

# Hollande's Party - The French SP's transformation

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**François Hollande has hastened the French Socialist Party's transformation into a vehicle for business interests.**

## Contents

- [Hollande's Worst Enemy](#)
- [The Cabinet Shifts](#)
- [The Reforms](#)
- [The Citizenship Debate](#)
- [The El Khomri Laws](#)
- [The Uprisings](#)
- [The Broader Picture](#)

France's Socialist Party (PS) government is being pummeled by criticism from the Right, the Left, and civil society more broadly. François Hollande's government's approval ratings hover around 13 percent, making him the Fifth Republic's least popular president.

Hollande's response to this unpopularity has been a concerted move to the right, strengthening a tendency initiated in August 2014. Lately he and Prime Minister Manuel Valls have taken a more authoritarian turn, maneuvering to centralize power and muzzle contestation, much of which comes from their own party.

These moves may have dire consequences in the 2017 presidential election, paving the way to victory for the far-right National Front (FN).

## Hollande's Worst Enemy

The 2012 election broke a seventeen-year streak of right-wing presidents (in 2007, two-term president Jacques Chirac was replaced in the Élysée by fellow party member Nicolas Sarkozy) when the Socialist Party (PS) was elected as the head of state and shortly after granted a parliamentary majority.

François Hollande was elected on a message of change, hope, and renewal. His key campaign promises included a 75 percent tax rate on earnings over a million euros, as well as increased social security and benefits. He also promised, in a now-famous speech called the *Discours du Bourget*, to rein in his "worst enemy" — "the world of finance."

Hollande was initially backed by a solid majority in the legislative assembly and appointed a strong and bold government. He invited members of the Green Party (EELV) to hold important ministry positions; half of his appointees were women (another key campaign promise); and he surrounded

himself with confident, young left-wingers.

This hopeful beginning was burnished by an early win. Hollande passed the so-called “*Loi Taubira*” law (named after the charismatic justice minister) authorizing gay marriage and adoption despite a well-organized mass movement from the reactionary right [1]. The executive victory strengthened his authority and credibility.

But Hollande’s effort to tackle the “world of finance” was less successful [2]. Both the Right and the center-left (and according to polls a majority of French taxpayers) opposed his 75 percent “supertax.” The policy was referred to the Constitutional Council (France’s Supreme Constitutional Court) and was ultimately ruled an unlawful discrimination against the wealthy in late 2012.

The ruling was a blow for Hollande, who had made the policy a centerpiece of his campaign. Things got worse from there.

In December 2012, *Mediapart*, one of France’s most respected independent news sources, alleged that Jérôme Cahuzac [3], the junior minister for the budget, had illegal offshore bank accounts in Switzerland and Singapore.

The accusation sparked a media fiasco, during which Cahuzac proclaimed his innocence before the National Assembly only to make a teary-eyed confession on the evening news a few months later.

Cahuzac’s flip-flopping was extremely embarrassing for François Hollande and his government, considering his promise of a “normal” and “moral” presidency following Nicolas Sarkozy’s flamboyant five-year term, which was riddled with scandals.

Indeed, the Cahuzac affair proved to be a turning point. Hollande began to pivot, slowly but surely, towards the center of the political spectrum, hoping to keep moderate allies in the fold and limit voters’ defection to the Right.

A book published by *Mediapart* thirty months after Hollande’s election provides an exhaustive summary of the first half of his five-year term [4].

This right-wing transition includes a number of instances where the executive team either fell short of what they had promised, or fully turned their backs on left-wing policies: the banking reform of January 2013 which was sold as a Glass-Steagall *à la française*, but ended up being nothing but a minor inconvenience for those engaging in dangerous speculation; the record-breaking amounts of undocumented immigrants being deported [5]; the discontinuation of the project to give non-citizens voting rights in local elections; and the *Pacte de responsabilité* which provided capital with huge financial gifts in exchange for promises to boost employment.

Needless to say, the Hollande government’s left flank was not pleased. A dissenting faction emerged within the Socialist Party emerged called the *frondeurs*.

The *frondeurs* posed a problem for Hollande. They categorically, and vocally, refused to follow his strategic realignment, constituted a significant fraction of the PS legislative majority, and, perhaps most importantly, held key positions within the government.

There is no clear divide between the *frondeurs* and the governmental forces of the PS. Martine Aubry [6] for instance portrays the ambiguous position some socialists find themselves in. Currently the mayor of Lille, she is widely recognized to be on the PS’s left wing.

However, she cannot fully be accounted as a *frondeur*. She has explicitly stated her *ras le bol* of the

executive's increasingly liberal positioning, and has co-signed press releases that were wildly critical of the government's policies.

Yet Aubry decided to support Hollande's line in the 2015 party congress, and has so far refrained from openly waging political warfare against the executive. (However, this month she announced that she would be holding a national convention only days before the annual meeting organized by the PS [7]. This clear jab underlines her quest for national recognition, and makes of her one of the most credible social-democratic challengers to the pro-governmental forces of the PS.)

Nonetheless, the presence of the opposition undermined the government's credibility and its ability to rule efficiently. But instead of rethinking his rightward shift to regain the trust of his erstwhile comrades, Hollande reorganized his cabinet.

## **The Cabinet Shifts**

The first instance of cabinet cleansing happened in April of 2014. Jean-Marc Ayrault, until then prime minister, resigned and was replaced by Manuel Valls, who had been minister of internal affairs. Valls — who had gotten a mere 5 percent of votes during the PS's 2011 primary elections — was known to be on the party's right wing.

The resulting government — called “a combat government” by its creators — promised to be bold, to force its way through political divisions (both within and between parties), and implement possibly unpopular policies for the common good.

August 2014 saw a more in-depth shuffling. Hollande and Valls kicked out, or reassigned, nearly everyone in government. Party members who were amenable to Hollande's political shift replaced the frondeurs.

People like Arnaud Montebourg (minister of productive recovery) and Benoit Hamon (minister of national education) — both key figures of the PS's left wing — were removed from office.

In fact the only “outsider” who remained was Christiane Taubira, whose rare public interventions made her relatively safe.

She had become such a symbol of the government's leftist origins through her gay rights legislation that removing her might have been more harmful than helpful at that point.

The new government included a number of young politicians, who had declared loyalty to Hollande's PS.

Among them was Emmanuel Macron [8], a graduate from France's top administrative school, who held a degree in philosophy, was an ex-Rothschild employee, and a self-proclaimed fiscal liberal. To the surprise of most, who had never heard of him, he was appointed to the Ministry of Economy.

Macron's nomination was a defining moment for Hollande's presidency. It signaled his complete break with traditional left-wing economics. Almost immediately after being appointed, Macron made headlines by saying that France's iconic thirty-five-hour workweek should be reconsidered.

Macron became a key member of Hollande's government. He was young, charismatic, media-savvy, extremely articulate, and often made headlines with his provocative positions.

His ideological ambitions seemed to trump his careerist incentives — an appreciable quality even

from those who disapprove of his policies. His political positions didn't fluctuate according to polls like some of his colleagues', and he often openly disapproved of the government's line on key issues.

This made Macron somewhat of an outlier within the government — a seemingly principled individual amid a sea of professional politicians. He quickly became the de facto leader of a movement within the PS: young, fiscally and socially liberal, market-friendly, free-enterprise loving, tech start-up promoting; a branch that represented what the French call *bobo* values [9]. This new image found traction with large swaths of the French public.

Yet Macron also had many critics on the Left who dubbed him the poster boy for the government's liberal turn. Protests followed him, and slogans often used his name to demonstrate popular discontent. Animosity toward Macron heightened once he began to push for reforms.

## The Reforms

In late 2014, the Hollande government put forward a bill, commonly known as the Macron Law [10]. The bill's most controversial provision regarded Sunday work.

France, like most of Europe, traditionally took Sundays off; most goods and services could not be purchased on that day. Macron hoped to change that. His law opened the door for employers to run their businesses seven days a week.

The Sunday provision was part of a broader push in the bill to liberalize French markets and reduce government regulation.

Conservatives declared France's labor laws excessive, and blamed them for dampening property owners' desire to hire, produce, and invest. Deregulating labor markets, they argued, would kick-start their naturally benevolent properties.

This argument did not go over particularly well with French citizens who, for the most part, were not very keen on working on Sundays, and who had elected a left-wing government only to see it enforce even more right-wing policies than the previous one. People took to the streets to voice their discontent.

All the major trade and student unions organized demonstrations across the country. Debates about the possible virtues and shortcomings of the bill took place on virtually every platform imaginable. The National Assembly (the lower house) debated every aspect of the plan for hundreds of hours.

This rampant, and highly publicized criticism, both from within and outside of its party, was unpleasant for the government, who saw its legitimacy being questioned. After trying, and failing, to get the bill adopted by its congressional majority, the PS decided to change its approach.

In February 2015, Manuel Valls announced to the National Assembly that he would use a constitutional technicality (Section 49-3 of the French Constitution) to accelerate the adoption of the bill [11]. This measure is only used when the executive branch doubts that the legislative branch will follow its lead.

The 49-3 section of the French Constitution reads as follows:

*"The Prime Minister may, after deliberation by the Council of Ministers, make the passing of a Finance Bill or Social Security Financing Bill an issue of a vote of confidence before the National Assembly. In that event, the Bill shall be considered passed unless a resolution of no-confidence,*

*tabled within the subsequent twenty-four hours, is carried [with the approval of 10 percent of the assembly, or 28 individuals].”*

If this motion is successfully put forward, a vote of confidence has to take place. If a majority of members of the National Assembly (288 individuals out of 577) votes against, the government is forced to resign. If not, the bill is adopted by the lower house, and goes to the Senate to be examined.

From the outside this would appear a prohibitively risky decision on the government's part: if it cannot find a majority of parliamentary votes in favor of its bill, one would assume that consequently, a majority of the room would vote against the government staying in office.

But in French reality, this is not the case: no government has ever been ousted in this way, despite some having used this procedure repeatedly.

Why? France has a history of political sectarianism. Overtly siding with the adversary is considered to be politically treasonous, and is not generally tolerated.

So while the Left and the Right may agree on overthrowing a government, the former will not vote in favor of a motion of confidence put forward by the latter, and vice versa. Because of this, using the 49-3 carries little risk.

Valls and his government are by no means the first to circumvent the lower house of Congress in order to accelerate the political process. In fact, most prime ministers of the Fifth Republic have relied on it at one point or another [\[12\]](#).

But there is something to be said about the circumstances under which one may reasonably use this provision of the Constitution.

In the case of the Macron Law, the government was trying to push a set of policies, which clearly violated Hollande's campaign promises, and enjoyed neither parliamentary nor popular support.

This was far from being the case in 1989, for example, when Prime Minister Michel Rocard resorted to the 49-3, in order to create the *Conseil Supérieur de l'Audiovisuel* (CSA), the administrative authority in charge of regulating television and radio, which was one of President François Mitterrand's campaign promises, and was supported by French citizens.

In total, Macron and his government pushed past parliament three times, before reaching a deal with the right-wing Senate in July 2015. The legality of this maneuvering is disputed; since 2008, the Constitution says that the 49-3 section may be used only once per parliamentary session.

Valls's government used it three times in a span of seven months. They justified the breach by arguing that it was the same bill each time (with minute modifications) and thus acceptable.

The maneuvering worked. Macron got his way.

A piece published in June 2016 by the government boasts that the bill has created 1500 jobs in the transportation sector, deregulated tourism zones, and increased telecommunication services across the country [\[13\]](#).

It omits the working conditions of those who have gotten these new jobs, the probable long-term negative effect of deregulating markets to please tourists, and the remaining one thousand communities that still lack access to 3G networks.

## The Citizenship Debate

In late 2015, France was not a happy place. Unemployment was rampant, pauperism was on the rise, and internal divisions were more present than ever.

When terrorist attacks hit the heart of Paris for the second time in a year, the Hollande government faced a serious crisis.

With the advantage of an exceptionally united Congress given the tragedy, the president announced a plan to amend the Constitution to make it possible to strip individuals convicted of terrorism of their French citizenship. The Left was furious.

Initially, the drafted law only applied to dual citizens, who thus had another nationality to fall back on should they be stripped on the French one. The bill posed a number of moral problems.

Drafting a law which applies only to dual citizens mechanically means that there are two types of nationals: those who can have their citizenship revoked because they are also citizens of another country, and those who are not subject to this law.

This two-tier system also presumes that dual citizens are potential traitors, whose allegiance the *république* and its values question by definition.

In an effort to attenuate criticisms, the government inexplicably decided to revise the law in order to make it applicable to all, regardless of nationality or lack thereof.

The policy was right out of the National Front's playbook. It was also illegal. The 1954 Convention Relating to the Status of Stateless Persons (which France ratified) prohibits the creation of stateless individuals [\[14\]](#).

Huge debates took place throughout France. Yet the deliberations bordered on the absurd. It is hard to believe that a terrorist would be coerced into abandoning his or her crusade for fear of losing French citizenship.

Moreover, out of the dozen individuals who organized the two terrorist attacks in France in 2015, only one was a French national. Even the government admitted that the constitutional amendment would be purely symbolic.

Yet the Hollande administration, and especially Valls, pushed strongly in favor of the amendment, fomenting profound divisions within France's political class.

Left PS MPs and also members of the moderate right were ready to fight tooth and nail against the reform. Even Christiane Taubira officially opposed the amendment in January of 2016.

Taubira had already been a bit of an outcast inside the government, the closest member to the *frondeurs* who hadn't been kicked out.

Despite her important symbolic role, she crossed a line in opposing the constitutional amendment. Hollande gave her an ultimatum and she chose exit: "Sometimes, to resist is to leave" she told journalists as she packed her things on January 27.

Ultimately, the Valls government was unable to gather enough political power to push through the constitutional amendment [\[15\]](#).

The bill was adopted by the National Assembly, but the Senate strategically voted in favor of another version. Without bicameral union, the proposal was defeated.

## The El Khomri Laws

The Hollande government's most recent reform efforts are also potentially the most far-reaching. A new bill, named El Khomri law after the current minister of labor, promotes a profound restructuring of worker-capital relations [16].

If passed, it would lengthen the legal work-time, both daily and weekly, and diminish overtime pay. It would also make it easier to fire workers, limit their separation pay, and eliminate a number of guaranteed holidays.

In addition, it would allow the use of referendums in workplaces, which would need only 30 percent approval in order to bypass union-based decisions.

The most troubling aspect of the bill however is its proposal to reverse France's "hierarchy of norms." In France, both companies and workers (through their representatives) have a legal say on rules concerning labor.

Companies make decisions regarding their particular workplaces — salary, paid leave, work schedules, etc. — within a framework of minimum standards laid out in industry-specific branch agreements, which are negotiated by worker representatives and employers in each industry.

Currently, employers are required to abide by the regulations laid out in the branch agreements, giving workers a stronger voice in their employment condition. The El Khomri law inverts this hierarchy, shifting the balance of power further in favor of business.

The bill regurgitates classic capitalist logic: the problem with the French economy is that workers are too protected, thus incapacitating the naturally benevolent market forces, preventing them from doing their magic.

Unsurprisingly, the bill has gotten rave reviews from people like Pierre Gattaz, the leader of the Movement of the Enterprises of France (MEDEF, the bosses union), and right-wing billionaire Serge Dassault [17].

## The Uprisings

The bill has also generated angry resistance. Caroline De Haas, a feminist militant and Left Front member, started an online change.org petition to challenge it, that has since become France's most-signed petition in history with over 1.3 million signatures [18].

A protest movement inspired by Occupy and the Spanish *indignados* called Nuit Debout has also emerged, occupying Paris's Place de la République for over a month, and demonstrations, both peaceful and violent, have been taking place throughout the nation.

The backlash has forced the government to reconsider its approach. In an effort to counter the movement, it has drafted a revised version, which eases back on the most polemical elements.

With these maneuvers, Hollande and Valls have managed to rally the most moderate opponents

(amongst which is the CFDT, a center-left trade union), but still face overwhelming criticisms.

To sidestep these criticisms and pass the revised, yet still wildly unpopular, bill the government announced in May that despite promises to the contrary it would once again use the 49-3 article of the Constitution to force the bill through parliament.

Hollande's heavy-handedness came as a shock to many. Such a bill, contested both from within and out of the political class, did not seem like legitimate 49-3 material.

As dictated by the Constitution, opponents began organizing immediately [\[19\]](#), in order to place a motion of non-confidence within twenty-four hours.

In a rare occurrence, the Left decided to ally with the Right: members from the Left Front signed the motion of no confidence put forward by the republican legislators.

The *frondeurs*, however, quickly found themselves in a bind. They had initially announced that they would also sign the motion, thus creating a real threat to the government, with a rare instance of bipartisan support where one of the supporting groups came from the ruling party itself.

But upon learning of this eventuality, Jean-Christophe Cambadélis, the first secretary of the Socialist Party, threatened to permanently eject the *frondeurs* from the party if they followed through in supporting the motion.

The motion put forward by the Right was ratified by the necessary 10 percent of National Assembly members which pushed it to a general vote, but it garnered only 246 approvals, falling short of the 288 needed.

A second motion was put forward by the *frondeurs*. It was a symbolic gesture, since no one dreamed that it would yield enough votes to pass the 10 percent threshold, but it displayed the high level of factionalism in French politics. Ultimately, it fell two votes short of the twenty-eight needed.

Despite this loss, months after the bill's introduction, contestation is still going strong. Alongside repetitive protests, the CGT — France's biggest trade union — has organized a variety of strikes, which momentarily paralyzed the country.

This represents the biggest social movement since 1995, when people took the streets to protest the Right's reforms of social security and retirement plans.

The oil sector branch of the union began blocking access to oil refineries. Up to 20 percent of the country's gas stations were affected in late May [\[20\]](#), forcing the government to dive into the emergency reserves it had created after the 1973 oil crisis.

Meanwhile, the branch in charge of France's nuclear plants, which produces most of the country's electricity, voted to strike, shutting down all but two facilities. Power was cut in strategic places, including the headquarters of MEDEF, the powerful national employers' association. Lights out.

As of late, the branches in charge of transportation have announced an unlimited strike. Most of the high-speed rail service TGV's circuit is shut down, flights are cancelled, and regional trains are, for the most part, out of use.

In the midst of the Euro Cup, one of the world's most-viewed sport events, this potential paralysis is a nightmare for France's government.

## The Broader Picture

During François Hollande's tenure as president, an increasing factionalism within political parties, both new and old, is evident. The National Front's right wing has taken off since Marine and Jean-Marie Le Pen's disagreements led to a political divorce.

The Republican Party, having barely survived its internal leadership elections, is going through a destructive primary process. The Green Party has recently dissolved its parliamentary group [21], after pro- and anti-government tensions from within accelerated long-standing disagreements.

The Left Front is facing an internal crisis after their *de facto* leader, Jean-Luc Mélenchon, made public his intention to run for the 2017 presidential election, without consulting the other members.

The Socialist Party is no exception. The pro- and anti-Hollande feud has led to stark divisions which are ripping the party apart.

2012 brought executive and legislative power to a team whose members were clearly not all on the same page. Hollande's right turn caused disagreements to materialize and expand.

This leaves the PS with a majority on paper, but with little to back it up.

In the past few years, Hollande has thus faced a dilemma: navigate his way through the various factions and govern with the risk of having nothing to show for it at the end of his term, or force his way through political institutions and democracy in order to implement his unpopular policies. He chose the latter of the two options.

Some observers have warned of the possibility of a Pasokification of the PS [22]. By turning its back on traditional leftist politics, the party has indeed left a large fragment of the voting population craving an alternative to the older groups.

Clearly, France is not responding positively to this intransigent approach put forward by the Hollande/Valls duo.

For one, the lack of material results makes it hard for the government to credibly justify its actions.

And perhaps more problematically, the disconnect between popular will and government action has accelerated an already strong feeling of disenfranchisement and disdain for the political elite amongst citizens, which, in turn, is fueling the rise of the far right.

The only way forward for the Left is to craft a convincing political project that addresses the stark problems facing French workers today.

To have even the slightest chance of winning in 2017, it must take the discontent rumbling in France's *boulevards*, *cafés*, and *grandes places* seriously, and create a unified movement capable of bringing a radical progressive program to the Élysée.

**Jacques Simon**

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**P.S.**

\* “Hollande’s Party”. Jacobin. 06.21.2016:

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