

## [COMMENT]

Critical University

The students in the Law Faculty, along with those of Political Science have the reputation of being the most bourgeois in France. In these schools at the time of the May Events there were many Gaullists, not to mention a scattering of monarchists and fascists. But even here the May movement provoked a violent revolutionary politicization. Undoubtedly, it was from these schools that came those revolutionaries in three piece suits with fleur-de-lis in their lapels one sometimes saw tossing cobblestones at the police.

The following text was published by the Strike Committee of the Law Faculty as the conclusion to a long pamphlet of reform proposals concerning every aspect of legal education in France. Perhaps because of their moderate political backgrounds, these students were especially concerned to define in advance the institutions of a free socialist society, the rights that everyone should be able to enjoy in a nation transfigured by revolution. However, the desire to unite socialism and freedom, was not confined to the Law Faculty during May, but quickly became one of the central themes of the movement.

## DOCUMENT

CRITICAL UNIVERSITY

Law-Economics                      Paris, 1968                      Strike Committee Political Texts

Proposed by the Various Commissions

A. LAW REFORM COMMISSION: "REFLECTIONS ON THE MEANING OF THE MOVEMENT"

This is a report offered by the members of a Law commission. The Strike Committee considers it a useful basis for reflection on the meaning of the movement.

One of the first lessons of the student revolt was the refusal to enclose the future in rigid alternatives within pre-established frameworks. This is the rejection of a closed problematic deriving from a schema based on an apparently unassailable logic. The theory has been refuted according to which, by its very nature and stage of development, industrial society would necessarily secrete the inevitable evils of technocracy, bureaucracy, centralization. We reject an approach which presents the present structures as the only realistic and logical ones because of the narrowness of the economic margin of maneuver, the necessary technicity of tasks, the complexity of cases. Every society tends to consider itself to be the only one possible; the Events have shown that the response to this has been an intellectual and political explosion of such a nature as to broaden the range of possibilities.

## I. CRITICAL ANALYSIS OF THE PRESENT SOCIETY

-it is a profit society in that its economic system is founded on productive activities oriented toward maximum profits for the owners of the means of production, and not toward the most urgent human and social needs. Also, since profit is based on selling, its realization requires a refashioning of the mind of the consumer, an insidious persuasive activity with respect to the value of the established model.

-it is alienating for man in the sense that it considers him only in terms of his separate statuses as a producer and a consumer, thereby denying his deepest personality which is irreducible to any categorization, and refusing him the status of autonomous and free subject endowed with original values.

This society secretes a government which asserts its right to guide the economic and political activities of the country according to procedures of dubious validity. Paternalistic, it knows how to mete out its liberalism to insure its survival. At the first crisis it collapses and discovers that its rigidity has given it the illusion of stability.

It then alternates liberalism and threats and soon discovers itself to be authoritarian. The police apparatus ceases to be the guarantor of public order and becomes the instrument of a repression as excessive as it is ineffective. Far from crushing contestation, the repression crystallizes it and mobilizes aspirations forbidden expression by the rigidity of the social structure. The crisis is in the logic of the structures of the present society; it should lead to the formulation of new strategies and principles.

## II. THE ASPIRATIONS OF THE MOVEMENT

The aspirations of the movement crystallize around several values which come out clearly in the analysis of the events. It would be an error to consider the generalization of protest and its various forms, from street demonstrations to factory strikes, as a juxtaposition of mutually unrelated discontents. Rather, we consider the grass roots spontaneity of the movement to be most significant. Neither tardy reformism nor hasty negotiations could disarm common aspirations which seem to us to be the following:

-contestation, which presupposes a global view of social problems as the necessary condition for a relevant challenge to the basic postulates of the society. It is opposed to the present tendency to break problems down into parts, to consider them in isolation from the background of their preconditions.

-participation, which implies that at every level of his activity every man can influence the decisions which concern him. Structures permitting the flowering of responsibility should be available to the student in the framework of the university, the worker in the framework of the company, the citizen in the framework of the city, the region and the Nation.

-the right to create. Imagination must be substituted for passive consumption at work and leisure, artificially opposed by an alienating society.

-solidarity is based on the postulate according to which no man is free so long as another man suffers the burden of oppression. . . .

These values, to which the movement is committed, imply a socialist democracy because contestation and participation can only be effective and influential if they can act directly on the means of production. To envisage another solution would be to condemn oneself to a sterile exercise functioning in a vacuum.

An economic and social system of a socialist type implies on the one hand that the workers themselves take in hand the management of the economic unit to which

they belong, and on the other hand, State planning of the activity of its firms, oriented toward the satisfaction of man's priority needs. However, even though socialism is the condition for the flowering of the above-mentioned values, it does not guarantee their realization. The socialist models which exist today are not always safe from totalitarian enterprises.

Political power must respect pluralistic principles in fact, which automatically presuppose contestation and participation. Thus political democracy will crown economic and social democracy.

### III. THE STRATEGY OF THE MOVEMENT

The triumph of these values and their effective realization by a transformation of social structures should not be considered as a merely hypothetical possibility now that the movement is slowing down. Student power should be organized in view of achieving these goals.

What will be its exigencies, given the persistence of the present economic, social and political system?

-The University is the privileged, if not the only center of contestation. This contestation presupposes the authentic exercise of freedom of expression and the right to political and union information. It will have to transcend the boundaries of the university to reach all the structures of the society.

-This university is autonomous. Its decision-making organs are decentralized paritary committees in which students can take on responsibilities through effective participation.

-The University opens out onto the external world by democratizing access to its teaching and by asserting itself as an instrument of collective progress. It disseminates works of noted individuals representative of professional, cultural and political life. The Third World is among its major concerns.

What will be the nature of the movement?

Far from being an isolated case, the student movement is part of a revolt numerous other examples of which can be found beyond our frontiers, notably in Western Europe, and for different reasons and following different patterns in certain Eastern and Third World countries.

It applies the values of contestation to which it is committed to its own structures and refuses to identify itself with a single aspect of its own thought or action.

For the same reason, while the movement recognizes that all its aspects share a basic political essence, it refuses to alienate itself in a politics determined by an organization, a party or a pre-existing doctrine.

Firm, whatever the regime, on the aspirations which constitute its charter, it will nevertheless be sensitive to any agreement which may arise between its aspirations and the future political context.

### B. UNIVERSITY AND SOCIETY COMMISSION: "THE POLITICAL DEFINITION OF A FUTURE"

The political definition of a future: The present movement is the beginning and the first manifestation of a "cultural revolution" which should lead more or less gradually in the near future to a true "structural revolution." The preceding pages have attempted to show that it is the society as a whole which is in question, that is to say, which is contested. The principles of contestation emerge of themselves from this critique.

a) -the new principles of social thought and life Since contestation is a basic form of the effective exercise of the Freedom of the Human Spirit, it should not be surprising that we give an apparently liberal formulation of these principles. But we have not forgotten that they would be worth little by themselves if they were not quickly incarnated and exercised in new structures, actions, forces. We can now enumerate these FREEDOMS of information, opinion, reflection, discussion (which presupposes that of assembly), communication, contestation and creation, and the RIGHT-DUTIES of solidarity, participation in decision-making and responsibility. Let us define what we mean by each of these words.

-Freedom of information, which is everyone's right to know the truth with respect to the things involved in the decisions which concern him, whether in the economic, political, cultural or social order, and so on. . . This presupposes measures providing newsmen with better protection from all pressures; the progressive limitation of business secrets, classified research; the encouragement of scientific publications, the popularization of economics, etc. . . .

-Freedom of opinion: this is a classical liberty which requires that no one be harmed because of his convictions. . .

-Freedom of reflection: freedom of opinion is empty and freedom of expression perverted if the individual's life conditions prevent him in practice from reflecting on the information at his disposal because of lack of time, fatigue due to working conditions, transport, and especially the type of teaching and education he has received. In teaching only facts and technical knowledge, education often results in the loss of the ability to think, even for those who have the "luck" to go far with their studies. The human being must really be able to exercise his reason, his judgment.

-Freedom of discussion: man's social nature requires that his thought be communicated to others and enriched in contact with them. It should be possible to freely create such occasions, on the condition, however, of doing so in the appropriate places and at the appropriate times. This is the meaning of the regulation of the freedom of assembly, which has been much too strict in the Universities and businesses up to now.

-Freedom of communication: this freedom is still less capable of being regulated by law than the preceding one. It must be conquered essentially at the level of social consensus. Each group must recognize the necessity of opening itself to the problems, the aspirations and interests of others, to their "culture." Since it is true that "there is no single culture as a cultural absolute, but a single culture as the sum of cultures: culture is a synthesis of contributions." (Report of the University and Culture Commission, thesis 11.) Ever more communication between different mental worlds will have to be organized, as this is an essential aspect of a protracted cultural revolution. This is also the root of the democratic demand for a legitimate pluralism which goes beyond the mere juxtaposition of interests and ideologies as though they were powers in the balance because it is based on the fruitfulness of their confrontation, often too on their complementarily. The recognition of such a democratic pluralism is necessarily accompanied by the guarantee of the rights of expression and representation of minorities (cf. New Statutes of the School of Law of Paris, III, 1: the principles of contestation.)

-Freedom of contestation: This is the fundamental demand of the movement, which presupposes the effective exercise of the above-mentioned freedoms. It signifies the right of the mind to "call into question" all established structures through every type of critical examination, thus reviving the best of the anarchist tradition.

But the act of calling things into question (to begin with, intellectually) does not signify systematic physical destruction. It is clear that society needs organization and institutions, as does each of its groups. What disappears is the apriori sacred character of the existing structures, socio-economic relations, and group objectives; this contradicts what we just said about pluralism only in appearance.

-Freedom of creation: For contestation not to be negative and for participation to be effective, they must be based on this principle. Criticism must be immediately followed by proposal, intellectual destruction by intellectual construction, confronting the power of the imagination with the duty of reason: from "the necessary Utopia to the necessary rationality." (Cf. Report no. 1, presented by the Strike Collective of the Law School of Paris.) To fail to demand this freedom in connection with contestation is in the first place to alienate man by refusing him his co-creative dimension, but it is also to open the way to sterile disorder, to facile irresponsibility, to demagoguery. In practice, the freedom of creation will appear as the right to initiative, to propose ideas at all levels and on all subjects, but respecting the other freedoms and principles of the Movement.

We have just written: "At all levels and on all subjects." This is to legitimize the "political" character of the thought and action of every man, to affirm the "political" essence of the Movement, and to demystify every pretense to "apoliticism."

But it is time to clear up a serious misunderstanding due to the ambiguity of the word "politics". According to the common view, "politics" had taken on a pejorative connotation, evoking the necessary but deplorable function of a professional minority with, dirty hands: the "politicians" who, in the darkness of the true centers of decision-making, feed their common ambition under the most various labels by means of deals and compromises. To avoid these turpitudes and to protect family peace, social peace and the peace of the Veterans' Associations, it is necessary .

To stay away from politics at any price and not to allow discussions to be "politicized" to avoid personal conflicts. . . In short, once one's "political duty" was taken care of at the ballot box, he surrendered his fate to the reigning prince(s): "It's their problem now," reserving the right to renew the blank check of the providential man from time to time by a frank and massive "yes". Thus one was not supposed to get involved in politics except at the party meetings designed for that purpose: so much the worse for the volunteers. In unions, associations, businesses or colleges, at the movies or on the radio, it was not normally a matter of "that".

But, in one way or another, through the increase in the social security tax, the job crisis, the impossibility of registering at a certain school, the urban renewal plan of the neighborhood, the Breton artichoke crisis, barricades in the streets, the under-development of hospitals, the development of nuclear weapons, the cry of the Third World, politics concerns itself with us, even if we do not wish to be concerned with it. Apoliticism is a quite definite politics: that of the ostrich; it also serves the interests of the "politicians" one despises; finally, it is an abdication of a right inscribed in the very nature of man, the "zoon politikon" of Aristotle, by subscribing in advance to a dictatorship. For the Movement, politics is all reflection, all action which tends to modify the conditions of life, structures, economic and social relations, from the moment it concerns some aspect of the City (polis).

Becoming conscious of this political dimension of the problems, especially in the University, is already an extraordinary achievement for a great many of us, an achievement the credit for which goes to the Movement. In this positive sense, all students should be politicized especially at the Law School where it is still very new and thus less subject to influence or co-optation by traditional political groups; the majority of these groups, of these "apolitical" organizations or parties have been incapable of understanding what is happening. This speaks against them, and most clearly against the ones which claim to represent social reform (cf. the Political Report of the Collective already cited).

-Right-duty of solidarity: it is based on the postulate according to which no man is free so long as another man suffers the burden of oppression. Not only does it found the right to union freedoms, but, strongly felt by the students and workers during the May Events, this solidarity extends to the whole world, especially to the countries of the three continents oppressed by hunger, economic exploitation, political domination or armed imperialism.

-Right-duty of participation in decision-making: This is the logical consequence of what has been said above: political action must burst out of the narrow and presently ill-adapted framework of parliament and the party and state apparatuses. Debate must be carried on in all sectors and at different hierarchical levels: in the companies and in the university departments, in cooperatives and unions, because local decisions concerning each unit must be based on a conception of society as a whole. But no matter how well the debate is organized at the local, regional and national levels, it will only be a more conscious alienation if it does not have the means to pass into action, the means of political action in the broad sense, that is to say, the possibility for each to participate more or less directly and effectively in making the decisions which concern him, "To be free in the sixties is to participate in decision-making," so said the National Center of Young Managers at its congress of May '62 (as quoted by P. Mendes-France in The Modern Republic.) Here again we find the demand made in the university for effective co-management, that is to say, truly paritary management, and even the demand for self-management made by certain workers. Henceforth everyone should have "a word to say" about the decisions which concern him personally or generally; this would involve extending democracy from the strictly political domain to the economic and social domains. Such an unprecedented regime could be described by the already over-used word, "socialist democracy."

-Right-duty of responsibility: The idea of participation is much distrusted by workers because the form of participation possible up to now would have been fictitious, illusory and handed down from above, and because, instead of granting real power it would have been a fraud. But the "May Revolution" has just modified the balance of powers, and what is being done in the University is imaginable in the business world, of course on the condition that the transitions are smoothly handled and the workers educated to responsible management. And the University would have a major role to play in this.

The word "responsible" has been repeated often since the emergence of the movement. The students' principle complaint concerning the educational system to which they have been subjected is precisely that it has failed to give them any sense of responsibility for their own affairs, and it has taken a violent struggle to find this out. They want to substitute for a morality of subjugation a morality of responsibility in the school of life itself. But it is one thing to have become conscious of this, and another to be capable of assuming the responsibilities that one demands, especially after being alienated by years of passivity. Responsibility is already relevant at the level of contestation, all the easier the more radical and irresponsible it is. Once the structures of an effective participation have been set up, it is obvious that contestation, expressed through these very structures, will have to be organized and in a certain manner self-disciplined to avoid impotence and anarchy which would soon revive the danger of fascism and sweep away all the conquests of the movement, For the next few years

to come, there will certainly be a delicate problem of "linking up" while waiting for truly new men to issue from a teaching of critical participation, such as is planned especially by the high school action committees. If there really is today "a generalized crisis of authority" (Edgar Morin, Le Monde, June 5, '68), it is not so much the very principle of authority which is contested, except by the anarchist fringe of the movement, as the basis of this authority. Henceforth we are quite willing to obey, but on condition of being able to understand, contest and participate in decisions. The present crisis of civilization is an adolescent crisis: the sort which makes an adult of a minor.

In short, there is indeed a new philosophy behind the present movement of contestation, in which one finds numerous elements of idealism and Hegelianism, anarchism, Marxism, Freudianism, existentialism, structuralism but which cannot be reduced to any system because it refuses systematizations; it is the reaction, the assault of man as existent, in all his dimensions, against the alienating conditions in which he is placed. It is philosophy at once critical and existential, a dialectic of transcendence, including both moments of contestation and proposal, and permanently so at the level of the society as a whole and each of its units; as such it transcends the dilemma of reformism vs. the traditional model of revolution.

The critical realism which underlies its theory of knowledge is the basis on which this new logic of transcendence passes constantly from the level of thought to the level of life, from poetry to politics. Refusing to give rise to a new structured "order," the movement wants to create structures which make possible the constant renewal of the existing order. This requires and presupposes the social recognition of a new ethic.

-No longer materialistic, that is, based on the primacy, even the exclusive value of money, consumption, production, economics:

-Nor idealistic, that is, Utopian and forgetful of the psychological, sociological and economic conditions of all action,

of all thought;

-But "spiritual" in a new sense, because based in the last analysis on the Essential Freedom of the situated human spirit, on its responsibility, in the certitude of the perfectibility of every human being, of every society.

Because it is this certitude, this new "humanism" which is the ultimate foundation of its imprescriptibly right of CONTESTATION.