

Spain bans May Day protests on “public health” grounds while sending millions back to work

By Alejandro López
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Spain’s Constitutional Court, the country’s highest court, outlawed May Day protests, arguing that public health must prevail over the right to protest. This adds insult to injury, as the Socialist Party (PSOE)-Podemos government is prematurely ordering millions of workers back to work amid a continuing COVID-19 pandemic.

The Court was responding to the small Central Union of Workers (Central Unitaria de Trabajadores – CUT) union in Galicia. The CUT had appealed a ruling of Galicia’s regional Court of Justice denying its request to hold a protest in Vigo. The protest was planned in the city on the occasion of May Day, in the form of a caravan of motor vehicles with a single occupant, thus respecting social distancing.

The CUT considered the regional court’s “prohibition or limitation of a trade union mobilization a mockery of fundamental rights”. Such protests cannot be banned under the current State of Alarm imposed by parliament, as the same government “allows the movement” in private vehicles to workplaces.

Nonetheless, the Constitutional Court agreed with the regional court, stating: “The relationship between the right to life and that of assembly requires” a balance, so that “in the absence of safety guarantees in a situation of maximum contagion”, it is necessary to prioritize the right to life. The Court agreed with the ban, stating that if the planned demonstrations “logically will entail a massive use of public transport by citizens before or after boarding the vehicles”. The fact that the trips along the planned route were held by car “does not imply a guarantee that the danger [of contagion] disappears.”

The Court indicated that given the “pronounced

uncertainty” regarding the virus, “measures of social distancing, confinement and extreme limitation of contacts and group activities, are the only ones that have been found effective” to protect citizens’ life and health.

What a political fraud. While this argument does not justify trampling the constitutional rights of workers in Vigo, it does show that the PSOE-Podemos government’s back to work policy is politically criminal, placing the health and lives of millions of workers and of their families in danger.

Since April 13, after a two-week total confinement of all but essential workers, the government sent millions of workers back to work. Around 4 million workers in construction and industry, including auto, were forced to go back in crowded public transport and without proper protection gear. Spain became one of Europe’s first countries to force workers back on the job amid the COVID-19 pandemic.

Last week, the Spanish Prime Minister Pedro Sánchez announced his “Transition Plan to a New Normal” for a gradual end to COVID-19 confinement measures in Spain, even as new infections mount. Sánchez outlined his government’s plan to lift lock-down measures in four stages, including hotels, bars and restaurants and other retail shops, thereby forcing millions more workers back to work.

This is being implemented without any clear guidelines, even though the pandemic is not under control. More than a month and a half since the government implemented a State of Alarm, Spain is still badly hit by Covid-19. Spain is, despite its small size, the country with the most confirmed cases after the United States, with 242,988 confirmed infections.

In deaths, Spain is in fourth place, with over 25,000 deaths.

The fact that the virus is not under control was even recognised by the Spanish government itself, days after announcing de-confinement. Last Saturday, Sánchez admitted: “I think it is very important to be aware that there will be outbreaks [of the virus]. What we all need is that the outbreaks are as few as possible so as not to put our national health system, our health professionals, in jeopardy.”

The following day, the director of the Center for the Coordination of Health Emergencies, Fernando Simón, indicated that the probability of new outbreaks “is high” but hoped the second wave “will be somewhat more controlled.”

In other words, the misnamed “progressive” government knows its policy will lead to new infections and deaths. This exposes all the false claims of the government and media that the Covid-19 epidemic is waning and that workers can now work, shop and dine out without undue risk.

This same policy is being implemented in America, where US president Donald Trump and the media claim the pandemic is under control while press inquiries have found the federal government expects an enormous spike in the death toll and has ordered 100,000 new body bags for victims of COVID-19.

The reactionary implications of the Court’s ruling are clear. While workers are forced to go to work amid a pandemic to continue extracting profits, those same workers are banned from protesting and possibly striking against lack of protection gear, wage cuts and mass redundancies as a result of the economic crisis.

According to the latest information, Spain’s economy shrunk by its biggest amount on record, 5.2 percent in the first three months of 2020, due to the crippling impact of the pandemic. It has lost a record number of jobs, 900,000. The central bank predicts the economy could shrink as much as 12.4 percent this year.

In this context, there are no political mechanisms within the political system through which any of the grievances of the vast majority of the population can find expression. What has passed as “progressive” or “left” politics since the last economic crisis, the pseudo-left Podemos, is now integrated in the PSOE government. The trade unions like CCOO and UGT

have been the chief enforcers of the back to work policy in the workplaces.

A social eruption of the working class against the entire political establishment, including its social-democratic and pseudo-left factions, is being prepared in Spain and across Europe.

This terrifies the ruling class, and underlies its attack on basic democratic rights like the ruling against workers in Vigo.

On the other side, the working class, facing the criminal indifference to the “right to life” of workers, is itself moving into action. After mass wildcat strikes erupted across Italy, workers in several factories in Spain also struck to demand to be allowed to shelter at home. The PSOE and Podemos responded by unleashing regional riot police to violently assault striking steelworkers. A few weeks ago, police dispersed a demonstration of Glovo riders in Madrid against their precarious work.

Today, an indefinite strike has been called by the Nissan factory in Barcelona against a possible plant closure. The unions have made sure the strike is isolated only in the Barcelona plant, leaving the other two Nissan factories in Spain, in Corrales de Buelna (Cantabria) and Ávila, to continue production.

At the same time, more than 16,000 people have joined a national rent strike called last month by Spanish tenant unions. The goal is to suspend rent collection for the duration of the pandemic, given that thousands of families are without work and income. It goes against the PSOE-Podemos government’s reactionary “relief” policy, which consists of providing micro-credits for tenants to pay the rent, thus forcing hundreds of thousands of people into debt.

The growing social opposition requires workers, youth and unemployed to form action committees to coordinate their struggles independently of the trade unions, organize opposition to the inevitable repression by governments across Europe, and struggle to transfer state power to the working class.

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