

COUNTRY REPORT

BELGIUM



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Introduction: Political, Legislative and Constitutional background¹

Belgium provides an interesting case of democratic innovations at different levels of government and in civil society, including some projects of systemic, constitutional resonance. In this report we offer an overview of the relevant features of the Belgian situation when it comes to Constitution making, deliberative democracy and democratic innovations. We also provide some thoughts on these features and ongoing developments.

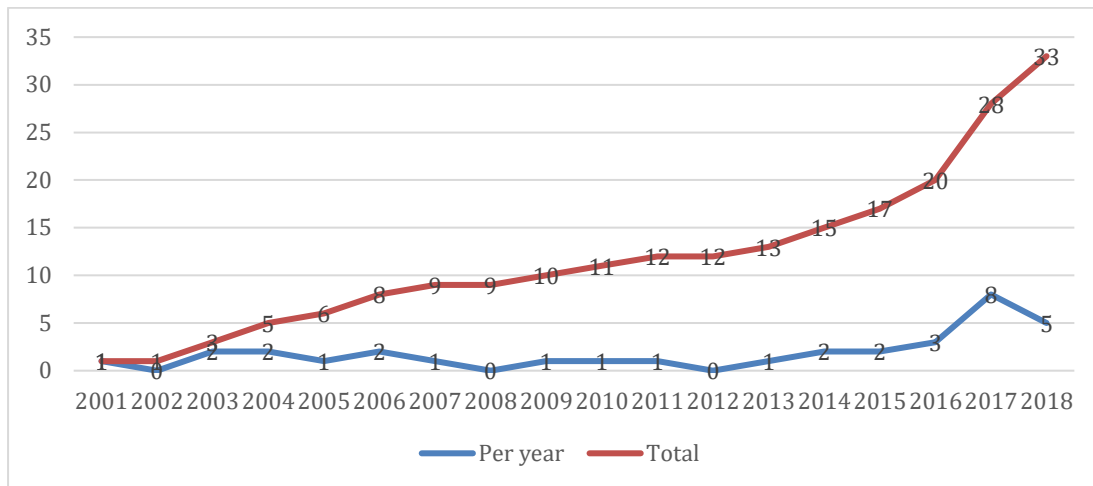
The representative democratic system is articulated along a complex maze of levels of government: local, provincial, regional, and federal each of which, in recent years have shown a degree of deliberative and participatory innovation. Whereas constitutional changes at the federal level are difficult and demanding, we are observing cases of minipublics' institutionalization at the regional and local levels. Constitutional change involves particularly complicated procedures where only parliament can engage in revisions provided ample support by deeply fragmented parties. Referendums are prohibited as well as popular initiatives.

Democratic Innovation in Belgium

Deliberative and participatory practices have started to make their way into Belgian political life since the early 2000s. Vrydagh et al. (forthcoming) identified 33 minipublics between 2001 and 2018. Based on their database and on recent events, we can identify three waves of minipublics. First, between 2001 and 2013, we observe a limited rise of minipublics, with one case per year on average. Second, starting in 2014, we observe a significant and steady increase of cases. The year average quadruples and we count at least two cases per year and a peak of 8 occurrences in 2017. One potential explanation for this sudden increase may be the magnitude of the G1000. This minipublic took place in 2011 and was a large-scale, multibody deliberative experiment led by civil society in response to a crisis generated by the record delays in the formation of the Belgian federal government. The process received considerable media attention. It helped to popularize concepts such as random selection, deliberation, and the broader involvement of citizens in the Belgian political system.

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Graph 1. Evolution of minipublics in Belgium between 2001 and 2018



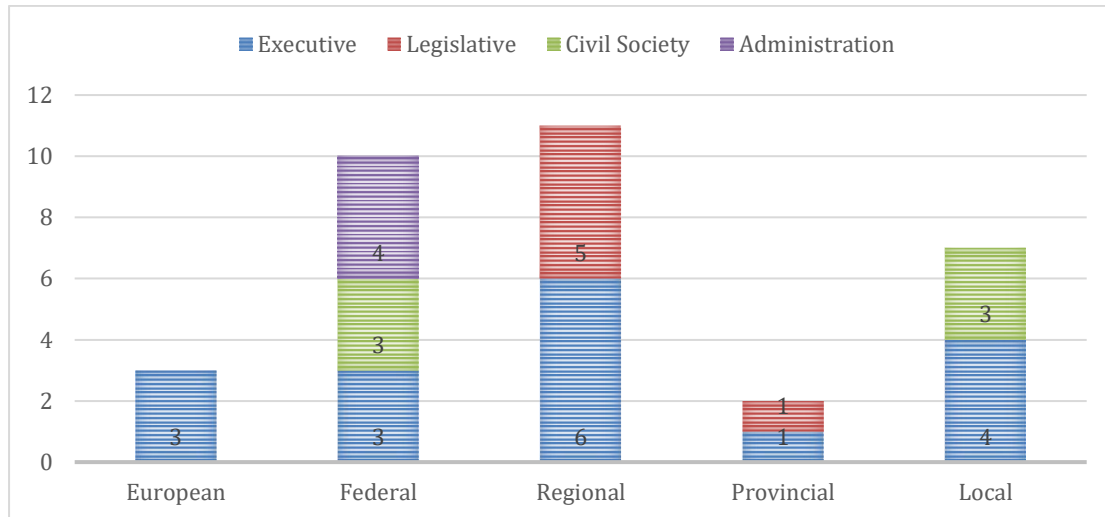
Source: Vrydagh et al. (forthcoming)

The third phase expands the second wave in terms of number of minipublics and it also inaugurates a new development with several cases of institutionalizations. The first institutionalized case of the Bürgerdialog in the German-Speaking community (Niessen & Reuchamps, 2020), which was quickly followed by the institutionalization of the Citizens' Deliberative Commission in the Assemblée Réunie of the Brussels' Region (Reuchamps, 2020). One regional political party, Agora, also got one elected member of the Brussels' Regional Parliament, whose only duty is to defend the views of a citizens' assembly that they themselves design and implement. Besides these cases at the regional level, we are also witnessing the rise of local institutionalized minipublics. The implementation of randomly selected neighborhood councils is indeed mushrooming, especially in the Region of Brussels. These small minipublics are often combined with participatory budgets (e.g. City of Brussels, Auderghem) or function as a parallel second college (e.g. Saint-Gilles, see also Mechelen in Flanders).

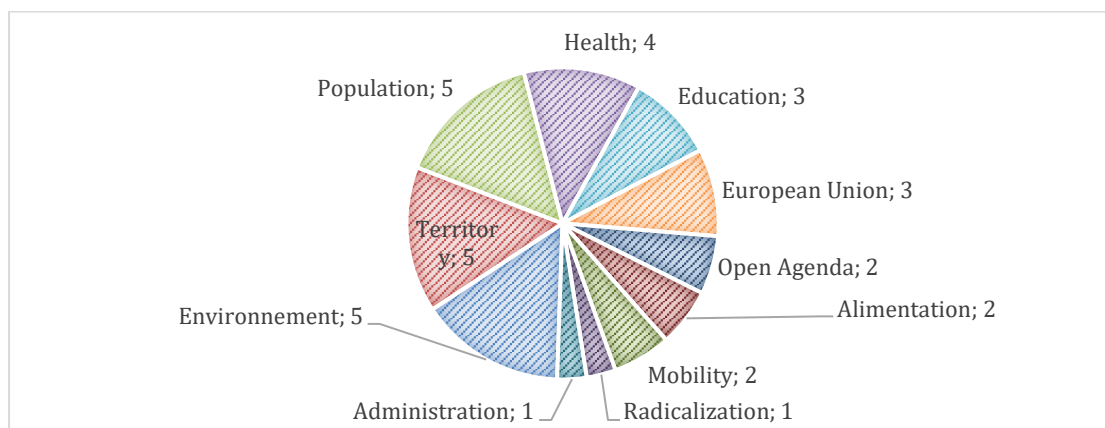
Minipublics are initiated by various actors. Considering the minipublics between 2001 and 2018 (see Vrydagh et al. forthcoming), the executive is the most common initiator with 17 implementations. With 6 cases each, the legislative and civil society are both the second most common convenors. The initiative of two organizations, the King Baudouin Foundation and the Foundation for Future Generations, that have organized numerous citizen panels has been central in this regard. Finally, the public administration organized four minipublics.

We see that minipublics are implemented at different levels of authority. The regional level is the most active one with 11 cases. Region and communities in Belgium have been one of the main forces behind the rise of minipublics in Belgium. Since the federal level has often been unstable in the last decade and political parties have been reluctant to involve citizens at that level (Caluwaerts & Reuchamps, 2020; Deschouwer, 2012), it seems that regional authorities have taken the lead to push forward and implement an agenda of deliberative citizen participation. The second most active level of authority is the federal one with 10 cases. It may come as a

surprise that the federal level has been the driver of so many minipublics, because citizen participation is traditionally discouraged in this political arena where decision-making relies almost exclusively on political elites. However, most minipublics at the federal level are organized by either the civil society (e.g. G1000, Fondation Roi Baudouin) or the public administration. When the federal government convenes a minipublic, it tends to deal with issues that are not salient in public debates (e.g. DNA, alimentation).



Minipublics between 2001 and 2018 have dealt with a large variety of topics. The three most common subjects are environment, territory and population. Health is the fourth most popular theme, followed by the education and the European Union. With regard to the remaining themes, we find two minipublics with an open-agenda, two on alimentation, two on mobility, one on administration and, finally, one on radicalization.



A highly interesting innovation has been the so called G1000 (see Caluwaerts & Reuchamps 2014 a, b). A large-scale, multibody deliberative experiment led by civil society in response to a crisis generated by the record delays in the formation of the Belgian federal government. The goal of this project was for citizens to imagine the future of the country and political arrangements that would do justice to the democratic ambitions of the citizenry. Many of the subjects under investigation

having systemic and constitutional relevance. Whereas it fell short of its ambition to convene 1000 randomly selected citizens in assembly (about 200 invitees were not present on occasion of the largest event of the project), the G1000 was successful in articulating an innovative model of sustained civil society participation based on wide-reaching collaborations. It also featured a three weekend long citizen panel of 32 citizens deliberating on the future of Belgium (G32). The G1000 model was replicated at different levels and adopted by civil society actors abroad in Spain, the Netherlands and the United Kingdom (Van Damme et al., 2017). While the G1000 had limited impact on policy makers, which were not particularly involved in the process. Yet, it succeeded in placing deliberative and participatory democracy in the national public discourse and political in political discussions.

Today, in Belgium most political parties have engaged with the topic of citizen participation (Caluwaerts 2016). Indeed, the regional parliament of Brussels hosts one party, Agora, whose fundamental objective consists in the installation of a randomly selected body of citizens to supplement extant institutions. A vast array of innovative practices at all levels of government devotes special attention to the development of deliberative assemblies. These ideas inform proposals for the creation of citizen parliaments as counterweights to the activity of elected bodies and are under examination, for instance, in the regional and city government of Brussels.

One of the most advanced projects in innovation consists in the so called Ostbelgien Model in the German-speaking Community. There, in an unprecedented move, the regional government has installed a permanent Citizens' Assembly and Council with randomly selected citizens to parallel the work of the traditional institutions.

Challenges and Next Developments

Against the backdrop of a representative system that is rather convoluted and difficult to reform, Belgium is showing a lively landscape of deliberative and participatory experimentation. After the groundbreaking experience of the G1000, participatory and deliberative ideals in particular seem to have found wide resonance in civil society and also in some regional governments and parliaments as well as municipalities. We are also observing the emergence of a citizen participation industry in which civil society organizations (e.g. G1000, Fondation Roi Baudouin, Fondation pour les Générations Futures), universities (e.g. Policy Lab from the Université Libre de Bruxelles) and practitioners (e.g. Particitiz) canvass decision-makers to convene minipublics and compete for public bids.

Today, also thanks to advances such as the Ostbelgien Model, Belgium is at the forefront of democratic innovation in Europe. Their dynamism has however neither been translated into constitutional changes nor into initiatives of direct constitutional relevance. The main reasons explaining the lack of constitutional consequences are Belgium's institutional difficulties in changing its constitution and the very sensitive and fragile cooperation between political parties in each community to form a federal government. As a result, it may currently be difficult for the

government to advance an ambitious agenda for involving citizens in a constitutional reform.

If the current trend towards innovation is confirmed and, in particular, if the installation of permanent bodies of citizen deliberation expands, Belgium could be a game changer in the process of innovating political systems that are growingly under strain. It is plausible that such developments will deeply alter the structure and working of the representative system at the regional and local levels. Such changes are not without risks, especially given the limited experience with them. Yet, they hold promise to generate positive democratic change for politics. At any rate it is difficult to foresee whether these regional and local advancements will scale up to the federal level.

The present situation might also point towards more concerning developments. It is possible that the current support for democratic change might lose momentum in the absence of deep reforms of a federal political system that many find problematic in different areas of the country. Furthermore, while mostly green and left-wing political parties support an agenda for citizen participation (Biard et al., 2020), one should not overlook the recent electoral success of right-wing populists (Vlaams Belang) and conservatives (N-VA) which nearly obtained 50% of the votes for the federal elections in Flanders. Also, innovations might prove underwhelming in dealing with deeply rooted issues in Belgian political life, such as those connected to the division between the French-speaking and Flemish communities. This might result in the loss of a unique opportunity to democratize politics that might, instead, play in the hands of those who support more authoritarian views of the state, which Belgium, like many other countries, is exposed to.

When it comes to deliberative democratic involvement in Constitution making, direct involvement on these topics remains limited also due to stringent restrictions to the degree of popular participation. Nevertheless, developments in this area might well change as a political context in constant flux and the lively democratic innovation landscape evolve.

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