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CPE/CNE : A PLEASANT SPRING OF DEMAND STRUGGLES IN FRANCE

The struggle against the CPE¹ has mobilised youth in the education system, starting in higher education and then followed by the high schools, with the principal objective of forcing the withdrawal of Article 8 of the “Equal Opportunities Law”. This article introduced a new punitive employment contract reserved for young workers. The objective of the struggle has been fully achieved.

It is a matter of a widespread and durable movement for demands, despite various, often clumsy, attempts to politicise it or to “spiritually” attach it to the myth of May 68. But, like any defensive struggle independent of this quality, it involved the practical critique of competition between proletarians, in this instance between the younger ones and the others, and thus of the domination of the business and its corollary, the submission of the workers. This practical critique, carried out with determination by hundreds of thousands of young people, remained generally channelled towards the new legal mechanisms created by the government, without concerning itself with other aspects of work insecurity and discriminatory treatment towards young employees.

While we must remember this important limit, it is nevertheless a fact that the class struggle has seen the emergence of new elements of the proletariat, with a numerous and resolute active participation of very young proletarians from the suburbs, including a large number of young women, who have often played a leading role in conducting the struggles. This bodes well for the future.

The student agitation began at Rennes before the school holidays in February. It took on a national dimension from the beginning of March. A bit later the students were joined by the high school kids. The mobilisation of thousands of secondary education establishments, in the centres of towns as well as in the suburbs, was the crucial element which tipped the balance of forces on to the side of the young people. The deep divisions existing within the ruling party because of the 2007 election allowed the movement to gather momentum. In addition, the timid reception given to the CPE project by the MEDEF², the party of French bosses, contributed to the deepening contradictions in the camp of the advocates of established order. It was different for the big union confederations. They didn’t even try to mobilise workers in workplaces. Only a minority of workers concretely mobilised themselves on the side of the youth. Among the rare episodes of real struggle in workplaces, we can mention the two-hour strike carried out on 28 March by almost 500 permanent and temporary workers in the Renault factory at Flins, in the Paris suburbs. But, as the famous proverb says, a few swallows don’t make a spring...

A rapid and steady rise

The determination of the French government to introduce the CPE, announced on 16 January 2006 and adopted on 10 February by the National Assembly by recourse to Article 49-3 of the Constitution, unleashed a long series of struggles in the great majority of the

1 *Contrat première embauche* – “First Job Contract”.

2 “Movement of French Businesses” – Bosses Union

country's universities and University Institutes of Technology (IUTs), as well as in several hundred high schools and colleges.

This movement had several characteristics which are worth recalling:

- The university and high school agitation was immediately seen in a sympathetic light by the population. From the start of hostilities, at the beginning of February, the popularity ratings of the Prime Minister and the President of the Republic never ceased to fall. Symmetrically, opposition to the measure grew to the point of receiving the support of 70% of the French population.
- The movement was truly launched on 7 February by demonstrations called by the group of student, high school and employee trade union organisations. Around 300,000 people participated in the demos right across France.
- The adoption of the law by the Senate, on 1 March, marked the beginning of the movement taking root in the universities. Thirteen of the universities went on strike. Occupations and blockades of lessons grew. Voted on by often sparsely attended general assemblies in this early phase, these actions only mobilised small minorities of students and they were viewed with sympathy or indifference by the majority.
- On 10 March several hundred students from a few faculties in Paris occupied the Sorbonne during the night. They "played with" the symbol of May '68. The forces of repression did the same. That night the eviction took place without any major incidents. The myth of a new revolutionary spring was acted out by the pseudo-radical fringe, most often external to the student movement.
- Between 11 and 16 March, the movement progressively extended itself to the high schools and colleges. Local initiatives, often spontaneous, led to the blocking of roads, attempts to occupy regional admin buildings, invasions of local education offices etc. Younger people began to participate in student demonstrations. The '68 myth was still acted out around the Sorbonne, where every night low intensity incidents broke out with the forces of repression who were more and more present in the Latin Quarter. On 16 March there was another proof of the strength of the movement: around 400,000 young people were in the streets. Brief confrontations with the forces of repression multiplied at the end of the demonstration, mostly carried out by younger people coming from the working class suburbs. Incidents around the Sorbonne became less and less common. The myth of '68 doesn't matter any more.
- On 18 March, a Saturday, the trade union organisations of workers, students and high school kids called demonstrations across the country for the repeal of the CPE. Around 700,000 to 800,000 people participated in total. There was a preponderance of young people, notably high school students. Large numbers of education staff and parents accompanied them. The parties and unions provided a minimal turnout. In the Paris demonstration of 80,000 to 100,000 people they represented barely a quarter of the total. A few more or less organised gangs from the suburbs devoted themselves to acts of robbery and gratuitous violence against the demonstrators. Incidents at the end of the demonstration, in the Place de la Nation, between a few hundred individuals, many strangers to the movement, ended up with a postal worker trade unionist in a coma. The circumstances surrounding his injuries remain, to this day, rather obscure.
- The occupations of faculties and high schools continued. More people went to the assemblies and the demonstrations, but this didn't necessarily mean that more youth took on the daily tasks of the struggle. The active people remained a small minority of from 100 to 200 per university, far fewer per high school or college. The national structure of the struggles was entirely driven by the student union organisations, with

UNEF at its head. The FIDL and to a lesser extent the UNL³, had overall control of the high school agitation, even if they didn't direct the numerous local initiatives. Their official representation of the "high school world" was never called into question. Some general assemblies, in the universities of Rennes, Toulouse, Paris, Montpellier and elsewhere, voted for lists of demands which largely went beyond the framework of the struggle against the CPE, but these remained a dead letter. The overwhelming majority of participants in the movement remained focused on the repeal of the CPE and, eventually, of the CNE (the father of the CPE, introduced for companies with less than 20 employees).

- On 23 March, university and high school students were in the streets once again. Around 300,000 young people participated in the demonstrations; 30,000 in Paris, where organised gangs invited themselves into the heart of the event. Hundreds of presumed "rioters" from November 2005 (according to the language of the police) attached themselves to the marches. Robberies and violence against the demonstrators spread across the capital. A 21 year old student was in a coma, probably beaten by the vultures. Many youthful victims of violence were in tears. The march organisers claimed to be powerless and called for the intervention of the forces of repression. Other organised political forces, including some sectors of the anarchist current, said that they didn't want to participate in the "*criminalisation of suburban youth*". For sure the forces of repression let it happen. It's in their interest that fear should reign among the demonstrators. The police balance sheet for the day: more than 600 people seized. The Minister of the Interior announced that the forces of repression would from now on act inside the marches so as to "*defend the real demonstrators*". The next day, in Brussels, Chirac declared that the law must be put into effect.
- Workers' unions called for a national day of action with strikes and demonstrations for 28 March. On Friday 24 March they met the Prime Minister and two of his ministers dealing with the matter. These ministers remained vague about the "*concessions*" that they were willing to make so that the bitter pill of the CPE would go down more easily. The unions proved to be firm on the principle of its repeal (more likely its suspension) as a precondition of any negotiation. The student and high school union organisations, invited in their turn to Matignon on Saturday 25 March, declined the invitation. They demanded the prior repeal of the CPE. The Prime Minister said he supported "*pursuing discussions with the union leaders in the next few days*" and proposed that they "*meet the following week*". The state put a brave face on it. The bosses, through their professional organisation, the MEDEF, supported the government but said they were ready to accept adjustments. Despite appearances, the game wasn't over. A lot depended on the capacity of the workers to make their voice heard. At this stage, unfortunately, very few were calling for a strong mobilisation, particularly in the private sector. The Minister of the Interior and president of the UMP, Nicolas Sarkozy, invited himself to the ball with an appeal for "*a compromise*". On 26 March, the student national coordination called for the resignation of the government as well as the repeal of the CPE. The next day, Villepin invited the five union confederations – CGT, CFDT, FO, CFTC and CFE-CGC – as well as the student organisations to "*discuss the adjustments to be made*" to the CPE. The unions declined the invitation.
- The assault of the movement was impressive: on 28 March, close to two million demonstrators took to the streets of France's towns and cities. Villepin did not see reason. He refused a repeal of the CPE while saying he was "*open*" to modifications

³ UNEF = National Union of French Students. FIDL = Independent and Democratic High School Federation. UNL = National High School Students' Union. The FIDL and UNL are both strongly linked with fractions of the Socialist Party. *Translator's Note*

providing they are “*not of a legislative nature*”. As for Sarkozy, he tried to outdo him by proposing the “*suspension*” of the CPE. On the 30th, as expected, the Constitutional Council recognised the Equal Opportunity Law, including Article 8 on the CPE.

- On 31 March, Chirac did an unusual institutional somersault: he promulgated the law but announced the modification of the CPE measures. Spontaneous occupations and railway and road blockades spread. The parties of the left of capital came out with a common declaration against the CPE.
- On 1 April, Villepin is *de facto* relieved of responsibility for the CPE. The presidents of the UMP groups in the National assembly and the Senate are put in charge of discussions aiming at a new text. The PS announces it will propose a law for the repeal of the CPE and CNE (“*Contrat nouvelle embauche*” – New Job Contract). The next day, when the law is published in the Official Journal, Jean-Louis Borloo, Minister for Social Cohesion, recommends that employers don’t sign the CPE.
- On 4 April, the movement gives it the death blow: as on 28 March, almost two million demonstrators take to the streets. Again many National Education employees and parents using the RTT⁴, on holiday etc. join the marching youth. The mobilisation in workplaces remains very weak. On the 5th, consultations begin between UMP MPs and unions which demand the repeal of the CPE before 17 April. Chirac wants them to be “*constructive*”. The UNEF calls for the “*intensification of the mobilisation*” in the universities. Blockades of railways, roads and bridges follow on the 6th. Villepin says he is preparing “*three new projects*”: “*making professional life more secure*”, “*the struggle against poverty and exclusion*” and “*reinforcing the links between university and employment*”. The UNEF calls for a new national mobilisation on 11 April. The top-level consultations continue. On the 8th, thirteen university presidents call on the politicians to bury the CPE.
- It’s the official end of the CPE. On the 10th an announcement from the Elysée Palace says that it is to be replaced by “*a measure to help with the professional integration of youth in difficulty*”. Villepin admits that conditions are not favourable to the application of the CPE. The Student Confederation calls for the “*lifting of the blockades*”. Trade unions and left parties cry “*victory*”. The UNEF abstractly calls for keeping up the pressure. On the following days minorities of students try to prolong the conflict so as to win other objectives like the freeing of prisoners, the repeal of anti-immigrant laws and the abolition of the CNE. Without success. The movement folds rapidly. The last demonstrations called by the National Student and High School Coordination only attracted a few tens of thousands of young people.

A first big step against job insecurity

The fight against the CPE carried on by the school-going youth of France represents a not insignificant step in the process of recovery of the class struggle. The will expressed by these proletarians to not be further weakened at work crystallised itself in the refusal of this Nth governmental measure⁵. This is a measure which, as elsewhere, is perfectly in accord with

⁴ The RTT is the 35-hour law and can enable you to take extra days off - *Translator’s Note*.

⁵ In 1977, Prime Minister Raymond Barre realized that youth unemployment in the 15 to 24 age group had reached 11.3 %. The “youth employment pacts” were then created, a measure which both left and right-wing governments would hastily imitate. One of the most famous measures, community work, or TUC (*sic*), was invented by the left. These were part-time jobs in the non-commercial sector. They were paid on the basis of a half-Smic (minimum wage) but did not provide any Social Security benefits. They were replaced in 1987 by the Employment Solidarity Contracts, the CES. The “youth jobs” of Socialist Prime Minister Jospin would follow - a 5-year fixed term contract for the 18-26 year-olds, paid at minimum wage level. This would be exploited by the Public Administration, without much work opportunity at the end of it except for jobs in the police force. At least 35 forms of contract have been created: SIVP, CIVIS, professionalisation contracts for the unqualified 16-25 year-olds... For the jobless over 26 training to access local administrative jobs there was the “Pacte”, a new

those which have preceded it and which have made the Permanent Contract (CDI) into a myth and at the same time an inaccessible horizon for growing sectors of workers. Insecurity of work – and therefore of the wage – becomes more and more the rule, calling into question the model of a job for life. For those who benefit from it (still largely a majority), the CDI itself is attacked on all sides. In the non-agricultural commercial sector, the average length of permanent contract jobs is only 110 months. Those who benefit from the most stable jobs are more and more exposed to insecurity. Just in January and February 2006, 32,000 permanent workers were subjected to economic redundancies, 100,000 others were kicked out for various reasons (disciplinary, personal...). On average, the time spent unemployed is now 12 months.

The proliferation of contractual conditions founded on irregularity of income didn't have to wait for the CPE. Half the job offers registered at the ANPE⁶ in January and February this year consist of temporary (less than six months) or occasional (less than a month) employment. Of the other half, supposedly long-lasting jobs, the statisticians of the Ministry of Labour include those based on the CNE, the father of the CPE which is still in force. According to two liberal economists, Pierre Cahuc and Stéphane Carcillo, the first to evaluate the CPE and its precursor, the CNE, a little less than one CNE job in two survives the two year trial period.

Conclusion: roughly speaking, two thirds of the jobs offered by the ANPE network and actually taken are destined to be destroyed in the two years following their creation. In the first two months of every year, close to 200,000 fixed term contracts expire, along with 68,000 casual jobs. Some 66,500 ex-employees are registered at the ANPE for the first time and approximately 60,000 are removed from the list because they are sent on a training course. The flow of jobs is therefore largely dominated by insecurity. As for the overall stock of jobs, in 2005 close to 14% of employees in France did not have a permanent job (12% in the private sector). At the Flins factory, owned by Renault, in the Paris suburbs, half the assembly line workers are temps. In the post office, a third of the workers do not have the status of postal worker. Even the legendary Civil Service, idolised by the unions, the left and the extreme left of capital, has become a huge receptacle of insecurity: 860,000 of its employees only have the right to “short contracts”, that's 16% of the 5.4 million employed by the state. In 2004, there were 330,000 reintegration training courses and 164,000 “alternation” contracts (combining work and training).

But, in this world where wage labour comes with a more and more unstable contractual framework, youth, qualified or not, are the worst off. Around 70% of the under-25s with a job are on a fixed term contract. Students are among the sectors most affected by overt insecurity. Around half those enrolled at university worked in 2004. Only 15% of them managed to find a permanent job. It's hardly surprising therefore that these youth should have mobilised massively against the CPE. One of the great qualities of their struggle lies in the fact that they were active on a terrain which was not specific to the university or the school. Although preceded by the one against the CIP in March 1994⁷, the movement against the CPE was nothing less than the first independent incursion on this scale of school-going youth on the terrain of wage labour. It provides a striking confirmation that they are beginning to perceive their condition as allied to that of all of the workers.

form of recruitment created for youth by the Public Administration. Exams are replaced by part-time training (i.e., half the time at your work place, half the time at school). Today 40% of youth at work are employed under one of these measures, which represent a precarious means of access to a slightly more stable job.

6 National Employment Agency, rather like Job Centres in the UK – *Translator's Note*.

7 “Contrat d'insertion professionnelle” (CIP, called the “young Smic”). It created the possibility of paying qualified young people less than the SMIC (i.e. the minimum wage). The movement against the contract forced its repeal.

The active population according to age and employment status⁸

	2003	2004	2005
	15 to 29 years	15 to 29 years	15 to 29 years
Unwaged	3.2	3.3	3.1
Waged	96.8	96.9	96.9
Temporary	5.0	5.2	5.5
Apprentice	5.7	6.2	6.9
Fixed length contracts	15.5	16.3	16.1
Public sector	4.0	4.6	4.7
Private sector	11.5	11.7	11.4
Trainees and supported contracts	5.7	5.1	4.8
Public sector	1.9	1.5	1.2
Private sector	3.8	3.6	3.6
Permanent contracts and others	64.9	64.1	63.6
Total	100%	100%	100%
Employed total (thousands)	4,905	4,833	4,854

Those younger than 26 in the various employment policy schemes (thousands)⁹

	1990	1996	1997	1998	1999	2000	2001	2002	2003	2004	2005
Work-based learning	434	468	504	538	552	579	580	561	543	542	519
<i>Apprenticeships</i>	225	310	331	347	353	359	356	357	359	364	381
<i>Qualification, counselling and adaptation contracts</i>	209	158	173	191	199	220	224	204	184	176	63
<i>Professionalisation contract</i>	0	0	0	0	0	0	0	0	0	2	75
Commercial employment which isn't work-based learning	71	345	333	321	336	300	215	182	172	130	145
<i>temps partiel donnant lieu à abattement de charges</i>	0	157	179	192	229	208	138	95	52	14	27
<i>Recruitment incentive (CIE)</i>	0	74	89	66	49	37	25	13	11	116	118
<i>Employment support for youth in the workplace (SEJE)</i>	0	0	0	0	0	0	0	46	97	0	0
<i>Other measures</i>	71	113	65	63	59	55	51	29	12	0	0
Non-commercial Employment	120	99	113	151	181	182	168	157	104	56	64
<i>Work solidarity contract (CES) - part-time work for the young unemployed "youth jobs"</i>	115	85	69	51	44	36	25	25	22	18	1
<i>"youth jobs"</i>	0	0	22	87	127	137	134	124	76	33	16
<i>Consolidated employment and urban employment contracts</i>	5	14	23	14	11	10	9	9	7	5	3
<i>Supported contract towards a job</i>	0	0	0	0	0	0	0	0	0	0	43
Total	625	911	950	1010	1070	1062	963	901	820	728	728
Total without apprenticeships	400	602	619	663	716	703	607	544	461	364	347

The small step for insecurity taken by the equal opportunity law and its old Article 8

This law was conceived for the majority of French workplaces, those constituted as

8 Contracts for employment assistance (professionalisation contracts, supported contracts towards a job, future contracts, youth employment etc.) and vocational training classed as work according to the criteria of the International Labour Office. Field: economically active over the age of 15. Source: INSEE (National Institute of Statistics and Economic Studies), employment inquiry 2005, 2004, 2003.

9 Region: mainland France. Source: Ministry for Employment, Social Cohesion and Housing, DARES.

small and medium sized companies. The government, conscious that the lower productivity of these companies creates more employment than the big outfits which conform to international standards, tried, by means of Article 8 which institutes the CPE, to introduce a further dose of flexibility and wage cutting for this category of companies. There were two objectives: to improve the statistics for job creation in the run up to the presidential election of 2007, and to rally the vast layer of small and medium sized company bosses to the existing parliamentary majority party, in particular the Prime Minister Dominique de Villepin, himself an undeclared candidate for President of the Republic.

The CPE was only the logical extension to all companies of the CNE, which was reserved for very small businesses employing less than 20 people. The clear success which the CNE achieved with the bosses is scarcely contestable: 7.6 % of all the jobs begun with these companies in April, 452,000 jobs intended to be under the CNE between September 2005 and April 2006. This encouraged the government to take a small additional step in favour of insecurity. The CPE was therefore not really anything new. It joins a long list of measures taken by successive governments of left and right aimed at making the workforce more flexible and more docile. Its specific elements made it into a tool with which the bosses – public and private – could make the passage from employment to unemployment and *vice versa* more “fluid” and less expensive. What’s more, it would encourage the newly hired workers to be more obedient.

“It is probable that the employers will try to massively substitute the new contracts for the old permanent contracts, allowing them to substantially lengthen the trial period and minimise the costs of making people redundant”, explained the two economists, Pierre Cahuc and Stéphane Carcillo, in the study mentioned above.

As for the CNE, the elongation of the trial period to two years was the veritable culmination of the CPE. It allows companies to choose their workers under the threat of the sudden termination of contract and to better manage unforeseen events which might affect their business. For the workers, on the other hand, the increased pressure will reach a crescendo as the two years date approaches. In addition, there is the real threat that their permanent job of the CPE variety will end with a level of redundancy pay 20% less than they would have got for a fixed term contract for an equivalent period (8% of salary paid for the CPE/CNE against 10% for a fixed term contract).

“Because the CNE has a shorter duration than the permanent contract (CDI), their substitution for the CDI leads to an increased destruction of jobs. This destruction of jobs will be at its height on the two year horizon when the employers must choose between keeping the CNE employees or making them redundant and taking on other people”, the two economists confirm. As for the capacity of the CNE/CPE to create new jobs, it is very limited, if we believe the study already mentioned:

* 70,000 total additional jobs over 10 years (by enlarging the CNE to the whole of the private sector). [Assuming a constant ratio of activity (active population divided by the population of working age)]

* 95,000 fewer unemployed at the end of 15 years, for a fall of unemployment of 0.5%.

In total the two experts worked out that in the end, if the CPE had survived, around 18% of jobs would be under the CNE/CPE. The effect of substituting these new contracts would be particularly important for permanent jobs, where it represents a variant which is more attractive to the bosses and more degrading to the workers, and on the longest fixed term contracts. It doesn’t attack the hard core of insecurity: temp work and short-term contracts (less than six months), work experience and various integration contracts. On the contrary, the CNE/CPE was going to undermine even further the existing regulatory barriers between the various types of employment contract, making permanent jobs closer in statutory terms to the many forms of overt insecurity.

Despite the undeniable advantages of the CNE/CPE for capital, the party of the French

bosses was divided because the struggle of the school-going youth seemed to threaten the social peace of the country more generally. While the CGPME (“General Confederation of the Managers of Small and Medium Enterprises”) never ceased to defend the two new contracts, the MEDEF, the privileged political organ of the big businesses of France, dissociated itself from this government measure little by little and then advised the executive to take a step backwards on Article 8 of the equal opportunities law. The big bosses’ attitude wasn’t only down to political considerations. The MEDEF had often said that its principal problem was how to make redundancies less difficult and more rapid, above all for the central core of labour in France, constituted by the permanent contract (the CDI). On this precise point the CPE offered them no solution. Neither was this new contract a tool suitable for the management of seasonal peaks of activity, which were better handled with short-term contracts and temp work. As for their permanent objective of the evolution (i.e. reduction as far as they can) of the mass of wages, the biggest enterprises prefer to use traditional methods such as resorting to subcontracting, relocation and the growth of labour productivity by the introduction of new technologies. Hence the lack of enthusiasm expressed by the big bosses for the CPE and the CNE.

A partial snapshot of the organisation of the movement in the Parisian universities

On the ground, the movement against the CPE was split between various levels. On the level of each university, general assemblies (*assemblées générales* - AGs) had been organised by the student organisations. Some universities also had a mobilisation committee in charge of organising practical initiatives. They were mostly composed of political and trade union militants of the left and far left of capital, or their close associates, as well as students radicalised by the struggle. In the absence of strong general assemblies, capable of exercising control over them, it was these committees which provided the real direction of the movement. They accepted the decisions of the AGs which they liked, demonstrating the most hypocritical inertia towards the rest. In the absence of these committees, it was the various political and trade union groups which took on this task.

On the national level, a coordination was set up on the initiative of the AG of Rennes University. In practice it only served as a battle ground between different small groups and organisations trying to take control of the movement. Despite the numerous motions voted on during whole days of debate, the coordination was incapable of doing anything more than calling days of action and regular demonstrations on Tuesday and Thursday. It was perceived by most of the students, even the most involved, as something far from them, having a purely formal existence. Apart from the militants of the official organisations, few of them had any interest in its life and its decisions.

Active participation in the movement only concerned a small minority. The AGs only attracted at most 10% (often less) of the students enrolled in each of the Paris universities. If we count only the minority within the AG who participated in actions and blockades of the universities, we end up with no more than a hundred or so active students on each site. In this framework of a lack of autonomous initiative from the students, the UNEF imposed itself as the only unified political leadership of the movement. Let’s see why.

It was necessary for the various parties of the left and the extreme left to regain credibility for the presidential elections of 2007. During the AGs you could hear appeals to vote which were almost a threat: *“If that happens it will be because you didn’t go and vote (or you didn’t vote in the right way) in the last elections. You’ve got to make up for it next time.”* For the trade union leaders, on the other hand, it was a question of consolidating and reinforcing their role as credible social partners in the face of a government which didn’t think it worth consulting them before launching the CPE.

Because of the eminently defensive and demand-oriented nature of the movement, it did not represent a threat to the official student union organisations. That is why they had no

interest in holding back the struggle. What's more, they had no problem controlling and channelling it.

Among these youth organisations, only the UNEF was sufficiently widespread, although numerically very weak, to be able to put itself at the head of what was going on. The presence within it of a fraction of activists, principally composed of Trotskyist militants from the JCR, worked in favour of this class collaborationist union by allowing it to show its more combative face. As for the majority of the UNEF (Socialist and Communist Party members), they were in charge of putting forward the necessary reservations so as not to frighten the more hesitant students. Let's just note that the UNEF never took a position on the university blockades. Another important detail is that Bruno Julliard, its SP affiliated president, always took care to specify that, as a good democrat, he was not the leader of the struggle and that the UNEF only represented one of its components, so as not to run counter to a growing anti-union sentiment in the movement.

The inability of the most radicalised fractions of the movement – a small minority in fact – to give it a real articulate and credible strategy and an adequate structure left the field open to the class collaborators of the official organisations. So, despite a very strong diffuse mistrust towards the unions and parties, the movement, with the known exception of Poitiers, never even partially broke through the security cordon maintained by the official political and union organisations.

In addition the movement against the CPE in Paris was weakened by the spectacular initiatives erroneously taken by self-proclaimed radical elements who were generally exterior to the struggle. The impromptu occupation of the EHESS¹⁰, that flash of lightning at the Collège de France or the nocturnal attempts at confrontation around the Sorbonne with the aim of reviving an improbable phantom of May '68, represent the most striking bad examples. The end-of-demo professionals busied themselves with concentrating an indulgent media attention on them, and in that way filling up the empty abyss of their rantings with cheap warlike images. Happily, the vigour of the movement quickly pushed these episodes into the background.

More serious, in terms of its political implications for dividing and demoralising the movement, was the intrusion *en masse* of gangs of young racketeers from some of the working class estates in the Paris region. Hundreds of youths from these petty criminal groups came close, on several occasions, to breaking the collective solidarity by robbery and violence against the demonstrators. For a time they played the game of the forces of repression who hoped, by manipulating them from a distance, to allow them to spread fear amongst the demonstrators. But in that situation as well the movement showed itself to be very strong. Disappearing as quickly as they had appeared the gangs of robbers were quickly forgotten.

Of course, we don't have to link all the violent incidents taking place during all the various actions to these two phenomena. Often these incidents were the deeds of angry young demonstrators, tempted to fight the cops despite the peaceful nature of most of the movement, or who were forced to defend themselves against violent charges by the forces of repression, like at Caen or Rouen. These acts are perfectly internal to the contradictory dynamic of the movement. The youth involved in these actions fully belonged to the movement. And this is so even when their violent response aroused incomprehension and even explicit criticism from the majority of participants in the struggle.

An attempt at a synthesis: a glass half full...

The movement against the CPE is over. After three months of strikes, blockades and demonstrations, it has won an important demand victory, the repeal of the CPE, which is to be

¹⁰ Graduate Centre for Social Sciences. It was occupied in mid-March. A dozen computers were allegedly stolen and equipment was smashed. *Translator's Note*

replaced with the reinforcement of existing measures dealing with youth “*who are difficult to professionally integrate*”, and a political half-victory with the weakening of the existing executive and the growth of its internal divisions. The results won by hundreds of thousands of high school and college students mobilised all over France corresponds perfectly to the exceptional strength of their struggle and to the weaknesses of their movement.

The essential element of the agitation against the CPE is its massive, durable and widespread character. Impressive masses of the school-going and proletarianised youth of France, previously completely absent from the class struggle, made their mobilisation into the most significant one that had taken place in France since the movement of November-December 1995 against the abolition of special retirement schemes.

The movement started out in the universities with a significant but still minority participation and was then progressively reinforced by the influx of high school students, who were both numerous and combative, particularly those from the working class neighbourhoods of French cities. The sympathy which they immediately received from large sections of the population allowed them to gather workers in large numbers, particularly from the national education system but from other sectors as well. Generally the parents were on the side of their sons and daughters in the struggle, indirectly contributing to its development. Every once in a while, the family isn't a factor of conformity and order...

The thousands of young people arrested, the severe sentences and the threats from the education minister relayed by numerous university principals and head teachers, as well as the violence and robbery against the demonstrators carried out by organised gangs, did not succeed in demoralising the youth and spreading fear. This result is one of the most positive characteristics of the struggle and an unmistakable sign of its massive and determined character.

But the central political quality of this season of demand struggles is the capacity of school-going youth to leave the narrow and illusory confines of the school and situate themselves immediately on the terrain of the fight for better conditions of work. The direct practical critique of the present organisation of the labour market, of the contractual relation in its most insecure and discriminatory forms for young people as well as the fierce contestation of the most extreme expressions of submission to the commands of the workplace, above all to the extension to two years of the trial period under the CPE/CNE, has been at the heart of the movement. The school-going youth have gone beyond the restricted dimension of the school, the key institution for diffusing the ideology of effort and success through work as well as a veritable reservoir and hiding place for masses of unemployed and “*intermittent*” workers.

So, we can bet that this important episode in the class struggle in France won't be forgotten too soon, whether in the camp of the proletariat or in that of the dominant classes. Its worst fate, however, would be to suffer the same end as that of the movement of November-December 1995, that is to say for it to become an inoffensive myth for capital, only good for giving legitimacy to the unions and capital's left parties.

... a glass half empty

But this joyful moment of class antagonism must not make us forget its limits. These limits have been adroitly exploited by the government and the dominant classes with the aim of putting an end to it and, above all, preventing the demand struggle becoming part of a political fight for a fuller practical critique of the existing social order.

Indeed the clear victory over the CPE was not extended to the withdrawal of its precursor contract, the CNE, still in force. Even more so, because at no moment did the movement against the CPE/CNE transform itself into a movement against the numerous forms of insecurity and flexibility of labour, despite some timid attempts in this direction. Finally, in terms of the strict balance sheet of demands, the objective of freeing imprisoned

comrades was not achieved, and very few participants were concerned about their fate after the movement was over.

As for the chances, certainly weak, of the generalisation of the struggle to other fractions of the proletariat, they were annihilated by, amongst other things, the succession of national days of action and demonstrations followed by long series of high school and university blockades. At the end of the party various “official” political and trade union components of the movement called on young people to take part in its actions at the gates of various work places, with the objective of “*pushing the union confederations to put forward the slogan of the general strike*”. The search for a symbolic, generic solidarity took precedence over the precise identification of common interests. So, the management of relations between high school and university students in struggle and workers was entirely delegated to the respective union organisations, traditionally hostile to any real undermining of category divisions. But even this toned-down version of an attempt to extend the struggle from the youth to the work places failed. And this was, quite simply, because of the lack of interest shown by most university and high school students in this kind of action.

Also, there was no significant attempt to bring together the most insecure sectors of wage earners in the movement against the CPE/CNE. Although, as we often said in our leaflets and interventions, the high schools and universities affected by the struggle could have become extraordinary gathering places for the most dispersed and vulnerable proletarians. If it had been initiated this process of contact could have marked the beginning of the transformation of the movement against the CPE/CNE into a much bigger political fight by substantial sections of the proletariat against exploitation and the dominant social relations. Because this tendency did not express itself (or very little), we define this agitation as an episode – certainly on a high level – of the demand struggles of the exploited class against a specific aspect of its condition.

Another demonstration of how well-founded this approach is is the incapacity of the movement to give itself an organisation independent of the unions and the parties on the left of capital. If the forms of struggle which it adopted fitted in perfectly with the historic tradition of working class combat against capital, without big concessions to class compromise and collaboration, the autonomy of the movement did not generate self-organisation. In reality, the democratic practices apparent in the general assemblies assured the domination of the budding bureaucrats of the high school and university unions as well as the political militants of numerous formations of the statist left (social democrats, Stalinists and Trotskyists).

The movement provided itself with the weapons of theoretical critique even less. Without doubt the poverty of its ideas represents a trait strongly inhibiting its independent political potential. The numerous criticisms of the reformist political leadership did not get to the heart of the problem: how to go beyond the purely “*economic*” dimension of the struggle – the immediate withdrawal of the CPE/CNE – towards a larger and deeper critique of the worker’s condition and of the relations of exploitation through the expansion of the struggle to some of the other most striking expressions of insecurity and flexibility at work. As with the movement of November-December 1995, there is therefore considerable doubt that the struggle against the CPE/CNE has the capacity to generate a new generation of revolutionary militants.

The French bourgeoisie and the state got out of the crisis rather well

These various contradictory and complex characteristics of the movement against the CPE/CNE were relatively well understood by the government and the representatives of the French bosses. Even though they paid a price for their bungling, the decision to give in on the point of the CPE, which had become too much of a “*rock of national discord*”, was a good one for capital in France.

The political organisation of the bosses in France, the MEDEF, itself encouraged the government to give up on this contract, judging it to be of little use to business. “*It is never good to treat a whole category of the population in one specific way*”, declared Laurence Parisot, president of the MEDEF. Many times they called for a “*rapid*” way out of the crisis, considering the demonstrations against the CPE as putting the economy and the good image of France “*in danger*”. The bosses’ organisations, with the exception of the CGPME, didn’t shed many tears at the burial of the CPE. The Prime Minister himself, Dominique de Villepin, admitted that even the MEDEF hadn’t asked for the new contract.

The acute dialectic of conflict within the government between the Prime Minister and the Minister of the Interior, Nicolas Sarkozy, has not yet been settled by the resignation of one premier and the nomination of a second. Here there is an essential difference with November-December 1995, when, at the end of the long strike in transport, the then Prime Minister, Alain Juppé, had to resign. The difference, as far as we are concerned, comes entirely from the fact that the railway workers really succeeded in bringing capital accumulation to its knees in this country. By comparison, the struggles against the CPE/CNE, as even the governor of the Bank of France, Christian Noyer, and the Minister of the Economy, Thierry Breton, confessed, at no point had any impact on the economy.

An unintended spin-off from the movement against the CPE/CNE has been the reinforcement of various candidates for the presidential election of 2007 (Nicolas Sarkozy and Ségolène Royal above all) against the candidate preferred by Jacques Chirac, Dominique de Villepin. That is to say, absolutely nothing of interest for the future of the class struggle in France. Neither was the party in power shaken by the struggle. It skilfully played its role as the party of Nicolas Sarkozy, the internal enemy of the Chirac fraction. Finally, this battle has allowed the Socialist Party to recover itself as the party capable of “*carrying*” into parliament the demands of the street, a function which the French CP would have preferred to keep for itself.

The outcome entirely played out in negotiations between the ruling party MPs and the union leaders certainly did not promote the class nature and political independence of the movement. The unions successfully put themselves forward as the irreplaceable institutional relay needed for the success of negotiations. This did not come about by chance. It demonstrates the vitality of bourgeois democracy and the French capitalist state and their capacity, clearly confirmed in 1968, to master unexpected, strong and vast class movements. The state and its defenders therefore have good reason to rejoice at what’s come out of the “*CPE crisis*”.

The initial political interpretation of the movement against the CPE/CNE given by Dominique de Villepin reveals the formidable capacity of the French state for integrating the class struggle into capital’s social and political democracy. The Prime Minister in effect linked his personal destiny and, on a larger scale, the outcome of the coming electoral battle for the presidency to the management of that “*social crisis*”. His assessment was easily shared by his opponents on all sides, a sure sign of a high level of consciousness among the political representatives of the bourgeoisie in this country.

Brussels-Paris, 31 May 2006

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NOTA BENE Here we present two texts. The first was distributed during the week beginning 27 March, by some students in Jussieu to the building workers directly employed by this university in Paris. The second one was distributed in a student General Assembly, a little after the end of the movement.

ANNEX 1

It is as workers that we are attacked and not as students!

For around two weeks, the anti-CPE/CNE movement, principally carried on the students and high school kids, has not been reinforced. If it has not already run out of steam, it is stagnating. This morning, Jussieu was thus blocked by less than 200 students and the general assemblies attract at most 1000 people – sometimes less – from the tens of thousands enrolled in the two faculties of Jussieu. Of all those who vote at each general assembly for the renewal of the blockade, only a minority actively participate in it each morning.

To achieve its present objective, that is to say the repeal of the CPE/CNE, the movement must advance beyond a level that the struggle confined to the university milieu has shown itself incapable of surmounting.

Contrary to the marginal attempts at pseudo-radicalisation which place themselves outside the movement and which do not take any account of the movement's realities, and contrary to the days of action called by the unions, the extension of the movement will only take place if, at the very least, the workers are convinced of the need to take an active part in it.

For the student's part, half of whom are working – do we have to say it again? –, it is necessary to go and meet other workers, particularly in the area around the faculties.

At Jussieu the strikers have already occupied the university restaurant and established initial contact with the employees there. What's more, in the Javelot annex, the lecturers have gone on strike with their students.

Even if they are heading in the right direction, these actions have never addressed themselves to the construction workers of Jussieu. The workers of the BTP ("bâtiment et travaux publics" – Buildings and Public Works) also experience job insecurity. An example: with 24.2% of new jobs since September 2005 which are CNE, the BTP is the sector which makes most use of the new contract.

Employment in the BTP also makes use of job insecurity

The BTP sector is booming, particularly because of the construction of new housing (363,400 housing units under construction in 2004 and more than 400,000 in 2005) but also because of big public works.

This dynamism is accompanied by a strong demand for labour and consequently there has been a net creation of close to 200,000 jobs between 1998 and 2005. Whether it is in public works or buildings more and more companies cannot increase their production because of lack of staff (39% in October 2005). Even though this shortage of workers pushes up wages, the BTP sector continues to employ an important number of insecure workers. In 2005, on average 135,000 people were temp workers and 70,000 were permanent of the 1,736,000 employees in the sector. Let's note that temp work allows them to deal with the uneven recruitment needs of the big sites, by definition temporary, to cope with the "high season" of activity, but also to recruit for the permanent workers required after that. So it is estimated that a quarter of assignments end with the offer of a job. We can therefore presume that here temp work constitutes a first stage filter for removing the workers most resistant to the harsh conditions of exploitation in construction, even in a situation of high permanent employment.

Finally, to compensate for the number of workers expected to retire between now and 2010, the sector must take on no less than 100,000 newly qualified young people, providing an opportunity for the massive use of the CNE and the future CPE.

Market conditions in the BTP are favourable to struggle

Yet the labour market conditions today are favourable to the BTP workers: the present shortage of labour, combined with the necessity of replacing retired workers and the growth of the sector, can give considerable advantages to the workers' eventual struggles.

We can't easily imagine a boss beginning to lay off workers if he is not certain of being able to take them on afterwards, above all on a site which can't easily afford to take them on late.

In the restoration sector, where labour market conditions are similar to those of the BTP, employers are already forced to only offer permanent contracts to attract employees.

This is why:

- The students and construction workers must get together so as to understand their respective conditions of work.
- When we meet a second time it will be a question of elaborating common perspectives of struggle, not only against the CPE/CNE, but also against all the forms of job insecurity which preceded them.

Obviously these proposals are open to all interested workers, from around Jussieu or not.

Meet on Thursday 30 March from 16.30 to 17.30 in front of the main entrance to Jussieu, to get together with all interested workers and students

ANNEX 2**Why pass exams?**

IT SEEMS THAT SOME OF THE STUDENTS are worried, in this lovely spring, about the practical details of the exams at the end of the year. To begin by calming things down a bit, let's propose a first basis for discussion: university selection will not be any more severe than in previous years. The administrations of the various university departments know very well how many repeat years they can allow themselves each year, and how many places they have at their disposal the following year. What's more, we can even say that the blockade of the university for several months will have very little effect on the result of the exams. The same proportion as usual will go on to the next year.

ALSO, AS USUAL, it will not be a question of the students having gained knowledge or not, but of passing their exams. It is not necessary to be good. It is sufficient just to be better than that proportion of students that the administration intends to hold back. If all the students succeeded in passing their exams, this poor university institution would actually have problems making the diplomas which it issues seem attractive.

WE CAN ASK OURSELVES WHY students bother to pass exams, when, for most of them, it means having to bone up on courses that they don't really give a shit about and risking a repeat year. Above all it means that even amongst those who manage to land a diploma, one year after getting it, 28.6% alternate between unemployment, inactivity and temporary work¹¹. Only 67.6% land a permanent job. By comparison, those who have no diploma (not even a Certificate of General Education) have a 42.7% chance of finding one after a year. The difference is not as great as they would have us believe.

BUSINESSES KNOW VERY WELL that a diploma isn't proof of any competence. The profusion of work experience courses, fixed term contracts and temp work (even for those who leave engineering schools) as preliminaries to getting a less precarious job, show without any doubt the necessity for selection based on an aptitude for work, which is more rigorous than obtaining a university diploma.

FOR SOCIETY A STUDENT is maybe a future employee or a future unemployed person, but *above all* an employee or unemployed right now (45.5% of students work during their studies). The generalised prolongation of higher education has the effect of creating an ever thicker plug between leaving high school and entering the labour market. If the two million students signed on at the ANPE rather than answer the call of courses, the poor government would have serious difficulty holding the level of unemployment at less than 10%.

THIS IS WHY ONE OF THE STRONG POINTS of the movement against the CPE has been the direct attack on the terrain of work, against a law affecting students, amongst others, not only as youth but also, and above all, as workers. This collective movement, with the aim of defending our interests as employees, shows once again that it is possible for us to collectively take our destiny in our own hands. If we end up unconditionally defending university competition, by accepting that selection which is only one of the forms of social selection, it would be a defeat on the same scale as what we have already won. It would be a brutal return to the barbarism of the war of all against all, even as a door for leaving it together seems to be appearing over the horizon.

IF WE CAN MAKE THE ALL-POWERFULL STATE BACK DOWN, there is no reason why we shouldn't be capable of not only deciding the manner in which education takes place in the universities, but also of making it what we want it to be.

¹¹15.9% are unemployed or inactive, 13.9% alternate between employment and periods of unemployment and 8.8% are chained to short contracts – *INSEE Première n°1061*, published in January 2006, about the young graduates of 2003-2004.