

**Gendering the 'Diversification of Diversity': the Belgian Case**

**Gily Coene & Chia Longman**

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**1. Introduction: the many and forgotten dimensions of Belgian diversity**

In a recent article of a special issue dedicated to the topic of national identity and diversity the Belgian sociologist Marco Martiniello (2004)<sup>1</sup> concludes that the Belgian 'diversification of diversity' (cfr. Hollinger, 1995) practically touches all spheres of human existence, from the cultural to the political, the social to the economic. This makes the question of unity and 'Belgian identity' a crucial one. Martiniello illustrates this point by asking rhetorically: "what is it that can unite a worker who is originally from a Rural area in the Rif Mountains in the north of Morocco and is a Muslim, a Flemish businessman who heads a large computer technology company, a homeless man living in Brussels, a European Union employee posted permanently in Brussels and a young manager of Turkish origin living in Wallonia?" (Martiniello, 2004:45) The answer to Martiniello's question ironically seems to be 'gender', for all his cited exemplary types of Belgian diversity seem to be exclusively male. So, it looks as if the many dimensions of Belgian diversity do not leave any room for gender diversity or gives it at least a place at the margin of the so-called 'problem of diversity/unity'.

Until very recently, gender-specific topics had not received much substantial attention in the media nor in politics within the context of debates on multicultural society and integration of

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<sup>1</sup> Marco Martiniello (2004) The many dimensions of Belgian diversity. In: *Canadian Diversity/Diversité Canadienne*, vol. 3:2, spring 2004, pp. 43-46

newcomers and minorities. However, and as will be illustrated further on in this paper, a kind of feminist type of rhetoric on the prominence of ‘equality between men and women’ and ‘emancipation of women’, is applied in many analyses and concepts that presently inform integration debates. For example, whereas the wearing of a headscarf at schools was already an issue in local political debates in the eighties (Goethals, 1996)<sup>2</sup>, immigrant women and particularly Muslim women became a crucial issue in the debate on integration and multiculturalism when in neighbouring country France the Assemblée Nationale voted a law against the wearing of religious symbols in public schools. Although in Belgium the recent and very heated controversy surrounding the headscarf for principled, ideological as well as practical reasons, has not (yet) led to the introduction of any legal ban, it has had a strong influence on the majority perception and representation of ethnic-religious minorities, discourses on ‘integration’ and ‘citizenship’, day to day attitudes to religious diversity, for example in schools, as well as provoking strong reactions and mobilisations among the ethnic-religious minorities concerned.

This paper first introduces the various dimensions characterising diversity in Belgian society. This is necessary in order to understand the complexity of the societal debate as well as the development in policy-initiatives in Flanders. Compared to other Western-European countries, the situation in Belgium, and in particular Flanders is rather unique, since the recognition of the value of the conservation and respect for cultural identity is also of crucial importance for the dominant group - the Flemish being historically a minority within the Belgian state - and is thus not only claimed by immigrants/newcomers. Additionally, although immigration policies in Belgium date from the period of the so-called guest workers immigration in the fifties, sixties and seventies (predominantly from Italy, Turkey and Morocco), Belgium does not have a practice or tradition of reception and integration of inhabitants of its former colony (Congo), as is for example the case in the Netherlands, France and the UK.

The lines of fracture and their typical institutional solutions that characterize Belgian society also have a fundamental impact in policies concerning minorities and integration. For this reason, in 1997 the Belgian sociologist Albert Martens considered the introduction of planned social changes, such as the Dutch ‘citizenisation trajectory’ (“inburgeringstraject”), in Belgium as almost impossible: “Even if the concept of ‘inburgering’ (citizenisation) should evolve positively,

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<sup>2</sup> In 1989, some local school boards in Brussels forbade the wearing of a headscarf for Muslim girls. The girls ignored the ban and were excluded from their school. However, the ban was cancelled in 1989 by a local court in Brussels, (on the basis of the education law of 1959 stipulating neutrality and respect for the freedom of religion), yet the issue remained the subject of public and political debate (Goethals, 1996: 6). These cases were followed by similar lawsuit in the nineties (e.g. in Ghent).

its implementation would fail.” (Martens, 1997: 64)<sup>3</sup>. Martens makes his argument based on an evaluation of previous integration policies in Belgium, which he characterizes as ‘policy-onanism’: “As far as the integration of migrants is concerned, no proposal has been realized within the period of time set forward, according to the preset goals (...) Policy-onanism is an enduring illness of our political system as far as migrant issues are concerned” (Martens, 1994: 71). However, since 2002, newcomers are legally obliged to ‘citizeenise’ (i.e. following a citizenisation trajectory) in Flanders, although the introduction of the policy is a clear example of political panicky measures (see further), and therefore does not undermine Martens’ analysis as such.<sup>4</sup>

While there is often no lack of noble policy intentions and reports, concrete measures to empower migrants, such as the communal right to vote for migrants (which after a long political struggle has been voted in 2004, causing an enormous political crisis) or a full-fledged recognition and equal treatment of Islam (acknowledged as an official religion in the seventies, but not treated on an equal basis with other major religions) is not yet realized.

Furthermore, where traditional lines of fracture in Belgian society can be considered the cause of the typical Belgian ‘balance of power politics’, in addition a new social and political gap developed during the past decades, in particular in Flanders and Brussels, concentrating explicitly on immigration and citizenship issues. On the one side this growing gap concerns an extremist ethnic-nationalistic discourse put forward by the slogan ‘eigen volk eerst’ (‘own people first’) and on the other side various progressive pleas for multiculturalism, intercultural dialogue, intercultural citizenship and tolerance.

Within these complex constellations and relations, women in migrant and minority groups – commonly designated with the term migrant or ‘allochthonous’ population (‘allochtonen’ in Dutch) – are at the same time the stake of an agenda that often transcends their interests as they are active participants and actors struggling to be recognized as equal partners in debates and policies on multiculturalism and equal opportunities. Whereas the domain of equal opportunities for men and women offers strategic policy chances that are less available to newcomers and migrants, this domain is exactly also the pitfall where new forms of differentiation between insiders and outsiders, focused on the gender axis become reinforced. In the second part of this paper, we will therefore be taking a closer look at the current problematic discourse on gender equality within debates on immigration, integration and multiculturalism, and

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<sup>3</sup> Albert Martens (1997), *Burgerschap en inburgering in België: een stand van zaken. De caleidoscoop als perspectief. De onanie als vuistregel*. IN: M.C. Foblets & B. Hubeau (1997), *Nieuwe burgers in de samenleving? Burgerschap en inburgering in België en Nederland*, Acco, Leuven/Amersfoort, pp. 63-72

<sup>4</sup> Important for our argument is the warning in his analysis to focus unilaterally on policy-proposals and – reports : “the gap between word and action has never been a (political) problem in Belgium. One takes care that initiatives do not mean more than making an inventory of ‘feasible’ options”. (ibid.70)

its relation to policies concerning the position of ‘allochthonous’ women within both minority and gender equality policies in the complexity of the Belgian state.

## **2. National identity, cultural diversity and the process of federalisation**

The Belgian nation state is a typical product of the paradoxes of nation building in the 19th century. The presence of a certain ethnic-cultural diversity within Belgian society was recognized soon after the imposition of the French language as the ‘lingua franca’ in the whole country failed at the end of the 19th century. Immigration flows further contributed to the growth of cultural, ideological, linguistic and religious diversity on Belgian territory, and have resulted in a present coexistence of several dozens of nationalities from throughout the world. The city of Antwerp, for instance, counts no less than 150 nationalities. (Timmerman, 2003:13)

The three traditional lines of fracture that historically characterize Belgian society are first the linguistic and communitarian differences separating the French-speaking population and the Walloons from the Dutch-speaking population and the Flemish, secondly the socio-economic opposition between labour(organisations) and capital(istic organisations) and thirdly, the ideological opposition between Catholics and free-thinkers (secular-liberals). These lines of fracture have been ‘pacified’ in typical institutional frameworks (the Belgian ‘wafer iron-politics’, the model of ‘pillarization’, implying the distribution of grants to different political and ideological organisations (i.e. the catholic, socialist and liberal), leading to ‘official/public’ and ‘free/private/catholic’ schools, hospitals, social security services, housing organisations etc... or the so-called ‘liberté subsidié’).

The issue of a Belgian ‘national identity’ and the relation between state and ‘national’ culture(s) has always been complex and loaded with emotions, as may be illustrated by the legendary words of Jules Destrée, a politician in the first half of the 20<sup>th</sup> century : “Sire, il n’y a pas des Belges.” In as far as one can speak of a Belgian identity, it is a – not always harmonious – composition of various collective identities: “Even if the questions “who are we?” and “what are we?” were never met with a simple response in Belgium, - a Belgian was, at the very least allowed to be either a Fleming or a Walloon, a French-speaker or a Dutch-speaker, a Catholic or a secular liberal, a worker or a capitalist.” (Martiniello & Swyngedouw, 1998)

The process of ‘federalisation’ as a result of various communitarian institutional and constitutional reforms resulted in 1993 in a federal state (with a central government) with a complex structure, including three communities (with an own parliament and government of the Dutch-speaking, the French-speaking and the German-speaking communities) and three regions

(also with their own legislative institutions and governments: the Flemish region, the Brussels Capital Region and the Walloon Region).<sup>5</sup>

The linguistic-communitarian fracture has also strongly influenced immigration and integration debate and policies. In Flemish integration policies, for example, learning the local Dutch language is clearly prioritised. ‘Citizenisation’ implies at least that the newcomer masters the language of the region. In Wallonia, in contrast, policies have focused much more on socio-economic issues, improving immigrants’ position on the labour market, education and combating racism. The Flemish sensitivity to its own language, culture and identity implied that similar claims from immigrants could not easily be ignored, and has been translated into governmental support for the self-organisations of migrants or ‘allochthones’ (Martens, 1997: 69-70 ; C.I.D.<sup>6</sup>, 2005 : 104-107). On the other hand, the consecutive electoral successes of the ‘Flemish Block’ (Vlaams Blok) (who recently underwent a name-change to ‘Flemish Concern’ (Vlaams Belang) after being convicted for racism) in Flanders, ties Flemish nationalism to an extreme right ideology and a party organisation that demands the complete assimilation, or otherwise expulsion of newcomers.<sup>7</sup>

The influence of the extreme right Flemish nationalist agenda on practical integration policy measures has resulted, for example, in blocking any discussion about the possibility of

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<sup>5</sup> “The revision of the Constitution in 1970 resulted in the setting-up of the three cultural communities(...) This reform is a response to the pursuit of cultural autonomy by Flemish people. (...) In 1970 the foundations were laid for setting-up three Regions. They each have their own territory and are mainly expected to be active in the economic field. The Regions are a response to the pursuit by French-speakers - the Walloons and French-speaking people of Brussels - for economic autonomy. In 1980, the second State reform took place (...) the cultural communities became known just as Communities. (...) As a result, from 1980 these three Communities were known as the Flemish Community, the French Community and the German-speaking Community. These Communities were each given a Council (their Parliament) and a Government. With the State reform of 1980, two Regions were also established: the Flemish Region and the Walloon Region. They also had a Council and a Government. In Flanders, the Government and the Council of the Flemish Region merged with the Government and the Council of the Flemish Community. So in Flanders, there is only one Government and one Council for the Community and the Region. The French-speaking population did not choose to merge the institutions of the French Community and the Walloon Region. There are many more French-speaking people in Brussels compared with French-speaking Walloons than there are Dutch-speaking people in Brussels compared with people in Flanders. (...) Another important feature of this second phase in 1980 is that the Brussels Region, although recognised in 1970, was (with regard to its institutions) put on "hold". But that changed in the next, third State reform. During the third State reform in 1988-89, it was mainly the Brussels-Capital Region that took shape. Like the other two Regions it received its own institutions, and in particular a Council - its Parliament - and a Government. The Council of the Brussels-Capital Region votes on ordinances, and the Government implements them. With the third State reform of 1988-1989, the Communities were given more powers and the Regions were consolidated. So the Communities were given responsibility for education, while the Regions were given powers for transport and public works.” (from: [www. Belgium.be](http://www.Belgium.be): the federal state). The fact that the ‘communitarian question’ is not yet definitely resolved may be illustrated by the recent political and even government-crisis about the division of the ‘vote-circle’ Brussel-Halle-Vilvoorde – a region with both Dutch- and French speaking citizens within a Flemish region, or other issues such as policies concerning radar-control on highways, health care policies or the so-called transfers of money within social security from the Flemish to the Walloon community.

<sup>6</sup> *Commissie voor Interculturele Dialoog (2005). Eindverslag en Getuigenissen. Overhandigd aan de minister van gelijke kansen, sociale integratie en interculturaliteit*, Christian Dupont

<sup>7</sup> For example, one of the foremen of the Flemish Block commenting upon the Naïma Amzil case (an employee of Moroccan origin, whose employer received various death threats for her wearing a headscarf), claimed that ‘a woman who wears a headscarf is signing her contract of return’.

introducing mother tongue-education for children of foreign-language-speaking parents. Many of these children suffer serious learning disabilities in elementary and secondary school because of language problems. A remedial proposal is to allow these children to be partly educated in their mother tongue (now prohibited by the prevailing language laws<sup>8</sup>), besides intensive Dutch language lessons. In Wallonia, by contrast, the language issue is hardly a matter of debate. Many immigrants (such as Moroccans, Tunisians, Algerians, Congolese) already use French as a second language, which is, however, not the case in Flanders.

Whereas immigration and foreigners policies remain an exclusive federal matter (entry policy, legal residence permissions, expulsion, and the granting of voting rights) presided by the ministry of internal affairs, since 1980 integration and reception policies have become a prerogative of the communities or regional governments, resulting in significant policy differences and different policy priorities. These differences are additionally supported by differences in ideological and political relations and cultures. In Wallonia the 'Parti Socialiste' has traditionally held the majority, whereas recent elections in Flanders brought the Christian-Democrats back to (the local) government, after a short break during the previous purple-red-green coalition. This rainbow coalition was literally forced in order to form a majority against the ever-growing Flemish Block, that to date is not accepted as a coalition partner by any of the other parties (the 'cordon sanitair'). The change of government in 1999 also meant a change in dealing with immigration and integration. From a 'safety agenda', in which immigration was strongly tied to safety issues, Prime Minister Guy Verhofstadt emphasised in his government declaration the necessity for Belgium to become "a tolerant and open society".<sup>9</sup> Integration policy has been tied to the acquisition of the Belgian nationality, resulting in more flexible conditions for the acquisition of the Belgian nationality.<sup>10</sup> However, this climate and discourse of openness, at least compared with the previous legislatures, was soon under threat following September 11<sup>th</sup> 2001. This culminated in 2002 when the Arab European League, an identity movement that suddenly gained in popularity among youths of Moroccan origin, took to street riots in Antwerp after the murder of a Moroccan by a Belgian neighbour. Debates and policies soon turned to the right with the introduction of a 'compulsory' citizenisation programme for newcomers in Flanders as perhaps the most tangible result.

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<sup>8</sup> The laws on the use of official languages, enacted between 1873-1963, were a major step in the reform of the Belgian state.

<sup>9</sup> The Flemish Employers Association, traditionally politically supported by the Liberal Party, also launched a proposal to end the labour immigration stop as it was introduced in the seventies (cfr. *supra*).

<sup>10</sup> Positive measures in the field of immigration policies also included a one-off collective regularisation campaign for illegal residents, and the introduction of a statute for displaced persons, combined with restrictive policy measures towards new asylum seekers and the struggle and criminalization of illegal entry and stay, targeted at combating practices of human smuggling and trafficking.

One of the most politically salient reactions in Flanders is without doubt the ever-growing electorate of the Flemish Block/Concern, whose successes cannot solely be ascribed to the poverty in certain city districts or pure xenophobia, for people living in affluent suburbs who seldom encounter ‘allochthones’, also make up a substantial part of their electorate. This accompanies a reaction from the ‘allochthonous’ side of growing ethnic consciousness, which in the specific context of Moroccan and Turkish minorities (most often among the second and third generation) easily turns into ethno-religious forms of identity politics (Timmerman, 2003: 23).<sup>11</sup>

### **3. Immigration and integration policies**

#### *Post-immigration and new immigration*

Although a migration stop was introduced in 1974, the share of the migrant population rises continuously. Belgium currently finds itself in both a migratory (asylum seekers & marriage immigration or family reunion) and post-migratory situation (guest workers/labour migration stop). The doctrine of zero-immigration dominated debates and policy-initiatives in the field of immigration in Belgium, even though immigration towards Belgium continued under different patterns (free movements of EU citizens, foreign students, family reunification, asylum-seekers, employment related immigration, illegal immigration etc).

In 2002 the foreign population (846.734) – not including foreigners living illegally in Belgium, nor Belgians of foreign origin, or those who acquired the Belgian nationality - of the country reached approximately 8,2% of the total population (10.309.725).<sup>12</sup> About 2/3 of all foreigners in Belgium are EU-citizens, only 1/3 originates from countries outside the EU. In contrast to the popular perception that non-European immigrants are overwhelming the country, they still remain a minority within the foreign population.

As for the nationalities of foreigners legally residing in Belgium, EU citizens (in 2000) and notably Italians followed by the French, the Dutch, Spaniards and Germans are the most represented. The largest non-EU migrant communities in Belgium are Moroccan and Turkish. Owing to the high number of naturalisations (an increase following changes in the Nationality Code in 2000) in both communities in 2000, their number in the alien population declined noticeably.<sup>13</sup> However, the practice of arranged marriages within these communities seems to

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<sup>11</sup> Christiane Timmerman (2003) *Migratie en etnische minderheden in België. Cultuurrelativisme of fictie?* Garant, Antwerpen/Apeldoorn

<sup>12</sup> The immigrant population and the population of immigrant origin clearly surpass the official figures.

<sup>13</sup> As far as nationalities are concerned who legally stay in Belgium, Italians are at the top of the list (in 2002) (190.000), followed by the French (111.146), the Dutch (92.561) and the Moroccans (90.642). A significant majority

generate a new immigration flow of partners from these countries. Leaving aside citizens from the European Union, as they have no visa-obligations, marriage immigration has become the most significant.

The labour immigration stop in the early seventies had a major impact on the composition of Belgium's immigration flows: from an overwhelmingly male and adult immigration it developed into a more family-oriented immigration, throughout the family-reunion of women and children.<sup>14</sup>

The foreign population is unequally distributed throughout the country. The rise of the European Union had an important impact on the composition of the population, mostly in Brussels as one of the European capitals, with a strong presence of European institutions and employees, pejoratively called 'Eurocrats'.<sup>15</sup> In Flanders, EU-citizens represent somewhat more than half of all foreigners.<sup>16</sup> In Wallonia, EU-citizens embrace almost 4/5 (circa 78,5%) of all foreigners, especially due to the impact of the former Italian labour migration. The relatively strong presence of the French has especially to do with the neighbouring frontiers and the common language. In comparison with Brussels and Flanders, the presence of Moroccans and Turks is rather limited in Wallonia, making up 5,3% and 5% of the total foreign population. (Timmerman, 2003: 13-14)<sup>17</sup> The destination of new immigrants further corresponds with the existing distribution of the foreign population in Belgium.<sup>18</sup>

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of foreigners living in Belgium come from a European Union member-state (66% of all foreigners in 2002) or another Western country (Americans, 11.814). (As during the last years many Moroccan and Turks acquired the Belgian nationality, the most important foreign nationalities belonging to the EU are the Italians, the French and the Dutch). Due to the mitigation of naturalisation-procedures, a part of the foreign population disappears from the registers of strangers and strange populations. The Law of 1 March 2000 simplified drastically access to nationality. In 2000, for example 21 917 Moroccans and 17.282 Turkish persons acquired the Belgian nationality in comparison with resp. 9133 and 4402 in the previous year.(NIS) (Timmerman, 2003: 11).

<sup>14</sup> From the eighties onwards, the proportion of women in the alien population grew steadily leading towards a greater gender balance – in particular the effect of a strong decline in the masculinity index in the age cohort between 20 and 35 years. In general, the age and gender structure of the alien population stock in Belgium is slightly different from the Belgian population: the former being younger and more masculine. However, recent tendencies point to a greater gender balance matching the gender structure of the Belgian population stock. (Eggerickx e.a. 1999) Nevertheless women account for less than 50% of the foreign population resident in Belgium, in contrast to the share of women in the Belgian population.

<sup>15</sup> This European labour force comes from all European member states and has a standard of living that is significantly higher than the average Belgian, whilst their local integration (language, for instance) is often minimal.

<sup>16</sup> With approximately 25%, the Dutch surpass all other foreign groups. In Brussels, foreigners from the EU and from outside the EU are almost equally represented. Moroccans represent with 23% the greatest part in the total population of foreigners, followed by the French (12,5%), the Italians (circa 10,6%), Spaniards (8%) and Turks (circa 7%).

<sup>17</sup> The foreign population in Flanders is mainly concentrated in the provinces of Antwerp and Limburg, while the foreign population in Wallonia is mainly situated in the former industrial provinces of Liège and Hainaut. During the last years the quantity of foreigners increases in Flanders (2004:288.375) and decreases in Wallonia (2004: 308.461) and in the Brussels Capital Region (2004:263.451) (NIS, <http://statbel.fgov.be>)

<sup>18</sup> Thus the triangle Brussels-Antwerp-Ghent consists of a 'golden triangle' for newcomers. Flanders (and Belgium) become increasingly multi-ethnic. The greatest part of the newcomers goes to the big Flemish cities and some municipalities in the Brussels Capital Region. Is is not only the economic basis of cities and regions which determines the presence of communities of foreigners. In the cities and municipalities where many Moroccans and Turks live, the



Although Belgium was a colonial power until 1960, in contrast to France, the UK or the Netherlands, it did not welcome its former (black) inhabitants after decolonisation. This is mostly due to an explicit racist policy *vis-à-vis* 'black' people from the former colony (white Congolese were all considered Belgians, whereas black Congolese were not). In 2002 almost 13.000 Congolese persons were living in Belgium, for the most part majority asylum-seekers who had fled subsequent dictatorships and civil wars in Zaire/Congo since the end of the eighties.<sup>19</sup>

After the fall of the Eastern Block, applications for asylum increased significantly, resulting in more restrictive asylum policies. Asylum policies and procedures in Belgium have been modified several times over the last two decades. Since 2001, a sharp decline in the number of asylum applications can be ascertained. This can be attributed to the replacement of financial by material support for asylum seekers during the first stage of the asylum procedure and the speeding up of the examination of new applications (LIFO – last in first out - principle). Although women remain a minority in asylum applications, it is the only domain within immigration policies that currently acknowledges the need of a gender perspective and for which certain gender-disaggregated data are available.<sup>20</sup>

As a result of shutting down other legal immigration channels, 'marriage migration' is becoming the largest immigration gate, resulting in an enhanced public interest and a 'highly-gendered' debate.<sup>21</sup> So-called 'import brides' are commonly described as powerless victims of the cultural practice of arranged marriages. The 'protection' rhetoric is reflected in the justification of proposals for more restrictive immigration rules, for example in increasing the age of foreign partners to enter the country. Marriages concerning 'import grooms' are much more considered as 'bogus' marriages, 'misused' to evade exiting immigration rules, and therefore subject to

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influence of family-reunion and family-formation on migration is probably the determining factor. (Timmerman, 2003: 11)

<sup>19</sup> Congolese 'sans papiers' played a major role in the 'sans papier' movement, originated after the tragic murder of the Nigerian asylum seeker Semira Adamu, and leading to the above mentioned collective regularisation campaign of 2000.

<sup>20</sup> This is the result of initiatives and pressure of UNHCR. *Almost 1/3 of all asylum applications between 1988-2002 were introduced by women, 2/3 by men.* In 2002, 12.111 applications were introduced by men (66, 71%), 6.043 by women (33, 29%). The last report (covering the operational years 2001 & 2002) mentions, in comparison with the foregoing years, an increase in gender-related asylum claims - in particular sexual violence, fear of persecution on account of sexual orientation, transgressing social norms, being persecuted as women, domestic violence, forced marriages, and, but fewer for female genital mutilation. (*Commissioner General's Office for Refugees and Stateless Persons*, 2003: 45-46) *Between 1988- 2002, merely 17.889 persons - on a total of 277. 362 applications – acquired refugee status.* (ibid. 58) The recognition rate is very low and rarely exceeds 5-10% of the total of applications. Although the gender balance may improve once asylum seekers are admitted – complete parity is not achieved. According to the UNHCR statistical yearbook of 2001, the estimate for Belgium is 44%.

<sup>21</sup> Data disaggregated by gender or even exact number on yearly visa-applications for marriage immigration or family reunification are not available. Survey research undertaken by Lievens et al. (2000) within Turkish and Moroccan immigrant communities indicates an increase in 'import marriages' and points to its 'masculinisation.' While family-related migration is still overwhelmingly female, more migrant girls and women seem to marry partners from the country of origin who wish to settle in Belgium. Legal conditions in Belgium seem to be rather favourable, since some 'marriage shopping' from the Netherlands has been noticed.

criminal sanctions. This kind of ‘foreign women as victims and foreign men as criminals’ stereotyping earlier accompanied the asylum/trafficking debate, leading to a more repressive and criminal sanctions approach towards asylum seekers and illegal immigrants.

Similar to other European countries, in the past few years the immigration debate in Belgium (a federal matter) has predominantly centred on new immigration waves and the application of the so-called ‘migration stop’, especially concerning asylum-seekers. More recently, attention has shifted to marriage migration and family reunification as the primary immigration route. Whereas the control over asylum entry accompanied heightened attention to combating criminal practices such as the smuggling of and traffic in humans, similar processes can be ascertained in regards to marriage migration. The linking of criminal acts and transgressing immigration law and policy is illustrated by the concept of ‘forced bogus marriages’, which was recently launched in a new bill. Immigration control is increasingly linked to the so-called protection of women’s human rights; i.e. combating trafficking in women and forced - import marriages.

#### *Multicultural policies in Belgium: from integration to ‘obligatory’ citizenisation*

Initially perceived as a temporary phenomenon, Belgium – like its neighbours - has become a country of permanent immigration. The interest of the Belgian State in the integration of the immigrant population coincides with the end of labour migration in 1974. Until then, the presence of immigrants was considered both by the government as by the immigrants themselves as temporary. As a result, integration policies developed in correspondence with a very wearisome process of awareness and recognition of a permanent presence of migrants and their claims to full citizenship.

At the end of the eighties, the first local election victory of the ‘Vlaams Blok’ party and street rebellions of immigrant youngsters, lead to the appointment of a Royal Commissioner for Migrant Policies in Belgium (Koninklijk Commissaris voor het Migrantenbeleid), under the charismatic leadership of Mrs. Paula D’Hondt. Its first report was a crucial document in defining integration policies, and more particularly in developing the definition of the ‘concept of integration.’ This concept of integration reflected a new tendency to ‘activation’ and ‘responsabilisation’ within the welfare state: if one is claiming something from the welfare state he/she should also be prepared to do something in return. In this logic, in exchange for

obtaining rights, migrants should accept the values and norms of the majority-society. (Foblets & Hubeau, 1997:19)<sup>22</sup>

This expectation was clearly translated by the concept of ‘insertion’ (‘inpassing’). The KCM (1989)<sup>23</sup> distinguished between three levels of values, each of them requiring a particular reaction: 1) as far as it concerns the values and principles constituting public order, and which are legally enforceable, it demands a complete assimilation of immigrants, 2) as far as primary or guiding social principles of Belgian society are concerned and about which there exist an implicit consensus amongst the ‘autochthonous’ population, such as the emancipation and equal treatment of women or the equal reciprocity of respect between different religions and world views: “a consequent promotion of the best ‘insertion’ by migrants is expected ” and 3) for the diversity of cultural practices which neither touch nor are at the expense of the public order nor the social principles of the guest country, such as family and religious traditions, an unambiguous respect for this enriching cultural diversity is requested.

Criticisms of the concept of integration concerned mainly its vagueness, ambiguousness, lack of operation ability and the feasibility of concepts such as ‘integration’ and ‘insertion’. In the eyes of its advocates, the concept of ‘integration’ referred to the rise to full group membership within Belgian society of members of ethnic minority groups, who at the same time enjoy full ‘cultural rights’, i.e. they can retain their ‘cultural identity’ in the context of a multicultural society. Integration was thus considered as an expression of the society’s greatest qualities: humanism, tolerance and pluralism. To its critics, it was considered as a ‘culturalist’ concept with ‘minorising’ effects, designed to perpetuate immigrant’s inferior socio-economic position, bordering on racism, and thus exposing a more grim and xenophobic face of the Belgian society. (Blommaert, 1998: 77)<sup>24</sup> Both positions in the integration debate are also prominent in recent debates on gender equality and cultural diversity: from one perspective, gender equality is defended as a logical extension of a commitment to egalitarian values and individual human rights, while from an other perspective the selective focus on certain immigrant groups in talking about gender issues, suggest *prima facie* that ‘they’ are different from ‘us’, and thus reinforces a divisive exclusionary attitude.

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<sup>22</sup> Foblets, M.C. & B. Hubeau (1997), *Burgerschap en inburgering als nieuwe integratieconcepten*. In: Foblets, M.C. & B. Hubeau (eds.), *Nieuwe burgers in de samenleving? Burgerschap en inburgering in België en Nederland*, Leuven/Amersfoort, Acco, pp. 17-28

<sup>23</sup> *Koninklijk Commissariaat voor het Migrantenbeleid* (1989), *Integratie(beleid): een werk van lange adem*, Brussel; see also *Koninklijk Commissariaat voor het Migrantenbeleid* (1993), *Eindrapport. Teken en voor Gelijkwaardigheid*, Brussel

<sup>24</sup> The concepts of ‘integration’ and ‘insertion’ were susceptible to contradictory interpretations, presented as if they were based on quasi-scientific evidence, starting from unrealistic assumptions about differences in values and related required forms of behaviour, and all to easily assuming the possibility of ‘insertion’ of minorities in the values and frames of reference of the dominant culture, taking for granted the attainment and implied implicit consensus about leading social principles, such as the emancipation of women in the guest country. (see Talhaoui, 1997; Martens, 1997)

As a result of a consultation of migrant organisations of women and young girls, in her second and third report (1989-1990), the KCM<sup>25</sup> devoted a chapter to immigrant women.<sup>26</sup>

In the following phase of migration policies, the focus was rather directed to the struggle of socio-economic disadvantage and social exclusion. Migrants became a target group within broader local projects targeted at inequality of (socio-economic) opportunities, but issues such as communal voting rights for immigrants or the equal treatment of the Islam were not included in visions on integration.<sup>27</sup> These policies did not lead to significant changes in power relations and in the position of immigrants or, as Martens (1997) states: if they want to be taken seriously by the government, immigrants have to act and identify themselves as underprivileged.

Flanders, Wallonia and Brussels diverge in the focuses they put within their integration policies. The policy of the French Community is mainly focussed on initiatives in the field of education. A Decree in favour of positive action in schools supports schools with many socio-economic excluded children. Programs were introduced to allow immigrant children to learn the language and culture of their country of origin in primary schools and in the first grade of secondary schools. The underlying idea of this measure is that mastering the own language and culture by migrant children is a requisite for the harmonious development of their personality and their integration within Belgian society. (C.I.D, 2005: 103)

Contrary to the French Community, policies of the Flemish Community are more target group-oriented and communitarian. The Flemish Decree on Minorities (1998) aims to stimulate the participation and deliberation between ethnic and cultural minorities and their organisations. Other initiatives concern incentives for implementing cultural diversity in the cultural sector and support of organisations of migrants by the erection of so-called points of support ('steunpunten'). In 2000, the 'Steunpunt voor Allochtone meisjes en vrouwen' (Support Point for Migrant Girls and Women) was initiated. (C.I.D.104-107) (see *infra*, §6)

The Decree in 'Inburgering' of 2003 creates the right and the obligation to citizenisation. Every 'newcomer' who registers in a city or municipal is required to follow an 'inburgeringstraject'. This consists of a training programme (Dutch language, societal orientation, employment orientation) and the individual assistance of the newcomer. Here, Flanders thus clearly walks in the footsteps of the Netherlands (cfr. Entzinger & Van der Zwan, 1994).

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<sup>25</sup> The tasks and missions of the KCM were later taken over by the Centre for Equality of Opportunity and the Combat of Racism. (Centrum voor Gelijke Kansen en Racismebestrijding). (cfr. *infra*)

<sup>26</sup> The identified points of attention concerned: the social status of migrant women, their legal position, marital situation, training, schooling and qualifications, professional lives and access to culture and health-provisions. The study group "Man-Woman Equality" of the Commission for Intercultural Dialogue (2005), (cfr. *infra*) came to similar conclusions and emphasises the lack of attention for this specific target group within equal opportunity policies. (CID, 2005: 33)

<sup>27</sup> Although the Islam is an officially recognized religion in Belgium since 1974, executive measures and real equal treatment are still long in coming.

The concept of ‘inburgering’ emphasises citizenship, a dimension previously neglected in the integration debate. Whereas the concept of ‘inburgering’ (citizenisation), was originally introduced to escape the assimilationist connotation of the concept of integration (cfr. ‘insertion’), and embodied a philosophy of addressing discriminations of ethnic minorities and ‘empowerment’ of newcomers to participate fully in society, it was, however contradictory, quickly turned over into a proposal for ‘obligatory’ citizenisation, which easily fits in the ‘immigrant as the problem’ discourse, assuming that newcomers are unwilling to learn the Dutch language, and therefore need to be forced to do so.<sup>28</sup>

Whereas the federal government only presides over immigration rather than minority policies, the struggle against racism has become a recent national prerogative since the increase in racist and anti-Semitic complaints and acts of violence in the past years. Official complaints of discrimination have risen considerably according to the national Centre for Equal Opportunities and the Struggle against Racism.<sup>29</sup>

The current federal Ministry for Civil Servant Issues, Societal Integration, City Policy and Equal Opportunities initiated an additional Action Plan against Racism, anti-Semitism and hatred

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<sup>28</sup> The political climate in which the Decree on Citizenisation was voted, did not leave much room for dissidence. Street rebellions in Antwerp, in reaction to the murder of a Moroccan boy by his Belgian neighbour (cf. *supra*) suddenly put the so-called ‘problem of integration’ at the top of the political agenda. The popularity of the Arabic European League (AEL) amongst migrant youngsters raised great concerns amongst the political elite in Flanders. Earlier that year the spokesman of the AEL, Dyab Abou Jahjah warned in an often quoted interview that a multicultural time bomb was ticking under Belgian society. A political crisis, immediately following the street rebellions was symbolically exorcised by the introduction of the obligatory ‘citizenisation’ for newcomers. As such, this measure obviously has nothing to do with the problems of migrant youngsters, as they belong to the second and even third generation, whilst ‘the citizenisation trajectories’ concentrate on new immigrant. Especially the emphasis in discourses on the ‘obligatory’ character – as if newcomers are themselves not an interested party for a decent reception policy – illustrates and symbolizes the power relations which the Flemish majority (‘we’) wishes to maintain vis-à-vis newcomers (‘them’). A similar exposal of power hierarchies became clear in a political crisis following the proposal to grant migrants the right to municipal vote. Although EU-citizens already acquired this right since 2000, the political right (the extreme right as well as rightist conservatives of the Liberal Party) refused to grant this right – coping stone of an integral integration – to non EU-citizens. The political crisis (including the forced resignation of the president of the liberals in full election battle) is also a clear example of how the so-called migrant debate constitutes a political fracture. At the left, one finds advocates of a tolerant, democratic multicultural society employing either an ‘inclusive pluralist’ (the extreme left, the green party) or an ‘inclusive assimilationist’ (centre-left) discourse and, on the right the ethnocentric advocates with an segregationist excluding discourse (the extreme right) and an ‘assimilationist excluding’ discourse (the liberal right) (cfr. Jacobs, 1998: 251-252). What is actually at stake in the debate on voting rights is the fiction of a nation as an inherently cultural homogeneous community: citizens automatically acquire a licence of (political) cultural adaptation, whilst foreigners are to be submitted to a test (Jacobs, 2001: 34). Even if the measure is electorally insignificant, as many migrants already acquired the Belgian nationality, it has an important symbolic significance for the migrant community as a recognition of their co-citizenship and of respect.

<sup>29</sup> The Centre was erected in 1993, as the formal successor of the KCM, and is authorized to issue complaints and act as a civilian party on serious or obvious charges of racism (including ‘negationism’ since 1995). In 2003 the authority of the Centre was expanded to include discrimination on the basis of sexual orientation, disability and physical properties, civil status, birth, fortune, belief or conviction, present or future state of health.<sup>29</sup> Although the law also forbids discrimination on the basis of gender, pregnancy and transsexuality or intersexuality, the latter are the providence of the recently erected Institute for the Equality between Women and Men. The Centre also follows up on integration policies, immigration law, and the struggle against human trafficking. None of the Centre’s actions are specifically directed to women or concern issues of gender equality.

against foreigners. This action plan followed the growing number of anti-Semitic and racist incidents in 2004 (e.g., the stabbing of an Orthodox Jewish pupil in Antwerp - and many a complaint and request to take action on behalf of the Belgian Jewish community), attacks on synagogues, mosques and refugee centres, yet was also given due attention in government following the Naïma Amzil case (March 2005) (see §5).

#### **4. Cultural or religious diversity and public neutrality**

Among the more profound dimensions of cultural diversity, religion assumes a fundamental position. Following the settlement of ‘guest worker’ immigrants from Muslim countries such as Morocco and Turkey, Islam became the country’s second religion. Although it was recognised as an official religion in the seventies, this has not entailed equal treatment on par with other religions and worldviews.

Secularisation in Belgium has not resulted in a strict separation between state and church as in France and the Netherlands, but rather in a mutual accord, thereby privileging the Catholic Church (as in Germany, Spain and Italy). All Belgian citizens contribute to the financing of the services of religious communities (including the secular humanists), regardless of their personal conviction or income.<sup>30</sup> The state, therefore, on the one hand appears to take a neutral and tolerant stance vis-à-vis religions and the Weltanschauungen of its citizens, yet can decide on those it will recognise and finance on grounds of the general social, humanist and moral concerns that they may represent. In the beginning of the nineteenth century Catholicism and Protestantism were recognised, followed by Anglican, Israelite (1870), Islamic (1974) and Orthodox (1985) services in 1985. Non-confessional communities have also been recognised and subsidised by the state since 1993 (Ketelaer, 2002)<sup>31</sup> Despite the decline in the practice of Catholicism for more than three decades now, it still enjoys a privileged position and receives the vast majority of financial resources.<sup>32</sup> Whereas in counting the number of adherents, Islam is the

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<sup>30</sup> The Belgian Constitution guarantees freedom of religion and the right for everybody to organise and express convictions publicly. The former article 117 (now art. 181, §1) of the Constitution states that the wages and pensions of the servants be paid by the state. According to jurisprudence this article also provides the basis for granting more expanded juridical and financial benefits to recognised services such as housing for religious servants or a housing allowance, government support for repair and maintenance of buildings destined for religious services, the organisation of religious education in public schools, etc.

<sup>31</sup> Especially the law of June 28th 2002 concerning the Central Council of non-Confessional Communities of Belgium was an important step in achieving financial equality for non-confessional worldviews in Belgium. Anne France Ketelaer (2002), ‘Grondwettelijke erkenning van niet-confessionele levensbeschouwelijke gemeenschappen in wetgeving geïmplementeerd. Uitvoering van artikel 181 GW in de startblokken.’ *UVV Info*, extra 2002; De Wet. 21 juni 2002. Afkondiging van de Wet betreffende de Centrale Raad der Niet-Confessionele Levensbeschouwelijke Gemeenschappen van België, pp. 2-20

<sup>32</sup> The Catholic Church is not financed according to its actual number of actual adherents, but according to the number of inhabitants – also including the non-faithful population - in a parish.

second largest religion in the country, only a tiny proportion of subsidies are distributed per practising Muslim.

One of the most striking and fairly unique effects of the secularisation process in Belgian society has been that of ‘pillarisation’: the creation of a network of resources and instruments (from political parties, trade unions to holiday resorts) carried by the community of citizens. As Timmerman (2003: 20) argues, these pillars stand in ambiguous relation to the nation state in which they function; they diminish the identification of the citizen with the nation state through the feeling of belonging to one’s own – catholic, socialist or liberal – nest, yet simultaneously contribute to its social cohesion. For immigrants this has meant that despite not having gone through a similar process of secularisation, in order to claim a place within the host society they are forced to apply the same pillarisation logic. Hence, the current debate on the formation of an ‘Islamic pillar’. On the one hand it is doubted that this will benefit the emancipation – e.g., through erecting Islamic schools – of Muslim minorities. On the other hand it cannot be denied that the ‘pillarisation’ is still a reality in Belgium, and that withholding the same opportunities to religious minorities implies a breach of the equality principle. (cfr. De Ley, 1999)<sup>33</sup>

An important step in the process of the acceptance and institutionalisation of Islam has been the erection and recognition of a Muslim Executive that would function as a representative organ for Muslims on Belgian territory (as for religious Jews there is the much older Consistory of Belgium). Yet as noted earlier, in the current climate in which the Islamic faith is strongly associated with fundamentalism and terrorism, this has seemed to justify selective intervention and paternalism on behalf of the state (e.g., the screening of candidates by the state security service).

Although the extent to which ‘Islam’ is a determinant of Muslim identity is debateable, and the way in which it is defined and experienced among Muslim minorities varies considerably, in general there is an evolution of socio-ethnic stratification at a religious level, as in ethnic-Turkish movements like Milli Görüs. It is therefore unlikely that identity on ethno-national and/or ethno-religious grounds will diminish in importance in the future.<sup>34</sup> As in other European countries, Islam as a religion, but also as a collective identity is now part of the Belgian political space, upon which allochthones are mobilising. Following the headscarf controversy in Belgium (after France), certain Muslim women are claiming their right to symbolise their religious convictions publicly. Other examples are questions of a number of Muslims to take religious principles into account in public spaces, pertaining to practices such as fasting, praying and the segregation of the sexes through e.g., separate swimming lessons. Hence, gender issues feature

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<sup>33</sup> Herman De Ley (1999), De islam: thuis in Vlaanderen? In: *Ons Erfdeel*, 42<sup>E</sup> jrg., 3, 1999

<sup>34</sup> cfr. Timmerman, 2003.

prominently in the discourse that only a 'Flemish Islam' deserves to be financed by the government and in general the debate on the role of religion in the public domain. Away from all the media attention, the indirect effect is that other religious minorities are coming under pressure; c.f. Orthodox Jewish schools that have been unproblematically subsidised for decades are currently being pushed into acquiescing to co-education and the inclusion of education on sexuality and reproduction in their curriculum (p.c.).

Nevertheless, the headscarf controversy (see further) has revitalised the debate on the neutrality of the state in the religious domain, exemplified in publications such as that by the chairman of the Flemish socialist party *Different Belief. Towards an Active Pluralism in Flanders*, aiming to put the topic of 'belief' back onto the agenda (Stevaert, 2005).<sup>35</sup> Currently being discussed are issues such as what state neutrality might actually mean for civil servants, and whether one may wear religious signs. The principle of neutrality as such is not at stake, but rather how it should be applied: by the inclusion of differences, or conversely, through their neutralisation. (C.I.D., 2005: 56-58).

## 5. Gender Issues in the Debate on Multiculturalism

Some of the developments described above such as the shift in policies to 'obligatory citizenisation' and the ever growing success of extreme right, indicate a more general move to the right on the issue of cultural diversity. As elsewhere in the western world since 9/11, and particularly since some riots and the repressive reaction to and mediatization of leaders of the Arab European League in Antwerp, an identity movement popular among Muslim youth (both women and men) in Flanders, the 'failure of multiculturalism' kind of rhetoric has been amplified.

The leader of the AEL, Dyab Abou Jah Jah, was detained after being accused of provoking riots in the streets of Antwerp after the murder of a Muslim man in 2002. Abou Jah Jah and his movement was consequently heavily 'dyabolised' by both politicians and in the media as dangerous fundamentalist, often referring to the leader's presumed statements on the position of women and LGBs according to Islam. This kind of essentialist discourse in that 'Islam' would not be compatible with 'Western' values and democracy, in which the language of gender equality

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<sup>35</sup> According to Stevaert the headscarf debate illustrates that Weltanschauung and religion are clearly part of the public sphere, and should not necessarily be treated as solely private affairs. Precisely the latter attitude has contributed to the banishment of speaking about values and convictions from the public sphere and has resulted in cramped reactions. As opposed to passive tolerance of different convictions, the separation between the church and the state should be understood as active pluralism characterised by "an open curious attitude of really getting to know one another. Differences become the norm and mean an enrichment of society. We are have all become a minority. It comes down to forming a majority together." (Stevaert, 2005)



is applied, has become capitalised and by now commonplace for a range of political parties, from the extreme right Flemish Concern to the more liberal, and sometimes even left-wing in government. Symptomatic of this type of ‘colonial feminist rhetoric’ is that it is mostly employed by those (white, male) who have not particularly been known as otherwise supportive of feminist issues.

Whereas gender issues had not previously received any substantial attention in media and political debate on minorities and multiculturalism, this ultimately changed dramatically due to the impact of developments in neighbouring countries France and the Netherlands, particularly with the so-called ‘headscarf controversy’ that dominated Belgian political and public debate in the second half of 2003 and first half of 2004.

*Forced veiling is unacceptable*

Similar to other European countries, throughout the late eighties and nineties most often at the local level there had been various spurs of headscarf controversies, discussion and law cases on the wearing of headscarves at schools, or for example on passport photos. However, the more recent controversies that have brought the topic of gender equality and culture diversity to the forefront of media and political debate in Belgium, followed the extensive reporting on the findings of the French parliamentary commission ‘Stasi’ in November 2003, and the likelihood of a bill on the ban against ‘ostentatious’ religious symbols in public schools. Politicians began to take a stand such as when the leader of the Walloon liberal party (ML) launched the idea of a general roundtable with all the democratic parties on ‘common rights and values,’ for the purpose of a charter that may lead to later legislation. He is to have claimed that although inspired by the French debate on *laïcité*, the roundtable should not focus on merely the question of religious symbols, nor anything like a ban on headscarves in particular, Belgium having a more ‘liberal tradition’ on such matters than France. However, as in France, the potential conflict between such values such as freedom of religion, gender equality, tolerance and both Islamic and right-wing extremisms were topics that were thought should be seriously discussed.

Whereas various intellectuals and politicians called not to limit any discussion on interculturalism to the headscarf, by the beginning of 2004, a number of senators from the Walloon socialist and liberal parties had offered a resolution on banning the headscarf at schools and public buildings following the French bill. The socialist (French-speaking) Minister of Integration and Equal Opportunities, Mrs. Maria Arena, reacted with dismay in the press about the proposal and she launched a methodology for an ‘intercultural dialogue,’ consisting of four

workgroups - on the separation between church and state, gender equality, the organization of intercultural society and on developing a code for good practice. The dialogue promised to result in a report that may serve for policy measures – eventually not presented until May 2005. Nevertheless, the peak of the headscarf debate in Flanders was to follow the publication of the essay “Forced veiling is unacceptable” by Patrick Dewael (2004), the liberal vice prime-minister and minister of Internal Affairs of the federal government, which was published simultaneously in main French and Dutch-language newspapers on January 10<sup>th</sup>.

Dewael’s rhetoric in his statement on the headscarf was utterly reminiscent of the kind of colonial and postcolonial paternalistic unveiling rhetoric, in which the white man proclaims to be the liberator, savior or protector of the poor ‘oppressed’ native Muslim woman, dating back to colonial times (cf Ahmed 1992), or what Abu-Lughod (2002) calls the ‘obsession with the plight of Muslim women,’ that has intensified since 9/11 in a multiplicity of contexts, ranging from the ‘war on terror’ (US justification for military intervention in Afghanistan) to the ‘failure of multiculturalism’ debates in West-European countries.

In his essay “Forced veiling is unacceptable,” Dewael (2004) draws attention to the ‘limits of tolerance,’ in which the rights of minorities to practice their culture and religion, should not override the fundamental principles such as the separation of state and religion and that of equality between men and women, and finally, the rights of the individual. According to Dewael, although groups demanding for their freedom of religion defend the ‘right’ of Muslim women to wear the headscarf, in practice this would often come down to the “implicit acceptance of the order by Muslim men that their women must be veiled.” The author concurs with Chirac’s claim that “the degree of civilization depends on the position of women in that society” and consequently any kind of forced veiling is unacceptable in as much as forced marriages, sexual mutilation and polygamy. Although it is noted that one “should respect those that veil voluntarily,” the “true motives of those enforcing the veil must be unmasked” and “through the law we must protect those who need our protection.” This essay unleashed a host of responses, and almost daily the newspapers had their special rubrics on the so-called ‘veil debate.’

Noticeable of course is the way Dewael rhetorically links the headscarf to practices such as sexual mutilation, forced marriages, gang rape, and so on. What is especially interesting is that he draws on (non-academic) publications by Muslim women ‘in their own voices’ who have ‘cast off the veil.’<sup>36</sup>

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<sup>36</sup> Most of these references are French publications, such as the personal account of, for example, Samira Bellil who was gang raped for not veiling, or sociologist Hélène Orain who assembled the stories of young women of the *cités*, claiming that ‘traditional’ practices such as ‘religious cutting’, polygamy, forced marriages and the ‘virginity cult’ are on the rise. Fadéla Amara’s – who also testified in the Stasi commission and signed the *Elle* petition - book *Ni putes*,

Dewael also refers to the Iranian writer Chahdortt Djavann, whose essay *Bas les voiles!* was translated into Dutch from French the following month. In the mean time Djavann has been interviewed in many a journal and on prime time TV. Her basic view is that any kind of veiling would symbolize the status of women as ‘sex objects’ and ‘potential sinners,’ and that those Muslim girls in the French bidonvilles would merely be veiling out of protection against male sexual aggression. Another ‘liberated’ secular Muslim woman’s voice that the author refers to is that of Ayaan Hirsi Ali.<sup>37</sup> Hirsi Ali gained much public attention with her sharp critique of ‘Islam,’ as what she perceives to be *the* central factor accounting for the problem of the integration of minorities in the Netherlands (Hirsi Ali 2002). Before she was – once more - forced into hiding after a series of death threats, among which that following the murder of the director Theo van Gogh in November 2004, for which she wrote the script for the film *Submission*, Hirsi Ali had become increasingly popular among the right-wing faction of Flemish liberal politicians (mostly male) and was often invited for speeches in those contexts.

In the current headscarf controversies a (false) ideology of feminism as the mark of western civilization is strategically being co-opted in a colonial ‘phallic’ discourse that pits any form of gender justice against cultural pluralism. At worst it has contributed to an essentialist colonial discourse on Islam as inherently oppressive to women and irreconcilable with western values, whereas discussion takes place ‘over the heads’ of the actual women concerned. In general, these debates can be contextualised within a broader debate on citizenship and the definition of national/regional identity opposed to other European countries on cultural and religious pluralism with the Belgian-nation state. Thus a headscarf ban such as in secular-republican France has not been issued due to, among others, the specificity of state-church relations, a traditional ideology of ‘active pluralism’ due to the history of ‘pillarization’ and refracted school system. In practice, however, this debate has resulted in increasing islamophobia, with schools, e.g., increasingly issuing their own bans. A number of (young) Muslim women whose voices were often ignored in the media and in political debate are organizing themselves and seriously concerned about the way the controversy is affecting the reality of their daily lives as Belgian ‘emancipated’ citizens.

*Naïma Amzil: the role model of integration?*

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*ni soumises* is also mentioned, which was named after an organization that opposes the veil, following a protest movement on 8 March 2003 in which 30,000 women protested against oppression in Paris.

<sup>37</sup> Hirsi Ali, a Somali refugee, fled from an arranged marriage, and ended up in the Netherlands where she was later to obtain a degree in political sciences. She initially worked for the Dutch socialist party.

After the heightened conflicts in the Netherlands following the murder of the film director Theo van Gogh, a few death threats were mediatized in Belgium (Flanders), resulting in a somewhat different effect in the wake of the headscarf controversy on the formation of public opinion. The ‘allochthonous’ female politician Mimount Bousakla (Senator for the Flemish socialists), had already been harassed earlier for what was perceived as her assimilationist policy views, presumably by male members of the AEL. After her warnings for similar fundamentalist tendencies in Belgium, and her public opposition to forced and bogus marriages, Bousakla received a death threat, which afterwards turned out to be a prank by a converted Muslim ‘autochthone’. Far more serious were the anonymous written death threats against the West-Flemish owner of a delicatessen company and factory, forcing one of his west Flemish speaking Moroccan employees to remove her headscarf. The owner refused to succumb to these threats in defence of his excellent employee, who in the press, - despite her headscarf - by the broad public (through petitions, etc), government and by the King was heralded as a kind of model of integration.<sup>38</sup> Incidents such as these so far, appear to have prevented the escalation of the ‘multicultural drama’ as was the case in the Netherlands.<sup>39</sup>

Nevertheless, there has been a (temporary?) resurgence of racist incidents (towards synagogues, mosques and refugee centres), and European statistics point to high levels of ethnocentrism and racism among many Belgians. Finally, the vote for the Flemish Concern does not seem to be waning, yet as of yet the ‘cordon sanitair’ seems to remain in place, forcing the vast majority of the other major parties – at least rhetorically – to repeatedly take a stand on the meanings of tolerance and democracy.

The ‘colonial feminist’ stance on the headscarf/veil and presumed oppression of Muslim women that has been co-opted by many a liberal (mostly male) politician, did have the effect of ‘sensational’ conflicts between gender equality and cultural diversity such as forced marriages suddenly receiving much public attention. The media often plays into such stereotyping, such as in human-interest programmes (portraying witnesses of forced marriages) and in the ‘culturalization’ of domestic violence and ‘family dramas’.

More nuanced views from the centre (Christian-democrats) and left (Social Democrats, social & national liberals (Spirit), Greens,) have attempted to counteract the intertwining of cultural and gender stereotyping through initiatives such as intercultural dialogue, whereas a

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<sup>38</sup> Earlier in 1996, the older sister of the murdered Moroccan girl Loubna Benhaïssa, a young Muslim women wearing a head scarf, was able to calm down a hysterical popular mass in front of the court of justice in Brussels, ready to attack the Belgian justice institutions. In the midst of the breaking out of the so-called Dutroux-crisis, the family Benhaïssa was widely appreciated for its reaction as a symbol of dignity and democracy.

<sup>39</sup> In the present police inquiries, the consecutive threats seem to have come from inside the company (a jealous husband of another employee), thus motivated by personal reasons rather than a fanatic anti-racist move.

number of (women) politicians from allochthonous backgrounds and those in government supported organizations have attempted to take more fruitful initiatives concerning the precarious status of many allochthonous women beyond the media hype. The following section will take note of the history and some of the recent actions towards women, minorities and minority women in particular at policy level.

## 6. Policies in gender quality and cultural diversity

As in many other West-European countries, several milestones in the emancipation and equality of women have been gained since the first and second wave in state of Belgium where gender equality is embedded in the constitution and in law. In recent decades the position of women has ameliorated considerably in matters such as (higher) education, work, and political representation, although, as elsewhere, there is still a lot to be done.<sup>40</sup> As stated in a recent Human Rights report, nevertheless, the Belgian governments(s) has actively held campaign for the integration of women on all levels of decision making. In 2002 the parliament ratified a law that as many women as men must be on the election lists of regional and federal elections. In 2003, Belgium was also the second country after the Netherlands to legalise same-sex marriage.

Current equal opportunities policies in Belgium are implemented at both the federal and the community level and are defined both horizontally (gender mainstreaming in all department policies) and vertically (specific measures for achieving gender equality). Nominally, besides women, allochthones, disabled people and LGBs also come under equal opportunities policy.

### *Gender Equality Policy at the National Level*

Usually under international impulses, such as the UN conferences on women, various emancipation policies were introduced in the seventies in Belgium. However, the process of federalisation has also left footmarks in the women's movement and in its equal opportunity policies, which also partly became regional prerogatives.<sup>41</sup> In 1985 nevertheless, a secretary of

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<sup>40</sup> In 2002 the average bruto-income of women was 85% of the average national income. Almost 51% of women of working ages (15 to 60) had a paid job, of which 36,8 percent worked part time. For example, whereas more women attain university degrees than men, they are still considerably underrepresented in professorships, as at management level in many professions. Additionally, there is a 'feminisation' of poverty taking place, an increase in the number of homeless women and violence against women is ubiquitous.

<sup>41</sup> Whilst the first feminist wave can be characterised as mostly a 'Belgian' affair, the second wave became 'communaauratised', with, for instance a Flemish 'Dolle Mina-movement', in the tracks of the Netherlands (in the seventies) and an autonomous French speaking 'Marie Mineur' as its counterpart. However, the great traditional political (CVP, SP, PVV) and the pillarised women's associations (KAV; SVV) remained for some time united in the 'National Women Council'. At the mean time this Council also split into a Flemish and a Walloon Women's Council.

state for social emancipation, for the first time explicitly in charge of equal opportunity policies for men and women, was appointed at the national level. For the first time in Belgian history, the issue of women's emancipation was institutionally recognized as an official policy domain. Thus whereas women's emancipation obviously has a longer historical tradition as compared to that of immigrants in Belgium, equal opportunity policies (1985) and integration policies (1989) took their official start almost at the same time. In 1991 the tasks of the secretary of state for social emancipation were redirected to an equal opportunities policy within the ministry of employment, and 2002 to the ministry of civil servant policies, social integration, city policies and equal opportunities. Whereas equal opportunity policies can be considered as very successful regarding the representation of women in Belgian politics, they may have put a brake on the political 'break-through' of male immigrants.<sup>42</sup>

Today, at the federal level there are also political organs such as an Advice Committee of Equal Opportunities in the Senate and at the advisory and administrative level the Institute for the Equality between Women and Men (erected in 2002 and only recently working). The Institute serves both the government and the civilian population and is in charge of monitoring the principle of equality and any form of sex discrimination. It also works out strategies on gender mainstreaming in the field of employment, decision-making and domestic violence (cf. the national action plan against 'partner violence' 2004-2007<sup>43</sup>). The Institute also recently acquired the right to assist victims of sex discrimination in court.

The general philosophy of national policies in gender equality and the Institute in particular is that of 'gender mainstreaming', such as a recent initiative to 'mainstream' civil servant careers (both gender and cultural diversity). Other recent initiatives include a follow-up of the Beijing +10 recommendations.

As for the position of minority women, last year the Institute ordered a study on the headscarf problem, in order to be able to 'take a stand on this issue' (p.c.). Although the Institute is wary of categorization in its mainstreaming and inclusive approach, it has also ordered an exploratory study on gender and migration (2005), aimed at drafting an instrument guide on the specific difficulties of minority women (and to a lesser extent men), yet in accordance with the

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<sup>42</sup> Progressive political parties clearly preferred to put 'allochthonous' women on their list, for this allowed to satisfy simultaneously the legal requirement on the representation of women on the party list, and to show a progressive attitude towards the so-called 'migrant issue'. The appointment of 'young, highly educated, formerly politically non-active, allochthonous women' invoked some frustrations within the (male) migrant population as for example reflected in accusations of so-called 'Bimbo-politics'.

<sup>43</sup> The national action plan against 'partner violence' 2004-2007 was introduced, seeing the vast numbers of women suffering domestic violence. The plan focuses on strategies such as sensibilisation, education, prevention, reception of victims, punishment and evaluation of outcomes. Laws like the right of police to enter a house to investigate domestic violence without the permission of the head of household appear not to be applied in practice. The plan includes building on statistics such as rape within marriage and punishments, of which the figures are hereto unknown.

Institute's own priorities, implying a kind of 'mainstreaming cultural diversity within gender mainstreaming'

At the federal level other policies aimed at the status of minority women have involved the finalisation of the International Private Law (problem of repudiation) and sensibilisation surrounding the Moudawana (the reform of Moroccan family law and repercussions thereof for Moroccan women in Belgium). Finally, since the general climate in which the so-called oppression of Muslim women has been problematized, the issue of forced and bogus marriages was put on the agenda in late 2004. A law has been proposed making bogus marriages punishable by taking away Belgian nationality for those that have become Belgian through marriage. A data bank will be set up, in order for municipal governments to seek out whether bogus marriages had previously been applied for in another town. Who marries a Belgian, would only gain a definitive residence permit after three years.

#### *Gender Equality Policy at the Community Levels*

In Flanders, a minister for Equal Opportunities was appointed just before the Beijing conference in 1995.<sup>44</sup> Whereas minority women were practically invisible in the previous legislature (which focused on issues such as parity or the equal political representation of women on the one hand and the emancipation of minorities on the other), the newly appointed Flemish minister of Equal Opportunities sets out in her policy letter (2004-2009) in the language of a transversal equal opportunities approach and in applying intersectional terminology, to completely prioritise the emancipation of allochthonous (in particular Muslim) women, next to 'the emancipation of men', and achieving equality for LGBs, single mothers, low-income and older women. Characteristic for the greater part of gender equity philosophy and policy in general, is the underlying idea that for the vast majority of autochthonous women emancipation and equality has already been achieved.

The same minister is currently approaching Muslim women's secular and religious (self) organizations (that had hereto been ignored, especially by those supposedly so concerned with Muslim women's status during the headscarf debate), and entertaining the route of Islam as a means to emancipation for Muslim women. This appears as a striking move in the context of a secular democracy, and especially in a climate in which the place of religion in the public sphere and the relationship between religion and politics are being debated anew. The cabinet is currently approaching Muslim women's organizations through 'living room conversations' in

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<sup>44</sup> Whereas the previous ministry also included welfare and health, the current Equal Opportunities minister also presides over Transport and Social Economy.

order to start up a dialogue that may lead to concrete actions. Recently, for example, this included an invitation to the play ‘The Veiled Monologues’ followed by discussion between the organizations, the Minister and the director and actors of the play. A number of Muslim women walked out during the play and afterwards much critique was launched at the Minister for the way such initiatives only contribute to the portrayal of Muslim women in an orientalist and ‘sexualized’ manner, whilst Muslim men are portrayed as oppressors. Grass root organizations have also critiqued the way ‘art’ is being used to deal with what they perceive to be ‘political’ problems (referring to discrimination in education and employment).

In Wallonia the Ministry of Social Action, Health and Equal Opportunities has prioritised the following issues after taking stock of Beijing+10: domestic violence, social housing for battered women, parity on communal and regional election lists, and practical and institutional support for (the mostly female) caretakers of the aged and disabled. Finally, the current minister plans to combat sexism in education and employment, with particular attention to immigrant women and women from foreign backgrounds.<sup>45</sup>

As noted earlier, at the initiative of the then federal Minister of Integration and Equal Opportunities, at the height of the headscarf controversies, on 23 February 2004 a Commission for Intercultural Dialogue was erected in order to attain the present status of ‘interculturality’ in Belgium (CID, 2005). Four themes were elected: citizenship, gender equality, the role of religion in a neutral society, and the functioning of public services. After hearings with more than a hundred organizations and experts on interculturality, the commission drafted a report and some 100 recommendations and suggestions. The end rapport was published in May 2005. The rapport is a worthy exercise in rethinking the role of cultural diversity in a universalist, democratic, anti-assimilationist and essentialist understanding of citizenship, culture and identity in the Belgian nation-state.<sup>46</sup> Noteworthy is also the way the report stresses gender equality and cultural diversity

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<sup>45</sup> The Direction for Equal Opportunities of the French-Walloon government broadened its notion of equality beyond that of equality between women and men in 1999. Among its actions has been the development of pedagogical material on the status of women in secondary education, the support of projects pertaining to combating violence against women, and the representation of women in local politics. In 2004 the government ordered an exploratory study on forced marriages in the French-speaking community in order to offer suggestions on prevention and aid to both female and male victims of the practice.

<sup>46</sup> The report warns for the ‘import’ of models such as the English communitarian and the French individualist model into the Belgian state. On almost every topic special - if brief - attention is given to the position of minority women (e.g., problems in personal law status, lack of attention to the precarious situation of female newcomers). Although the report does not pretend to find consensus and reports on a diversity of opinions, it is emphasised that the headscarf dispute should be seen as but one topic and a ‘symptom’ of deeper issues, it containing a multiplicity of meanings and possibly the subject of endless dispute. Nevertheless, it appears in the report that no definitive stand can be taken on issues such as the meaning of neutrality, including the wearing of religious symbols in the public sphere (whether at schools, as civil servants, etc) The large appendix includes various ‘testimonies’ extracted from the hearings, a large number of which deals directly with issues of gender equality and cultural diversity, ranging from testimonies on the oppression of minority women, an increase of fundamentalism, to the anti-colonial stance by Belgian pro-hijab organizations. However, to a much lesser extent are proposals made for concrete action.



as a main agenda issue, although it remains to be seen what will be the practical effects of this exercise, let alone how many civilians will take note or be inspired by the report (There is also an official website with public forums). Some grass roots organizations have complained that the level of dialogue has been limited to ‘academic’ experts rather than ‘ordinary’ people or experience-experts.

### *Minority policies*

The Flemish strategic plan for a minorities policy 2004-2010 ‘Living together in Diversity: Emphasizing Shared Citizenship and Equal Opportunities in Colourful Flanders’, similarly testifies to a kind of inclusive approach in the present multiculturalism debate at the level of policy rhetoric in which respect for cultural diversity is tied to non-negotiable values. The traditional policy of emancipation of the allochthones and the reception of newcomers is redirected to combat discrimination among the whole population (particularly in employment and education). Yet it is emphasised that this must be based upon the fundamental shared values, of an open, tolerant, democratic society such as ‘the respect for the human dignity and the realization of civil rights, the equality of every person, especially the equality of man and woman, the mutual acknowledgement and respect for the other..., the separation of church and state’. Shared citizenship also refers to ‘the necessity of social cohesion in a diverse society, and appeals to the citizens for taking on their personal and social responsibility’.

This kind of discourse in which gender equality and cultural diversity is emphasised, not practically problematized, also characterises the current Flemish policy on ‘citizenisation’. For during the present legislation (2004-2009) for the first time in Flanders a Minister has been appointed for ‘citizenization’ policy. Next to a strategy of the citizenization of ‘newcomers’, (again with a primary focus on language acquisition), in the minister’s policy declaration, the liberal tenets of the forthcoming plans are clear, with individual responsibility (‘active citizenship’) being foregrounded, next to an emphasis on the separation between religion and the state, gender equality, and ‘respect for ethnic-cultural diversity’.

These policy proposals do therefore not contain any specific actions towards the position of minority women, which remains the prerogative of more locally (subsidized) organizations. One specific organization aimed at the empowerment of minority women, supported by the Flemish government, can be mentioned here. In 1991 the afore-mentioned Royal Commissioner for Migrants Policy Paula D’Hondt took the initiative of the organisation of a ‘Forum for Migrant Women’. In 1998 a follow-up took place at the initiative of the Flemish minister for Brussels

affairs and equal opportunities Brigitte Grouwels and the Intercultural Centre for Migrants, resulting in the erection of SAMV, or the Support Point for Allochthonous Girls and Women in 1999.

The Support Point aims to provide both support and guidance for all kinds of allochthonous women's and girl's organizations throughout Flanders in view of their emancipation and participation in society. Although understaffed and of limited resources, in the past five years, for Brussels and Flanders, SAMV has managed to provide feedback, education and guide numerous grassroots minority women's organizations. Precariously negotiating between and on behalf of the diversity and problematic of the 'double emancipation' and 'mixed loyalties', among allochthonous women, SAMV's starting point is an emancipatory agenda in which there is room for both gender as well as ethnic or cultural diversity (see [www.samv.be](http://www.samv.be); Coene & Longman, 2005: 129-138).

Beyond and against the media hype, SAMV's activities also include networking between organisations, working on perception through debates and press conferences. (e.g., information and street discussions on marriage and divorce law in Belgium and Morocco, information on forced marriages, press conferences and debates on the headscarf, Islam, actions against racism and sexism in politics, etc.). However, - and due to both the lack of resources and official policy - their focus has predominantly been on allochthonous women of Turkish and Moroccan backgrounds, whereas the needs of other newcomers such as black-African, Latin-American and East European women receive only limited attention. Let alone is the status and position of women in highly isolationist communities such as the (strictly) Orthodox Jewish community of Antwerp ever matter of either public or policy debate (Longman, 2005).

## **7. Concluding Note**

At the both federal and community levels, despite noble intentions and with some exceptions, policies in either gender equality (gender mainstreaming) or policies at combating racism, and directed at the emancipation of minorities in general have hardly dealt with gender equality and cultural diversity at a *practical* level. However, the recent media and political rhetoric on the status of minority - predominantly Muslim - women has put some 'hot topics' on to the political agenda such as the headscarf debate (religious symbols in the public sphere), and increased stringency in law pertaining to forced and bogus marriages. Furthermore, the focus in both popular and policy discourse has been extremely one-sided in its focus on women among Muslim minorities in Belgium, without problematising, and therefore also neglecting issues concerning the status of

women in other minority groups that make up the great cultural and national diversity within the country.

And even then, it remains to be seen if this ‘current interest’ for the position of Muslim women will lead to more concrete actions on less ‘sensationalist’ issues (for which a modest start is made in initiatives such as the Intercultural Dialogue and the by the current Flemish Minister for Equal Opportunities), or whether ‘other women’s bodies’ will merely continue to be deployed at the more ideological level (in view of electoral gains, or over the definition of identity and belonging), which by no means necessarily will have any emancipatory effects for the women involved. At the same time, and especially in reaction to the popular discourse on Muslim women since the headscarf affair, throughout Belgium existing and new allochthonous women’s organizations are highly active into networking, some of which are currently even in debate with the more traditional autochthonous feminist or women’s organizations. Only the future will tell whether there will be any effect of this important critical activity in more positively ‘diversifying’ current mainstream perceptions, debates and policies on gender equality and cultural diversity in the complexity of Belgium as an already highly diversified nation state.