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### Abstract

The dual organization of Belgium's federal state has created a complex institutional setting. Belgium has no less than six governments and six parliaments, of which five are active at the subnational level. In addition, each of the governments relies on its proper administration. In this entry, we describe the main features of Belgium's state structure and its politico-administrative setting. This description provides the background to understand how and to what extent government continuity and urgent issues could be addressed during the country's longest period of caretaker government (541 days) at the federal level in 2010–2011.

## Introduction

According to B. Guy Peters [1, p.1079], 'governing Belgium is a more complex challenge than governing most other industrialised democracies'. It is complicated by Belgium's enduring linguistic and socio-economic cleavages, and by a complex form of federalism. At the same time, several of the most striking characteristics of Belgium's federalism and politico-administrative structure have proven to be conducive for coping with the longest government crisis ever. In this contribution, we describe the most important characteristics of the Belgian state structure and politico-administrative setting, in order to provide the background for understanding the prevention of government shutdown during the longest caretaker rule Belgium ever witnessed.

## State structure

Since 1993, Belgium is officially a federal state. From 1970 to 2011, consecutive constitutional reforms transferred major competences from the national (or federal) level to the regional level. In contrast to other federations, the nature of the Belgian federation is typically as centrifugal, with an ever increasing autonomy going to the federated entities. The direction of transfer thus contrasts with centripetal federalization, such as found in Germany. In the latter case, the federal state is the result of a unification or merger of various subnational regions [2-4].

In Belgium, the redistribution of competences basically followed two broad lines [4, p.238]. The first one comprises linguistics and culture. To clarify, Belgium is situated at the junction of Latin and Germanic languages and cultures. Three so-called communities, the French, Flemish and German, are charged with person-related community matters such as education, culture, art, media, youth, and social affairs. Next to cultural devolution, the state structure is designed so as to accommodate the different socio-economic interests that exist within the country. This second dimension triggered the creation of three different regions: the Walloon region, the Flemish region and the bilingual Brussels region. These regions are competent for territorial matters, including competencies in domains such as spatial planning, environment, energy, employment, economics, and, importantly, also legislation with regard to municipalities, provinces and intermunicipal co-operations. Belgium consists of 10 provinces and 589 municipalities (308 in the Flemish region, 262 in the Walloon region and 19 in Brussels capital). Except for social security, the powers of the federal level basically correspond to the core tasks of a state in the nineteenth century: internal security, foreign affairs, defence, justice and finance [5].

An overview of the expenditures by government level (data as of 2012-2013), gives a more detailed picture of the powers of the different government levels [2, pp.150-151]. We distinguish between the uncorrected government expenditure and the expenditure corrected for transfers to other government levels such as the European Union and the subnational levels. Fig.1 illustrates three major elements. First, the high proportion of the expenditure for social security. The expenditure in this policy domain outweighs that of all others. Second, the dependence of the subnational levels on the transfer of finances by the federal level. This dependency constituted one of the major issues in the 2011 state

reform operation, coined the 'Butterfly agreement'. With this agreement, the subnational levels will receive more fiscal autonomy. Third, when corrected for the transfers, the generally limited powers of the federal government level become apparent. In line with the incremental devolution of powers, the policy space of the federal government has gradually dwindled.

**FIG. 1 ABOUT HERE**

## **Institutional setting**

The dual organization of the federal state has created a complex institutional setting. Taken together, Belgium can claim to have no less than six governments and six parliaments, of which five are active at the subnational level. The Flemish Community and Flemish regional governments and parliaments have been merged into one single government and one parliament. Each of the governments relies on its proper administration.

### ***Political actors***

#### ***Parliaments***

In line with the country's consociationalist nature, Belgium has a multiparty political system. The federal parliament is bicameral, with a House of Representatives and a Senate, the latter of which includes co-opted representatives of the communities. The regional parliaments have only one legislative chamber. The federal and regional parliaments are respectively elected for four and five years. As a consequence, elections are usually not held congruently. Particular to Belgium, and again in contrast to a federation such as the German one, legislation decreed by the subnational level is not hierarchically subordinate to legislation enacted at the federal level [4, p. 238]. As to executive-legislative relations, the executive is dominant over parliament in legislation. Parliamentary legislative initiative is indeed very limited. This follows from the majority-opposition logic, but most importantly from the strong role of political parties and the party discipline they impose upon representatives. Together with Italy, Belgium is often considered to be a textbook example of partitocracy [8-9].

#### ***Executives***

Executives are led by coalition government. The federal government consists of an equal number of ministers from each side of the language border, with the prime minister as first among equals (*primus inter pares*). The government acts as a collegial body. Characteristic for Belgian politico-administrative culture, is the central role of personal advisors to the ministers. Each minister is entitled to employ his/her own 'ministerial cabinet'. The term 'cabinet' may confuse, but it refers to the staff of personal advisors whom the minister appoints when taking office. These advisors do not belong to the administrative hierarchy. The Belgian ministerial cabinets are relatively large by international standards. Their functions range from assisting the minister in identifying and formulating problems, to outlining policy, and assisting in everyday policy making. They have a considerable impact on Belgian policy-making, and especially on policy formulation. Especially given the complexities of the Belgian state structure, cabinet members play a decisive role in negotiating and searching for compromises between the different members of the coalition. Despite various intentions to downsize the scale of the cabinets at different government levels, and to move the tasks of policy preparation to the administration, the ministerial personal advisors still play a predominant role in the Belgian political-administrative arena [10-11].

#### ***Administration***

When government members leave office, personal advisors of the cabinets follow. This does not apply to the administration, which stays in place when government changes occur. The size of public employment, however, has drastically changed in consequence of the different state reforms [3], and in response to budgetary pressures and the introduction of the new managerial discourse in the public sector. The federal level represents only 17 per cent of the personnel in the public sector. In addition,

many functions have been transferred to autonomous public institutions [4, p.243]. In this respect, one should note that Belgium has a long tradition of what is called functional decentralization to such (semi-) autonomous institutions [3, p.124]. Despite this feature, Pollitt and Bouckaert [4, p.117] classify Belgium in the group of ‘continental modernizers’, whose followers “continue to place greater emphasis on the state as the irreplaceable integrative force in society (...) that cannot be reduced to the private sector discourse of efficiency, competitiveness and consumer satisfaction”. In their view, Belgium represents the neo-Weberian state model, which combines classic Weberian principles with New Public Management elements such as an orientation on results [6, p.111].

In the mid-2000s the federal administration implemented one of its largest reforms operations of the last decades, much inspired by New Public Management. The so-called Copernicus reforms were intended to fundamentally change the structure, management culture, working practice and human resources approach within the civil service. The overarching aim for the federal government was to become a better employer for its civil servants and to provide better services to the citizens [2, pp.151-155]. As to the internal structure, the Copernicus reform introduced a virtual matrix, with the creation of ten vertical, four horizontal ministries and several programmatic ministries, working on themes crossing the entire policy field. The new management culture was to be fostered by putting the top civil servants on contract. They are no longer appointed statutorily for life, but recruited for a duration of six years, after a selection by assessment centres and interviews. Their mandates are evaluated on the basis of management agreements. Also the HR Management was drastically changed, with a re-orientation of the evaluation system applying to civil servants. Competency management was introduced supported by certified training and education. A new way of working, finally, was to be supported by making procedures more efficient, by introducing modern information and communication technology as well as by implementing Business Process Re-engineering.

The different cleavages that exist in Belgium are reflected in the diversity in administrative cultures of the various subnational entities. The different regions have displayed different rhetorics on public management. While the federal level can be considered as a continental modernizer, Flanders is better considered as an early modernizer, whereas the French-speaking Community and the Walloon Region have only recently implemented modernisation plans, and this still in a very much fragmented way [12]. As for Flanders, it is relevant to mention its 2006 comprehensive reform operation, titled “Better Administrative Policy” (Beter Bestuurlijk Beleid). Inspired by Anglo-Saxon public sector reforms, the Flemish government has reorganized itself along the principles of New Public Management: i.e. adequate delegation of tasks, quality control, improved information and accountability mechanisms, and improved policy and management information. At the structural level, the reform resulted in 13 homogenous policy domains, or clusters of policy fields that form a recognizable and coherent whole both from a political and client perspective. The administrative entities are embedded into the domains on the basis of one-to-one relationships, and the same is true for their connection with the political actors. The intention was that each domain would be steered by only one minister. For each policy domain a policy board serves as a strategic platform where relevant actors from the domain (minister and top civil servants) can discuss strategic and operational objectives and assess innovating projects and new policy efforts in the light of new challenges and developments [13]. In practice, the one-to-one relationship has not been consistently applied everywhere. Also the strict division in more strategic and operational tasks has already been relaxed in some policy domains.

## **Belgium’s longest caretaker government in 2010-2011**

In 2011, Belgium broke the dubious record for the world’s longest wait for a government. Despite 541 days of caretaker government at the federal level, there was, however, never a risk of a major government shutdown. The description of Belgium’s politico-administrative system provides the background to understand how and to what extent government continuity and urgent issues could be addressed.

Firstly, the caretaker government concerned only the federal level. As mentioned, with the incremental devolution of powers to the regions and communities, the policy space of this level has substantially

decreased. The implementation of policies at the subnational levels was not much influenced by the federal government crisis.

Secondly, at the federal level, the caretaker government acted on the basis of caretaker conventions. These rules requested the caretaker government to continue daily administrative management, tutelage and to conclude all issues that did not require new initiatives of the cabinet. The underlying rationale is to safeguard the prerogatives of the new government. The cautionary principle also implied the strengthening of administrative and budgetary control of expenditure. In attendance of a new budget, caretaker governments are provided with the same budgetary appropriations as in the previous year (the so called system of 'provisionary 12th's) [14]. As for urgent matters, the caretaker conventions required prompt action when the "fundamental interests of the Nation (..) are at risk, or can be damaged" [15]. The loosely formal character of the caretaker provisions proved to be a major asset during the long caretaker period. The longer the government negotiations dragged on, the more issues were considered urgent and had to be addressed.

Thirdly, when the federal government level failed, the supranational level stepped in. The global fiscal crisis coincided with Belgium's government crisis. Following pressure of the European Union, Belgium was forced to approve a multi-annual budget in the framework of the reform programme Europe 2020 and the Stability Pact. International obligations were to be met, also in caretaker government mode.

Fourthly, the personnel factor proved to be a major safeguard for government continuity. As outlined above, in Belgium administrative top did not leave after government elections. The powers of the government administration were generally not affected by the caretaker mode. Next to the administration, also most of the executive ministers remained in place, as well as a good deal of their personal advisors [14].

To conclude, the nature of the politico-administrative constellation of Belgium work as a safeguard against overall government shutdown, at least in times of caretaker mode at one government level.

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## Figure caption

Fig.1. Government expenditure by government level . Based on [7].

