

Sarkozy government plans to extend strikebreaking law to entire public sector

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20 July 2007

Top officials in the government of newly elected French President Nicolas Sarkozy are planning to extend a law mandating a “minimum service” level in public mass transit to the entire public sector workforce, starting with public school teachers.

The proposed anti-strike legislation requires public transit authorities to choose a minimum level of services which they are then legally obliged to maintain at all times. It places onerous requirements on unions and workers seeking to strike—for example, each worker must announce his intention to strike 48 hours before the strike begins; at most 8 days after the beginning of the strike, employers can organize secret ballots at will to check if the strike still has majority support.

Prime Minister François Fillon stated his desire to extend the law in a France-3 television interview on July 17, as the Senate began debating the mass transit “minimum service” law. He said, “The demonstration of the efficiency of social dialogue in mass transit can then be a model for other sectors, including education. If that works, I do not see why we could not extend it to other categories, because the goal after all is to provide the best public service all the time to all French people.”

Labor Minister Xavier Bertrand then announced that he agreed a minimum service requirement is “indispensable.” He said, “Let’s think about this practically: if there is a strike, we do have to organize and figure out what we will do with the children.” He stressed the fact that municipal authorities, currently charged with caring for elementary students if their teachers are on strike, often do not have enough resources to do so.

According to a report in *Le Monde*, an amendment is already being considered in the Senate that would apply the minimum service law to public schools on the dates

of important examinations (the *brevet* and *baccalauréat*).

The government backtracked slightly in the face of hostile public reaction and criticism from teachers’ unions. On July 18 Education Minister Xavier Darcos said, “There is only one minimum service requirement under consideration, the one for mass transit.” However, he made clear that he was simply waiting for a more politically convenient time to introduce the measure in the schools, adding that he “always told the unions that all the issues raised in the presidential campaign, including minimum service, are part of the debate that we will have at the appropriate time.”

The Socialist Party (PS) and the SNUIPP-FSU teachers’ union both moved to create the impression that there was some dissent in the government, denouncing the government for its “cacophony.” The SNUIPP-FSU spokesman simply said he hoped the “cacophony would cease.” It is, however, clear that there is complete unanimity in the government in favor of extending the principle of “minimum service” to the entire public sector—whatever disagreements exist concern methods and timing.

The government’s main political asset in preparing its strikebreaking plans is the worthlessness of the trade union leadership and the complicity of the Socialist Party. Both the unions and the PS, although they disagree with the government as well about methods and timing and posture as opponents of Sarkozy to maintain credibility with their ranks, share the government’s ultimate objective: the “reform” of labor and social relations in France so that the country can compete with its economic rivals, a process that can only take place at the expense of the working class.

In the wake of the presidential and legislative elections, during which the Socialist Party ran a

lackluster and right-wing campaign, along with the rest of the “left,” there is inevitable popular confusion and even wishful thinking. Some hope that Sarkozy will, in fact, “jump-start” the economy. At the same time, there is widespread opposition to the type of social cuts that he has promised his big business backers his regime will carry out—a massive “rupture” in France’s social institutions.

Government officials are clearly trying to extract maximum advantage from this confusion. They have repeatedly cited opinion polls showing 70 to 80 percent support for the “minimum service” plans. If they are accurate, these polls, more than anything else, reflect growing frustration at the parlous state of public services, straining under cuts in funding and personnel. However, Sarkozy—one of whose first measures as president was to announce the elimination of 10,000 education posts, and who held top positions in previous right-wing governments—is as responsible for this situation as his predecessors.

In the right-wing press, there is open discussion of how best to confuse and evade the democratic instincts of the masses. The business daily *Les Echos* noted, “To avoid a frontal assault on the right to strike, [the government] has emphasized the need for predictability of service—the idea being that lack of information angers French people more [than strikes themselves]—rather than the guaranteed minimum service.”

As pointed out by academic Frédéric Rouvillois in an interview with *Le Nouvel Observateur*, a minimum service obligation mandating that a minimum number of workers will not be on strike violates provisions of the post-war French constitution explicitly granting all workers the right to strike. In 2004 the Constitutional Council indicated that it did not think a “minimum service” plan under consideration by the government of then-President Jacques Chirac was constitutional.

The reaction of union leaders has been largely weak and unprincipled. Mostly they complain that they were not consulted, or that various details raised by government spokespeople are incorrect. Thus Gérard Aschieri, head of the FSU (the largest teachers’ union), said he was “very angry” that the government was “piling on controversial moves.” Despite the clearly right-wing character of Sarkozy’s government, Aschieri implausibly implied that he was blindsided by

the recent announcements: “Until then there had been no official declaration on minimum service in education. François Fillon is laying more on without the least coordination [with the unions].”

Asked point-blank by *Le Monde* if he would launch strike action against the mass transit strikebreaking bill, the secretary of the Stalinist-dominated CGT (General Confederation of Labor) railworkers’ union, Didier Le Reste, refused to answer. He said that his union would join with other unions in a day of protest marches on July 31. Here, the CGT is preparing to deploy the same strategy with which the unions defused the multi-million-strong demonstrations against the 2003 pension cuts and the 2005 First Job Contract: organizing a few, widely spaced protest marches and carefully avoiding a political struggle against the government.

The “minimum service” measures are aimed against the rights of the entire working class and its ability to mobilize itself in opposition to the government. Many of the recent major movements of the French working class—the 1995 strikes against Social Security reforms and the strikes of 2003 and 2005—were launched by public sector workers, who can go on strike with less fear of dismissal than their private sector counterparts, and received widespread support within the general public. Sarkozy is seeking a way to suppress public sector workers in the hopes of then having a free hand in social policy.

Nor should one underestimate the danger that the Sarkozy government’s moves are in fact part of a plan to provoke, isolate and break workers’ protests against the law, along the lines of US President Ronald Reagan’s smashing of the PATCO air traffic controllers’ union in 1981. In the face of such a strategy, the policy of piecemeal protests and negotiations advocated by the trade union bureaucracy is in fact the most dangerous course.



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