

France: Sarkozy prepares strikebreaking law for public transport

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The newly elected government of French President Nicolas Sarkozy is preparing to introduce a law to establish a guaranteed “minimum service” in the public transportation sector. The measure, which ruling circles have clearly been planning for some time, is now being shown to employers’ organizations and the trade unions for consultation. Approved by the government’s council of ministers on July 4, it will proceed to the Senate for debate on July 12.

During these discussions, the provisions of the bill are being kept secret by the relevant government ministries, industry groups and trade union leaders. However, some accounts have appeared in the French corporate media. It is already clear that the bill is a major attack on the right to strike, aiming to suppress the rail and transport workers, who have historically been one of the most militant sections of the French working class—launching important strike actions in the late 1980s and 1995 and participating in the multimillion-strong anti-pension reform strikes of 2003 and the “First Job Contract” demonstrations of 2006.

The first section of the law mandates a minimum negotiation period before any strike can be declared—a plan reportedly modeled on the “social alarm” system employed by the main Parisian public transport authority, the Régie Autonome des Transports Parisiens (RATP—Paris Autonomous Transport Authority). It would apply to the RATP, the national rail network (Société Nationale des Chemins de Fer Français, SNCF), and all local bus, subway, train and tramway networks.

The second section obliges transport companies to formulate a “minimum service plan” to be put into action during any strike or “foreseeable disturbance.” The law reportedly does not define “minimum service” or “foreseeable disturbance” and leaves it up to each individual transport authority to decide what level of service to maintain. However, it allows for emergency requisitioning of non-striking workers during such “disturbances” to meet local authorities’ service targets.

It forces workers to “individually declare” themselves in favor of a strike to their employers two days prior to

striking, and mandates that a secret ballot on continuing the strike be organized at employers’ discretion “at most” eight days after the beginning of a strike. The proposed penalty for individual strikers continuing to strike after a negative vote, or for failing to notify their employers of a strike, has not yet been made public.

The third and final section threatens local authorities with financial penalties—the obligation to reimburse passengers in case the guaranteed level of service during a strike is not reached. The benefits to passengers are unclear, as the local authorities will have themselves set the service level targets, but these will certainly be used as an excuse to dragoon strikers into returning to work.

Claims by government spokespeople that such plans do not violate workers’ constitutional right to strike are false on their face. Establishing a minimum level of guaranteed service means guaranteeing that at any given time, a minimum number of workers will not be on strike. The bill’s individual provisions also limit workers’ ability to launch effective strikes and violate their basic rights.

The requirement of a minimum negotiation period before declaring a strike—presented in the press as a neutral gesture meant to promote social harmony—is in fact a move, as historical experience shows, to limit and suppress strikes. The experience of the RATP’s “social alarm” plan, adopted soon after the 1995 strikes, gives some indication of the treatment transport workers will face if the bill passes. There is a minimum delay of 11 days between the first notification of management of a possible strike conflict and the beginning of an authorized strike; management refuses to recognize nonauthorized strikes even when supported by a majority of workers and punishes strikers by withholding weeks or months of pay, denying exam certifications and promotions, and canceling vacations. Wildcat strikers have reportedly been threatened with dismissal.

The conservative daily *Le Figaro* noted that “the [RATP’s] procedure has led to a noticeable decrease in the number of job conflicts: 90 percent of disagreements are resolved through dialog.”

The bill most openly and provocatively lines up with employers against the working class in its antidemocratic provisions for ongoing strikes. Workers will be forced to single themselves out for blacklisting by telling their employers they are willing to strike, but employers are under no obligation to notify workers of salary cuts, layoffs, decisions to put off investment in new equipment, or other decisions they may take. The decision to institute secret ballots instead of voice-voting on continuing a strike is designed to break strikers' solidarity and leaves room for fraud at the ballot box.

The law states that strike days will not be paid, even though not paying strikers is already standard industry practice. This section can have no other aim than to make uninformed people think that transport workers currently are paid for strike days, stirring more politically confused elements against the workers.

The unions' response shows they have no intention of mounting a serious political struggle against the law. So far, none of them—not even transport unions—are calling for strike action against the law.

The Confédération Générale du Travail (CGT, the Stalinist-dominated union) issued a statement criticizing the law's provisions and saying, "What we want is to avoid conflicts, negotiate about causes, and rebuild a truly fraternal public service." This does not correspond to a situation where the state is tearing up workers' right to strike, all the while—as the CGT's statement notes—underfunding the transport networks, leading to breakdowns and service stoppages.

Other unions are taking a similar stance. François Chérèque, head of the Confédération Française et Démocratique du Travail (CFDT), has given several press interviews criticizing more provocative provisions of the bill. However, as its own web site points out, the CFDT initially proposed the RATP's 1996 "social alarm" plan, on which much of the current law is modeled.

Sarkozy's election has given the French elite new hope of a decisive settling of accounts with the working class. In its editorial on his victory, the center-left daily *Le Monde* wrote, "Rupture. The word was sweetened and then abandoned during the [election] campaign to hide its connotations of brutality, to reassure people. But that is indeed what is afoot: France is preparing to break with 20 years of immobility and errors that have led it into a spiral of relative decline." Nicolas Baverez, a pro-free-market commentator close to Sarkozy, put it more bluntly in an article in the *Revue des Deux Mondes*: "The 2007 election is the last opportunity, the last chance to modernize our country without a civil war."

The French bourgeoisie feels itself inexorably impelled on a road of militarism abroad and social cuts at home due to the growing crisis of global capitalism. This fact was frankly

stated in Prime Minister François Fillon's inaugural speech to the National Assembly: "For centuries, France, and a few other nations, politically and economically dominated the world. This unequaled power allowed us to build a rich and prosperous civilization. Today, the world is waking and taking its revenge on history. Entire continents seek progress.... This new historical reality, both anguishing and fascinating, has demanded and demands more than ever that France make a long-delayed effort."

Faced with intense and bitter competition from a host of rivals, in Asia, the US and the European continent itself, the French elite sees no solution except a ruthless assault on workers' living standards and basic rights.

Underlying the toxic mixture of enthusiasm and bloodthirstiness in the French bourgeoisie is awareness that Sarkozy's main goal—to carry out in France the changes seen in the US under Reagan and Thatcher in the 1980s—is massively unpopular. What the bourgeoisie sees as "20 years of immobility" has been, for the working class, two decades of struggles to maintain its social position. The last governments before Sarkozy—those of Jean-Pierre Raffarin and Dominique de Villepin—both plummeted in the polls as the true character of their social program became widely understood.

While Sarkozy acts with more determination than his predecessors, his social base is no wider. This was underscored recently, when public airing of his regressive plans to increase sales taxes resulted in a far weaker result for Sarkozy's party in the second round of the 2007 legislative elections. It is precisely to hide his social program and lull people to sleep that Sarkozy has included "left" ministers in his government, such as Foreign Minister Bernard Kouchner, formerly of the Socialist Party, and is now making a show of negotiating a strikebreaking law with union leaders.



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