BORIS JOHNSON TRIGGERS A LEADERSHIP CONTEST FOR HIS SUCCESSOR AND PUSHES BRITAIN INTO UNCHARTED WATERS

Boris Johnson, the Conservative Party outsider who delivered Brexit, has stepped down as head of the Conservative Party, setting in motion a Conservative Party leadership contest for the next prime minister. To be clear, he has not stepped down as prime minister. In his six-minute resignation speech delivered early this afternoon (BST), he lashed out at those pushing for his exit, calling the move "eccentric." He referred to the "herd instinct" of MPs that brought him to this inflection point, seemingly oblivious to the chain of events that has so tarnished the Tory brand. His popularity has plummeted; this was uniquely self-inflicted. There was no self-reflection, no contrition, no apology, no remorse. He addressed the Ukrainian people, but didn't really address the British. He was defiant. Using an American idiom (unusual for an Eton- and Oxford-educated politician, according to the British press), he summed it up: "Them's the breaks."

In view of the circumstances leading up to today's announcement, including over the course of the past few days, an unprecedented number of resignations (59 ministers including five in the Cabinet; three Education Secretaries in three days), the firing of one member of the Cabinet and equally significant calls for his resignation by those still in government, it is awkward to say the least, though not out of character, for Boris Johnson to insist on remaining as caretaker PM rather than resign. Calls for his resignation as PM are likely to increase. In the leadership contest that kicked off incidentally even before Boris Johnson strode to the lectern placed in front of the door to No. 10 and announced his resignation, there is no obvious successor. Expect some weeks, or more, of uncertainty.

How We Got Here

As so often happens in British politics, Boris Johnson in effect was forced out by internal dynamics in his own party. Margaret Thatcher chose to step down before a vote of no confidence, and Tony Blair stepped down paving the way for Gordon Brown. David Cameron stepped down following the Brexit referendum (Theresa May ultimately was unopposed and assumed the premiership two weeks after David Cameron resigned). Theresa May survived a vote of no confidence, but stepped down due to fraught dynamics over the terms of the Brexit withdrawal, triggering the leadership contest that, after a two-month process, ushered in the Boris Johnson government.

The night before his resignation, Boris Johnson was touting his mandate from 14 million Tory voters (and only two weeks ago he was talking of a second and a third term, though perhaps in jest). Many have noted that, in the parliamentary system, voters voted for the Tory party, not for him. He was PM because his party had the majority of MPs and they had anointed him the leader of their party.

Boris Johnson has the choice of remaining until a new leader is appointed or stepping down immediately. He has chosen the former, and will remain as prime minister until his successor is chosen or he decides to resign the premiership as well. He announced a new Cabinet for his caretaker government, which met this afternoon. It includes those who

urged him to step down, and one who launched her leadership campaign before joining the meeting. A number of ministerial positions remain vacant. The appointment of the new Cabinet suggests Boris will remain at No. 10 until the leadership contest produces a successor - incidentally the 15th prime minister to serve since Queen Elizabeth II ascended the throne.

Boris Johnson's announcement was preceded by a wave of resignations – two top members of his Cabinet – Health Secretary Sajid Javid (who also had resigned in 2020 as Chancellor) and Chancellor Rishi Sunak – and a slew of junior ministers. Wavering ministers were pushed over the edge after a government spokesperson admitted that Boris had been made aware of, and then forgot about, a sexual misconduct complaint against a Tory MP who was promoted to deputy chief whip in February and resigned last weekend over groping allegations. This followed:

- a litany of scandals that had been percolating since the end of last year (more on that in a moment);
- a vote of no confidence (triggered by "Partygate") in which 41% of the Tory MPs rebelled (see my previous briefing note, available here);
- the loss of Tory seats in two strategic by-elections (themselves both triggered by scandals), prompting the resignation of the chairman of the Tory Party Oliver Dowden;
- various U-turns on policy that suggested a rudderless government bouncing from crisis to crisis; and
- a tax increase in the face of a cost of living crisis.

Lost in some of the media coverage was another admission yesterday by Boris Johnson. In response to <u>questioning</u> by the Commons Liaison Committee, he admitted that he had met with ex-KGB agent Alexander Lebedev while he was foreign secretary, a month after the Skripals poisoning, while attending a party hosted by Lebedev's son, without his security detail or his staff. Lebedev junior eventually was awarded a peerage, which remains under scrutiny by Parliament's Intelligence and Security Committee, as part of broader concerns about the influence of Russian oligarchs in British society and politics. There is some uncertainty as to what had been reported internally about that meeting.

Today's resignation was like no other. A comfortable majority in Parliament, with no significant disagreements over policy or ideology, and an agenda of pending legislation (including controversial bills on privatization of Channel 4 and human rights reform). Brexit in a sense is off the table, though fraught bilateral relationships with the European Union are not – Labour Leader Keir Starmer only a few days ago announced that he would not advocate rejoining the European Union (or the customs union or single market) if Labour comes to power. Instead, said Keir, Labour would move on and make Brexit work.

Ultimately, the collapse of the Johnson premiership was self-created. MPs no longer trusted him, and equally important, no longer trusted he would carry the party to victory in the next general election.

There will be plenty of recriminations as to why so many who stood on principle in the past 48 hours (Sajid Javid calling for "a moment of humility, grip and new direction" and Rishi Sunak calling out that the "public rightly expect government to be conducted properly, competently and seriously") stood by Boris' side for so many months as he and No. 10 were engulfed in scandal. This theme has resonance in the United States, turbo charged by the ongoing revelations as part of the January 6th committee hearings.

Vying for the Prize

The 1922 Committee (representing Tory backbenchers) will determine the timetable for the leadership contest, which is to be announced next week. Historically, there have been a series of votes among Tory MPs, the first vote eliminating candidates that fail to get 5% of the votes, the second candidates that fail to get 10% of the votes and then in each subsequent round the candidate with the fewest votes. A vote of the Conservative Party members determines who among the final two becomes the PM. To be clear, this is not a broad election – fewer than 200,000 will determine who next leads the UK government.

Many have questioned whether the process could be compressed to shorten the amount of time Boris Johnson leads a caretaker government. Yesterday, the Committee indicated it would go ahead with elections to its executive next Monday; that body would decide whether or not to change the rules. The leadership contest that anointed Boris took six weeks. The Committee might increase the thresholds to compress the timetable. Presumably, the contest will be completed by early September at the latest so as to provide the new PM with at least a few weeks to prepare for the key political event of the year – the annual party conference, to be held in early October.

The race is on, as odds ebb and flow, with the following leading the pack (note that there has been discussion for some months as to who would succeed Boris Johnson, as it has been clear for those months in the minds of many that it was a question of when, not whether, Boris would step down or be forced out):

- Penny Mordaunt, International Trade Minister (who did not resign)
- Rishi Sunak, the former Chancellor (who did resign)
- Liz Truss, the Foreign Secretary (who did not resign)
- Jeremy Hunt, a former Health Secretary and a former Foreign Secretary
- Sajid Javid, the former Health Secretary, and before that Chancellor (who did resign)
- Ben Wallace, the Defense Secretary (who did not resign)
- Tom Tugendhat, the chair of the Foreign Affairs Select Committee (who never served in the Cabinet)
- Nadhim Zahawi, the new Chancellor (the fourth in six years), and former Education Secretary (having joined the Cabinet less than a year ago), and before that Vaccines Minister (who did not resign but was reported to have urged Boris Johnson to step down)

Suella Braverman (the Attorney General) announced she was standing, joined later in the evening by Tom Tugendhat. Grant Shapps, the Transport Secretary, and Steve Baker (a

hard-Brexiteer) announced they were considering a run. Expect more in the coming days – with the premium on speed, campaigns will need to be launched quickly.

There is no heir apparent. As there was no vote of no confidence, technically Boris could run again, but that seems unlikely. He will end up on the backbenches. Dominic Cummings (former chief adviser to Boris Johnson) tweeted that he believes Boris Johnson has not given up hope of staying on – but that may be classic Dom.

What is Next?

In the short term, the looming question is whether Boris in fact remains in office until the fall, after having lost, in the words of former Prime Minister John Major, the "support of his Cabinet, his Government and his parliamentary party." John Major is reported to have said, in a letter to the 1922 Committee this afternoon, that Boris Johnson remaining as caretaker PM "is unwise," as he retains the power of patronage as well as the power to make decisions. The guardrails were not evident before, and are unlikely to be present now. Another Tory stalwart, Michael Heseltine, also is reported to believe Boris Johnson should resign immediately as PM.

Under current 1922 Committee rules, the earliest another vote of no confidence can be held is June 2023, unless the Committee changes its rules.

The alternatives are for the Deputy Prime Minister Dominic Rabb to lead the caretaker government or for compressed election among MPs, perhaps later endorsed by the Party membership. There is no convention for an interim prime minister, and Dominic Rabb would not automatically become the prime minister if Boris Johnson resigned his premiership. The Queen would have to appoint any interim leader, and any such appointee would in any event have all the powers of a prime minister. (See <u>Institute for Government summary</u>.) Some have suggested Theresa May should return to act as caretaker PM.

Implications for the Interim Period

It remains unclear what Boris Johnson's resignation and exodus of ministers mean for UK government policy. Looming over Westminster is the threat to upend the Northern Ireland Protocol. Other issues facing the government include surging inflation and the cost of living crisis, rail and other strikes, the war in Ukraine (which Boris highlighted in his resignation speech) and the climate crisis.

Also uncertain at this time is what this all means for a general election. After the noconfidence vote, there was talk of an early election. That now may be unlikely, as the next PM will need time to rebuild the tarnished Tory brand before the full British electorate can render its verdict on the Tory government. Unless the timetable is accelerated, the next general election (under the Dissolution and Calling of Parliaments Act) will be in January 2025. Boris Johnson was the driver of the Tory successes in the so-called "red wall" leading to a landslide, netting a close to 80-seat majority in the Commons. So, it remains to be seen how the Tories will fare in a general election, without Boris. For Keir Starmer, Boris has been a convenient target.

From a US perspective, the prospects of a more stable, less chaotic, government must be a relief. White House Press Secretary Karine-Jean Pierre, in response to a question today about the implications of the resignation, stated that the alliance with the United Kingdom continues to be strong, the special relationship will endure, but then shifted to the broader NATO effort against Russia. Yesterday, Ms. Jean-Pierre declined to comment on matters of domestic UK process.

While the Biden administration is appreciative of the UK role in Ukraine, the threats to upend the Northern Ireland Protocol (see my previous briefing note, available here) have been, and continue to, a significant concern for the Administration and various key members of the House and Senate, because of the implications for the Good Friday (Belfast) Agreement. In June, Senators Chris Coons and Rob Portman introduced the Securing Privileged Economic, Commercial, Investment, And Legal Rights to Ensure Longstanding Atlantic Trade and Investment Opportunities and Nurture Security, Happiness, Innovation, and Prosperity Act, or the SPECIAL RELATIONSHIP Act. The new legislation would give the president five years to take advantage of "fast-track" authority, and secure an up-or-down vote in Congress on any comprehensive trade agreement negotiated with the United Kingdom. The proposed text of S.4450 stipulates that any US-UK trade agreement must uphold the Good Friday Agreement and support continued peace and stability in Ireland and Northern Ireland.

EU diplomats do not hold out much hope of a different approach to outstanding Brexit issues, at least in the short term. Any contender to succeed Boris Johnson will likely need the support of the Eurosceptic wing.

Thoughts on Brexit

It may seem odd that the beginning of the end for Boris Johnson came in the form of a series of parties held during lockdown that ultimately morphed into Partygate. While many felt personally betrayed that No. 10 had flouted the rules and partied while the rest of the country obeyed lockdown rules, what had to have a significant impact on voter sentiment, conveyed to MPs in countless meetings with constituents, was the mendacity.

And that brings me back to Brexit. The lies and the dissembling were front and center in the Leave campaign and promises made about what Brexit would deliver (£350 million a week for the NHS, and no customs checks on goods entering Northern Ireland). Also, it was clear there was no well thought-out plan for a post-Brexit Britain and its relationship with the European Union. In fact, there was no plan. Owning up to that fact would have tarnished the image of those who delivered Brexit.

The success of the Leave campaign set the stage ultimately for Boris to become PM (although as many have noted, much as Boris wanted to *become* PM, it was unlikely that he wanted to *be* PM). What followed over the next three years was a contempt for convention, for the rules, for the right way of doing things. Ethical rules were bypassed, laws were broken. More lies were told (no parties were held during lockdown at No. 10); explanations of conduct shifted with increasing frequency.

Boris Johnson sought to bypass a deadlocked Parliament through prorogation – the Supreme Court found the move to be unconstitutional. The Electoral Commission fined the Tory Party for failure to report that a donor had financed renovation of Boris' apartment at No. 10. Boris intervened to try to stop the suspension of an MP for breaching lobbying rules; the effort failed, but the damage was done. In mid-June, as Boris sought to relaunch his premiership after surviving the no-confidence vote, his ethics adviser resigned (this being the second ethics adviser to resign in less than two years), after conceding the PM may have broken the ministerial code over Partygate. And finally, denial of knowledge of the allegations against the MP appointed as deputy whip at the time of the appointment – prompting a former senior civil servant and now a crossbench peer to complain publicly earlier this week that No. 10 had misled the public. Week after week (particularly on Sunday mornings), ministers were called upon to defend the indefensible.

People perceived Boris Johnson as embodying a sense of entitlement; the rules did not apply to him. Many saw chaos in government (with the exception of the roll-out of the COVID vaccines), though the pandemic tended to obscure Brexit-related causes. Over the months, the image of Britain has been tarnished and trust in government, already in low supply, largely has evaporated. Even the concept of the Union has been under strain in Northern Ireland and Scotland. Ultimately, the British public has not voted (the byelections being the exceptions, albeit in affected constituencies only, though results could easily be extrapolated). However, the sentiments have been conveyed to MPs loud and clear – Boris had to go, failing which the Tories would face defeat the next time the public did have a chance to vote.

Concluding Thought

The Johnson premiership has been unconventional and unpredictable in countless ways, and Tory leadership contests are difficult to predict. There are many moving parts, and both the predicate for the resignation as well as the nature of the process that the resignation has triggered mean that the UK will be in uncharted waters for some weeks, and possibly longer.

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