

# The Barroso Drama

## All Roads Lead to Rome

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Who now would speak for Europe in the world  
And harmonise th' affairs of all its nations?  
Barroso had his chosen list unfurled,  
With faces matching all their future stations.  
But one of them, named R. Buttiglione,  
To parliament had aired views rather strange;  
It said that they were bigoted baloney:  
This member of the team he'd better change.<sup>1</sup>

Italian governmental crisis at the origin of Rocco Buttiglione's nomination. Hearing before Civil Liberties committee and unprecedented rejection of Buttiglione. October events trigger changes in Italian governmental team. The EU: a Catholic conspiracy?

Italy has been a central actor in the October events that led the European Commission to be reshaped, after Rocco Buttiglione's rejection. Italy, however, is not only central because of Buttiglione's misfortunes, but also in the light of a number of important facts and protagonists. To start with, on 29 October 2004, Rome was the symbolic place where the European Constitution was signed, 47 years after The Rome Treaty establishing the EC and ECSC. Moreover, Romano Prodi was the outgoing President of the Commission. Last, but not least, Rome is the home of the Pope. This may seem less relevant at first, but the debate about the Christian roots of Europe has been, is, and will probably be a very important issue.<sup>2</sup>

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<sup>1</sup> *The Economist*, The year in verses, 16 Dec. 2004.

<sup>2</sup> I developed this theme in greater detail in Srdjan Cvijic, Lorenzo Zucca, 'Does the European Constitution Need Christian Values', *Oxford Journal of Legal Studies*, Vol. 24, No. 4 (2004) p. 739-748.

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June 2004 was a month of intense political activity both in Italy and in Europe. A few days before June, on 28 May, the first round of nation wide local elections was held in Italy. These elections shook the Italian governmental coalition, which had to pay its dues to the Union of Christian Democrats (UDC), Rocco Buttiglione's party, which scored higher than all the other parties.<sup>3</sup>

Rocco Buttiglione is the president of UDC, one of the heirs of Christian Democracy. He is a professor of philosophy, better known in the Italian scene as 'the philosopher'. In Berlusconi's government, he is the Minister for European Affairs, a rather minor post. Buttiglione and his allies were very critical of one of Berlusconi's stars in the Government: Giulio Tremonti, a Professor of Economics, who held the central ministry of Economy. On Berlusconi's checkerboard, Tremonti was a very important piece because he secured the upkeep of good relations with the Lega Nord, in the name of his friendship with Umberto Bossi. After the elections, the objective of UDC was to take Lega Nord's central position within the government.

#### BERLUSCONI FACING GOVERNMENTAL CRISIS

On 5 June 2004, a few days after the elections, Rocco Buttiglione fired the first bullets against Tremonti. The subject of disagreement was public finance: Tremonti defended his work, while Buttiglione held that public finances needed a new input, if Italy wished to withstand the European review by Ecofin. On 13 June, the day of both European and national elections (second round), UDC confirmed its relative success.<sup>4</sup> This gave Buttiglione and Follini, the secretary of UDC, a card to play against Berlusconi, in order to have more visibility in the government. The aim was to reshape the governmental coalition in favour of UDC and Fini's party, the National Alliance (AN), and to the detriment of Lega Nord.

Berlusconi was caught between Tremonti and the UDC/AN coalition. On 2 July, Buttiglione, along with Fini, the Vice-President of the Government, attacked Tremonti again. The clash became dramatic on 3 July, when Berlusconi had to make a clear decision between Tremonti and the other allies. As reported in the newspapers, nobody stood with Tremonti, and Berlusconi was obliged to ask him to leave.<sup>5</sup>

<sup>3</sup> Here, it is not possible to report all the figures of these elections because they refer to every single province. However, the main newspaper commented on the success of UDC in comparison to other parties in the governmental coalition. See for instance, *Corriere della Sera*, 'UDC: segni di difficoltà'. 29 May 2004.

<sup>4</sup> In the European elections it scored 5,9%; as a result, it preceded Lega Nord, which scored 5%.

<sup>5</sup> *Corriere della Sera*, 'Fini: svolta in economia, o An fuori dal governo', 2 July 2004.

Tremonti's departure left an empty chair, which Berlusconi took up as an interim position, at least to be able to defend Italy before the Ecofin on 5 July. Berlusconi succeeded in avoiding an early warning for Italy, but this was a Pyrrhic success, as the Prime Minister needed to win the real battle: to find an end to the governmental crisis. Berlusconi, confirming his customary tendency to centralise decisions, would have been happy to keep the interim post for longer, but Fini, Follini, and Buttiglione, along with the opposition, wanted a new Minister of the Economy. Fini and Follini would have liked Mario Monti, a highly admired commissioner of competition under Prodi. As a consequence, Berlusconi met him, but he was probably afraid of being overshadowed by such a prominent name.<sup>6</sup> In any event, Mario Monti declined the offer, as he liked to stay on in Brussels. Berlusconi agreed with him and promised to confirm him as the Italian candidate to the European Commission.<sup>7</sup>

On 22 July 2004, Barroso was voted in as President of the European Commission by the European Parliament. As of 23 July, Barroso started negotiations with each member state to form his team of commissioners. Meanwhile the crisis in Berlusconi's government was displayed publicly. Berlusconi accused Follini of irresponsibility *vis-à-vis* the government. But Follini insisted that Berlusconi must make important concessions and give a more prominent place to UDC in the government. Berlusconi was unwilling to bow to external pressures. He wanted to find his own solution. Thus, on 24 July, Berlusconi took his own initiative and met privately with Buttiglione.<sup>8</sup> Despite his prior commitment to Mario Monti, Berlusconi offered Buttiglione the post of commissioner in Barroso's team. UDC protested again because this solution was not agreed upon by the party, but imposed by Berlusconi. Buttiglione, however, was very happy with this arrangement and thanked Berlusconi for his generosity.

Barroso was adamant on his preference for Mario Monti. However, it seems that a well-established practice within the Commission obliges the President to take into account national politics. In Italy's case, Berlusconi's government was under a considerable strain, and the only way out was to recompense UDC, or Buttiglione personally. In these circumstances, Barroso had little leverage, and in the end he had to bow to Berlusconi's request. We do not know, however, whether Barroso appreciated fully Buttiglione's standpoint. The only given fact was that Mario Monti had to be sacrificed in the negotiations between Berlusconi and Buttiglione. But Buttiglione did not know that this was the beginning of a nightmare, both for him and for Italy.

<sup>6</sup> *Corriere della Sera*, 'La partita del ministero, Monti a cena dal Premier', 5 July 2004.

<sup>7</sup> *Corriere della Sera*, 'Monti: Ho rifiutato per rimanere in Europa', 6 July 2004.

<sup>8</sup> *Corriere della Sera*, 'La trattativa diretta del filosofo', 24 July 2004.

On 20 June 2004, the draft Constitution, which could not be approved under the Italian presidency because of the resistance of Spain and Poland, was instead approved under the Irish presidency. On 21 June, the Pope entered the scene with an unplanned speech. Speaking from his balcony during the *Angelus*, he admonished European politicians for the lack of reference to Christian values in the Constitution. By holding this improvised speech, the Pope marked the significance of the European project from his viewpoint. Buttiglione probably thought he had a mission to accomplish: to represent Catholics in the European Commission. As a personal friend, adviser of the Pope, and author of *Encyclicae*, Buttiglione was the man of the Vatican in Barroso's Commission. Equally, he was Berlusconi's man. These two features did not turn out to be very helpful for Buttiglione in Europe.

#### NO MERCY FOR ROCCO

On 5 October 2004, the Civil Liberties committee heard Buttiglione. On 11 October, when the hearings ended, Buttiglione's candidature was rejected. Buttiglione's views were probably caricatured. However, he did his best to place himself in such a position. This unprecedented decision was reached after an interview of Buttiglione, who expressed homophobic – he defined homosexuality as a sin – and conservative Catholic views on marriage. In the European context, where the commissioner for justice has to deal with delicate issues of discrimination and where national legislators are discussing the possibility of gay marriages, Buttiglione's position sounded as irreconcilable with his future duties. In a letter dated 21 October, with the intent of pleasing the liberal wing of the European Parliament, Buttiglione apologised for using the word 'sin'. However, he never retreated from his other opinions, in particular, in relation to the place of women in society.

Buttiglione was still quite confident of his position. He was backed by a Christian lobby, which is surely quite strong in Italy, and also by the Pope, who has openly invited European officials to take Christian values into account. In order to buttress his position, Buttiglione argued for a Kantian distinction between law and morality, pretending that his personal views would not affect his job as a Justice and Home Affairs Commissioner. This distinction would in theory be quite a fair one: private morality should not affect the choice of an official. But, the problem was that Buttiglione's own public record did not match the distinction he drew. Buttiglione had a lifelong score of official pronouncements and activities in discrimination of homosexuals and women. A well-documented report on Buttiglione's legislative activity against homosexuals was prepared by Riccardo Gottardi, the co-president of the International Lesbian and Gay Asso-

ciation, along with Franco Grillini, former President of Arcigay, MP, and director of GayNews, an on-line journal on homosexual rights.<sup>9</sup> This report was sent by Gottardi to the Civil Liberties committee that interviewed Buttiglione and was used as a basis for the accusation. Quite apart from Buttiglione's own public record, it could also be added that his views were not private, but the mere reproduction of papal orthodoxy.

Following this rejection, Berlusconi, on the one hand, reacted in his customary way, pointing his finger to a 'shabby leftist conspiracy'. Barroso, on the other, sought a compromise; he argued that Buttiglione could be discharged of certain crucial competences, where the issues of gender and sex discrimination are very acute. Barroso suggested that he would create an *ad hoc* committee for the respect of Human Rights, which would be presided over by him.

On 26 October 2004, in a desperate attempt to salvage the team, a reshuffle was proposed with the aim of shifting Buttiglione to another position. But Buttiglione refused this alternative and so did the European Popular Party, which confirmed Buttiglione to the post of Justice and Home Affairs Commissioner. This very move cost Buttiglione the post. The negotiations stopped there, because everyone perceived that Buttiglione's standpoint was intransigent. Realistically, it was Buttiglione, along with the EPP, who exited the game, with good satisfaction on the liberal wing.

On 27 October 2004, Barroso tried to convince the European Parliament that Buttiglione could still pass the test. But, after counting the heads, and realising that the failure of the whole Commission was more than a possibility, Barroso withdrew his team. The European Parliament was the winner of this contest. Buttiglione, and Barroso, were the losers.

Between 27 and 29 October, Buttiglione held privately his very last hope that the whole thing could be salvaged. However, in Rome, on 29 October, Barroso and Berlusconi, who met for the signature of the European Constitution, realised that the only way to rescue the boat was to change its direction. At first, Berlusconi did not want to accept that Buttiglione alone was going to be dismissed. But, in Rome, Berlusconi was anxious to find a constructive solution and eventually accepted that Buttiglione should be 'sacrificed.' This religious metaphor depicts quite well the situation as Buttiglione defined himself a scapegoat 'which purified the sins of the whole Commission'.<sup>10</sup> From this point of view, Buttiglione had a point. Other members of the Commission had been criticised, and doubts on their fitness to hold their posts were acute. But, Buttiglione is the one who had to go in

<sup>9</sup> Repubblica held that those mainly responsible for Buttiglione's dismissal were Riccardo Gottardi and Franco Grillini. *Repubblica*, 'Tutte le colpe di Rocco – il dossier di Gay News', 22 Oct. 2004.

<sup>10</sup> *Corriere della Sera*, 'Ue, Buttiglione si dimette – "Io una vittima innocente"', 30 Oct. 2004.

order to please the EP. That said Buttiglione was far from being a victim, given that his nomination was itself at the expense of Mario Monti. Nor is Europe pursuing an 'anti-Catholic inquisition, as Archbishop Renato Martino, head of the Vatican's Council for Justice, would have it.

The reasons for rejection were subjectively explained by Buttiglione himself, who argued that this situation was the fruit of an alliance of two prejudices: an anti-Berlusconi and an anti-Catholic widespread feeling. As far as the prejudices against Berlusconi went, they were well deserved. Remember, for instance, that Berlusconi opened the Italian presidency of the European Community with a sad scandal, when he accused Mr Schulz of behaving as a Nazi Kapo. On the other hand, the question of prejudice against Catholics was more delicate. Could a Catholic become a Justice and Home Affairs Commissioner? I think that the answer is positive. Private morality as such should not matter for the selection of candidates to the European Commission. What really matters is the way private morality affects one's own action, and this is reflected by the public record of the candidate. In Buttiglione's case, his official record, rather than his opinions, was the ground on which Buttiglione was attacked and eventually dismissed.

#### THE OUTCOMES FOR ITALY

Paradoxically, the failure occurring on 27 October 2004 improved both the European and the national situation. Barroso made a couple of changes to his team. Buttiglione was replaced by Giorgio Frattini, the then Minister of Foreign Affairs. After Frattini's successful interrogation on 16 November, Barroso could represent his team for the approval of the European Parliament. Eventually, on 18 November, the European Parliament voted 449 to 149 in favour of Barroso's Commission.

Barroso, satisfied by the final outcome, promised to collaborate with the European Parliament and confessed that the failure of 27 October had improved democracy in Europe. On the same date, to confirm this new relationship between European Parliament and European Commission, the Parliament voted on a document in which it invited the President of the Commission to engage his personal responsibility in cases of conflicts of interests concerning individual commissioners.

From the Italian perspective, the October events catalysed a national change of the governmental team. Buttiglione took back his old post as Minister of European Affairs. The post left vacant by Frattini was then occupied by Gianfranco Fini. In turn, Fini vacated the post of Vice-President of the government. On 2 December, Follini and Baccini, both from UDC, joined the governmental team respectively as Vice-Prime Minister and Minister of Public Functions. As a conse-

quence, despite the evil produced by 27 October to the Italian image, Berlusconi's governmental coalition was made more stable by including in the team the very politicians responsible for the crisis.

Finally there is the perspective of Christianity and Catholicism. It has for a long time been fashionable, especially among protestants, to call the European Union a Catholic (or Rome) conspiracy. By eliciting the opposite suspicion from the Vatican, the events recorded may surely have dispelled this cliché.

