

# A Critical Test of Consociational Democracy in the Modern Belgian Federal Parliamentary System

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## Abstract

*Like many a plural society such as Nigeria, there are other countries across the globe that witness conflict and cleavages in their political space. Belgium is one such country in Western Europe, which has mirrored a state in peril albeit politically. This way, this paper has sought to trace how the Belgian state is configured, in view of federalism and consociation. How has the Consociationalism politics of accommodation worked in the Belgian polity? How has the federal system helped in the arrangement of consociation? The paper found that even though the Belgian state is federal in character, political gridlocks usually rear their head in the political life of the country.*

**Keywords:** Consociation, Federalism and Political Parties.

## INTRODUCTION

In multi-ethnic plural societies, conflict and cleavages are to be expected. These conflicts could be explained due to resource allocation disparities, ethnic tensions, identity crises, territorial disputes as well as linguistic differences amongst others. Different people with differing ideas of who should rule and who should determine their everyday life are to be found in the U.S, Switzerland, Canada, Nigeria, as well as Belgium. Thus, the question that arises is how to quell these cleavages and tensions and bring the harmonious articulation of the whole by the state having such an array of divided nations. A unitary approach to governing does not always provide the answer as groups demand for more autonomy. This sometimes led to the federalization or devolution of powers. With this, it can be argued that federalism encourages shared rule since it gives each section of a plural society autonomy on matters that affect them directly. However, this paper seeks to assess the Belgian federal parliamentary system *regarding its ability to deal with diversity in recent times*. Specifically, it assesses the *consensual stability of Belgian partitocracy*. Belgium as a fairly new federalized state, is not unfamiliar to cleavages as politics and social life have tended to be divided based on ethno-linguistic, and regional lines amongst three distinct subsets in the French-speaking South Wallonia, the Flemish or Dutch-speaking North, and the German minority in the South East of the country ("DW," n.d.). Language has been the motor of politics and everyday administration in Belgium. Understanding this trend will require a brief historical overview of the Belgian entity and how politics have developed through the centuries. But first, it is necessary to explain the theoretical underpinnings of federalism and consociation. These will be explained and how it relates to contemporary Belgian society.

## TOWARDS A BRIEF THEORETICAL UNDERSTANDING OF FEDERALISM AND CONSOCIATION DEMOCRACY

Federalism, like most social science concepts have no single universally accepted definition. However, most of its proponents agree that the division of power amongst and between levels of government is central to the understanding of federalism. Federalism ensures the clear separation of powers and jurisdictions between a central government and its regional or component parts, with a constitution that defines each governmental level's sphere of influence.

William H Riker (1964) defined federalism as '...a political organization in which the activities of government are divided between regional and central governments in such a way that each kind of government has some activities it makes final decisions.' Daniel J. Elazar (1997) defined federalism as the fundamental devolution of powers amongst centers as opposed to the devolution of powers from the center to the regional level. Both definitions point to the formal divisions of powers amongst governments, central and regional. Another dimension of federalism is in the setup of the legislature as bicameral or two-chambered. The legislature should provide equal proportional representation to the constituent regions. A rigid constitution and a supreme court that oversees to the constitutionality of government activity at all levels should also be present. These are what expert political theorists such as Ivo D. Dukachev call the "*yardstick of democracy*", because it is these arrangements that ensure the principles of federalism are adhered to.

There seems to be a clear tendency for federalism to emerge in plural societies, where we have multi-ethnic/linguistic nations within the state. This is a testament to most of the federal states in existence today. Where conflicts abound in these plural societies between ethno-linguistic groups, there arises the need for deciding which system best fits the particularities of

societies with such nations, and sometimes the best way to protect the minority groups from the majority is to federalize the state. Classic examples of federations are the U.S, Switzerland, Canada, Australia and Belgium. These countries adopted federalism based on the peculiarities of their histories, mostly in order to ensure a balance of power amongst constituencies and to prevent the tyranny of the majority over the minority groups. Hence, since federalism caters to the fears and cares of differing groups within the state by providing them with powers that encourage shared rule, I argue federalism in all senses of the word encourages the politics of accommodation.

The politics of accommodation, otherwise known as consociation democracy, cannot be separated from the works of Arendt Liphart, Who is the leading proponent of the theory (Polipedia, 2023). It emerged to challenge the majoritarian perspective of democracy, which stipulates majority winning parties should rule while minority parties should be in opposition. This implies politics is based on the principles of exclusion and in this sense, is a zero-sum game. The winning parties of the day take the spoils of the political game, and the losers are condemned to opposition and criticism. This is very dangerous for plural societies since minorities will feel disadvantaged and the fears of domination arise.

Consensus democracy advocates the inclusion of all facets of society in governance and policy-making. It encourages the inclusion of minorities in mass coalitions in parliaments. This goes a long way in portraying '*democracy by the people*', since no one is left out of the equation. Consociationalism advocates balancing the asymmetry of power amongst groups in society, with the aim of minimizing conflicts and encouraging politics of shared rule and accommodation. Politics should be a win-win situation for all in order for the state to progress in its exertions. Federalism and consociation emphasize compound majoritarianism rather than simple majoritarianism. Both doctrines are modern attempts to accommodate democratic complexity and pluralism. Elazar (1985) identified the main difference between the two concepts as "*federalism relates more to the form of a polity, while consociation relates to the character of a regime.*" (Elazar, 1985). However, to the extent that federalism can also function as the character of a regime, then both concepts can be said to be on the same wavelength. Thus, Federalism and consociational democracy are correlated. Deeply divided societies based on language or ethnicity will demand the devolution of powers and democracy that emphasizes the politics of accommodation rather than exclusion. Belgium qualifies as one of such plural societies where you have linguistic groups residing in regional enclaves. The rising tensions and demand for autonomy by the Flemish North consequently led to formal negotiations in parliament. The gradual devolution of powers and structures from the previously unitary state (French in character) to the regions is a product of these negotiations and compromises, which formally began to take effect in the 1970s. Belgium officially became a federal state in 1993 (The First, Unitary Constitution | Belgium.Be, n.d.). To understand the origins of the Belgian problem, there is a need for a brief historical overview.

#### **A Brief Historical Background of Belgian Plurality.**

Historically, the creation of the Belgian entity in 1831 in London marked the end of conflicting claims on the geographical area it occupies by the great powers that be in France, Prussia and Britain. In the words of Tony Judt (2008) "...the territory it occupies had been (would remain) the cockpit of European

history". The geographical location now known as Belgium had been the melting pot of conflicting claims for centuries, culminating in the London conference of 1831 that formally recognized the independence and territorial integrity of the state. This arbitrarily created nation state meant the formal removal of its control from its Dutch original administrators and instalment of a king from Germany. A constitution that mirrored the French constitution of 1791 was also imposed as the highest law book of the state (Judt, 2008, p. 234). The divided mosaic of a unitary nation state thus was created and the consequence is still felt till this day.

Socially, local and communal loyalty lay at the core of everyday activity. There was little or no identification with the Belgian state. Language remained the de-facto means of identification. As Judt (2008) observed the Northern half of the country is characterized by Dutch speakers (Flanders, Antwerp, Limburg and much of Brabant, the region around Brussels), while French is spoken in the southern half of the country ("Wallonia", which stretches from Hainault in the west and Luxembourg in the east) (Judt, 2008, p. 235).

The Belgian state was Francophone in nature, but French was never imposed as the 1831 constitution guaranteed the use of any language by Belgians, but only for government business and law (Verbeke & Mnookin, 2009). This meant in practice that the Dutch speakers were in apparent disadvantage from the onset in their new state. They could not in essence, be tried in their own language; in the words of Tony Judt (2008, p. 236) "secondary and higher education was de facto a francophone near monopoly; and French-speaking interests looked after themselves at the expense of their Flemish co-citizens".

Economically, the Industrial Revolution of the late 18th and early 19th century further accentuated the North-South division. Francophone Wallonia became an early industrial boom area, affluent and politically dominant. Dutch-speaking Flanders remained agricultural and was economically and politically outdistanced by Wallonia and the capital. The elite during the 19th century and the first half of the 20th century spoke French, even in the Dutch-speaking areas. In the 20th century, and particularly after the Second World War, Flanders saw an economic flowering while Wallonia became economically stagnant. During the 50's, 200,000 jobs were lost as the mines in the Sembre-Meuse region of Wallonia closed. Coal mining, steel making, slate and metallurgical industries, textile production- the traditional core of Belgian industrial power disappeared (Judt, 2008, p. 238). As Flemings became more educated and better off, and sought a fair and equal share of political power, tensions between the two communities rose. In other words, the pendulum swung in favor of the Flemish North and thus Wallonia was now on the back foot in the game. Ideally the Flemish will demand more powers and recognition as they now produced bulk of the resources used in sustaining the Belgian polity. It is these events that subsequently translated to demands for autonomy and subsequently devolution of more powers to the region as against the center, as Flemish demands were consequently attended to as Belgium continued to drift towards a quasi-federal state in the 1970s and 80s and subsequently a federal state in 1993 (BBC NEWS | Europe | Rich Flanders Seeks More Autonomy, n.d.).

A further dividing line amongst Belgians is the role of religion and the community in determining party affiliation. In the Flemish North, there existed extreme nationalist and separatist parties such as the *Vlaams Blok* which existed in Antwerp and some Dutch-speaking suburbs of North Brussels.

Similarly, the French Walloons and the majority of French-speaking politicians in Brussels had adopted a harder community line to accommodate Walloons who resented Flemish domination of the political agenda (Frognier, A, 1978). The result was a duplication of all mainstream parties along community and linguistic lines. The Christian democrats since (1978), the liberals since 1972, and the socialists since 1978 as the dominant national parties all existed in duplicates (Frognier, 1978). Each party had its French as well as Flemish type. The Christian democrats remained the dominant force in Flanders, while the socialist party remained the top dog of French Walloons, and the liberals were dominant in Brussels. As a result, this meant complications for politics at the center as politicians became more and more inclined to favor regional interests against the interests of the state in general. This trend is still in existence in the current federal system.

Thus, Politics was a difficult question, as Belgium was and still is characteristically a duplication of authorities from the center, to the region and to the community. Forming a government meant multiparty deals within and across regions. Consociation had to be the rule of the game or nothing else. But to what extent this could be realized is the question? Voting based on linguistically divided parties added to this complexity which had posed a stumbling block to realizing this goal.

The New Federal Constitution of 1993 officially proclaimed Belgium a federal state, with powers formally devolved to the regions. The new set up formally recognized the two regions (Flanders and Wallonia) based on linguistic lines, with Brussels as the capital, each with its own regional parliament in addition to the national parliament(Scarlet - Pagina Bestaat Niet, n.d.). Not to forget also the German minority in East Wallonia also have their own parliament. The constitution stipulates that Belgium is a federal state consisting of communities and regions. This implies that there are two types of devolved entities at the same level, with neither taking precedence over the other. Article 2, 3 and 4 provide for the recognition of the three Belgian communities, regions and languages in the Dutch, French and German, respectively(Scarlet - Pagina Bestaat Niet, n.d.). This can be argued to be an important development for the politics of accommodation, since the people in the 3 regions will logically be content with the development. It means they no longer will have to live under the shadow of the big “ethnic neighbor” controlling the affairs of the state from above. People now had a proper channel to direct what affects their differing linguistic and cultural backgrounds.

Importantly, the new Belgian constitution offered as a requirement that the executive include representatives of major linguistic groups in the federal system (Scarlet - Pagina Bestaat Niet, n.d.). This was standard practice even before 1993, when cabinets had approximately equal numbers of ministers representing the Dutch-speaking majority and the French-speaking minority. The formal rule before and by 1993 was in the words of Liphart“... with the possible exception of the prime minister, the council of ministers [cabinet] includes as many French-speaking members as Dutch-speaking members”. This entails mass party coalitions in government. Since the party system in Belgium is multi-party and parties seem to have regional and ethnic character, it can be argued that the new federal constitution has aided the course of consociation positively. Now the above outline gives us an abstract view of what federalism might bring to Belgian consociation. Next is to outline the Belgian parties and the party system.

Federalism in Belgium

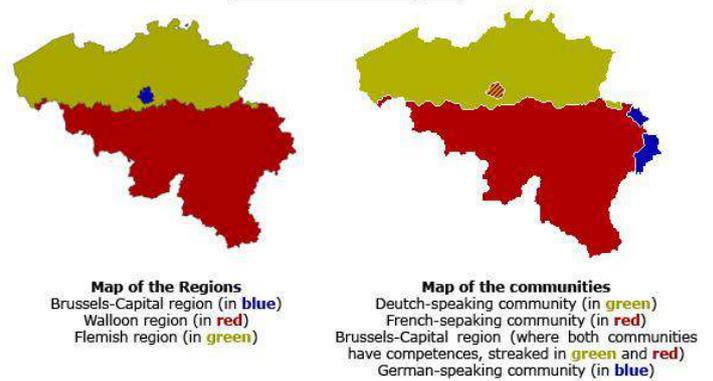


Fig 1: Contemporary configuration of Belgian Federalism. Source (The Regions | Belgium.Be, n.d.).

**PARTIES AND PARTY SYSTEM IN MODERN BELGIUM**

The Belgian political system witnesses a multi-party system, with parties historically based on the pillar system (Dobbeleare & Voyer, 1990). It is common fact that a single party cannot form the government in modern day Belgium and hence must work with other parties to form coalition governments. Political parties in Belgium are divided by regional interests. Each party seems to have its duplicate in both the Walloon and Flemish territories. The result is a complex web of conflicting parties in a Westminster-style parliament. The table below shows the overall composition of political parties along left-wing (-100=Left wing) and right-wing (+100=right wing) dimensions.

Modern Belgian Political Parties Along Left-Wing and Right-Wing Dimensions

Party	Type	91	95	99	2003	Average
N-VA	Ethnic regional				-7.6	-7.6
PS	Social Democratic	-9.6	-23	-14.9	-25.3	-18.2
CD&V	Christian Democrats	6.6	-3.2	-4.2	1.9	0.3
MR	Liberal	-2.4	-4.1	-7.8	-29.6	-11
SP. A	Social Democratic	-11.2	-15.6	-1.4	-13.6	-10.5
VLD	Liberal	-10.6	-2.4	5.6	0.4	-1.8
VB	Ethnic-Regional	-2.9	-3	-3	-3	-3
CDH	Christian democratic	-11.2	-6.1	-11.9	-11.9	-10.3
ECOLO	Ecologist	-1.5	-20.9	-19.8	-17.3	-14.9
GROEN	Ecologist	-3.9	-2.9	-16.7	-21.6	-11.3
LDD	Liberal, Free market	NA	NA	NA	NA	NA
PP	Liberal	NA	NA	NA	NA	NA

Fig: The table shows the periodical scores on left-right position as given in the Comparative Manifesto Project (Volkens, Andrea, et.al. 2010). The scores range from -100 (left) to +100 (right).Type: Tentative grouping of political parties and alliances based on information provided in the Comparative Manifesto Project and from party descriptions in Europa World Yearbook, Encyclopedia Britannica and in election reports from the European Journal of Political Research and/or Electoral Studies.(“NSD,” n.d.).

Of course, the above 13 political parties do not completely represent the whole picture of political parties in Belgium, these have been the most prominent in recent politics. The New Flemish Alliance (N-VA) along with VlaamsBelang (VB), are pro-Flemish political parties that seek to protect the interests of the Dutch-speaking region (“NSD,” n.d.). Both seek the formal secession of the Flemish region from the Belgian federation. The Socialist Party (PS) along with the Reformist Party (MR) and Socialist Party (SP.A) are pro-French political parties that protect the interests of the Walloon or French region (“NSD,” n.d.). MR specifically emerged in 2002 from a conglomerate of 5 parties to fight for a united Belgium (“NSD,” n.d.).

The Christian Democratic and Flemish (CD-V) and Humanist Democratic Centre (CDH) are the two most religiously inclined political parties. The CD-V specifically has Flemish interests as it evolved from the pillar system in effect in Belgium. The Ecologists Confederated for the Organization of Original Struggles (ECOLO) along with the Greens (GROEN) are the two green parties in parliament, albeit the former representing French and the later representing Dutch enclaves respectively ("NSD," n.d.).

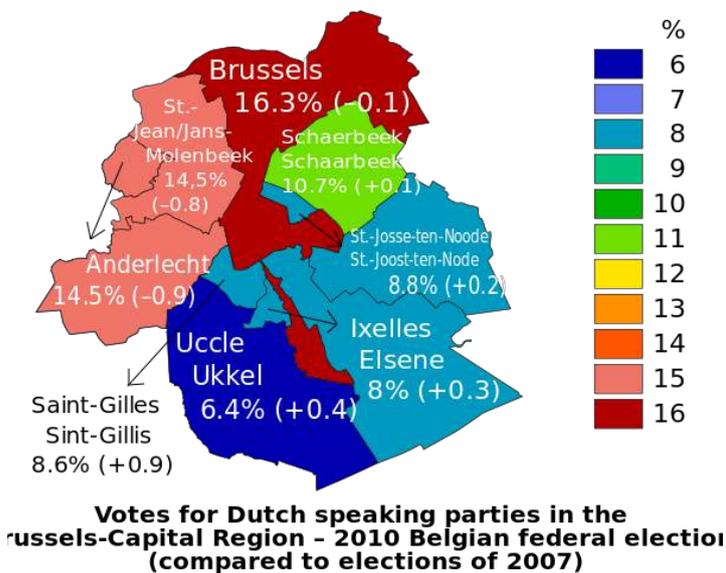


Fig 2: Votes for Dutch parties in Brussels 2010 compared to 2007. Source (Map\_of\_Dutch-Speaking\_political\_parties\_results\_in\_Brussels-Capital\_Region\_-\_2010\_(En).Svg.Png (PNG Image, 300 × 253 Pixels), n.d.).

The above points to the inherent complexity of the Belgian party system. Modern political parties evolved from regional/linguistic lines which can be argued makes things complicated. The predicted outcome for parliamentarism will not be encouraging either. For instance, the preponderance of conservative Flemish political parties (N-VA and VB) which traditionally were formed to oversee the secession of the regional enclave they protect does not create a positive picture to the outside observer. The Vlaams Belang (VB), especially initially formed in 1954 as Vlaams Blok and reformed in 2004, has been the champion of Flemish secessionist interest. It was dissolved in early 2004 by High Court order for "permanent incitation of discrimination and racism", but has returned to the scene albeit with an agreement known as the "cordon sanitaire" that restricts the other parties from entering coalitions with the party (Vlaams Belang, n.d.). The presence of parties with such an agenda could be problematic for consensus-making, since the agenda-setting is not of a national outlook but rather secession.

### A CRITICAL TEST OF ASSOCIATION IN THE BELGIAN FEDERATION

The executive branch of government in Belgium derived its powers and confidence from the parliament. This has gone a long way in ensuring voices in all camps of the linguistic threshold are heard and represented. It can be argued that consociational democracy in the Belgian federation has been aided by the existence of a bicameral parliament with an upper house and a lower house. This gives special consideration to minorities in representation in this case the often-forgotten Germans in |South Eastern Wallonia. The new federal constitution of 1993 also provides for a senate (60 seats) and the chamber of representatives (150 seats) that represent the

three cultural-linguistic groups and Brussels, with proportional representation to all socio-political groups in Belgium. The 150 seats of the chamber of representatives are divided proportionally along linguistic lines according to 11 federal districts. The 5 Flemish districts have 79 seats, the 5 Walloon districts have (49) and the bilingual district of Brussels has 22 seats (Chamber of Representatives (Belgium) - Wikipedia, n.d.). The 60 senate seats are divided into regional parliamentary votes, with 29 for the Flemish parliament, 10 for the parliament of the French region, 8 for the Walloon parliament, 2 for the French language group of the parliament of the Brussels capital region and 1 for the parliament of the German-speaking community.

Critically assessing the above set up, to what extent can we say consociation has been a success in present-day Belgium? Since consociation has been argued to be a system that mitigates the negatives of majority rule can we call Belgium a success story? The rule of the game should be a give and take or barter system as parliamentary politics becomes a market for competing parties, who understand the need for accommodating the opposition. Interestingly, the Belgian parliament has experienced spates of political gridlock since the 1970s. Failing to form a government for significant periods of time in each case. Making binding decisions is not as easy, due to the ethno-linguistic nature of the parties existing in parliament.

This was largely due to the pillar system in place, where political parties were more or less institutions that catered for ethno-linguistic camps in the Belgian state as described in the sections above. The absence of strong political parties that exhibited 'the Federal character' since the state reforms of the 1970s further exacerbated the problem of ethno-linguistic politics. In this sense, it can be argued that the federal system, along with consociational democracy, rather than being the solution, has exacerbated the problem. For instance, Zsofi Pales observed, "...between 1977-1978, there was the first political gridlock of 106 days without a government at the center. Ten years later it took the parliament 148 days to form the government". The third episode in 2007, took the parties in parliament 210 days to form a government. These she argued was a result of the failure of the federal and consociation system to ameliorate the conflicts that arise when you have ethnic based political parties in parliament. In deeper analysis, since the 1<sup>st</sup> state reforms that ushered in the dawn of formal Belgian federalism and consociational democratic policies, the election of 1979 won by the Flemish Christian democrats witnessed the first episode of the inability to form a coalition government due to unresolved issues pertaining to the problematic 'status of Brussels', issues of further regional autonomy, the agitation by the minority Flemish Bruxellois for greater representation and French Walloon disagreement left some questions of power division between the national and regional levels unsettled (D'Haveloose, P3). The result was the insistent non-agreement of the French side of parliament to join the coalition if the above issues were not resolved (Covell, 1982, P445). The debacle was only resolved after the Flemings agreed to further constitutional amendments to be implemented in 1980. The year 1987 witnessed the second political deadlock, where the Jose Happort Issue degenerated into a national issue. Happort a French speaker was elected mayor of Voeren a traditionally Flemish enclave (Pales, P32). Due to the constitutional provision of 1970, were political/office holders had to speak the language that was territorially determined, Happort will have to undergo a language test, which he subsequently declined.

This called for his resignation from office since he was deemed not fit for office. This led to an awakening of quiescent issues in the Brussels area where civil servants worked under the Flemish government but did not speak any Dutch. These chains of events finally got to the center, bringing down the government. This shows the inherent problems that can be encountered when you have *language based political parties in parliament*. The result is the inability of elites to come to lasting agreements as demands and counter-demands arise between parties. This is why James Madison likened political parties to 'factions' in his '*The Federalist*' (Katz and Crotty, P7).

Importantly, the above scenarios have not seemed to abate in current times. After the 2007 general elections, the political parties could not agree for 196 days without a government at the center in Belgium. This was due to disagreements pertaining to constitutional reforms and Flemish demands for further fiscal autonomy due to the growing positive disparity in economic weight (Pales, P36). Another important factor that led to political deadlock after the 2007 general elections was the rise to a second place finish of the radical VlaamsBelang (Flemish interest) political party in the Flemish regional parliament. This meant the first-placed Christian Democratic Party will have to come into a coalition with the VlaamsBelang, where the parties were politically incompatible due to ideological differences. The solution was to go into an unprecedented coalition with the other traditional political parties in the Socialists and Liberals, which meant lasting discussions on how to eke out an agreement with much difficulty. The King (Guy Verhofstadt) as ceremonial head, had to intervene in mediations, which eventually led to a caretaker government solution.

Most recently, between June 2010 and December 2011, there were 300 days without a government in Belgium. This was a continuation of the previous debacle which resulted in a caretaker government of convenience. Following the 2010 general election, which saw N-VA (New Flemish Alliance) becoming the largest party in the Chamber of Representatives, and its consequent takeover of popularity from the CD&V, a potential coalition government seemed difficult to draw. There was to be a grand coalition between the N-VA, CD&V, the Flemish socialist party (SPA), the Humanist Democratic Centre (CDH) and Ecolo. After a long series of negotiations between parties, the failure and resignation of Elio Di Rupo negotiating a break through and the subsequent appointment of Vande Lanotte of the Flemish Socialist party by the King, a compromise was found and the solution was to have a sixth state reform that will further devolve powers to the regions.

Hence, the Belgian Federal parliamentary system and the federal constitution cannot be said to have convincingly helped in addressing the question of consociation. Belgium as evidenced by witnesses' weak cabinets unable to gain a simple majority of votes in parliament to pass bills deemed controversial by one or more parties along the language thresholds. Another dimension of assessing Belgian consociation in the new federal set up, is that party affairs has tended to be non-separated from the church in Belgium, even though it is in sharp decline. As previously pointed out earlier, Belgian political parties and hence politicians historically are divided between the Catholic Church attendants and non-attendants. The Christian social parties represented the more faithful Catholics while the socialists and liberals' parties are divided from each other by class differences.

This is why Liphart explained the further splits within the above dominant parties into separate smaller Dutch-speaking and French-speaking parties by creating several additional small linguistic parties. (Liphart; P 37). However, this factor seems to be downplayed in recent times due to the increasing secular motives associated with the E.U and the democratic ethos it instills into its member states. The Belgian capital as the seat of its government, is not excluded.

### Concluding remarks

Consociationalism and federalism have both been defined as regimes that combine self-rule and shared rule. This paper has investigated the extent to which this has been achieved in the modern Belgian federal parliamentary system by examining party politics in parliament. The presence of language-based parties with secessionist interests such as the VlaamsBelang has not aided consociation. Also, the preponderance of political stalemates starting from the 1970s up till the recent crisis of 2010-2011 *shows there is more to be done to accommodate the opposition across the linguistic threshold in Belgium*. The paper also showed that historically, federalist agitations evolved from the changing landscape of economic dominance between the Flemish North and the Walloon South which explicitly accelerated demands. This consequently led to the hollowing out of the center and devolution of powers to the regions. It argued that this development has encouraged accommodation through the devolved institutions and powers at the region (parliament, education, external trade etc.). But the Problems identified above gridlocks and even stalemates in the process of government formation still abound. However, this does not spell all hell and gloom for Belgium as the solutions have usually been found. Thus, Belgians live in a love hate relationship, were they fear domination of one linguistic enclave over the other but do not want to part ways. Belgians live side by side with conflicts emerging mainly in Brussels and the parliament.

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