Belgium is generally considered to be a deeply divided society, a polity characterized by deep mutually reinforcing cleavages. Economic, cultural, social and political struggles are often reduced to a political competition between the linguistic groups, and this situation is generally considered to be detrimental to democratic stability. Democratic regimes faced with deep societal divisions therefore need rules that are more demanding than simple majorities; they require institutions that force the conflicting groups to get together, and find solutions that every segment can endorse.

As a response to the inherent risk of disintegration that characterizes such societies, the Belgium was transformed from a centrifugal into a consociational system. Such a type of democracy stresses the importance of including all societal subgroups in political institutions, and the obligation to govern in mutual consultation (power sharing). “Divided societies,” Lijphart (1981, pp. 3-4) argues, “[need] a democratic regime which emphasizes consensus instead of opposition and which includes rather than excludes all the disparate components”.

This means that the Belgian state structure has adopted so-called power-sharing institutions to such an extent even that Lijphart at one time stated that Belgium “is the most perfect, most convincing and most impressive example of a consociation” (Lijphart 1981, p.8). These institutional innovations imposed the obligation to govern in a grand coalition, i.e. a coalition that has to include both majority and minority members. Moreover, the 1970’s state reform constitutionally anchored mutual veto rights and proportional representation of all segments as guiding principles for interbloc negotiations.

This new institutional design made it virtually impossible for the Flemish demographic and political majority to impose its will on the French-speaking segment, and its importance in persuading the elites of the subgroups to sit together and resolve the matters at hand can hardly

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be overestimated. The new decision-making rules forced leaders to exhibit prudent leadership when accommodating intersegmental conflicts (Deschouwer 2006, p. 902).

Since the federal elections of 2007, however, the search for a compromise seems to be particularly hard. Political commentators speak about a historical momentum: never was the political impasse this deep, never were the linguistic groups this diametrically opposed, and never were the political instruments this inadequate. Even though they thereby largely overlook the historical perspective – between 1977 and 1981 for instance, Belgium had no less than seven different governments – the fact remains that rules of pacification are increasingly contested and seem to have lost at least some of their initial appeal.

To explain this deep crisis, analysts and politicians alike refer to the fact that the consociational system has reached its boundaries, and that the current structures are no longer apt to regulate the conflicts between the linguistic groups (Bouveroux & Huyse 2009, p. 189). Even though the functioning of the consociational system should not yet be fundamentally questioned, the process of finding a viable compromise based on prudent leadership has had to endure serious pressure over the last few years.

One of the main reasons why it is proving particularly hard these days to form a stable government, we argue, relates to the fact that the Belgian consociational system relies heavily on the process of federalization to contain conflicts. Each subsequent state reform since the 1970’s was paralleled by the granting of self-rule in contentious areas to the regional levels. Such a process of decentralization combined with the installation of a power-sharing regime has made the Belgian state structure increasingly more complex, and is generally considered successful in putting out political fires.

Even though the idea that granting segmental autonomy is normatively and empirically appealing, it is often critiqued. Granting self-rule is indeed considered to be a means of defusing conflicts at hand, but very little research has scrutinized the effects on the long term (Cameron 2009, p. 310). After all, as more and more competencies are transferred from the national to the regional level, the dynamics of intergroup negotiations is bound to change. We therefore ask ourselves whether granting segmental autonomy is as good a conflict management device as it is generally considered to be.

Based on insights from Belgian federalism, we argue that granting segmental autonomy might effectively accommodate political conflicts that are currently on the agenda, but it renders the process of intersegmental conflict accommodation increasingly more difficult in the long run. More specifically, federalism undermines the problem solving capacity of the other power-sharing mechanisms in three ways: (1) it increases demands for more autonomy, (2) it decreases
the potential for package deals, and (3) it also lowers the costs of non-agreements. These three evolutions are often overlooked, but go to the heart of the impasse Belgian politics is currently involved in.

Before going into detail on each of these arguments, however, we highlight the role of federalism in the theory of consociational democracy. After all, federal arrangements are generally claimed to have important conflict reducing qualities, and there are multiple ways in which they foster accommodation between groups. Clearing out these mechanisms is necessary before critiquing them in the next three paragraphs.

1 The role of federalism in consociational polities

Before we go into detail on what problems federalism caused for ethnic conflict management, we should make a case for the conflict reducing potential of federal arrangements. It is after all widely argued that granting segmental autonomy might lubricate the relations between diametrically opposed groups (Horowitz 1985; Lijphart 1977; McGarry & O'Leary 2005), but there are several ways in which federalism might do this. Three mechanisms stand out however.

First of all, federalism disfavors intersegmental contact. When groups can make decisions on their own, they don’t need to confront the others. Thus, by making interference by the other groups impossible, centrifugal forces are counteracted. This means that the segments only sit together on issues that concern all, whereas issues that are not of common interest, need attention, they are best dealt with by the segments themselves. When working together is no longer needed on certain federalized issues, the number of potentially harmful interactions lowers significantly (Horowitz 1985). Less contact means less conflict in intergroup settings.

If the national government is the place where the segments meet and fight each other, then federalism might foster self-containment and limit the number of potentially disastrous contacts at that level. Such a policy of self-containment that is implemented through federal arrangements, is crucial for democratic stability in deeply divided societies such as Belgium, especially because it limits contacts between groups at the citizen level. After all, the proper functioning of such a democracy relies heavily on a deferent attitude of the public (Lijphart 1975). Grumbling masses would mean the deathblow for the politics of pacification, because they would put pressure on their segmental elites and render any compromise unacceptable (Huyse 1970, p. 169).

Secondly, because federalism creates multiple levels of government, it shifts the single focus from intergroup cleavages to intragroup differences (Horowitz 1985). Federalism ensures
that citizens see that even within the newly created political arenas of self-rule, there are bound to be conflicts. The different conflicts within each group are therefore no longer overshadowed by what differentiates the group members from the other side. This process opens up the road for redefining group loyalties. In the “hold together” type of federalism that characterizes Belgian politics, such a dynamic of reviewing the differences between ingroup and outgroups has very beneficial effects because it not only shows differences within the ingroup, but also similarities between the competing groups.

This shift from intersegmental to intrasegmental conflicts could reduce ingroup favoritism and it makes citizens see that they actually have multiple overlapping memberships: they are opposed to the other segments on some issues, but they also differ in opinion from members of their own group. As such, individuals are pushed and pulled in different directions by different cross-pressures, which are widely considered to be crucial attributes for avoiding political disintegration (Lipset 1963; Toka 2003, p. 4).

And finally, in societies with coinciding cleavages majority and minority statuses don’t fluctuate. Since the segments remain steady, minority members are outvoted on every possible issue. When patterns of ruling and being ruled remain steady, concentrating power in the hands of the central government permanently denies the minority access to the decision-making arena (Lijphart 1981). This steady exclusion of certain groups from power aggravates conflicts instead of mitigating them; it would foster majority tyranny and civil strife rather than democracy (Lijphart 1984).

Federalism, however, allows groups to avoid the hardship of being continuously politically outnumbered. When a group forms a minority at the national level, but a majority at a lower level, granting self-rule is a way of removing the anxiety of political suppression (Roeder 2009). Or as Kymlicka (1998 p. 122) puts it: “federalism can provide extensive self-government for a national minority, guaranteeing its ability to make decisions in certain areas without being outvoted by the larger society”.

Federalism thus captures a wide range of mechanisms, which are instrumental in avoiding the exacerbation of conflicts. However, federalism will not always yield the theoretically expected results, and its benefits are empirically not uncontested. Three reasons that cause federalism to shift from promise to pitfall are discussed hereafter and the theoretical expectations are tested to the Belgian case.

2 The paradox of federalism
A first way in which granting self-rule renders intersegmental conflict accommodation more difficult is through the so-called ‘paradox of federalism’: autonomist tendencies are stimulated by granting self-rule (Erk & Anderson 2009; Nordlinger 1972, p. 32; contra: Gurr 1993, p. 300). Decentralization removes contentious issues from the common agenda, but at the same time it sets in motion a self-reinforcing spiral of demands for self-rule, which could lead to separation in the long run (Erk & Anderson 2009; Tierney 2009). After all, formalizing the fences between the segments implicitly acknowledges group differences to be a legitimate basis for political action, or as Simeon (1995, p. 257) puts it: “federalism entrenches, perpetuates, and institutionalizes the very divisions it has designed to manage”. As such, the exacerbation of political conflicts could become a legitimate and effective strategy for gaining political support.

This is not how consociational theory perceives of self-rule, however. Lijphart argues that the aim of granting autonomy “is not to abolish or weaken segmental cleavages but to recognize them explicitly and to turn the segments into constructive elements of stable democracy” (Lijphart 1977, p. 42). Autonomy therefore creates self-rule on issues that impact life within the own subgroup, but at the same time counteracts overarching centrifugal forces by reducing interference by the other groups to the bare minimum. The removal of conflict inducing issues from the common agenda, according to consociational scholars, thus improves the chances of sustainable conflict accommodation.

What Lijphart fails to acknowledge, however, is that granting self-rule creates multiple internally homogeneous public and political spheres, and that these spheres are instrumental for more demands for autonomy. After all, societies in which no substantive consensus exists on the common aims and values, are made even more segmented by granting self-rule in two ways: through fostering identities and through stimulating regional entrepreneurs.

On the one hand, federalism allows the segments to strengthen their regional identities; it even gives them a sense of legitimacy (Tierney 2009, p. 246). After all, the official recognition that subgroups are and should be autonomous in some areas implies an equally official recognition that their interests and identities are legitimate. Moreover, once the perimeters of the new subnational polity are delineated – territorially or not – it is much easier to pass legislation and conduct policies that promote the development of specific regional cultures and identities (Bunce 1999; Roeder 2009, p. 210). Such symbolic legislation is instrumental in the creation of the feeling of belonging to a separate nation, and the political class that rise after self-rule was granted, will exploit these identities and symbols to foster allegiance to the newly created institutions. As such, the right to self-determination could surface, which increases the demands for more autonomy (Erk 2006).
On the other hand, self-rule offers an excellent breeding ground for political mobilization, and for the rise of regional parties (Bakke & Wibbels 2006, p. 7; Lustick et al. 2004). Once regional institutions are in place and policies are implemented fostering a subgroup civil society, the potential for political mobilization increases. These widely spread societal networks act as important resources because they socialize the citizens, which can be mobilized in support of autonomist claims.

Moreover, Brancati (2006; 2007) convincingly demonstrates the effect that regional parties have on the stability of the political system. Her argument is that granting self-rule has a direct and positive effect on the stability of the political system because it removes contentious issues from the agenda, but at the same time, it creates the possibility for regional entrepreneurs to gain political legitimacy (Berneo 2002). After all, in a federalized system, these regional entrepreneurs will have a much easier time gaining political power in the regional government because they only have to present themselves electorally in one region. Moreover, at the regional level, they can gain the legitimacy they don’t have at the national level by showing that they are politically competent and able to govern responsibly (Tierney 2009, p. 247).

Of course, both mechanisms are not completely unrelated. The strengthening of regional identities also improves the electoral basis for regionalist parties. When subnational identities are turned into mechanisms for distinguishing “us” from “them”, they are bound to have a strong political appeal, especially since those identities have received a sense of legitimacy. Such an official legitimization means a boost in the electoral attractiveness of regional parties, and increases the electoral competition for representing the regionalist voice. Once regional identities are part of the electoral weaponry, they inevitably foster centrifugalism.

Moreover, the increasing competition between regional entrepreneurs leads to “ethnic outbidding”: the demands the regionalist parties put on the table reach further and further (Brancati 2006). This is easily explained: because the regional entrepreneurs hold a particularly powerful position at the regional level, they want these regional governments to have decision-making power in more policy fields. Increasing the competencies of their regions implicitly means increasing their own power basis (O’Neill 2003, p. 1075; Sorens 2009, p. 256).

This evolution towards ever-increasing demands for self-rule has certainly taken place in Belgium. Telling in this context is the fact that the federal state Belgium currently is, was not intended to be federal (Deschouver 2006). Initially, the granting limited amounts of self-rule in contested areas was simply thought to contain the calls for secession. It was considered sufficient in order to guard the peace between the linguistic groups.
Federalism was thus never considered to be the final solution to the tensions in the 1970’s, so that its existence today says a lot about the increasing demands for autonomy. These demands started to increase strongly when the country was split into linguistically defined entities. Once the boundaries for a new political arena were decided, a new generation of political leaders emerged, the regional entrepreneurs, who did not feel like defending the centre when their electoral success depended on representing their own region (Bouveroux & Huyse 2009, p. 87). As such, there was no more need to talk to the other side and the attractiveness of advocating a regionalist stance increased dramatically.

The positive effect of setting the linguistic border on the electoral scores of regionalist parties can be illustrated by the elections of 23 May 1965. This was the first election after fixing the linguistic border in 1963, and the political newcomers with a strong regionalist profile immediately got astonishing results. The Flemish Volksunie went from none to seven seats, whereas the francophone FDF (founded only in 1964) got three seats (Bouveroux & Huyse 2009).

This process of ethnic outbidding exponentially increased by the split of the Belgian party system in the 1970’s (Deschouwer 2002). “[T]he regionalization of the party system”, Swenden and Jans (2006, p. 880) contend, “increased the salience of the ethno-regionalist cleavage”. From then on, all political parties, not only the regionalist parties, were competing for electoral support on their side of the linguistic divide. Appealing to regionalist feelings thus became a strategy for gaining power in the central government (Sorens 2009, p. 256). This led to a kind of balkanization of politics, in which parties and representatives only speak and listen to their own subgroups. In such a system, the winning electoral strategy is not to take an accommodative stance anymore, but to outmaneuver the more moderate parties on their regionalist flank (Jenne 2009, p. 276).

The paradox of federalism thus means that granting self-rule turns the exacerbation of political conflicts into a rewarding electoral strategy. It increases the pressure for further institutional change at the federal level because the demands that reach the national agenda from the regional level go much further than they would have under a different political firmament.

3 The cost of federalizing

Besides the increasing demands from regional entrepreneurs, conflict resolution in Belgium has also experienced increasing difficulties in buying off peace. Especially in the 1970’s and 1980’s,
financially rewarding the segments for settling conflicts in a peaceful manner was a preferred technique, and the elites proved very imaginative in finding compromises to circumvent the mutual veto rights that hindered the subsequent state reforms (Witte et al. 1997). These agreements could take the form of a proportional distribution of public subsidies among all segments, but most of the time it involved the decentralization of national competencies to the regional level. Even though it is excellent from a conflict management perspective that “the essence of political action has shifted from strife to distribution” (Daalder 1964, p. 24), we should not lose sight of the fact that reaching agreement became increasingly more costly to the national level as the compromises needed to pacify conflicts became increasingly more complex.

Such a waffle iron politics was further stimulated by the fact that the demands for autonomy (or additional financial capacities) were different on both sides of the linguistic divide (Deschouwer 2009). Flanders primarily wanted cultural and linguistic autonomy, and protection from the francophone cultural dominance. Wallonia, on the other hand, witnessed a severe economic decline. It wanted to be able to steer its own economy and it needed a strong financial injection in its economy and infrastructure. The institutional architecture of Belgian federalism was modeled after these dual demands, which led to a very complex federal system with two types of decentralized – from 1993 on: federalized – entities: Communities, which met Flemish demands and got cultural, linguistic and person-related competencies, and Regions, which would focus on economic policy (Witte & Meynen 2006, p. 103).

Setting up such a bipolar federal state was in perfect harmony with the idea of buying off the peace. Two clearly distinct entities were created, each of which received the highly desired autonomy for conducting policies. Federalizing was thus a perfect strategy for conflict management, but, on the down side, it largely emptied the national level of competencies and resources (Deschouwer 1999, p. 103). Because the Belgian political parties were reluctant to transfer far-reaching fiscal autonomy to the regions, the regions and communities are financed by extensive annual grants. These endowments are at the cost of the national level, which steadily lost any financial maneuverability because of that budgetary burden.

As less and less financial sweetener is available to seal the deal at the national level, the package deals that defused conflicts in the past become increasingly more difficult to negotiate (Huyse 2003, p. 92). This has largely exhausted the usability of granting segmental autonomy as a consociational technique. The traditional package deals that benefited all of the segments equally, are thus much harder to find. Only the future will tell whether the elites will still be able to find solutions, now that there are very little competencies and financial means to be used as hard currency in the resolution of ethno-linguistic conflict.
4 From generalized to single policy paralysis

Besides generating a paradox and lowering the financial possibilities for buying off peace, granting segmental autonomy is flawed as a conflict management institution in a third way. After all, it might solve problems that are currently on the agenda, but it also makes subsequent negotiations even harder. In order to understand precisely how this is so, we first need to take a closer look at the consociational decision-making dynamics that underlie the search for conflict accommodation in Belgium.

4.1 Consociational decision-making in Belgium

As a response to the deep mutually reinforcing cleavages that drive Belgian democracy to disintegration, Belgium has adopted a full-fledged consociational system. Intersegmental tensions are dealt with through power-sharing in a grand coalition which includes the elites from all segments. The inclusion of both majority and minority factions, and the gridlocks offered to ensure that decisions are made in mutual agreement, rendered it virtually impossible for any majority to impose its will on another segment.

However, the formal rules only tell part of the story as the resolution of conflicts via consociational techniques was and is not a permanent feature of Belgian politics (Lorwin 1966). After all, it is generally argued that these power-sharing devices are only activated at moments when the conflict between the linguistic groups is at its deepest. As long as there is not enough political will to solve the conflict, and as long as the segments are not convinced that mutual compromise is necessary, the dominant group attempts to solve the problems in a strictly majoritarian manner.

The political elites therefore systematically choose confrontational strategies up to the moment when the crisis reaches its point of explosion. It is only when tensions rise and political instability threatens the very survival of the polity, that power-sharing is a mutually acceptable strategy. At that moment, the consociational devices kick in and conflicts are solved by cooperation instead of majority rule (Deschouver 2006; Hooghe 1991; McRae 1986).

The power-sharing institutions thus seem to offer the elites a choice-within-constraints rather than a sanctionable obligation to work out their differences. The transition from the exacerbation to the accommodation of conflict can be explained by Lijphart’s idea of a self-denying prophecy (Caluwaerts 2010). This prophecy takes place when the elites mutually reckon
that brute and heads-on confrontation is too costly. The consociational mechanisms are therefore successful in turning what we could call the collective action problem of mutual defection between the elites into a cooperative, positive-sum interaction, but only when the elites understand what is at stake. Or, in Dahl’s words: “the possibility of violence and civil war always lurks as a special danger in countries with hostile subcultures; and this danger undoubtedly stimulates a search for alternative responses” (Dahl 1966, p. 358).

The search for accommodative strategies only starts when the elites of both segments acknowledge the undesirable consequences of confrontation. In less abstract terms: cooperation and conflict accommodation are considered valid problem solving options only when the stakes grow higher, and when the costs of non-cooperation skyrocket. At that moment, the elites realize that the survival of the political system in the long run is more beneficial than the short-term electoral benefits of conflict exacerbation, which is detrimental to everyone. The perspective of short-term systemic disintegration is thus swapped for the long-term benefits of cooperation because of “a ‘prudent’ attitude of elites who realize that the alternative to compromise is, in the long run, too detrimental” (Andeweg, cited in Steiner et al. 2004, p. 11, italics D.C.).

Even though the logic of this argument is rather straightforward, the question remains when the costs of confrontation are high enough to force an accommodative strategy upon the negotiators. According to Jans (2001), the segments will only renounce confrontation and engage in joint decision-making as soon as the default option takes the form of a generalized policy paralysis. This means that the non-agreement “entails a broad and generalised blockage of the wider decision-making processes” (Jans 2001, p. 44). The elites will therefore turn to power sharing as soon as all policies, instead of just the policies that are under discussion, at the national level are deadlocked.

Such a generalized policy paralysis at the national level is a common phenomenon in Belgium. What normally happens when regionalist tensions mount, is that representatives of both linguistic groups gather at the federal level. Each linguistic group closes ranks and mobilizes all of its troupes to defuse conflicts. The federal members of government and most of their staff are thus involved in these negotiations, and this in turn means that the policy process at the federal level completely paralyze: the entire political class focuses on the negotiations between the linguistic groups, which means that no more substantive political decisions can be made in any other policy field. It thus takes no great effort to see that the political and policy costs of a non-agreement rise steadily as negotiations take longer.

4.2 The impact of federalism
The alternation of unilateral action and joint decision making captures the essence of Belgian intersegmental conflict accommodation, but over the years this decision-making dynamics has radically changed. The process of federalization has transferred a large number of competencies from the national to the regional level, in an effort to grant self-rule on the most contentious issues. As more and more competencies were transferred, however, the national level was largely emptied, not only from financial means as we saw before, but also from any real decision-making power: most of the substantive policy areas are at the regional level instead of the national level (Swenden & Jans 2006).

Self-rule has thus created two full policy levels, the federal and the regional, that exist in relative isolation from each other. There is very little spillover from since political struggles and problems at one level rarely spread to the other governments. With the exception of the short-lived ‘dialogue from community to community’ in 2008 (De Landtsheer & De Sutter 2011), the regional governments – or more broadly: the regional political class – rarely intervene at the federal level and vice versa. Its consent is not required for constitutional changes, and it is the nationally elected representatives of the regional parties, which engage in negotiations.

This relative independence is further fostered by the fact that the elections at the different policy levels are not held simultaneously. Because of this institutional gimmick, the coalitions at the federal and regional levels are asymmetrically composed (Deschouwer 2006; 2009). This means that parties that are at the federal negotiation table are not necessarily included in the regional coalitions, which further enhances political tensions.

The growing importance of the regional level, combined with its relative independence, is highly problematic in light of what we saw before. As we argued, conflict accommodation comes about when there is a complete political stalemate at the national level, but at the same time, the national level is largely emptied of competencies. As such, the day-to-day impact of a standstill at the federal level will no longer lead to a broad generalized policy paralysis. After all, the regional entities, which received increasingly more competences, continue to work properly despite conflicts at the federal level.

The effect of the stalemate at the federal level thus has a relatively limited impact, or at least much more limited effect than it had before, on the everyday lives of the citizens. Moreover, it will continue to decrease as the regional policy portfolio continues to grow. This means that the costs of non-agreement are no longer as detrimental as they once were. Because so few competencies are left at the federal level, political deadlock leads to no more than a
single policy paralysis and the costs of the default option thus take much more time to reach their critical level.

Granting segmental autonomy has thus changed a lot. Whereas intersegmental compromises used to follow the logic of avoiding excessive costs, this no longer leads to conflict accommodation. The national level might very well be consumed by a complete political standstill, the regions continue to work properly within the framework set out by the competencies they received. The federal entities have thus become full-grown political systems that are capable of taking substantive decisions and where there is still room for conducting new policies. As such, the institutional pressure of reaching an agreement is much more limited. Granting autonomy thus takes contentious issues off the table, but renders future conflict management more difficult.

The historically long and difficult government formation after the 2007 and 2010 elections seems to be a case in point for this argument. At first sight, the situation appears to be similar to previous conflicts: months and months of negotiations led to a complete standstill and on the international markets, Belgium wasn’t flourishing either. Add to that that the interim government cannot decide on new policies, and cannot tackle the new socio-economic issues that rise. However, the only certainty that this crisis brought with it, is that Belgium holds the shameful world record of coalition formation, but that we are still nowhere near an agreement between the segments.

Conclusion

The Belgian logic of federalizing competencies in order to accommodate conflicts thus shows mixed results. On the one hand, it has always succeeded in neutralizing conflicts, in guaranteeing the stability of the political system, and in avoiding violent conflicts. On the other hand, the pacification techniques have made it increasingly difficult to reach agreements in the future. They solved conflicts, but rendered the solution of future conflicts increasingly hard in three ways.

First of all, granting autonomy induces new demands for autonomy. Within the newly created political spheres, regional identities will flourish and regional parties will start to compete as ethnic outbidders. This will widen the demands and harden the stance of the regional negotiators at the national level. As such, the polarization of demands makes finding a compromise increasingly hard. Secondly, subsequent state reforms systematically expanded the substantive competencies of these entities, and increased their financial means. The granting of
segmental autonomy is an effective means for conflict management, but, on the down side, it left the national level with little resources to buy off the peace (Deschouwer 2005, p. 96). And finally, because the Belgian federalization process has rid the national level of most substantive competencies, the cost of a non-agreement rises much slower than before. The policies at the regional level continue to function properly so that a deadlock at the national level does little more than instigate a single policy paralysis. This heightens the chance of non-agreement.

These three problems have put pressure on the usability of granting segmental autonomy as a technique for accommodating conflicts, and only the future will tell whether the elites will still be able to find solutions. The future effectiveness of federalism as an effective consociational technique depends in no small measure on what the search for alternative modes of accommodation comes up with.

References


