How institutional innovation leads towards unbalanced local power relations:

The direct election of mayors in Flanders (Belgium)

To be presented at the ECPR Joint Sessions
Workshop 6: Institutional Innovation in Local Democracy
Turin, Italy, 22-27 March 2002

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(feb 2002)
I. Introduction

The dominant question of the direct election of mayors, in Flanders and elsewhere, is the result of the intersection of two tendencies: the search for what is described as ‘political innovation’ and the use of the local level as a test laboratory or the most suitable platform for some of the suggested measures.\(^1\) As research has shown, the municipality is the administrative level with which citizens have the closest contact. It serves as a kind of ‘access gate’ to the whole body of authorities: “the search for remedies to restore confidence in policy gives rise to new lyrics on the administrative level at which ‘direct dialogue and direct result still have real chances” (De Rynck, Suykens, 1994:66). In other words, the local level is deemed essential for the citizen’s appreciation, or its absence, of policy, democracy, etc.. According to this vision, the legitimacy of the political system depends to a great extent on the citizen’s experiences with the local level. One should not be surprised that institutional changes of the political system aim at the local level.

In several EU countries, remarkable changes in the political management of local authorities are now taking place. In different countries with different political systems and cultures, for a variety of reasons, the management of local democracy is a popular theme in political debates (e.g. UK, the Netherlands). Therefore, whatever happens in Belgium is no unique experience.

The ongoing search – since more than a decade – for ‘political innovation’ in Belgium is usually translated in the search for ‘institutional reforms’ and is based on an analysis and a dominant feeling that there is something wrong with our representative non-majoritarian multi-party consociational democracy. Famous in Belgium is ‘the gap between citizens and politics’ or ‘the signal of the voters’ that indicates a crisis of the legitimacy of the Belgian political system. In order to meet this criticism, politicians usually adjust some institutional variables of the representative democracy. Apparently, some politicians understood what for many is still beset with obscurity, in spite of all kinds of examinations and analyses: the causes of the (European?) crisis of the legitimacy of representative democracy.\(^2\)

The direct election of mayors in Flanders is only one part of the continuous and general search for ‘political innovation’ (including referenda, abolishment of compulsory voting, shift of the vote districts. Since this specific institutional innovation is assumed to meet the sighs of a large part of the population, it is assumed that the direct election of mayors will make disappear a part of the citizens’ displeasure, for which evidence is found in the electoral success of the extreme right and racist party ‘Vlaams Blok’. To our opinion, the direct election is a matter of ‘kurieren am Symptom’. The direct election, or some of the

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\(^1\) In his federal policy declaration made on the occasion of the opening of the 1999-2000 parliamentary term on 12 October 1999, Belgium Prime Minister Verhofstadt said that special initiatives will be taken for a better representation in the decision-making process. He refers explicitly to the municipal elections as ‘important milestones’.

\(^2\) According to Buelens, it is not clear what these innovations could be an answer to. Buelens declares that all expectations can be reduced to two major expectations: the demand for more efficiency and quality in policy, and on the other hand a sigh for more participation and openness. “As far as the answer to this is concerned, in its current form, we can be clear: it is not new, it is certainly politics and it does not change much as to political culture.” (Buelens, 2000: 4)
other measures concerned, do not imply ‘real’ innovations that may lead to profound changes of the political system. Advocates, however, regard the direct election of mayors as an appropriate means to bring the citizens closer to the administration. It is believed that the direct election increases citizens’ participation, strengthening the legitimacy of Belgian democracy. The direct election, it is said, also links on to a fundamental development of our political system, apart from the increasing impact of local administrations: the shift of power from the legislative to the executive.³

Since the approval, in the Belgian Federal Parliament, of the recent phase (2001) of the state reform – the “Lambermont Agreement” – the provincial and municipal legislation and the local electoral legislation became a regional matter. On 1 January 2002, the three regions of Belgium – the Flemish, Brussels and Walloon Region – will be the competent authorities in the matter of the direct election of mayors. Therefore, we cannot discuss the direct election of mayors in Belgium because Regions will probably go their own way. The general expectation is that, as far as the Flemish mayors are concerned, the Flemish Government will introduce the direct election of mayors in 2006, at the time of the next local elections. In the Brussels Region, the situation is unclear, in the Walloon Region, the signals only allow the conclusion that the debate is still in its earliest phase. In Flanders, the Flemish Government principally agreed to introduce the direct election, without an agreement on the precise and concrete implementation: they don’t know how to do it.

In this article, we deal with the direct election of mayors in Flanders. In the first section, we will go into some general and critical considerations regarding political innovation. In the next section, the comments will be directed to the direct election of mayors in a system with the tradition of indirect – not by the people but by their representatives in the Council – election. In section four, we explain and comment the empirical results of a modest simulation. We look into the question, with the necessary nuances, whether the introduction of the direct election of mayors is ‘worthwhile’: will it lead to other candidates becoming mayor? Some conclusions are drawn in section five.

II. Some General Considerations Concerning ‘Political Innovation’.

When ‘democracy’ and ‘politics’ (which are often regarded as interchangeable) are discussed, the conventional wisdom is rather biased. The fact that it is rather easy to present the main basic ideas of popular perception of politics and democracy is quite significant. Willem Witteveen (2000) says with reason that one of the most striking characteristics of a democratic society is that the political knowledge of its citizens is limited, whereas the democratic ideal implies that they must be very well informed. Furthermore, the number of citizens considering politics to be of low importance is increasing (Dobelaere, Elchardus, Kerkhofs, Voyé, Bawin-Legros, 2000). Generally speaking, voters do not always have a proper and correct idea of how politics works.

³ According to Suykens, it is the refinement of the local democracy which must offer an answer to the finding that “the system suffers from incredibility as a result of too extreme a change of power towards the executive bodies (inter alia the Board of Mayor and Aldermen). The improvement of the democratic contents of the existing representative democracy has to do with the revaluation of the municipal council as a decision-making body with regard to the Board of Mayor and Aldermen, with the revaluation of the role of the individual council member (inter alia a better right to inspect documents, more control possibilities) and with the valorization of the civil servants in their policy preparing jobs.” (Suykens 1988: 602)
Because of the complexity of politics citizens find themselves less involved. They are no longer able to play their essential role in the political system. Many frustrated citizens turn their backs to the political system. According to some politicians, these people should be entitled to withdraw from the system. Some changes of the institutional architecture of the Belgian political system are precisely proposed to facilitate this opting out, such as the abolition of compulsory voting.

The languishing involvement of citizens is said to weaken the sense of responsibility leading to the absence of an ‘actual political will’. The legitimacy of politics and politicians crumbles away: decisions are no longer deemed acceptable on the basis of their political nature. Many citizens feel to have less hold over politics. In such circumstances politics can hardly be interpreted as ‘the will of the people’. Therefore, the representative democracy is deemed to be no longer representative. According to some politicians and political scientists this is due to the malfunctioning of representative techniques.

For all this, so it seems, solutions are available: (a discourse of) political innovation. According to this thesis, a number of institutional changes of the political system may counter part of the above criticism. They are designed to give voters the – false? – feeling that these innovations enable them to control politics more and better than before. The direct election, in particular of the powerful, such as members and heads of the executive, is one of those measures believed to increase democratic control. Dewachter (2000) mentioned with reason that many analyses have shown that in general the ‘executive body’ is more powerful than the ‘legislative power’, whether it is called government, governor and deputation or mayors and aldermen in relation to the Chamber of Representatives and Senate, provincial or municipal council: “Anyone who keeps track of the decision making will feel uncomfortable with the term ‘executive power’. There is undoubtedly a lot of execution, but such institutions do a lot more: determination of priorities, agenda determination, draft solution and pushing through of solutions to have them realized or carried out in the field. But in spite of such perception and daily experience, politicians keep on swearing irreputably by the ‘parliamentary model’. This means that only councils are elected. As if there has been no significant change and progress of polyarchy for 200 years.”(Dewachter 2000: 23)

But if the direct election of the mayor is represented as a medicine – almost as a panacea? – some considerations and remarks on the clinical picture are recommendable. However, an analysis of the causes of the illness in question, provided that they can be diagnosed, would lead us too far from the subject of this contribution. We focus our attention on the possibility that the prescribed medicine functions as a placebo, a (functional?) instrument leaving the patient to think that the doctor did the right thing.

According to Blommaert (2000), the new representation of politics links on to the urge of politicians to be closer to the citizens and therefore to re-represent themselves otherwise. The politicians created a new picture in which elements of their personalities, characters and private lives could be included in the citizens’ stories (Blommaert 1998). His central thesis reads as follows: “In the nineties, politics were represented in a different way, concentrated around pictures of direct participation and direct democracy. (…) Also important is the influence of marketing and management elements on pictures of new and more efficient politics. The emphasis on direct democracy and marketing has become a
dominant element in almost any innovative attempt of political parties in the course of the nineties.” (Blommaert 2000:17)

Aside, the increasing popularity of forms of a more direct democracy and political innovation should not be explained of course from a vacuum. The increasing success of efficient and new politics in which the citizens would have ‘once more’ the ‘final word’ and which had to constitute a ‘trend breach’ with former forms of underhand doings and arrangements above the heads of the citizens, fits into a broader economic, cultural and political context in which individualization (and personalization), the increasing importance of personal responsibility (for success and failure) and the corresponding discourse of the ‘obligatory choice’ and risk-taking, the transition from a Keynesian welfare state to a Schumpeterian workfare state, deregulation (actually reregulation), liberalization and globalization are at the centre.

During the nineties, a remonstrance came about making a sharp distinction between ‘real’ and ‘false’ politics, associating past functioning of democracy with favours, corruption or sham politics. The dominant political culture of the nineties in which such ideas about political innovation grew, is one of neo-liberalism and efficiency: the political culture systematically tries to link up with pictures and images of efficient management, open communication and other elements expressing the hegemony of neo-liberal management culture. Politics is a company just like any other business. The consumer-voter determines the direction and success of the political business. Politics must create options and conditions in which the voter can choose. The customer is always right, democracy and efficiency are one and this new whole is modelled on an ideal offered by the world of free entrepreneurship. After all, the free market is said to be the perfect democracy in which the common man has the final word. Just as in the free market, freedom must reign: more democracy means more freedom, freedom to elect more officials than ever before.

So in the political system too, choice must be at the centre. If the legitimacy of the political system is under pressure, an increase in the number of choice possibilities is a recommended remedy. According to the dominant political culture and the related concepts, the ‘representative’ democracy is no longer sufficient. The direct election of those who have the final word in politics, the executive, is one of the major and most obvious instrumental changes by which politics and democracy are to be adjusted to a changed political and ideological context. An exclusive representative system, often associated with centralism and dirigisme, loses contact with its customers. These political innovators ask a lot of and suppose many things about their citizens. In their opinion, voters are free to think what they want, voters are able to form and express their own opinion and to translate it into political behaviour. However, former research has shown that there are many differences between voters, e.g. on the basis of class, education, sex or ethnic origin. Inequalities are still a structural feature in contemporary society and the belief that in discussions we are only led by the value of the advanced arguments is nothing more than an ideal worth pursuing. People are unequal and have unequal chances and possibilities to form and express their opinions. In other words, it is not correct to approach institutional provisions – such as the procedure for the appointment of a mayor – unilaterally, i.e. as obstacles for more participation, for more control. In the reigning and hegemonic ideological climate it is easier to devote oneself to forms of deinstitutionalisation, to get rid of institutional provisions squeezing themselves between people and power. Within the framework of institutional reform and simplification, the
direct designation of important representatives is advocated as ‘best practice’. Likewise (certain) decisions should be left to the public opinion through a referendum, preferably by means of simple questions.

It is no coincidence that the alternative opinion, according to which the guarantees offered by the existing institutional provisions (e.g. no direct election of mayors, no binding referendum, etc.) are deemed valuable, is considered as outmoded: the ‘Zeitgeist’ points in another direction. However, these provisions have a certain functionality, irrespective of the changing times. For instance, they serve to protect weak social groups and minorities, in that sense they strengthen democracy. After all, participation is more than the possibility to have a say about as many subjects as possible, to designate as many representatives as possible. The existing institutional provisions of our representative democracy could, in another ideological climate, also be understood as a kind of barrier against manipulation or unilateral influencing by certain parts of the public opinion or as a buffer against the increasing personalization of the political business. In other words, the existing determinations of our representative democracy can also be regarded as strengthening the fundamental civil right of participation. Their dismantling may not be represented unilaterally as an undeniable strengthening of democracy.

The issue at stake is the one-sidedness with which the political innovation on the one hand and the existing institutional determinations on the other are approached. The debate lacks valuable nuances and intellectual honesty. After all, politics is about more than the sum of votes. Politics means power, ideology, compromises, interests, agenda setting, deceit, etc. In addition, it is rather instructive to look over the national frontiers. The debate on political innovation is no typically Belgian phenomenon. In other countries too there are worries about the ‘signal’ or the ‘gap’ between citizens and politics. Apart from the possibility that this ‘gap’ was first invented at the top and that actually not so many overwhelming hard data on the threatened democracy can be found, this is a very important conclusion. After all, in other countries such as the Netherlands the electoral success of extreme right parties – the Belgian ‘proof’ of the crisis of democracy – is not determining as to the extent to which a crisis of politics or democracy is perceived.

We do not say, of course, that there is nothing wrong or that a debate on the functioning of democracy is superfluous. If politics are increasingly defined as problematic, than there is a problem. But, in our opinion, the solutions that are often suggested, are also problematic. Why is all attention almost permanently drawn to fiddling with some electoral procedures? If apart from institutional arrangements (or scores of the extreme right), several countries seriously worry about the functioning of democracy, the solution of this problem must not be looked for, at least not in the first place, in changing the institutional arrangements? Or is the main purpose that of giving an impression, creating an image, namely that measures are taken to fill up ‘the gap’, that efforts are made to meet the sighs of ‘the people’? In short, is the fiddling with the rules of the game not rather ‘kurieren am Symptom’?

A last critical consideration regarding political innovation relates to the question whether the ‘crisis of democracy’ gets an answer by these institutional measures. We therefore agree to what is said by Stouthuysen (1997:1), that one has to wonder “where such sudden willingness to administrative experimenting comes from. Why do so many people expect benefit of a new interpretation of the democratic order? What is the real problem they
want to be solved? All this is not very clear.” The so-called signal is not clear, what is more, it is unclear. Therefore, it is difficult to decide whether the suggested remedies are a solution to the problem. The fiddling with institutional arrangements is in certain sense a convenience solution. It is a popular, instant remedy that finds a suitable fertile soil in the present-day political and ideological climate. The introduction of these measures is often a safe and sometimes a little ambitious therapy: in the essence, they do not change the political business in a fundamental way. Strange, since the problem is deemed so fundamental. Probably, for some people the impression suffices that there are solutions (in the making) to cure the disease partly. In a certain sense, each contribution is useful, but when the problem cannot be clearly identified or when its causes are numerous and divergent, the solutions should be many-sided. In our opinion, the proposed institutional changes will be insufficient to work on the underlying trends in society that lead to a (perception of) crisis of democracy. Indeed, the direct election of a mayor increases the ‘bread and games’ content of politics and facilitates mediatizing and personalization, but is this where strengthening (local) democracy is about?

There is a great chance of course that those who raise such critical questions will be labelled as elitist complacent know-alls, as antidemocrats playing the card of the false and deceitful conspiracy politics in which all kinds of interest groups parasitized at the expense of the general interest. Today, the primate of the public opinion forms part of a new form of hegemonic ideology in which choice dominates and seems to be a condition for quality. It is increasingly less accepted that the public opinion is not right by definition and cannot decide on everything and everyone. Therefore, Deschouwer (1994:7) properly remarks that today “it is not easy indeed to draw the people’s attention to the possible consequences of the evident and often even beatific acceptance of the concept of freely voting citizen. In that case a more complicated and more subtle story will have to be told and such stories do not ‘sell’ very well. (...) However, one must dare to wonder whether a society can function anyway if it is composed of citizens who wish to vote as freely as possible.”

That every citizen must be enabled as much as possible to make his own free choices is evident. This links up with the idea that democracy is the maximum transfer of the decision making power in the hands of those to whom such decisions refer, to the counting of the votes, to the immediate interest of the common man. Behind all this there is a political vision.

However, this vision doesn’t always looks like one. Increasing autonomy and freedom of choice comes with the view that politics is like any other business, is something like a free market where ideas are confronted with each other and that the result of this confrontation is legitimate if it came about through a free and open procedure. According to this view on democracy and politics, many aspects stay outside politics, or outside the operation of the public office. Deschouwer (1998 : 8) is sharp in his denunciation of ‘the undiluted liberal democracy’, in particular when he writes that such democracy actually has no vision on politics: “All politics can be good, provided they have come about in a correct way. The ethical standards applied by a liberal democracy are applied to the procedure, the way in which the debate is conducted, the way in which decisions are taken. The citizens must be free and remain free. The result itself is not tested against the ethical standards. The

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4 According to Deschouwer (1994) it is easier to work for the maximization of participation, e.g. translated into the direct election of mayors than to formulate counterarguments. The former sounds modern, clear and simple, the latter old-fashioned, bombastic and complicated.
invisible hand is always right. Just like the economic result of a free market is always preferred, whatever its products, the democracy of a free citizen is always preferred, whatever its politics.”

Deschouwer (1994) contrasts the ‘procedural civil democracy of liberalism’ with what he defines as the ‘social-democratic vision on democracy’ and which regards democracy as a social project: democracy is not only a means but also an aim. It is more than a set of rules. It is a social obligation and it can, therefore, not be organized without taking the existing social entities in society into account. The point of departure of democracy is society, not its citizens. The citizens play a big and central role, but not isolated from the social texture. Democracy needs organisations and one should not give the impression that there are no organisations. A broad interpretation of democracy is based on a broad interpretation of politics. Voting is only a part of the consultation or decision making process. Participation that only consists of procedures, misses its aim. Not everyone is equally well informed, has enough time and is sufficiently handy.

Of course, advocates of measures of ‘political innovation’ will counter this by saying that they do not subscribe such simplified translation of liberal democracy. By this juxtaposition we only try to show that there is a normative and ideological framework behind the call for efficiency, choice and freedom for the citizens, that it is but one interpretation of participation. The ample meaning of political innovation of which the direct election of mayors is only a part and which must also be approached as such, is not merely one of more transparency, freedom, efficiency, participation, control or whatever.

III. Considerations on the Direct Election of Mayors in a Representative System.

So far, critical remarks on ‘political innovation’ came up for consideration. We will now concentrate on the direct election of mayors. As we said before, there is no convincing evidence that the suggested remedy will fundamentally cure the – according to those advocates – ‘fundamental’ problem of democracy. However, this does not imply that we have to do with innocent, effectless or marginal experiments. On the contrary, they could be harmful. Additional side-effects speak against their introduction.

A first cluster of remarks relates to the increasing personalization of Belgian politics to which a direct election contributes on the one hand, but of which it is also the resultant on the other. It can be taken for granted that parties will bring the most popular candidates to the foreground. In this context, Buelens (2000: 5) remarks that by emphasizing the fact of winning this electoral struggle, the programme and policy proposals may be banished to the background: “Laying the full weight with the voter as regards the designation of the candidates, increases the personal cult. (…) There is no reason to think that this would make the legitimacy of politics increase.” In this context, Stouthuysen (1997 : 16) refers to the ‘Americanization’ of politics: “So, new politics are the politics of enthusiastic personalities. You need not have studied to see the clear danger of this development. The new politicians will be crammed on the profiles that are doing well according to the opinion polls”. These statements were not addressed explicitly to the local policy makers.

Local politics will probably not be confronted with a flow and the increasing influence of all kinds of spin doctors. Their presence is not really required. The experts of the local matters, communication and power relations are to be found among the local politicians.
However, it is expected that even more than before, the programmes will experience fierce competition of the image, of the search for popularity of individual politicians. Today, the local level already has a series of singularities, a relatively higher extent of personalization of politics is only one of them. The question is whether the introduction of the direct election will have a major influence on the existing extent of personalization in local politics? The direct election of mayors will surely not weaken this evolution.

In addition, the direct election can be said to imply an adaptation of the existing political system to fundamental social tendencies, which refer \textit{inter alia} to de-ideologizing, postmodernism, fading of party limits\textsuperscript{5}, the increasing importance of the individual, pragmatism and image. The election of inspiring individuals who are in favour of a series of attitudes and a set of opinions – rather than a political struggle between a coherent and consequent whole of proposals held together by an explicitable reference framework – links up with a general social tendency. In addition, according to Daems (1998) “a directly elected mayor is not automatically a good mayor. After all, most people are not interested in long term visions or objective criteria when a mayor takes a decision. Populist measures and the rendering of services are better saleable. By this, I do not mean that populist measures are bad by definition.”

A second series of considerations relate to the disproportional strengthening of the mayor’s power position. This fear was put into words by Vermassen (1998): “(...) the direct election of mayors, the minister president of the regional governments and even the prime minister of the country (...) is said to be more democratic and to be better for the quality of such mandates. I doubt this very much. At first sight, a direct election seems to be more democratic. When considering this situation in detail, it seems obvious to me that a directly elected executive mandatory will gather a lot more power from his or her mandate, and will therefore cause a democratic deficit. After all, in this way the mandate gets a kind of plebiscite. From this plebiscite, the temptation is great to act dictatorially. Who is going to contradict a mandatory elected by a majority of the population? (...) This would not be that worse in the event of a guaranteed increase of the quality of the executing mandates. There is, however, a big risk that populists or men with capital, who can afford an expensive campaign, even taking the restrictions regarding election expenses into account, carry their point.”

The fact that the distribution of power within a city or municipality may look somewhat different after a direct election must be taken into account. Depending on a specific city or municipality, the effect can differ. At this very moment, some vote champions-annex-mayors act as ‘powerful quasi autocrats’. We expect that this weakening of checks and balances will increase. In the event of a direct election, the mayor is not only the most popular candidate, he is also explicitly referred to as ‘chef de l’équipe’, as the leader of the people. Running counter to such a strengthened mayor, who will undoubtedly make use of such legitimization in his argumentation, will probably become less ‘popular’. The direct

\textsuperscript{5} A development which, in a system which according to some people is more oriented towards the maintenance of stability than towards the expression of a clear choice and a radical change in policy, becomes even more important. The so-called stabilizing factors are the proportion principle, large constituencies, list vote and compulsory voting or the presence of an electoral threshold. The direct election of government leaders or mayors may constitute a correction in this respect, because it is clearly choice increasing.
election may engender a (self)disciplining effect by his or her opponents. Once more, the question is still to which extent this situation is already present at this very moment. Direct elections will not counter this dangerous trend, on the contrary.

The reinforced power position of the directly elected mayor is multifunctional: this position can be invoked within the own party or with regard to aldermen and members of the municipal council. Such strengthening of the mayor’s position is not acceptable without a strengthening of the power position of the members of the municipal council. A direct election should, from a sound system of checks and balances, involve a review of the relationships between the executive and legislative. This coupling is insufficiently brought to the foreground, it seems not to be an important item in the debate.

The advocates of direct elections replicate these arguments. Instead of thinking of instruments by which the disturbed relation can be countered, the advocates mainly opt for a convenience solution: ‘legitimize’ those who are powerful in the executive by having them elected directly. If the concentration of power in the executive is covered by a direct election, the problem is solved since democracy is served. Once more the alternative approach is more complex, both in the field of communication and implementation. This approach implies that one does not adapt to this actual shift of power but instead that it is obstructed in order to strengthen the primacy of the legislative power in respect to the executive.

In this context Gabriëls (1998) stated inter alia that the direct election of the executive power is justified “because the actual power rests with the executive power. Having it legitimised democratically is no Poujadism or a reduction of the power of Parliament. Quite the opposite is true. After all, by really democratizing the executive power, another relationship will come about between the legislative and the executive power, which is beneficial to the citizens and decision making. (…) As a result of scaling up and a new kind of decision making, quick decisions are necessary, which are very often to be taken by people who have a low opinion of ‘the people’ and its representatives. Having them elected democratically, brings them back with both feet on the ground.”

The argument that a direct election of the heads of the executive power (mayor or a prime minister) has a beneficial effect on the legislative power (the local council or parliament) is seldom convincing. A deserving exception to this rule is the well-considered proposal of Dewachter (1998). Dewachter does not deal with the direct election of mayors, the book is about the direct election of the Government. His arguments on the beneficial effects of this institutional innovation on the parliament can be applied on local politics. According to Dewachter, the important share of the executive power in decision making is not only democratically legitimized by a direct election, because the citizens have a greater participation in its designation, but it also leads to ‘a qualitative revaluation’ of the parliament. Why? “Because parliament (municipal council, CD-HR) is confronted with a policy project – the Government programme (directly elected mayor, CD-HR) – which has the support of more than fifty percent of the voters. In the policy project, there is no haphazard nibbling because in that case one nibbles in the social majority project. In addition, in the Government majority, that project is backed by a small to a very large package of own voters who have given a powerful and decisive vote to their vision through such choice. After all, one does not offend one’s own voters without any reason.
This is done only if one really has a better project. And in this way one gets through to fundamentally qualitative improvements.” (Dewachter 1998: 22)

According to Dewachter, parliament/the municipal council acquires more autonomy in this new styling but it loses some of its ‘government-making power’. For Dewachter, there is a remarkable paradox: parliament gets more power by giving up a theoretically important but an actually ritualised function. The members of the municipal council can now, more than before, develop and follow their own dynamic. If this reasoning is further applied to the local administrative level it follows that the municipal council will have to reflect properly, which will result in a more qualitative administration, before criticizing the policy of the executive power (mayor and aldermen) and confronting it with counterproposals. This should strengthen the position of the municipal council. After all, stronger arguments are required than those of the classic opposition rituals. So, the whole political order benefits: “In the event of such elections, the opposition gets other primary tasks: government control, drawing the government’s attention to the items of the government programme the opposition wants to see realized by preference and finally the intelligent preparation of the next government elections with lucid analyses of social developments and suggesting nice solutions. These tasks are important enough to have them performed by competent politicians. So, there will be a qualitative alternative when the next elections will be held, after the opposition has contributed to the realization of the best items of the current programme. This, however, requires a striking modification of pictures and roles in the political structure. Normally speaking, thanks to a modified structure this can, however, be realized rather smoothly.” (Dewachter 1998: 27)

We admit that this sounds particularly nice and that it is well-thought. But we are less optimistic. The ‘striking modification of pictures and roles’ and the expectation that ‘normally speaking’ this can be realized rather smoothly by a change in structure does not seem to be that evident. The fact that the opposition, confronted with a strongly legitimized mayor who can probably also strengthen his position in relation to the aldermen, must limit itself to well-considered criticism and well-thought policy proposals, is perhaps defendable from the point of view of decisiveness, but on the other hand, in our opinion, its supposed effects are not very credible. The suggestion not to ‘nipple haphazardly’ in the project of a directly elected mayor or the consideration that the own voters, many of whom have elected the mayor, ‘should not be offended’ can have rather paralysing effects, e.g. a kind of self-censorship. An opposition that must (re)orientate its ambitions towards ‘lucid analyses of social developments’ and ‘looking for nice solutions’ – not excluded in the current system – does not seem to be a strengthened opposition. Taking the ‘habits’ in some cities and municipalities into account, we do simply not believe that the modification of the institution – direct election – is going to generate these beneficial effects. In our opinion, the strengthening of the position of the municipal council does not have to be realized through a direct election of the leader of the executive power.

Finally, a third series of considerations refer to practical, specific or factual challenges. Does the system of direct elections, in one or two rounds, lead to a further polarising of the electoral struggle? Daems (1998) thinks that “direct elections often lead to a blurring of contents. No more bright colours of parties and no more clear programmes, but a silent evolution to two rather grey blocks: the supporters of candidate X from the conservative block against the supporters of candidate Y from a mishmash of centre and left-wing
parties. Is this beneficial to democracy?” Does a factual polarisation in multiparty coalition system result in more clearness with regard to differences between parties and party blocks? If two alternative blocks are each other’s opponents, this can be the effect. On the other hand, there can also be a bleakening of contents, if parties, looking for a broad median programme by which they support their candidate mayor, finally want and suggest almost the same. Because from a varied local level it is difficult to ventilate a general expectation, this does not seem to be a substantial element.

Finally there is, what in Belgium is known as, the ‘Antwerp situation’: what should be done when the directly elected mayor belongs to a party (extreme right) with which no other party wants to form a coalition? In our opinion, every form of ‘cohabitation’ on the local level mortgages a good administration. But in the event of an ‘Antwerp situation’ – in Antwerp the extreme right Vlaams Blok is the biggest party – governing is impossible since all other parties agreed to the ‘cordon sanitaire’, a gentleman’s agreement according to which a coalition or cooperation with the Vlaams Blok is forbidden. A direct elected mayor of the Vlaams Blok in Flanders’ biggest city is a possibility. We recommend that the mayor is a member of one of the parties of the coalition or of the majority party. The introduction of the direct election of the executive should come together with an institutional arrangement that guarantees this party connection between the legislative and the executive. Furthermore, the peoples representatives embodying the highest power, in other words the local council, should constitute the frame of reference to select the first citizen of the city or municipality. Instead of considering them as mutual exclusive, one should look for a conciliation of direct and representative democracy.


In spite of these theoretical remarks, the question remains to what extent the direct election changes the current mayors’ landscape in Flanders. What is its added value? It should be mentioned that we cannot provide a conclusive answer to this question. After all, it is impossible to bring the previous local elections (2000) into a controllable laboratory situation and manipulate one influencing factor, in casu the direct election, to make acceptable ceteris paribus pronouncements: in the previous local elections there was no direct election. The fact that the voters are able – which they were not – to elect their mayors should influence the voting behaviour.⁶

In the analysis below we examined whether the current mayors are really the vote champions, in particular, whether they got the highest number of preference votes in the local election of 8 October 2000. This is the case indeed in 222 of the 296 – out of 308 – examined municipalities. In other words, 75% of the current mayors obtained the highest number of preference votes of all those elected in their municipality. In municipalities with an absolute majority – one party ‘coalition’ – this is even 84.7%, whereas in municipalities with a coalition this is only 68.5%.

⁶ A vote for a person heading the lists of candidates for the council is not the same as a vote for a mayoral candidate. Voters may for instance also decide not to vote for a candidate because they know that their votes may make such candidate mayor: the candidate concerned may be a popular figure who in the opinion of many a voter does not have the qualities of a good mayor.
As regards the 74 mayors who are not the vote champions in their municipalities, it is interesting to find out at which place they ended in the hit parade of the preference votes: 38 mayors occupied the second place and 18 mayors occupied the third place. In other words, 278 of the 296 examined mayors occupied a top three place in the preference vote ranking.

The question is whether this is also true as far as the five Flemish provinces are concerned. The table below shows that, except for Limburg, 70 to 80% of the mayors obtained the highest number of votes in all provinces. As far as Limburg is concerned, it should, however, be mentioned that four vote champions could eventually not be mayors because at that moment they were member of the Flemish Government. If they were not, the result for Limburg would be 70.5%.

### Table 1: Mayors as vote champions in the Flemish provinces (%)

<table>
<thead>
<tr>
<th></th>
<th>Antwerp</th>
<th>Flemish-Brabant</th>
<th>Limburg</th>
<th>East Flanders</th>
<th>West Flanders</th>
</tr>
</thead>
<tbody>
<tr>
<td>Yes</td>
<td>82.4</td>
<td>70.3</td>
<td>61.4</td>
<td>78.0</td>
<td>78.7</td>
</tr>
<tr>
<td>No</td>
<td>17.6</td>
<td>29.7</td>
<td>38.6</td>
<td>22.0</td>
<td>21.3</td>
</tr>
</tbody>
</table>

Furthermore, it is important that according to the size of the municipalities there were no differences worth mentioning (table 2).

### Table 2: Mayors as vote champions according to the size of their municipalities (%)

<table>
<thead>
<tr>
<th></th>
<th>7-21</th>
<th>23-25</th>
<th>27-55</th>
</tr>
</thead>
<tbody>
<tr>
<td>Yes</td>
<td>74.2</td>
<td>78.7</td>
<td>72.0</td>
</tr>
<tr>
<td>No</td>
<td>25.8</td>
<td>21.3</td>
<td>28.0</td>
</tr>
</tbody>
</table>

Table 3 shows that there are no fundamental differences according to the political parties concerned. The VLD has the lowest number but that can be explained by the fact that it has four 'vote champions' who could not be mayors because they are members of the Flemish Government. If those are added, the figure for the VLD is 76.8% instead of 69.6%. At the moment, 27 members of the CVP (christian democrats), 11 of the SP (social democrats), 11 of the VLD, 3 of the VU-ID (nationalists), 2 of the Vlaams Blok and 20 members of local parties out of the 74 candidates that obtained the highest number of preference votes are not the mayor of their city. In those 74 cities, there are 30 CVP mayors, 8 SP mayors, 17 VLD mayors and 19 mayors of local parties. In spite of the fact that the overall changes are limited, the VLD (+6) and the CVP (+3) gained most in the current situation.

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7 In the category of municipalities with 7 to 21 council members (up to 11999 inhabitants) there are 138 municipalities, in the category with 23 to 25 council members (up to 19999 inhabitants) 91 municipalities and in the category with 27 to 55 council members (20000 inhabitants or more) there are 79 municipalities.
Table 3: Mayors as vote champions according to political parties\(^8\) (%)

<table>
<thead>
<tr>
<th></th>
<th>CVP</th>
<th>SP</th>
<th>VLD</th>
<th>Local parties</th>
</tr>
</thead>
<tbody>
<tr>
<td>Yes</td>
<td>77.1</td>
<td>74.2</td>
<td>69.6</td>
<td>74.7</td>
</tr>
<tr>
<td>No</td>
<td>22.9</td>
<td>25.8</td>
<td>30.4</td>
<td>25.3</td>
</tr>
</tbody>
</table>

In 55.4\% of the cities where the candidate with the highest number of preference votes is not the mayor, his/her party is part of the coalition. In only 11.1\% of the cases the party of the persons who obtained the highest number of preference votes belongs to the opposition.

It is interesting to note that a difference can be noticed between the male and female mayors: 75.8\% of the male mayors are the vote champions of their municipalities whereas only 65.2\% of the female mayors are. In a system in which the mayor should be the one with the highest number of preference votes women would probably do worse.

Furthermore it is interesting to know if the party of the mayor is also the largest political party of the city. This is true in 87.8\% of the cases. In addition, in 38.9\% of the cities where the party of the mayor is not the biggest party (largest number of seats in the council) the mayor obtained the highest number of preference votes.

Our research clearly shows that indeed one must ask the question if a direct election would change the landscape of mayors fundamentally. In 75\% of the Flemish communities the mayor is the candidate who obtained the highest number of preference votes. These candidates are now part of the opposition in only 11.1\% of the cases. Is the direct election the obvious instrument to increase the impact of the voters on the selection of mayors? No. However, if one concentrates on the 25\% of the cases in our simulation, one could answer yes.

V. Conclusion.

It is clear, we are no advocates of the direct election in Flanders. In practical terms, it will not have a huge effect on the political landscape of mayors. One should invest the energy and time which are necessary for the introduction of this undoubtedly striking measure in other issues. Our simulation has shown that the direct election will not put that many other candidates onto the mayor’s chair. In other words, it is not true that it radically alters the participation of voters in the appointment of their mayor. In our opinion, the intended effect is too small and the prejudicial consequences are probably too big, as we elaborated in section two and three.

Unless what matters is the therapeutic value the remedy may have. This measure could remove or soften the collective feeling of dissatisfaction because it does give the impression that the wishes of the population are partly met as should be the case in a 8\footnote{The VU-ID and Agalev have one and two mayors respectively. All three of them were vote champions in their municipalities.}
democracy. Therefore, the direct election of the mayor may in a certain sense be regarded as effective because it may lead to a reduction of the collective dissatisfaction if it lets people think that they have a greater say. If we understand the direct election in this sense, leaving aside an implicitly misleading element, the direct election of the mayor can be regarded indeed as a ‘meaningful’ measure.

In essence we believe that this can hardly be invoked as a convincing argument to proceed with the direct election. Such election has many side-effects we cannot defend. They do not balance the – questionable – ‘cure’ resulting from the proposed remedy. Foreign experiences, e.g. the USA, show that there is no guarantee that this institutional readjustment does give a fundamental answer to the supposed problems. In countries with totally different rules and cultures a questioning of the way democracy works is noticeable. Therefore, there is insufficient reason to suppose that the direct election of the mayor is a crucial solution to a complex cross-frontier issue which is extremely difficult to fathom. It is a convenience solution, whose benefits are not able to compensate the costs in the political culture and structure of Flanders.
References.

(a) Book


(b) Journal article


(c) Chapter in an edited book