

Belgium

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Table 1. Cabinet composition of Verhofstadt II

For the composition of Verhofstadt II on 1 January 2006, see De Winter & Dumont (2006: 1055).

Election and cabinet report

On 8 October, the provincial and local elections took place. They are worth mentioning for two key reasons apart from the fact that Belgium has always displayed a strong municipalist tradition. On the one hand, following the ‘Lambermont’ and ‘Saint-Polycarpe’ institutional agreements (16 October 2000 and 23 January 2001) and the ensuing special majority bill of 13 July 2001 (see Rihoux et al. 2001, 2002), most prerogatives pertaining to the organization of the local elections have been transferred to the regional authorities. This has produced quite a few significant changes, some of which differ from region to region. Altogether, the changes have been more profound in Wallonia, with the institution of a ‘quasi-direct’ election of the mayor (*Bourgmestre*): the mayor is the elected local councillor who has obtained the highest number of votes on the list that has obtained the highest number of votes among those lists who have made a majority agreement. Also in Wallonia, a *motion de méfiance constructive* was introduced, giving the municipal council the opportunity to overthrow the municipal executive and to replace it with another one – for instance, if a shift in alliances takes place during the legislative term.

Some other significant changes in electoral rules, applicable to all three regions, also took effect for the first time in 2006. First, non-European Union (EU) residents have been given the right to vote, provided they have been stable residents over the last five years; they also have to sign a declaration of allegiance to the Constitution as well as to other fundamental texts with

regards to human rights (see Rihoux et al. 2005). Eventually, only 15.7 per cent of these residents took up this opportunity (as compared to 20.9 per cent of EU residents). Second, full gender parity at 50–50 (instead of a one-third–two-third parity rule at the previous elections) was imposed on the lists. More precisely, the difference between the number of male and female candidates cannot be higher than one. The Walloon and Brussels region also imposed gender alternation for the first two candidates on the list; in Flanders it was for the first three candidates. In all three regions, it was also stipulated for the first time that the municipal executives (*Collèges des bourgmestre et échevins*) must have at least one member of each gender.

On the other hand, because they occurred a little more than six months before the general elections, after a year without any election (2005), these elections have been used by most parties as ‘test elections’ – mostly the local elections (the provincial elections are less important). It is in fact wrong to call the local elections second-order elections as European elections are labelled in the international literature. In Belgium, federal and regional elections are both firstorder elections, second come the local elections, while European and provincial elections can be labelled as ‘last order’. In fact, most leading federal and regional ministers have been candidates for the local elections. Second, during the half-year prior to the local elections, the federal as well as regional governments tend to become paralysed in the sense that they take hardly any courageous but unpopular decisions that may jeopardize their parties’ chances in the local elections. Third, campaigning is often also focused on federal/regional issues, and not only local issues. Finally, in most communes, party losses and gains correlate closely to the parties’ fortunes at the regional and federal levels.

In Flanders, indeed, the main challenge of the local elections was supra-local. The question was whether the extreme right Vlaams Belang (formerly Vlaams Blok) would once again make significant progress in the polls. Since 1981, they had been progressing in every single election, whatever type. The battlefield *par excellence* was the city of Antwerp, the largest Flemish city, where the Belang conquered 33 per cent in the regional elections of 2004 – its best result ever. Vlaams Belang leader Filip Dewinter clearly aimed at becoming the first ever Vlaams Belang mayor, duelling with the interim socialist mayor Patrick Janssens, who replaced at midterm the incumbent mayor following a financial scandal in the city administration. Janssens, the former Socialist Federal Party leader, and previously its main spin doctor, did manage to lighten the negative mood of the ‘*Sinjoren*’ (as people in Antwerp call themselves) during his three year mandate, primarily by keeping his five-party coalition tightly together and implementing some popular policies. He also ran a hyper-personalized ‘presidential’ campaign (‘Vote Patrick’) in which even his

party affiliation was obfuscated. Thus the campaign in Antwerp became a duel between Janssens and Dewinter. 'Patrick' won very convincingly (with 35.3 per cent of the vote against 19.5 per cent in 2000), making the socialists the first party again after 12 years of electoral leadership by the Belang, now stranded at 33.5 per cent (a gain of 0.5 per cent). Hence, for the first time, the Belang was perceived to have lost an election – and this in its historical *Heimat*.

Furthermore, in some other cities, the incumbent coalition also managed to resist the onslaught of the Belang, as in Ghent where the party lost some ground. However, in comparison with the 2000 local elections, the Belang progressed in all but three of the 222 communes in which it presented lists, getting on average 17.1 per cent of the vote (Ackaert et al. 2007). If we compare the communes in which the party introduced lists in 2000 as well as 2006, the party increased its results from 13.7 to 18.1 per cent! This is not only due to the growing attractiveness of the Belang's program among the comparatively xenophobic Flemish population, but also to the increasing organizational capacity of the Belang, which now has active local party organizations in two-thirds of the Flemish communes. In fact, most of the more than hundred parliamentary assistants that the Belang is awarded through the system of public finance of parties and parliamentary groups are being used not for assisting MPs in their parliamentary work, but for local party work.

On the other hand, despite this overall success in the local elections, and apart from the defeat in some major cities, the Belang suffered two other blows. First, it failed to get into local executives anywhere. Thus, the *cordon sanitaire*, a pact concluded between all other parties never to govern with the Belang, remains intact in spite of the fact that before the elections in many parties (local but also some national party) politicians expressed (in all parties but the Greens and Socialists) serious doubts about the usefulness of maintenance of the *cordon sanitaire*. Second, if one compares the overall results of the Belang at the 2004 regional elections and the 2006 provincial elections (the latter coincide with the local elections), both organized in province-wide constituencies and a similar electoral system, the Belang lost votes (from 30.7 per cent to 28.5 per cent) in the province of Antwerp. Therefore, also at the supra-local level, the Belang suffered a first electoral blow, which encouraged Flemish parties to stop considering the Belang's steady rise to becoming Flanders' top party as unstoppable. It encouraged them also to maintain the *cordon sanitaire*.

As far as the other parties are concerned, compared to the 2000 elections, the liberals suffered a considerable defeat (–3 per cent) – a warning of the waning popularity of the federal liberal-socialist coalition led by Liberal Prime Minister Verhofstadt. For the two other main parties, comparisons are more difficult as the Flemish Socialists as well as the Christian-Democrats presented

(in most communes) combined lists with the two remainders of the former Flemish-nationalist Volksunie, which split in 2000 into SPIRIT, a progressive postnationalist left-liberal party, and the Nieuw-Vlaamse Alliantie, a traditional Flemish nationalist (and pro-independence) right. Globally speaking, the socialists made some progress (+2 per cent, even without taking the votes for SPIRIT into account), as did the Christian Democrats. This enhanced both parties' hopes of participating in the next federal government, to be formed after the 10 June 2007 federal elections. The Greens lost about 2 per cent, but recovered ground *vis-à-vis* the 2003 federal elections, when they lost all their MPs.

In the Brussels region, there were quite a few shifts in the local majorities. Altogether the liberals (MR and FDF) remained in control of some large communes, the socialists (PS) maintained their overall position and the humanists (CDH, former Christian Democrats) made strong progress. The French-speaking Greens (Ecolo) lost ground in most communes (quite logically after their record results in 2000), and also were expelled from some majorities they had formed with (among others) the socialists in 2000. In particular, the Greens were pushed out of the coalition in two large communes (Brussels city and Ixelles) in retaliation for their coalition agreement with the liberals in the other large commune of Schaerbeek.

In Wallonia, the expectation was that the socialists would lose a lot of ground due to numerous financial scandals involving PS local politicians (particularly in the Hainaut province and around the city of Charleroi, the most populated Walloon city). The PS did indeed lose seats and votes in most large cities. In Charleroi itself, the defeat was so dramatic that the socialists (who had always had a comfortable absolute majority in the commune) were forced to build a 'grand coalition' with the liberals and the humanists. However, because of its very strong core support in 'old', industrial Wallonia, the PS managed to remain the strongest party overall, in spite of the marked progress of the humanists.

Both the Liberals and the Greens kept their positions overall. There were quite numerous local shifts in coalitions, and especially changes of mayors, as a direct effect of the change in the election procedure for mayor (see above). A symbol thereof was the election of the young leader of the Greens (Ecolo), Jean-Michel Javaux, in a medium-size commune between Liège and Namur, in a coalition with the liberals (against the socialists). Finally, at the provincial level, it is worth mentioning that the liberals and the Greens made a surprise coalition in the province of Walloon Brabant (against the socialists and the humanists). This was mainly a move by the liberals to prove to the socialists that they did have other coalition options even though the PS is still a dominant force in the region. Thus provincial as well as local pre- and post-

electoral strategies are very much linked with the longer term strategies of the parties in the run-up to the next general elections.

Issues in national politics

In the year leading up to the general elections of June 2007, which will open the way to further negotiations on new constitutional reforms about the organization of the federal state and the devolution of powers to the Regions, Belgium's federal structures were not the source of serious political debate in 2006. Yet the 'community issue' continued to surface through various media, particularly through Yves Leterme (CD&V), the minister-president of the Flemish regional government. Some of his statements were perceived as provocations to the French-speaking side – for example, when he stated that 'apparently French-speaking Belgians do not have the intellectual capacity to learn Dutch'. His frequent declarations, which echoed those of other Flemish opinion leaders, about the division of the Brussels-Halle-Vilvoorde electoral district with no political compensation, the unilateral cancellation of facilities for the francophones living on the outskirts of Brussels or, further, the splitting along linguistic lines of two major sectors of the social security system have been equally polemical. The French-speaking political world through the voice of the minister-president of the Walloon Region, Elio di Rupo (PS) among many others, reacted to these provocations, thereby raising tensions still further.

As far as community problems are concerned, there was a media hoax that became the major event of the end of the year. On 13 December, the French-speaking public television (RTBF) broadcast a special news programme revealing the decision of Flanders' parliament to declare unilaterally the secession of Flanders. The shock among the French-speaking public was huge. The initiators had not quite gauged the impact such a programme would have on the population. They had taken the precaution of indicating that this was, as a matter of fact, fiction, but it had not been made sufficiently clear for most viewers. Even if it was criticized by right and left, this rather daring journalistic hoax at least had the merit of proving that the vast majority of the French-speaking community rejected the idea of a partition of the country. Opinion polls showed that the same was true for Flanders.

Laurette Onkelinx (PS), the Minister of Justice, stood centre stage in a crisis that shook the Belgian government for a week during the electoral campaign for the local elections. It broke because of a judicial issue linked to the release of a jailed Albanian mafia boss who, in spite of officially being deported from Belgium, had been seen in Antwerp. The Prime Minister Guy Verhofstadt

(VLD) announced that he could no longer trust the Minister of Justice and thus opened a crisis in the coalition. The Flemish VLD reproached the French-speaking PS for giving parole too liberally (a fact that is apparently contradicted by figures: home leave is more easily granted in Flanders than in Wallonia). Finally, the two parties and the government came to an agreement on measures to take concerning major criminals by anticipating the new parole system that will come into force on 1 January 2007.

In 2006, there were numerous prison-breaks, including the mass escape from the Dendermonde Prison, then the absconding of Fehriye Erdal, a young Turkish woman and member of the extreme left Turkish organisation DHKP-C, who was charged with being an accomplice in the murder of a Turkish businessman and two of his employees in Istanbul in 1996. As she had been arrested in Belgium, she had been living in Brussels under the close surveillance of the *Sûreté de l'Etat* (the Belgian 'Special Branch') since 2000. On the eve of the verdict, in February, she nevertheless escaped the surveillance of her agents. The Minister of Justice and the Interior Minister Patrick Dewael (VLD) were both questioned by the opposition, which demanded their resignation. They ramped up the level of tension when they declared they had contemplated collaboration between the *Sûreté de l'Etat* and the Federal Police to avoid the predictable escape of Fehriye Erdal, but that it had not been possible because the two organizations could not agree on the manner in which to keep watch over the young woman. Once again, the Belgian police and justice systems laid bare what has been called in Belgium since the Dutroux-Nihoul affair (see Deruette 1996: 297; 1997: 328–329) the 'dysfunctional state'.

Belgium's handling of the 'DHKP-C trial' proved equally dysfunctional in the case of Bahar Kimyongür, a young Belgian intellectual (of Turkish origin) who was a suspected member of this organization. On April 26 during a secret meeting (it was to be made public by the press in September), a public prosecutor and officials of the Ministries of Justice and the Interior, the Federal Police and the *Sûreté de l'Etat* contemplated the deportation of this Belgian citizen to Turkey. Later, he was rapidly arrested by the Dutch police authorities while he was travelling in that country as the Belgian authorities had failed to advise him of the international warrant issued against him by the Turkish state – information that had been relayed by the Belgian police to the Dutch authorities. While being jailed in the Netherlands and expecting his deportation to a Turkish prison, he obtained his release from the Dutch courts, which ruled the Turkish arguments as inadmissible evidence. Through the intervention of a Belgian senator, the P and R parliamentary committees (which control police and intelligence operations) submitted a report on the role of the Belgian Government in the arrest of Kimyongür. Within the framework of

the DHKP-C trial, Bahar Kimyongür was, together with other suspected members of this organization, condemned in November on the basis of Belgium's new anti-terrorist legislation. As a result, he became Belgium's first political prisoner. As a reflection of the post-September 11 policies of the Bush Administration in the United States, the law makes it possible to indict citizens not for acts they would have committed, but for voicing opinions deemed dangerous to the security of the state. This spurred protest among intellectuals throughout the country.

The political financial scandals involving the PS regarding the governance of social housing in the city of Charleroi and its suburbs (where the PS had an absolute majority before the local elections of October 2006; see above) worsened (see De Winter & Dumont 2006). Proceedings were initiated for two new cases. They led to the arrest of Jacques Van Gompel, the city mayor, who was soon to be forced to resign, and of other local PS worthies. Another scandal – this time regarding the ICDI (the local waste disposal agency) – surfaced. Beyond the purely financial aspects of this case, it also exposed the role of the local authorities in the disposal of highly toxic waste (containing heavy metals and dioxins) that led to water and soil contamination. In Namur, the capital of the Walloon Region, a procurement case investigated by that city also damaged the reputation of its mayor, Bernard Anselme (PS). He was charged with conflict of interest, rigging tender offers and false entries. This led him to resign his post before the local elections.

Another financial scandal reached a member of the royal family – a first in the country. Prince Laurent, the King's youngest son, was involved in the 'Vaessen case' after the name of a colonel and former right-hand man to the Prince was suspected of embezzling public funds from the Navy for works in a villa belonging to the royal family and occupied by Laurent. Vaessen contended that Laurent knew the facts, but the Prince countered this by stating that his ex-adviser had described the 'aid' as sponsorship. In his traditional Christmas broadcast, King Albert II referred to the case by claiming that nobody was above the law and that justice must be allowed to follow its course in full independence, and that if the embezzlement was established, the royal family would restore the funds. The court trial was scheduled to commence in January 2007.

In the parliamentary arena, a noteworthy change occurred in Flanders, together with the breakdown of an alliance between parties. After the October local elections, Senator Jean-Marie Dedecker (see De Winter & Dumont 2006) switched loyalties from the VLD to the radical Flemish regionalists of the N-VA. This was the spark that triggered a temporary breakdown of the alliance that brought together that party with the CD&V. Eventually, CD&V and N-VA reconciled and as a result of the reaffirmation of the CD&V – N-VA

deal, the CD&V leader pursued a tough line on the Community issue. Dedecker was expelled, becoming an independent senator. Altogether, five senators (out of 71) have become independent in the course of the 2003–2007 mandate: Amina Derbaki Sbaï (former MR) and Luc Paque (former CDH) in 2004, Hugo Coveliers (former VLD) and Francis Detraux (former FN) in 2005 and Jean-Marie DeDecker (former VLD) in 2006. The parliamentary strength of the governing parties was therefore 42 senators out of 71 (59 per cent) in December 2006, while it was 45 out of 71 (more than 63 per cent after the 2003 elections).

On the francophone extreme right, Daniel Féret, the president of the Front National, was sentenced by the courts to a ten-year ineligibility period. He was found guilty of distributing election pamphlets featuring racial slurs, in contradiction of the 1981 legislation making such acts illegal. He will have to perform 250 hours of community service in a non-profit organization fostering the integration of non-Belgian born people.

In the economic sector, steel producer Arcelor merged with Mittal Steel – the world's largest steel company – after a five-month financial battle. The Walloon Region, which held a minority stake in Arcelor's capital, agreed to bring its shares into the bid. The shareholders came out on the winning end of this very costly economic war: prior to giving in, Arcelor raised dividends in an attempt to dissuade shareholders from selling their shares to Mittal. On the other hand, even if Prime Minister Verhofstadt claims that Mittal has provided guarantees regarding Arcelor's Belgian subsidiaries, Belgian trade unions expressed their concern as to the future of this already declining sector of Wallonia's industrial activity.

Another economic shock was to rock Belgium in November: the announcement by Volkswagen (VW) of plans to shut down almost completely their Belgian plant in Forest, in the Brussels Region. From a social point of view, this meant an eventual 15,000 job losses down the line, including redundancies at subcontractors. The Belgian state, which had gone out of its way in terms of tax breaks, exemptions and benefits for this multinational, was left powerless in the face of the decision. The negotiations between unions and management made it possible to extract the promise that 2,200 jobs would be maintained – albeit at inferior working conditions and with lower pay – and that (although with less certainty) Volkswagen would grant them the assembly of a new Audi model from 2009 onward. The VW management at the Forest plant also offered exceptionally high redundancy payments to encourage voluntary departures. The payment was to be far in excess (three to four times as high) of what Belgian companies offer on average in similar circumstances.

On the humanitarian front, Belgian authorities opted for a tough policy against undocumented foreigners. In the spring, asylum-seekers whose appli-

cations for political refugee status had been turned down occupied churches in some of the cities of the country. Some went on hunger strike and even refused liquids. The Minister of Home Affairs, Patrick Dewael (VLD) declared that he ruled out any mass regularization. The Catholic Church also reacted to these occupations: churches may be shelters offering protection, but they are not designed to accommodate people for days and weeks on end. In Belgium, undocumented migrants probably number around 50,000. Some have been living there for years and their children have been born in the country. In addition, some 8,000 asylum-seekers (including children) are detained in the country's six closed centres, in prison-like conditions. Associations for civil liberties denounced the living conditions in those closed facilities and, in October, the Belgian state was condemned by the European Court of Human Rights for detaining and subsequently deporting a 5 year-old Congolese girl.

Finally, in terms of societal debates, following the lower house, which had done so in December 2005 (see De Winter & Dumont 2006), the Senate passed, by a narrow majority, legislation authorizing gay adoption.

To conclude, the government has not put its best foot forward in 2006, just as in 2005. Yet contrary to the year before, this is due less to the 'counterintuitive' nature of a coalition between the social democrats and the liberals (see De Winter & Dumont 2006) than to the Community cleavage. The debate on this question, during which the new reforms of the federal state will be discussed, is due to take place in 2007 after the verdict of the general elections. However, the tensions that have surfaced in 2006 already bring a foretaste of worsening Community contradictions. In addition, the extension of the political financial scandals (involving, above all, the French-speaking PS); the powerlessness displayed by the political authorities against economic forces; and the dysfunctional judiciary, political – and even security and humanitarian – systems make it very hard for 2006 to qualify as one of the most glorious years in Belgium's recent political history.

Sources and further information

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On the Internet:

- Belgian Federal Portal (global official portal for Belgium): www.belgium.be/eportal/index.jsp.
- Detailed electoral results (official results, all elections): www.ibz.rrn.fgov.be/.

Erratum

The date of the changes to the cabinet reported in De Winter and Dumont (2006: 1055, Table 1) should be 16 and 17 October rather than November; they are the consequences of the election of Deputy Prime Minister Vande Lanotte to the presidency of the Flemish Socialist Party (SP.a) on 15 October.

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