

France: “First Job Contract” legislation approved by Constitutional Council

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France’s Constitutional Council yesterday approved the legality of the Gaullist government’s “First Job Contract” (CPE) legislation. The CPE—which allows employers to sack young workers sacked without cause during their first two years of employment—has provoked ongoing strikes and demonstrations by workers and students.

President Jacques Chirac is widely expected to officially enact the legislation today, although he still has the option of sending it back to the National Assembly for fresh debate and possible revision. He is scheduled to make a televised announcement at 8 p.m. today, French time.

Chirac and Prime Minister Dominique de Villepin have repeatedly insisted that they will not rescind the CPE, despite the overwhelming opposition to the law. The government has only offered a “dialogue” with trade unions and student organisations over aspects of the law’s implementation, such as the length of the proposed two-year trial period.

The Socialist Party brought the legislation before the Constitutional Council, challenging its legality on the grounds that the law discriminates against people based on their age. The petition also objected to Villepin’s suppression of parliamentary debate when the legislation was rammed through the National Assembly on March 9. The Council rejected the social-democrats’ challenge on the grounds that no law “prevents the legislator from taking measures favouring employment for young people.”

This provocative statement makes clear the political nature of the Council’s ruling. There is no question that its adjudication was preceded by intense behind-the-scenes discussion within the upper echelons of the political establishment.

The ten members of the Constitutional Council, who

are appointed to serve nine-year terms, are all established party-political figures. Pierre Mazeaud, chairman of the council, is one of Chirac’s closest associates. The *Libération* newspaper described Mazeaud as an “*ultra-chiracuien*.”

A number of reports have appeared in the French media confirming Chirac’s determination to back the prime minister in his assault on young workers’ conditions. *Le Parisien* reported that the president was “furious” over Interior Minister Nicolas Sarkozy’s criticisms of Villepin and the CPE. Sources close to the president told AFP ahead of the court ruling that Chirac and Villepin are “in complete agreement not to yield to pressure from the street.”

Pierre Giacometti, research director of the polling company Ipsos, commented: “In the past, Mr Chirac has always made decisions based on his desire to keep power. But now that he is nearing the end of his term, he may be more determined to stand firm and provoke a real social clash.”

Despite the signs that Chirac and Villepin are preparing for a confrontation with workers and youth opposed to the CPE, the trade unions and Socialist and Communist parties have continued to appeal to the president to show “responsibility” and negotiate a compromise. Francois Hollande, leader of the Socialist Party, asked the president not to promulgate the law, and to send it back to the parliament for debate.

“Now it is for the president to carry out his responsibilities,” François Chérèque of the CFDT union added. “I remind him of the letter which the five trade union confederations sent to him on Tuesday evening, where we asked him to ask for a second reading for article 8 which sets up the CPE, so as to withdraw it and open negotiations.”

According to Reuters, 11 “left” organisations,

including the Socialist Party, Communist Party, and Greens, are holding a joint press conference today. They will issue a statement on the situation. Among the delegates participating in the meeting is Alain Krivine of the Ligue Communiste Révolutionnaire (LCR). The LCR's participation in the meeting again demonstrates their role of providing left cover for the Stalinists and social-democrats, who have made every effort to dissipate the anti-CPE movement and stabilise the government.

In other developments yesterday, high school and university students continued their protests against the CPE. Thousands of youth responded to an appeal to block roads and railway lines issued earlier this week by the National Students Coordinating Committee. About 2,000 students erected barricades on train lines into Paris's Gare de Lyon station. Commuter trains and the high-speed TGV train were blocked for two hours before the police cleared the lines. In Marseilles, riot police fired tear gas at about 400 students who disrupted train and road traffic at another railway station.

Several highways were blocked throughout France, including in Nantes, Rennes, Lille, Montpellier, Dunkirk and Aix-en-Provence. Students in Paris brought traffic to a halt on the city's major ring road. Reuters estimated that traffic jams across the country totalled 345 kilometres (215 miles).

Dozens of arrests were reported. One of those detained was Kark Stoeckel, leader of the main high school students' union, UNL (*Union Nationale Lycéenne*). "They did not need to arrest us—we were very calm," he declared. "By using the police like this they are legitimising the radicalisation of the movement."

There was only one reported incident involving police attempting to break up students' high school blockades, despite an edict from education minister Gilles de Robien to principals to reopen all the schools, using the police if necessary. According to high school student unions, about one out of every four schools has been blockaded by striking students.

Many principals resisted the government's order to send in the police. "[De Robien] is pouring oil on the fire," Philippe Tournier, the principal of one high school blockaded since March 10, told the *International Herald Tribune*. "If you threaten students

with the police they will become more determined."



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