

# Mélenchon and Socialist Party launch symbolic legal challenge to French labor law reform

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Jean-Luc Mélenchon's group in the National Assembly is mounting a legal challenge to a bill enabling French President Emmanuel Macron to reform labor legislation unilaterally by decree. With Socialist Party (PS) and French Communist Party (PCF) deputies, it launched an appeal against the bill, now approved by the Assembly and the Senate, to the Constitutional Council.

This is the reaction of Mélenchon's Unsubmissive France (LFI) movement, of the PS, and of the Stalinist PCF to growing working-class opposition to Macron's reforms. According to an Institute Elabe poll for BFM-TV, 61 percent of French people oppose the president's proposed reform of labor law. Three months after his election, Macron only has a 36 percent approval rating, according to a YouGov poll; it is the lowest level for a president who has so recently been elected in over 20 years, since Jacques Chirac in 1993.

Mélenchon's decision to ally with the PS—which initially presented the reactionary labor law that Macron now intends to propose, but took out the measures Macron is now proposing in the face of mass protests—underscores that he is laying a trap for the workers. The legal challenge is a cynical propaganda maneuver. The PS has no intention of blocking a measure that it first proposed itself, and that continues the austerity policy it carried out under former PS President François Hollande.

The appeal is “principally over the lack of clarity on the powers given to the government in the decrees and on the right to a full repayment of damages suffered due to illegal sackings,” stated a joint communiqué published by Mélenchon (LFI group), André Chassaigne (PCF group), and Olivier Faure (New Left-

PS group).

They continue, “The adoption procedure of this law was marred by delays and material conditions that prevented the parliament from playing its constitutionally specified role, and tramples in particular on the demand for clarity and sincerity in parliamentary debate. By sowing confusion on the measures being prepared, the law...gives the government full latitude to modify the Labor Code at will, without any guarantee that workers' fundamental rights will be respected.”

To launch an appeal to the Constitutional Council, at least 60 deputies' votes are needed. LFI, the PCF, and the PS rump jointly explained that “a joint initiative is the only way to allow our groups to appeal to the Constitutional Council and ensure that the bills voted by the majority are constitutional.”

The Constitutional Council now has one month to reach a decision. However, given the overwhelming support within the ruling class for Macron's austerity policies, the appeal has no chance of successfully halting the onslaught of attacks against the working class. Several press reports indicated that the Constitutional Council is expected to rapidly render a judgment, well before the end of the month, in order to eliminate any uncertainty over the fate of the reform.

While proclaiming the death of the “left” in populist tones, Mélenchon is maintaining his ties to the discredited PS and trying to pass it off as an opposition party after it was discredited by Hollande's record. The PS imposed its labor law, attacking the Labor Code, by using emergency powers and without a vote in parliament. It brutally repressed protests last spring and summer, particularly by university and high school

students, mobilizing riot police under France's state of emergency.

When physical repression failed to intimidate the workers and youth, then-Prime Minister Manuel Valls threatened to ban strike protests against the law. This was a fundamental attack on democratic rights, insofar as the right to strike is constitutionally protected. The attack nonetheless reached its goal, as the trade union bureaucracies reacted by immediately calling off further protests, apart from one symbolic protest in the autumn.

While it succeeded in imposing its labor law, the PS had nonetheless taken out certain elements, like limits on fines to employers for unfair dismissal, and the right for companies to violate industry-level accords and the national Labor Code, that Macron now aims to reintroduce by decree.

The decision of the PS to launch a joint appeal with Mélenchon does not signify any shift in its position on the points that Macron is now trying to impose again. Thus, the deputy of the New Left/PS group told *Le Parisien* that he opposed Mélenchon's criticisms of Macron: "We are not certain that we are prepared to accept the tone that LFI takes. And besides, we do not have the same conception of how to oppose the government."

The political character of the opposition movement that Mélenchon pledged last month to build against Macron is ever clearer. It is not a question of mobilizing the working class to take power, but to sow illusions and false hopes about the role of the old trade unions and PS bureaucracies, which were discredited by their role under Hollande.

Mélenchon plans to exploit certain layers of youth and workers, mobilized under the control of the traditional bureaucracies, to boost the strength of the small, impotent LFI minority in the Assembly. This minority has also sympathized directly with the army, having backed the budget requests of the former chief of staff, General Philippe de Villiers. Mélenchon is also seeking to coordinate with the trade union bureaucracies who will organize a few protests, while negotiating the "trade union check" and other pseudo-legal bribes Macron aims to give them in his decrees.

Mélenchon's perspective flows directly out of his cowardly role during the presidential election this spring. Mélenchon refused to call for a boycott of the

election between Macron and neo-fascist Marine Le Pen, to mobilize the working class on an independent line against the incoming government. With this total abdication of his political responsibilities, he implicitly supported a vote for Macron against Le Pen.

Opposed to an independent struggle of the working class, Mélenchon then peddled illusions that his LFI party could win the legislative elections and impose its policy on Macron with Mélenchon as prime minister. In the event, the PS and Mélenchon together are barely able to win a small rump in the Assembly.

The entire strategy of Mélenchon aims to control and demobilize the workers. Its central characteristic, as his alliance with the PS shows, is its national and parliamentary orientation. This strategy cannot and will not be anything other than an impediment to the development of struggles that will erupt in France and across Europe in the coming months and years.



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