



Exploring nationality and national identity in Flanders: To what extent can nationality impact the development of a national identity in Flemish immigrants?

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Abstract:

Over the past few decades, dating from just after WWII, Belgium has gradually become a migration country, and is fast becoming a multi-ethnic society. The Belgian national identity and its development in immigrants is a contested concept. The possession of the Belgian nationality could impact this development in Flemish immigrants, but other factors may be more decisive in the development of national identity.

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1. Introduction

1.1 Defining key terms

The terms national identity and nationality are notoriously used interchangeably and could lead to confusion as to their actual meaning. For the purposes of this paper it is essential to understand the definition of these concepts, and the differences in their meaning.

The basic definition of the term national identity is, a sense of being a nation as a cohesive whole, as represented by distinctive traditions, culture and language.¹ To further define the term 'Nation', the concept is aptly defined by political philosopher Ernest Renan, as a soul, consisting of people with a shared heritage or history, and a common desire to live together as a result of this shared history.² National identity could therefore be seen as the identity of a people, regardless of race, characterised by a common language, and particular cultural trademarks which are specific to that group of people.

Nationality and citizenship are also often used synonymously to describe a legal relationship between an individual and its state, which leads to the existence of certain rights and duties to which both parties are entitled. This relationship is not necessarily created on the basis of ethnicity, but more as a result of social ties such as place of residence and the country in which one has grown up and is therefore attached to.³ Nationality has a somewhat broader meaning and also includes the existence of a social attachment, whereas citizenship concerns a political bond based on possession of a legal status which identifies one as a member of a state, granting that individual the right to participate in the political life of a state, and to be recognised by other states as a member of that particular state. In this thesis nationality laws will be understood as the laws governing citizenship and the acquisition thereof. The terms 'nationality' and citizenship' will also be used synonymously.

1.2 Defining Belgian national identity

The question of Belgian national identity is central to the research question of this thesis and it is therefore important to clarify what is meant when referring to Belgian national identity.

Belgium is a unique case study, as it can be said to be a single state split into three nations; The Dutch speaking Flanders, the French speaking Wallonia and the German speaking *Oostkantons*. This complex setup of three regions with different languages and separate

¹ OED online.(2020).Retrieved from:
<https://www.oed.com/view/Entry/125287?redirectedFrom=national+identity#eid35384451>

² Renan, E. (1882) *What is a nation?*. (Pg. 9 part 3). Retrieved
from:<http://www.humanityinaction.org/files/569-E.Renan-WhatisaNation.pdf>.

³ Edwards, A., & Van Waas, L. (2014). Introduction. In A. Edwards & L. Van Waas (Eds.), *Nationality and Statelessness under International Law* (pp. 1-10). Cambridge: Cambridge University Press.

cultures make it difficult to speak of a single Belgian national identity. In fact it would be inaccurate to discuss Belgian national identity without drawing a distinction between the three kinds of national identity which exist within the Belgian state. This thesis will focus on the Flemish identity as one aspect of Belgian national identity. Subsequent references to 'national' identity are limited to Flanders, and therefore to the Flemish identity, and not a national identity of Belgium as a whole.

To understand national identity the question to be asked is, what aspects form the national identity of a group of people, distinguishing them from another group of people? The most important and defining aspect of national identity is language. Language helps in shaping the way in which an individual views the world, and in and of itself possesses an identity which is transferred onto its speaker.⁴ The Dutch language as well as its various provincial dialects, is an embodiment of the Flemish identity. The application of the social identity theory to language and identity discourse could be helpful in understanding the link between language and national identity. According to the basic premise of this theory, an individual's self-conception is dependent on a sense of belonging to a certain social group or groups and identifying more strongly with that group than with other groups.⁵ This develops a 'Us' vs. 'Them' phenomenon in which individuals compare their 'in-group' which they are a member of, to other groups of which they are not a member (out-group).⁶

The relevance of this theory to the study of language and national identity is that language-in this case the Dutch language- becomes a specific attribute by which an individual identifies with other Dutch language speakers, purely by virtue of the fact that they share a common language, which means that an aspect of their identity is shared. As speaking Dutch is seen as an integral part of being Flemish and acquiring the identity of that region, those who do not speak the language will be viewed as outsiders and therefore not a part of the in-group. This is what makes language a strong part of national identity, because the language (or dialect) which one speaks determines an individual's connection to the country or region in which one lives.

An important part of national identity is derived from culture and traditions specific to a particular country and its inhabitants. It is difficult to pinpoint what exactly these cultures and traditions may be in the case of Belgium, as the general notion is that due to its complicated history and past ties with The Netherlands, France, and Germany, Belgium has

⁴Maddens, B. Vanden Berghe, K. (2001). *The identity politics of multicultural nationalism. A comparison between the regular public addresses between the Belgian and Spanish Monarchs (1990-2000)*. Retrieved from: <https://ecpr.eu/Filestore/PaperProposal/67070334-32fc-4abf-9025-4b3b8c39102b.pdf>

⁵Edwards, Hansen, J. (1997). *Social identity and Language: Theoretical and Methodological issues*. (pp.567-568). The Chinese University of Hongkong. Retrieved from: https://www.researchgate.net/profile/Jette_Hansen_Edwards/publication/264364053_Social_Identity_and_Language_Theoretical_and_Methodological_Issues/links/571d8b2908ae408367be5870/Social-Identity-and-Language-Theoretical-and-Methodological-Issues.pdf?origin=publication_detail

⁶Hornsey, J.M. (2008). *Social-identity theory and Self-categorization theory: A historical review*. University of Queensland. (pp.05-207). Retrieved from: <https://onlinelibrary.wiley.com/doi/pdf/10.1111/j.1751-9004.2007.00066.x>

struggled to develop what could be viewed as a strong culture, and rather has adopted those of its neighbours.⁷

Belgitude is a coinage which has been used to refer to Belgian identity⁸ and this seems to encompass what is considered typical Belgian food, such as fries, waffles, chocolate and good beer. Art and literature also contribute to the development of this culture; Famous Belgian painters such as René Magritte (1898-1967) and Paul Delvaux (1897-1994) are internationally renowned for their contribution to surrealist art, and are a source of national pride when it comes to the subject of Belgian artistic achievements. Another aspect of this culture is the development of Belgian film and cinema, which is another way the Dutch and French language, as well as regional dialects are showcased, alongside what is seen as Belgian humour and idiosyncratic characteristics which are stereotypical of the average Belgian individual.

National (and regional identity) can also be fostered through sport; The Belgian national football team The Red Devils are a source of national pride, but in equal measure local teams such as the Antwerp team *Beerschot* also serve as symbols of solidarity. The sport world is an arena in which the multi-ethnic nature of Belgian society is brought to the fore, especially in football in which Belgian players of all ethnicities, are united in a single effort to make their city and country proud by winning games and championships.

Politics is yet another way in which national identity can be fostered. This develops through political participation, namely the right of suffrage. Individuals form a bond with their state through being allowed to participate in the political sphere, by voting in elections, and participating in referendums. The act of voting and being given the right to vote, makes individuals feel that they are contributing to their society and heightens a sense of belonging to a democratic state that cares about each individual opinion. Furthermore, this political participation also means an awareness of the state of affairs in the region and country in which one resides.

1.3 Research objectives

The purpose of this thesis is to investigate the link between nationality and national identity, and to delve into the extent to which the possession of the Belgian nationality, can impact the development of national identity in Flemish immigrants. Several underlying factors will be discussed which could also impact the extent to which an individual ‘feels’ Belgian regardless of their nationality, namely; level of integration, social inclusion, and aspects of cultural background.

⁷ “A Paradoxical Paradox – Short Introduction to the Belgian Identity.”. (2015). Retrieved from: <http://blog.unitee.eu/archives/ordinary/a-paradoxical-paradox-short-introduction-to-the-belgian-identity>.

⁸ Blogie, Par Elodie. “*La Belgitude, Ses Belges Incertitudes... - Le Soir.*” Le Soir. (2013). Retrieved from: <https://www.lesoir.be/art/284789/article/actualite/belgique/2013-07-19/belgitude-ses-belges-incertitudes>.

The second chapter will focus on the historical background of Belgian immigration, in order to understand the origins of Belgian immigration, and Belgian attitudes towards immigration, from past to present. In this chapter the migration waves will be discussed, preceded by a section on the state of Europe following the Second World War, which explains the motivation for subsequent guest worker migration. These migration waves are to be understood as three waves; starting with the recruitment of guest workers from Italy, followed by a second wave in which workers from Poland and Greece were recruited. The third migration wave begins with active recruitment of workers from non-European countries such as Morocco and Turkey, followed by the family reunification phase, in which former guest workers choose to settle in Belgium, and as a result of legislation at the time, are enabled to bring their families over to Belgium, with the objective of permanent resettlement.

Although Italian and Polish immigrants have gone on to form sizeable communities in different parts of Belgium, up until present day, primary focus will be given to Morocco and Turkey, as these represent two of the biggest groups of non-European immigrant populations in Belgium today. In order to determine how national identity can develop on the basis of nationality ties, it is more useful to study minority groups who do not also possess a European identity, as this could produce very different results.

The third chapter will discuss current immigration and integration policies on a national and regional level. The aim will be to gain an understanding of the different ways in which the Belgian nationality can be acquired and the criteria under which this can be granted. Furthermore the strengths and limitations of the Belgian and specifically Flemish integration policies will be examined, so as to determine the extent to which this plays a role in fostering a Flemish identity and a sense of belonging in both newcomers, and long residing immigrants.

The final chapter will focus on determining the impact nationality could have on the formation of national identity. In this section the issues of social inclusion and dual nationality will be discussed. These concepts will then be further explored the two largest immigrant populations in Belgium; the Moroccan and Congolese communities. Although no prior background to the Congolese immigrant population will be given, it is important to study this group of immigrants, in comparison with Moroccan immigrants, so as to establish if other factors prevalent within these communities -such as culture and religion- may lead to different experiences of the feeling of 'Belgian-ness'. Finally the theories of social identity, identity recognition and clash of civilizations will be examined in relation to identity development.

1.4 Methodology

The research of this thesis was based purely on a review of existing literature and studies from a wide range of fields; History, Law, Philosophy, Social Sciences. The aim was to explore the development of Belgian national identity in immigrant groups living in Flanders, and to find a way in which possession of the Belgian nationality can positively impact this identity development, or if at all there is a link between nationality and national identity. Nationality and the possession thereof was used as a measure of ties and belonging to the Belgian state.

The federal structure of Belgium meant that investigating Belgium as a whole would become problematic for research, and would complicate findings and results. Each region has its own regulations, and also experience the Belgian nationality very differently. Additionally, as I possess a command of the Dutch language, and also live in Flanders, the Flemish region became the preferred choice. This made it easier to be able to read texts and legislation, whereas in the case of the French-speaking area this would have become rather challenging. Although the focus was the region of Flanders, analysing regional identity or a Flemish identity in the minority groups chosen, would have made finding information very challenging, and would have yielded limited results.

This is the reason why national identity became the focus of the thesis, but then limited to the way this is experienced and perceived by minority groups in Flanders. This was the most challenging aspect of the research, making Belgium a very complicated case study.

The choice to use the Moroccan community as a main reference group was due to the availability of research on this group, when compared to other groups. For this very reason I anticipated that using the Congolese community early on might be problematic as this group moved to Belgium under very different circumstances, and has a shorter immigration history with Belgium than Morocco (or Turkey does).

The research is based primarily on an analysis of secondary data, from journals, articles and books. Qualitative analysis is carried out in the final chapter, with the use of interview excerpts carried out in Dutch, and which I have translated from Dutch to English. These interviews were taken from studies already carried out and which were thought to be relevant to my research objectives. The purpose of the interviews was to illustrate more specifically the experiences of the minority groups involved. This was especially challenging when it came to the Congolese community, as very few official studies have been carried out in Belgium on the subject of identity development and perception of this minority group. For this group it would have been more useful to carry out my own interviews, so as to be able to control and manipulate certain variables such as age, possession of nationality, occupation and level of education.

Primary sources are also used in the form of information attained from newspaper reports and excerpts of texts of law, used primarily in the third chapter on nationality acquisition and integration policy.

The main limitations and challenges which I encountered was the search for specific studies and existing research already carried out on the minority groups concerned. This was especially the case when trying to limit the scope of study to the region of Flanders. Further limitations were found in the difficulty of zooming into the group of immigrants (long-term residents) who did not yet possess the Belgian nationality. Not many studies are dedicated to this group, and it would have been more interesting to further compare the differences in identity development between this group and that of the second and third generation immigrants.

2. Historical background of Belgian immigration

2.1 Factors leading to Guest worker migration

The Second World War left Europe in a deplorable state. According to World War Two historian Keith Lowe “The Second World war had not only devastated the physical infrastructure, but also the institutions which held countries together”⁹. After six long years of war, the main goal for all European nations following the devastation which had occurred as a result of the war was to rebuild their infrastructure and somewhat restore their economies to what they had been before the war.

The economy was unsurprisingly an area which had gone into serious decline. By the end of the war in 1945, the death toll was a staggering 35-40 million, in Europe alone. Undoubtedly leading to a loss of useful manpower. Transport infrastructure in Belgium was severely destroyed with just under half of all its steam locomotives in working condition.¹⁰ Neighbouring countries were equally affected; The Netherlands lost as much as sixty per cent of its rail, road and canal transport. In France, a whopping seventy-seven per cent of rail locomotives were lost.¹¹ Main bridges all over Europe which had previously served as a means to facilitate transportation of goods, had been destroyed. As a result market production was hindered, as transportation of goods to ports and main commercial centres became a great challenge.¹²

Food and agriculture were also below standard in the immediate aftermath of the war. Most European countries had to retain the system of rationing which they had become accustomed to during the war. The method of rationing varied according to country and supplies, and was intended to ensure equal distribution of food and also control the price of certain food items. Still many were barely able to maintain their daily calorie intake and fell below the minimum, due to uneven distribution of food items between rural and urban areas.¹³ Milk production remained stable in most European countries, the production of meat and livestock was on the other hand highly lacking in the period 1946-1948, at about 30 per cent below pre-war levels. This made meat consumption, especially of pigs and poultry a luxury. Crop production by comparison fell to only 10-15 percent the rate of pre-war levels, due to reliance on cereals and potatoes as a main source of subsistence over livestock.¹⁴

Amongst other policies and strategies which were introduced in order to help the European reconstruction effort, the Marshall plan developed by U.S secretary of state George Marshall, implemented on April 3, 1948, is almost entirely credited with restoring the European economy. It suffices to say that it helped a great deal to accelerate the

⁹ Lowe. K. (2012). *A Savage Continent: Europe in the Aftermath of WWII*. (Introduction)

¹⁰ Eichengreen, B., Uzan, M., Crafts, N., & Hellwig, M. (1992). *The Marshall Plan: Economic Effects and Implications for Eastern Europe and the Former USSR. Economic Policy*. (pg.31). doi:10.2307/1344512

¹¹ Ibid.

¹² Ibid.

¹³ Food and agricultural organisation of the United Nations. (1955). *The state of food and agriculture 1955*. (pp.19-23). Retrieved from: <http://www.fao.org/3/ap643e/ap643e.pdf>

¹⁴ Ibid.

recovery of the economies of most Western European countries. The program was aimed at aiding the restoration of Western Europe, and \$13 billion in financial aid was distributed to the majority of countries in Western Europe, to this effect. The Soviet Union was offered the opportunity to benefit from this initiative, but declined, therefore becoming exempt from its benefits and preventing those states which were part of the Eastern Bloc – including East Germany and Poland- from benefiting. Financial aid was extended to sixteen European nations, with the allied states receiving a bigger portion than those who had remained neutral or the Axis states such as West Germany and Italy.¹⁵

For the most part, Belgium was quite well off compared to its neighbours such as France. Much of its industrial infrastructure was left intact, and it did not end the war in debt to the United States. In fact only two years after the end of the war, by 1947, Belgian production levels were restored to what they had been before the war, in the period 1936-1938. This put the country in an advantageous position compared to its West-European counterparts, in that it was able to loan funds to other countries, such as the Netherlands. In helping the economic recovery of its neighbours they would in turn be in a position to purchase much needed material which Belgium could provide such as cement, steel, glass etc.¹⁶

This relatively secure economic position would later become a disadvantage for Belgium. In the 1950's, the Belgian economy began to weaken as that of neighbouring countries was slowly restored. It is argued that the Marshall Plan played a part in this stagnation of the Belgian economy, as given the financial position Belgium was in prior to the introduction of the Marshall Plan, it was allocated considerably less of the financial aid which other European countries had received.¹⁷

A series of treaties were also concluded in the effort towards European post-war recovery, and to begin the path towards European integration. One such treaty which is relevant to the rebuilding of the European economy and the goal of European integration was the Treaties of Rome signed in March 1957, which set up the European Economic Community (EEC). As laid out in the treaty, the EEC would firstly establish a common market (Art.1). Under Chapter I, Article 3 the EEC would also lead to ; common trade, transport and agriculture policies, a common custom- tariff, the establishment of a European investment bank and social fund, ensuring the free movement of people, capital and services between Member states.¹⁸ Chapter I, article 48, of the treaty stipulates that all nationals of European member states should be allowed to move freely between states, for the purpose of taking up employment elsewhere than in their own country.¹⁹ This would give impetus to the post-war recruitment of workers from member states such as Italy, and Poland. In essence these measures sought to harmonise European economies and to put them on the same line in terms of economic policy.

This section has served as a backdrop to the following sections which will zoom in on Belgian immigration. It is useful to understand that after the Second World War, most

¹⁵ Eichengreen, B., Uzan, M., Crafts, N., & Hellwig, M. (1992). The Marshall Plan: Economic Effects and Implications for Eastern Europe and the Former USSR. *Economic Policy*, 7(14), 14-75. doi:10.2307/1344512

¹⁶ Coolsaet, R. (2014). *Belgie en zijn Buitenlandse politiek 1830-2015*. (Ch. 2.2.1).

¹⁷ Eichengreen, B. Bordo, M. Forrest, C. (1995). *Europe's Postwar Recovery*. (Pp.271-291)

¹⁸ Treaty establishing the European Economic Community. (1957). Retrieved from: <http://eur-lex.europa.eu/eli/treaty/teec/sign>

¹⁹ Ibid.

European nations were going through the same struggle of trying to rebuild their nations, and of ensuring that a lasting peace would reign in Europe thenceforth. Although it has been mentioned that Belgium fared rather well in the immediate aftermath of the war, the deterioration of its economic growth in the 1950's indicates a need to restore its financial position in the decades to come. This motivation for further economic growth would fuel the migration policy of the following decades, as discussed in the following sections.

2.1.2 Background of Belgian immigration policy from 1830 onwards

Prior to the immigration policies which allowed for guest worker migration and subsequent family reunification, Belgian immigration policies were relatively more stringent.

After the Belgian revolution (1830-1831) and the creation of Belgium, the implementation of immigration policy became the prerogative of the central authorities (Sûreté de l'Etat). Throughout the 1830's a policy of strict border control was implemented as a method of regulating immigration, requiring those desiring to enter Belgian borders to hold a valid passport and Belgian visa. Immigrants were also required to provide proof of sufficient means of sustenance in order to be allowed to enter the country. If this proved to be lacking they could be refused entry, so as to avoid potential dependence on the Belgian state. Due to economic considerations the policy was abandoned in 1842. This allowed for local authorities to take up the responsibility of admitting or refusing entry to immigrants.²⁰

Further attempts to control immigration were introduced in 1846, when it was stipulated that all inhabitants- regardless of the possession of Belgian nationality- would be required to register in the population registers of their municipality. The arrival of foreigners had to be reported to the central authorities, who alone could grant them stay in Belgium. These measures were aimed at the control of illegal immigration, but the extent to which they effectively prevented undocumented illegal immigrants residing in Belgium is debatable, as there were several factors which hindered the successful execution of more stringent policies such as for instance; prioritising economic interests when these would be hindered by the execution of certain immigration policies. The central administration was quite dependent on the cooperation of local authorities for the success of these measures, leading to a flawed system as the willingness to report illegal immigrants by local authorities could not always be guaranteed. Lastly there was simply the issue of the lack of effective provisions at the disposal of the government i.e absence of photographic and fingerprint identification.²¹

The Belgian Alien law of 1835 clearly defined three categories of 'alien'. In the first category were those without residence, whose stay in Belgium was more uncertain as they could be repatriated arbitrarily if the central authorities saw it fit. The second category were

²⁰Caestecker, F. (2000). *Alien Policy in Belgium (1840-1940). The creation of refugees, guestworkers and illegal aliens.* (pp.3-9). Retrieved from: <http://biblio.ugent.be/publication/396804/file/8518433>.

²¹ Ibid.

those who had residency status and could therefore not be arbitrarily removed from the country. This status was subject to the approval of the central administration. The third category belonged to immigrants who had been granted privileged permanent residency (*domicilé*) and allowed them to stay in Belgium indefinitely without the risk of repatriation. This last status gave to immigrants some of the liberties enjoyed by Belgian nationals, such as participation in military service, and more positively, the right to social assistance from the state after living in a municipality for a period of minimum eight years.²²

It is worth noting that there were no provisions in the Alien Law of 1835 which stipulated under which conditions an Alien could acquire any of the aforementioned legal statuses. Granting of any status was left entirely up to the central administration, and it was therefore only a select few who were allowed to obtain residency or domicile, mostly temporary residence was issued in the period of the 1830s and 1840s.²³

Based on the Napoleonic code, current Belgian nationality law established the principle of *jus sanguinis*. This principle stipulates that in order for an individual to acquire the Belgian nationality at birth, at least one of parent has to have been born in Belgium. Nationality is therefore not a birth right for those of foreign descent. For foreigners born in Belgium at the time, it could be acquired upon the age of majority, at 21 years.²⁴

2.2.1 The Guest worker ‘illusion’: The Migration waves

Fast-forward to the mid-20th century, and Belgium would have to change its approach to migration drastically, for the sake of its economy. The Belgian “Battle for coal” which commenced in the post Second World war period, under Belgian Prime minister Achille Van Acker, signalled the start of a new age of Belgian migration. In this period and even before the end of the war, coal had become Belgium’s main source of energy.²⁵ Therefore it made sense to maximise the availability of this energy source through the recruitment of a steady workforce to keep the coal mines running. The biggest challenge would be finding this workforce, as those Belgians who had filled the positions in the mines during the war, had departed en masse after the liberation of Belgium. Efforts to entice Belgians with additional salary bonuses, pensions and extra free days, proved futile as it was still not enough to draw a sufficient workforce to the mining industry, perhaps due to the dangerous nature of the job.²⁶

The main solution to this issue would prove to be the official recruitment of a foreign workforce. Due to the high level of unemployment and lack of jobs in Italy, the first wave of foreign mine-workers would be arranged in 1946, with the signing of the mutually beneficial

²² Ibid.

²³ Ibid.

²⁴ Ibid.

²⁵ Dumoullin, M. (2005). *Nieuwe geschiedenis van België: 1905-1950*. (p.1278).

²⁶ Roels, L. (2014) *Het tekort: Studies over de arbeidsmarkt voor mijnwerkers in het Luikse kolenbekken vanaf het einde van de negentiende eeuw tot 1974*. (p.107).

Migration Protocol between Belgium and Italy. This agreement would ensure the arrival of around 50,000 Italians who were to be employed in the Belgian coal mines.²⁷ Although this would aid the Belgian “Battle for coal” effort, the Italian agreement was short-lived as in 1956, due to abominable conditions in the coal mines, the catastrophe of the Bois du Cazier in Marcinelle occurred which cost the lives of 136 Italian miners. This caused the Italian government to impose stricter safety measures on Belgium under their agreement, and its subsequent refusal to send more workers, if these demands were not met, which they ultimately were not. That is not to say that the influx of Italian workers stopped altogether, as the emigration of Italians seeking work outside their country outlived the agreement,²⁸ and Italians became one of the biggest groups of migrants to emigrate to Belgium in that period.²⁹

Following the failure of the Italian labour agreement, Belgium also sought to recruit workers from other parts of Europe, primarily Poland, Spain and Greece.³⁰ This was not solely for the mining industry, but also other sectors such as commerce, public transport and cleaning.³¹

The third wave of guest workers, were recruited from other countries outside of Europe, mainly Morocco and Turkey. The migration of workers from these two countries began as with the Italian Migration, with agreements both signed in 1964, which would allow for the migration of Moroccan and Turkish migrants for the purposes of working ‘temporarily’ in Belgium.³² Prior to reaching an agreement, Morocco first took initiative in 1957 by approaching the Belgian Government with an offer of Moroccan workers who would be sent to Belgium to work in the coal mines.³³

Belgium was itself also proactive in seeking out these recruits with the launch of recruitment campaigns spread across the targeted countries. A brochure *Vivre et travailler en Belgique* published by the Belgian Ministry of Employment and Work, began to circulate in Morocco, Tunisia and Algeria in 1964. This brochure aimed to attract workers, with the main selling point being the possibility of being joined by their families after a short while in Belgium. The good life which awaited potential guest workers in Belgium was also emphasised.³⁴

The idea that guest workers would come to Belgium only temporarily and eventually go back to their countries of origin, was the illusory aspect of these agreements. Belgium wholeheartedly offered incentives in the aforementioned agreements with Morocco and

²⁷ “Italian Migration to Belgium: The Role of Brussels - Brussels Express.” *Brussels Express*, 1 Feb. 2017. Retrieved from: <http://brussels-express.eu/italian-migration-belgium-role-brussels/>.

²⁸ Ibid.

²⁹ “Socio-economische kenmerken van de 19^{de} eeuw”. *Belgie en migratie*. (Ch.12). Retrieved from: http://www.vvn.be/wp-content/uploads/2011/04/Storia_5T_les12_Kris_Merckx.pdf

³⁰ Ibid.

³¹ Raats, J. Leonard, I. Vandebroek, H. (2014). “On est la”: *De eerste generatie Marokkaanse en Turkse Migranten in Brussel(1964-1974)*.

³² Ibid.

³³ Ibid.

³⁴ Lens, A. (2013). *(On)gewenste migratie? Gezinshereniging in België tot 1980*.(pp.23-24).

Turkey, with the sole purpose of luring workers. The reluctance to become a migration country at the time, led to short-sightedness on Belgium's part, as the offered incentives would become responsible for the eventual transition from guest worker migration to permanent resettlement in Belgium. Unknowingly, Belgium was on its way to becoming a migration country.

2.2.2 Government incentives

During the period referred to as the "Golden Sixties", the desperation to recruit workers by all means necessary took over the need to strictly follow existing immigration laws. In the years preceding guest worker migration, immigration policy was in place to ensure a limited influx of foreign immigration. The Royal decree of 31 march 1936 had initially served to regulate employment based migration by stipulating that all 'foreign' workers who wished to take up employment in Belgium, would be required to obtain a work permit in order to be allowed to work in the territory, and that no foreigner could be hired without prior authorisation from the ministry of employment.³⁵ This strict policy changed in the 1960's.

Belgium was not the only country recruiting guest workers at that time, its close neighbours The Netherlands and Germany were also participating in the scramble for foreign labourers. Therefore in order to win the race it had to offer the workers incentives, which other countries were not offering or had not been willing to offer at the time. This explains the generous terms of the Turkish and Moroccan agreements, which were similar in terms of content and the incentives which they provided to the expected guest workers.

The Belgian-Moroccan agreement firstly stipulated that foreign workers be treated equally, and enjoy the same rights as their Belgian counterparts. This referred to social benefits and circumstances under which they would have to work (Article 12). Article 19 of the agreement took this even further by ensuring that the guest-workers employed in the coal mines would receive adequate living quarters, and also food which was in line with their usual diet, therefore taking into consideration any religious or cultural limitations regarding diet.³⁶

Article 13 of the agreement might be the most important as it gives the guest-workers the right to family reunification, making it easier for them to bring their families over to Belgium after just three months of employment. It is in this aspect that Belgium stood out from other European countries. This would later provide the impetus for the further influx of Moroccan immigrants into Belgium long after the guest-worker scheme ended in 1974.³⁷

Furthermore, the agreement ensured that provisions would be made allowing the guest-workers to send money back to their home country, a condition which would inevitably boost the Moroccan economy. Additionally it was agreed that any costs associated with the move of the guest-worker to Belgium would be borne by the employer.

³⁵ Agentschap Binnenlands bestuur. Vlaamse Migratie en integratiemonitor 2018. Retrieved from: <https://www.statistiekvlaanderen.be/sites/default/files/docs/VMIM-Vlaamse-Migratie-Integratiemonitor-2018.pdf>

³⁶ Ibid.

³⁷ Ibid.

The Belgo-Turkish agreement bore similar terms to that concluded with the Moroccan government in that it also offered the possibility of family reunification for those guest workers who had been working in Belgium for up to a month. It differed only in the further emphasis made on provision for living and working conditions, and housing at a decent price for the workers which would arrive from Turkey.³⁸

It is interesting to note that on top of the aforementioned incentives, the Belgian government were also willing to accommodate Moroccans who had come to Belgium in previous years with tourist visas prior to the labour agreements. These 'tourists' were now allowed to acquire a Belgian work permit – secured for them by an employer- and were able to continue to stay in Belgium for the purpose of employment in various sectors.³⁹ Such was the open nature of the agreements made in this period, and it is therefore unsurprising that from 1964-1970 the Moroccan population grew to around 39,000, compared to roughly 500 in 1962⁴⁰. The Turkish population had equally grown in numbers as of 1970, when it counted over 20,000 Turkish migrants, compared to just over 450 in 1961.⁴¹

2.3 Immigration in the aftermath of Guest worker migration

The 1973 oil crisis signalled the end of the period of prosperity which had led to the demand for an extra workforce. The crisis affected most of Western Europe, leading to a sharp decline in the demand for foreign labourers.⁴²

In 1974 Belgium implemented an official 'migration stop'. This term would naturally imply that in contrast to its open arm policy in the 1960's, the Belgian government closed the door on immigration, and adopted a strict anti-immigration policy in order to discourage further immigration to Belgium. The ensuing period would prove that the term was a misleading representation of the actual situation. Although guest worker migration had officially ended, other migration channels were not completely sealed. Non-EEC migrants were still able to come into Belgium legally as asylum-seekers, students, tourists, and through family-reunification. Labour migration was however only possible under exceptional circumstances, becoming a privilege of EEC citizens who wished to work in Belgium.⁴³

Family reunification as a means of entering Belgium, is a direct consequence of guest worker migration. As previously mentioned, the terms of the Turkish and Moroccan agreements gave foreign labour migrants the option of being joined by their families. This

³⁸ Ibid

³⁹ Kahya, A. Kentel, F. (2007). *Belgische Turken, een brug of een breuk tussen Turkije en de Europese Unie?*. Koningin Boudewijnstichting. (Pg. 18).

⁴⁰ Schoonvaere, Q. (2014). *België-Marokko, 50 jaar migratie: Demografische studie over de populatie van Marokkaanse herkomst in België*. Federaal Migratie centrum.(pg.13).

⁴¹ Goossens, A. Een Turkse droom die geschiedenis werd: De historische ervaring van Turkse arbeidsmigranten in Antwerpen. http://www.thesis.net/turkse_migratie/turkse_migratie_deel_1.htm.

⁴² Van Mol C., De Valk H. (2016). Migration and Immigrants in Europe: A Historical and Demographic Perspective. In: Garcés-Masareñas B., Penninx R. (eds) *Integration Processes and Policies in Europe*. IMISCOE Research Series. Springer, Cham.

⁴³ Martiniello M.(2010).Ch.2.1.1.*Nieuwe migraties en nieuwe migranten in België*. (p.181).

would be used by labour migrants who would stay in Belgium, instead of returning to their home countries after the migration stop.

The European Convention on human rights articles 8 and 12 (see Appendix 2) gave impetus to the practice of allowing immigration on the grounds of family reunification and starting a family (marriage). Article 8 protects the right of an individual to his family life, article 12 goes further in stipulating that every individual has the right to marry and start a family.⁴⁴

These universal principles are highlighted in the Belgian immigration Act of 15 December 1980 (see Appendix 2), *“concerning access to the territory, residence, settlement, and the removal of foreigners”* which is the first piece of legislation after the migration stop to deal with the issue of incoming and residing immigrants. This Act addresses the need for family reunification and marriage; it recognises reunification of spouses over the age of 21, the reunion of children with their parents, and also children who wish to bring their parents over to Belgium.⁴⁵ This piece of legislation still forms the basis for current Belgian immigration policy.

Following the period of guest worker migration, labour migrants from Turkey and Morocco would use family reunification as a means to settle in Belgium along with their families. According to a report⁴⁶ on immigration from the two aforementioned countries, a period of family reunification of first generation migrants, which lasted until the mid-1980's was followed by one of family formation, in which migration was motivated by the need to get married and start a family. The same report highlighted that both countries received the highest amount of residence permits in Belgium, for the purpose of family reunification.⁴⁷

This chapter has served to provide a background into the circumstances leading to immigration in Belgium. The unexpected origins of Belgian immigration could go some way in explaining future immigration policy and general attitudes towards this group of migrants. We observe a gradual progression from inter-European migration with the arrival of guest workers from Italy etc., to migration of third-country nationals. In both cases the migration was intended to be of a temporary nature. Belgium involuntarily became a migration country as a result of guest worker migration, and would have to implement adequate immigration policies in order to be able to deal with its new multicultural population. Additionally, policy would have to be in place in order to allow for a seamless integration of immigrants. Assimilation and integration are arguably some of the most challenging aspects of migration for both the receiving country and the migrants. In the next chapter, the current nationality law and integration policies in Belgium will be examined at the federal and regional (Flanders) level.

⁴⁴ ECHR, European court of human rights (1950). Retrieved from: http://www.echr.coe.int/Documents/Convention_ENG.pdf

⁴⁵ Belgisch staatsblad: 15 DECEMBER 1980. -*Wet betreffende de toegang tot het grondgebied, het verblijf, de vestiging en de verwijdering van vreemdelingen*. 1980-12-15/30

⁴⁶ Gsir.S, Mandin.J, Mecoli.E. (2015). *Corridor report on Moroccan and Turkish integration in Belgium*, Migration policy centre.

⁴⁷ Ibid.

3. Current Belgian immigration legislation and integration policy in Flanders

3.1.1 The acquisition of the Belgian nationality

The Belgian nationality law of 1984(see Appendix 2), is the most recent piece of legislation regarding the acquisition of the Belgian nationality. It has undergone several revisions since 1984 according to the demand for more stringent measures with regard to obtaining nationality, but the basis of the law has remained intact.

This nationality law establishes that there are three main ways in which the Belgian nationality can be acquired. The first is simply by virtue of being born on the territory to at least one parent who possesses the nationality. The second way in which nationality can be obtained is by '*nationaliteitsverklaring*' by which a non-citizen can apply to become a Belgian citizen. Among those who can acquire citizenship in this way are foreign spouses of Belgian citizens, foreign children born in Belgium to foreign parents⁴⁸, children born abroad to at least one Belgian parent etc.⁴⁹An additional manner in which nationality can be acquired is by Naturalisation. This procedure is not a right but is awarded to individuals under exceptional circumstances. The two criteria are that an individual has been recognised as stateless, and therefore if not for being granted the Belgian nationality would remain so. The Belgian government may also choose to grant nationality through this procedure, to individuals who have an extraordinary occupation, in sports, scientific research, or achievements in the socio-cultural sphere. Such individuals are naturally seen as an asset to the Belgian nation, and are therefore ideal candidates for acquiring Belgian citizenship.⁵⁰

Obtaining the Belgian nationality is subject to certain conditions and is rarely ever granted automatically except in the event that a child is born on the territory, to at least one Belgian parent, and upon presentation of a birth certificate which can verify this. In order to be eligible for the Belgian nationality in all other cases, the basic conditions are that the individual is at least 18 years old. An uninterrupted stay in Belgium of at least five years under a permanent residence status is another requirement. The Belgian government also stipulates that the applicant for Belgian citizenship must prove economic and social

⁴⁸Belgisch staatsblad: 28 JUNI 1984. - *Wetboek van de Belgische nationaliteit*. 1984-06-28/35

⁴⁹ Ibid.

⁵⁰ Agentschap integratie en inburgering. *Wie komt in aanmerking?*. Retrieved from : <http://www.agii.be/thema/nationaliteit/procedures-om-belg-te-worden/uitzonderlijk-naturalisatie/wie-komt-in-aanmerking>

integration in the country, through work ties, education, as well as sound knowledge of the Dutch language.⁵¹

Upon scrutiny, it is apparent that Belgian nationality law does not immediately make provision for those born within the territory, to foreign parents. An individual falling under this category would therefore have to carry the nationality of his/her parents, until they are able to apply for their Belgian nationality at the age of 18. Even then this nationality is not a given. An applicant would still have to fulfil the criteria of uninterrupted residence, and have a permanent residence at time of application. They would however be exempt from the proof of integration and language knowledge criteria.⁵²

This principle of acquisition of nationality not by place of birth, but by descent, is not unique to Belgium, as it is a practice which can be observed in most European nations. This approach to citizenship could present many issues in terms of identity development of the Belgian born immigrant. It could further lead to a feeling of exclusion, and ultimately hinder a development of national identity and a sense of belonging, even though the individual has lived in Belgium its entire lives.⁵³

3.1.2 Jus sanguinis vs. jus soli principle for acquisition of nationality

Jus sanguinis

The Belgian acquisition of nationality is based on the principle of jus sanguinis. The ideology behind this principle can be traced as far back as Aristotle who in Book III of his “Politics” questions the rights of inhabitants to citizenship. He states that ‘generally a state is a body of citizens sufficing for the purposes of life. But in practice a citizen is defined to be one of whom both parents are citizens’.⁵⁴ This Aristotelean view on the right to citizenship supports the principle of the right to citizenship by descent, regardless of place of birth.

This principle was championed once again under Roman law as the sole way to gain access to citizenship. After the codification of Roman law by Gaius, the distinction between Roman subjects who lived in Rome, and Roman citizens by birth, became clearly defined. Citizens regardless of where they lived could profit from imperial protection, while municipal subjects were exempt from this privilege. Members by birth were favoured over others who had no birth right to citizenship. The motivation for this approach at the time was most probably due to the need to reinforce the superiority in legal status of the Roman male citizen when compared to barbarians, women and slaves.⁵⁵

⁵¹ Ibid.

⁵² Ibid.

⁵³ European Parliament. (2018). *Acquisition and loss of citizenship in EU member states. Key trends and issues*. Retrieved from : [http://www.europarl.europa.eu/RegData/etudes/BRIE/2018/625116/EPRS_BRI\(2018\)625116_EN.pdf](http://www.europarl.europa.eu/RegData/etudes/BRIE/2018/625116/EPRS_BRI(2018)625116_EN.pdf)

⁵⁴ Aristotle. “On Politics”, Book III.

⁵⁵ Martiniello.M, Rath.J. (2012). *An introduction to international migration studies, European perspectives*. Part 1: Ch.6, (pp. 131-155).

As the countries of continental Europe came to adopt civil law, based on notions of the Roman civil code, so this principle would come to be adopted once again. The French 'Code Civil' of 1804 reintroduced this principle in Article 9, showing that French nationality is not automatically granted to French born foreigners at birth, but can be claimed a year after an individual reaches 18 years of age, and even then only granted under certain conditions:

*"Every person born in France of a foreigner, may in the year which follows the attainment of his majority, claim French nationality, provided that, in the case where he resides in France, he declares that his intention is there to fix his domicile, and that, in the case where he resides in a foreign country, he shall notify his intention to fix his domicile in France and shall there establish his domicile within the year following his notification"*⁵⁶

The above article would be adjusted, amended and supplemented by jus soli so as to combine both nationality doctrines in subsequent years. The final change which would come to reflect current French nationality law sentiments, was that of June 1889 in which jus sanguinis prevailed, but with elements of jus soli in relation to nationality adopted by those of French descent. The French preference for the principle of jus sanguinis is born out of the notion that nationality should never be imposed as not all French born foreigners may want the nationality and therefore allegiances may lie elsewhere. Jus soli was seen as too extreme in that it imposed the nationality on foreigners, whereas Jus sanguinis presented them with a choice upon reaching the age of majority, and on the condition that they would reside in France.⁵⁷

The Belgian civil code is based on the French civil code of 1804, and it is therefore unsurprising that the principle of jus sanguinis has stuck. If using the arguments and motivations for adopting this principle in the case of France, then Belgium could argue that this is the best way of ensuring allegiance to the state, as Belgian born foreigners make a conscious choice upon the age of majority to become Belgian citizens.

Conversely, a critique of this principle could consider the exclusionary and divisive nature of this doctrine of nationality acquisition. A Belgian born immigrant who possesses the nationality of his/her parents, and has lived all its life in Belgium, is probably even more 'Belgian' than the child of Belgian descent who has acquired the nationality through its parents, but does not even reside in Belgium. Forcing a person who identifies as Belgian to hold a nationality from a country unknown to them by default, could hinder the development of identity in that person, leaving the individual feeling a sense of lack of identity and belonging which is only comparable to that of a stateless individual. The individual therefore grows up as 'other' in Belgium as is also perceived as such in the country of nationality of his/her parents.

Furthermore, this practice could also lead to a wavering allegiance to the Belgian state as the individual has not been raised to consider themselves a citizen of the state in which they were born, but has been categorized under 'other' or 'foreigner'. This could arguably have

⁵⁶ McGoveney, D.O. "French Nationality Laws Imposing Nationality at Birth" *The American Journal of International Law* 5, no.2(1911): (pp.333-337). Retrieved from: https://www.jstor.org/stable/2186722?seq=1#metadata_info_tab_contents

⁵⁷ Ibid.

an ostracizing effect on the Belgian born immigrant, leading to resentment against a state which failed to offer him/her a place in society, even though he/she has been a member of that society since birth.

This point will be discussed further in the final chapter, in which we also consider, second and third generation immigrants born in Belgium, to parents who possess the Belgian nationality. Comparing these two categories of Belgian born immigrants- in which one group has inherited the Belgian nationality at birth, and the other group does not yet possess the nationality- could be useful in determining the extent to which nationality can impact the development of identity.

Jus soli

The origins of this principle can be found in the common law tradition. This arose out of feudal ties to the ruling sovereign in medieval England. From birth, subjects of the king owed him their allegiance and obedience, and in return they would enjoy imperial protection. Place of birth was important in determining a person's legal status. Those who were born in England fell under the king's jurisdiction and protection, and others born in Scotland and Ireland for instance, simply did not.⁵⁸

In present day, Britain (only to a certain extent) and its former colonies, namely the United States, still follow this doctrine, and citizenship is granted to individuals based on birth on the territory.

The unconditional jus soli of the U.S variant is rare and arguably one of the most extreme applications of the jus soli principle in any nation of the world. The principle is embodied in the 14th amendment of the United States constitution, granting all persons born or naturalized within the territory unconditional citizenship regardless of the nationality of their parents, excepting certain individuals who fall under special categories.⁵⁹

In Britain the extent to which jus Soli is applied to the acquisition of nationality was limited after the British Nationality Act of 1981. Individuals who are born on British territory are only granted British citizenship by descent- if father or mother is a citizen- or if parents have been 'settled' in the United Kingdom prior to birth (Art.1).⁶⁰ This is therefore conditional jus Soli, which seeks to limit the claims of all individuals born within the United Kingdom, by including a requirement of prior residence of parents in the U.K.

Although more unpopular in Europe, (conditional) jus soli may be a lot more inclusive than jus sanguinis, as it takes into consideration that the identity of an individual born within a territory, is not inextricably linked to that of his/her parents.

⁵⁸ Shachar, A. (2009). *"The Birthright Lottery: Citizenship and Global Inequality."* Harvard University Press. (Pg.115).

⁵⁹ Fourteenth Amendment: *"Rights Guaranteed, privileges and immunities of citizenship, due process and equal protection. Authenticated U.S Government Information."* (Pg.1671).

⁶⁰ British Nationality Act 1981. Retrieved from: www.legislation.gov.uk/ukpga/1981/61

In a paper on the subject of citizenship laws, legal scholar Ayelet Shachar highlights the flaws of the jus soli principle namely what she refers to as 'over-inclusiveness'. (Unconditional) jus soli she argues allows for 'persons with only minimal effective ties with the state to be guaranteed all the rights and benefits of membership'⁶¹.

The argument of over-inclusiveness could definitely explain the hesitation of European governments, especially those with high immigration rates such as Belgium, opting for jus sanguinis so as to avoid exploitation of their citizenship, and therefore unfair access to the political and socio-economic sphere of the state. It is worth noting that Belgium does provide for conditional/limited jus soli in its citizenship laws, upon the condition that one or both parents has been born in Belgium, and has resided within the territory for at least five years in a period of ten years prior to the birth(Art.10).⁶² This is however still not applicable for Belgium born foreigners with foreign parents.

3.2.1 Integration policy

Taking a step back from the doctrines of acquisition of nationality which are practiced in Belgium, a discussion of nationality and identity would be incomplete without zooming into the integration policy of the country. As briefly mentioned in a previous section, in order to apply for citizenship or even to be considered for citizenship, an assessment of the level of economic and social integration is required. Integration in the society is therefore a prerequisite for nationality acquisition. This begs the question, does a high(er) level of integration aid inclusion and therefore a development of national identity?

Throughout this chapter a distinction will be made between the federal, regional and local government. The complex structure of Belgium as a federal state means the existence of exclusively federal and concurrent competences in different areas. In 2011, a sixth reformation of the Belgian state took place under an agreement called the *Vlinderakkoord*. With this agreement the federal government delegated further competences to the regional levels. As a result the Flemish region acquired additional competences in the areas which will be discussed later in this chapter; Education and job market policy, amongst several other areas. Note that aspects of Education and the job market policy are still regulated at the federal level, making these areas of shared competence. In many of the areas delegated to the regional level, the Flemish government obtained the authority not just to enforce federal policy, but also to annul, adjust or replace the policy if necessary. Nonetheless, the area of integration remains a federal competence, in the sense that the federal government is responsible for enactment of primary regulation concerning integration, while the Flemish government is responsible for enforcing these regulations, in the region of Flanders.⁶³

⁶¹ Shachar, A. (2003) "Children of a lesser state: Sustaining Global inequality through citizenship laws". *NYU School of Law*. (pg.29). Retrieved from: <https://www.jstor.org/stable/pdf/24220081.pdf>

⁶² Belgisch staatsblad: 28 JUNI 1984. - *Wetboek van de Belgische nationaliteit*. 1984-06-28/35.

⁶³ Vlaamse Overheid. "Verdeling van de bevoegdheden: Staatshervorming". Retrieved from: <https://www.vlaanderen.be/staatshervorming>

A sole document is currently dedicated to Flemish integration policy, titled the 'Decree concerning the Flemish integration and *'inburgering' policy*' implemented on 7 June 2013. This document represents an active integration policy, with emphasis on social cohesion, self-sufficiency and empowerment of immigrants. It further recognises the important role of local government in executing integration policy. This is also highlighted in Article 12 of the decree of June 7 2013, which delegates the task of integration policy to the numerous cities and municipalities, making enforcement of integration policy a provincial and municipal prerogative and responsibility.⁶⁴

The Flemish agency of integration & *inburgering* has highlighted that the primary aim of integration in Flanders is to create equal access to all democratic rights, and to ensure that all inhabitants feel like they belong in society.⁶⁵ The active process by which a newly arrived immigrant becomes gradually indoctrinated into the social sphere is known as *'inburgering'*. This term refers to a government sponsored immersion program-which is deemed mandatory in most cases- to be followed by new arrivals to Belgium, over 18 years of age who will reside legally in the country. The program focuses on language learning, teaching immigrants about several aspects of life in the Belgian society; work, school, rights and duties of the average Belgian etc. Furthermore immigrants are also offered guidance in the search for a job, or vocational training.⁶⁶

In theory this system is effective due to its mandatory nature. The state and municipalities therefore take the issue of integration in their own hands. The only input of the participating individual, remains a willingness to engage in and become immersed in Belgian society. The responsibility of municipalities to actively enforce integration policy, could potentially mean differing provincial and municipal approaches to integration, and varying opinions on its importance on the agenda. For instance, a big city which is skilled in dealing with the challenges of diversity and integrating newcomers, such as Antwerp, might be more actively involved in ensuring that national integration policy is carried out. On the other hand a smaller town such as Roeselare, in the Flemish province of West Flanders, which has experienced a steady increase in foreign inhabitants since 2018 (9.9%)⁶⁷, but is still relatively inexperienced in immigrant issues, might approach integration very differently. A city that is not ready for or even in some cases willing, to accept a growing foreign population, might neglect integration of its foreign inhabitants, fostering an exclusive municipality, which has failed to fulfil its delegated duties to prioritise integration. So how does the Flemish government make sure that provincial/municipal efforts towards enforcement of integration policy remain uniform?

The role of the local government in enforcing integration policy is addressed in Article 12 of the 2013 decree concerning Flemish integration policy. It stipulates that the municipalities will take on what is referred to as a *'directing role' (regierol)*. It recognises the

⁶⁴ Decreet betreffende het Vlaamse integratie-en-inburgeringsbeleid. Retrieved from: www.codex.vlaanderen.be/Portals/Codex/documenten/1023121.html#H1061528

⁶⁵ Agentschap integratie & inburgering. "De Vijf sleutels voor een succesvol integratiebeleid". Retrieved from: www.integratie-inburgering.be

⁶⁶ Agentschap integratie & inburgering. "Wat is inburgering?". Retrieved from: www.integratie-inburgering.be

⁶⁷ Jaarverslag Burgerzaken 2019. Dienst Burgerzaken. "Gegevens vreemdelingen stad Roeselare 2019". (Pg. 20).

need for partial control of local government over integration within the boundaries of their own municipality, and signals the need to work together with relevant actors to execute this task.⁶⁸ The relevant actor in the case of Flanders, is primarily the Flemish agency of integration and *inburgering* (with the exception of Antwerp and Ghent which each have their own integration centres), under the umbrella of this agency, there are five provincial reception centres for newcomers (*onthaalbureaus*) which further include five provincial centres for language learning (*Huizen van Nederlands*), as well as departments for social translators and translation.⁶⁹ The aforementioned institutions give form to the integration goals of the federal and regional government supporting local governments in most areas of integration.

Despite the presence of such agencies as have been previously mentioned, the scope of this 'directing role' on a local government level is otherwise not clearly defined. A recent report by the VVSG (Union of Flemish states and municipalities) shows that the local government still lacks sufficient power to enforce this directing role, many aspects which are essential to local integration policy are still the sole prerogative of the federal government, and are not being correctly delegated on a local level. Integration has to be achieved through cooperation between both levels, and complete delegation of tasks to local government. This report additionally highlights that only 57 out of 300 municipalities receive financial support or government subsidies for carrying out integration policy. This points to an uneven system in which smaller municipalities which may have a growing need for an adequate integration policy within their municipality, are unable to fulfil integration goals due to lack of funding.⁷⁰ An effective and efficient Flemish integration policy will only realise long-term goals through a clear definition of the directing role of local municipalities, and a delegation of powers. As the local government is a key actor in Flemish integration, it is important that federal actors realise the need to further lift limitations on local authorities and in the future consider a broader interpretation of the roles of local government, regarding execution of integration policy.

On a European level, as mass migration is an increasing challenge, so is integration a rising priority. Integration policy does fall under EU competences only in so far that the EU plays a supportive role, and may provide incentives for improving integration of immigrants. The EU treaty of Lisbon 2009 is an example of an effort to bridge the gap between immigrants and their receiving countries. Article 63a of this treaty highlights this effort, but noticeably excludes harmonisation of laws and regulations of the Member states.⁷¹ This is a key flaw in the EU's current approach to integration, and could be the way forward for the development of effective integration policy throughout Europe. A common EU integration policy could have far-reaching benefits in all aspects of society, and would undoubtedly benefit the European Union as a whole. Areas such as employment, could be given a boost due to the implementation of uniform EU integration policy, in that all member states

⁶⁸ Decreet betreffende het Vlaamse integratie-en-inburgeringsbeleid. Retrieved from: www.codex.vlaanderen.be/Portals/Codex/documenten/1023121.html#H1061528

⁶⁹ Deprez,I, Dr. Platteau,I, Hondeghem,A.(2018).*De invulling en versterking van de regierol van lokale besturen op vlak van integratiebeleid*. KU Leuven instituut voor de Overheid.

⁷⁰ VVSG(2019). *Analyse VVSG van Vlaamse Regeerakkoord 2019-2024*. (pp.27-28).

⁷¹ Treaty of Lisbon. (2007/C 306/01). "Amending the treaty on the European Union and the Treaty on the establishing the European Community".

would be on the same page in terms of optimizing integration strategies so as to prepare immigrants for the job market, which would in turn mean less financial dependence on the respective states, and ultimately lower unemployment rates in the EU as a whole.

On the other hand, despite a non-intrusive approach to integration policy of member states, the EU has developed several strategies in order to aid national policy and to achieve a certain level of uniformity. In 2004, “Common basic principles for immigrant integration policy” were introduced as a guideline for member states to use in strengthening national integration policy, followed by a “Common agenda for Integration” in 2005 which aids implementation of the aforementioned common basic principles, by providing a number of instruments such as a Handbook on integration and an integration website both of which are easily accessible and geared towards use by policy-makers and practitioners responsible for the enforcement of integration policy. Lastly, in 2009 the Stockholm programme further reinforced the EU’s efforts to support member states in integration policy efforts, once again emphasising the importance of a unified effort towards the integration of third-country nationals, and the benefits a successful integration could hold for the member states, as well as for the EU.⁷²

The previously mentioned EU strategies are only a few of many instruments and guidelines which the EU introduces on a yearly basis, to help member states such as Belgium, deal with the challenges which come with rising immigration levels, and dealing with an expanding population of third-country nationals. It is worth noting that as integration policy still does not fall under EU competences, the EU can only make use of soft law instruments in order to achieve the end goal of integration and inclusion. This is arguably a very limited approach to deal with a serious issue and the very real challenges which integration poses for member states. This makes integration policy certainly a work in progress with a lot of room for improvement, both on an EU level and at individual state level.

3.2.2 Important aspects of Flemish integration policy: Dutch as a Second Language (NT2)

At the forefront of the Belgian integration policy is language learning. The Dutch language is an integral part of the Flemish identity, and also gives access to the job market and education, as well as bridges the gap between immigrants and the society due to the increased possibility of varied social interactions, and is ultimately a prerequisite for the acquisition of the Belgian nationality. This is the reason why the Flemish government prioritizes the complete acquisition of Dutch as a second language, for all third-country nationals.

For newcomers, a three part civic integration programme is offered as part of the immersion programme (*inburgering*). Part of this civic integration trajectory, is an introductory level Dutch as a second language course (NT2), which helps the newcomer to attain a level A1 of the language.⁷³ This civic integration is mandatory for those who fall into the category of legally residing, third country nationals, over the age of 18, at the risk of a

⁷² European Commission. Migration and Home Affairs. “EU work and activities on integration.” Retrieved from: https://ec.europa.eu/home-affairs/what-we-do/policies/legal-migration/integration/eu-work-activities-integration_en.

⁷³ Council of Europe. Common European Framework of Reference for Languages: Learning, Teaching, Assessment. 2001, CUP. Retrieved from: www.coe.int/lang.

fine if failing to participate. Immigrants who graduate from the Civic integration course, finish with a certificate, given that they have attended at least 80% of all classes, and have passed the Dutch course and that of 'social orientation'.⁷⁴ In this way the Flemish government is able to impose at least a basic knowledge of the Dutch language on a great percentage of newcomers, giving them the first push they need to be able to carry out limited social interactions, and daily activities independently.

In a document outlining policy regarding Flemish integration between 2014 and 2019, the then Flemish Viceminister- president Liesbeth Homans, addresses the goal to enhance investment in Dutch language learning, as a tool to complete integration and assimilation, highlighting language as essential for full participation in social and economic life. She pledges the further stimulation of existing resources and institutions such as the Dutch language centres '*Huizen van Nederlands*', and the agencies for Integration and *inburgering*.

Specific strategies are provided for improvement of existing policy; Stimulating Dutch interactions even after civic integration by use on the work floor, and during vocational training. Additionally, the issue is arrested at an earlier stage, by implementing measures which encourage parent participation and language development of children from the ages of 3 years old.

This policy document insightfully recognises the need to go beyond basic language training in a classroom, and drill language into immigrants in every area of social interaction, because it is only while actively using the language that immigrants can become immersed in it, and as a result in Belgian society.⁷⁵ It is therefore apparent that on a national and regional level the focus on language is present, both in existing policy, and proposed government policy. Given this, can it then be established that there is a link between language learning and integration/assimilation?

In the introduction of this paper, the social identity theory developed by Henri Tajfel was briefly touched upon. In the short discussion on the social identity theory, language was determined as a way in which an individual can assert their identity. In his study Tajfel argued that a social or collective identity arises when a self-definition is focused on a shared self-aspect.⁷⁶ In Belgium, this 'shared' self-aspect can be found in the languages spoken in each region, through which the inhabitants of that region develop a sense of regional identity.

A study by Dr. Chloé Lybaert from Ghent University, shows that the challenges that may arise while learning the Dutch language in Belgium, lies in the fact that Dutch language learning focuses on standard Dutch and neglects to teach immigrants in the various dialects and sub-languages which exist in Belgium. In the stages A1 up until B2 of language education, immigrants will not come into contact with any regional dialects, it is in fact only from the level C1 that they are introduced to regional dialects during listening exercises. The study addresses the complex language situation in Flanders, and worries that 'Dutch as second language' courses fail to reflect this situation, leading to a very one-sided language

⁷⁴ Guidance for newcomers (civic integration path). Retrieved from: <https://www.vlaanderen.be/en/moving-and-housing/guidance-newcomers-civic-integration-path>.

⁷⁵ Beleidsnota 2014-2019: Integratie en inburgering. (pp.18-21). Retrieved from: <https://www.vlaanderen.be/publicaties/beleidsnota-2014-2019-integratie-en-inburgering>

⁷⁶ Jaspal, R. (2009) Language and social identity: a psychosocial approach. *Psychtalk*, 64, pp. 17-20.

training.⁷⁷ The Flemish dialects are diverse and specific to each province of Flanders, these dialects and sub-languages (*tussentaal*) are even more widely used than standard Dutch, and also carry their own identity for the speakers, in that this is one of the ways in which Belgians are able to ascertain the province one comes from. For instance an inhabitant of the city Antwerp, has an idiosyncratic manner of speaking which is particular to the '*Antwerpenaar*', and distinguishes them immediately from someone from the city Ghent. This also includes certain provincial jargon which is completely incomprehensible to those from another province, or even those from the Netherlands.

This same critique on Dutch as a second language in Belgium also addresses the aforementioned policy document on integration and *inburgering* by the then Flemish Vice minister- president Liesbeth Homans. It highlights the fact that the ambitions of the Vice minister-president regarding strengthening the knowledge of the Dutch language amongst immigrants, so as to guarantee successful integration, may be limited, due to her failure to recognise the complications posed by regional dialect, and sub-languages.⁷⁸ Immigrants who are only taught standard Dutch will have to deal with the frustration of being unable to understand or communicate in the regional dialect, leading to another difficulty in social interactions-even at the workplace-, and stunted regional identity development. The writer does acknowledge that there are two reasons why the government chooses to adopt a policy of standard Dutch, in the sphere of language training. Firstly, there is a monolingual ideology which champions the idea of a uniform language policy, in this case standard Dutch. Secondly, a standardisation ideology lies at the root of this policy, which supports the idea that standard Dutch should be the norm for all Dutch language speakers, and represents an aversion to any variation or deviation from this norm.⁷⁹ These two traditional approaches are however far from the reality in Flanders, and recognition of this fact by Flemish policymakers, with a subsequent introduction of dialect and variations into Dutch language learning, might potentially go some way in helping the Flemish government's goals of boosting integration through language.

3.2.3 Education as an aspect of Flemish integration policy

For those who are exempted from the mandatory civic integration (*inburgering*) programme, mainly (but not exclusively) legally residing minors under the age of 18, the federal government makes sure that they are integrated into society in other ways.

Minors under the age of 18 in Belgium, are obligated to go to school or enrol in home schooling, and this is a right extended to minors without legal residence as well.⁸⁰ In Flanders education is an equally integral part of migrant integration, as for underaged migrants, it introduces the possibility of learning Dutch through social interaction with

⁷⁷ Lynbaert, C. " Moet tussentaal een (grotere) plaats krijgen in lessen Nederlands voor nieuwkomers?". Taalwerk.

⁷⁸ Ibid.

⁷⁹ Ibid.

⁸⁰ Agentschap integratie & inburgering. *Onderwijs minderjarige nieuwkomers*. Retrieved from: <https://www.agii.be/thema/gelijke-onderwijskansen/onderwijs-minderjarige-nieuwkomers>

Dutch speaking children and teachers, but it also opens up even more possibilities on the job market after studies. By making sure that this basic right is extended to all children, regardless of their nationality, or current immigration status, the federal government ensures optimal integration, which over a period of time could lead to the development of a strong sense of belonging in immigrant children.

A policy brief by RAND Europe⁸¹ in 2015 showed that although there may be ample opportunities for migrant children in European countries, with regards to attaining an education, there are several factors which continuously put this group of children at a disadvantage compared to their native peers. This highlighted that migrant parents could hamper their children's educational development for the following reasons;

- Socio-economic status of the parents themselves could play a decisive role. Parents who have low academic achievements, and who are slow to learn the local language, are unable to help their kids with schoolwork, and are out of touch with their children's school life.
- The social integration of parents plays a role in educational achievement as well, the feeling of not belonging to the society in which they live in could have a psychological impact on the parents, which inevitably is carried over onto the children.⁸²

This study shows that the integration of parents is inextricably linked to that of their children, improving integration of the adult immigrant population is therefore beneficial for younger immigrants as well. This does not however mean that integration is a one sided process. The will of immigrants to integrate is also crucial to successful integration.

When looking at secondary education in Belgium, a difference can be observed between the study paths of migrant youth and that of their native peers. In Belgium, the school system is divided into general secondary education (ASO), technical secondary education (TSO), and a study path similar to vocational training or professional practice (BSO). Students are allowed to choose a study track from their third year in secondary school, but will find that failure to keep up their grades, could result in a negative study advice and study track reassignment. General secondary education is typically considered the most challenging, and consists of general subjects in the humanities and sciences. Students who follow this study track through till their final year, are then the most prepared to go to any university of their choice. The technical study track is for those students who are more inclined towards a specific path, and can vary from tourism and fashion to electromechanics. Those who follow this study track may or may not opt for higher education. The last study track focuses on honing skills needed to flourish in a wide range of fields, straight out of school, this path does not however prepare students for higher education, and is based on practical rather than theoretical learning. Students who wish to study further, would have to take an extra year, in order to obtain a certificate which would give them access to higher education.⁸³

⁸¹ This is a non-profit research organisation that helps to improve policy and decision making through research and analysis.

⁸² Janta.B, Harte.E. (2015). *Education of migrant children: Education policy responses for the inclusion of migrant children in Europe.* (pp.14-16).

⁸³ Aanbod secundair onderwijs. Retrieved from:
https://www.belgium.be/nl/Leren/onderwijs/secundair_onderwijs/onderwijsaanbod

Considering the above, a greater representation of migrant students were observed in the fulltime vocational study track BSO (13%), than in the other two study tracks (4% in ASO, and 6% in TSO). Additionally, it was found that 23% were enrolled in the part-time vocational track, with a further 11% enrolled in special secondary education institutions.⁸⁴ These figures paint a grim picture, as it shows that compared to other students, migrant students are more likely to veer off the purely academic track, opting for more vocational fields, which will eventually lead to low-skilled jobs, and possibly no higher education. The aforementioned factors such as lack of parental input in education, and language limitations, could lead to general underperformance. Sadly, these factors have far-reaching consequences, which can go some way in explaining the low percentage of migrant students in more academic study tracks. As failure to perform well within a study track could eventually mean study track reassignment, it begs the question as to whether this study system is more disadvantageous to migrant students, and could potentially serve as an anchor on upward social mobility, and eventual job market integration.

3.2.4 The labour market as an aspect of Flemish integration policy

As demonstrated in the previous section, education undoubtedly influences the opportunities available to migrants on the labour market. Alongside education, participation in the labour market is another important aspect of society which can accelerate the migrant integration process.

Labour market inclusion is the ultimate goal of migrants who have immigrated to a country, in the hope of a better life for themselves and their families. In that sense, this could be seen as the final stage of a successful integration process. The ultimate goal of any state is-or at least should be- to achieve in making immigrants as self-sufficient as possible, so that they do not have to depend on government funding for subsistence. This is the reason why it is in the interest of every state to ensure that legally residing immigrants have access to jobs and are provided with the tools to be able to stay employed. Even more so, it is important to limit administrative barriers which may hinder access of immigrants to the job market. Such obstacles could include conditions for granting and renewal of work permits. For highly educated immigrants it could mean having to choose lower skilled jobs, for which they are over-qualified, due to their university degree obtained in their home country, not being considered equivalent to one obtained abroad in Europe or the U.S.

So how does the federal government cooperate with the Flemish government to ensure a fluid entry into the job market, for immigrants who are eager to work and have the necessary documents required to do so? The current statistics show the rate of foreign adults of working age and born outside the EU, aged between 20 – 64, was approximately 327,000 in 2016, with a growth of 84% between 2006 and 2016.⁸⁵ Of these 327,000 who are between the ages of 20-64 in Flanders, the rate of those third country nationals who are

⁸⁴ Stuyck, K., Doyen, G., Feys, Y., Noppe, J., Jacques, A., Buysschaert, P. (2018). *Survey Samenleven in Diversiteit 2017*. Brussel: Agentschap Binnenlands Bestuur.

⁸⁵ Noppe, J., Vanweddigen, M., Doyen, G., Stuyck, K., Feys, Y., Buysschaert, P. (2018). *Vlaamse Migratie- en Integratiemonitor 2018*. Brussel: Agentschap Binnenlands Bestuur. (Pg.194).

employed is 46%, which is 27% lower than that of native Belgians, and 24% than Belgian residents born within the EU. These statistics also show that the gap between employment rates of Belgians and third-country nationals, has only shown very limited growth between 2006 and 2016, whereas that of EU nationals working in Belgium has increased in comparison (see Appendix 1, Figure 1).⁸⁶

A further report showed that compared to other EU countries, Belgium had the lowest employment rates of third-country nationals and the third greatest difference between employment rates of natives and third-country nationals. The difference could possibly be explained by the fact that Belgium has evolved into an immigration country which attracts migrants who immigrate due to family-reunification and other humanitarian reasons, and less those who come for the purpose of work and study. This could perhaps also account for the fact that compared to natives, a large percentage are low-skilled. This aspect is highlighted as the strongest determinant, alongside other factors such as gender and age. Additionally, the nature of work taken on by third-country nationals is noticeably of the lower paid and unstable variety, marked by longer periods of unemployment than their native contemporaries. This could also be explained by the fact that a whopping 61% of migrant women were found to be housewives, compared to only 25% of native Belgian women.⁸⁷

Based on these statistics it is apparent that the federal and Flemish government bodies could adopt more measures, to ensure better labour market integration of third-country nationals. The starting point would be eliminating the administrative hurdles previously mentioned, which could affect migrant's chances of finding long-term employment. For instance, a migrant who would require a work-permit which would have to be renewed yearly, upon certain conditions would find that this limits the chances of securing permanent work contracts. It is worth noting that in Belgium migrants with a permanent residence no longer require a work permit.

Furthermore, measures will have to be introduced which aid and encourage highly skilled immigrants, to find better paid jobs suited to their skills. This would mean recognition of degrees of higher education obtained abroad, and better means of approving them, or at least giving migrants with foreign degrees, the opportunity to prove their competences, through standardised tests etc. This would undoubtedly produce even more migrants who are available to work high-skilled jobs.

On the other hand the statistics also highlight that individual migrant input is a contributing factor. The staggering disparity between migrant women and native women who are housewives is one such factor which could account for the figures mentioned above. It shows that for whatever personal reasons, a great percentage of migrant women choose not to work. This could lead to a vicious cycle in which these women, are socially secluded, and therefore less integrated than their men. Secondly, language is still an important factor when discussing the Flemish job market, as failure to show fluency in Dutch, both spoken and written, could greatly affect the type of jobs migrants have access

⁸⁶ Ibid

⁸⁷ "Immigranten geboren buiten de Europese Unie op de Belgische arbeidsmarkt". (2018).

Verslag, Hoge raad voor de werkgelegenheid.

to. Language acquisition is of course dependent on individual willingness to learn, but also adequate opportunity to become immersed in the language, outside the classroom.

4. Can nationality really impact the development of national identity?

4.1.1 The role of social inclusion

In discussions on immigrants, nationality, and development of national identity, inclusion definitely lies at the crux of the matter. Social inclusion (and also social exclusion, as these can be seen as two interlinked concepts) of immigrant populations is indisputably decisive in the formation of national identity. While integration is a two-way process, whereby both the receiving country and the immigrant are responsible for the successful outcome, inclusion can be viewed as the responsibility of the receiving country.⁸⁸

In the last chapter several ways in which migrants are helped to integrate into Belgian society were discussed; language learning, vocational training, mandatory education for minors, and labour market inclusion. In essence an immigrant could be well integrated in all these areas, but still not feel a sense of belonging to Belgian society. This could be the result

⁸⁸ Prof.Dr, Zemni,S. Yakoub,B.J. *Inclusieve Maatschappij*.(pg.60). UGent. Retrieved from: <https://demos.be/sites/default/files/inclusievemaatschappij.pdf>.

of feeling excluded from society or potentially a feeling of being socially marginalized as a minority group.

Inclusion is a broad concept, encompassing a wide range of societal aspects. The European Council defines social inclusion as “a process which ensures that those at risk of poverty and social exclusion gain the opportunities and resources necessary to participate fully in economic, social and cultural life and to enjoy a standard of living and well-being that is considered normal in the society in which they live. It ensures that they have greater participation in decision making which affects their lives and access to their fundamental rights.”⁸⁹

It could be said that the ultimate inclusion of immigrants is demonstrated when a country grants an immigrant citizenship. The reward of citizenship is basically a receiving country throwing its arms wide open to that migrant and fully welcoming him/her into society. It is a testament to the fact that the migrant is now officially considered ‘one of us’ and therefore is to be allowed to vote, to have full legal rights, to seek employment in any of the official institutions, and the ability to seek consular assistance while abroad. When considering the definition of social inclusion above, this granting of citizenship ticks all the boxes, in terms of the fundamental rights citizenship gives access to. The acquisition of citizenship would ideally mean that the immigrant considers themselves a subject of that state, representing the state both at home and abroad. This would be the case if by the time the immigrant has been granted citizenship, he/she identifies more as members of that state, than as nationals of his/her state of origin (in the case of dual citizenship).

A crucial aspect of social inclusion which is directly linked to citizenship, is political inclusion. This falls under social inclusion, but more specifically deals with the right of political participation of all individuals living within a democratic state.⁹⁰ Although Belgium is a country which practices a system of compulsory voting in federal, regional, provincial and European level elections, third-country nationals are still excluded from participating in federal, regional, provincial and European elections in the Belgian state. The only elections in which the vote of third-country nationals is permitted is that of the municipal council, and in the district council elections in the ethnically diverse Flemish city of Antwerp.⁹¹

This practice of political exclusion of non-citizens is certainly not limited to Belgium and European states. Many countries around the world choose to exclude non-citizens from either national, provincial, municipal elections, or one or two of the above, with the general consensus being that participation in national elections is definitely to be ruled out for third-country nationals who are non-citizens. The rationale for this is that voting is a privilege which is best reserved for citizens of a state. Foreigners do not need to make decisions concerning state policy and leadership, until they are deemed integrated enough to become citizens. The second more popular and convincing debate against this practice, is that it is

⁸⁹ Council of the European Union. (2003). *Joint report by the Commission and the Council on social inclusion*. 7101/04.

⁹⁰ UNESCO. *Political Inclusion*. Retrieved from: <http://www.unesco.org/new/en/social-and-human-sciences/themes/urban-development/migrants-inclusion-in-cities/good-practices/political-inclusion/>

⁹¹ Vlaamse Overheid. “Verkiezingen: Stemrecht en Stemplicht bij Verkiezingen.”. Retrieved from: <https://www.vlaanderen.be/stemrecht-en-stemplicht-bij-verkiezingen#stemrecht-voor-niet-belgen>

unwise to involve third-country nationals in elections as their states of origin could use this as a way of gaining influence in the political sphere of the host country.⁹²

Those on the other side of this debate argue that long-term residents should at least be given the opportunity to participate in regional and municipal elections, as this group also pays taxes, and therefore should have equal say in public funding allotment, as well as in issues concerning the welfare of the general public.⁹³ Full participation in a democratic state involves political participation. If a long residing immigrant is excluded from the political sphere, not being included in choosing its leaders, or making decisions on policy which also concerns him, then that immigrant is unlikely to feel a strong sense of belonging.

It is now worth examining certain elements which make a society 'inclusive', in the context of inclusion of minority groups. At the basic level, equal access to resources such as education, and jobs are important in empowering minority groups, and giving them the opportunity for upward social mobility. Beyond these basic elements, inclusion also means respect for cultural diversity; this goes beyond mere tolerance, but includes an accommodation of the cultural differences that exist between groups in society. Linked to this is the respect for 'all' human rights, individual liberties and the rule of law. This also includes respect for religious preferences, as well as individual traditions and rituals.⁹⁴

Another dimension of an inclusive society is the equal opportunity of all members of society for active participation in social, economic, and political activities, at both the national and local level. Finally, an inclusive society should promote a shared and common goal for the future. What this means in relation to multi-ethnic societies, is the promotion of positive images of an inclusive society, in which all members (especially members of majority groups) share this common goal and understand the individual effort which is needed to attain this goal.⁹⁵ This refers to social inclusion at an individual level. Individual efforts to include immigrants, and the willingness to live in an inclusive society are just as much a contributing factor to social inclusion. Media representation of immigrants and government initiative to advocate for positive attitudes towards minority groups and cultural diversity, can be instrumental in shaping individual attitudes.

Later on in this chapter, the relevance of social inclusion to national identity development will be illustrated, by looking at case studies of generation 1.5⁹⁶, second, and third generation Moroccan and Congolese Belgians. Considering the elements of an inclusive society listed above, it would be interesting to determine if the Belgian society is perceived as inclusive by these groups.

⁹² K.Groenendijk. (2008). "Local voting rights for non-nationals in Europe: What we know and what we need to learn. University of Nijmegen.(Pp.5-6)

⁹³ Ibid.

⁹⁴ DESA. (2009). *Creating an inclusive society : Practical strategies to promote social integration*. Retrieved from: <https://www.un.org/esa/socdev/egms/docs/2009/Ghana/inclusive-society.pdf>

⁹⁵ UNESCO. (2007). *Summary of the E-dialogue on creating an inclusive society: Practical to promote social integration*. Retrieved from:<https://www.humiliationstudies.org/documents/UNESCOEdialogueFinal.pdf>

⁹⁶ Individuals who were not born in Belgium, but who moved from their country of origin at a young age, and have lived in Belgium for decades.

4.1.2 The impact of dual nationality on national identity development

The previous chapters have focused on how acquiring Belgian citizenship can impact the development of national identity in immigrants in Flanders. However, little reference has been made to the issue of dual nationality, in which an immigrant decides to retain the nationality of its home country, upon acquiring the Belgian nationality. This phenomenon can be understood as the interaction of the Belgian nationality with another nationality which an immigrant may possess, which could have consequences for the way in which the Belgian national identity is developed.

In Belgium, third-country nationals who become Belgian citizens are allowed to keep their original nationality. Additionally, Belgian citizens who wish to acquire a second nationality are free to do so, without the risk of losing their Belgian nationality.⁹⁷ This latter category also includes second-generation immigrants, who were born in Belgium, and have inherited the dual nationality of their parents. When considering dual nationality, can one then speak of a dual identity, which influences the development of the Belgian identity in immigrants, even in the case of second and third generation immigrants?

To understand dual nationality and the concept of dual identity, one must understand what the possession of a nationality of a state implies. Political participation is an aspect that has been discussed at length in the previous section, and which is a given in the case of countries which impose compulsory voting, this is the case in Belgium. In some countries compulsory military service is another aspect, with the risk of jail time and sanctions for those who try to escape this requirement, as is the case in Turkey.⁹⁸ These examples show the political bond which nationality creates with a state, with rights and responsibilities attached for both the citizen and the state. The responsibility of the citizen is allegiance and active participation, the level of which varies from country to country. One could argue that full and equal representation of two states is impossible as there will always be a tendency to feel more a member of one than the other. This is the reason why dual nationality can create friction, and an identity crisis for those who find themselves the subject of two states, especially two states with conflicting cultures and ideologies.

Dual nationality does have its advantages for the citizen, in the sense that in times of conflict and overseas travel amongst other inconveniences, a citizen will have the choice to utilize whichever nationality will provide the most favourable benefits. Conversely, the effect that this could have on the development of national identity on the individual level, is a state of wavering allegiances, feeling only Belgian enough in so far as possession of that nationality can be profitable to them at any given time. On the institutional level, this could also aid a sense of blurred perceptions of the identity of an individual (can this individual truly be considered a Belgian?).

⁹⁷ Federale overheidsdienst Justitie. *Dubbele nationaliteit*. Retrieved from: https://justitie.belgium.be/nl/themas_en_dossiers/personen_en_gezinnen/nationaliteit/dubbele_nationaliteit

⁹⁸ "Turken kopen massaal militaire dienstplicht af." 7 August 2018. Het Laatste Nieuws. Retrieved from: <https://www.hln.be/nieuws/buitenland/turken-kopen-massaal-militaire-dienstplicht-af~a5e802ff/>.

A recent example of the issues dual nationality could present for identity perception by others (otherwise known as recognition) and ultimately identity development in minority groups, can be seen in the Belgian response to the repatriation of Moroccans with a double nationality, who have been stranded in Morocco as a result of the COVID-19 health crisis. The Belgian government has been met with widespread critique, and frustration from Moroccan Belgians who were unfortunate enough to be on holiday in Morocco when the country closed its borders in March 2020, leaving a disgruntled group of approximately 1500 Moroccan Belgians with no choice but to wait till the borders reopen in order to return to their homes and families in Belgium.⁹⁹

The motivation for this apparent neglect of those with dual nationality by the Belgian government, can be justified under the Consular code (*Consulaire wetboek*) Art. 79 (1); this exempts from this privilege, Belgian nationals who also hold the nationality of the state in which they find themselves upon requesting consular assistance.¹⁰⁰ The approach to the repatriation of Belgian Moroccans speaks volumes about the attitudes towards these nationals, who in this case are being neglected as a result of the fact that they are considered to be after all in their country of origin, and therefore not as much a priority as mono-national Belgians. This scenario can also help in understanding the potential complications dual nationality may have on identity development. Feelings of being not a priority as a minority group, and abandoned by the Belgian state in times of need, could lead to mixed feelings about a sense of belonging to that state. It could be argued that identity recognition and identity development, are actually interlinked, with the former having a decisive impact on the latter. This is explored further in the following sections.

4.2 Case study: Moroccan community in Flanders

The Moroccan community is an interesting case study, as next to the Turkish community it is the most populous minority group in Flanders, and also the most controversial, due to very ambivalent attitudes towards Belgian Moroccans in society. This is for the most part due to a distinctive cultural and religious identity, which is ever more present in the second and third generation. In this group, acquisition of the Belgian nationality is not a main factor as due to the channels through which this minority group was able to settle in Belgium-as discussed in the first chapter- second and third generation immigrants usually acquire the Belgian nationality at birth, through their parents. This means that from birth, second and third generation Moroccan immigrants are Belgians, born and brought up in Belgium. It is interesting then to discover how much of an impact possession of the Belgian nationality, helps in forming the idea of being Belgian in this minority group.

⁹⁹ Bervoet, D. 14 April 2020. "Akkoord met Marokko over repatriëring landsgenoten". De Tijd. Retrieved from: <https://www.tijd.be/politiek-economie/belgie/federaal/akkoord-met-marokko-over-repatriëring-landsgenoten/10220578.html>

¹⁰⁰ Consulaire Wetboek 2013. Buitenlandse zaken, Buitenlandse handel en ontwikkelingssamenwerking. 2013-12-21/52. Art. 79(1).

The most common critique of the Moroccan Belgian community is a strong emphasis on culture, which is found to clash strongly with the Belgian culture and societal norms and values. Important aspects of the Moroccan culture include; the Arabic or Berbers language, specific norms and values primarily linked to religion such as respect for parents and the importance of family, rites and traditions partially but not exclusively linked to religion, and of course the Islamic religion itself. Cultural identity is therefore a strong element of what it means to be Moroccan.

In a 2002 study carried out by sociologist Nadia Fadil, a group of second-generation Moroccan Belgian adolescent girls, from the Flemish region and Brussels, were interviewed, in relation to defining ethnic and religious identity. The girls were grouped using the Berbers/Arabic (ethnic variants), headscarf/no headscarf criteria, with the headscarf being seen as a marker for religious identity. Of the 21 girls, only one Berbers girl Aicha, and 5 Arabic girls wore a headscarf. When faced with the question of whether they consider themselves more Moroccan or Belgian, it is noticeable that some of the girls are quite undecided about this identity, the first interviewee Fatima (Arabic, wears a headscarf) answers:

"I don't know... I don't like lamb, and I prefer Spaghetti (laughs), I actually just do everything they do, but I am Islamic, that's all. I buy clothes at H&M; I don't especially go to the Moroccan shop on Brabantstraat to get my clothes."

Fatima does not know whether she can refer to herself as simply a Moroccan, and in her opinion there is no difference between her and other Belgian girls her age. She also seems to reject fitting into this box of being Moroccan. The main difference for her is religion. Her religious identity defines her more than her cultural or ethnic identity. A second interviewee Ouïame (Berbers, no headscarf) gives a more definite answer:

"Moroccan.... Even though I have a Belgian passport, I would still be identified as a Moroccan. It doesn't change your skin colour in anyway. You were born Moroccan, you think Moroccan, you have Moroccan blood, it is impossible to change that. Why say 'Belgian' because you have a stupid passport. The only time that I would say that I am Belgian, would be for work or for official documents. If I am simply asked, I wouldn't say I was Belgian. There's no point in saying it. Saying it, means you are really Belgian: You practice the Belgian culture, you have Belgian parents etc. but they can see by looking at you that you are of foreign origin. Why then would I say that. The way I look at it, it would mean that I am ashamed to say: Yes I am Moroccan. And I am not ashamed of it. I just don't like that kind of label."

This interviewee rejects nationality as a basis for defining her identity. She acknowledges that having a Belgian passport can be useful to her when handling official issues, but in her everyday interactions she will always say that she is Moroccan. This is an undeniable part of her, both in the sense of categorization by others based on her physical appearance, and also in her own sense of self, based on clear differences between her and other Belgians due to culture and lineage. She makes no explicit mention of religion, but perhaps this is because it is for her already implied by virtue of 'being Moroccan'.

A third interviewee Sarah seemingly confirms this when asked to qualify "What is the meaning of being Moroccan?"

“I want my children to be brought up in a Moroccan way: For them to know something about the religion, the culture; for them to know something about Morocco. I will give them a certain freedom, but will first show them what is allowed, and what isn’t. I would explain it well to them and say: ‘Look where we come from, it’s like this and like that’. (...) I won’t allow them to drink, smoke or to lose their virginity.”

Similar to the second interviewee, Sarah (Berbers, no headscarf) is very clear about what makes her Moroccan, and also how the norms and values that make one identify as Moroccan are different from Belgian values, hoping to also show her future children this clear difference between both cultures. Once again the religious aspect of the Moroccan identity is brought up both explicitly, and implicitly, when she mentions certain things which are considered to make a good Moroccan. These are in fact also core Islamic values, such as abstention from alcohol, and virginity of women until they are married. Cultural and religious identity seem to be inextricably linked, when it comes to the Moroccan identity. Another interviewee Latifa (Arabic, wears headscarf) who is as undecided as the first girl about her ‘Moroccan-ness or Belgian-ness’, is unable to decide which identity is most predominant within her, saying that she does not feel one or the other. One thing she does know with certainty is that she is Muslim (*“The only certainty is my religion”*).¹⁰¹

The above samples show that due to being born and brought up in Belgium, and having the Belgian nationality, it can be hard for some Moroccan Belgian youth to understand their identity. Neither are they ready to be put in a box, or bear the label ‘Moroccan’ exclusively. The one thing which most of the interviewees did have was an awareness of the importance of religion and the existence of a religious identity, which separates them from a non-Muslim Belgian. Based on their answers and the study which also includes some other interesting interviews, it is apparent that religious identity forms a big, if not significant part of Moroccan cultural identity. This is unsurprising as the Islamic religion, dictates a certain way of life which covers all areas from food choices, to way of dress, to traditions. It is an ideology in which religion and state become one, making it difficult for a cultural identity to develop entirely separate from the Islamic identity.

It is this Islamic cultural identity that could be viewed as problematic to the development of Belgian national identity, and being Belgian by virtue of place of birth, and country of upbringing does not alter that fact. There is a rejection of ideology and culture on both sides; on the Belgian side, a rejection of a culture strongly linked to a religious conviction which influences all aspects of life. This is considered to be in direct conflict with the relatively free ‘Belgian’ way of life as well as western values of individual liberty and secularism. On the Moroccan-Belgian side, a rejection of what could be viewed as an abandonment of all norms and values which a good Muslim should adopt (virginity, no alcohol, no pork etc.), by fully embracing the Belgian side of their identity.

4.3 Case study: Congolese community in Flanders

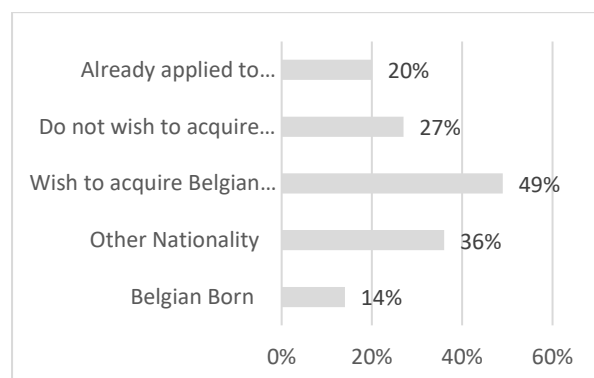
¹⁰¹ Fadil, N. (2002). *Tussen Marokkaan en Moslim: Over de ethnische en religieuze identiteit van ‘Marokkaanse’ adolescente meisjes*. Tijdschrift voor sociologie. Volume 23.Nr.2 (pp115-133).

The history of Congo and Belgium, predates the Moroccan migration by decades. Congo was the sole colony of Belgium from 1908-1960 under the rule of Belgian king Leopold II. The historical link between these two countries as a result of colonialism, is a controversial one fraught with oppression, exploitation and racism. This complicated relationship marked by racial prejudices and an insatiable greed for the raw materials which were being exported to Belgium out of Congo, is perhaps the reason why Belgium did not venture to recruit its Congolese subjects to work in the coal mines. Regardless of initial racial sentiments, as of 1951 Congolese diplomats, academics, students and tourists started to make their way to Belgium, slowly evolving into a period of settlement in the decades which followed, most notably in the 1980`s.¹⁰²

Although the background of Congolese immigration and settlement was not discussed in previous chapters, this group as the most populous group of non-Muslim African immigrants in Belgium will serve as a comparison for the Moroccan community discussed in the previous section. In the Belgian Moroccan community we observe an Islamic cultural identity, which supersedes national identity. As this is not the case in the Congolese community, the absence of this strong religious identity, could perhaps leave room for the development of a national identity, on the basis of nationality or a sense of belonging to the Belgian state.

The analysis of this minority group will be primarily based on the findings from an initiative by the foundation *Koning Boudewijn Stichting* to shed more light on Belgian sub-groups from Congo, Burundi and Rwanda, comparing them with groups from other parts of Francophone Sub-Saharan Africa. The study focused on individuals aged 18+, carrying out both quantitative research in the form of surveys, and qualitative research through interviews in the three regions Flanders, Brussels and Wallonia.

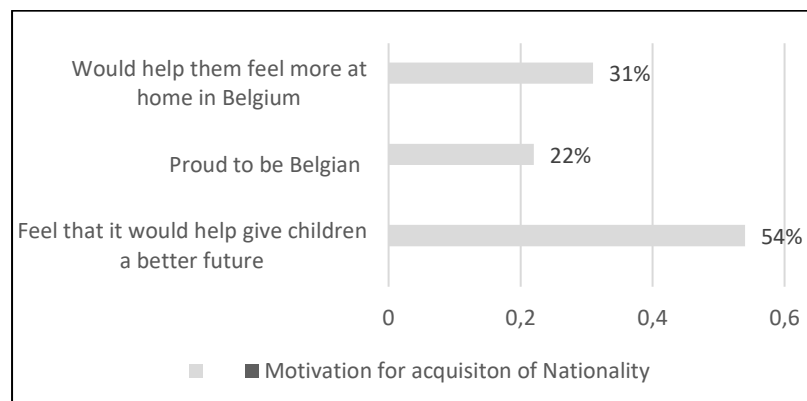
When addressing the possession of the Belgian nationality, it is remarkable that in the Congolese participants only 14% were born Belgian, 50% acquired the Belgian nationality, and 36% were categorized under 'other nationality'. The question whether there were plans to acquire the Belgian nationality amongst the group who did not already have the nationality, produced the result that 49% wished to do so, 27% did not wish to do so due to the idea that they would eventually relocate elsewhere, and 20% had already applied to acquire the nationality.



The motivations for the acquisition of nationality were further investigated with 54% of Congolese participants admitting that it would be helpful in giving their children a better

¹⁰² Demart,S. (2013). *Congolese Migration to Belgium and Postcolonial perspectives*. African Diaspora 6. (pp.1-20).

future, 22% said that it was because they were proud to be Belgian, and 31% indicated that it would help them feel more at home in Belgium.¹⁰³



Furthermore the survey investigates the link between citizenship and a 'national' feeling, which is to be understood as a feeling of attachment to the Belgian state. To the question: In which country (ies) would you say you feel more at home? Only 52% of Congolese participants answered that they felt most at home in Belgium. An important aspect of identity, belonging and also identity recognition by a majority group, are shared norms and values. The study measures this by asking participants to give their opinion on individualist post-modern western values covering issues such as gender equality, divorce, abortion, homosexuality etc. The question whether democracy was the best form of government, was answered positively by 42%. Due to religious convictions a greater percentage of Congolese participants were more opposed to homosexuality, divorce, abortion and euthanasia.

Lastly, the study sought to delve into the issue of racism and discrimination which definitely leads to feelings of exclusion from society. 78 % of Congolese participants felt discriminated against on the basis of their skin colour or ethnic origin. For all three focus groups both the first and second generation had experienced discrimination directly at school or in a work context, and indirectly through stories from parents and people they knew. Interestingly enough this racism was sometimes also expressed by other non-black minorities. Although earlier in the study, it was highlighted that individuals from these minority groups were more likely to be highly educated than other minorities as well as even the average Belgian, it is shown that these groups are also more likely to be discriminated against when looking for a job; 51 of participants, expressed that they did not feel that they had the same opportunities as a Belgian without an immigrant background, when it came to getting the job they wanted.¹⁰⁴

This racism was also highlighted in another study which focused solely on Belgo-Congolese individuals primarily from Gent, Antwerp and Liege. This involved interviews with this group on issues such as; Where they considered 'home', their experience with racism, integration, and connection to country of origin. Overall, the study showed that those of the

¹⁰³ Koning Boudewijnstichting. (2017). *Burgers met Afrikaanse roots: een portret van Congolese, Rwandese en Burundese Belgen*. (pp.9-138).

¹⁰⁴ Ibid.

younger generation who had been born in Belgium or who arrived at an early age, were unsurprisingly more likely to feel at home in Belgium than the older generation. This did not mean that this group experienced less of an identity crisis, if not more than the first generation, as that group at least could choose to identify more with Congo. A 28 year old man who came to Belgium at the age of ten, describes this identity crisis:

*"I ask myself who I am. I am not Belgian that I have discovered. But am I Congolese? I don't speak Lingala or Swahili and I haven't been to Congo in 18 years. In my mind I am Belgian, but you are incessantly pushed away."*¹⁰⁵

Other participants in the study also touched on the issue of 'feeling Belgian', but this feeling not being enough to assert their identity. "integration comes from two sides" one of the participants explains, it is not enough to want to integrate, or even to be fully integrated, society would have to let the individual to feel included as well, this was highlighted as lacking. Larson Mikuna who works with troubled Congolese youth aged 18-24, in Antwerp, describes the far-reaching impact of racism and discrimination¹⁰⁶:

"They are demotivated. They hang around. They think that either way they stand no chance of getting a job because they are black. They pass a(n) (intake) test and are rarely hired. Even though they have their papers and the majority speaks perfect Dutch. Is there racism? Racism is everywhere. It is simply unavoidable."

Both studies have revealed a commonality in approaches to the Belgo-Congolese minority group irrespective of their nationality, place of birth and level of integration. Although members of the second generation might feel Belgian by virtue of nationality and attachment to Belgium, this identity is denied them through discrimination and exclusion based on being black. Due to this 'blackness' they cannot fully claim the Belgian identity without having others invalidate their right to call themselves Belgian. The identity crisis which we observed in the first part in Belgo-Moroccan immigrants when asked if they felt more Moroccan than Belgian, is also seen in this group of second generation immigrants. This uncertainty about their identity, or more specifically a hesitance to call themselves Belgian could do with the way their identity is perceived by others, as well as a feeling that aspects of their cultural identity set them apart from the average Belgian. The study of this minority group shows that in order for nationality to have an influence on national identity, there must be social inclusion of minority groups. We also observe that without identity recognition from other groups, especially majority groups, one's identity development could be hindered. This is a factor that we observe in both the Moroccan and Congolese minority groups.

¹⁰⁵ J.Vandaele.(2010). *Congolezen in België: "Racisme is een gemiste kans voor iedereen"*. Retrieved from: <https://www.mo.be/magazine/juni-2010/congolezen-belgie-racisme-een-gemiste-kans-voor-iedereen>.

¹⁰⁶ Ibid.

4.4.1 Applying the social identity theory to identity development and perception

Now that two main minority groups have been discussed and compared, it is apparent that although the Belgian nationality – along with all that possession of this nationality entails- can aid formation of a national identity in minority groups, and more specifically in those who have been born and bred in Belgium, this identity is a limited one, dependent on several more decisive factors such as integration, and social inclusion.

The social identity theory can help to better understand identity development and its perception both by the minority group themselves, and by the aspirational group which is the majority group. We have established that according to this theory by Tajfel and Turner there are two categories: the in-group and the out-group, also known as 'us' vs 'them'. The theory further identifies three stages to identity development: firstly is the categorization stage, in which individuals seek to place people (and themselves) into categories in order to gain a better understanding of who they are in relation to us and the social environment. These categories include race, religious preferences, social class etc. This categorization is however not exclusive, in the sense that an individual can belong to different groups and may categorize themselves as such. In the second stage is social identification, which deepens identity development because an individual then adopts the identity of the group to which they belong. The final stage is that of social comparison. Group identity exists on the basis of comparison with other groups; what makes our group unique, and why are 'they' different from 'us'?¹⁰⁷

In the case of Flanders, and the relationship between second/third generation minority groups and the majority group, we understand that although the Belgian nationality serves as an initial basis for social categorization in the in-group, other factors which conflict with this group could explain eventual exclusion from the group. In both minority groups discussed, the individuals interviewed suggested that they 'felt' that they were Belgian but other aspects of their identity; being Muslim, skin colour and cultural idiosyncrasies, led to them doubting this identity. The experience of being 'pushed away' through discriminatory attitudes (direct or indirect) reminded them that this idea of being Belgian was not necessarily accepted by all. The majority group seeks to compare themselves with these individuals, rejecting aspects of their identity which it feels does not merge with its own, and eventually denying the minority group altogether on the basis of these differences. For the minority group involved this in turn can result in the identity crisis which we also observe, as these individuals doubt their belonging to both the in-group and the out-group.

To further explain this the social categories '*allochtoon*' and '*autochtoon*' and the implications of these terms, must be examined. *Allochtoon* is a Dutch word generally used in reference to immigrants (also used by immigrants in reference to themselves or each other). Although the original criteria for this is that at least one parent was born outside of Belgium, everyday use has extended this term to simply refer to those with a foreign ethnicity, regardless of place of birth of parents or self. *Autochtoon* then refers to those who are

¹⁰⁷ McLeod, S. A. (2019). *Social identity theory*. Simply Psychology. Retrieved from: <https://www.simplypsychology.org/social-identity-theory.html>.

ethnically Belgian.¹⁰⁸ These terms used in this way, put the individuals concerned into set categories, and could be detrimental to self-conception, as society is then divided purely into immigrants and natives. This is problematic for the identity conception of second/third generation who are forced to bear the label *Allochtoon*, even though they do not consider themselves as such.

The aspect of social comparison can also be applied from the other perspective. Minority groups such as the Moroccan community have a strong religious identity which leads to self-categorization as a Muslim. This religious category forms a basis for comparison with non-Muslim Belgians, leading to what is described as positive distinctiveness: in-group favouritism and out-group derogation. When social comparison indicates positive distinctiveness, an individual's self-esteem is increased, leading to greater group cohesion and potential exclusion of oneself from other groups.¹⁰⁹ Let us consider the series of interviews with adolescent Moroccan girls, already covered in the previous section. The concept of virginity is discussed in comparison to Belgian girls of the same age range, while virginity is a given in Islamic communities until marriage (especially for women), this is according to Belgian norms almost unheard of after the ages of 16-18. The reaction of the girls when addressing this difference in norms is one of aversion to this kind of behaviour, as they have been raised to believe that virginity is sacred. In their own social conception, this is a positive attribute of being Muslim, and leads to out-group derogation, that is condemnation of other groups who indulge in the opposite.¹¹⁰

Social identity theory is a multi-faceted theory, which could border on overly complex and one-sided, but its basic presumptions are very apt in describing the complicated nature of intergroup relations. Based on the social identity theory, one could conclude that nationality is linked to the development of national identity, but that intergroup dynamics weaken this link sufficiently.

4.4.2 Identity recognition and identity development

Identity recognition has been touched upon in the previous section on dual nationality, and also comes across in the interview excerpts which were presented. In the individuals interviewed from both minority groups, we observe an identity crisis, and also a hesitance to fully identify as Belgian, due to a fear of having this identity negated by others. This is triggered by a feeling of not fitting into the general idea of what a 'real' Belgian should be like (in terms of skin colour, ethnicity, culture etc.)

¹⁰⁸ Vandenbusche, F. Olbrechts, F. Maetens, Y. (2018). Alles wat je moet weten over migratie in België in 21 vragen en antwoorden. Retrieved from: <https://www.apache.be/2018/06/19/migratie-in-belgie-21-vragen-en-antwoorden-waarover-het-echt-gaat/>.

¹⁰⁹ Trepte, S. (2017). *Social identity theory and Self-categorization theory*. University of Hohenheim. (Pp.4-5).

¹¹⁰ Fadil, N. (2002). *Tussen Marokkaan en Moslim: Over de ethnische en religieuze identiteit van 'Marokkaanse' adolescente meisjes*. Tijdschrift voor sociologie. (pp. 123-126).

The ideas put forward by political philosopher Charles Taylor in his *Politics of Recognition*, can aid a better understanding of the implications that identity recognition can have for identity development in minority groups. Taylor holds that human beings have an urgent need for recognition, our identity is in fact partly shaped by this. Misrecognition or non-recognition by others he states, could prove detrimental to an individual, and can even be a form of oppression, imprisoning this individual in a 'false, distorted or reduced mode of being'.¹¹¹ In this essay, Taylor describes human life as 'fundamentally dialogical'. That is to say that humans exist and define themselves by virtue of interaction with others. He refers to this as understanding ourselves through the 'acquisition of rich human languages' which are defined by exchanges with others who matter to us or from whom we demand recognition.¹¹² (Consider the terms *Allochtoon* and *autochtoon*). The projection of inferior or demeaning images on an individual, from another who matters to that individual, can lead to that individual internalizing these negative projections.¹¹³

This theory is particularly relevant to the discussion of the dynamic between native Belgians and Belgians from migrant backgrounds. Minority groups need to be recognised in order to be able to claim national identity, but this is difficult when constantly put into categories such as '*Allochtoon*' automatically denoting otherness. These minority groups also begin to internalize this label, as they are aware that this is how society views them. Furthermore, misrecognition can be found in discriminatory attitudes in which Belgian minority groups experience a negation of their own perceived 'Belgian-ness', and are reminded that they are not like other Belgians, due to physical attributes and religious convictions, or even due to the possession of a dual nationality. In order for the Belgian nationality to be able to have a strong influence on minority groups, in terms of development of a salient Belgian national identity, identity recognition by majority groups would have to change.

4.4.3 Reimagining the idea of Belgian national identity

In 1993, Samuel Huntington introduced his essay 'A clash of civilizations?'. He worked out the theory that in the new world order, conflict will be no longer be economically or ideologically motivated, but will more likely occur between civilizations based on cultural clashes. Huntington qualifies that civilizations are to be understood as cultural entities; Villages, regions, ethnic groups, nationalities, religious groups. This cultural identity is defined by common elements such as language, religion, customs etc. as well as by the self-identification of people.¹¹⁴ So what does this mean in the context of immigration, which forces different civilizations to exist alongside each other?

A good starting point is to examine whether cultural assimilation is necessary for the development of national identity in immigrants, as this is the goal of countries with large immigrant populations. Cultural assimilation is the process by which minority groups are

¹¹¹ Taylor, C. (1992). *The Politics of Recognition*. (Pp1-33)

¹¹² Ibid.

¹¹³ Ibid.

¹¹⁴ Huntington, S. (1993). *The Clash of Civilizations?* Foreign Affairs, 72(3). (pp. 22-49). Retrieved from: https://www.jstor.org/stable/20045621?seq=1#metadata_info_tab_contents.

encouraged or nudged to assume the culture, values and traditions of their host country.¹¹⁵ This is however counter-intuitive as even in second and third generation immigrants, cultural identity inherited from parents is still an integral part of self-concept and identity. The major motivation for cultural assimilation in host countries, is the preservation of culture, and feeling threatened by subcultures. The controversy surrounding the Belgo-Moroccan community is a great example of this. The religious identity of this group is perceived as posing a serious threat to Belgian societal values. This group in turn is afraid that assimilation will mean giving up integral aspects of their cultural identity, which is what leads to a clash of cultures, and further hinders the development of national identity, as the subgroup strives to defend its culture. The banning of the headscarf in the professional sphere in Belgium, is one such example of a policy aimed at cultural assimilation. Paradoxically such measures which are a manner of reasserting the Belgian identity by removing aspects of the cultural identity of the sub-group, only result in negative attitudes towards the Belgian national identity.

Huntington's theory is relevant to this thesis, as it lends insight into the development of national identity in Belgian minority groups, or could also explain the reason why this development is limited. The theory presupposes an irreconcilability of cultures, meaning that according to this theory, the Belgian culture cannot possibly be reconciled with cultures of minority groups. This would mean that there can certainly be no link between possession of a Belgian nationality and the development of a Belgian national identity in minority groups, because the different sub-cultures are considered to be too much at variance with the Belgian culture. This means that the cultural identity of minority groups is too decisive in formation of their identity, leaving no room for the Belgian national identity to flourish.

I do agree that there is a clash of cultures in Flanders to a certain extent, and that this can prove detrimental to the development of the Belgian national identity. In my opinion this clash of cultures exists due to a reluctance of majority groups to come to terms with growing diversity. Multicultural societies such as Belgium, might have to learn to reconstruct the idea of national identity due to the demands of modern society. Belgium might be more successful in striving towards cultural acculturation instead of assimilation. The difference in this approach is that minority groups are not expected to give up their cultural identity, in the acquisition of that of the majority group. Minority groups can gradually acquire aspects of the culture of majority groups through integration, as is usually the result of migration either way, but are not expected to fully assimilate the culture, eventually favouring it over their own.¹¹⁶ In order to avoid growing conflict and friction between cultures, as is observed between the Belgian and Moroccan-Belgian communities, the strict idea of a Belgian national identity must be redefined. Until this can be achieved there will always be a clash of cultures between natives and immigrant populations, further hindering the development of national identity in immigrants from generation to generation.

¹¹⁵ Cole, Nicki Lisa, Ph.D. (2020, February 11). How Different Cultural Groups Become More Alike. Retrieved from: <https://www.thoughtco.com/assimilation-definition-4149483>.

¹¹⁶ Cole, Nicki Lisa, Ph.D. (2020, February 11). Understanding Acculturation and Why It Happens. <https://www.thoughtco.com/acculturation-definition-3026039>.

5. Conclusion

Nationality remains an interesting concept. When used to denote citizenship, it implies that a legal bond exists between an individual and its state. This legal bond gives rise to many advantages as well as responsibilities, which strengthen the bond even more between citizen and state. For the Belgian immigrant, this could be a valuable bond to have as possession of the Belgian nationality arguably has several advantages, for those who have moved to Belgium in search of a better life. In fact for many immigrants acquiring this nationality means everything.

Nationality has another aspect to it that is the emotional aspect which is a symbolic bond which is formed between a state and its citizens, by virtue of their nationality. It is this symbolic bond which fosters the development of national identity. The pride which is associated with having this nationality and being a part of this nation. This feeling goes beyond the purely contractual ownership of a nationality. In this thesis, it has been the aim to understand if immigrant populations in the Belgian region of Flanders can possess this feeling of pride, and a strong feeling of being Belgian, going beyond the feeling of seeing the advantages of the Belgian nationality only in so far as this nationality helps when dealing with administrative hurdles. Secondly, it has been the purpose to investigate this nationality is crucial to the development of national identity, or if other factors such as integration and social inclusion could be even more influential, with the absence of these factors being to hinder identity development.

The question “To what extent can nationality impact the development of national identity in Flemish immigrants?” yielded results which show that for those who do not yet possess the Belgian nationality (long-term immigrants), national identity could develop if these individuals are well integrated. The Dutch language was considered to be a strong aspect of the Flemish identity, and mastery of this language could open up many doors, in terms of increased social interaction, better academic success, and equal access to the job market. This in turn would give way to the other phase which is inclusion. Social Inclusion was shown as being instrumental to the development of a national identity as the more included an individual feels, the more of a connection to the Belgian state and a positive association that that individual has with the state. The absence of inclusion is exclusion, and several aspects of this were explained with regards to immigrants such as women who did not work, or speak the language being more susceptible to social exclusion. Excluded individuals would find it hard to develop a national identity, as there is no basis for their connection to the Belgian state.

Furthermore, political inclusion which is a key aspect of social inclusion was considered as a privilege enjoyed only by citizens, which could establish a link between nationality and nationality development. Political participation can establish a symbolic bond between a state and its citizens, as citizens actively participate in state building. This is a bond which will undoubtedly be lacking in non-citizens.

Looking now at another group of immigrants, those born in Belgium to immigrant parents. These immigrants are essentially Belgian, but due to the principle of *jus sanguinis* practiced in Belgium, such Belgian-born immigrants are not entitled to the Belgian nationality as a

birth-right. This group would naturally be fully integrated into society, and would probably also consider themselves more Belgian, than the nationality which they have inherited from their parents. This has serious implications for the development of their identity, and could also lead to this group feeling excluded. For this group nationality could be said to be linked to the development of their national identity.

The last group which was looked at were second and third immigration immigrants who possessed the nationality, as they had acquired it from their parents (this was mostly the case for the Moroccan minority group, but not entirely so with the Congolese group). The interviews which were examined, based on answers from Moroccan and Congolese Belgians, showed that for this group nationality is inconsequential, and was not sufficient on its own in establishing a feeling of belonging in Belgian. This was as a result of personal factors such as a strong cultural and religious identity, dual nationality etc. Other external factors also hindered identity development such as experienced discrimination on the basis of religion, race, and feeling marginalized as a minority group. Additionally, identity recognition by the majority group was identified as being equally crucial to identity development. When members of the majority group negate an immigrant's self-perceived identity or fail to recognize this identity, this could lead to an identity crisis, and hinder national identity development. The individual concerned would be hesitant to identify as Belgian, and might also begin to build resentment against the Belgian state, as a result of feeling excluded.

Overall we find that nationality can indeed impact the development of a national identity in Flemish immigrants. The Belgian nationality can account for a feeling of belonging, and access to privileges such as political participation etc. which further augment this feeling. In those who have not yet acquired it or Belgian born immigrants who have not acquired this nationality at birth, this lack of nationality can lead to a feeling of displacement. Other factors are however more decisive in developing national identity in immigrants, and exist irrespective of nationality. Integration and social inclusion are very important in the development of national identity, and high levels of integration and a feeling of being included can heighten the feeling of belonging. Finally, even in immigrants who do possess this nationality, this is not decisive enough to develop (or maintain) a Belgian national identity. There is a presence of this national identity on the basis of possession of the Belgian nationality, but it can be weakened upon interaction with other identities (cultural, religious, as well as other nationalities). The more that other factors such as lack of identity recognition and social exclusion are apparent, the more the development of the Belgian national identity is negatively impacted, making other identities more predominant.

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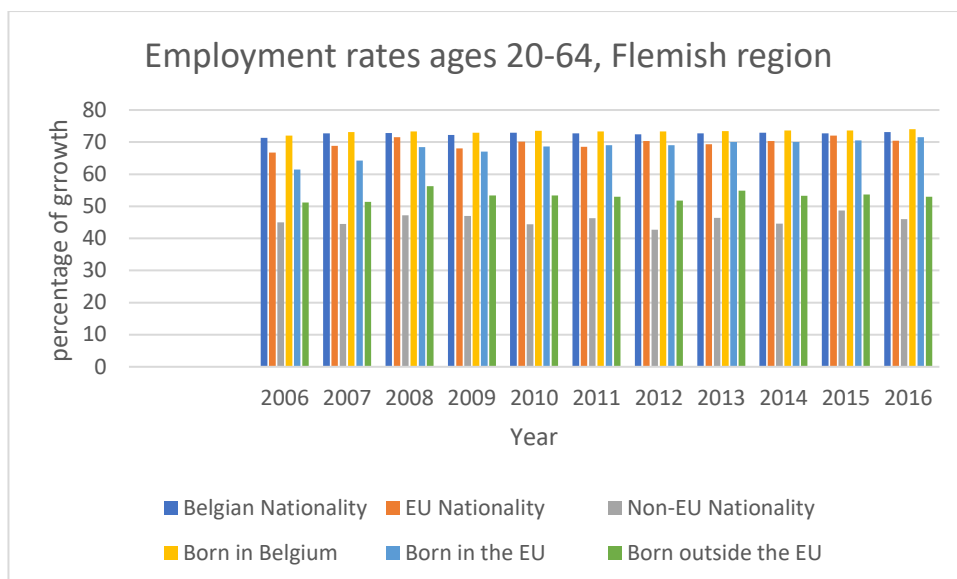
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6.Appendices

Appendix 1. Charts

Figure 1



Appendix 2. Legal Texts

1. The European Convention on Human Rights Articles 8 & 12

ARTICLE 8: Right to respect for private and family life 1. Everyone has the right to respect for his private and family life, his home and his correspondence. 2. There shall be no interference by a public authority with the exercise of this right except such as is in accordance with the law and is necessary in a democratic society in the interests of national security, public safety or the economic

well-being of the country, for the prevention of disorder or crime, for the protection of health or morals, or for the protection of the rights and freedoms of others.

ARTICLE 12: Right to marry Men and women of marriageable age have the right to marry and to found a family, according to the national laws governing the exercise of this right.

2. Excerpts of Belgian Immigration Act 1980

(2) Art. 10.[1 § 1.

Onder voorbehoud van de bepalingen van artikelen 9 en 12, zijn van rechtswege toegelaten om meer dan drie maanden in het Rijk te verblijven : 1° de vreemdeling wiens recht op verblijf erkend wordt door een internationaal verdrag, door een wet of door een koninklijk besluit; 2° [2 de vreemdeling die de door het Wetboek van de Belgische nationaliteit voorziene voorwaarden om de Belgische nationaliteit te herkrijgen vervult, zonder dat vereist is dat hij zijn hoofdverblijfplaats al sedert minstens twaalf maanden in België heeft, noch dat hij een verklaring met het oog op het herkrijgen van de Belgische nationaliteit moet doen;]2 3° de vrouw die de Belgische nationaliteit verloren heeft door haar huwelijk of ingevolge het verwerven van een vreemde nationaliteit door haar echtgenoot; 4° de volgende familieleden van een vreemdeling die sedert minimaal twaalf maanden toegelaten of gemachtigd is tot een verblijf van onbepaalde duur in het Rijk of sedert minimaal twaalf maanden gemachtigd is om er zich te vestigen. Die termijn van twaalf maanden vervalt indien de echtelijke band of het geregistreerde partnerschap reeds bestond voor de vreemdeling die vervoegd wordt, in het Rijk aankwam of indien zij een gemeenschappelijk minderjarig kind hebben. [4 Deze voorwaarden met betrekking tot de aard van het verblijf en de duur van het verblijf zijn niet van toepassing indien het familieleden betreft van een vreemdeling die overeenkomstig artikel 49, § 1, tweede of derde lid, of artikel 49/2, §§ 2 of 3, als begunstigde van een internationale beschermingsstatus tot een verblijf in het Rijk is toegelaten :]4 - de buitenlandse echtgenoot of de vreemdeling waarmee een geregistreerd partnerschap gesloten werd dat als gelijkwaardig beschouwd wordt met het huwelijk in België, die met hem komt samenleven, op voorwaarde dat beiden ouder zijn dan eenentwintig jaar. Deze minimumleeftijd wordt echter teruggebracht tot achttien jaar wanneer, naargelang het geval, de echtelijke band of dit geregistreerd partnerschap, reeds bestond vóór de vreemdeling die vervoegd wordt, in het Rijk aankwam; - hun kinderen, die met hen komen samenleven alvorens zij de leeftijd van achttien jaar hebben bereikt en alleenstaand zijn; - de kinderen van de vreemdeling die vervoegd wordt, van diens echtgenoot of van de geregistreerde partner Pagina 17 van 142 Copyright Belgisch Staatsblad 27-08-2019 bedoeld in het eerste streepje, die met hen komen samenleven alvorens zij de leeftijd van achttien jaar hebben bereikt en alleenstaand zijn, voor zover de vreemdeling die vervoegd wordt, zijn echtgenoot of de bedoelde geregistreerde partner over het recht van bewaring beschikt en de kinderen ten laste zijn van hem of diens echtgenoot of deze geregistreerde partner en, indien het recht van bewaring wordt gedeeld, op voorwaarde dat de andere houder van het recht van bewaring zijn toestemming heeft gegeven; 5° de vreemdeling die door middel van een wettelijk geregistreerd partnerschap verbonden is met een vreemdeling die sedert minimaal twaalf maanden toegelaten of gemachtigd is tot een verblijf van onbepaalde duur in het Rijk of sedert minimaal twaalf maanden gemachtigd is om er zich te vestigen, evenals de kinderen van deze partner, die met hen komen samenleven alvorens zij de leeftijd van achttien jaar hebben bereikt en alleenstaand zijn, voor zover hij over het recht van bewaring beschikt en de kinderen te zijnen laste zijn en, indien het

recht van bewaring wordt gedeeld, op voorwaarde dat de andere houder van het recht van bewaring zijn toestemming heeft gegeven. Die termijn van twaalf maanden vervalt indien [3...]3 het geregistreerde partnerschap reeds bestond voor de vreemdeling die vervoegd wordt, in het Rijk aankwam of indien zij een gemeenschappelijk minderjarig kind hebben. [4 Deze voorwaarden met betrekking tot de aard van het verblijf en de duur van het verblijf zijn niet van toepassing indien het familieleden betreft van een vreemdeling die overeenkomstig artikel 49, § 1, tweede of derde lid, of artikel 49/2, §§ 2 of 3, als begunstigde van een internationale beschermingsstatus tot een verblijf in het Rijk is toegelaten.]4 De in het eerste lid vermelde partners moeten aan de volgende voorwaarden voldoen : a) bewijzen een naar behoren geattesteerde duurzame en stabiele partnerrelatie te onderhouden. Het duurzaam en stabiel karakter van deze relatie is aangetoond : - indien de partners bewijzen gedurende minstens één jaar, voorafgaand aan de aanvraag, onafgebroken op legale wijze in België of een ander land te hebben samengewoond; - ofwel indien de partners bewijzen dat zij elkaar sedert ten minste twee jaar, voorafgaand aan de aanvraag, kennen en het bewijs leveren dat zij regelmatig, telefonisch, via briefwisseling of elektronische berichten met elkaar contact onderhielden en dat zij elkaar in de twee jaar voorafgaand aan de aanvraag drie maal ontmoet hebben en dat deze ontmoetingen in totaal 45 of meer dagen betreffen; - ofwel indien de partners een gemeenschappelijk kind hebben; b) met elkaar komen samenleven; c) beiden ouder zijn dan eenentwintig jaar; d) ongehuwd zijn en geen duurzame en stabiele partnerrelatie hebben met een andere persoon; e) geen personen zijn bedoeld in artikelen 161 tot 163 van het Burgerlijk Wetboek. f) [3 ten aanzien van geen van beiden is een definitieve beslissing genomen tot weigering van de voltrekking van het huwelijk op basis van artikel 167 van het Burgerlijk Wetboek.]3 De minimumleeftijd van de partners wordt teruggebracht tot achttien jaar, wanneer zij het bewijs leveren dat zij, vóór de aankomst van de vreemdeling die vervoegd wordt in het Rijk, reeds ten minste een jaar samengewoond hebben; 6° het alleenstaand gehandicapt kind dat ouder is dan achttien jaar, van een vreemdeling die toegelaten of gemachtigd is tot een verblijf van onbepaalde duur in het Rijk of gemachtigd is om er zich te vestigen, of van zijn echtgenoot of van zijn partner zoals bedoeld in punt 4° of 5°, voorzover het kind een attest overlegt dat uitgaat van een door de Belgische diplomatieke of consulaire post erkende arts dat aantoonde dat het omwille van zijn handicap niet in zijn eigen behoeften kan voorzien. [4 Die voorwaarde met betrekking tot de aard van het verblijf is niet van toepassing indien het een alleenstaand gehandicapt kind dat ouder is dan achttien jaar betreft van een vreemdeling die overeenkomstig artikel 49, § 1, tweede of derde lid, of artikel 49/2, §§ 2 of 3, als begunstigde van een internationale beschermingsstatus tot een verblijf in het Rijk is toegelaten;]4 7° de ouders van een vreemdeling die erkend werd als vluchteling in de zin van artikel 48/3 of die de subsidiaire bescherming geniet, voor zover zij met hem komen samenleven en op voorwaarde dat hij jonger is dan achttien jaar en het Rijk binnengekomen is zonder begeleiding van een krachtens de wet verantwoordelijke meerderjarige vreemdeling en vervolgens niet daadwerkelijk onder de hoede van een dergelijke persoon gestaan heeft, of zonder begeleiding werd achtergelaten nadat hij het Rijk is binnengekomen. Het eerste lid, 4°, is niet van toepassing op de echtgenoot van een polygame vreemdeling, indien een andere echtgenoot van die persoon reeds in het Rijk verblijft. De Koning bepaalt bij een besluit vastgesteld na overleg in de Ministerraad, de gevallen waarbij een partnerschap, dat geregistreerd werd op basis van een vreemde wet, moet beschouwd worden als gelijkwaardig met een huwelijk in België. De bepalingen met betrekking tot de kinderen zijn van toepassing, tenzij een internationaal verdrag, dat België bindt, meer voordelige bepalingen bevat. § 2. De in § 1, eerste lid, 2° en 3° bedoelde vreemdelingen moeten het bewijs aanbrengen dat ze beschikken over stabiele, toereikende en regelmatige bestaansmiddelen ten behoeve van zichzelf en om te voorkomen dat ze ten laste van de openbare overheden vallen. De in § 1, eerste lid, 4° tot 6°, bedoelde vreemdelingen moeten het bewijs aanbrengen dat de vreemdeling die vervoegd wordt over behoorlijke huisvesting beschikt die toelaat het familielid of de familieleden, die gevraagd heeft of hebben om zich bij hem te komen voegen, te herbergen en die voldoet aan de voorwaarden die gesteld worden aan een onroerend goed dat wordt verhuurd als hoofdverblijfplaats zoals bepaald in

artikel 2 van Boek III, Titel VIII, Hoofdstuk II, Afdeling 2 van het Burgerlijk Wetboek en over een ziektekostenverzekering beschikt die de risico's in België voor hem en zijn familieleden dekt. De Koning bepaalt, bij een besluit vastgesteld na overleg in de Ministerraad, de wijze waarop de vreemdeling bewijst dat het onroerend goed voldoet aan de gestelde voorwaarden. De vreemdeling bedoeld in § 1, eerste lid, 4° en 5°, moet het bewijs aanbrengen dat de vreemdeling die vervoegd wordt beschikt over toereikende, stabiele en regelmatige bestaansmiddelen zoals bepaald in § 5 om zichzelf en zijn gezinsleden te onderhouden en om te voorkomen dat zij ten laste van de openbare overheden vallen. Deze voorwaarde is niet van toepassing indien de vreemdeling zich enkel laat vervoegen door de leden van zijn familie bedoeld in § 1, eerste lid, 4°, tweede en derde streepje. De vreemdeling bedoeld in § 1, eerste lid, 6°, moet het bewijs aanbrengen dat de vreemdeling die vervoegd wordt beschikt over toereikende, stabiele en regelmatige bestaansmiddelen zoals bepaald in § 5 ten behoeve van zichzelf en van zijn familieleden en om te voorkomen dat zij ten laste van de openbare overheden vallen. [3 Het tweede, derde en vierde lid]3 zijn niet van toepassing op de in § 1, [3 eerste lid, 4° tot 6°]3 bedoelde familieleden van een als vluchteling erkende vreemdeling en van een vreemdeling die de subsidiaire bescherming geniet indien de bloed- of aanverwantschapsbanden of het geregistreerd partnerschap al bestonden vooraleer de vreemdeling het Rijk binnenkwam en voor zover de aanvraag tot verblijf op basis van dit artikel werd ingediend in de loop van het jaar na de beslissing tot erkenning van de hoedanigheid van vluchteling of de toekenning van de subsidiaire bescherming van de vreemdeling die vervoegd wordt. De minister of zijn gemachtigde kan, door middel van een met redenen omklede beslissing, echter eisen dat de in [3 het tweede, derde en vierde lid]3 bedoelde documenten worden overgelegd indien de gezinshereniging mogelijk is in een ander land, waarmee de vreemdeling die vervoegd wordt of diens familielid een bijzondere band heeft, waarbij rekening gehouden wordt met de feitelijke omstandigheden, de aan de gezinshereniging gestelde voorwaarden in dat ander land en de mate waarin de betrokken vreemdelingen deze voorwaarden kunnen vervullen. Alle in § 1 bedoelde vreemdelingen moeten bovendien het bewijs aanbrengen dat zij niet lijden aan een van de ziekten die de volksgezondheid in gevaar kunnen brengen en die worden opgesomd in de bijlage bij deze wet. § 3. Onder voorbehoud van de toepassing van artikel 11, § 2, kan een vreemdeling die met toepassing van § 1, eerste lid, 4° of 5°, toegelaten werd tot een verblijf in de hoedanigheid van echtgenoot of ongehuwde partner, [3 ...]3 zich slechts beroepen op het recht om zich te laten vervoegen op basis van een huwelijk of een geregistreerd partnerschap indien hij kan bewijzen dat hij gedurende twee jaar regelmatig in het Rijk heeft verbleven. § 4. Paragraaf 1, eerste lid, 1° en 4° tot 6° is niet van toepassing op de familieleden van de vreemdeling die gemachtigd is in België te verblijven om er te studeren of die toegelaten of gemachtigd is tot een verblijf van beperkte duur ingevolge deze wet of ingevolge de bijzondere omstandigheden eigen aan de betrokkene of ingevolge de aard of de duur van zijn activiteiten in België. § 5. De [3 ...]3 bestaansmiddelen bedoeld in § 2 [3 ...]3 moeten ten minste gelijk zijn aan honderdtwintig procent van het bedrag bedoeld in artikel 14, § 1, 3° van de wet van 26 mei 2002 betreffende het recht op maatschappelijke integratie [3 en zoals geïndexeerd volgens artikel 15 van voormelde wet]3. Bij het beoordelen van deze bestaansmiddelen : 1° wordt rekening gehouden met hun aard en regelmatigheid; 2° worden de middelen verkregen uit de aanvullende bijstandsstelsels, met name het leefloon en de aanvullende gezinsbijslag, alsook de financiële maatschappelijke dienstverlening en de gezinsbijslagen niet in aanmerking genomen; 3° worden de [3 inschakelingsuitkering]3 en de overbruggingsuitkering niet in aanmerking genomen en wordt de werkloosheidsuitkering enkel in aanmerking genomen voor zover [3 de vreemdeling bij wie men zich voegt,]

2. Excerpts of Belgian Nationality Law 1984

Art. 8. § 1. Belg zijn : 1° het kind geboren in België uit een Belgische ouder; 2° het kind geboren in het buitenland : a) uit een Belgische ouder geboren in België of in gebieden

onder Belgische soevereiniteit of onder Belgisch bestuur; b) uit een Belgische ouder die, binnen een termijn van vijf jaar na de geboorte, een verklaring heeft afgelegd waarin hij verzoekt om toekenning van de Belgische nationaliteit aan zijn kind; c) uit een Belgische ouder, op voorwaarde dat het kind geen andere nationaliteit bezit of behoudt tot de leeftijd van achttien jaar of zijn ontvoogding voor die leeftijd. [1 De verklaring bedoeld in het eerste lid, 2°, b, wordt afgelegd, en op basis ervan wordt een akte van nationaliteit opgesteld, overeenkomstig artikel 22, § 4. De verklaring heeft gevolg vanaf de opmaak van de akte van nationaliteit.]1 Diegene aan wie de Belgische nationaliteit krachtens het eerste lid, 2°, c, is toegekend, behoudt die nationaliteit zolang niet is aangetoond, voordat hij de leeftijd van achttien jaar heeft bereikt of ontvoogd is voor die leeftijd, dat hij een vreemde nationaliteit bezit. § 2. Voor de toepassing van paragraaf 1 dient de ouder de Belgische nationaliteit te bezitten op de geboortedag van het kind of, indien hij overleden is voor deze geboorte, op de dag van zijn overlijden. § 3. De afstamming vastgesteld ten aanzien van een Belgische ouder na de datum van het vonnis of het arrest dat de adoptie homologeert of uitspreekt, verleent de Belgische nationaliteit maar aan het kind, indien die afstamming wordt vastgesteld ten aanzien van de adoptant of diens echtgenoot. § 4. De persoon aan wie de Belgische nationaliteit van zijn ouder is toegekend, behoudt die nationaliteit wanneer zijn afstamming niet langer vaststaat nadat hij de leeftijd van achttien jaar heeft bereikt of ontvoogd is voor die leeftijd. Indien zijn afstamming niet langer blijkt vast te staan voor de leeftijd van achttien jaar of de ontvoogding voor die leeftijd, kunnen de handelingen die zijn aangegaan toen de afstamming nog vaststond en voor de geldigheid waarvan de staat van Belg vereist was, niet worden betwist enkel en alleen omdat de belanghebbende die nationaliteit niet bezat. Hetzelfde geldt voor de rechten welke zijn verkregen voor die datum.

HOOFDSTUK III. - VERKRIJGING VAN DE BELGISCHE NATIONALITEIT.

Afdeling 1. - Verkrijging van de Belgische nationaliteit door nationaliteitsverklaring.) Art. 12bis.

[1 § 1. Kunnen de Belgische nationaliteit verkrijgen door een verklaring af te leggen overeenkomstig artikel 15 : 1° de vreemdeling die : a) de leeftijd van achttien jaar heeft bereikt; Pagina 7 van 17 Copyright Belgisch Staatsblad 03-12-2019 b) en in België geboren is en er sedert zijn geboorte [3 zijn hoofdverblijfplaats heeft gevestigd op grond van een wettelijk verblijf]3; 2° de vreemdeling die : a) de leeftijd van achttien jaar heeft bereikt; b) en vijf jaar [3 zijn hoofdverblijfplaats heeft gevestigd in België op grond van een wettelijk verblijf]3; c) en het bewijs levert van de kennis van één van de drie landstalen; d) en zijn maatschappelijke integratie bewijst door : - hetzij een diploma of getuigschrift van een onderwijsinstelling opgericht, erkend of gesubsidieerd door een Gemeenschap of de Koninklijke Militaire School en dat minstens van het niveau is van het hoger secundair onderwijs; - hetzij een beroepsopleiding van minimum 400 uur erkend door een bevoegde overheid te hebben gevolgd; - hetzij [3 , naargelang het geval, het bewijs uitgereikt door de daartoe bevoegde overheid te leveren van het met succes gevolgd hebben van het inburgeringstraject, het onthaaltraject of het integratieparcours waarin wordt voorzien door de bevoegde overheid van zijn hoofdverblijfplaats op het tijdstip dat hij dit aanvat]3; - hetzij gedurende de voorbije vijf jaar onafgebroken als werknemer en/of als statutair benoemde in overheidsdienst en/of als zelfstandige in hoofdberoep te hebben gewerkt; e) en zijn economische participatie bewijst door : - hetzij als werknemer en/of als statutair benoemde in overheidsdienst gedurende de voorbije vijf jaar minimaal 468 arbeidsdagen te hebben

gewerkt; - hetzij in het kader van een zelfstandige beroepsactiviteit in hoofdberoep de voorbije vijf jaar gedurende minstens zes kwartalen de verschuldigde sociale kwartaalbijdragen voor zelfstandigen in België te hebben betaald; De duur van de opleiding gevolgd tijdens de vijf jaar voorafgaand aan het verzoek bedoeld in 2°, d), eerste en/of tweede streepje, wordt in mindering gebracht van de duur van de vereiste beroepsactiviteit van minstens 468 dagen of van de duur van de zelfstandige beroepsactiviteit in hoofdberoep. 3° de vreemdeling die : a) de leeftijd van achttien jaar heeft bereikt; b) en vijf jaar [3 zijn hoofdverblijfplaats heeft gevestigd in België op grond van een wettelijk verblijf]3; c) en het bewijs levert van de kennis van één van de drie landstalen; d) en gehuwd is met een Belg, indien de echtgenoten gedurende ten minste drie jaar in België hebben samengeleefd, of [2 de ouder of adoptant is van een Belgisch kind dat de leeftijd van achttien jaar niet heeft bereikt of niet ontvoegd is vóór die leeftijd]2; e) en zijn maatschappelijke integratie bewijst door : - hetzij een diploma of getuigschrift van een onderwijsinstelling opgericht, erkend of gesubsidieerd door een Gemeenschap of de Koninklijke Militaire School en dat minstens van het niveau is van het hoger secundair onderwijs; - hetzij een beroepsopleiding van minimum 400 uur erkend door een bevoegde overheid te hebben gevolgd en in de voorbije vijf jaar als werknemer en/of als statutair benoemde in overheidsdienst gewerkt te hebben gedurende ten minste 234 arbeidsdagen of in het kader van een zelfstandige beroepsactiviteit in hoofdberoep gedurende minstens drie kwartalen de verschuldigde sociale kwartaalbijdragen voor zelfstandigen in België te hebben betaald; - hetzij [3 , naargelang het geval, het bewijs uitgereikt door de daartoe bevoegde overheid te leveren van het met succes gevolgd hebben van het inburgeringstraject, het onthaaltraject of het integratieparcours waarin wordt voorzien door de bevoegde overheid van zijn hoofdverblijfplaats op het tijdstip dat hij dit aanvat]3; 4° de vreemdeling die : a) de leeftijd van achttien jaar heeft bereikt; b) en vijf jaar [3 zijn hoofdverblijfplaats heeft gevestigd in België op grond van een wettelijk verblijf]3; c) en het bewijs levert omwille van een handicap of invaliditeit geen betrekking of economische activiteit te kunnen uitoefenen of de pensioengerechtigde leeftijd heeft bereikt; 5° de vreemdeling die : a) de leeftijd van achttien jaar heeft bereikt; b) en tien jaar [3 zijn hoofdverblijfplaats heeft gevestigd in België op grond van een wettelijk verblijf]3; c) en het bewijs levert van de kennis van één van de drie landstalen; d) en het bewijs levert van zijn deelname aan het leven van zijn onthaalgemeenschap. Dit bewijs kan door alle rechtsmiddelen geleverd worden, en bevat elementen waaruit blijkt dat de aanvrager deelneemt aan het economische en/of socioculturele leven van die onthaalgemeenschap. § 2. [3 ...]3 § 3. De verklaring bevat voorafgaand aan de handtekening van de vreemdeling de volgende, door de vreemdeling met de hand geschreven vermelding : " Ik verklaar Belgisch staatsburger te willen worden en de Grondwet, de wetten van het Belgische volk en het Verdrag tot bescherming van de rechten van de mens en de fundamentele vrijheden te zullen naleven.

Art. 19.[1 § 1. Om de naturalisatie te kunnen aanvragen, moet de belanghebbende : 1° de leeftijd van achttien jaar hebben bereikt [3 of voor die leeftijd zijn ontvoegd]3; 2° wettelijk verblijven in België; 3° en aan België buitengewone verdiensten hebben bewezen of kunnen bewijzen op het wetenschappelijk, sportief, of sociocultureel vlak en daardoor een bijzondere bijdrage kunnen leveren voor de internationale uitstraling van België; 4° en met redenen omkleden waarom het voor hem zo goed als onmogelijk is om de Belgische nationaliteit te verkrijgen door het af eggen van een nationaliteitsverklaring overeenkomstig artikel 12bis. Om zich te kunnen beroepen op buitengewone verdiensten, moet de belanghebbende op straffe van onontvankelijkheid volgende elementen kunnen aantonen : 1° in het geval van buitengewone verdiensten op wetenschappelijk vlak : een doctoraatstitel; 2° in het geval van buitengewone verdiensten op sportief vlak : het halen

van de internationale selectiecriteria of de door het BOIC opgelegde criteria van een Europees Kampioenschap, een Wereldkampioenschap of de Olympische Spelen, of zich in het geval bevinden dat de federatie van de betrokken sporttak van oordeel is dat hij of zij een meerwaarde kan betekenen voor België in het kader van de voorronde of het eindtoernooi van een Europees Kampioenschap, een Wereldkampioenschap of de Olympische Spelen; 3° In het geval van buitengewone verdiensten op sociocultureel vlak : de eindselectie van een internationale cultuurwedstrijd gehaald hebben of internationaal geprezen worden omwille van zijn verdiensten op cultureel vlak of omwille van zijn sociale en maatschappelijke inzet. § 2. De naturalisatie kan eveneens worden aangevraagd door de vreemdeling [2 die de leeftijd van achttien jaar heeft bereikt]2 [3 of voor die leeftijd is ontvoegd]3 en de hoedanigheid heeft van staatloze in België krachtens de er vigerende internationale overeenkomsten, en sedert ten minste twee jaar wettelijk verblijf heeft in België.]1