

FEDERALISM AND THE SUSTAINABILITY OF BELGIUM

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INTRODUCTION

Since the aftermath of the June 10 2007 general elections, Belgium is moving into a crucial, and maybe final, phase of its community conflict. In 2007 it took 193 days to form an interim government. In the following 12 months, three new governments were formed. At the June 13 2010 general elections, nearly half of the Flemish voted for independist parties and the separatist N-VA became the largest party of the country, while all Francophone parties generally defended the federal status quo. The government formation process has by now broken the Dutch European record (208 days) and Iraq world record (249 days).

The reasons for these long formations are due to profound differences between Dutch and French speakers on the future shape of the Belgian federation. Apart from the three separatist Flemish parties, some mainstream Flemish parties also threaten to blow Belgium up if the Francophones would abandon their defence of the status quo, and these threats are widely endorsed by the Flemish media. In the Francophone media and parties, strategies are discussed as to how the Francophones should react in such a regime crisis, and whether a left-over Belgium (Wallonia and Brussels) would be viable. Hence, currently the main crucial question is first whether Belgium will survive, and secondly, if it does so, under what form of (con-)federal arrangement?

For long-term observers this big escalation of the Belgian community conflict comes somehow as a surprise. This was certainly not the first major clash

between north and south, but past crises had been quite successfully accommodated in the traditional consociational way.¹ The unitary state was transformed comparatively rapidly into a fully fledged federal state. This radical transformation was achieved by entirely peaceful and constitutional means, in spite of some periods of heated mass mobilization by both camps. So what happened to the almost genetic sense of compromise of the Belgians, so much appreciated in EU circles? Second, in spite of the fact that the centre – periphery cleavage between Flemish and Francophones had been reversed by the 1960s, the Flemish conquest of the Belgian state did not deradicalise Flemish calls for further self-government. This challenges the hypotheses that devolution may reduce calls for further self-government.² Finally, the deep community conflict in the “heart of Europe”, in an interface zone between “Latin” and “Germanic” cultures³, seems anachronistic given the dominant post nation-state *Zeitgeist* induced by European integration and globalization. The heated conflict currently driven by socio-economic differences in a relatively rich area of the EU certainly challenges integrationist calls for an “ever closer union of peoples of Europe” (preamble of the European Draft Constitution).

Given the complexity and changing nature of the community conflict in Belgium and federal adaptation, for analytical clarity we will divide our presentation into three phases, and for each phase we identify the factors that fuelled the conflict,

¹ “Belgium can legitimately claim to be the most thorough example of consociational democracy, the type of democracy that is most suitable for deeply divided societies”; see Arend Lijphart (ed.), *Conflict and Coexistence in Belgium: The Dynamics of a Culturally Divided Society* (Berkeley: Institute of International studies, University of Berkeley, 1981), p. 1. Lijphart also heralds Belgium, with Switzerland, as the best real world approximation of the ideal type of a consensus democracy; see *Patterns of Democracy* (New Haven: Yale University Press, 1999).

² Frans Schrijver, *Regionalism after Regionalisation. Spain, France and the United Kingdom* (Amsterdam: Amsterdam University Press, 2006).

³ Stein Rokkan and Derek Urwin (eds), *The Politics of Territorial Identity: Studies in European Regionalism* (London: Sage, 1982).

its main actors and major accommodation policies in terms of state reforms towards federalism. These phases are:

- 1) The period of the struggle for Flemish linguistic emancipation and the reversal of the centre-periphery relation (from Belgian independence in 1830 until the linguistic laws of 1963);
- 2) The institutionalisation of demands for cultural and economic self-government leading to the emergence of the federal state, (1963-1995);
- 3) The period “beyond federalism” (from 1995 → until ... the collapse?).

In the conclusion we will present an inventory of the main constraints that will determine the future evolution of Belgium, as a (con-)federal state, or as a “failed state”?

FLEMISH LINGUISTIC EMANCIPATION, 1830-1963

GENESIS OF THE COMMUNITY PROBLEM

The Belgian state was created in 1830 after breaking away from the Netherlands, with which it had been merged by the Vienna Congress in 1815. Most provinces that would constitute the new state had been governed since the late middle ages as a common *ensemble* by foreign rulers (Spanish, Austrian, and French). The linguistic fault-line between the Belgian provinces – running from east to west, separating the Germanic and Roman dialect speaking tribes – emerged around the fourth century and was consolidated by the tenth century.

From its creation, the Belgian state was ethnically mixed, with a Flemish-speaking community in the North (without a standardised language), and

French-like Walloon dialects speaking community in the South.⁴ From the Middle Ages until the seventeenth century, Flanders was a very prosperous region, but it then declined in economic and cultural terms, and by 1830, it had practically no domestic elites that identified with Flemish culture. In fact, the Belgian independence movement resulted from an alliance between different groups of the French-speaking elites from the south as well as from the north: aristocracy, local notables and an emergent industrial bourgeoisie.

⁴ The various dialects spoken in Flanders were standardised under the label *Nederlands* in 1844 by adopting the standard of the Dutch language used in the Netherlands.

FIGURE 1 – Map of Belgium with Communities and Regions

3 Regions



3 Communities



Source: IGEAT/ULB

Hence, when Belgium gained independence in 1830 the hegemony of French culture in the new state was very strong. Flanders was mainly a poor

agricultural region, while Wallonia became the first industrialised region of the Continent. In spite of the fact that the Flemish always constituted a demographic majority (ranging from 57% at independence to 60% today), the official language of the state (used in administration, military affairs, politics, the legal system, education and the media) was French, and this extended also to Flanders. Brussels was chosen as the administrative and political capital and soon became also its financial centre. As a result of French hegemony in cultural, economic and political life, Brussels – formerly a Flemish city situated inside Flemish “territory” – slowly became a predominantly French-speaking city, and the centre of the new state.

To conclude, at the birth of the Belgian state the “centre” was French speaking, in political, administrative/military, economic and cultural terms. Flanders was clearly peripheral in all these domains, while Wallonia was associated through its industrial development and language with Brussels, the political, administrative, financial and cultural capital. Yet, this centre – periphery definition gradually changed, and by now has been almost completely reversed, due to the mobilisation of the so-called Flemish Movement, as well as socio-economic structural changes.

THE EMANCIPATION OF THE FLEMISH PERIPHERY

In Flanders, opposition to the Francophone dominance of the Belgian state and society had grown already by the 1840s, with calls for the recognition of the Flemish language by the “Flemish Movement”, mainly composed of cultural elites (intellectuals, literate middle class and lower clergy). Until the First World War, their aim was to have the Flemish community and its language fully recognised as constituent parts of the Belgian nation-state and “motherland”. Only after the First World War did some factions of the Flemish movement start to voice separatist or even irredentist demands (vis-à-vis the Netherlands).

In 1919, universal male suffrage with proportional representation was introduced, and this facilitated the emergence of new parties including the *Frontpartij* (the first genuine Flemish nationalist party) that won five seats in parliament, with 5.2% of the Flemish vote in 1919.⁵ The program of the *Frontpartij* became more radical during the 1920s and 1930s, causing the more moderate nationalists to leave this party and to advocate – with some success – the Flemish cause within the traditional political “families” (Catholics, socialists and liberals).

In the 1930s, the main Flemish nationalist party was the *Vlaams Nationaal Verbond* (VNV, Flemish National Union), a radical separatist party that was more explicitly Catholic and that also sympathised with national-socialist ideology. At the 1936 general election, it captured 10% of the Flemish vote. Eventually, the VNV collaborated with the Nazis, who recognized it as the only political representative of the Flemish population. Hence, as during WWI, German occupation was seen by a minority of Flemish nationalists as a window of opportunity to push through more demands for autonomy against the Belgian state.

These excesses and open collaboration with the enemy, together with a revival of Belgian patriotism, led to severe legal repression, de-legitimised the Flemish movement, and would thus seriously compromise the political reemergence of the Flemish nationalist movement and parties in the postwar period. With the

⁵ The name of the party referred to the war front where many Flemish soldiers had given their lives for their country while serving under francophone officers who did not understand their language. On the other hand, some Flemish nationalists had collaborated with the German occupiers, trying to achieve Flemish objectives, such as the Dutchification of the State University of Ghent.

disappearance of relevant Flemish nationalist parties after the Second World War, the Flemish movement continued its struggle for linguistic protection mainly through the traditional state-wide parties.

POLICIES OF ACCOMMODATION

At the level of purely linguistic and cultural claims, during the 1856-98 period the Flemish language gradually earned full recognition. In the 1860s, the first Flemish-speaking MPs were elected on the lists of the two state-wide and French-dominated parties, the Catholics and Liberals. Reforms allowed the use of Flemish in court (1873), in the administration (1878), the army (1887), and the educational system (1895, except for higher education). In 1898, gave Dutch equal footing with French as a state official language.

Finally, in the 1930s, the country was divided into a Flemish monolingual Dutch speaking area, a Walloon monolingual French speaking area, and a bilingual capital (until 1932 French could be used as language for official communication in Flanders). Yet, the borders between these three “language regimes” were flexible. The linguistic status of a commune was decided on the basis of the results of the most recent census, and thus a commune could switch from one language regime to another due to an influx of French or Dutch speakers. These shifts of the “language border” were especially significant in and around Brussels, which became more and more a Francophone city, a French-speaking “island” in Flanders, gradually expanding into the Flemish countryside. Since 1932, the 27 communes on the language border with a linguistic minority of at least 30% of the local population have provided linguistic-administrative “facilities” for users of the minority language.

In 1962-63 the so-called “language laws” consolidated the linguistic borders to arrive at “linguistically homogeneous territories” (Flanders and Wallonia) and the bilingual territory of the capital, Brussels. The enforcement of Dutch as the only official language in Flanders gradually extinguished pockets of the French-speaking bourgeoisie (mainly in the cities of Ghent and Antwerp), which chose either to assimilate or to migrate, whether voluntarily or under strong popular pressure (as was the case of the Francophone sections of the Catholic University in the Flemish town of Leuven).

Hence, at the birth of the Belgian state the “centre” was French speaking, in political, administrative, military, economic and cultural terms. Flanders was clearly “peripheral” in all these domains, while Wallonia was associated through its industrial development and language with Brussels, the political, administrative, financial and cultural capital. Yet, this centre – periphery pattern gradually changed, and by now has been almost completely reversed. The main

linguistic demands of the Flemish Movement were met gradually. Also, by the mid-1960s, socio-economic issues have increasingly become predominant, as the growing economic North-South differences have triggered huge financial transfers from Flanders to Brussels and Wallonia through different redistributive mechanisms.

Table 1: Population and GDP per capita by Region

	Population 2008	GDP per capita 2007
Flemish region	6.161.600	31,700
Walloon region	3.456.775	22,600
Brussels Capital region	1.048.491	60,200
Germanspeaking Community (2007)	74.169	

Source: population

http://statbel.fgov.be/nl/statistieken/cijfers/bevolking/structuur/huidige_nationaliteit/belgisch_vreemd/index.jsp and

http://fr.wikipedia.org/wiki/Communaut%C3%A9_fran%C3%A7aise_de_Belgique

GDP: Eurostat

http://appsso.eurostat.ec.europa.eu/nui/show.do?dataset=nama_r_e2gdp&lang=fr

Also politically the centre – periphery relationship had changed profoundly. From 1965 onwards, due to the reapportionment of parliamentary seats in that year and their growing demographic importance, the Flemish formed a majority in Parliament. In addition, the Flemish elites, which slowly “conquered” the Belgian state after the Second World War, also managed to direct economic development policies towards further expansion of the Flanders economy.

FROM self-government TO FEDERATION, 1963-1995

DECLINE OF THE CLASSICAL CENTRE – PERIPHERY CONFLICT

Yet, in spite of having reversed the centre – periphery position, the Flemish movement did not try to exploit this conquest of the Belgian state as the main instrument towards further promotion of Flemish interests (although such a

“minimalist” strategy was advocated by some Flemish nationalist Christian Democrats). As a “normal” minority nationalist movement, it sought devolution of cultural competencies (in education, culture and the media) to the Flemish cultural community (*cultuurautonomie*). Later on, demands for socio-economic self-government were added.

This widening of the self-government agenda was reinforced by the breakthrough of the Walloon movement that reacted against Flemish emancipation and the growing Flemish grip on the Belgian unitary state (*l'Etat belgo-flamand*). The first signs of Walloon mobilisation go back to the 1880s, but remained rather insignificant politically until the early 1960s. Triggered by the first successes of the Flemish movement, it started as a linguistic movement, defending French as Belgium's only official language. Quickly, however, working class, republican and autonomist demands were also added. After the failure of a long and violent general strike in the winter of 1960-61, Walloon militants – especially within the Socialist trade union – started to rally for economic regionalisation.⁶ The 1963 language laws also triggered a resistance movement of the French-speaking population in Brussels, who conceived the bilingual status of their region as advantageous to the Flemish, who were more likely to be bilingual and were thus in a position to occupy disproportionately more public sector jobs in Brussels.

The combination of three different types of autonomy movements eventually led to the gradual acceptance by Belgium's hitherto unitarist elites of a certain degree of devolution, eventually leading to a *sui generis* type of federalism (see below).

⁶ Paul Delforge, Philippe Destatte and Michelline Libon (eds.), *Encyclopédie du Mouvement wallon* (Charleroi: Institut Destrée, 2000).

MOBILISATION OF FLEMISH, WALLOON AND BRUSSELS MINORITIES

This acceptance of new realities was facilitated by the drastic redrawing of the party landscape, leading to a bifurcation – and record level of fragmentation – of the party system (see table 2).⁷ The “regionalisation” of the national party system occurred in several waves. First the ethno-regionalist parties broke through in the mid-1960s: the *Volksunie* (VU) in Flanders, the *Rassemblement Wallon* (RW) in Wallonia, and the *Front Démocratique des Francophones* (FDF) in the Brussels region. By the early 1970s, these were able to capture respectively 20% of the Flemish and Walloon vote, and 40% of the Francophone vote in Brussels. Second, the growing saliency of the linguistic and regional cleavage, on which their success was based, became a deep source of division within the unitary Christian Democrat, Liberal and Socialist parties, and each traditional party split into two organisationally and programmatically independent Flemish and French-speaking branches (respectively in 1968, 1972 and 1978). These parties split up because increasing internal divisions between Flemings and Francophones forced them to reach internal compromises with regard to regional and linguistic issues that no longer satisfied their respective electorates, as the ethnoregionalist parties offered more attractive, regionally tailored programmes. Finally, at the end of the 1970s emerged the Flemish separatist and xenophobe *Vlaams Blok* and the Green parties (*Agalev* in Flanders and *Ecolo* in the Francophone areas).

Table 2: General Elections 1946-2010. Results in % of valid votes for Belgian House of Representatives

⁷ In 1999, the effective number of parties reached its peak at 9.1; Lieven De Winter and Patrick Dumont, “Belgium: party system(s) on the eve of disintegration?”, in David Broughton and Marc Donovan (eds.), *Changing Party Systems in Western Europe* (London and New York: Pinter, 1999), pp. 183-206).

Year	PSC/CVP		PSB/BSP		PL/LP		FDF	RW	PCB	VU	AGALEV	ECOLO	VB	UDRT	FN	ROSSEM	Volatility
	CVP	PSC	SP	PS	VLD	PRL										DEDECKER	
1946	42,5		31,6		8,9					12,3							
1949	43,6		29,8		15,3				7,5	2,1							8,10
1950	47,7		34,5		11,2				4,8								8,85
1954	41,1		37,3		12,1				3,6	2,2							6,85
1958	46,5		35,8		11				1,9	2							4,95
1961	41,5		36,7		12,3				3,1	3,5							4,95
1965	34,5		28,3		21,6		2,2		4,6	6,7							15,80
1968	22,3	9,4	28		20,9		5,9		3,3	9,8							5,95
1971	21,9	8,2	27,2		9,5	7,2	11,4		3	11,1							6,85
1974	23,3	9,1	26,7		10,4	6	10,9		3,2	10,2							3,25
1977	26,2	9,8	27		8,5	7,8	7,1		2,1	10							6,35
1978	26,1	10,1	12,4	13	10,4	6	7,3		3,3	7			1,4	0,9			6,20
1981	19,3	7,1	12,4	12,7	12,9	8,6	4,2		2,3	9,8	2,3	2,2	1,1	2,7			14,35
1985	21,3	8	14,6	13,8	10,7	10,2	1,2		1,2	7,9	3,7	2,5	1,4	1,2			9,75
1987	19,5	8	14,9	15,7	11,5	9,4	1,2		0,8	8	4,5	2,6	1,9	0,1			4,30
1991	16,8	7,7	12	13,5	12	8,1	1,1		0,1	5,9	4,9	5,1	6,6		1	3,2	12,35
1995	17,2	7,7	12,6	11,9	13,1	10,3				4,7	4,4	4	7,8		2,3		6,70
1999	14,1	5,9	9,5	10,2	14,3	10,1				5,6	7	7,4	9,9		1,5		10,90
2003	13,3	5,5	14,9	13	15,4	11,4				3,1	2,5	3,1	11,6		2,0		12,67
2007	18,5*	6,1	10,3	10,7	11,8	12,5					4,0	5,1	12,0		2,0	4,0	11,1
2010	10,9	5,5	9,2	13,9	8,6	9,3				17,4	4,4	4,8	7,8		0,5	2,3	14,1

Thus, since 1978 (when the last traditional party split) one can no longer strictly speak of a single party system at the Belgian level. By now, there were two distinct party systems, a Flemish and a Francophone one. In the Flemish constituencies, only Flemish parties compete for votes, and as a rule they do not present any lists in the Walloon constituencies (and vice versa). Only in the large Brussels-Halle-Vilvoorde constituency, where these two party systems overlap, do Flemish as well as Francophone parties compete, at least potentially, for the same set of voters. These two party systems differ in terms of

the type of party families that are relevant, their electoral evolution and to some extent their cleavage structure.⁸

The bifurcation into two quasi-autonomous regional party systems also fuelled the centrifugal tendencies in party competition. In Sartorian terms, the current Belgian situation clearly represents a case of extreme multipartism⁹, with polarised centrifugal competition on the predominant (linguistic) cleavage between practically all the Flemish parties that are situated at the pole of defence of Flemish interests, against the Francophone parties situated at the pole of the defence of Francophone or Walloon interests. Only the Flemish and Francophone Green parties have remained relatively close to the centre, as they have kept a unitary parliamentary group in the federal parliament and have generally aimed at developing a common programme on linguistic and regional problems.

The growing fragmentation cum polarisation of the party system certainly hindered the formation of governments, and for a while led to extreme government instability (in the 1977-1981 period, there were nine governments!).

TOWARDS A NEW ACCOMMODATION

The demand for distinct types of self-government voiced by regionalist parties and the now autonomous branches of the three former state-wide parties were accommodated by the gradual introduction of a complex type of federal state,

⁸ Lieven De Winter, Marc Swyngedouw and Patrick Dumont, "Party System(s) and electoral behaviour in Belgium: from stability to Balkanisation", in Marleen Brans, Lieven De Winter and Wilfried Swenden (eds.), *The Politics of Belgium* (London: Routledge, 2009), pp. 71-94.

⁹ Giovanni Sartori, *Parties and Party Systems* (Cambridge: Cambridge University Press, 1976); see Lieven De Winter, "Multi-level party competition and coordination in Belgium", in Charley Jeffery and Dan Hough (eds.), *Devolution and electoral politics* (Manchester: Manchester University Press, 2006), pp. 76-95.

through a series of constitutional reforms starting in 1970. The complexity of the new institutional system is a direct consequence of the compromise made between two separate but complementary concepts. The Flemish nationalists defended the idea of a federal structure with two components – Flemish and Walloon – based on the existence of two distinct cultures, or presumably even nations. The Walloon movement in favour of autonomy supported the idea of delegating economic policy to three regions (Flanders, Wallonia, and Brussels) which would then control their own economic development.

These two trajectories towards two types of self-government led to several major constitutional revisions (in 1971, 1980, 1988, 1993 and 2001). The first three reforms had the effect of deepening the level of regional and communal autonomy. The 1971 reform created three community assemblies in charge of cultural affairs, composed of federal representatives and senators of different language groups. It envisaged the creation of three regional assemblies (created provisionally in 1974). Within the federal government, each region and community had its minister(s) in charge of these competences.

The 1980 reform further clarified the distribution of competences and the manner in which they were financed, and installed separate executives for the regions and communities. The 1988 reforms dramatically expanded the competences and financing of the substate level (from about 10% to 30% of public expenditures), including the huge sector of education and the remaining parts of economic policy.

Finally, the 1993 constitutional revision institutionally consolidated the transformation of Belgium into a federal country based on three partially

overlapping linguistic communities (Flemish, French and German, the last a tiny minority¹⁰) and three socio-economic regions (Flanders, Brussels and Wallonia), with directly elected assemblies. However, in spite of its “double” form (three regions and three communities), the asymmetry of Belgian federalism was increased by the merger, from the start, of the Flemish community and region. More recently the Walloon region and the Francophone community have pooled some competencies, while there has also been a gradual transfer of specific Walloon regional competencies to the German-speaking community.

Federalisation created entirely new political systems in the level of the regions and communities, each of which has its own directly elected legislature, an executive headed by a minister-president and a civil service. After the 1993 reforms, regional competencies included urban planning, environment, local government, housing, as well as parts of the following sectors: agriculture, economy, energy, employment, public works, transportation, science and research, and even international relations. The communities’ competencies include nearly all educational matters, culture, parts of health policy and assistance to families, the disabled, elderly, youth, and other groups. In the most recent reform, in 2001, agriculture, developmental aid and sub-regional government (i.e. *tutelle* over communes & provinces) were added. In total the regions and communities control more than one third of overall public spending.

Hence, with the creation of this *sui generis* form of federalism, the self-government movements in the three regions managed to transform a basic zero-sum gain into a win-win solution, a fine example of consociational arrangements previously applied with success to other major crisis in Belgian

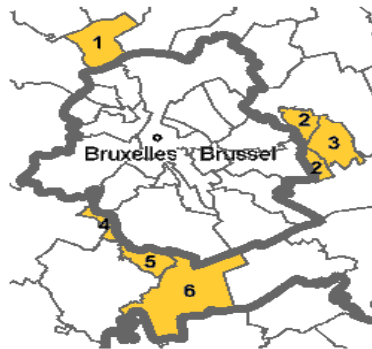
¹⁰ After the First World War, a small territory with a German speaking population was added. This community now counts about 70,000 German-speakers, less than 1% of the Belgian population.

politics. Other consociational rules, like government by mutual consent and veto right for minorities, were enhanced. The 1970 constitutional revision neutralised the Flemish parliamentary majority by giving veto powers to the Francophone minority. First, the cabinet (excluding the prime minister and junior ministers) has to include as many Francophones as Dutch-speaking members. Second, linguistic groups have power to delay or block legislation threatening their interests through the use of an “alarm-bell” procedure. Third, in order to protect the rights of regional and linguistic minorities, some bills have to be approved by qualified majorities: overall support by a two-thirds majority of the valid votes, and a majority of valid votes within each linguistic group in each chamber.¹¹

Hence, since 1970, no Flemish demand for further autonomy can be granted unless a majority of the Francophones agrees. But other “minorities” have also been given special protection: the Flemish in the Brussels region (at the regional level, and in each of the 19 Brussels communes), the Francophones in Flemish “*facilités*” communes in the Brussels periphery (see below); and the German-speaking minority in Belgium.

Figure 2 : Communes with « facilities » around Brussels

¹¹ Since 1831, constitutional amendments have also required approval by a two-thirds majority of valid votes in each chamber.



-  Commune néerlandophone à minorité francophone protégée
1. Wemmel
 2. Kraainem
 3. Wezembeek-Oppem
 4. Drogenbos
 5. Linkebeek
 6. Sint-Genesius-Rode (Rhode-Saint-Genèse)

BEYOND FEDERALISM, 1995→ ?

Redefining the Conflict

In spite of this successful exercise in the “politics of accommodation”¹² – the transformation of a unitary state into a fully fledged federal state in less than three decades – community conflicts did not disappear from the political agenda, even when the main ethnoregionalist parties have declined since the late 1980s (until the resurgence of the N-VA since 2007).

There are several reasons for this absence of pacification. First, federalisation did not solve all issues that fed into the community conflict, and once the main issues of federal institutional reform were solved, these relatively minor issues

¹² Arend Lijphart, *The Politics of Accommodation: Pluralism and Democracy in the Netherlands* (Berkeley: University of California Press, 1968).

gained in importance. Amongst these “unfinished businesses”, linguistic issues regarding the Brussels region and its periphery are prominent. But from the mid-1990s, socio-economic issues have dominated the agenda. While nobody doubts that Belgium is by now a fully fledged federal state, there is no full elite or public consensus about the most appropriate balance in the division of labour between the federal, regional and, indeed, European levels.

The remaining linguistic problems are essentially due to a “mismatch” between the language regimes installed in certain communes, and the actual language use of the local population. The most important linguistic problem from a demographic perspective currently concerns the Francophones living in the Brussels periphery – on “Flemish soil”. Large numbers of Francophone (as well as Flemish) Bruxellois have left the capital to live in the greener Flemish countryside around Brussels. This suburbanisation process started long before the linguistic arrangements of 1963, which acknowledged this situation by granting the Francophones special minority rights (*facilités*, facilities) in six Flemish communes in the Brussels periphery (see figure 2). There Francophone citizens may communicate with the communal administration in French, an exception to the rule that in Flanders the official administrative language is Dutch only.

By now, in all six communes, the Francophones constitute a majority of inhabitants (ranging from 50% to 80%). Hence, Francophone politicians run the local council and executive. Formally they are obliged to conduct business in Dutch, and certainly they would prefer their commune to be given bilingual status (as in the Brussels communes). However, all Flemish parties, ethno-regionalist movements and wider Flemish public opinion are unanimously and vehemently opposed to this threat to the “unity and monolingual character of the Flemish territory”. The experience of the “loss” of Brussels to the Francophones, a city that still in the nineteenth century was predominantly Flemish, pushes all

Flemish parties to call an unconditional halt to further linguistic assimilation of the Brussels periphery. In fact, most Flemish parties try pro-actively to hold back this process, by interpreting the use of “facilities” restrictively as well as by positively discriminating in favour of the Flemish, for instance in terms of access to housing and to infrastructure for organising French cultural events.

Assimilation to French is also substantial in many other Flemish communes in the Brussels periphery, where French speakers do not enjoy any linguistic facilities. Estimates are that by now well over 100,000 Francophones live in the Flemish periphery around the capital. Most Francophone local civil society organisations and parties call for changing the official monolingual status of these communes to a regime that would recognise the bilingual sociological reality, for instance by granting language facilities to these communes, or more radically by extending the regional territory of Brussels and the bilingual language regime. Belgian members of the Council of Europe have called several times for a report (1998, 2001, 2005, 2009) on potential discrimination against linguistic minorities in Belgium and the violation of the charter of local autonomy, reports that generally tend to support the Francophone theses regarding the unfair treatment of the Francophone “minority” in the Brussels periphery.

Linked to these linguistic problems in the periphery is the issue of “BHV” – the proposed division of the electoral constituency of Brussels-Halle-Vilvoorde. The issue is highly symbolic but technically too complex to present in this article.¹³ It is more important symbolically than in substance: it is by no means clear that concession of the Flemish demand for partition of BHV would in practice result in any significant change in parliamentary seats between parties.

While these linguistic issues remain salient and difficult to resolve due to their zero-sum nature, socio-economic issues have increasingly become predominant. The large economic North-South differences have triggered huge financial transfers from Flanders to Brussels and Wallonia through the redistributive mechanism of the social security system (still a federal competence), of federal block grants to regions and communities, and general federal policies. While these solidarity transfers are based on objective differences (for instance, the higher degree of unemployment and professional health hazards), many Flemish parties and media would like to reduce them. They are not considered as a normal consequence of interpersonal solidarity, but attributed to Walloon abuses of the social security system. Populist interpretations of “lazy Walloons living on the rents of hardworking Flemish”, and of an inefficient, clientelist, and even corrupt Walloon and Brussels public management, are widely voiced by Flemish parties and media.

¹³ See Lieven De Winter and Pierre Baudewyns, “Belgium: Towards the Breakdown of a Nation-State in the Heart of Europe?”, in *Pathways from Ethnic Conflict. Institutional Redesign in Divided Societies*, ed. John Coakley (London: Routledge, 2010), 280-304.

MAINSTREAMING AND INSTITUTIONALISING ETHNIC ENTREPRENEURSHIP

Compared to the first phase, the main actors in the Belgian community conflict have gradually changed. First, the capacity of the Flemish movement to mobilise hundreds of thousands of demonstrators to endorse its demands has vanished (the last mass mobilisation was in 1978). The regionalist parties have also lost appeal since the mid-1980s. The *Rassemblement Wallon* had lost its last MPs by 1985 (many joined the Liberals or the Socialists), while the FDF managed to keep a few seats by forming a federation with the Francophone Liberals since 1993.

Although the VU lost about two-thirds of its 1981 voters over the next 20 years, this decline led – contrary to the shrinking of the Francophone party system – to extreme fragmentation. First there was the breakthrough of the separatist *Vlaams Blok*, a splinter from the VU dating from 1978. This has boomed since the early 1990s, mainly through anti-immigrant and anti-establishment stands. The VU's struggle for survival in the 1990s (including the search for collaboration with a large Flemish party) radicalised the traditional Flemish parties, whose electoral scores tended to converge in the 20-25% range. With the VU's 10% of the votes potentially “up for grabs” and given a general trend of growing volatility, whichever party would manage to get the biggest slice of the VU electorate could claim political leadership in the Flemish political system, and thus also at the federal level. Thus political competition focused on seducing the drifting VU voters, by offering a credible Flemish nationalist programme.¹⁴

¹⁴ This new focus of the traditional parties on competition with the Volksunie occurred also at the level of political personnel. Already in the 1990s, several leading VU MPs had joined other parties, mainly the liberals.

In 2001, the VU split into the “post-nationalist” left-liberal *SPIRIT* (which formed an electoral cartel with the Flemish Socialists in 2003), while the traditional supporters of independence formed the *Nieuw-Vlaamse Alliantie* (N-VA), which eventually entered an electoral cartel with the Flemish Christian Democrats in 2004 (both cartels were triggered by the implementation of a provincial threshold of 5% in 2001 for regional and federal elections). Hence, by 2004, the regional branches of the mainstream Flemish parties had become the main protagonists in the post-federalisation phase, each party counting a considerable number of former VU Flemish-nationalists in its ranks, and these further radicalised the respective parties’ positions on the community question.

Also, ethnic entrepreneurship has shifted towards institutional actors. The creation of directly elected regional parliaments (since 1995), and democratically legitimized regional governments, created a new class of Flemish political entrepreneurs who exploited their institutional position as members of the Flemish executive or parliament to push the “Flemish agenda” further. In 1999 the Flemish parliament voted quasi-unanimously five radical resolutions that have remained up until now the “yardstick” of Flemish demands (some have been already implemented by the 2001 constitutional reform). The most contentious resolutions call for the current “3+3” federal state structure (Flanders, Wallonia and Brussels as regions; Dutch, French and German speakers as linguistic communities) to be transformed into a “2+2” formula, with two strong *deelstaten* or substate entities (Flanders and Wallonia) responsible for the management of the “second order” regions, Brussels and the German-speaking community respectively. Second, it calls for fiscal and financial autonomy, the exclusive attribution of residuary competencies to the regions, and the right of the Flemish community to draft its own constitution. In terms of competences, it calls for full transfer from the centre of health and family policy, science and technology, rail infrastructure, communication, agriculture and fisheries, foreign trade, developmental aid and parts of labour market policy. But the main calls for larger Flemish autonomy are voiced by the Flemish executive, and especially by the various Flemish Christian Democratic minister-presidents.

While the resolutions were mainly legitimated by references to the principles of subsidiarity, good governance, fiscal accountability, efficiency (with demands for more coherent policy packages tailored to diverging regional needs) and the Flemish “general interest”, the Francophones perceived them as a road map to full Flemish independence and that they resonates alarmingly with the more primitive calls of the racist *Vlaams Blok* (VB), a party that does not hide its clear separatist goals, *Eigen volk eerst* (Our own people first). Hence, the VB’s

growing success (until 2006) serves as a democratic legitimation (and a kind of alibi) for Francophone resistance to what they perceive as “VB-driven” Flemish demands – though the Flemish consider these as democratically fully legitimate.

Finally, these institutionally based calls for more autonomy have been reinforced recently by the decoupling of federal and regional elections and the occurrence of asymmetrical majorities. Until 2003, the seat distributions within the national and regional parliaments within each region tended to coincide. Up to 1995, the regional and community parliaments were composed of national MPs, while the first two direct elections of the regional parliaments were organised on the same day as the federal elections (1995 and 1999). Hence, until 2004, symmetrical coalitions were formed at the federal and regional level (with the exception of the Brussels region). However, the 2004 regional elections, which for the first time did not coincide with federal elections, were won by the Flemish Christian Democrats, a party in opposition at the federal level since 1999. The Christian Democrat minister-president used this legitimate power base to vehemently attack the federal Liberal-Socialist government, reproaching its neglect of Flemish interests and lack of good governance. The federal prime minister, preoccupied with keeping his “unnatural” coalition of Flemish and Francophone Liberals and Socialists together, tried as much as possible to downplay community conflicts. Hence, asymmetrical coalitions between the federal and regional level tend to enhance competition between government levels and between parties, especially on community issues.

In addition the desynchronisation of regional and federal elections led to a large degree of fusion (and for the voters’ confusion) between both types of elections. Often party manifestos for the federal elections contain policy proposals that concern regional/community competences and vice versa. As the voters are little aware of the division of competencies between levels, parties tend to

formulate programs “fitting all levels”. Also, regarding candidates most parties use an “all hands on deck” strategy, with regional and federal MPs and ministers participating in both elections in order to maximise their party’s score, but that have no intention to hop level. At the June 2010 general elections, three quarters of the members of the Flemish Parliament were candidate for the federal elections!

By now most parties have learned that asymmetry renders coordination between and within parties very difficult, leading to numerous interlevel conflicts and blockage of decision-making at both levels. Therefore, there is a growing consensus that regional and federal elections should be synchronised again, in order to produce again symmetrical governments.

Thus, the completion of a federal state in 1993 did not lead to accommodation at the elite level, rather the contrary. At the level of the citizens, however, we do find significant indications of diminishing saliency of community issues. First, all longitudinal surveys indicate that since the early 1990s, community issues are very low in salience vis-à-vis mainstream issues such as unemployment, security and migration. Neither do Flemish citizens seem to follow the radicalisation pattern found amongst elites. While in the late 1970s Flemish citizens identified more with the Flemish community than with Belgium, from the late 1980s this situation was reversed, and by now about twice as many Flemish identify with Belgium than with Flanders. The so-called “Moreno question” shows a “normal” and stable distribution around the centre position “I feel as much Flemish as Belgian”, with systematically less than 10% opting for the position “I feel Flemish only”. As regards constitutional options, a majority still opts for more power to the Belgian level rather than for more power to the regions. Finally, when asked to choose between the regional, national and European level as the most appropriate decision making level to solve problems

in a variety of policy sectors, the regional level is always overshadowed by the Belgian (or European) level.¹⁵ However, Flemish MPs clearly prefer the region over Belgium in all policy sectors (apart from issues of crime control). Hence, at the Flemish level there seems to be a serious gap between elite and mass opinion, while on the Francophone side there is a strong mass identification with Belgium, shared by the elites.

¹⁵ André-Paul Frogner and Lieven De Winter, "Les Belges et le Fédéralisme. Les leçons des enquêtes de 1970 à 2007", in Régis Dandoy, Geoffroy Matagne, Caroline Van Wynsberghe, *Le fédéralisme belge* (Bruxelles: Academia Bruylant, 2011, forthcoming).

Thus, the “divorce des Belges” is mainly situated at the elite level, rather than at the mass level, in spite of the existence of two distinct “public spheres”. In fact, Belgium has two media landscapes segregated by language, with very little interaction between them.¹⁶ Since the media only cater for the information needs of their own community, they have no interest in paying much attention to presenting an objective picture of what happens in the other community. In addition, the Flemish media always consider themselves as watchdogs of the “Flemish cause”, and tend to focus on news that seems to confirm the large north-south differences, whether in cultural, economic, political, societal values, or lifestyle matters. The European Values Studies and European Social Surveys, however, systematically indicate that while value differences between Flemish and Walloons do exist, they tend to be smaller than those between Flemish and Dutch, or between Walloons and French.¹⁷

TOWARDS SETTLEMENT?

Since the completion of a federal state in 1993, the institutional structure of Belgium has changed little, apart from a minor expansion of regional competences during the last state reform of 2001. This relative institutional inertia creates a huge potential for a major (and perhaps lethal) community conflict between Flemish demands for a huge state reform, and Francophone preferences for the institutional status quo.

¹⁶ For instance, during the campaign for federal elections, no debates are organised between Flemish and Francophone politicians. French newspapers are hardly read in the Flemish side of the country and vice versa. The same applies to radio and television news.

¹⁷ Jaak Billiet, Bart Maddens and André-Paul Frogner, “Does Belgium (still) Exist? Differences in Political Culture between Flemings and Walloons, in Marleen Brans, Lieven De Winter and Wilfried Swenden (eds.), *The Politics of Belgium* (London, Routledge, 2009), pp. 50-70.

Traditional consociational strategies have lost a good part of their traditional bridge building potential, for a variety of reasons. First, intercommunity pacification in Belgium was often achieved by turning conflicts into a win-win situation which usually included granting large subsidies to the conflicting camps. However, since the budgetary crisis of the 1990s (with a record public debt of 139% of the GNP in 1993), there have been few financial resources left to distribute. The recent economic and banking crisis further diminishes the budgetary possibilities of buying off conflicting communities.

Second, there is a breakdown of communication between political elites from different sides of the conflict, especially between Flemish and Francophone Christian Democrats, the backbone of most post-war federal governments. However, socio-economic elites tend to remain on better speaking terms (the trade unions and mutual health associations, the backbones of the Socialist and Christian Democratic pillars, are still organised in a national, though federalised, structure) and call for moderation of Flemish demands.¹⁸

Third, due to the contest for political leadership in Flanders between the three traditional parties, there is considerable irresponsible outbidding in respect of Flemish demands, which can never be realised through normal interparty bargaining with the Francophones, who defend the status quo.

¹⁸ Lieven De Winter and Carolyne Van Wynsberghe, "Political Parties and Civil Society in the Belgian Federation", in Wolfgang Rensch and Klaus Detterbeck, *Political Parties and Civil Society in Federal Countries*, Ottawa: Forum of Federations, 2011, (forthcoming).

CONCLUSION

The Belgian federal “model” is highly complex and certainly not an exemplary case of “come together” federations (Deschouwer, 2009:67-69). It is a *sui generis* federation shaped by a long series of compromises between conflicting views about the territorial organisation of the state intended to cool down community conflicts, rather than the result of a well designed road map to establish a textbook federal state. It is bipolar based on the basic opposition between Flemish and Francophone views and interests which is reflected in the boundaries and competences of the substate entities, and in the dual form of party system, parliamentary groups, federal government, media, and minority protection mechanisms. The “model” is also “drifting apart” rather than “come together”, as all reforms empower the substate level and weaken the federal level. Its “double” structure is unique (regions AND communities). It is also asymmetric as the three regions are not empowered in the same way, nor are the three communities. It is also conceived as an application of dual (“layer cake”) federalism, with clear division of power between the central and substate entities, hardly any shared competencies. Still in some policy sectors, some subsectors are run by the federal, but another by the substate entity. Yet a clear definition of the federal powers is still lacking. In addition, in case of competence conflict between levels, there is no constitutional hierarchy between federal laws and regional decrees.

To many observers, this unique federal model has moved into a final stage of disintegration. The original community conflict on language issues has become predominantly one over socio-economic policy and autonomy, essentially opposing on the one hand the Francophones in Wallonia and Brussels unanimously defending the institutional status quo of the current federal state, and on the other hand most Flemish political elites calling for radical autonomy, and some even for independence.

It is quite hazardous to make predictions about the evolution of the community conflict in the near future. The status quo is the most unlikely outcome as it could lead to federal decision-making deadlock. Fear of further radicalization and support for independence in Flanders (as confirmed by the N-VA landslide in 2010) is gradually pushing Francophones to accept further devolution in some policy sectors (such as the labour market), in exchange for monetary compensation¹⁹ and some measures that would improve the functioning of the federal state also.

But will this “lighter but fitter Belgium” outcome satisfy Flemish elites? Is this win-win option financially still affordable, given the structural budgetary problems enhanced by the current economic and financial crisis? If the answer is no, the breakup option will gain further momentum in Flanders. In any case, in both camps various think-tanks prepare road maps in case such a breakdown becomes unavoidable.

However, there are several factors that make such a drastic solution unrealistic. First, there is the issue of Brussels, representing the economic and diplomatic crown jewels of the Kingdom of Belgium. An independent Flanders would certainly have to surrender Brussels, given the large majority of Francophones living in that region. Second, there is the problem of the division of the enormous public debt. Third, many large EU countries which themselves face independence movements are unlikely to support Flemish independence.

¹⁹ The francophones call especially for more resources for Brussels, in view of the paradox of being the region with the highest gross regional product while at the same time having the highest unemployment and poverty rates, a big unskilled labour force, and a pressing need for affordable housing.

Neither would the EU be enthusiastic about the breakup of a state in the heart of Europe along ethnic lines. Fourth, the Flemish economy, which is highly export oriented, may suffer from the loss of the label “Made in Belgium”, as Flanders still lacks a strong brand name on international markets. Finally, the high transaction costs incurred from transforming the existing state into a new Flemish state and the remaining “Wallo-Brux” part of the Belgian federation would be enormous, and would create a lose-lose situation for all. A state in flux may discourage foreign investors and undermine the countries credit ratings on financial markets. And finally the international community will only allow the inheritor state of Belgium to rejoin international organisations vital for the survival of small countries (like the EU and NATO), if the inheritor states manage to first negotiate amongst themselves a detailed arrangement about the splitting of Belgium. Finding a compromise on an all encompassing set of contentious issues will even be more difficult to solve than the current deadlock regarding the devolution of some competencies and the splitting of “B-H-V”.