

France: Victimised Continental workers lose their appeal

Antoine Lerougetel
16 January 2010

Six workers from the German transnational Continental tyre company's plant in Clairoix, Picardy, in northern France, lost their appeal January 13 against sentences demanded by the state prosecutor (*avocat général*) for damage done to the *préfecture* (government office) in Compiègne April 21 last year.

The altercation took place the day the workers learned of the failure of a legal action to halt the closure of their factory. The Amiens appeal court confirmed suspended 3-to-5 month prison sentences, or community service, for the six workers. They must also pay 63,000 euros (\$US 91,000) in damages.

The state prosecutor callously ignored the social violence inflicted on the Continental workers and their families, deprived of their livelihoods in an area devastated by the slump. In comparison, the damage done to the government office pales into insignificance. He told the court, "I am not going to propose the dropping of charges. It would be an open door to impunity."

The court's decision means giving a green light to employers engaged in imposing the burden of the crisis on the working class, and frequently breaking previous agreements, as in the case of Continental's *patrons voyous* (hoodlum bosses).

It is an attempt by the state to intimidate and criminalise workers fighting to defend their jobs and rights. It harks back to the anti-looting laws (*loi anticasseurs*), abolished 30 years ago, whereby any person organising or present in a demonstration where an offense had been committed could be incriminated, whether or not he or she had taken part in the crime.

A joint statement issued by the Human Rights League, the Lawyers' Union of France, and the Magistrates Union declares that the sentence imposed on the six Continental workers last September, against which they were appealing Wednesday, are "in perfect harmony with the times" and "anticipated the coming vote on the Estrosi law on gangs [a resurrection, but harsher, of the *loi anticasseurs*] and which envisages nothing less than collective responsibility in penal matters."

Workers contrast the severity of the Continental protest sentences with the leniency with which super-rich tax evaders are regularly treated. They point out that Total petrol was given

"the benefit of the doubt" and charges were dropped against it in the case of the explosion, as the result of alleged negligence of basic safety requirements, of its AZF Toulouse factory. The blast caused the deaths of 31 people, injury to 2,500, and 2 billion euros in damages.

The response of the trade unions and "left" parties, including the New Anticapitalist Party (NPA) of Olivier Besancenot and the *Lutte Ouvrière* (LO) group, to this assault on workers' and democratic rights has been abject.

The General Confederation of Labour (CGT), close to the Communist Party (PCF), merely issued a statement "defending" the six Continental workers two days before the appeal hearing, after months of studiously ignoring their predicament. Its newly re-elected leader Bernard Thibault has never made an appearance on Continental picket lines or demonstrations and refuses to give interviews on the subject, his staff pleading that he is "too busy to reply."

The statements by the CGT leader of the Clairoix workers, Xavier Mathieu, who once famously called Thibault "scum" for not coming to the aid of the six victimised workers, amount to demoralised pleas for clemency directed toward the government, with no perspective of struggle. Mathieu is lionised by the media, and glorified by the NPA and LO.

On Monday, in front of the factory, Mathieu told a mass meeting of Continental workers that he was hoping that "the state will drop its charges...if they could ask for the charges to be dropped it would be fireworks and rejoicing. We hope they're going to leave us alone. We Conti workers have had enough."

On Wednesday, a demonstration of 1,500 workers in front of the appeal court in Amiens was not reinforced by any official mobilisation from the main national trade union confederations. Mathieu had promised the Socialist Party-controlled town hall, which was furnishing a speaker system and access to electricity, that he would keep his troops in check.

Last June 5, dismissing any principled struggle to save the plant and its 1,120 jobs, the Clairoix unions signed a deal with management and the state on a redundancy package giving the sacked workers a €50,000 bonus over and above the legally required salary redundancy and other concessions.

The deal also contained a clause obliging the Clairoix unions

to desist from solidarity action with workers from other Continental sites. The *Courier Picard* explained that the agreement signifies that “Continental promises to abandon legal proceedings against those responsible for the material destruction of the factory entrance on April 21 in exchange for a joint trade union commitment not to destroy or block any Continental sites in France or abroad.”

The agreement leaves workers in factories supplying the plant high and dry, and devastates the employment prospects for youth in the already economically hard-hit area. It also meant the abandonment of workers facing closures and sackings at Continental’s other plants in Europe. Stijcken in Germany is one. The Austrian Continental factory in Traiskirchen was closed this year, and 75 jobs are being shed at the Puchov lorry tyre plant in Slovakia.

The deal was worked out with the support and collaboration of “left” *Lutte Ouvrière* (LO). Mathieu worked closely with Roland Szpirco, an LO leader and municipal councillor in the region. As Mathieu told the press, “Right from the start, Roland has insisted that we should drag in the state by the collar so as to engage in tripartite negotiations.”

LO’s weekly magazine on June 5 hailed the agreement in an article entitled “Continental-Clairoix: Struggle wins new, perhaps decisive, concessions.” It declared that the workers’ struggle “had finally paid off.” However, the article admitted that “even though, everyone was aware that nothing could compensate for the social disaster represented by the closure...”

The *Courier Picard* newspaper on January 11 confirmed the extent of the betrayal carried out by the unions: “It has been a rude awakening for the 1,120 workers who were notified of their sacking in December. Until now only 36 sacked Continental workers, mainly management personnel, have found a job. The Altedia agency responsible for retraining them for other jobs revealed that, of 170 Continental workers who had replied to job offers, only 10 were contacted—three got an interview.”

The newspaper quotes Stephane Bacaquet, a representative of the management personnel union, the CGC: “Today, people are waiting for the axe to fall. They’re being paid full wages. Many have sought retraining. The problem will be when they’ve finished their training and they enter the job market.”

The unions at the Amiens Goodyear plant, where the company has announced its intention to shed 820 jobs out of a total of 1,400, are treating the Clairoix sell-out as an example to be followed. The CGT leader at the plant, Mickaël Wamen, paid tribute to the “very honourable” agreement “won in struggle by the Conti workers.” Wamen is being supported whole-heartedly by Besancenot’s New Anticapitalist Party.

The WSWs spoke to a number of demonstrators outside the court in Amiens:

Mickaël Mallet, a Goodyear worker on strike and

demonstrating in support of the victimised Continental workers, told us, “January 27, the Versailles court will be deciding on the legality of Goodyear’s plan to sack 817 of us. The Conti workers’ sentences are intended to set an example. [Union leader] Bernard Thibault would not be very welcome here.

“The employers are using the crisis as a pretext. This can’t just be fought on a local or regional level.”

Speaking of the Continental settlement, Mallet said, “50,000 euros is nothing. It’s two years’ wages. I prefer to keep my job. The Contis’ mistake is that they didn’t fight for their jobs.”

Woihid Ben Sassi has worked at Continental Clairoix for 10 years: “We’ve had no support at the national level from the trade unions. I can’t say I’m satisfied with the deal. We want the factory to stay open. It’s only two years’ wages. The company has been planning this closure for years. The production is going to the plant in Timisoara [Romania], where they’ve set up the latest machinery. The battle for jobs has not been won.”

Olivier, 20 years at Continental, was with a group of workmates who had also spent most of their working lives with the firm at Clairoix. “All the unions should be here.” He was particularly hostile to Martine Aubry, the Socialist Party’s first secretary, who—as a minister in the “plural left” government of Lionel Jospin (1997-2002)—had done nothing to prevent the victimisation of CGT militant Jean-Marc Hisquin, a *Lutte Ouvrière* member.

Laurie and Thomas, both studying sociology at Amiens University, were active last year against the government’s attacks on university education and opposed the cuts in hospital care and the threatened sackings at Goodyear. Thomas: “I’m opposed to the criminalisation of workers’ struggles. The companies sack and it’s called progress. Television news coverage disparages the struggles.”

Laurie: “We aren’t free. Look at the police: they’re protecting the court not us. The workers are right to say ‘It’s not we who are the hoodlums.’”

They agreed that in the economic context it was not possible to defend jobs and rights at a local, regional or even national level. “The struggles have to be articulated at a local and wider level.”

“The parties and trade unions just look after their own interests. We can’t win like that.”



To contact the WSWS and the
Socialist Equality Party visit:

wsws.org/contact