Robert H. Mnookin

# *Ethnic conflicts: Flemings & Walloons, Palestinians & Israelis*

Because of mass demonstrations objecting to the presence of any francophone curriculum within a university situated in Dutch-speaking Flanders, the Belgian government negotiated a deal in 1968 that split the five-hundred-year-old Catholic University of Leuven into two institutions. Katholieke Universiteit Leuven (K.U. Leuven) remained in the old college town and became an entirely Dutch- (and English-) speaking university. A completely independent French-speaking Université Catholique de Louvain (U.C. Louvain) was formed and moved to a brand-new campus in Louvain-la-Neuve, a new town created in the Walloon (or French-speaking) region, about an equal distance from Brussels.

With the split, the existing library had to be divided. The disputants negotiated a typically Belgian compromise: those volumes with even call numbers went to U.C. Louvain and those with odd call numbers went to K.U. Leuven.

When I arrived in Leuven in February 2006 as a visiting scholar,[1] I was aware of this history and knew about Belgium's language cleavage and linguistic frontier.[2] But I thought the conflict between the Flemish and Walloon peoples was a thing of the past, of little contemporary relevance to my interest in ethnic conflicts in general and the Israeli-Palestinian conflict in particular. Two experiences were soon to suggest I might be wrong on both counts.

*Robert H. Mnookin, a Fellow of the American Academy since 1995, is Samuel Williston Professor of Law at Harvard Law School, director of the Harvard Negotiation Research Project, and a Fellow at the Center for Advanced Study in the Behaviorial Sciences. His books include "Dividing the Child" (1992), "Barriers to Conflict Resolution" (1995), and "Beyond Winning" (2000).*

© 2007 by Robert H. Mnookin

1 I am grateful to the Francqui Foundation for the opportunity to have spent a semester at K.U. Leuven as the holder of the International Francqui Chair. This essay reflects my ongoing collaboration with Alain Verbeke, my host at K.U. Leuven, to whom I am deeply indebted. I would also like to acknowledge the research assistance of Ariel Heifetz, Columbia College 2004, and Eli Schlam, Harvard Law School 2009.

2 See Kenneth D. McRae, *Conflict and Compromise in Multilingual Societies: Belgium* (Waterloo, Canada: Wilfrid Laurier University Press, 1986), 17. In the south – Wallonia – nearly everyone speaks French; in the north – Flanders – the language is Dutch. In a population of 10.5 million, about 44 percent speak French and about 56 percent speak Dutch. In one small area obtained from Germany after World War I, with a population of about fifty thousand, German is the principal language.

The first relates to the controversy concerning the "Manifesto for an Independent Flanders within Europe."[3] The argument of the 252-page manifesto can be easily summarized:

1) Flanders and Wallonia have divergent needs and goals because they have profound differences – political, economic, social, and cultural.

2) The two regions are artificially held together only by a "maladjusted and inefficient" federal governmental structure with antimajoritarian restrictions and a "chaotic distribution of powers."

3) As a result of this structure, rational and efficient policymaking is impossible, and Flanders is unable to adopt those policies necessary to maintain economic competitiveness and ensure future economic growth in the face of the socioeconomic challenges of an aging population, ever-growing globalization, and increasing international competition.

4) A further result of this structure is that, at the national level, bad compromises are negotiated, which require the Flemish people to make "exorbitant and inefficient" financial transfers amounting to over 10 billion euros per year (about 1,734 euros for each Fleming) to Wallonia and Brussels. If Flanders remains part of Belgium, these subsidies are only likely to increase.[4]

5) The only durable solution is the full independence of Flanders. Because of its economic and social development since World War II, Flanders has the identity and self-sufficiency to be a full-fledged national community with all the characteristics of an independent member state of Europe.[5]

The manifesto was neither shrill nor highly rhetorical. Nor was it created and endorsed by persons thought to be extreme Flemish nationalists, such as the leaders of the Vlaams Belang, a political party on the far right that is hostile to immigrants and has long called for Flemish independence. Instead, people who can best be described as Flemish members of the business and academic establishment, including Herman de Bode, the president of the Harvard Club of Belgium and the chairman of McKinsey and Company in the Benelux, were responsible for the document.

The manifesto provoked an immediate outcry from the francophone community. Because of a francophone client's protest, de Bode was forced to resign as chair of McKinsey. Naturally, this controversy piqued my interest in learning more about the conflict between the Flemish and the Walloons,

3 In de Warande, "Manifesto for an Independent Flanders within Europe," Brussels, Belgium, November 2005. The report was 'drawn up' by the 'Reflection Group' – sixteen Flemish businessmen and academics who had studied Belgium's problems at the 'Warande,' *the* elite Flemish men's club in Brussels located next to the residence of the American ambassador to Brussels. The manifesto also carries the names of an additional fifty people who "subscribe[d] to [its] conclusions . . . and principles."

4 Ibid., 155. See, generally, ibid., 132 – 177. The amount of transfers, as well as the reasoning of the "Manifesto," is contested in Giuseppe Pagano, Miguel Verbeke, and Aurélien Accaputo, "Le manifeste du group In de Warande," *Courrier hebdomadaire du CRISP* 8 – 9 (1913 – 1914) (2006).

5 Recently, Rudy Aernoudt, a prominent former Flemish public servant, wrote a book with both Dutch and French editions, suggesting policies that might improve the national economy and hold the country together, contrary to the "Manifesto." See Rudy Aernoudt, *Vlaanderen Wallonië. Je t'aime moi non plus* (Roeselare: Roularta Books, 2006); Rudy Aernoudt, *Wallonie. Flandre. Je t'aime moi non plus* (Roeselare: Vif/Roularta Books, 2006). On his website, www.aernoudt.com, over three hundred persons, including many prominent Flemings, endorsed his perspective.

the present institutional structure of Belgium, and the prospects for the nation's survival as a single state.

The second experience relates to interviews I conducted during my visit to Israel and the Palestinian territories in late February 2006. It had never occurred to me that the conflict between the Flemish and the Walloons, and Belgium's governmental structure, would be thought relevant to the Israeli-Palestinian dispute. But on two different occasions, after learning that I was temporarily residing in Belgium, Palestinian intellectuals stated that the resolution of the conflict should involve the creation of a single secular state modeled after Belgium's – with language communities and largely autonomous regions that would give both Jews and Palestinians substantially independent control over their own destinies within the framework of a single binational, federal state.[6] The irony of this suggestion did not escape me.

I have since discovered some surprising similarities between these obviously very different ethnic conflicts. As it turns out, the size of Israel and the Palestinian territories combined is almost exactly the same as Belgium, both in terms of square miles and population.[7] Both can be seen as conflicts between two peoples – with roughly equal numbers – where the issue can be framed as whether the appropriate resolution should involve two states or only one. Finally, in both disputes, if there is to be a two-state solution, a contentious and complicated issue is the fate of the capital – Brussels or Jerusalem.

Yet what makes the comparison fascinating is not these similarities but a conspicuous difference. Belgium presents a remarkable example of an ethnic conflict without a single death or any mass violence over a thirty-year period. During that time, a Belgian political elite on opposing sides of the language divide stitched a series of compromises into a complex federal system. This new federal regime may not be sufficient to hold the Belgian state together, but no one believes the conflict between the Flemings and Walloons will become violent. This stands in striking contrast to the Israeli-Palestinian conflict, where during the same period negotiations have repeatedly failed and thousands have died. Many believe that the outline of a two-state solution that would better serve the interests of most Israelis and most Palestinians is reasonably clear. President Clinton outlined its basic terms in 2000. But since the collapse of the Oslo peace process at the end of 2000, more than one thousand Israelis and three thousand Palestinians have died in this seemingly intractable conflict.

The contrast with Belgium poses two general questions: Why do some ethnic cleavages with territorial dimensions lead to violent breakups or civil war (e.g., Yugoslavia) while others are resolved peacefully through negotiations (e.g., Czechoslovakia)? There obviously is not a single answer to this question,

6 See Victoria Tilley, *The One State Solution: A Breakthrough for Peace in the Israeli-Palestinian Deadlock* (Ann Arbor: University of Michigan Press, 2005). This seems to have been the favored resolution of the late Edward Said. See Edward Said, "Truth and Reconciliation," in *The End of the Peace Process: Oslo and After* (New York: Vintage, 2001), 318.

7 Belgium is 11,787 square miles; Israel and the Palestinian territories are 10,548 square miles. Belgium's estimated 2006 population is about 10,500,000, while that of Israel and the Palestinian territories is approximately 11,100,000. Population Reference Bureau, *2006 World Population Data Sheet*, http://www.prb.org/pdf06/06WorldDataSheet.pdf.

but the study of Belgium and the contrast with the Israeli-Palestinian conflict can suggest some useful hypotheses and inform speculation.[8]

A second general question relates to federalism and the extent to which, through institutional design, a nation with ethnic cleavages can be created or held together. Here the study of Belgium leads me to somewhat more pessimistic conclusions. The Belgium case suggests that federal structures allowing for decentralized decision making may exacerbate centrifugal forces. Moreover, consociational safeguards, which give each ethnic group veto power over policies and changes, may lead to policy deadlocks that hasten the eventual breakup of a nation. If this is so in Belgium, is there any hope that such a structure can provide a solution for the Israelis and the Palestinians, or in other countries (such as Iraq or the Congo) with ethnic cleavages that have territorial dimensions and where there is a long history of violence?[9]

Belgium only became a nation in 1830, and its creation was not the culmination of a single people, with a shared sense of Belgian identity, achieving nationhood.[10] Before that year, the territory that makes up Belgium (with the exception of Liege) consisted of an amalgam of separate provinces – some francophone and some Flemish – controlled first by the Spanish, later by the Austrian Hapsburgs, then by the French, and finally by the Dutch. The nation's founding was thus not a love match but an arranged marriage between spouses who had little in common – the product of a nineteenth-century compromise among great powers interested in creating a neutral buffer state. In 1831, the Belgian National Congress wrote a 'liberal' constitution that contemplated a strong unitary parliamentary state with a constitutional monarch. A German noble closely related to both the British and French royal families was invited to become the first King of the Belgians.

When Belgian independence was declared, language reflected social-class differences more than a cultural cleavage. French was the language not simply of the Walloons but also of the Flemish elite. Although the Flemings always outnumbered the French speakers, the francophone Belgians dominated the new country culturally, politically, and economically. While the Belgian constitution contained words suggesting language liberty, the new parliament, dominated by this elite, made French Belgium's "single official language" – the only language to be used in the national legislature, in governmental administration, and in the courts. It was contemplated that French could be imposed in Flanders and that the entire country would eventually become francophone

8 James Fearon and David Laitin have done important, systematic empirical work on ethnicity and violence. See James Fearon and David Laitin, "Ethnicity, Insurgency and Civil War," *American Political Science Review* 97 (1) (January 2003): 75 – 90; James D. Fearon and David D. Laitin, "Violence and the Social Construction of Ethnic Identity," *International Organization* 54 (4) (Autumn 2000): 845 – 877.

9 See Ugo M. Amoretti and Nancy Berneo, eds., *Federalism and Territorial Cleavages* (Baltimore: John Hopkins University Press, 2004).

10 This is not to say that after the creation of Belgium, some historians did not attempt to reconstruct a Belgian history demonstrating the prior existence of some sense of peoplehood. See Louis Vos, "Reconstruction of the Past in Belgium and Flanders," in *Secession, History and the Social Sciences*, ed. Bruno Coppieters and Michel Huysseune (Brussels: VUB Brussels University Press, 2002).

through "a policy of assimilation," using "legal and economic influence."[11]

For more than a century after Belgium's founding, Wallonia was much richer than Flanders. With large coal reserves, Wallonia was among the earliest parts of Europe to industrialize, and it experienced rapid economic growth during the nineteenth century. Flanders, on the other hand, relied on subsistence agriculture. It had no modern industry: its famed textile facilities never became fully mechanized and floundered in the nineteenth century. Crop failures led to a famine and contributed to massive unemployment and severe economic hardship. Many Flemings emigrated, to Wallonia and to America.

Throughout this period, there was rampant social and economic discrimination against those who could not speak French. State-supported elementary and secondary education was predominantly francophone, as was all university-based instruction. Francophone Belgians viewed the Flemish majority who could not speak proper French as uneducated, backward peasants, suited to do manual labor but little else. Because upward social mobility required knowledge of French, many Flemings learned French. Few Walloons ever bothered to learn Dutch.

Needless to say, many Flemings resented the discrimination, especially the prohibition against using their own language in their dealings with the government. In the late nineteenth century, the laws on the books were changed in the direction of official bilingualism, although actual practices changed much more slowly.[12] Between 1890 and 1920, contemporaneous with the extension of suffrage, a mass 'Flemish movement' emerged.[13] Its major focus was language and cultural rights. During World War I it was claimed that thousands of Flemish enlisted men had died unnecessarily because their francophone officers issued commands that the men could not understand. A 1921 law envisioned a bilingual regime of sorts, in which government officials would use both languages. Nevertheless, the Walloon region remained francophone, and even in the Flemish areas, many government officials spoke only French.[14]

A critical change with respect to language policies occurred in 1932 and 1935, when legislation established a regime of *dual monolingualism* that remains to this day. Reversing the bilingual law of 1921, this legislation created two monolingual regions on the basis of a *territorial line*

11 Kris Deschouwer, "Kingdom of Belgium," in John Kincaid and C. Alan Tarr, eds., *Constitutional Origins, Structure and Change in Federal Countries*, vol. 1 (Montreal: McGill-Queens, 2005), 49. M. Camille Huysmanns, "The Flemish Question," *Journal of the Royal Institute of International Affairs* 9 (5) (1930).

12 McRae, *Conflict and Compromise*; Huysmanns, "The Flemish Question"; Liesbet Hooghe, "Belgium: Hollowing the Center," in *Does Federalism Matter? Political Institutions and the Management of Territorial Cleavages*, ed. Nancy Bermeo and Ugo Amoretti (Baltimore: Johns Hopkins University Press, 2003), 62 – 76, 58.

13 In 1893, the Belgian constitution was amended to give all men over twenty-five one vote, with additional votes (up to a maximum of three) going to older men who owned homes, had sufficient savings, or held a university degree. A 1920 amendment created universal *male* suffrage where all had a single vote. Suffrage was not extended to women until 1948. There is a vast literature on the Flemish movement. See François Nielsen, "The Flemish Movement in Belgium After World War II: A Dynamic Analysis," *American Sociological Review* 45 (1) (1980); Huysmanns, "The Flemish Question"; Theo Hermans, Louis Vos, and Lode Wils, *The Flemish Movement: A Documentary History, 1780 – 1990* (London: Athlone Press, 1992).

14 See McRae, *Conflict and Compromise*, 28.

dividing the country. The language used in administrative matters, primary and secondary education, and judicial matters was to be based exclusively on location – not the mother tongue of the individual citizen. In Flanders, Dutch became the only official language; and in Wallonia, the official language was exclusively French. Only Brussels and certain border areas were to remain bilingual.

After World War II, there was a striking reversal of economic fortunes for the two regions. In Wallonia, the coal and steel industries declined. In Flanders, the port of Antwerp was modernized; foreign investment poured in; and new plants were built for petrochemicals, car assembly, and shipbuilding. Today, the Flemish region of the country is substantially richer than the Walloon region. The per-capita GDP of Flanders now exceeds that of Germany, France, and the United Kingdom, while that of the Walloon region is similar to that of the poorer regions in France and Italy.[15]

Since 1970, contemporaneous with the economic rise of the Flemish region, five sets of constitutional revisions have transformed Belgium's governmental structure from a strong unitary national system into a federal structure of mind-boggling complexity, in which substantial power has devolved to monolingual subnational governmental units.[16]

Today, Belgium's constitution allocates power and responsibility to governments for each of three *territorially based regions* (Wallonia; Flanders; and Brussels, the capital) and three *language communities* (French, Flemish, and German). The regions and communities have directly elected, parliamentary-style legislatures and a legislatively accountable executive body.[17] They also have broad and *exclusive* responsibility and authority in specified areas.[18]

As a result of these changes, political life in Belgium is now conducted along linguistic lines. There is no longer any major political party that operates on both sides of the linguistic frontier. By reason of internal conflicts relating to language and cultural autonomy, the traditional parties – the Catholic or Christian Democrats, the Liberals, and the Socialists – have all now split into separate French-speaking and Dutch-speaking parties. Today, there are two distinct party systems in Belgium, one francophone and one Flemish.[19]

15 GDP per capita in Flanders is approximately $33,500, while it is about $24,500 in Wallonia. Eurostat Regional Database, http://epp.eurostat.cec.eu.int/portal/page?_pageid=0,1136162,0_45572076&_dad=portal&_schema=PORTAL. The 2005 estimate for the United Kingdom and Germany is approximately $30,100; in France it is $29,600, https://www.cia.gov/cia/publications/factbook/index.html.

16 See Hooghe, "Hollowing the Center." The November 2006 issue of *West European Politics* is devoted to Belgian politics and has the transformation of Belgium from a unitary state to a federal system as its connecting theme.

17 Flanders decided early on to combine the language-based 'Flemish community' parliament with the Flemish regional parliament. The result is that there are a total of six, rather than seven, parliamentary-style elected legislatures, each of which has a government.

18 The authority of the communities includes matters relating to education, language, and culture, including support of the arts. The regions have authority for a broad range of policies relating to economic development, environment, agricultural and housing policy, water, energy, and transport.

19 Lieven De Winter, Marc Swyngedouw, and Patrick Dumont, "Party System(s) and Electoral Behavior in Belgium: From Stability to Balkanization," *West European Politics* 29 (5) (November 2006): 933 – 956.

At the national level, there are a variety of mechanisms to ensure that neither the Flemish nor the francophone parties, acting on their own, can impose decisions on the other language group. A governing majority in parliament always requires a coalition government, and the Belgian constitution requires that the cabinet must have an equal number of ministers from each language group, apart from the prime minister. This means that the coalitions necessarily cross language lines, and typically include at least four of the six major parties.[20] The current government is a coalition of the Flemish liberals (VLD), the Flemish socialists (SP.A-Spirit), the francophone liberals (MR), and the francophone socialists (PS). Because of what is known as the *cordon sanitaire*, the six major parties have agreed with each other never to include the Flemish nationalists (the Vlaams Belang) in any governing coalition.

Belgium's present-day federal structure can best be understood as a complex set of compromises, the product of a series of protracted political negotiations that sought to deal with four problems, none of which has been put to rest.

*Language and the quest for autonomy*. The Flemish movement was originally concerned primarily with language rights and cultural equality. In the 1930s, the combination of Flemish pressure, on the one hand, and resistance to a bilingual regime that would require French-speaking government officials to learn Dutch, on the other, resulted in the scheme of territorial monolingualism. Over time, however, the concerns of the Flemish movement broadened: "[I]t became gradually more nationalist and autonomist in response to the slow adaptation of the Belgian-Francophone institutions and growing anti-Flemish sentiment among French-speaking politicians."[21] Between 1970 and 2001, the Flemish parties succeeded through negotiations in creating a federal system that gives the Flemings the power to make policy for a broad range of issues. The conflict today relates to Flemish pressure to go further. Many within Flanders want still greater autonomy: some seek devolution to a confederal system, others independence. Francophone Belgians object to both.

*'Minority' protection versus majority rule*. Belgium democracy is not based on majority rule but instead provides an example of a 'consociational democracy,' of which proportional representation, executive power sharing, elite bargaining within grand coalitions, and minority vetoes are key elements.[22] At the na-

20 See also Liesbet Hooghe, "A Leap in the Dark: Nationalist Conflict and Federal Reform in Belgium," Occasional Paper 27, Western Societies Program, Cornell University, Ithaca, N.Y., 1991. Since 60 percent of the population is Flemish, the unstated presumption has been that the prime minister will be Flemish – not since the 1970s has a Walloon had the top position.

21 Hooghe, "Hollowing the Center," 59.

22 Brendan O'Leary, "Debating Consociational Politics: Normative and Explanatory Arguments," in Sid Noel, ed., *From Power Sharing to Democracy: Post-Conflict Institutions in Ethnically Divided Societies*, Studies in Nationalism and Ethnic Conflict (Montreal: McGill-Queen's University Press, 2005); Brendan O'Leary, "An Iron Law of Nationalism and Federation: A (Neo-Diceyian) Theory of the Necessity of Federal Staatsvolk and of Consociational Rescue," *Nations and Nationalism* 7 (3) (2001); Kris Deschouwer, "And the Peace Goes On? Consociational Democracy and Belgian Politics in the Twenty-First Century," *West European Politics* 29 (5) (November 2006): 895 – 911; Kris Deschouwer, "Falling Apart Together: The Changing Nature of Belgian Consociationalism, 1961 – 2001," *Acta Politica* (37) (1 – 2) (Spring –

tional level, in response to the Francophones' fear that they might be constantly outvoted by the Flemish majority, Belgium has put in place institutional mechanisms that prevent Flemish domination through majority rule. By reason of the alarm-bell procedure, the requirement of concurrent majorities for special laws, equal representation in the national government, and a multiparty political system that requires coalitions, the francophone political parties have considerable leverage in the national parliament to ensure that their interests are taken into account in any negotiated deal. Many Flemish resent these antimajoritarian elements, which they often characterize as antidemocratic.

*Brussels*. The Brussels metropolitan area presents a special problem for Belgium because of its physical location, its history, and its growth. Brussels is physically situated in Flanders, and in the mid-nineteenth century a majority of the city's inhabitants were Flemish. Today, Brussels is no longer a Flemish city. In fact it has become overwhelmingly francophone. The negotiated compromise was to make the nineteen municipalities of Brussels into a separate, bilingual Brussels-Capital Region that is not part of either Flanders or Wallonia. Moreover, in order to protect the Flemish minority within Brussels from francophone domination, the governmental structure of the Brussels-Capital Region has several antimajoritarian rules akin to those in the national government. Flemish residents of Brussels are guaranteed the right not only to use their language in administrative dealings, but also to have Dutch-speaking schools. Brussels remains a point of political contention, though, because metropolitan Brussels extends well beyond the nineteen municipalities in the Brussels-Capital Region, and over the years an increasing number of French speakers have acquired homes in the surrounding areas. The Flemish fear and resent what they see as the creeping 'Frenchification' of these Flemish areas. The flash point today concerns the Brussels-Halle-Vilvoorde electoral district, which includes both the officially bilingual Brussels-Capital Region as well as the nominally monolingual Dutch Halle-Vilvoorde areas that surround it.[23]

*Regional economic differences: internal transfers*. A potentially explosive conflict relates to the control and allocation of governmental resources. In Belgium today revenues for all levels of government are primarily generated by taxes levied at the national level. Because Flanders is now much richer than Wal-

Summer 2002); Rudy B. Andeweg, "Consociational Democracy," *Annual Review of Political Science* 3 (2000): 509 – 536; George Tsebelis, "Elite Interaction and Constitution Building in Consociational Democracies," *Journal of Theoretical Politics* 2 (1) (January 1990): 5 – 29.

23 In 2002 the Belgian high court ruled that having Brussels-Halle-Vilvoorde as a single electoral district was inconsistent with certain provisions of the present Belgium constitution that contemplate territorially based electoral districts, and remanded the matter to the national parliament for remediation. The result has been a deadlock. The Flemish parties insist that the borders of the Brussels-Capital Region remain fixed, and that the electoral district be split so that voters in the Halle-Vilvoorde areas are no longer attached to the Capital Region for any voting purposes. The francophone parties oppose the split, and also ask that six communes with a number of francophone residents be given language facilities and be added to Brussels proper. While the conflict has substantial symbolic importance on both sides of the language divide and might be used for purposes of political mobilization, its practical importance is minor. With respect to national electoral power, little turns on how the Brussels-Halle-Vilvoorde electoral district is reformed.

lonia, it proportionately pays more of these taxes. In past negotiations at the national level, the leaders of the francophone parties have exercised their leverage to extract and protect what the Flemish parties see as disproportionate internal transfers from the Flemish region to the Walloon region and Brussels. A good portion of these transfers occur because unemployment insurance, health insurance, and social security (old age retirement benefits, disability) remain national, and not regional, programs.[24] Thus, Flemings pay more into these programs than they receive. The major Flemish political parties now regularly call to varying degrees for the regionalization of these national entitlement programs. Such changes are vehemently opposed by the francophone parties, especially the Socialist Party, which sees these national entitlements as vitally important to its political base and at the core of the party's political ideology.

In light of these conflicts between the Flemish and the Walloons, what can hold Belgium together, especially given the centrifugal pressures generated by the existing federal regime?

King Albert I, early in the twentieth century, was told by a Walloon political leader: "You reign over two peoples. In Belgium there are Walloons and Flemish; there are no Belgians."[25] This is an overstatement if it is meant to suggest that a Belgian identity counts for *nothing*. I was regularly told that people on both sides of the language divide share many values, including a pragmatic willingness to compromise and skepticism of government. They also take pride in the restaurant scene throughout Belgium (which is said to have more Michelin stars per capita than France). Nevertheless, survey evidence suggests that Belgian identity is thin, particularly for Flemings, at least in comparison to their local or regional identity.[26] No one knows the words of the national anthem, and Belgium is one of least nationalistic countries in the world.

Belgians are quick to suggest that there are real cultural differences between the Walloons and the Flemish. Stereotypes paint the Flemish as more disciplined and harder working, like those of the Northern European, Germanic cultures, while the Walloons take after the more fun-loving Latins in Southern Europe.[27] Ideologically there are some conspicuous differences as well: the socialist tradition is much stronger in the Walloon region; the Flemings are much more committed to a market economy. While nearly everyone throughout the country is nominally Catholic, the proportion of observant Catholics is thought to be higher in Flanders.[28]

24 Bea Cantillon, Veerle de Maesschalk, Stijn Rottiers, and Gerlinde Verbist, "Social Redistribution in Federalised Belgium," *West European Politics* 29 (5) (November 2006): 1034–1056.

25 This quote comes from a published letter to the Belgium king written by J. Destree, a Walloon Socialist. A. Alen, "Nationalism–Federalism–Democracy: The Example of Belgium," *REDP/ERPL* 5 (1) (1993): 47.

26 Hooghe, "Hollowing the Center," 65; See J. Billiet, B. Maddens, and A-P. Frognier, "Does Belgium (Still) Exist? Differences in Political Culture Between Flemings and Walloons," *West European Politics* 29 (5) (November 2006): 912–932.

27 On the cultural clichés and stereotypical perceptions, see Aernoudt, *Wallonie. Flandre. Je t'aime moi non plus*, part I.

28 For a recent study suggesting that these differences in religiosity are being eroded, and that the entire country is becoming more secular, see Billiet, Maddens, and Frognier, "Does Belgium (Still) Exist?"

What seems uncontestable today is that the language cleavage has been embedded into a governmental structure that reinforces the sense of 'two peoples' who are likely in years to come to drift farther apart, and not be brought closer together. Ordinary citizens may participate in the political process only among their own language group. There are no mass media – i.e., national newspapers, television stations, or radio stations – aimed at both the French- and Dutch-speaking communities. The daily newspapers are exclusively Dutch, French, or German. Television and radio stations have been separate in Flanders and Wallonia since 1960, and each community has its own public broadcasting organization regulated by its language community, not the national government. "As a result of this media gap, two cultures have gradually emerged, with diverging social sensitivities, fashions and customs."[29]

While Belgium is a small country, there is surprisingly little social interaction between Flemings and Walloons. The number of mixed Flemish-Walloon marriages is very low.[30] And the degree of residential and workplace segregation in the Flemish and Walloon regions is stunning. Very few Dutch-speaking people reside or work in Wallonia, and very few Walloons live in or commute to Flanders. Flemish businessmen in prosperous southwest Flanders complain that because even unemployed Walloons are unwilling to commute to Flanders, they often hire workers from neighboring France. Within Brussels (where 85 percent of the population speaks French at home and 15 percent speak Dutch), there is a modest degree of residential integration. The Brussels workplace also tends to be more integrated because 350,000 Flemish people who live in Flanders work in Brussels.[31]

Millions of Belgians literally are unable to communicate because they cannot speak each other's language. The degree of linguistic segregation in the schools – from the elementary level through the universities – is striking. The curriculum of any particular school is typically taught exclusively either in French or Dutch. While some families intentionally cross-enroll their children so that they might better learn the other language, these are the exception.

Nor is there a shared national commitment to make Belgians bilingual. While elementary schools, on both sides of the language divide, do offer a few hours a week of language instruction in the other language beginning in the fourth grade, few Walloons ever learn to speak Dutch with any degree of fluency. In 2000, researchers found that, in Wallonia, 17 percent know Dutch in addition to French. The proportion of bilingual Flemish people is much higher: 57 percent know French and Dutch, and 40 percent know English as well. In Wallonia, only 7 percent are trilingual.[32] My strong impression, however, is that compared to a generation ago, fewer Flemish speak French fluently because of the increasing dominance of English.[33]

29 Ibid, 914.

30 Ibid., 915. Citing F. Bartiaux and C. Wattelar, "Nuptialiteit," Algemene Volks-en Woningtelling op 1 maart 1991, Monograph n. 5A (Brussels: National Statistical Institute, 2002).

31 W. Swenden and M. Jans, "'Will It Stay or Will It Go?' Federalism and the Sustainability of Belgium," *West European Politics* 29 (5) (November 2006): 890.

32 Victor Ginsburgh and Shlomo Weber, "La Dynamique Des Langues En Belgique," *Regards Economiques* 42 (June 2006).

33 "The youngest generations of Flemings, unlike their parents and grandparents, have

So what 'glue' is there to hold the country together, particularly in the face of a serious economic or political shock? While the two groups have shared a national history since 1830, much of it has not been happy. Two devastating World Wars were fought on Belgian soil, and during each there was a German occupation that led to divisive and bitter postwar accusations, in which many Flemish felt unfairly accused of collaboration. Although the Flemish region is now more prosperous and has substantial autonomy, psychologically many Flemish still feel resentment over language slights and what they see as ongoing francophone condescension. Meanwhile, some in the francophone community are very quick to characterize Flemish politics as fascistic – because of the electoral strength of the Vlaams Belang – and to condemn Flemings generally for selfishness and lack of solidarity because of their expressed desire to reduce the entitlements of the welfare state.

Some say only soccer and the monarchy provide glue – not good news, since the national team is mediocre and Prince Philippe, the francophone heir apparent to the throne, is regularly characterized in the Flemish press as a bumbling dimwit.

The factors that are more likely to hold the country together, besides inertia and conventional concerns about the economic costs of a divorce, are Flemish fears that Brussels might be lost, a culture that supports pragmatic compromise, and the interests of a national political elite that is experienced at problem-solving negotiations.

---

grown up and become socialized in a monolingual Dutch environment . . . . They are much more focused on the Anglo-Saxon world, which means that French has become a foreign language." Billiet, Maddens, and Frognier, "Does Belgium (Still) Exist?"

For those Flemings pressing for independence, Brussels presents a real political stumbling block. Today, Brussels is not only the capital of Belgium and often characterized as the capital of Europe – it is the capital of the Flemish regional government and community. Although Brussels is located within what was historically Flanders, it is highly unlikely that a majority of this overwhelmingly francophone city, if given a choice, would elect to dissolve Belgium to become part of Flanders. Nor would its residents necessarily prefer to become part of a new francophone nation over maintaining the status quo: francophone residents of Brussels do not identify with the Walloon region and its separate culture so much as with the broader, more cosmopolitan French culture. They also have economic reasons to prefer the status quo to dissolution: Brussels is not a rich city, and it benefits from transfers from Flanders – both direct and indirect.

The manifesto suggests that, after the dissolution of Belgium, Brussels should become a condominium of sorts, a shared responsibility of the two new nations as well as the European Union. Others have suggested that Brussels might become a 'free city,' part of neither new country but instead the capital of Europe, presumably subsidized by the EU. While such alternatives would presumably be acceptable to those pressing for Flemish independence, the manifesto fails to describe the process by which any of these alternatives can be achieved. Flanders lacks the capacity to solve the Brussels problem unilaterally. Instead such arrangements would have to be created through negotiations, with the agreement of the national francophone parties and the EU, and presumably with some sort of ratification by the residents of Brussels as well. But why

would the francophone parties or the EU agree to such arrangements, which they would surely see as smoothing the path to Flemish independence? And why would a majority in Brussels prefer such alternatives to the status quo?

Suppose Flemish independence could be achieved only if Brussels became part of a new francophone state. How likely is it that a majority of Flemings would support independence if, in the process, Flanders risks 'losing' Brussels? In answering this question, we must acknowledge that many Flemings have ambivalent feelings toward Brussels. They often express pride in this cosmopolitan city and its Flemish roots. But many Flemish – especially those who live and work outside the city – also feel Brussels has become a foreign metropolis filled with immigrants. They often express resentment that Brussels is only nominally bilingual – in reality, Dutch is not much used or even understood in many shops and restaurants. Nonetheless, Brussels is an important part of the glue that holds the country together. Like a father who never files for divorce because he is unwilling to give up custody of a child, many Flemings – who might otherwise favor independence – would prefer to stay in an unsatisfying Belgian marriage, where the spouses are leading separate lives, than give up Brussels.

Another important factor that holds Belgium together is shared cultural commitment to pragmatism and compromise. Both Flemings and Walloons use the expression 'Belgian compromise' to describe a deal in which difficult issues are resolved because each party in a conflict has made some concessions. While a Belgian compromise is typically messy, inefficient, and ambiguous – and no one may understand its long-term implications – it allows ordinary life to go on without undue disruption or violence. The history of Belgium is replete with such compromises.

Finally, the leaders of the major political parties are masters at negotiating such Belgium compromises, across both language and ideological cleavages. In these negotiations the leaders have a great deal of power because the leaders can speak for their parties. Belgium is sometimes called a 'partitocracy' because of the power of political parties within the Belgian system.[34] Party discipline is total; in parliament, deputies vote as their party leaders dictate because it is the leaders who substantially influence whether someone is a candidate and, subsequently, their position on the electoral list. Party leaders are not directly accountable to the electorate.

Moreover, the need for coalitions in order to form a government, when combined with the various antimajoritarian rules, creates pressure to forge some sort of working consensus across party lines. Stalemates do occur, sometimes leading to the fall of the government and the call for new elections. But the typically protracted negotiations often result in logrolling compromises, sometimes with further devolution of authority to the regional or community level combined with various side payments subsidizing the Walloon region. Complaints about Belgium's 'democratic deficit' relate to the fact that these leaders can negotiate deals without much public input or dialogue. Leaders are often accused of 'selling out' and accepting arrangements inconsistent with assurances given during election campaigns. Nevertheless, over the years, this political elite has helped hold the country together.

34 See Lieven de Winter and Patrick Dumont, "Do Belgian Parties Undermine the Democratic Chain of Delegation?" *West European Politics* 29 (5) (November 2006): 957 – 976.

In thinking about negotiations concerning the future of Belgium, I have identified four conceptual possibilities: 1) The national government might be strengthened and policies adopted to mitigate the language-based cleavage and reinforce Belgian national identity. 2) The status quo might be maintained. 3) There might be further devolution of authority to the regions, perhaps leading to a confederation. 4) Flanders might win independence.

The first outcome strikes me as extremely unlikely. In theory, the engine of history might be 'run in reverse,' and Belgium might adopt policies to make the entire country bilingual, strengthen the national identity, and augment the powers of the national government. Because the separate language communities control the schools and language policy, though, the national government lacks the authority to require bilingual education. Nor does it have a major political party on either side of the linguistic divide advocating the return of more authority to the national government. Path-dependency often means one cannot simply retrace one's steps once decisions are made.

The other three scenarios are all possible, and each has its advocates. The three mainstream Flemish parties have all indicated they would prefer some further devolution of authority to the regions, particularly with respect to economic and social welfare policies. The Flemish Socialist Party would prefer modest changes in the existing federal system, while the Flemish Liberal Party and the Flemish Christian Democratic Party have suggested going much further and creating a 'confederal' state. In such a state, through a common constitution, the regions would cede only defined and limited powers to the national government. Belgium would continue to exist, but its institutional importance would be substantially reduced, perhaps retaining responsibility only for national defense and aspects of foreign affairs. Presently, only the Vlaams Belang and one small conservative Flemish party (the NV-A) advocate the creation of an independent Flemish republic. This might result either from the negotiated dissolution of the Belgian state or successful unilateral secession by Flanders. Meanwhile, all of the francophone parties prefer the status quo, vehemently opposing further devolution, much less a confederation or Flemish independence.

The negotiations concerning the future of Belgium are coming to resemble a game of 'chicken.' In that dangerous game, two teenagers drive down a single lane toward each other. The driver who stays in the lane wins the game; the driver who swerves is the 'chicken.' If neither swerves, a collision occurs. Each player would like to win, but each player would prefer swerving to colliding.

In the case of Belgium, the Flemish parties will argue for further devolution. The francophone parties will resist. The Flemish political elite at the national level will probably suggest that the francophone parties' refusal to compromise risks eventual Flemish secession. Given the problem of Brussels and the various legal impediments to secession, though, the francophone parties may not find the threat of secession credible. Moreover, they may believe that in the end the leaders of the mainstream Flemish political parties would not support Flemish secession because it might not serve their personal political interests or those of the Flemish unions and the Flemish NGOs that administer elements of the national entitlement programs.

A stalemate might well lead to escalation on the part of the more mainstream

Flemish parties to put greater pressure on the francophone parties. In the face of francophone intransigence, the Flemish Christian Democratic Party and the Flemish Liberal Party might come to favor independence unless there is further devolution. The Flemish parliament might take actions to signal that a majority there would support secession if the francophone parties remain inflexible. For example, resolutions might be proposed advocating an advisory referendum within Flanders on the question of Flemish independence.

Whether or not a majority in Flanders would vote for independence in such a referendum is hardly clear, especially in light of the Brussels problem. More fundamentally, a unilateral declaration of independence by the Flemish parliament is of dubious legality. Nothing in the Belgian constitution allows secession. And it is difficult to imagine that the constitution could be amended to allow it over the opposition of the francophone parties. If the Flemish parliament proposed holding a referendum in Flanders as a prelude to a unilateral declaration of independence, those opposed to Flemish independence would no doubt challenge its legality on a variety of grounds in the Belgian constitutional court.[35] There is no provision in the constitution providing for a referendum, much less one to be held in Flanders alone. Moreover, they would claim that, whatever the outcome of such a referendum, Flanders lacks the power to declare its independence unilaterally. It is likely the Belgian court would follow the Canadian ruling in *Secession Reference*. That case ruled that a referendum in favor of secession in Quebec could not be the basis for unilateral secession; instead it could do little more than create an obligation for Quebec and the other provinces in Canada to negotiate in good faith. Applied to the Belgium case, good-faith negotiations would not require the francophone parties to agree to Flemish independence.

External international pressures might also discourage Flemish secession. International law strongly discourages unilateral secession because it violates state sovereignty, which is at the center of the international system. It is conceivable that the issue of Flemish secession might be brought before the European Court of Justice, but here, too, the probability of Flemish success is low. While those seeking Flemish independence would no doubt claim that as a people they have a right to self-determination, this claim is not very persuasive. Because of the substantial autonomy the Flemings presently have within Belgium, they cannot credibly claim they are prevented from participating in the political, economic, and social decision-making processes of the state. They are not an oppressed minority but instead a majority that is, on average, richer than the francophone community.[36]

Finally, any attempt at Flemish secession must be examined in the context of the European Union. The EU would probably see the dissolution of Belgium

35 Called the Court of Arbitration, this court has ultimate responsibility for adjudicating jurisdictional conflicts between various levels of government and ruling on the allocation of governmental authority within the federal system. By law, this twelve-person court must have an equal number of French-speaking and Dutch-speaking judges.

36 Principle VIII of the Helsinki Final Act adopted by the Conference on Security and Cooperation in Europe in 1975 states: "The participating States will respect the equal rights of peoples and their right to self-determination, acting in all time in conformity with the purposes and principles of the Charter of the United Nations and with the relevant norms of international law, including those relating to *the*

as a threatening precedent, given the internal cleavages in other EU countries, most notably Spain. Moreover, Belgium plays an integral role in the stability of the EU because Brussels is the home of many European Community institutions. The EU and many member states would probably apply a great deal of pressure on the parties to negotiate a resolution of the conflict short of Flemish independence.

However, despite all these impediments, a hard-nosed realist would recognize that if the Flemish parliament ever declared independence after a referendum in which a substantial majority of the Flemish people voted in favor of that outcome, Flanders – like Slovenia – could probably secede and ultimately secure international recognition of its independence. There would be no civil war, and Flanders would no doubt become a member of the EU.

This outcome is highly unlikely, though, given the preferences of all of the mainstream political parties on both sides of the language cleavage. With the exception of the Vlaams Belang and one small party (NV-A) presently in a coalition with the Flemish Christian Democrats, all of them would prefer further devolution to Flemish secession. Secession would represent a collision, in which neither player swerves.

In this game of chicken, the francophone political parties have an advantage because the negotiations are occurring in the shadow of a legal regime in which changing the structural status quo requires francophone assent. The francophone parties may refuse to swerve from their insistence on the status quo because they believe that the major Flemish parties cannot credibly commit to staying on the path toward Flemish independence. The dilemma for the Flemish negotiators is that, without credible Flemish moves in the direction of secession, the francophone parties may not be willing to make any significant concessions in the direction of devolution or entitlement reform.

My own best guess is that the probable outcome after the 2007 national elections will be a 'Belgium compromise' – a complex and obscure deal that perhaps couples a resolution of the controversy over Brussels-Halle Vilvoorde electoral district with some small entitlement reform. The deal might include a modest devolution of some welfare policies coupled with transitional transfer payments from Flanders to ease the impact in the Walloon region and Brussels. Unilateral secession seems highly unlikely unless the francophone parties refuse to make any concessions and a substantial Flemish majority finds a protracted stalemate intolerable because of the perceived consequences for the Flemish economy.

Studying the ethnic conflict between the Flemish and the Walloons hardly provides a sufficient basis to develop a full-blown theory of why some conflicts are violent and others are not. But by contrasting this conflict with that of the Israelis and Palestinians, one can suggest some intriguing factors that might make the peaceful resolution of an ethnic conflict more challenging. These relate to the history, the stakes, the geography, the economics, and the institutional context (both domestically and internationally) of the conflicts.

---

*territorial integrity of States*" (emphasis added). The "right of self-determination" for purposes of this Act has not been interpreted to give an internal minority people the right to secede. For further analysis, see Antonio Cassese, *Self-Determination of Peoples: A Legal Reappraisal* (Cambridge: Cambridge University Press, 1995), 278 – 292.

*History*. The *history of the relations* between ethnic groups – the intensity of past discrimination and past violence – surely matters. History shapes both competing ethnic narratives and ethnic group identity. While the Flemish narrative speaks of social discrimination and condescension, it does not include stories of francophone Belgians attacking, wounding, or murdering Flemings. All of this stands in sharp contrast to the narratives of victimization and the historically based identities of Israeli Jews and Palestinians. The Israeli narrative embodies a historical sense of victimization based on centuries of anti-Semitism as well as the comparatively recent Holocaust and its relationship to the founding of the Jewish state. Among Palestinians, the historically based sense of victimization is equally profound. It is based on a narrative of territorial displacement through foreign colonization, the trauma of al-Nakba, and now nearly forty years of a humiliating Israeli military occupation during which thousands of Palestinians have been imprisoned, wounded, or killed.

*The stakes of the conflict: ideological, religious, political, and material*. Both Israelis and Palestinians tend to see the stakes of their conflict as existential: Will Israel survive as a Jewish state? Will the Palestinian people be able to secure a homeland? Decades of Arab enmity lead Israelis to believe that the Jewish state faces extermination unless Israeli Jews are prepared to engage in armed defense. Many Palestinians believe that an armed struggle is indispensable if the Palestinian people are to secure their own state. Moreover, religious differences enormously complicate the Israeli-Palestinian conflict. Not only are there conflicts between the parties concerning the control of sacred sites, but also within each community there are profound internal conflicts[37] concerning the role religion should play in governance. By comparison, the stakes of the conflict between the Flemish and the Walloons seem to be small potatoes. Their cultural identity and survival are not at stake. Francophone and Dutch-speaking Belgians have both achieved linguistic and cultural autonomy, and they control a broad range of governmental policies. Moreover, given the existence of the EU, many policies will be set at the supranational level regardless of whether or not Flanders stays a part of Belgium.

*Geography*. Dividing Belgium into two linguistically homogeneous independent nations – a Dutch-speaking Flanders and a French-speaking Wallonia – is a comparatively simple matter. Few francophone Walloons live in the Flemish region, and not many Dutch-speaking Flemings now live in the Walloon region. Leaving Brussels to one side, a two-state solution does not create a significant 'minority' problem in either state. In the Israeli-Palestinian dispute, no existing border neatly separates the two peoples. A two-state resolution would not create ethnically homogenous nations unless hundreds of thousands of families are relocated. Without relocation, each state would have a substantial ethnic minority who live on the 'wrong' side of the line. Today, aside from Jerusalem, which only complicates matters further, more than a quarter million Jew-

37 I have written about the importance of these internal conflicts. See Robert H. Mnookin and Ehud Eiran, "Discord 'Behind the Table': The Internal Conflict Among Israeli Jews Concerning the Future of Settlements in the West Bank and Gaza," *Journal of Conflict Resolution* 1 (2005): 11 – 44; and Robert H. Mnookin, Ehud Eiran, and Sreemati Mitter, "Barriers to Progress at the Negotiation Table: Internal Conflicts Among Israelis and Among Palestinians," *Nevada Law Review* 6 (Winter 2006): 299 – 366.

ish settlers reside in the Palestinian territories and more than a million Palestinian Israelis are citizens of the Jewish state.

*Economics*. The average per-capita income of the Walloons is about three-quarters that of the Flemings: now about $24,500 in comparison to a Flemish average of $33,500. By international standards both groups are prosperous. In comparison, the economic disparity between the Israelis and the Palestinians is enormous: the average per-capita GDP for Israelis is about $25,000 while that of Palestinians living in the territories is only $1,000.[38]

*Political context*. The conflict between the Flemish and the Walloons has no irredentist element. The Flemish movement does not receive financial support from Holland, and the Walloons receive none from France. Palestinian groups, on the other hand, receive external support for their struggle, both in dollars and arms, from Arab countries, Iran, as well as members of the Palestinian diaspora. Israel receives substantial external financial support from the Jewish diaspora, and substantial military aid from the United States. Moreover, Israel and the Palestinian territories, unlike Belgium, are not embedded in a powerful supranational community. Belgium also has effective national and regional governmental institutions and the capacity to control internal violence. In the occupied Palestinian territories, the Palestinians lack well-developed and stable governmental institutions of their own and have been unable to control violent elements.

For Israeli and Palestinian leaders, negotiations have always occurred in the shadow of armed conflict, where each side has shown a willingness to use force or violence. Within Belgium, leaders have never used even the threat of force. Instead, political leaders on both sides of the language divide, supported by a shared culture that appreciates pragmatism and compromise, have had a long history of dealing with one another to create Belgian compromises, which though often messy and complex have permitted the disputants to muddle through. This has never been the case in the Israeli-Palestinian conflict, where the internal conflicts among Israeli Jews, on the one hand, and among Palestinians, on the other, have made it extremely difficult for leaders on either side to build a consensus behind the table in order to support a concession across the table.

All of these differences make negotiating a peaceful resolution of the Israeli-Palestinian conflict enormously challenging. These differences suggest an important, if obvious, lesson: a single-state solution – with some sort of consociational federal, or confederal, regime – does not provide a model for a stable long-term solution for the Israeli-Palestinian conflict, even assuming (as I do not) that it would somehow be acceptable to the parties. In circumstances where there has been a protracted history of ethnic violence between two peoples of roughly equal population, where their economic circumstances are profoundly different, where there are deep internal divisions within each community, and where there is no cadre of experienced leaders with constituents willing to accept collaborative problem solving, such a regime is unlikely to provide an arrangement for an enduring peace.

38 Eurostat Regional Database; *CIA World Factbook*, https://www.cia.gov/cia/publications/factbook/index.html.