

The Barnier Code: diplomacy by patronage reveals a more pragmatic Juncker

Blog post by Adviser Tom White, 27 July 2016

Commission President Jean-Claude Juncker has followed Theresa May in making a provocative and eye-catching appointment. This is partly to compensate for negotiations on both sides beginning to resemble a slow bicycle race, with neither side incentivised to reveal their objectives. But while technical work is underway, these headline appointments are also a useful way of signalling intent and building support.

So what should Berlaymont-watchers make of today's political comeback for Michel Barnier as interlocutor-provocateur? In some ways it reveals the weakness of Juncker's own position, in that he cannot manage Brexit alone and does not trust any individual Commissioner or Vice President to do so. But more important lessons lie in the messages the appointment sends to Juncker's key audiences.

Juncker's main audience is of course his own side: the Brussels institutions and the EU27. Appointing the most heavyweight Commissioner from the Barroso era clearly outguns the competent but low profile Council co-ordinator Didier Seeuws, and his positive reputation among MEPs will help deliver the Parliament to Juncker's side in future turf wars with the member states. On paper, Barnier's profile also represents a return to pre-2005 ideals of federalism, balancing French nationality with political party affiliation to Angela Merkel. As a message to France, it shows Juncker willing to give a prestigious role to a Frenchman, as long as he supports the Commission. So expect lots of muttering in national capitals that Barnier does not speak for them, and tight scrutiny of his activities.

For Juncker's UK audience, Barnier's reputation means a strong message they should not expect an easy ride. The caricature of inflexibility and hostility towards the City of London - and of refusing to speak English - is exaggerated, but Barnier does have a distinctly political view of the purpose of the single market. As for many of his generation, it is a project to build common rules and a counterweight to the United States, rather than the Anglo-Saxon vision of a free trade area with mutual recognition of standards.

Years heading the old DG MARKT also give Barnier some important tools that London negotiators will lack. First, his expertise in single market regulation outweighs that of anyone in Theresa May's cabinet, let alone the relatively inexperienced David Davis. Meanwhile his ability to mobilise networks of officials in the Commission and EU regulators - who will play a crucial role in facilitating or blocking any deal on services trade - is unparalleled, with many key players owing their careers to his patronage and/or his policy agenda.

Perhaps more importantly, however, the move may signal a growing pragmatism about the scope of exit negotiations under Article 50. We have to ask why Barnier's skillset and wrecking ability matter for Juncker, if the two year Article 50 process is purely about budgets and legal issues? Barnier is not well placed on either of those issues, while the Commission and EU27 repeatedly insist that EU-UK trade negotiations must wait until the UK is a 'third country'. Perhaps the real message of Barnier's appointment is that Juncker realises this line will not hold, and that he must ensure the Commission has a head start.