

Spain: PSOE-Podemos prepares new repressive laws against strikes, protests

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The Socialist Party (PSOE)-Podemos government is preparing to review the penal code to criminalise protests and strikes, as the worst economic and social crisis in generations propels the working class in Spain and across the world into struggle, intensified by the NATO's war against Russia in the Ukraine.

The PSOE-Podemos government is claiming that it is reviewing the sedition law, used by it and the previous right-wing Popular Party (PP) government to persecute the Catalan nationalists after the failed secessionist referendum in 2017, as a step to “defuse” the situation in Catalonia.

In words of Prime Minister Pedro Sánchez on *LaSexta TV*, “We have a criminal code which, when it comes to certain crimes, is not comparable with the main European democracies”. The offence would be renamed “aggravated public disorder” and would carry a maximum prison sentence of five years rather than the current 15.

The PP and neo-fascist Vox are mounting a campaign claiming that this measure is tantamount to treason. In a statement, the PP said that Sánchez was “using all the powers of state to pave the way for those who want to combat it”.

The campaign on both sides, however, obscures the real aim of the “review”: the criminalisation of protests and strikes. The new proposed wording of the crime of public disorder states: “Those who, acting in a group and threatening public peace, carry out acts of violence or intimidation will be punished with a prison sentence of between six months and three years if they act: a) against people or things or b) obstructing public roads causing a danger to the life or health of people; or c) invading facilities or buildings”.

This wording criminalises normal forms of protest—a picket that blocks the entrance to a factory, eviction protests, students occupying a university or college, and even changing the route of a demonstration not officially

communicated to the authorities.

Sanctions may be extended to five years in prison if they occur in a mass demonstration, and workers, particularly civil servants, may face losing their jobs. The review initiative states the above acts “will be punished with a prison sentence of three to five years and special disqualification from employment or public office for the same time when they are committed by a crowd whose number, organization and purpose seriously affects public order.”

The change will have little effect on the persecution on Catalan nationalists, the alleged target of the reform. There are currently 3,000 defendants in 44 cases for participating in mobilisations in favor of the Catalan independence process or against its repression. None of them will benefit from this legal change.

Victor, one of these defendants, summed it up in an interview with *El País*: “I have been prosecuted for three years and the Generalitat [Catalan government controlled by the nationalists] throughout this process has been part of the prosecution. Today I am accused by the same ones whose rights I demonstrated for in 2019. They have left us stranded and I face seven years in prison?”

The nine Catalan political leaders, jailed for nine to 13 years convicted in 2019 in trumped-up charges and a show trial, have already been released after back-door negotiations between factions of the ruling class in Madrid, spearheaded by the PSOE-Podemos government, and in Barcelona, led by the Catalan nationalists, over the disbursement of billions of euros in European Union bailout funds.

The PSOE-Podemos government is arguing that its changes to the penal code will be interpreted in order to defend democratic rights. This is a lie. The Spanish judiciary has repeatedly given the most reactionary interpretation of the law to ram through attacks on democratic rights, while allowing police violence on

protestors, strikers and migrants.

The judiciary follows in the footsteps of the growing attacks on democratic rights by the PSOE-Podemos government. Over the past three years, amid mounting opposition against austerity, its “let it rip” COVID-19 policy and rising inflation, it has jailed a rapper for criticising the police and the monarchy, the first musician imprisoned in Spain since the fall of the fascist regime led by Francisco Franco.

Earlier this year it deported Algerian whistleblower and activist Mohamed Benhalima, and worked with Polish authorities to detain Spanish journalist Pablo González—who continues to languish in prison after eight months in preventive detention in Poland on fraudulent accusations of spying for Russia. Against the working class, the PSOE-Podemos government has repeatedly used minimum service legislation to break strikes, most recently on health workers and airline crew, and deployed the police to crush strikes by truckers and metalworkers.

The attack on workers’ rights by the capitalist elite is a global phenomenon. In France, the “President of the rich” Emmanuel Macron requisitioned striking oil refinery workers to end a two-week strike. In Britain, the right-wing Conservative government is in the process of adopting legislation that will effectively illegalise strikes and protests. In the US, the Biden administration is conniving with the union bureaucracy and rail companies to block a strike by over 120,000 rail workers.

The abrogation of workers’ rights makes a mockery of the incessant claims by these very same governments to be engaged in a crusade for “democracy” and “human rights” against “Russian aggression” in Ukraine.

Podemos is claiming that, given the current correlation of forces, it can do little about the review. Jaume Asens, one of the chief spokespersons of Podemos in parliament, declared, “The correlation of forces is what it is, and we are a party that has the strength it has compared to the PSOE”. He added, “Obviously, the occupation of facilities was put by the PSOE, not us.”

This is another lie. In fact, the PSOE depends on Podemos votes to pass its legislation through the Spanish Congress. This effectively gives Podemos veto power over the PSOE’s legislative agenda. However, it has deliberately decided not to exercise this power, instead ramming through social austerity, military spending increases, bank bailouts, and attacks on basic democratic rights.

Podemos is a pro-imperialist party, fully engaged in waging war against the working class at home and

NATO’s proxy war against Russia in Ukraine. If Podemos had the upper hand in the coalition, it would act no differently than its PSOE partners. In Chile, workers have repeatedly been met with police repression by Podemos-backed Gabriel Boric’s government. Workers and migrants under the Podemos-backed SYRIZA government (2015-2019) in Greece likewise faced brutal repression at the hands of Prime Minister Alexis Tsipras.

Also complicit in this reform are the Catalan nationalists, who over the years have been the chief victims of Madrid’s crackdown. Catalan regional premier Pere Aragonès defended the review saying it is “an indispensable step” towards “dejudicialising” efforts to find a solution to Catalan question.

It confirms the repeated warnings made by the WSWs that the attacks against Catalan nationalists would later be deployed against the entire Spanish working class so as to press forward with rearmament, participation in imperialist wars, and the brutal austerity agenda that all sections of the Spanish establishment have implemented since 2008. Workers, as we warned, could not rely on the Catalan nationalists to defend democratic rights.

The trade union leaders have not even discussed how the new legal changes will directly threaten its own members. Instead, they too have participated in the charade, defending it as a way of “defusing” the Catalan situation.

General Secretary of the Podemos-linked Workers’ Commissions (CCOO), Unai Sordo, said, “It seems appropriate to us that obsolete legal forms be adapted and, in this case, crimes that are clearly obsolete with respect to comparative European legislation.” The general secretary of the UGT, Pepe Álvarez, described the changes as “brave”, adding, “It is not an issue thought for Catalonia, but thought for Spain and coexistence”.

Workers and youth must take this conspiracy to undermine democratic rights seriously. The fight against repression requires a struggle against the entire political establishment, and its programme of war and authoritarianism. This must be based on mobilising the Spanish, European and international working class, the constituency for a genuine fight against capitalist reaction and in defence of democratic rights.



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