

The Barroso Drama

The Blair Necessities

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British successes and failures in Barroso Drama. Several reasons for Blair's support for nomination Barroso. Blair's personal choice for Peter Mandelson. Ambivalence in Mandelson's action during the affair. Pressure from London on MEPs.

The signing of the Constitution of the European Union on the 29 October 2004 should have been a time for celebration for Tony Blair. After all, in what has been described as a 'triumph of British obstinacy',¹ he had successfully defended his 'red lines' on such vexing questions domestically as defence, tax harmonisation, social security and the budget rebate – leaving many on the other side of the Channel bemoaning the negotiation of 'une constitution Blairiste'.² Given this, one may have expected the prime minister to be at the very forefront of the celebrations, publicly trumpeting his successful castration of an historic document for the benefit of an increasingly sceptical public back home. Nothing of the sort, however: Blair's demeanour in Rome prompted one journalist to report that he '[exuded] the air of a man who was not going to answer questions until he'd spoken to his lawyer';³ he even declined to stay for the celebratory lunch. Whatever the reason for this, the official statement that the lunch was a mere 'formality', unimportant next to the actual signing of the Constitution, does not quite ring true. Certainly, it would not have been considered such by Berlusconi, who had personally overseen the preparations – a fact not lost on the members of the press present at the briefing, who elicited an explicit denial by the official spokes-

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¹ Andrew Marr, 'Europe Rocked by Winds of Change', *BBC News Report*, 18 June 2004, available at: <http://news.bbc.co.uk/2/hi/uk_news/politics/3820947.stm>.

² See Andrew Rawnsley, 'In France it's une constitution Blairiste', *The Observer*, 31 Oct. 2004.

³ John Hooper, 'Uneasy Blair Takes his Place Among Usual Suspects', *The Guardian*, 30 Oct. 2004.

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man that Blair's absence was intended as a 'snub' to the Italian premier.⁴ It seems that in order to better understand Blair's behaviour at the signing of the 'formal' Constitution, we must consider in more detail the separate, yet intimately linked, saga of the 'substantive' constitutional crisis in the Commission that had come to a head a mere three days previously.⁵ As we will see, Blair's role in the crisis was ultimately characterised by a dual failure; his motivation for acting as he did derived from two, previously secured (or so he thought) successes.

FIRST SUCCESS: BARROSO

The nomination of Barroso as the Council's candidate for Commission President was itself the result of a complicated and, at times, controversial political process, the contours of which are well-known. His candidature was thus seen very much as a compromise, with one Slovak newspaper going so far as to suggest that his prime qualification for the job was that 'no-one minds him too much'.⁶ However, it seems clear that Blair had much more substantive reasons for actively supporting his nomination. Firstly, Barroso is a centre-right politician, in favour of trade liberalisation and strong transatlantic links. He was also an outspoken supporter of the war in Iraq and even organised the Azores summit between himself, Bush, Blair and Aznar. Blair thus found, in Barroso, a supporter of his stance on Iraq, which was deeply unpopular in many circles, both domestically and internationally; further, his centre-right liberalising agenda, with an eye on social reform, fits nicely with Blair's own vision, regardless of what classical party categorisations would have us believe.

Other, more particular factors combine to illustrate why Blair invested so much in Barroso himself. The important issue of the UK's 20 year-old budget rebate, for example, had been gathering steam, with significant pressure coming from many member states for its abolition or at least modification. In this regard, the outgoing Prodi Commission had, in July, formulated a proposal that would have led to the rebate being replaced by a system designed to share it out amongst all of the net contributors to the Union – a proposal greeted with much indignation and

⁴ Briefing of the morning of 29 Oct. 2004, summary available at: <<http://www.number-10.gov.uk/output/Page6496.asp>>.

⁵ I am borrowing this characterisation from Professor Eijsbouts' contribution to this issue of *EuConst*.

⁶ Luboš Palata, 'José Barroso: Európan no name', *Pravda*, 30 June 2004 [Kvalifikáciou portugalského premiéra na predsedu Európskej komisie je napokon iba to, že nikomu zásadne neprekáža]. This argument was echoed in the European Parliament by Cohn-Bendit; see Ferdinando Riccardi, 'A Look Behind the News: Election of the New Commission President by EP', *Agence Europe*, No. 8755, 27 July 2004.

repeated use of the term 'non-negotiable' from London.⁷ Barroso, on the other hand, was criticised by Cohn-Bendit during his initial appearance before the European Parliament for having failed to mention the budget rebate,⁸ and it seems certain that Blair hoped that Barroso would seek to take some of the heat out of this debate upon assuming his new position.⁹

Developments subsequent to Barroso's nomination also indicate why Downing Street has 'invested heavily'¹⁰ in the new Commission President. In terms of Blair's project of manoeuvring the UK to the centre of European politics and undermining the influence of France and, to a lesser extent, Germany, the decisions made by Barroso in terms of which portfolios to give to which commissioners are striking. Most obvious, of course, is the fact that Mandelson got the important trade brief, whilst the French commissioner, Jacques Barrot, received the relatively minor sphere of transport.¹¹ Other, less readily evident indicators can also be found both in the decision to grant heavyweight economic posts to those commissioners with liberalising and transatlantic tendencies, such as Ireland's Charlie McCreevy, and in the refusal to grant Günter Verheugen, the German commissioner, the position of 'super-commissioner' for economics, although he was given the important enterprise and industry brief.¹² It thus seems true that the appointment of Barroso was a significant victory for the UK and the other states of 'new Europe' over the old Franco-German axis that had for so long dominated the Union.¹³ In essence, then, Barroso's appointment was, perhaps, both a symptom and a cause of the consolidation of the UK as a central player in the European Union, at the expense, to some degree at least, of France and Germany.

SECOND SUCCESS: MANDELSON

Blair's nomination of Mandelson seems, at first glance, more straightforward: he simply appears to view his close friend as the best man for the job, despite the fact

⁷ See Ferdinando Riccardi, 'A Look Behind the News: Need to Revise British Rebate Accepted Everywhere (Except London)', *Agence Europe*, No. 8751, 20 July 2004. For the UK Government's oft-repeated position, see, e.g., Jack Straw's announcement in the Commons on 15 Dec. 2004, available at: <http://www.publications.parliament.uk/pa/cm200405/cmhansrd/cm041215/debtext/41215-05.htm#41215-05_spnew5>.

⁸ 'Greens Vote Against Barroso', *Agence Europe*, No. 8753, 23 July 2004.

⁹ See John Kampfner, 'With a New European Commission President who is Keen to Show he is No One's Poodle, Can Tony Blair Still Secure an Advantageous Deal for Britain in Brussels?', *New Statesman*, 23 Aug. 2004.

¹⁰ See *supra* n. 9.

¹¹ See, e.g., Ambrose Evans-Pritchards, 'French despair as British take top posts in EU', *The Telegraph*, 27 Aug. 2004.

¹² See 'A Leap Forward, or a Long March', *The Economist*, 19 Aug. 2004.

¹³ See Ambrose Evans-Pritchard, 'Blair Wins Battle for New EU Head', *The Telegraph*, 28 June 2004.

that he has twice been forced to resign from the cabinet.¹⁴ However, although few in the Labour party doubt Mandelson's skills as a political operator and manipulator, there seems to be equally little doubt that he is significantly better at influencing people than he is at making friends. He has, in fact, made some extremely powerful enemies within the current cabinet, most notably John Prescott (the Deputy Prime Minister) and Gordon Brown (the Chancellor of the Exchequer), whom Blair undoubtedly angered by his decision to resurrect Mandelson's career for a third time. Indeed, it has been reported that Blair was hoping to bring Mandelson back into the cabinet, and that the timing of an important reshuffle in the top posts depended upon what Mandelson wanted. It seems, however, that strong opposition from senior figures such as Brown and Prescott dissuaded Blair from bringing him back (at present) to the national front-line.¹⁵

Also important to note is that he is unlikely to have been Barroso's first choice for UK commissioner, who, in his drive to include eight female commissioners in his team, is thought to have preferred Patricia Hewitt, the current Secretary of State for Trade and Industry,¹⁶ or at least that he be offered with a choice of names, including some women.¹⁷ Clearly, Blair went against this; equally clearly, the decision was entirely his own. So why, beyond friendship and guilt, did Blair go against the wishes of his own party, his own cabinet, and the President-elect of the new Commission? One reason is certainly his appreciation of Mandelson's political skills – which are widely acknowledged, even amongst his bitter enemies. Blair may well have felt that, given Mandelson's ability in terms of 'selling' politicians and causes (although not, admittedly, himself), he was the ideal candidate to help persuade a recalcitrant public about the need for a 'yes' vote on the European Constitution. Mandelson's thorny relationship with Brown may also explain the timing and content of his announcement in early July last year, in which he expressed his view that Brown was Blair's 'natural successor', whose achievements he 'respects'.¹⁸ However, there will undoubtedly be those who suspect that Blair's decision should be viewed as a personal show of strength, in placing a key ally in such a powerful position, and a deliberate snub to his Chancellor at a time when, if the majority of the British press is to be believed, the relationship between the two men seems to have deteriorated into an almost open power-struggle, with

¹⁴ For background, see, e.g., Michael White and Luke Harding, 'Passport Row Lands Mandelson in Trouble', *The Guardian*, 24 Jan. 2001.

¹⁵ See, e.g., Nick Assinder, 'Why Blair Brought Mandelson Back', *BBC News Report*, 23 July 2004, available at: <http://news.bbc.co.uk/2/hi/uk_news/politics/3919739.stm>.

¹⁶ See, e.g., Stephen Castle, 'Barroso Wants More Female EU Commissioners', *The Independent*, 23 July 2004.

¹⁷ Matthew Tempest and Tom Huppold, 'Mandelson Nominated for Top EU Post', *The Guardian*, 23 July 2004.

¹⁸ See 'Mandelson Gives Backing to Brown', *BBC News Report*, 4 July 2004, available at: <http://news.bbc.co.uk/1/hi/uk_politics/3864181.stm>.

each levelling allegations of broken promises and double-dealing at the other. Blair's decision to send Mandelson to Europe coincided almost exactly with his decision to stay on as Prime Minister for a full (or nearly full) third term; something that, allegedly, he had promised Brown he would not do.¹⁹

BLAIR'S FAILURES

On the morning of 27 October 2004, when Barroso formally withdrew his team, a press conference was held at No. 10 at which the Prime Minister's official spokesman acknowledged that Blair had 'provided advice and expressed a view' to Barroso.²⁰ What might this advice have been? It seems unlikely that Blair would have counselled Barroso to take the course of action that he eventually seems to have decided upon: change nothing and try to brazen it out. It is unlikely that Blair could have hoped to significantly influence the socialist group on his own: out of 202 MEPs, the British Labour contingent numbers just 19 members – less than the Germans (23), Spanish (24) and the French (31), none of which have any particular reason to be predisposed to listen to him. One commentator has suggested that Blair (and Schröder) went through a few 'token motions', which in practice amounted to nothing at all.²¹ Others, however, saw things very differently: Martin Schulz noted that the decision by the socialist grouping in the Parliament to reject the Commission had been 'difficult' (although they had been threatening to do so for some time beforehand if no change was forthcoming),²² while Cohn-Bendit of the Greens went even further, claiming that both Blair and Schröder had been on the telephone, and joking that the British Labour MEPs were 'fed up' with calls from Downing Street.²³ In the end, however, Blair was unable even to get the British Labour MEPs to tow his preferred line: the decision of the socialist grouping to reject the Commission was unanimous.²⁴

As I mentioned, however, it seems unlikely that Blair would have been overconfident in his ability to significantly influence the behaviour of the entire 200-strong socialist grouping, even if he had been confident that he could whip his

¹⁹ Matthew D'Ancona, 'Mandelson is much more than a crony – which is why he got the job', *The Telegraph*, 25 July 2004.

²⁰ Briefing of the morning of 27 Oct. 2004, summary available at: <<http://www.number-10.gov.uk/output/Page6486.asp>>.

²¹ See Peter Ludlow, 'The Barroso Commission: A Tale of Lost Innocence', *EuroComment Briefing Note*, No. 3.4, Dec. 2004, p. 20.

²² See *Agence Europe*, No. 8816, 28 Oct. 2004.

²³ See *Agence Europe*, No. 8815, 27 Oct. 2004; David Gow, 'Barroso Faces Defeat at Hands of MEPs', *The Guardian*, 27 Oct. 2004; Philippe Naughton, 'Barroso Warns MEPs over Rejection of Anti-Gay Italian', *Times Online*, 26 Oct. 2004, available at: <<http://www.timesonline.co.uk/article/0,,3-1329510,00.html>>.

²⁴ See *supra* n. 22.

own troops into line; and certainly, most commentators at the time seemed to think that most of his energies would go towards convincing his close ally Berlusconi to withdraw his preferred candidate.²⁵ Indeed, when pressed as to whether Blair would be speaking to Berlusconi on Barroso's behalf, Blair's official spokesman replied only that he had 'no intention of briefing or commenting on private conversations the Prime Minister might or might not have with Mr Barroso'.²⁶ As recounted elsewhere in this issue, however, Blair's attempts to persuade Berlusconi to drop Buttiglione before the crucial parliament vote on the 27th of October failed: it was only at the signing ceremony on the 29th that Berlusconi was finally compelled to withdraw his candidate without securing a similar, reciprocal sacrifice from someone on the European left to offset it.

The ambivalence of Blair's approach to the crisis in the Commission is captured nicely by the (alleged) actions of Peter Mandelson during the affair. One newspaper has suggested that he has already upset many of his socialist colleagues, by claiming to them he wanted to see Buttiglione replaced, while insisting to Barroso and others that he was 100% behind the Commission as it stood. This, it seems, was further compounded when he was found to have 'slipped out' of confidential crisis talks held on the evening of Tuesday the 26th by the socialist grouping, in order to report back on what was being said to Barroso and his other Commission colleagues; presumably so that the new President would know exactly how much he had to give in order to reach agreement. This, of course, has upset many in the socialist group with whom Mandelson will have to work.²⁷ However, it does serve nicely to illustrate the extent to which Blair was prepared to go to find a compromise that would allow the Commission to be voted in the following day; and that his position was not dictated in any real way by a principled stance on the question of Buttiglione's candidature – perhaps surprisingly, given the fact that Mandelson's own homosexuality is openly, if guardedly, acknowledged.²⁸

CONCLUSION

Blair's goal throughout the crisis in the Commission was clear: to have Barroso's team accepted by the European Parliament on the 27th of October, with or without Buttiglione present as justice commissioner or otherwise. The reasons for this

²⁵ See, e.g., 'E.U. Row is 'Hiccup' – Mandelson', *BBC News Report*, 27 Oct. 2004.

²⁶ Briefing of the morning of 27 Oct. 2004, summary available at: <<http://www.number-10.gov.uk/output/Page6486.asp>>.

²⁷ Ambrose Evans-Pritchard, 'Euro Socialists Feel Betrayed by Mandelson', *The Telegraph*, 28 Oct. 2004.

²⁸ See, e.g., Andy McSmith, 'Mandelson Disputes his Mirror Image', *The Telegraph*, 18 Oct. 2000.

are hopefully evident from the foregoing analysis: quite simply, he was not prepared to have the Commission plunged into the embarrassment and legal uncertainty²⁹ that would undoubtedly have followed a 'no' vote by the Parliament on 27 October, as this risked undoing much of what he had achieved in terms of getting 'his' men into positions of significant power. Indeed, in all of this, it is crucial to remember that much of what Blair stood to gain in the Commission (a centralisation and consolidation of a 'new' British approach to Europe and a corresponding weakening of the 'old' French one) is directly linked to the negative stances and 'red lines' that characterised his approach to the constitutional convention: each is absolutely vital if he is to have any hope of persuading the British people to accept the Constitution, the Euro or the European project more generally – something that he very much wants to be remembered as the legacy of his time in office. His concerns in this regard are undoubtedly primarily domestically orientated: few other European leaders have such an immediate personal stake in the domestic perception of the Constitution and European institutions more generally, with speculation rife that Blair will resign if he fails to secure a 'yes' vote in the (eminently losable) referendum on the issue in 2006.³⁰ Forced into a referendum he never wanted to have on an issue he may well lose, and upon which he has staked his office, it is relatively easy to see why Blair was hoping that the signing of the Constitution itself might pass off relatively unnoticed; however, his failure to avert the high-profile crisis within the Commission brought this sensitive issue to the very forefront of public attention. The spotlight was thus cast dramatically on the Prime Minister's signing of a document that the majority of the British public don't understand, don't want, and quite possibly won't accept – and Blair himself risks rejection in the process. Little surprise, then, that he looked a little uncomfortable in doing so.



²⁹ Amongst other things, it was unclear whether the rejection of the entire Commission by the Parliament would also have meant a rejection of Barroso, as he had been confirmed by a separate vote. See Ludlow, *supra* n. 21, p. 19.

³⁰ See, e.g., 'The Thing that Won't Go Away', *The Economist*, 28 Oct. 2004.