. The workers eventually voted to return to work after 23 days on strike, having been isolated and backed into a corner by their unions.

The Communist Party-controlled CGT, France's largest industrial union, was the majority union at SNCM and is also the main union active in the latest RTM strike. In the course of the SNCM dispute, the CGT openly sided with one of the private contractors bidding to take over the shipping company—the multinational Connex group-which is also one of the interested parties in the purchase of RTM.

In putting to a vote a motion to end the strike at SNCM on October 13, CGT officials said the only choice confronting the workers was either to accept the deal or to face the state's deliberate bankrupting of the company and the sacking of the whole labour force, without any compensatory measures. Jean-Paul Israël, CGT general secretary of the Marseilles workers, told the press, "You can

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fight the government but you can't fight the law."

Now, having taken this message to heart, the French government has instructed its intermediary Bernard Brunhes to use the courts to drastically tighten up French industrial law to deal with the striking RTM transit workers.

While the Marseilles court justified its ruling against the RTM workers on a technicality, the basis upon which the action against the strikers was lodged indicates that company bosses and the courts are preparing even more draconian measures to virtually abolish the right to strike.

Arguing for a court ruling to ban the strike, RTM's managing director Marc Girado claimed that in refusing to work the Marseilles transit workers were contravening their responsibilities to public service (*delegation de service public*—DSP) and that the "DSP is a political decision which had been voted on by the municipal community of Marseilles."

According to Giradot's reasoning the strike was "political" and therefore illegal. A similar line of argument could in fact be used to declare illegal all strikes and other forms of industrial action undertaken by public service workers against privatisation.

Commenting on the strike, the prefect (the official representative of central government in the region) of Marseilles raised the possibility of a draft ("réquisition"), i.e., stripping workers of all of their rights and forcing them to work. The "drafting" of workers would be implemented on the basis of a law first introduced in 1938 aimed at preparing France for war! The same threat was raised against baggage workers who recently took strike action at Roissy airport.

In the words of labour historian Stephane Sirot, the utilization of the "réquisition" policy by the state represents the "nuclear option" in French industrial relations. With regard to the court's demand for secret ballots in the case of the RTM strike, Sirot stated that this was a means of "undermining the trade unions which are presented as firebrands intent on terrorising employees."

The decision by the court in Marseilles represents a turning point in French industrial policy. The transport workers in Marseilles have a tradition of militancy and played a prominent role in the nationwide mobilization against privatisation plans for public transport in 1995. Nevertheless they represent a relatively small layer of workers. Now they have been singled out, but the French government has much bigger fish to fry. The implications of this latest court judgment can only be properly understood within the context of plans for massive privatization of state-owned assets that are currently being implemented by the French government.

On the list for privatization are some of the largest service and energy providers in France. Despite repeated union protests, the French government has proceeded with the partial privatisation of the gas production and distribution company, Gaz de France (GDF). In July 2005, 22 percent of shares in GDF were floated on the stock exchange. Other forthcoming privatisations include such major state-owned assets as the former telephone monopoly France Telecom, the energy utilities Electricite de France (EdF) and France's network of motorways.

At the same time, the Marseilles judgment has been made at a point when French cities are under siege from the French police and CRS.

Workers must draw urgent lessons from the court decision and police mobilizations carried out against organized workers in Marseilles. The Villepin-Sarkosy government is conducting a two-pronged policy—on the one hand intensifying its police-military operations against unemployed youth and immigrants in the city centres, on the other inaugurating unprecedented moves to illegalise strikes and attack the organized workers' movement.

Not a single trade union has issued a statement condemning the police terror taking place on a daily basis in French cities. Quite the opposite, led by the CGT they have sought to demobilize their membership and prevent any basis for unity between the unemployed in the suburbs and workers in the factories and workplaces. Entirely independently of the various trade union bureaucracies, workers and employees in public service, offices and the factories must raise the demand for the complete withdrawal of state forces from the housing estates and develop joint initiatives with the unemployed and immigrant communities to prevent further privatizations.

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