

**A Comparative Analysis of
'Employment Precariousness'
in Europe**

Presentation to the Seminar
'Learning from Employment and Welfare Policies in Europe'
ESRC – CEE
Paris, March 15, 2004

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Contemporary sociology in English analyses the transforming world of work from multiple perspectives¹. Much of the current literature adopts the angle of *flexibility* (flexibility of work as well as flexibility of employment relationships – see Barbier et Nadel, 2000). There is no difficulty in translating the word flexibility². Topics related to it include job insecurity, uncertain careers, worsening working conditions, downgraded access to standard social protection, etc.

Interestingly, the French sociological debate displays a clear difference to mainstream international approaches : it is dominantly focused on *précarité de l'emploi* (literally ‘employment precariousness’), a notion we will show very difficult to define and translate in cross-national³ comparison. This situation relates to the fact that in French sociology as well as in the French public debate, *précarité* has come to take multiple meanings, in such a way that the notion has been completely determined by its function in the *political discourse*.

The research ‘European Study On Precarious Employment’ (ESOPE)⁴ brought the opportunity to look into whether phenomena, which in France tended to be seen as pertaining to *précarité de l'emploi* (as well as in Spain and Italy, as will be shown), took on equivalent forms in the UK and Germany, Denmark being put as a more distant comparative case. It was indeed not without surprise that the researchers involved were confronted with definitional questions so important as to eventually make the very question of ‘what is employment precariousness’ one of the key research questions in the project (Barbier, 2002c; Barbier and Brygoo, 2001; Laparra et al., 2004, p. 6).

Particularly in the case of France, confronting foreign cases gave interesting insight into the polysemous French notion itself, with which we will deal in our first section, particularly looking into the various usages in French sociology from the late 70s⁵.

Our presentation will focus more on the *definitional stakes* of the concept of ‘employment precariousness’ in a cross-national perspective, than to research findings concerning the *causes or the extent* of the actual phenomenon across five European countries⁶. We will show that both in Germany and in the UK, the notion of ‘employment precariousness’ proved inadequate to capture phenomena comparable to what the French notion refers to, whereas it proved adequate in all three Latin countries (Barbier and Lindley, 2002). One key obstacle was the question of measuring the extent of ‘employment precariousness’ quantitatively, where it was found that no satisfactory index could be devised, even in France where the concept originated⁷.

¹ For a French-South African perspective, see Barbier and Van Zyl, 2002.

² Terms all derive from the Latin root in French, German, Italian, English and Spanish: *flessibilità, flexibilidad, Flexibilität, flexibility, flexibilidad*. *Flexibility* has apparently been used in English earlier than in French (14th century for *flexibilité*).

³ The French expression is *internationale*. We will use ‘cross-national’ as an English equivalent, despite the fact that, as Maurice (1989) has shown, ‘cross-national’ can be used for describing only one of many comparative perspectives, which postulates the existence of equivalents across nations.

⁴ Research funded by DG Research, Vth Framework Programme, European Commission. The research was coordinated by Miguel Laparra (Navarra University), and dealt with five country cases studies : Italy, Spain, United Kingdom, Germany and France (see Barbier et Lindley, 2002).

⁵ See our survey : Barbier (2002a ; 2002c).

⁶ See the final policy report, soon available on the Commission’s website (Laparra et al., 2004).

⁷ One assumption remains to be documented more rigorously: as in many social policy domains (for instance the spread of the notion of ‘*insertion*’) it might be that the French notion, emerging earlier, was later on translated into Italian and Spanish.

Admittedly, similar problems arise with the recent spread of the use of ‘quality-in-work’ in Eurospeak jargon; yet the notion of ‘quality’ is certainly more international and raises fewer problems of understanding, different countries being able to feed different conceptions into a very broad notion indeed (Barbier, 2004).

From the initial stages of the collective research it would have been expected that operational categories, used by practitioners, would of course differ across countries; what was less expected indeed was that even research notions or concepts do not travel easily (Barbier 2002b).

French *précarité*: from « vulnerable » families to society as a whole

L’homme précaire

A universal meaning for the term *précarité* should certainly be expected when the human condition is considered. Human life is quintessentially transitory, which drives humans to pray God or divinities. Indeed *pray* comes from the Latin word *precor* and *precarious* from the Latin *precarius*. What is precarious is what is uncertain and what can only be obtained from praying⁸. Uncertainty and contingency are at the heart of the human condition.

In his *L’homme précaire et la littérature*, André Malraux envisages human precariousness from the standpoint of art and ‘the imaginary’. He contends that our civilisation is basically associated with contingency (*l’aléatoire*). For him, this most powerful civilisation of all times has given birth to *l’homme précaire*⁹.

In a much more specific usage, P. Bourdieu also used the term *précarité* in his research in Algeria, in the early 60s, long before it took on the present French meaning. He pointed to the social divide which separated permanent workers from the contingent or casual ones [*“les travailleurs intermittents”* (1963, p. 361)]. The lot of the latter was precisely *précarité*, which left its mark on every one of their activities¹⁰.

From the late 1970s, a new notion emerges in the political discourse

However echoing this distant literary ‘imaginary’, the *précarité* which we will be dealing with now has become a key term in the French public debate and political discourse, to a point that it has now been completely ‘naturalised’. With its new meaning, unknown of any earlier dictionary, the term’s integration into common language dates back to the late 70s. It is now extensively used by politicians of all shades, unions’ representatives, social partners, the press and obviously novelists.

Key collective significations, deeply embedded in French society, are linked to *précarité*, and the politicians’ expressions have constantly and vividly testified for that. In his

⁸ German has no substantive, except in specialized language, but all five languages have a couple substantive/adjective of Latin origin (*precariousness/precarious*; *precarietà/ precario*; *precaridad/precario*; *précarité/précaire*; */prekār*).

⁹ « Et avec autant de rigueur que la chrétienté enfanta le chrétien, la plus puissante civilisation de l’histoire aura enfanté l’homme précaire » (*L’homme précaire et la littérature* 1977, Gallimard, Paris, p. 331).

¹⁰ « L’emploi du temps quotidien partagé entre la recherche de travail et les travaux de fortune, la semaine ou le mois découpés au hasard de l’embauche en jours ouvrables et jours chômés, tout porte la marque de la précarité » (1963, p. 353).

last meeting in the presidential election campaign where he was fighting the extreme-right candidate in very exceptional circumstances, after the mainstream Left-wing candidate came only third in the first round, candidate Chirac staged a solemn call to resistance both to *précarité*¹¹ and xenophobia.

Such references are not fortuitous and they keep being used by Right- or Left-wing parties alike in the political debate. One significant fresh instance was given by the Employment minister F. Fillon in the early days of 2004. While – precisely following Mr Fillon’s think tanks’ advice, a new type of exception to the mainstream legal open-ended contract (*contrat à durée déterminée – CDI*) was being mooted, the minister told the press that he was a staunch opponent of *précarité*¹², and that he had rather cancel the mooted reform altogether than tolerate any increase in “*précarisation*”¹³.

In a similar way, at the very moment when the French business association MEDEF was campaigning against the government for a relaxation of hire and fire regulations, and the introduction of more flexible contracts, it convened a high profile working group with the unions on the question of the young and *précarité* and confirmed that the CDI was the *normal* contract¹⁴.

In the face of such cross-party and consensual usage of *précarité*, it is no wonder that the notion entered the administrative jargon and was extensively inscribed in law¹⁵. Numerous official reports have been published since 1981. The first one was issued in 1981, the Oheix report¹⁶ closely followed by a ministerial decision¹⁷ under the Socialist Prime minister P. Bérégovoy. As early as 1988, in less than a decade after the first official occurrence, the term had spread in the social affairs ministry¹⁸. *Précarité* is now positioned at the heart of the Labour Law statute, *Code du travail*¹⁹ precisely when it deals with ways of compensating exceptions to the standard employment contract, the CDI. The latest report dealing extensively with *précarité*, published in 2000 (Belorgey, 2000), proposed reforms of the labour market to adapt social benefits, unemployment insurance and tax policies in order to

¹¹ “Exclure l’intégration, créer la précarité, ce serait fermer l’horizon, ce serait nourrir le désespoir, ce serait enclencher des mécaniques de discorde, de violence et d’affrontement, et ce serait même déchirer notre tissu national en opposant entre eux les Français de toutes origines » (*Le Monde*, 4 mai 2002, p. 2).

¹² « Je suis un adversaire de la précarité », *La Tribune*, 27 janvier 2004.

¹³ *Précarisation* is the process of rendering something precarious. Actually it was only introduced in the French language in the 80s and only applies to social situations and especially employment relationships.

¹⁴ In 1999, MEDEF launched an initiative called « Refondation sociale ». One of the groups convened with the unions, from February 2000, was « Réforme de l’assurance chômage, précarité et insertion des jeunes sur le marché du travail » [unemployment insurance reform, precariousness and integration of the young on the labour market]. “Nous avons réaffirmé que le CDI est la norme du contrat de travail. Il constitue aujourd’hui 85% des contrats dans le secteur marchand, 64% si on réintroduit les collectivités territoriales et l’État” (Working group, MEDEF declaration, April, 10th, 2000).

¹⁵ « Article L 116-1 : L’action sociale et médico-sociale tend à promouvoir, dans un cadre interministériel, l’autonomie et la protection des personnes, la cohésion sociale, l’exercice de la citoyenneté, à prévenir les exclusions et à en corriger les effets. Elle repose sur une évaluation continue des besoins et des attentes des membres de tous les groupes sociaux, en particulier des personnes handicapées et des personnes âgées, des personnes et des familles vulnérables, en situation de précarité ou de pauvreté, et sur la mise à leur disposition de prestations en espèces ou en nature » (JO du 3.1.2002).

¹⁶ « *Contre la précarité et la pauvreté : 60 propositions* », ministère du travail et de la participation, 1981.

¹⁷ *Circulaire relative à l’intensification de la lutte contre la pauvreté et la précarité dans le cadre de l’opération chômeurs de longue durée*, n° 82-33, 13 décembre, 1982.

¹⁸ By 1988 (the year the RMI Act was passed in parliament), no less than 77 official documents had been issued on the theme « précarité and pauvreté » (Ministère, 1988).

¹⁹ See, for instance, article L 124-4-4, *Code du travail* (juillet 1990), for temporary agency work : “Lorsque, à l’issue d’une mission, le salarié sous contrat de travail temporaire ne bénéficie pas immédiatement d’un contrat de travail à durée indéterminée avec l’utilisateur, il a droit à titre de complément de salaire, à une indemnité destinée à compenser la précarité de sa situation ».

take into account the particular needs of those employees deemed « *précaires* » (precarious employees).

Particularly from the point of view of foreigners, it is important to stress that the story of the notion here very sketchily told concerns *précarité* alone (without complements). One of the findings of the collective research was that only in France *précarité* was used in that way, while *precarietà* (Italian) and *precaridad* (Spanish) were used only in the context of jobs and employment, as we will see further.

What then was the common French meaning of *précarité* at its origin, which has persisted to the present day, but has subsided to a secondary place? To understand this, we have to turn to how French sociology has dealt with *précarité*, from the late 70s (Barbier, 2002a).

Key milestones for the use of précarité and précarité de l'emploi in French sociology

In French sociological research it is only at the end of the 70s and into the 1980s that *précarité* entered the academic vocabulary as a notion connected to *poverty* but not to *employment*. Indeed, in the late 1970s there was no question of 'employment precariousness' even among the young. It was very common to start work early and to change jobs very often. Sociological studies discussed the young's 'allergy to work' (Rousselet, 1974, see also Barbier, 1982).

Agnès Pitrou (1978a; 1978b) appears as a pioneer for the usage of the term. She focused on *familles précaires* (precarious families), vulnerable to any sort of 'incidents' (a precariousness particularly linked to points of 'disruption'). It is important to understand that the precarious families of that time were not standard clients of *aide sociale* (assistance), and constituted a significant part of the lower classes (1978a)²⁰. A. Pitrou (1978b, p. 51-64), lists characteristics that, to her, define *précarité* : "precariousness or absence of labour market skills" (which results in difficult working conditions and low wages, as well as absence of any career prospects); "scarce as well as irregular financial resources"; "instable or unsatisfactory housing conditions"; "health problems"; "uncertainty about the future number of children"; "relative lack of social links" and a "rather precarious balance in terms of the life of the couple". So, at that stage, the employment dimension of precariousness was only one minor aspect (mass unemployment was still unheard of). C. Offredi (1988) explained why poverty and *précarité* were at the same time close and different²¹ and why it was difficult to establish clear relationships with employment or unemployment situations²². Altogether, she was among the first researchers that stressed that *précarité* could end up as a defining feature of society in general²³.

A turning point in the sociology of *précarité* happened with the publication of D. Schnapper's paper (1989). Insisting that the main question was not segmentation of the labour

²⁰ « La large frange des classes populaires, ouvriers ou petits employés (...) [dont] la situation ne présente à l'extérieur aucune carence remarquable » (1978b, p. 22). So there is no comparison here with the American notion of underclass (Silver, 1996).

²¹ « la notion de précarité nous semble devoir être approchée dans ses rapports limites avec la pauvreté, dont elle se distingue et à laquelle elle est fusionnée tout à la fois » (*Ibid.*, p. 23).

²² « il est difficile sinon erroné sur le plan méthodologique, d'établir la relation « précarité égale travail précaire », ou bien « travail déqualifié », ou bien encore « précarité égale impayés de loyer » ou chômage. Par contre une des références communes à ces différents termes (...) est l'idée de déstabilisation » (*ibid.*, p. 23).

²³ « la société contemporaine, société de la précarité, est une société en mutation (...) qui perd de sa permanence, de sa stabilité, de son sens » (p. 28).

market, she theorised the importance of categories of *statut*²⁴ in the French society. To some employment situations, rights were attached, in terms of social protection and labour law: these *emplois à statut* (jobs with legal/statutory rights) included public jobs and private open-ended contracts. Other categories of the workforce were in jobs “without status” (*emplois sans statuts*) or in a “status derived from employment” (*statuts dérivés de l’emploi* – mainly the unemployed and pensioners)²⁵. Jobs “without status” were “*emplois précaires*”, including “more or less fictive jobs” (employment or labour market programmes for the young) (ibid., p. 11). In this category were also included fixed-term contracts and temporary agency jobs.

S. Paugam continued much on the same line. In his 1993 study, he and colleagues (Paugam et al., 1993) endeavoured to assess the number of persons in ‘precarious’ situations in France. They concluded that only 53% of the French active population appeared as not being in risk of any « fragility »²⁶. From a comparative perspective, the extent of this measure in itself shows how deep a special sentiment of risk was experienced by the people surveyed.

Paugam extended his definition again (2000). *Précarité*, he wrote, should be studied along two lines: (i) the relationship to employment – or to one’s job, *précarité de l’emploi* – and here he follows on Schnapper’s previous analysis (1989)²⁷ and (ii) the relationship to work - *précarité du travail* (‘work precariousness’). As for the second dimension of this extended definition, Paugam explains: “The employee is precarious inasmuch as his employment appears to him without interest, badly paid and of little value to the firm” (p. 356)²⁸. This amounts to a considerable extension of the scope of precariousness, in a manner independent from employment status, although there is of course overlap between both types of *précarité*.

Finally, in parallel with this continuous extension of *précarité* to *précarité de l’emploi* and then *précarité du travail*, a fourth extension of the scope of phenomena which the notion referred to led to the introduction of *précarisation*, i.e. the process of society as a whole becoming more and more precarious, basically destabilised.

Explicitly drawing from ‘regulationist’ literature, Castel (1995, p. 324- 326) describes a new form of society, *la société salariale* (literally: the ‘wage-earner’s society’) in the times of Fordism. To him, our society has been structured by the *rapport salarial* (‘wage-labour nexus’)²⁹, a *global social relationship*. But what we have been confronted with for the last 20

²⁴ For D. Schnapper, two aspects of the status of jobs should be distinguished: the legal, pertaining to rights attached to the labour contract, and the sociological, pertaining to social status (1989, p.3)

²⁵ D. Schnapper classified the remaining population (those with no relationship to formal employment) in two other categories, namely the assisted (assistance recipients, *statuts nés de la solidarité*) and those outside formal employment – the marginal, those working illegally, etc. (the « *sans-statut* », p. 22).

²⁶ Three populations were grouped in terms of “exclusion risks”. The ‘socially and economically integrated’ – *population intégrée économiquement et socialement* was the first category and represented 80 % of the French population; 53% had no risks of any “fragility” and 27% had one. The second population was the “fragile population” *population fragile*, at 14,5%. The third population, at 5,2%, was the *population en retrait du marché de l’emploi* (population having left the labour market) (Paugam and al., 1993, p. IV-V).

²⁷ Here the core measure of *précarité de l’emploi* can be drawn from the statistical notion of *formes particulières d’emploi*, by INSEE, which add short duration contracts, agency jobs, training schemes (including apprentices) and labour market programmes. But Paugam also adds part-time contracts (involuntary) and thinks a part of open ended contracts also belong to *précarité de l’emploi*, because they are ‘destabilised’ (2000b, p. 64).

²⁸ « Le salarié est précaire lorsque son travail lui semble sans intérêt, mal rétribué et faiblement reconnu dans l’entreprise. Puisque sa contribution à l’activité productive n’est pas valorisée, il éprouve le sentiment d’être plus ou moins inutile. On peut parler alors d’une *précarité du travail* » (2000, p. 356).

²⁹ Boyer defines the *rapport salarial* as the following: « On appellera formes du rapport salarial l’ensemble des conditions juridiques et institutionnelles qui régissent l’usage du travail salarié ainsi que la reproduction et l’existence des travailleurs. Ces deux termes définissent donc le type d’insertion du salariat dans la société et le

years is “*l’effritement de la condition salariale*” (ib., p. 385) (the erosion of the wage-earner condition). Indeed, *travail précaire* (precarious work) is one of (if not *the*) most important feature of the erosion. New forms of employment (*formes particulières de l’emploi* – FPE – see table 1) are among the clearest manifestations of this erosion (ib., p. 400), but they also affect “the core labour force”³⁰. Hence, work ‘*precari-sation*’ and unemployment are embedded in the dynamics of modernisation, as consequences of the new modes of employment structuration and the very fabric of the wage-labour nexus risks being jeopardized (p. 403), as well as the role of firms as channels for integration (p. 404).

Boltanski and Chiappello (1999) present the view that society as a whole has become precarious. “*Le monde du travail*” (the world of work) is “deconstructed” by the current dynamic of capitalism (ib., p. 291- 343). *Précarité* for them is one of the consequences of flexibility, and notably ‘external’ flexibility³¹. All FPE jobs are precarious³², a situation that befits new firms’ strategies. For Boltanski and Chiappello, *précarisation* results in a dualization of the labour force (p. 308) and twenty years of a selection process among the potential labour force, that has selected the fittest and rejected the less employable (p. 326). This selection process is underpinned by a general reduction of social protection for all, even the protected employees (p. 327). *Précarisation* then appears as a general tendency of society that makes individuals more fragile albeit more free from certain social constraints (p. 526).

Bourdieu’s more recent analysis (1998), contrary to Boltanski and Chiappello’s, is phrased in explicitly normative and political language³³. To him *précarité* is everywhere³⁴ and results in collective effects that are most observable in the case of the unemployed. Like unemployment, common features define it³⁵ and precariousness also affects those who are apparently spared by its influence³⁶. Hence *Précarité* appears as one of the aspects of a dominated condition in society, close to unemployment and exclusion. And these situations are the product of a new “mode of domination” which is underpinned by a generalised state of insecurity³⁷.

circuit économique. A priori, donc les différentes formes du rapport salarial résultent de la combinaison d’un type d’organisation du travail, et plus généralement des normes de production, et d’un mode de vie défini par l’équivalent d’un ensemble de normes de consommation » (Boyer, 1986, p. 18).

³⁰ « Mais le phénomène touche également ce que l’on pourrait appeler le noyau dur de la force de travail, les hommes de trente à quarante-neuf ans » (1995, p. 401).

³¹ [flexibility] « qui permet notamment de reporter sur les salariés, mais aussi sur les sous-traitants et autres prestataires de services, le poids de l’incertitude marchande » (p. 292).

³² « Les déplacements destinés à donner plus de flexibilité externe aux firmes ont eu en effet pour conséquence le développement pour toute une frange de la population d’une précarité liée soit à la nature de l’emploi (intérim, CDD, temps partiel ou variable), soit à sa position dans des entreprises sous-traitantes » (p. 301).

³³ « Je ne me serais donc pas engagé dans des prises de position publiques si je n’avais pas eu, chaque fois, le sentiment, peut être illusoire, d’y être contraint par une sorte de fureur légitime, proche parfois de quelque chose comme un sentiment de devoir » (1998, p. 7).

³⁴ « La précarité est aujourd’hui partout. Dans le secteur privé, mais aussi dans le secteur public, qui a multiplié les positions temporaires et intérimaires » (*Ibid.*, p.95).

³⁵ « la déstructuration de l’existence, privée entre autres choses de ses structures temporelles et la dégradation de tout le rapport au monde, au temps, à l’espace, qui s’ensuit » (*Ibid.*, p. 96).

³⁶ « elle ne se laisse jamais oublier ; elle est présente à tout moment, dans tous les cerveaux (sauf sans doute ceux des économistes libéraux (...)) elle hante les consciences et les inconscients. L’existence d’une importante armée de réserve, que l’on ne trouve pas seulement (...) aux niveaux les plus bas de la compétence (...) contribue à donner à chaque travailleur le sentiment qu’il n’a rien d’irremplaçable et que son travail, son emploi est en quelque sorte un privilège fragile et menacé (...) L’insécurité objective fonde une insécurité subjective généralisée qui affecte (...) l’ensemble des travailleurs » (*Ibid.*, p. 96-97).

³⁷ « La précarité s’inscrit dans un *mode de domination* d’un type nouveau, fondé sur l’institution d’un état généralisé et permanent d’insécurité visant à contraindre les travailleurs à la soumission, à l’acceptation de l’exploitation » (1998, p.99). « La précarité est le produit non d’une *fatalité économique*, identifiée à la fameuse « mondialisation », mais d’une *volonté politique*. L’entreprise « flexible » exploite en quelque sorte délibérément

With Bourdieu's explicitly political statements in his last publications, the proliferating normative and analytical meanings of *précarité* in the French context seem to concur and merge into an elusive and fuzzy notion. In this context, only a small number of sociologists have tried to escape a very pregnant influence and define 'employment precariousness' more precisely.

C. Nicole Drancourt is one of them. Distancing herself from the fuzziness of the term³⁸ (1992, p.57), she also intended to break with an "alarmist conception" of the integration of the young in the labour market³⁹. To her, 'precariousness' (as an absolute term) should be distinguished from "precarious employment", because for instance "*CDD*" or "*intérim*" jobs could function as entry jobs in sequences of intended mobility. Secondly, holding a "precarious job" did not deterministically mean that the young experienced it as being "precarious". Thirdly, even being unemployed does not systematically fits with being "*précaire*". 'Precariousness' should then be understood differently according to the young's "*engagement professionnel*" (investment in work life), which leads to the distinction between two sorts of precariousness (*précarité d'intégration* and *précarité d'exclusion*" (p. 66). *Précarité d'exclusion*, not specific of the young, can be ascribed to the lack of labour demand on the market, whereas *précarité d'intégration* is very specific of the young and women⁴⁰. Precisely, "female flexibility" was dominantly a strategy of firms obliging women to accept under-employment⁴¹. This amounted to the general conclusion that precariousness and certain markets are more and more specific to certain sectors and categories of the workforce⁴², without the overall employment system being destabilized nor the "typical employment relationship" being endangered (1990, p. 192). Basic dynamics might eventually lead to a transformation of all social relationships, continuously hindering progress towards more equality between men and women.

une situation d'insécurité qu'elle contribue à renforcer » (*Ibid.*, p 98). « Il me semble que ce qui est présenté comme un régime économique régi par les lois inflexibles d'une sorte de nature sociale est en réalité un *régime politique* qui ne peut s'instaurer qu'avec la complicité active ou passive des pouvoirs proprement politiques » (*Ibid.*, p. 100).

³⁸ « Parfois il s'agit d'un sous-ensemble d'emplois hors norme (emploi à durée déterminée, intérim, stages, etc..) parfois c'est l'ensemble des emplois hors norme ; parfois encore c'est l'emploi hors norme plus le chômage ; parfois enfin, la précarité désigne l'ensemble du système d'emploi considéré comme déstabilisé par la diffusion rapide des nouvelles formes d'emploi : la précarité désigne ici des caractéristiques de situation d'emploi : dans ces cas, la précarité désigne des caractéristiques du vécu individuel » (p. 57).

³⁹ « Toutes ces ambiguïtés ne sont pas sans conséquences. Lorsqu'on évoque aujourd'hui les 'nouvelles formes d'emploi', on y associe systématiquement la notion 'd'emploi précaire' avec un cadre – 'la précarité' et un spectre à terme – le chômage et l'exclusion. En amalgamant l'ensemble de ces phénomènes (emplois précaires, chômage, exclusion) on construit des catégories d'individus (les précaires, les chômeurs, les exclus, etc..) pris dans un piège social (la précarité). Entretien par une actualité préoccupante qui voit la stagnation du chômage à haut niveau et sa composante fortement juvénile, une conception catastrophiste de l'insertion des nouvelles générations s'impose et l'expression 'jeunes précaires' devient un pléonasme » (1992, p.58).

⁴⁰ « Dès lors, des phénomènes d'individuation des itinéraires d'insertion se développent en réponse à une nouvelle donne sociétale avare en prescriptions et modèles de conduite. La précarité est une de ces stratégies d'adaptation qui, pour être subie, n'en est pas moins productrice d'intégration et de stabilité pour la plupart, à terme » (p. 70).

⁴¹ « Les femmes sont la première cible de ce fer de lance de la précarité (...) comme les femmes sont proportionnellement les plus nombreuses dans les emplois les moins avantageux, la précarité est plus forte pour elles que pour les hommes (les chiffres du chômage en attestent) » (1990, p. 189). « Soutenue par des formules d'aménagement ou de réduction du temps de travail sans compensation, la flexibilité, au mieux, dégrade les conditions d'emploi des femmes, au pire, les élimine du marché du travail (1990, p. 191).

⁴² « A une logique de précarisation d'ensemble du marché de l'emploi, semble se substituer une logique de segmentation des marchés avec affectation différenciée de la main d'œuvre: on fréquente de moins en moins les mêmes espaces d'emploi quand on est jeune, quand on est femme ou quand on est homme adulte » (1990, p. 192).

Crossing borders: why ‘employment precariousness’ encounters difficulties

Such a proliferating variety of meanings for a single notion is certainly bound to hinder its exportation to other linguistic and social systems. This is all the more true than no consensual quantitative measure of *précarité* or *précarité de l’emploi* has ever emerged in France after twenty years of debate. French economists and statisticians manage with the term ‘*emplois précaires*’ as a loose synonym of atypical jobs⁴³ and they readily use the distinction between open-ended contracts and fixed-term contracts as a proxy measure of employment precariousness: however this index contains major limitations (Barbier, 2002c)⁴⁴.

An ‘Anglo-Saxon’ perspective to ‘precariousness’?

Adopting for a moment a ‘Gallo-centrist’ perspective we would be amazed that one of the most famous accounts of the transformation of work in international sociology gives no attention whatsoever to ‘precariousness’. While he precisely addresses the consequences of flexibility on personal ‘character’⁴⁵, R. Sennett (1999) ignores the notion. Describing one of the few cases of American employees and workers he builds his argument upon, he notes that “her identity as a worker is light” (1999, p. 74) and the French translator obviously over-translates: “*son identité professionnelle est précaire*” (p. 101)⁴⁶. But R. Sennett’s object is not ‘precariousness’ nor ‘employment precariousness’, and his statistical appendix has no mention of distinctions between contracts, which French sociologists and statisticians are so concerned with. A Gallo-centrist perspective cast on the British labour market also brings amazement at the fact that this market, whose reputation for flexibility is well established, only harbours a relatively small (and stable over the years) share of fixed-term contracts (6 to 7% as against 15% in the French case and 30% in Spain in Eurostat statistics⁴⁷). A similar ‘cognitive dissonance’ would apply were we to confuse the meaning of ‘precariousness’ for instance in R. Reich’s (2001) *Future of Success*, with the ‘French’ meaning. Flexibility is here dominantly credited with social advantages, and when *precariousness* is used, it is strictly applied to the variation of incomes and their structure (2001, p. 94 and 253). As R. Sennett, R. Reich writes about changing conditions of work, tenure and instability of jobs, but there is no equivalent in their works about French-style ‘employment precariousness’.

Cross-national comparison

Both examples above are typical: for cross-national comparison with the UK or the USA, French notions are inadequate; they are also inadequate for Germany. Only in Italy and

⁴³ “*Situations précaires*” is rather used as a loose equivalent of all FPEs, and in INSEE’s regular publications of the LFS, “*précarité de l’emploi*” is used in the section explaining the survey’s codes, under a sub-section called “*le statut*”. See, for instance, the 2001 LFS [p. 152, *Enquête Emploi*, Mars 2001, *INSEE Résultats*, juillet 2001], which reads as follows: “Le statut complète et précise la catégorie socioprofessionnelle. Les principaux critères mis en œuvre dans le statut sont : (1) la distinction des salariés et des personnes à leur compte ; (2) pour les salariés, le caractère public ou privé de l’employeur, et la précarité de l’emploi ; (3) pour les non salariés, (etc..) ».

⁴⁴ Despite its methodological shortcomings, this indicator is still widely used in comparative literature: see for instance, Auer and Cazes, 2000.

⁴⁵ A French sociological equivalent would probably be “identité au travail” as R. Sainsaulieu termed it.

⁴⁶ The French translation is « Le travail sans qualité » (Albin Michel, 2000).

⁴⁷ We have shown that Eurostat statistics, because of their insufficient grasp of comparable characteristics give an unreliable picture of this comparison across European countries (Barbier, 2002c; Barbier et Brygoo, 2001).

Spain ‘employment precariousness’ brings echoes and significations similar to the French. In Denmark, the very notion is unheard of (see further).

Would that mean that the social phenomena which indirectly gave birth to the ‘Latin’ notion have no ‘equivalents’ outside the Latin world? This was precisely the difficult question addressed by our research, which led to stressing that conceptions of *equivalents* (proxies) of ‘employment precariousness’ were relative to a particular polity, a particular embeddedness in a ‘societal coherence’ (Maurice et al., 1982). Comprehensive comparison (Barbier, 2002b) can certainly not take empirical phenomena at face value on the simple basis that they seem to look alike⁴⁸. They have to be set against the ‘normative frameworks’ of each particular society (Barbier, 2002c).

Such a methodological pre-requisite does not contradict the fact that national representations are susceptible to evolve over time and are opened to influence from abroad. A case in point here is provided in the Anglo-French context. A marginal use of the term ‘precarity’ has been noted recently. Yet *precarity* is not an English word, but a barbarism (or Gallicism) featuring in a few ‘international English’ publications. Its present limited use can easily be explained by the importation of the French notion into international research, in the context of an Anglo-French original research programme⁴⁹. A handful of international English texts circulated from EU quarters (the Commission) and EU organisations presently also use the word ‘precarity’, which can be interpreted as the testimony of an interest for the French notion in a wider political debate⁵⁰.

However, no clear statistical measure of ‘employment precariousness’ has emerged so far (Laparra et al., 2004, p. 15-17). One of the indicators mostly used for measuring ‘atypical employment’, distinguishes ‘temporary contracts’ from ‘permanent ones’, in the Eurostat survey⁵¹. Despite harmonisation, this distinction nevertheless has remained highly heterogeneous and problematic across the five countries studied (Barbier and Brygoo, 2001)⁵². ‘Part-time employment’, another indicator, is frequently used despite similar flaws and the quasi-impossibility to separate ‘voluntary’ from ‘involuntary’ part-time in a cross-national context. In this, our research has only confirmed analyses made earlier (Rodgers and Rodgers, 1989). Hence, to really compare, one is led to the qualitative construction of national ‘equivalents’.

⁴⁸ This pragmatic position obviously circumscribes a limited scope for comparison and is bound to encounter recurrent difficulties with definitions. It was apparently adopted by the group of researchers with Rodgers et Rodgers (1989) for ILO. J. Rubery wrote in the collective book: « As there is no statistical category ‘precarious work’, the only way in which we can investigate precarious work is to look at the employment forms which are expected to be in some sense precarious” (in Rodgers and Rodgers, 1989, p. 49]. Yet she added: « Perhaps the most important difference between countries is neither the incidence and level of precarious work, nor the differences in the contingent factors accounting for recent trends, but the differences in the signification and meaning of the very distinctions between precarious and non-precarious work.” (Ibid., p.71).

⁴⁹ See Gallie and Paugam (2000), especially their chapter 12: “The Effects of Employment Precarity and Unemployment on Social Isolation” (p. 243-264). In one of the ESOPE seminars, at Warwick University, in May 2003, some native English speakers would use the term ‘precarity’ instead of ‘precariousness’, without being conscious that it was a Gallicism.

⁵⁰ See for instance : “Benchmarking Working Europe”, 2003, section 1.3 (ETUC). The European Commission, in a small number of recent texts, also uses *prekär* and *precarious* in the French sense [for instance in its 2003 communication on quality – com (2003) 728 final of 26.11.2003].

⁵¹ Item 45 of the survey.

⁵² So-called ‘temporary employment’ (European LFS) includes, for example, all ‘fixed-term’ employees in the French administration, whilst some of them, the *contractuels*, have in fact a permanent employment position; this is also the case in some parts in the Spanish public administration; ‘temporary employment’ also includes German apprentices, etc.

National approaches to the quality of employment relationships

In France, the ‘normal’ employment relationship is CDI, a norm enshrined in Labour law since the actual regulation of fixed-term contracts of 1979, but in fact gradually regulated via a number of legal provisions from the early 1920s. Other forms of employment have hence been considered as ‘particular’ (*Formes particulières d’emploi*, FPEs) or precarious (*situations précaires*), amounting to about 10% of the workforce.

In Spain, *empleo precario*, *precaridad laboral*, *temporalidad* are the most used terms⁵³, in the wide public debate, and also by social partners. The 1980 *Estatuto de los Trabajadores* is the basic law, which, although altered by exceptions throughout the years, relies on an open-ended full-time contract. From 1980, collective agreements and regulations were agreed upon or passed with the explicit goal of diminishing precariousness and increasing stability. This was for instance the case of *Acuerdo Interconfederal para la estabilidad del empleo* in 1997. *Temporalidad* nevertheless is as high as 30% of the stock of contracts.

In Italy, *precarietà del lavoro*, *del impiego*, *del posto di lavoro*, *impiego precario*⁵⁴ are commonly used. As the May 2002 strike amply demonstrated, the employment relationship considered ‘normal’ is, like in France, an open-ended contract with statutory protection against dismissal from article 18 of the 1970 *Statuto dei Lavoratori*, although only a part of employees are covered by this article, especially in firms with under 16 staff⁵⁵. Moreover, the resort to part-time in Italy has been implemented much later (1997) than in other countries. The *parasubordinati* (see table 1) are considered precarious employees. They amount to roughly 10% of them.

Thus in the three ‘Latin’ countries, a more or less explicit consensus prevails, well exemplified during social protests, about the fact that a ‘normal’ job is an open-ended one and that all others are more or less exposed to ‘employment precariousness’ of some sort (including involuntary part-time jobs).

In Germany, however, *Prekarität* is only used today in academic texts⁵⁶. An exact equivalent of ‘employment precariousness’ is not used. Yet here again, the prevalent social norm is the ‘*normale Arbeitsverhältnis*’, a notion even more deeply historically entrenched in society than in the other Latin (and ‘corporatist-conservative’) countries. Basic regulations⁵⁷ applying to contracts in Germany date back to the 1950s, including the principle of full time open-ended contracts with social contributions and social rights attached. Hence, the reason why ‘employment precariousness’ is inadequate in the case of Germany does not derive from the inexistence of a legal/conventional norm for employment contracts. It is linked to the fact

⁵³ *Precariedad en el empleo* is also used in academic research, referring to working conditions or dimensions of precariousness similar to the French definitions.

⁵⁴ “*non stabile, di incerta durata, provvisorio: impiego precario | instabile, malsicuro: una situazione economica precaria; salute precaria, cagionevole*», *Dizionario della lingua italiana*, Garzanti, www.garzantilinguistica.it. The *Vocabulario della lingua italiana* (Le Monnier, Firenze, 1979, p. 871) also gives the definition of “*precario*” as “*di impiegato o dipendente di un amministrazione pubblica assunto con contratto a termine*”.

⁵⁵ Including the ‘self-employed’, ‘irregular work’ and the workforce in small firms makes a total of 40 to 60% of the total workforce estimates.

⁵⁶ See for instance B. Keller and H. Seifert “Flexicurity – Das Konzept für mehr soziale Sicherheit flexibler Beschäftigung“, *WSI Mitteilungen*, 5/2000, p. 297: „Prekarität ist hier assoziiert mit einer in Vergleich zum NAV [Normalarbeitsverhältnis] (...) unzureichenderen sozialen Sicherung“. The adjective *prekär* being of common usage, but not in relation to the labour market.

⁵⁷ Standards being established in the context of collective bargaining, under the 1949 *Tarifvertragsgesetz*, TVG.

that atypical jobs have traditionally been *marginal*, as the expression *geringfügige Beschäftigung* tells⁵⁸. ‘Marginal’ jobs (5-6% of the workforce in the late 90s), which have only recently been expanded into ‘mini-jobs’, were traditionally considered mainly as ‘second’ or ‘additional’ jobs in couples, very gender-biased in terms of their holders. At the same time, attention has only started to emerge concerning certain types of non standard employment relationships, notably the ‘quasi-self employment’ ones (*Scheinselbstständigkeit*). It is only in the present period, due to the debate on unemployment, the cost of labour and labour market rigidities, that reforms are implemented, where a key question emerged: will flexibilisation reforms affect the quality of some employment relationships and potentially affect standard employment relationships indirectly? Both marginal jobs and quasi-self employment can then be seen as ‘functional equivalents’ of ‘employment precariousness’.

In the UK, whether in the academic field or in public debates, legislation or collective agreements, there is no significant mention of ‘employment precariousness’. Despite the existence of a broad conception of what is a ‘regular’ employment relationship, there is no legal equivalent to what exists in the four other countries (see table 1). Moreover, the notion of ‘a-typical’ jobs is not well established and used (part-time which would figure among atypical jobs in other countries is here typical). An implicit representation (so to say embedded in the employment relationship) seems to be that these relationships, whatever their instability, duration, etc., may pass as ‘regular work’. Hence, we are left, as in the case of Germany but for other reasons, with the necessity of looking for functional equivalent(s). In a pragmatic manner, this leads to examining particular situations (like for instance ‘zero-hour’ contracts, ‘casual’ workers and so on) and to consider the jobs that could potentially be equivalents of ‘precarious’ jobs, in terms of their characteristics: for instance ‘bad jobs’, ‘dead-end jobs’, jobs that yield insufficient pay, bad career prospects and so on. Table 1 sums up the main cross-national conclusions.

⁵⁸ *Grand dictionnaire Langenscheidt*, edition 1968, [Deuxième partie Allemand-Français, p. 326] explains that the original meaning of the word is ‘of little importance, insignificant, marginal’. ‘Unbedeutend, nicht ins Gewicht fallend, belanglos’ [Duden, *Deutsches Universal Wörterbuch*, Bibliographisches Institut & Brockhaus AG, Mannheim, 2001, p. 635].

Table 1 – Proxies of ‘Employment precariousness’ across five countries

Notions and items	France	Italy	Spain	Germany	The UK
The use of ‘employment precariousness’	yes	yes	yes	No	No
A key relevant notion	<i>précarité</i>	<i>Precarietà del posto di lavoro</i>	<i>Precaridad laboral (temporalidad)</i>	<i>Unsicherheit des Arbeitsverhältnisses</i>	None specified
Normal employment relationship	Permanent contract [<i>durée indéterminée, CDI</i>]	Permanent contract [<i>tempo indeterminato</i>]	Permanent contract [<i>contrato indefinido</i>]	Permanent contract NAV, <i>Normale Arbeitsverhältnis [unbefristeter Arbeitsvertrag]</i>	Regular work
Normal legal reference	<i>Code du travail</i>	<i>Statuto dei Lavoratori</i>	<i>Estatuto de los Trabajadores</i>	Various <i>Gesetze</i> and collective agreements	None
Key job category as cross-national ‘functional equivalent’	<i>Formes particulières d’emploi (FPE)</i>	<i>Parasubordinato: [collaborazione coordinata continuativa; lavoro occasionale; associazione in partecipazione]</i>	<i>Trabajo temporal</i> <i>Temporalidad</i>	<i>Geringfügige Beschäftigung</i> <i>Schein-selbstständigkeit</i>	Bad Jobs

Eventually, the inadequacy of the notion displays clearly different reasons in Germany and the UK. In Germany, the main reason why it is broadly irrelevant is because employment relationships have overall remained more stable and secure than in France, Spain and Italy, where clear segmentation has occurred in the labour market in the 80s and 90s. From the after-war period on, it has even been said that the entire collective German endeavour was to create a secure environment, reluctant to inequality (Vogler-Ludwig, 2002).

In the UK, on the other hand, occurrences of low paid and bad quality, insecure jobs with limited or no career prospects similar to the Latin countries have been identified in the collective research (Laparra et al., 2004); yet it is the social perception of the phenomenon, linked to a different ‘normative system’, which appears completely different.

For its part, Denmark displays completely different characteristics: while it is well known that on all cross-national comparisons (OECD employment protection indicators), the Danish labour market scores as equally ‘flexible’ as the British one, no perception of ‘employment precariousness’ exists there. Danes, who are easily hired and fired, enjoy a generous social protection coverage, which, for the low and lower median income groups, nearly compensate for temporary loss of income, which ends up with an amazing reality for the majority of Europeans: poverty rates are only slightly different for the employed and the unemployed (Jørgensen, 2002).

Conclusions: «flexibility/security/quality» regimes?

Finally, cross-national comparison of ‘employment precariousness’ is still in its infancy; the same applies to the on-going process at EU level of benchmarking ‘quality in work’ or ‘quality of jobs’ (Barbier, 2004). Quick-fix comparisons based on gross and inadequate indexes, like the ‘temporary employment’ notion or other proxies like part-time

jobs are bound to display the same shortcomings. In this respect, Rodgers and Rodgers (1989) came to the same conclusion as we did 15 years on. To go further, it is necessary to understand more in-depth the nature and components of what we tentatively termed ‘flexibility/security/quality’ regimes prevalent in such and such a country (Barbier, 2002c).

These regimes are the products of systemic interactions between elements: a national system of social protection (NSSP⁵⁹); an industrial relations system; an ‘employment and activity’ regime (i.e. a stable distribution of participation in the labour market across ages and genders). These shape conditions for a particular conception of what is considered *normal* employment. These elements are consistent with a fourth element, a ‘normative system’, i.e., a set of values and norms⁶⁰, valid for a certain period, and ‘expressed’ in regulations, collective agreements and practices in firms.

With regard to ‘employment precariousness’, a crucial element of the ‘normative systems’, which are so different across nations, is the notion of what is ‘suitable’ for a job, and what is ‘acceptable’ for a job offer⁶¹, for instance by the Public Employment service to the unemployed.

Regulations and informal or conventional agreements that shape the conditions for an equivalent of ‘employment precariousness’ to emerge in a specific national framework comprise three categories: (i) those *explicitly* devised to limit and contain *employment* flexibility (among which are those relating to atypical forms of employment) as well as *employment* insecurity or, more positively, to enhance the quality of jobs; (ii) policies and regulations that have the same effect without being agreed upon for such an explicit purpose; and (iii) finally those which, on the contrary, enhance or increase employment flexibility and insecurity or degrade the quality of jobs.

Different national normative systems are legitimated (and de-legitimated) and prevail in each society for a certain span of time. They define the broad and particular dimensions of what is (or is not) ‘acceptable’ or ‘suitable’ (*zumutbar*, *convenable*, *adecuado*, are among the terms used) with regard to employment relationships. They express demands put on employees (wage-earners⁶²) in terms of instability, working conditions, labour standards, wages, insecurity. Although different, these demands are very intimately linked and articulated to the parallel and various ‘acceptability’ for what is demanded from the unemployed or the assisted for benefits’ eligibility.

Very often, within a country, a great part of the normative framework is implicit. But, seen in a comparative context, the possible implicit content of these national norms tend to emerge explicitly. Understanding ‘employment precariousness’ in a cross-national perspective (and the grounds upon which policies are designed and legitimated) thus entails an in-depth analysis of these standards of acceptability. These diverge hugely across countries⁶³.

⁵⁹ For the notion, different from ‘welfare regimes’ (Esping Andersen, 1999), see Barbier and Théret (2003).

⁶⁰ Also consistent with a dominant political discourse.

⁶¹ The interesting German notion in this regard is *Zumutbarkeit*, which, in the context of the present German reforms, is widely discussed in the country, referring to the characteristics (pay, distance, qualification, etc.) which might be considered ‘acceptable’ for the unemployed and the people eligible to social assistance.

⁶² Of course the “quasi-self-employed” category is a key question here, especially in certain countries.

⁶³ Insights on this can be drawn from opinion surveys (cf. for instance the surveys presented in Gallie and Paugam, 2000). Moreover, sub-sectors of the active population enjoy (or suffer from) ‘sub-norms’ which can be much less acceptable to the majority or on the opposite, much higher standards. For instance a norm of “precariousness” for the young, or for women, is legitimised in France and Spain, as a different one from the

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norm for the male 25+ employee. By the same token, a norm for photographers or for cultural workers is legitimised and different from the mainstream norm.

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