

# European Union treaty signed at Lisbon: A constitution in all but name

Chris Marsden  
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The embarrassing efforts by British Prime Minister Gordon Brown to downplay the significance of his signing the new European Union Treaty were more revealing than other European leaders, that clearly relished his discomfort, would like to admit.

The one-day signing ceremony in the Portuguese capital, Lisbon, by EU heads of government and their foreign ministers was a lavish, pompous and even garish affair—with the historic Jeronimo monastery transformed by blue backlights and giant TV screens to look like a Disney film set.

Only Foreign Secretary David Miliband was present representing Britain. Brown, who signed later and alone, did not want to come at all but eventually bowed to pressure from other EU leaders led by German Chancellor Angela Merkel.

He insisted, however, that he first attend to a prior commitment—his session in front of the Commons Liaison Committee—that was in fact scheduled only *after* the Lisbon meeting was known. Conservative Shadow Foreign Secretary William Hague ridiculed him for managing to “turn something as simple as signing the EU treaty into a national embarrassment” and accused him of “indecision, gutlessness and broken election promises.”

Brown certainly performed once more as a political invertebrate—skulking in at the last minute due mainly to his fear of criticism from the Murdoch press, which is ferociously hostile to any extension of the EU’s powers and determinedly Atlanticist in equal measure. But the performance of his 26 counterparts was no more distinguished, merely more brazen. Their revelry was in celebration of signing a treaty barely distinguishable from the EU constitution that was decisively rejected in referendums held in France and the Netherlands in 2005.

By the simple expediency of defining the constitution as a treaty and dropping explicit references to the word “constitution” and symbols such as the EU flag and anthem from the 2004 draft, the various European governments are intent on preventing any possibility of another popular rejection of measures considered vital for the interests of big business.

President Nicolas Sarkozy now states that he confidently expects France’s parliament to be the first to ratify the Treaty of Lisbon, after he rejected holding a second referendum.

A special congress to revise the constitution will be held as early as February 4, paving the way for ratification by parliament on February 8. Sarkozy claims to have the support of the three fifths of deputies and senators required. His one demand was for a reference to “free and undistorted” competition to be removed from the EU’s objectives—providing his government with the opportunity to implement protectionist measures regarding what he considers to be strategic French concerns.

Such demands were central to many of those involved in the “No” campaign in 2005, including on the official and so-called “far left” who counterposed social welfare measures based on a nationally regulated capitalist economy to the economic liberalism espoused by the constitution.

Sarkozy has endorsed protectionism partly in an attempt to negate political opposition to the liberalizing pro-business measures he wants to be implemented and partly because he too opposes such changes when they damage France’s national interests and those of European capital. He famously declared of the “No” campaign that globalisation was “the cause of the protest vote and the rallying of increasingly large parts of the population to protectionist arguments,” before asserting his own belief that “Europe needs protection. The word protection does not frighten me.” Sarkozy criticized the takeover of the European steel conglomerate Arcelor by Mittal Steel in June 2006 as a “waste.”

There will also be no referendum on the new treaty in Denmark. Prime Minister Anders Fogh Rasmussen declared after a cabinet meeting on December 11 that the treaty posed no threat to Denmark’s sovereignty and it would therefore be ratified in parliament. The parliament, including the opposition Social Democrats and Social Liberals, endorsed his stance later the same day. According to the constitution, a referendum is mandatory if a legal review determines that sovereignty is transferred from Denmark to the EU. In 1992 Danes rejected adoption of the Maastricht Treaty in a referendum, accepting it in 1993 after a series of opt-outs were agreed. In 2000, another referendum voted against accepting the euro.

The Netherlands said in September that there would be no referendum held on the new EU Treaty and it will be passed in parliament. It is not constitutionally bound to hold a

referendum.

Ireland is bound to hold a popular vote, but Taoiseach (prime minister) Bertie Ahern has not yet set a date. The attorney general confirmed that a referendum is required and should be held in time for the treaty to come into effect on January 1, 2009. If one member state fails to ratify the treaty, it cannot come into force. But Ireland, which has benefited massively from EU investment programmes, is expected to vote in favour.

Brown has faced significant difficulties in his own campaign to adopt the treaty—a stance he shared with his predecessor Tony Blair. But unlike in France, where the “No” campaign in the referendum won the support of three-quarters of blue-collar and two-thirds of white-collar workers, the oppositional movement in Britain has remained parliamentary, generally right-wing and dominated by the Conservatives.

Brown declared his support for the revised treaty in October, after insisting that the “red lines”—a series of opt-outs to the previous constitution negotiated by Blair and Brown—had been maintained. The four “red-lines” exempt Britain from agreeing a common EU policy on justice and home affairs, defence and foreign policy, social security and a fundamental rights charter. On this basis Brown, like Blair, has rejected holding a referendum on the constitution/treaty.

The Tories oppose the treaty as a threat to national sovereignty and Brown has cast his own support in the same terms, insisting that “The British national interest has been protected.” There are issues relating to the ability of unelected EU bodies being able to dictate policy, but an exclusive focus on this aspect serves to conceal the more essential issues raised by the Lisbon Treaty.

The treaty/constitution was conceived of as a means of strengthening the EU as a trade and military bloc following the accession of 10 countries in 2004—mostly former Stalinist states in Eastern Europe, which have been followed by Bulgaria and Romania. Its goal is to enable the European powers to compete more effectively against their global rivals—particularly the United States—in the economic and military arena. To this end, it champions economic measures that will hasten the destruction and privatization of what remains of Europe’s once-extensive system of welfare provision and labour protections to facilitate the profit drive of the major corporations.

The EU’s rotating presidencies will be replaced by a president of the European Council sitting for two-and-a-half years.

A new post combining the roles of the existing foreign policy head, Javier Solana, and external affairs commissioner, Benita Ferrero-Waldner, will be created. It will not, however, now be referred to as a “foreign minister.” A mutual defence clause between member states has also been agreed.

The EU executive office will be cut from the current 27 members to 17 as of 2014 and the Euro-group of finance ministers that have adopted the single currency will be formalized.

The European Parliament and European Court of Justice are both given additional powers.

The present system of EU decision-making will continue until 2014, but will then be replaced by one that strengthens the control of the more powerful states, most notably Germany, over the small accession countries. Decision-making in more policy areas, including justice and home affairs, will be by majority voting instead of requiring unanimity. National vetoes in some areas have been removed.

A 50-article Charter of Fundamental Rights will be made legally binding, but its text does not appear in the treaty because its provisions on labour protection—such as protecting the right to strike—are opposed by Britain and others. This is one of Brown’s famous “red lines.” Most of the rest—such as freedom of speech, the right to shelter, education, collective bargaining and fair working conditions—are in reality under systematic attack by governments across Europe.

Sarkozy may have succeeded in getting the words “free and undistorted” competition removed from the Lisbon treaty, but the commitment to “economic liberalism” it was meant to signify remains a core EU objective. The Directive on services in the internal market (known after the name of its author as the Bolkestein Directive) intended to create a single European market in services, paving the way for wholesale privatizations and subcontracting to the private sector and overturning labour protections in the former state sector, was already adopted in December last year.

It is this economic agenda—directed against the working class on behalf of the transnational corporations—and the political imperative of strengthening Europe’s military and political influence globally that brought Merkel, Sarkozy, Brown, et al together in Lisbon.

Merkel proclaimed the treaty as the “foundation for a new European Union in the 21st century,” but did not say what this new construct was. Portuguese Prime Minister Jose Socrates declared at the opening ceremony: “The world needs a stronger Europe,” but did not say why. Britain’s EU trade commissioner Peter Mandelson was more forthright: “There are continental-sized powers we either want to engage with or square up to, whether it be China, India or the US—and at the moment we are punching below our weight.”



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