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DIRECTORATE OF
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WEEKLY SUMMARY

Special Report

Belgium Seeks Constitutional Revision

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BELGIUM SEEKS CONSTITUTIONAL REVISION

An oft-quoted cabinet minister's complaint around the turn of the century—"The Belgians, they do not exist"—reflects a political problem that has been assuming ever greater importance over the last generation. When the great powers created Belgium in 1830, they threw together two populations with differing cultural backgrounds, the Dutch-speaking Flemings and the French-speaking Walloons. With the awakening of Flemish cultural consciousness, the now more numerous Flemings have been demanding equal status within the state, a demand ultimately requiring that the old constitution be revised. In May and June of this year, Prime Minister Gaston Eyskens came closer than any other Belgian prime minister to achieving this elusive goal. He probably will continue the quest during the coming legislative year, though he has not revealed the tactics he intends to pursue when parliament reconvenes next month.



Tempers flare during Flemish demonstration in Brussels in 1962.

Flemish Walloon Rivalry

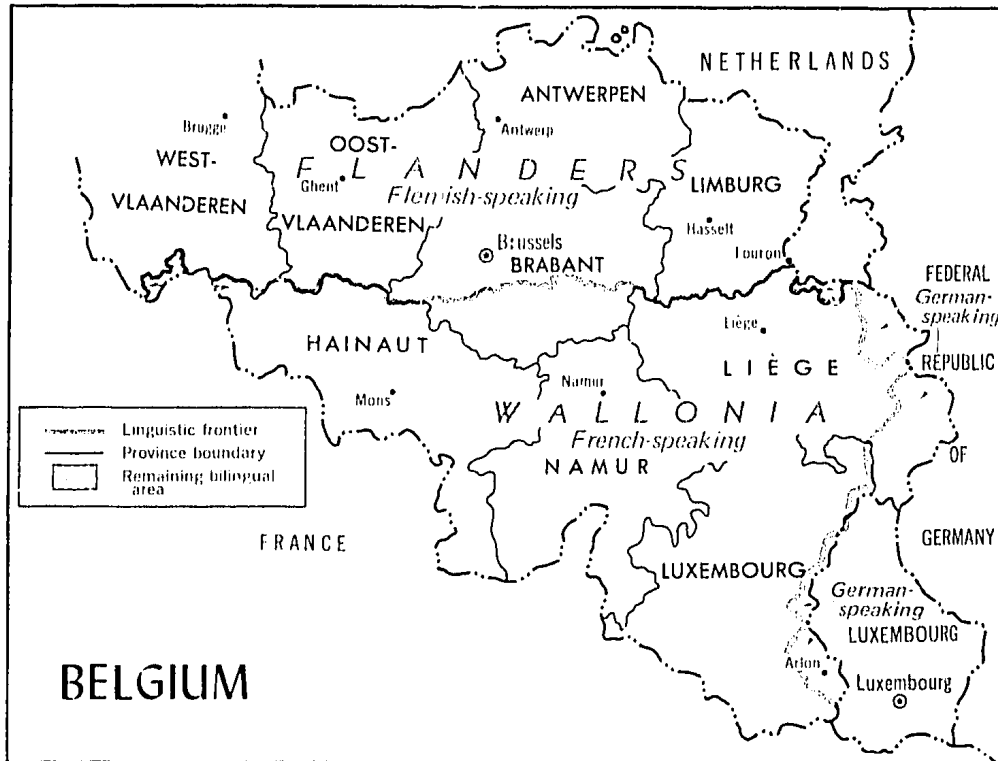
Although the French- and Dutch-speaking populations within the boundaries of modern Belgium have coexisted since ancient times, it was not until the end of the 19th Century that a Flemish cultural consciousness began to develop in earnest. In large part its emergence was a reaction to the political, economic, and cultural domination of the French-speaking population, the

Walloons, and the Frenchified Flemish upper class, since the creation of the Belgian state.

The Flemish struggle for equality was a slow process during the first half of this century. The Linguistic Law of 1932 for the first time established the use of Dutch in Flanders and French in Wallonia as the official languages of government administration. Compulsory education in the second national language was also required for the

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first time that year. Dutch was raised to equal status in the judiciary and military as well in the late 1930s. The possibility that population shifts could alter the primary language in any locale was finally eliminated in 1963, when a series of four Linguistic Laws drew a definitive boundary across Belgium.

Demographic and economic changes have complicated the drive for parity between the two major communities. Because of a greater birth rate, Flemings have outnumbered French-speaking Belgians since the turn of the century, and now account for about five of every eight citizens. In contrast to the gradual decline of the Walloon iron and steel industries, the basis of Belgium's economic strength in the 19th Century, Flemish commerce and industry have been prospering and now provide the bulk of the national economic wealth. For these reasons, the Francophones have increasingly come to regard the

Flemish bid for equality as a drive to dominate, and a militant Francophone movement has emerged demanding protection for Walloon interests.

Given the depth of the division between the two major communities, it is perhaps surprising that there has been relatively little civil strife. There have been only a few riots associated with the problem, and numerous mass demonstrations did not lead to violence. But the potential for civic disorder has always been present, and many moderates believe this potential has increased in the last decade with the emergence and growth of militant political parties in both camps.

The struggle to accommodate the conflicting cultural, economic, and political interests of the two communities, once the postwar reconstruction was completed in the 1950s, became the dominating political issue of the 1960s. This

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accommodation could only be accomplished through revision of the constitution, a process requiring the approval of two thirds of the two houses of parliament. This approval has so far been impossible to obtain because of the division of the electorate into three major parties and a host of minor ones, most of which cut across ethnic lines. A succession of governments through the 1960s could not find the required majority in parliament for any reform package.

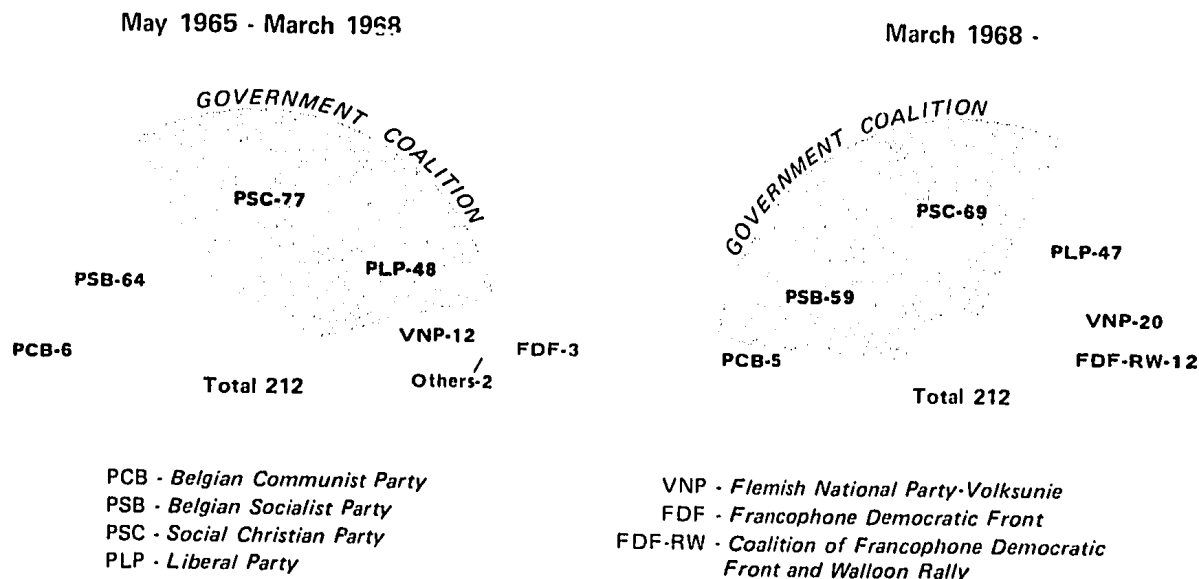
Stability Through Reform

The first major reform effort in the 1960s came shortly after passage of the 1963 Linguistic Laws, themselves an important achievement. Bickering in parliament finally led the leaders of the three largest parties in early 1965 to discuss the issues outside of parliament in a series of

"Round Table" meetings. Substantial agreement was reached on many issues, but the meetings foundered when the conservative, Brussels-based Liberals, the smallest of the three parties, withdrew because of disagreements over the future of the Brussels region.

In 1966 a new government emerged, a coalition of Social Christians (Catholics) and Liberals, led by Social Christian leader Pierre Vanden Boeynants, and a respite from linguistic quarreling followed in the form of a two-year truce subscribed to by all major parties. This fragile agreement broke down, however, in the face of demonstrations by militant Flemish students at the prestigious University of Louvain in January 1968. The government resigned the following month when it was unable to agree on handling student demands that a beginning be made on

The Belgian Parliament Before and After the Elections of March, 1968



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relocating the university's French-speaking departments on a site in Wallonia.

The parliamentary election campaign in February and March was dominated by the linguistic issue. The small, militant nationalistic parties—the Flemish Volksunie and its Francophone counterparts, the Walloon Rally and the Francophone Democratic Front—trumpeted regional autonomy within a new federal state structure; the three major parties continued to uphold the principle of seeking reform within the present unitary state system. The major parties were obviously on the defensive, however, and it quickly became apparent as the campaign unfolded that their internal unity was fragile.

To the surprise of few, the election on 28 March 1968 showed a remarkable growth in strength of the militant national parties. The Flemish and Walloon militants cornered 15.7 percent of the popular vote, as compared with only 8.9 percent in the 1965 election. More importantly, these parties increased their seats in the 212-seat Chamber of Representatives from 15 to 32. These gains came at the expense of the major parties; the Social Christians lost eight seats, the Socialists five, and the Liberals one.

Although the elections left the major parties in their traditional position of strength, their leaders were gloomy. The Social Christians emerged from the contest with their Flemish and Walloon wings functioning as separate entities having only a tenuous loyalty to their national headquarters. Regional centrifugalism in the other two parties, although less strong than in the Social Christian Party, inhibited incisive leadership. At the same time, the major party leaders saw the elections as evidence of an increasing polarization of the electorate which could benefit only the small militant parties. This feeling led to the conclusion that, as indecisive as the March elections had been, an effort to win a clearer mandate from the people in a new election would lead only to further gains by the minor parties.

The only chance at this point to achieve constitutional reform lay in the formation of a grand coalition of the three major parties, for any combination of only two big parties would not command the 142 seats in the Chamber—two-thirds of the total—required for constitutional amendments. Even a grand coalition was of doubtful efficacy, for most observers were skeptical that the leaders could enforce discipline, given the ugly mood of recriminations prevailing in the parties. In any event, the grand coalition was never put to the test, for the Socialists decided that they were too doctrinally opposed to the Liberals to participate in any coalition with them.

The Eyskens Era

The signs pointed, therefore, to the creation of a weak caretaker government, which, while formally charged with seeking constitutional reform, would in fact undertake no major initiatives



Gaston Eyskens
Belgian Prime Minister

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toward this end. Still, the search for a viable combination of forces proved quite protracted. It was not until the end of June 1968—after the longest interregnum in Belgian history—that Gaston Eyskens, a moderate Social Christian, was able to patch together a coalition with the Socialists. With 128 deputies, this coalition enjoyed a majority, but lacked 14 seats of a two-thirds majority.

By October, nevertheless, the Eyskens coalition had drawn up a legislative program encompassing constitutional revision that was destined to remain largely unchanged up to the present. One major provision called for recognition in the constitution that the country is composed of four linguistic regions, the Dutch (Flanders), the French (Wallonia), the bilingual Brussels area, and the tiny German-language region in eastern Belgium. The first two regions were also to be granted "cultural autonomy," including such fields as education, arts and letters, museums and libraries, radio and television cultural activities for youth, cultural relations between the communities, and, with certain restrictions, cultural relations with foreign countries.

The second major provision of the reform package called for the creation of Dutch-speaking and French-speaking linguistic groups in each house of parliament. These groups were to have the power to suspend parliamentary action on any bill if three quarters of either group decided the bill would be detrimental to the interests of its community.

Along with constitutional reform, the Eyskens government also drafted a program to decentralize decision-making in economic development. This program provided for the creation of Flemish, Walloon, and Brussels sections in the national Economic Planning Bureau, the creation of an Economic Council for Brabant (which includes Brussels) alongside of the existing economic councils for Flanders and Wallonia, and the creation of regional development corporations.

This economic decentralization program was intended by the government as a concession to the Walloons, who had long believed something of this nature was required to combat their region's economic decay. The government hoped that Walloon members of parliament would support passage of the constitutional reforms, in which the Flemings were greatly interested, in exchange for Flemish support for economic decentralization.

Progress toward enactment of all these measures was glacial. They were subjected to the scrutiny of special parliamentary committees for months, while behind the scenes the power blocks worked out new concessions and refinements. A major stumbling block was the status of Brussels. Historically and geographically a Flemish city, Brussels in fact is heavily Francophone because of its national role since 1830. Under the Linguistic Laws of 1963, bilingual Brussels is defined as comprising 19 urban central communes, while the surrounding suburban communes remain legally Flemish. As more and more Francophones moved to the suburbs, they brought with them their French language and culture, creating pressure to expand the officially bilingual area of the capital to include these communes. At the same time, holding the line of the "French island" of Brussels at 19 urban communes became a rallying cry and a test for Flemings of all political stripes.

A second major problem involved the mechanics of passage. The economic decentralization program could be passed in each house of parliament by a simple majority, which the coalition in theory possessed, because such a program did not require amending the constitution. But Flemish deputies in both coalition parties refused to enact the program until the way was clear for action on the constitutional reform package.

The prospects of achieving a two-thirds majority on the constitutional reforms seemed as remote as ever. The Liberals, left out of the government at the Socialists' insistence and refused even an unofficial role in drafting the

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legislation, threatened to boycott parliamentary consideration of the package, an action that would have denied the coalition a quorum. The militant Flemish and Francophone deputies, on the other hand, were certain to vote against the package because each group felt the other had been granted too many concessions. Finally, coalition deputies from Brussels, particularly the Brussels Socialists, might break party discipline to vote against the bills because Brussels' plight was overlooked.

By Easter 1969, several constitutional reform measures were reported out of the special committees, where a simple majority sufficed. But, rather than force a showdown on the floor of either chamber, the government procrastinated until the approach of the summer recess, thereby reducing the politicians' appetite for protracted haggling or their willingness to force the government out of office.

By mid-June, the government increased pressure on the Senate to act on constitutional revision by demanding that it remain in session through August if necessary. In the Chamber, meanwhile, it decided to move ahead on economic decentralization. On 19 June, the decentralization bill was passed after Eyskens promised publicly not to submit the bill to the Senate until that body had made progress on constitutional reform. No amount of pressure, however, could force the Senate to take action, and it too adjourned in mid-July.

Back on an Old Tack

By the time parliament resumed in the fall, it was clear to Eyskens that he had reached an impasse: he could not convince the opposition parties to give their blessing to proposals on constitutional reform in which they had been refused any hand in drafting. Although the Socialists had earlier refused to permit the opposition Liberals to participate in the drafting process, Eyskens was able to cajole his coalition partners by early September into accepting a series of extraparliamentary discussions among representatives of five

parties—the two coalition partners, the opposition Liberals, and the two important militant parties. These discussions, close in spirit to the Round Table talks of 1964-65, would hopefully lead to a compromise package of constitutional reforms to which all parties would be committed.

The Committee of 28, popularly dubbed the Eyskens Committee, began meeting in September. It consisted of Eyskens, the two ministers for community relations, and parliamentarians from the five parties. On 30 October, to no one's surprise, the three Volksunie representatives walked out of the committee, arguing that their party remained opposed to any constitutional limitation on the rule of the Flemish majority. On 12 November, the remainder of the committee had completed its final report. It was a statement of agreement on principles, most of which had been spelled out before, but it did not point clearly toward detailed legislation. Most importantly, it failed to reflect any agreement on the status of Brussels.

The problem of Brussels was then handed over to a special commission, with largely the same membership as the Committee of 28, amid a rising tide of public debate. Some Belgians argued that parliament should enact those compromises already in sight; others believed that parliament should enact a series of principles, leaving the details to a later period when agreement might be easier to reach. But the Volksunie and Liberals reiterated their threats to deny a parliamentary quorum on any legislation on the subject unless a package covering all aspects—a "global" solution—were submitted. Several Francophone Social Christian leaders demanded in mid-December that Eyskens draft such a solution for presentation to parliament as the price for their continued participation in the government. Although the special commission considered several compromise suggestions on the Brussels problem, it broke up shortly before Christmas after 15 sessions without reaching agreement.

The cabinet was diverted in January of this year by other issues, chief of which was a wildcat

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strike in the Limburg coal mines, but Eyskens continued his patient efforts, first to obtain agreement in the cabinet on a global solution, and then to obtain a two-thirds quorum in parliament. He was spurred on by his Francophone colleagues, who refined their threats to leave the cabinet by demanding cabinet agreement on a global solution by 31 January and submission to parliament no later than 15 February. He missed the January deadline, but on 15 February announced to a surprised nation that the cabinet had unanimously agreed on a community relations program.

The program turned out to be a broad-brush formula that parliament would have to flesh out. The keystone was to be Francophone agreement to only minor changes in the Brussels situation in exchange for Flemish agreement to ample protection of minority (Francophone) interests in the government, including parity in the distribution of ministerial portfolios and the right of either linguistic group in parliament to block legislation. The package would not please the Brussels Francophones, but the cabinet may have calculated that the opposition Liberals would not dare to oppose such important legislation, which the majority of Belgians, supported. The Liberal leaders had just announced abandonment of their parliamentary boycott, a decision many assumed was taken with an eye toward communal elections upcoming in the fall of 1970.

Parliament did not begin to act until May. On the 15th, Eyskens announced that he was submitting to the Senate the economic decentralization bill passed by the Chamber the previous June. At the same time, he was submitting a new bill defining the geographic scope of the new regional economic councils, a task left undone the year before because of disagreement on Brussels. The new bill would ensure that the six suburban communes around Brussels would remain under Flemish jurisdiction.

On 28 May, the Senate passed three of four critical constitutional amendments, one estab-

lishing the linguistic groups in both houses of parliament, one prescribing parity in ministerial portfolios, and a minor bill on subministerial cabinet posts. The important fourth amendment failed because of Liberal opposition. This amendment would have specified the size of the majority in either linguistic bloc in parliament that would be required to block proposed legislation. The Liberals wanted a two-thirds majority, which would give them virtual veto power. When the Liberal proposal was rejected in favor of a simple majority, the Liberals voted against the entire bill and threatened to resume their boycott of future consideration of legislation on constitutional revision.

Eyskens' fortunes seemed to take a sudden turn for the better when, on 9 June, the Senate



French-speaking Walloons taunt Flemish demonstrator in Brussels.

approved the basic amendment creating the Flemish, French, and German unilingual regions, and a bilingual Brussels area limited to the 19 urban communes. Not only did the government parties exhibit a heretofore unknown unity—only five Socialist senators from Brussels voted against the amendment—but the solid front of the promised Liberal opposition failed to materialize. All but one Flemish Liberal senator voted for the government amendment. If the government parties

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Demonstrators follow the Flemish banner in 1962.

could continue to maintain discipline, and if Flemish Liberals would support them, the remainder of the amendments could pass the Senate and the entire program could pass the Chamber.

The limiting of Brussels to the 19 urban communes evoked a quick response from the capital's Francophone community. On 25 June, a hastily constituted "Committee of Public Safety," including leaders from several political parties, conducted a protest demonstration in the center of the city. Attended by about 12,000 people, the demonstration demanded "liberty" for Brussels and denounced "the iron collar" imposed by the political settlement. There was no violence.

Shipwreck within Sight of Port

Eyskens was to be denied his success in parliament. On 25 June, when the Senate was passing the 13th and final amendment having substantive importance for community relations, the government fell two deputies short of a quorum in the Chamber on an amendment concerning the organization of the Brussels metropolitan government. This lack of a quorum resulted from a boycott of the proceedings by the 20 Volksunie deputies, who felt too many concessions had been made to the Francophones, and by 45 Francophone deputies. These politicians in-

cluded the Communists, the Walloon militants, the five Brussels Socialists, and several Francophone Liberals. The fate of the economic decentralization bill in the Senate, which had been introduced in May and was then nearing a final vote, was also endangered, for the Social Christian senators threatened to vote it down in return for the persisting Socialist defections on constitutional amendments.

The decentralization bill finally passed the Senate by a narrow margin on 2 July after the Social Christian threat evaporated in a cloud of bitter verbiage. The next day the bill went back to the Chamber for final vote. The government again failed to raise a quorum in the Chamber for considering any of the constitutional amendments, and these bills currently are in limbo as a consequence. The government was able, however, to muster enough votes to pass the decentralization bill with a last-minute change. Ironically, this change involved deleting the definition of the geographical boundaries of Brussels. The definition will now be accomplished by a royal decree; the king presumably will decide according to the advice of the prime minister and what he believes to be the majority opinion in the nation. This will likely be to limit Brussels to the 19 urban communes, as the Senate had defined it in May.

The Future for Revision

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Criticized by friend and foe alike, compared unfavorably with other Belgian politicians past and present, and frustrated repeatedly in his legislative efforts, Eyskens has had ample justification and opportunity to resign.

Coming as close to success as he did near the end of the last parliamentary session has enhanced the stature of his Fabian efforts to compromise the irreconcilable. Chances are that Eyskens hopes to last out his government's mandate until 1972, and that he intends to press onward with constitutional revision.

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Eyskens has not revealed his tactics for the future, and he apparently has more than one option open. With parliament due to convene shortly after the communal elections in October, he may resume the battle over revision where it left off in July, using as leverage a threat to precipitate parliamentary elections by resigning. Because the militant nationalist parties are expected to do well in the communal elections at the expense of the large parties, most observers believe that cumulative and reciprocal damage to the large parties would be the greater the closer communal and parliamentary elections are to each other. The threat of early parliamentary elections, therefore, might goad the leaders of the larger parties into greater pliability.

Eyskens could also choose, however, to let the dust settle for some months, meanwhile patiently striving for new compromises behind the scenes. He may well find himself forced into marking time, for there is no guarantee that his jury-rigged scaffolding of political support for the revision and decentralization plans will not collapse at any time. If his political framework holds up, he may still opt to divert the nation's attention for a while to other pressing problems before returning to revision. Chief among such problems is the means of financing the country's dual systems of public and Catholic schools.

This issue was a major domestic political problem from the time of Belgian independence until 1958, when the three major parties arrived at a 12-year pact under which both systems receive state financial support. The pact expires this year, and will most likely simply be renewed. The pact has not generated much public attention so far, and Belgian reaction to the religious-based civil strife in Northern Ireland suggests the Belgian public today has little stomach for such controversy. Yet pact renewal could conceivably provoke a new crisis of sorts between strong Catholics, mostly in the Social Christian Party, and the anticlericalists in the Socialist and Liberal parties.

If and when Eyskens returns to the battle over revision, one of the first decisions he will have to make will be whether to push for a new compromise over Brussels—the point of contention which wrecked his plans earlier this year—or to try anew to enlist Liberal support for his old plans. These two alternatives need not be mutually exclusive, but either by itself might suffice to give his program the necessary support in parliament.

The Brussels question at this point appears insoluble, and whatever compromise is most palatable in parliament is likely to be the one adopted and pursued by the government. In the past year there has been no dearth of Brussels plans floated by individuals in and out of public life, and the Belgians' proverbial preference for compromise should continue to generate other schemes.

The quest to line up Liberal support for revision and decentralization depends largely on the extent of the party's unity. If it emerges from the communal elections with its current tenuous degree of unity, coalition strategists may conclude that the government bills can hope to pick up support in parliament from dissident Liberal elements, even though this strategy did not give the government victory last spring. In the unlikely event the Liberal image is improved by the elections, and its unity strengthened, Social Christians would have to face again the task of trying to convince their Socialist partners to admit the Liberals into a tripartite coalition or, at least, work with the Liberals in another Round Table conference.

Some Belgian political commentators, despairing of any solution at this time, believe that constitutional revision is a task for future generations. If it should prove elusive in the near future, the government and parties will have to continue making such ad hoc adjustments in the country's political, economic, and social structure as they have been doing over the past few years. The

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gradual trend toward federalism will therefore continue, regardless of what happens in parliament. The trend has already resulted in burdensome and wasteful duplication of public institu-

tions and services. Deplorable as this is to many thoughtful Belgians, they profess to see no other way to accommodate the mutually antagonistic Flemish and Francophone communities.

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