



How should the interdependencies between Brussels and its hinterland be organized ?

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The political scientist does not like this type of question. His job is to decode the decision-making process, but he does not say what the decision should be. That is probably more a question for a philosopher.

Actually, there could be as many proposals of metropolitan organisation as individuals, but also it is not possible – even for a well-informed political observer – to consider the entire variety of factors that may influence the final decision. That is especially the case in consociative Belgium where **bargain** depends of elements of different nature. That is exactly what happened to the metropolitan community around Brussels. Negotiated among other issues in the framework of the sixth State Reform, this project might be seen as a French-speaking demand against the Flemish will to split the Brussels-Halle-Vilvoorde constituency. The compensation or the concession is indeed not obvious at first sight.

Foreign experiences may obviously offer lessons for Brussels of what to do or not, but the political scientist has the responsibility to remind that Belgian political factors (such as high political fragmentation and therefore governmental instability) may make the adaptation of any foreign model totally ineffective or even counter-productive. Besides, unless a new level of government is created, metropolitan management in and around Brussels implies cooperation between regional and local authorities that are not necessary used to or willing to work together.

I will deal with this question looking at first for **theoretical** points of reference as this is the only way to produce some analysis. A second step will consist in examining the Special Law (2012) creating a metropolitan community in and around Brussels and to confront it with the theoretical requirements.

1. From the City to the Metropolis

According to Lefèvre (2005), governing the city consists in bringing answers to **multidimensional** issues (economic, social, environmental and political concerns). But as we may perceive and imagine these four types of problems are actually more accurate at the metropolitan level as multiple actors are concerned. They have to work all together and to deal with **disparities**. Aware of the necessity of collaboration, the political scientist Kübler (2005) introduces the government of a metropolitan area as the way to produce a **collective action**, i.e. to negotiate coordination between actors. These actors may be from various levels (local, county, region...) or from different political parties.

Several solutions may be chosen to fit as perfectly as possible the political, economic or demographic specificities of each metropolis. It is possible to play on different factors: more or less formal, variable scale or not, covering one or more issues... But to configure a metropolitan arrangement, the partners to the deal must first answer the question “How to manage political and institutional **fragmentation**?” (how to gather the different types of actors), and then think about a double dimension in producing (1) efficient policies and (2) a legitimate (democratic) decision (ideally through a directly elected board).

The multiplicity of actors implies some fragmentation in the allocation of competences between different entities. A metropolitan agreement aims at improving dialogue and collaboration and emphasizes the **interdependency** between cities and counties within an area. Of course, coordination and joint planification is not possible without **trust and good will**. Kübler (2005) points out three factors to facilitate the dialogue and the projects implementation. Firstly a **positive attitude** is needed as the actors/partners have to be convinced that the metropolitan cooperation will produce positive outputs and that there are worth the investment. Secondly, (financial) **incentives** help to gather the potential partners and to define joint projects. Classically these incentives are part of national programs that covers each metropolitan area of the country. Finally, a metropolitan dialogue would not be possible if no **leader** emerges. One (and only one) of the entities has to play the role of driving force of the group, and to impulse the agenda-setting process and to make sure that the projects are on track.

2. Three models of metropolitan development

In political science, studies on institution metropolitan development focus on actors, competences and cooperation process (intergovernmental agreements for instance) and are broadly speaking based on one of three general models. The first option is the **consolidation** which can be understood as the unification of several local entities into a higher one. That could be considered either at the city level or at the metropolitan one. Irrespective of the

scale, the consolidation can either take the form of an amalgamation of municipalities into a single city or it can imply the creation of a new supra-municipal level of government. The former corresponds to the merging of communes that occurred in Belgium in 1975. Unlike the other large cities (Charleroi, Liège, Antwerp), Brussels was however excluded from this reform and still remains organized in 19 municipalities. The latter was nevertheless implemented in Brussels in 1971 with the establishment of the agglomeration (city-sized), but is probably better known as the French model of the urban community (at the metropolitan level then). We may of course consider the agglomeration not only as the place for coordination between the 19 municipalities but also as a structure that could have been quite easily enlarged to the metropolitan area. Back to the political context we may mention that Brussels was a central part of the community dispute and that its (future) status in the larger decentralisation process was at that time (and until 1989) extremely unclear.

A second logic corresponds to the **public/rational choice** school. This economic approach is used by political scientists to put a stress on the positive effects of the institutional and political fragmentation in a consumer-oriented way. It is close to the principle of subsidiarity according to which the services should be provided by the most appropriate level. Therefore within a single metropolitan area, goods or services should not be provided by the umbrella body but well at different level, depending on their nature. There is no need to deal with the organisation and management of water, sewage and garbage services at the same level than schools or police and fire department, for instance. Commonly applied in the US, this approach lacks obviously clarity for the European citizen/consumer probably less used to this high fragmentation of competences. Due to its federal structure and its traditional functional decentralisation through the pillars, Belgium is however quite close to this second option, even if the logic that prevails is probably less economic (aiming to efficiency) than a product of the well-know consensus model.

The third relevant model for this paper is the **new regionalism** that aims to implement new *ad hoc* networks including not only public actors but also private partners and civil society. In comparison with the consolidation option, this model is again less clear for the citizen as it multiply the stakeholders. This point constitutes also its strength as it gathers all the parties to the negotiation, irrespective of their status. It raises therefore the question of governance or how to articulate various interests and to produce a legitimate coordinated decision. Especially in the 21st century, the corollary of the idea of metropolitan development is indeed the question of the democratic government or governance, according to the nature of the stakeholders. The current trend is to ensure a legitimization of the decision-making process and not only to look after the sole policy efficiency. The utmost legitimization process consists in the citizens' involvement in the decision (direct participation), but it could also take the form of a direct election of a regional/metropolitan assembly. As Schaap stresses, citizens are not only voters or clients (2005). They should therefore participate to the local decision-making process, but local democracy may play against metropolitan

territories as it reinforces (infra-)municipal levels as spaces for political debate (Lefèvre, 2005).

To enrich the debate we should cross these three models with Hesse and Sharpe's classification (1991). Both authors have studied local governments and established three categories according to their type of working process. That is especially relevant as this Re-Bel event aims to compare Brussels with other cities and especially to put a stress on what we can learn from Berlin and Vienna experiences. The role of the political scientist is indeed to point out the problematic dimensions. They group them into geographical sets. (1) The **Franco group** are typical cases of Napoleonic tradition. Local government in these countries are more political than functional actors and the local elected councillors play a role of go-between with higher (political) levels. Belgium is obviously part of this group. (2) On the contrary, local governments within the **Anglo group** are more oriented towards management and provision of local public services and therefore adopt a functional approach. Local institutions appear to be quite weak against higher levels. (3) **The North and middle European group** associates a functional dimension – similar to Anglo countries – and a strong status regarding (democratic) community government. Germany and Austria are both examples of this group.

3. Metro Brussels

The idea of a metropolitan community around Brussels is not new. Besides it has been quite deeply studied during the recent years. Firstly examined by economists (Dujardin, Thomas & Tulkens, 2007) and geographers (Luyten & Van Hecke, 2007), then by political scientists and public law specialists, this contemporary and popular avenue of research is progressively become a political option – especially among French-speaking political actors, but not only – and has been separately adapted by the business circles (Business Route 2018 for Brussels Metropolitan <http://www.brusselsmetropolitan.eu/>). However both positions are relatively compartmentalized while they should be complementary and coordinated. Finally a workshop of the Citizens' Forum of Brussels was dedicated to this topic in 2009 and has examined the different potential plans of metropolitan action around in the Brussels' hinterland (Van Wynsberghe, Poirier, Sinardet & Tulkens, 2009). The French scenario of the 'urban community' was rejected as non appropriate for the comparison. Of course the consolidation option was abandoned as not politically conceivable. The most plausible selected scenario was based on *ad hoc* cooperation between governments on specific topics (variable-geography) and is therefore close to the public choice approach. The authors put however a stress on governance and the need for democratic legitimacy.

During the political crisis of 2010-2011, politicians set the metropolitan community on the agenda. Claimed by French-speaking parties, it was considered as a compensation for the splitting of the Brussels-Halle-Vilvoorde electoral constituency and the only way to keep a

certain link between Brussels and its periphery as well as between Brussels and Wallonia. After 540 days of negotiation, the governmental agreement provides the creation of a metropolitan community, according to which it has been translated into a Special Law (majority in the House and majority within each linguistic group) in July 2012.

We must notice that neither the coalition agreement nor the Special Law gives a definition of the metropolitan community that remains a vague notion. It does not correspond to any existing entity in Belgium or abroad. It is neither an intermunicipal body as the French urban community nor a standardized statistical unit as in the United States, but a *sui generis* entity. The legal text provides however that to implement the metropolitan community, the three Regions have to sign a cooperation agreement. This text will deal with the practical details on both the dialogue and decision-making process. Finally a strong ambiguity remains on the label of this institutional body. Indeed while the French label is a literal translation of metropolitan community, the Dutch name refers to the main specificity of Brussels: its status of capital city. Indeed the 'Capital Community of Brussels' (*hoofdstedelijk gemeenschap*) refers to the – already – specific label of the federated entity. While the two other Regions are simply labeled Flanders and Wallonia, the 'capital' has been added to Brussels. Insignificant according to some, showing its lack of autonomy according to others, this mention acts as a reminder that this community will be very specific (and not applied to other cities). It could be understood as the development of the capital region more than the development of the city of Brussels. It is not the first time that semantic difference occurred during the translation. That is probably a very practical aspect of a certain consensus model that allows accommodating every political position.

a. Which players? Which functions?

Regarding the actors, the Special Law is clear. Are members the three Regions, the Federation, the 111 municipalities from the former Province of Brabant, as well as the two Provinces of Flemish- and Walloon Brabant. To summarize, 117 entities belonging to four different levels are concerned. Actually if we look at the institutional and federal structure of the country, the Communities are the only level missing in the deal. We notice the absence of private actors or of the civil society. It goes without saying that separate business initiatives are still possible but nothing in the agreement is provided to integrate the Business Route 2018, among other initiatives. The Special Law focuses only on the (future) institutional device and do not enlarge the metropolitan dialogue to every stakeholder. Besides without the signature of a cooperation agreement between the Regions and the federal authorities the metropolitan community will remain an empty shell. It means also that the negotiations to launch such a metropolis are still at their beginnings. The worst part of the discussions is yet to come as it will finally have to go into the details. Municipalities (and Provinces) are however not part of the deal, it is a legal impediment. The way they will

be implied is not clear, but we may expect that the cooperation agreement will set up the conditions to their commitment.

These elements imply that (1) the governance will be limited and that (2) we may reasonably expect an intergovernmental process. Within this framework, citizens' participation will not be enhanced. It is indeed an exclusive arrangement: only public/political actors are concerned. We are far from the legitimacy concern and we may affirm that **governance is not an appropriate concept** regarding the Brussels' metropolitan community. Besides this 'entity' is actually not another authority, a new level of power. It is a (large) group gathering polities and local governments. The picture is close to a Belgium in miniature. In these conditions a directly elected assembly is unthinkable: too many actors, a (still) centrifugal force, a linguistic equilibrium... Therefore we may assert that the management of the metropolitan community will be **organized through intergovernmental process**.

Within the metropolitan community, the competences will not be shared, but collaboration should be negotiated (if the cooperation agreement is finally signed). The Special Law and the coalition agreement do not list the competences at stake nor define the remit of the metropolitan area. It evokes 'trans-regional interest' which should be specified by the partners to the cooperation agreement. What is clear is that it will focus on mobility, and especially on the access and exits of ring road. Nevertheless public transportation appears to be excluded as the regional companies are not recognized as partners to the deal. Besides it mentions clearly that the management of the metropolitan rail network will be left to the operator. Potentially employment, environment, housing may be concerned while education and culture, as Communities competences, are disqualified.

Broadly speaking the metropolitan community could provide room for dialogue to produce co-decisions but nothing more ambitious, at least in a first time. The comparison with Beliris (agreement between the federation and the Brussels Region to co-finance public works in order to develop its image of international capital city) or with the CIPE (inter-ministerial conference for foreign policy) is obvious.

b. Weaknesses and "strengths"

If we confront the selected formula to the theoretical requirement it is evident that the voluntarism stressed by Kübler is absent of the agreement. The actors were or still are quite reluctant to approve this option. There was almost no positive attitude as the Flemish parties fear for the extension of the bilingualism on their part of the territory (instead of being limited to Brussels) while some French-speaking actors either evoke a co-management of Brussels by the two main Communities, or consider it as a way to put Brussels in minority on its own area. Besides there is no (financial) incentive to implement the metropolis, and nothing is provided to penalise the potential inaction of the actors. Finally Brussels is far to be an undisputed leader of the project. Actually nobody has taken the leadership and the

three Regions have at best adopted a wait-and-see position. Some Flemish municipalities and political parties have already mentioned their disapproval of this part of the State Reform. We should remind that the first Flemish party in the federal parliament is not part to the federal majority, but well to the Flemish government. It constitutes therefore an important obstacle to the realisation of the metropolitan project.

As no umbrella body is created, a political block can happen at any time. This solution depends only on good will and trust, especially as no metropolitan interests are defined. The output will never be either the sum of local interests or a common denominator. In the Belgian compromise tradition, the decision will accommodate the position of each actor and that tends to alter the nature of resolution.

A paradox should be added to the general suspicion. It is obvious that Belgium is crossed by a strong centrifugal force. That has already led to its evolving federalism keeping in the 'center' (i.e. the federation) the non problematic topics only. Within this context the odd thing consists in willing to develop a central area through a centripetal decision. We have already mentioned that this metropolitan community shares many similarities with Belgium at least on the variety of actors. Besides this territory potentially reproduces every cleavage and opposition that crossed the entire Belgium. How can political actors imagine dealing with them at the former Brabant scale while the situation could sometimes be seriously blocked at the federal level?

This metropolitan community remains however a made-to-measure solution for the 'Brussels' problems. The odds are it was a deliberate bargain as it seems unrealistic that French-speaking parties count on an unequivocal acceptance of the N-VA (in the Flemish majority but in federal opposition). That is a decision taken by political parties which ensure traditionally the coordination between the polities, as Regions and Communities do not participate directly in the federal decision-making process, even a State Reform. Empty shell or not, its greatest quality is to exist, regardless of a potential signature of the cooperation agreement. As compensation to the splitting of the BHV constituency, the metropolitan community on paper is sufficient to ensure blurred delimitations. It means that in case of Flanders' independency the new borders of the country will not obviously correspond to the linguistic border and that a new bargain is again needed.

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