

French president pushes for labor law vote as unions try to defuse protests

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As Labor Minister Myriam El Khomri's labor law returned yesterday to the National Assembly from the Senate to reconcile the versions passed by the two houses of the French parliament, the Socialist Party (PS) is desperate to impose the law in the face of mass popular opposition. Having already threatened to ban protests against the law under the state of emergency, the PS government of President François Hollande is working with the unions to wind down opposition.

The changes to the bill made by the Senate, dominated by the right-wing The Republicans (LR), make it even more damaging to workers. The Senate cut out token programs for unemployed youth the PS put in the law, and reinstated limits on the penalties judges can impose on employers who carry out mass sackings that violate existing labor law. This measure, initially removed by the PS as a sop to the unions, will again allow employers to evade laws on mass sackings. Companies will calculate the fine they will face and include it as part of the costs of closing down operations.

Above all, the Senate validated Article 2 of the law, which allows companies and unions to negotiate company-level contracts that violate industry-level agreements and also the national-level protections of the Labor Code.

In an interview Wednesday with business daily *Les Echos*, Hollande pledged to impose the law, if necessary by imposing it without a vote under emergency powers in Article 49.3 of the constitution. “The law will be voted and promulgated on schedule,” he said. “I hope a majority [in the National Assembly] can be found. If not, Article 49.3 will again be used.” He added that Article 2 of the El Khomri law would be maintained “in its current form.”

Nonetheless, the trade unions are signaling that they

are prepared to wind down the protests and to limit opposition to the El Khomri law and various contracts that are being negotiated under the terms of the law, including in the rail and auto industries.

Yesterday, Jean-Claude Mailly, the leader of the Workers Force (FO) trade union, indicated that his union, which has participated until now in protests against the El Khomri law, was preparing to pull out of them. He noted that the law still allows employers to dictate draconian terms to workers: “What is negative, is that decisions on overtime, night work, and part time are still up to each company.”

He cited discussions with Prime Minister Manuel Valls making clear that, with the El Khomri law, the PS is consciously setting out to lower workers' living standards: “Article 2 has become a fetish for them. The prime minister is completely fixated on this, so much so that I asked him whether he supports the cutting of workers' purchasing power. He did not reply.”

Nonetheless, when asked about FO's participation in the next set of protests against the law, set for July 5, Mailly said: “We are not, for the moment, in a frame of mind to continue protests.”

The Stalinist General Confederation of Labor (CGT) union, which is for now calling for continued protests, has for its part played a critical role in allowing the “basic decree” for the railway industry, which is linked to the El Khomri law, to pass. The decree was launched at the same time as the El Khomri law; its purpose is to facilitate the break-up of the French National Railways (SNCF) and the privatization of the industry, which is to start next year and to be completed by 2023. The decree allows for contracts to be negotiated on a plant-by-plant basis inside the SNCF.

The CGT and Solidarity Unity Democracy (SUD), the union federation close to the petty bourgeois New

Anti-capitalist Party (NPA), together received 51 percent of SNCF workers' votes in the last union elections and were therefore in a position to block the adoption of the decree. Nevertheless, they did not do so.

The CGT refused to sign, but did not vote against adoption of the decree, thus allowing it to pass. This gave SUD the luxury of voting against the rail decree, without risking a confrontation with the PS government or explicitly pro-PS unions like the French Democratic Labor Federation (CFDT). By allowing the decree to pass, the CGT is also cynically positioning itself to deal with the explosive situation that is set to emerge after the adoption of the PS' reforms.

Because the CGT did not sign the agreement, it will now be excluded from future negotiations on site-by-site givebacks on the SNCF company-wide agreement. These talks will now be dominated by pro-PS unions like the CFDT, which all explicitly support the El Khomri law. This allows the CGT bureaucracy to play at Pontius Pilate, washing their hands at every new giveback, or even making a few token criticisms, while they in fact played a critical role in engineering this situation.

These developments raise critical issues of political perspective and strategy for workers and youth seeking to oppose the agenda of austerity and social retrogression imposed by the PS, in line with governments across the European Union (EU). The EU is collapsing under the impact of the British vote to exit the EU, and mass protests in Belgium and Greece have highlighted mass opposition in the working class to the EU agenda of austerity and building up military and police-state powers.

Nevertheless, this opposition in the working class cannot be mobilized without building a new revolutionary political leadership in the working class. The petty-bourgeois parties that for decades have passed for being the “left” of the PS in France, the Left Front and the NPA, have conclusively demonstrated their bankruptcy in the course of the struggle against the El Khomri law. Having called for a Hollande vote in 2012, helping the PS come to power, they effectively handed over control of opposition to the El Khomri law to the unions.

The CGT, SUD and FO, who had mobilized no opposition to PS austerity measures prior to this year,

organized substantial protests under conditions of explosive popular anger against the law, initially concentrated among the youth. However, they did not intend to organize a political struggle against the PS government, which they had also supported in the 2012 elections, or the broader crisis of European capitalism. Mailly and CGT General Secretary Philippe Martinez simply sought whatever concessions could be obtained from the PS.

The PS was violently hostile to protests, however, sending hordes of riot police to attack them, and then finally threatening to ban them outright—a decision unprecedented since the Algerian war, more than 60 years ago. The state of emergency imposed in the aftermath of the November 12 attacks in Paris proved to be aimed squarely at the social rights of the working class.

Now, when it is plainly evident that the PS will not negotiate any concessions, and that further opposition is leading to a direct confrontation with the state, Mailly and Martinez are moving to gradually bring the protest movement they organized to a close.

There is still explosive opposition among workers. Media reports that take the demoralization of Mailly and Martinez as representative of the state of social opposition to the PS more broadly are a mixture of official pro-PS propaganda and wishful thinking on the part of journalists and politicians anxious to pass the law. However, the actions of the CGT and FO constitute a warning: opposition can only take the form of a politically independent struggle against the PS government and its petty bourgeois allies, outside of the official channels of “social dialogue” between the unions and the state.



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