

The Birth of Belgium

After the defeat of Napoleon, the great powers (France, Prussia, Austria, Russia, and England) decided on the fate of Europe at the Congress of Vienna which opened on 1 October 1814.

The way in which Europe was artificially carved up and the resulting mistakes would have a direct impact on the explosion of revolutions that would soon shake the whole of Europe.

The bulk of Belgian territory was ceded to the Netherlands. In 1815 the United Kingdom of the Netherlands consisted of seventeen provinces (in the North and South). The Hague and Brussels were alternately the seat of Parliament for one year each.

The authoritarian way in which King William I governed the country, the restrictions on liberties, the introduction of censorship, the hold that the King's Dutch civil servants (from the northern provinces) had over administration, language policy, the successful insurrection in Greece, and the rising nationalist sentiments in Europe are all factors that explain the outbreak of the Belgian revolution in 1830.

The difficult social and economic conditions in a society in full industrial transformation, and the convergence of the two ideological movements of the day, ie the Catholics and the Liberals, further explain the revolt of the population against the Dutch regime.

In September there were confrontations between Dutch troops and a Belgian volunteer army. For four days the fighting raged in the area around the Park of Brussels. On 4 October 1830, while the Dutch were still retreating from the territory, the provisional Belgian government proclaimed the independence of the Belgian provinces. The nine members of the provisional government ordered the election of the National Congress on 3 November.

On 18 November 1830 the National Congress proclaimed the independence of the Belgian people and Belgium was recognised by the London Conference on 26 December 1830.

The National Congress, whose president was a liberal aristocrat, Surlet de Chokier, drew up a very liberal constitution in 1831 which confirmed the fundamental freedoms (freedom of thought, religion, education, the press, assembly, association, and languages), the principle of the separation of powers (legislative power, executive power and judicial power), the representative institutions and the constitutional State.

For the State of Belgium, the National Congress adopted a constitutional monarchy and introduced a unitary parliamentary State with a decentralisation of power towards the provinces and communes. Parliament consisted of two assemblies: the Senate and the House of Representatives.

The National Congress chose Leopold of Saxe Coburg Gotha as the first King of the Belgians, who took the constitutional oath on 21 July 1831.

The international recognition of the independence of Belgium was confirmed by the peace treaty of 19 April 1839.

Belgium would remain a unitary State for 140 years with three levels of power: the central state, the provinces and the communes.

The existence of two large communities within the Belgian State, each aspiring towards greater independence, mainly for cultural reasons in Flanders and mainly for economic reasons in Wallonia, and the widening language requirements would convert the unitary Belgian State into the federal State that we currently have today.

The constitutional revisions of 1970, 1980, 1988, 1993, 2001 and 2012-2014 ended up in the creation of a federal State "which consists of Communities and Regions" as article 1 of the Constitution reads. The existence of two large cultural communities (the Dutch Community and the French Community) and three regions (Flanders, Wallonia and Brussels) was recognised by the first revision of 1970. In 1980 the German-speaking Community was created.

The 1980 reform granted legislative power (the Councils) to the Communities and Regions (except Brussels) and their own governments. The Councils however consisted of members of the national Parliament who thus had a "dual mandate".

In Flanders, a Flemish Council (Vlaams Parlement) was created to combine the regional and community Councils. The Concilia-

tion Court also came into being to settle conflicts of jurisdiction between the various powers.

In 1988 the powers of the Communities and Regions were widened and the new “Brussels-Capital Region” was given its own powers, with its own parliament and government.

The constitutional revision of 1993 ended up in the direct election of the Councils, a thorough reform of the bicameral system, a reduction of the number of federal ministers, and the dividing up of the province of Brabant into the provinces of Flemish Brabant and Walloon Brabant.

The State Reform of 2001 consisted of the Lombard and Lambertmont Agreements. The working of the Brussels institutions was changed, there was further regionalisation of powers and the financing of the communities was revised.

The Sixth State Reform, during the 53rd legislature, radically modified the bicameral system, the division of powers and the financing of the various entities of the country. It led to many institutional changes, without altering the federal nature of the Belgian State.