

6 *Dutroux and dioxin: crisis investigations, elite accountability and institutional reform in Belgium*

SOFIE STAELRAEVE AND PAUL 't HART

Introduction: catalytic crises in the Belgian polity

On 13 August 1996, the Belgian police arrested Marc Dutroux, his wife Michèle Martin and their associate Michel Lelièvre. In the following weeks, these three individuals led the authorities to two kidnapped girls and the dead bodies of four others. It was a gruesome end to what had been a long search for a series of missing children. The fate of the children shocked the nation, and shock turned into anger when it subsequently transpired that a range of mistakes had been made during the investigation. Communications between police and the judiciary had been poor. Judicial authorities in different parts of the country did not cooperate with one another. Families of the victims had been treated disrespectfully, and previous clues leading to Dutroux and his associates had not been checked thoroughly.

The revelations unleashed a storm of public indignation. Suspicions were aired that political and judicial authorities were aiding and abetting paedophile and other criminal networks. In the end, no political casualties ensued from the inquiry that was undertaken, nor could the parties agree on the wide-ranging reform package proposed by the inquiry. With no catharsis resulting from the initial inquiry, the sense of crisis unleashed by the Dutroux affair deepened into an institutional crisis challenging the foundations of not only the justice system and to some extent even the entire Belgian political order (Deweerd 1997: 497; Barrez 1997: 172–81; Maesschalck 2002; Van den Bossche 2004).

Almost 3 years later, on 26 May 1999, Belgian television news reported incidences of dioxin contamination in poultry and eggs. The cabinet's crisis response was beset by problems. The European Union (EU) banned Belgian exports, accusing the Belgian government of negligence (Larsson et al. 2005). Because it occurred during a parliamentary election campaign, the dioxin crisis ignited heated political controversy.

In stark contrast with the Dutroux crisis, two ministers resigned instantly. Moreover, the major coalition parties took a severe beating at the election, which brought a new, liberal-led government to power.

In this chapter we compare the political management of both crises. Both were powerful agenda setters, bringing to the fore deep and hitherto latent societal disaffection with the political system and major public institutions. Coming on the wings of two decades of similar crises in the justice system (scandals, interagency conflicts, unresolved armed gang murders and other shocking crimes), the Dutroux crisis unleashed unprecedented grass-roots pressure for purification and change, and forced the government into all-party talks. Although the dioxin crisis stirred up less collective stress, it acted as a final blow to the outgoing coalition government, which had already been weakened by the Dutroux affair and two major party finance scandals (Rihoux 2000: 341–4).

Both cases were remarkable exercises in political blame management; in combination, they are even more puzzling. The Dutroux crisis brought hundreds of thousands onto the streets in protest, it yielded a highly publicised and rigorous parliamentary inquiry, yet it initially failed to make a dent in the bulwark of elite complacency. A system whose long-faltering performance claim was shattered by the symbolism of avoidable child murders proved nevertheless resilient enough to withstand an unprecedented wave of grass-roots disaffection with it. Its resilience did not crumble until mass disaffection with the system was revived dramatically a year later, when Marc Dutroux managed to escape from prison (albeit only briefly). It was then and only then that political heads started rolling and political stalemates regarding institutional reform were broken definitively. In contrast, in the much more ‘ordinary’ dioxin contamination crisis, ministerial resignations were immediate and political change was deep. The odd twist here was that all these consequences had already occurred before the parliamentary inquiry started. When it got under way, the dioxin inquiry had all the hallmarks of a political ritual.

Hence the puzzle of this chapter. The Dutroux crisis was deep and its inquiry had teeth and enjoyed staunch public support, yet it took protracted negotiations, a second inquiry and, most of all, a freak event (the Dutroux escape) to claim scalps and make its criminal justice reform agenda really stick; in contrast, the dioxin crisis triggered major political consequences despite an ineffectual inquiry. The question is

why? Both crises occurred in the same polity led by the same government. The obvious explanation – the bigger the crisis, the more likely incumbent elites have to pay and policy changes will be made – clearly cannot account for this pattern. Nor can another obvious explanation: inquiries with political teeth and social legitimacy are more likely to have political and policy consequences than those that do not. As discussed above, the Belgian pattern was actually the reverse.

So how do we explain what happened here, and what can this teach us about the role of inquiries in crisis-induced processes of political blame management? Partly inspired by the literature on political scandal and its investigation, we argue that the role and impact of crisis inquiries is the product of the interplay between two types of forces: the political *context* in which they occur (cf. Markovits and Silverstein 1988; Lowi 2004; Garrard and Newell 2006), and the political management of the inquiry *process* (see, e.g., Parker and Dekker, this volume). We have articulated a tentative proposition for each factor. Specifically, key contextual factors examined here include:

1. *The nature of the crisis trigger*: the more visible and dramatic the revelation and the more salient the violation or threat a critical incident entails, the more likely it is that its inquiry will have a tangible impact on incumbent elites and existing policies.
2. *The 'fit' in ongoing political narratives and struggles*: the more a crisis or scandal is constructed in leading media outlets as a new manifestation of personal and/or systemic flaws that have been on the political agenda before, the more likely it is that its inquiry will have a tangible impact.
3. *The placement in political time*: the closer to an upcoming election a crisis or scandal occurs, the more likely it is that its inquiry will have a tangible impact, particularly in claiming political 'victims'.
4. *The relative strength of the government at the time of the crisis*: the less internally coherent an incumbent government and the smaller the size of its parliamentary majority at the time of a crisis or scandal, the more likely it is that its inquiry will have a tangible impact.
5. *Media and societal responses to the crisis and the crisis inquiry*: the more constantly key media outlets report on the crisis, the bigger the public criticism of the government's role in the crisis, and the more positive the public image of the inquiry body, the more likely it is that its inquiry will have a tangible impact.

The factors concerning the actual management of the inquiry process examined in this chapter are the following:

1. *The composition, mandate and staffing of the inquiry*: the more prestigious the membership, the bigger its investigative powers and its staff support, the more likely it is that a crisis inquiry will have a tangible impact.
2. *The modus operandi of the inquiring body and particularly its leading figures*: the more the inquiry – as personified by its chairperson – acquires a reputation of vigour and tenacity, the more likely it is that the inquiry will have a tangible impact.
3. *The framing of inquiry findings*: (a) unanimous inquiry reports are more likely to have a political impact than nonunanimous ones; (b) the more an inquiry report focuses blame on a limited number of high-level actors, the more likely it is to generate political fatalities; (c) the more specific and ‘technical’ an inquiry’s policy recommendations are, the more likely they are to be implemented.

Depending on their configuration in any given crisis inquiry episode, these various context and process factors can amplify or extinguish one another in shaping the course and outcomes of inquiries and, by implication, the resilience of incumbent elites and policy systems to the delegitimising effects of crisis politics. Our comparative examination of two Belgian crisis inquiries offers not more than a first plausibility probe of these propositions. More rigorous testing requires a much more comprehensive research effort than is possible here.

This chapter begins by outlining the evolution of both crises. It then briefly describes Belgian parliamentary investigation rules and practices. The bulk of the paper is devoted to describing, first, the process factors and then the context factors as they played out in both crisis inquiries. In the final section we compare and contrast the impact of these factors in view of this chapter’s main puzzle, and we conclude by offering suggestions for future research.

One government, sequential crises

The Belgian political system has often been characterised as ‘consociational’ and ‘neocorporatist’ (Lijphart 1994; Witte et al. 2005: 477). Political decision making is a product of complex bargains and often informal arrangements. Belgium’s multiple social and political fault

lines – linguistic, cultural, regional, socioeconomic, religious – make it an extraordinary polity. Its constitutional architecture has been a constant source of debate and has been subject to a series of changes in recent decades, resulting in a unique five-tiered system of government whose complexity regularly baffles Belgians and outsiders alike.

It is in this complex system that the federal parliament is embedded. Like any other parliament, its main tasks are to legislate and control the executive; but since the Belgian executive is split into many different parts, the federal parliament operates alongside other representative bodies having similar competencies. Although parliamentary investigations at the national (federal) level may be part of the consultative and information-gathering stages of ‘routine’ lawmaking and oversight, the main triggers prompting ad hoc parliamentary inquiries have tended to be crisis situations of some sort or other (23 out of 25 inquiries, see Staelraeve 2003: 28). Each of the two chambers in the federal parliament has a constitutional right of investigation.

At the time of the two crises, Belgium had been governed for decades by a swirl of coalition governments consisting of Christelijke Volkspartij (CVP) and Parti Social Chrétien (PSC) (Flemish- and French-speaking Christian-democratic parties) and Parti Socialiste (PS) and Socialistische Partij (SP) (Flemish- and French-speaking socialists). These parties dominated the country’s political and administrative landscape. The crises presented major challenges to the legitimacy of the latest incarnation of that political cartel – the second coalition government led by Jean-Luc Dehaene. The Dutroux case first emerged early in its period of office but continued to dog it for years, whilst the dioxin crisis occurred at the very end of its term in office.

The Dutroux affair: from sex crimes to institutional crisis (1996–1998 and after)

Marc Dutroux, his wife Michèle Martin and Michèle Lelièvre had kidnapped, sexually abused and imprisoned six Belgian girls. The kidnappings happened in the Walloon as well as in the Flemish part of Belgium. The girls (who were between 9 and 19 years of age) were kidnapped between June 1995 and the beginning of August 1996. On 12 August 1996, the police arrested Dutroux, Martin and Lelièvre after a witness to the last kidnapping remembered some numbers from Dutroux’s license plate. Three days later, police released two girls from

a purpose-built hidden cellar in one of Dutroux's houses. A few days later, two bodies were found buried in the garden of another house, and two more in the backyard of one of Dutroux's accomplices.

Soon, charges appeared in the press that police, public prosecutors and judges had made crucial mistakes during their search for the missing girls, which probably had cost the lives of two of them. Media and opposition commentary began to interpret the crisis in light of a story line that had been pursuing the Belgian criminal justice system for over a decade, namely that institutional fragmentation and endemic internecine conflict had severely compromised the performance of the police and the judiciary. This interpretation fell on fertile ground with the overwhelming majority of the Belgian public: the Dutroux case took community anger with the political elite's apparent inability or unwillingness to reform the justice system to new heights, most likely because of the gruesome nature of the crimes involved, which highlighted as never before the terrible consequences that the organised ineptness of police and judiciary could have. For example, Dutroux and Martin had been convicted in 1989 for the rape of under-age girls. They had received sentences of 13 and 5 years respectively but were released on parole in 1992. The Belgian public could not understand how this could have been possible; neither did it understand why Dutroux received social benefits and how he could own three houses even though he was unemployed. Dutroux was questioned when the first two girls were reported missing, and police had searched his house twice. The fact that the girls were not found during these searches only strengthened the public conviction that something was seriously wrong (De Mulder and Morren 1998).

The Dehaene II coalition government saw its poll ratings slump to unprecedented lows. Suddenly it seemed to exemplify all the ills of the Belgian political culture – that of a self-sustaining but ill-governing 'particracy'. Public sentiment deepened further when the immensely popular Judge Connerotte, who had been given the lead in the Dutroux investigation and who had pursued it with zeal and integrity, was forced to resign by a Supreme Court ruling. The ruling followed an appeal of Dutroux's lawyers that Connerotte had displayed bias by agreeing to attend a dinner in honour of the victims (Ponsaers and De Kimpe 2001: 48–9). The Court's decision fuelled a variety of conspiracy theories, the most persistent of which was that Dutroux and his gang enjoyed protection from paedophile networks that included high-level

politicians, judges and police officers. An unprecedented wave of street protest followed: the 'white march' on 20 October 1996 attracted more than 300 000 people in Brussels, was replicated in other cities and gave rise to a grass-roots movement demanding a wholesale political cleanup. The Belgian king took the dramatic step of publicly demanding a thorough investigation into the matter (foreshadowing the equally remarkable intervention by his Swedish counterpart in the 2004–2005 tsunami crisis; see Brändström et al., this volume).

Initially, the Dehaene government's blame management strategy was to do nothing. It remained aloof and did little more than offer compassion to the victims, treating the case as a criminal investigation currently being *sub judice* and thus not amenable to political management. This did little to calm public outrage; it merely reinforced the story line: the government was inept at best, and at worst senior political figures were somehow implicated in the whole affair.

Bowing to public pressures 2 weeks after Dutroux was arrested, the minister of justice set up an internal inquiry into police and judicial handling of the kidnapping of two of the murdered girls. This belated move failed to contain the cascading sense of crisis. For its part, the Belgian parliament struggled to find an appropriate answer. Several debates took place but no firm conclusions were reached – parliamentarians were seemingly paralysed by the sheer scope and depth of the crisis. Politicians from both 'left' and 'right' were literally at a loss for words (Furedi 2005).

The politicisation of the crisis gained momentum when coalition parties disagreed who was to blame most for the botched-up kidnapping investigation: police or magistrates. The trade unions representing state police and judicial police exchanged criticism. The blaming process peaked after the investigating judge, Connerotte, was discharged by the Supreme Court on 14 October 1996. The liberal opposition parties Vlaamse Liberalen en Democraten (VLD) and Mouvement Réformateur (MR), in parliament, demanded a special committee of inquiry 'to offer a fast answer to the questions of the citizens' and the government parties felt that in the given opinion climate they could no longer resist this call (Reynders et al. 1996). The parliamentary inquiry started on 17 October 1996 and lasted until 14 April of the following year. Its first report gave birth to a second parliamentary inquiry, leading subsequently to a series of reforms – notably the creation of an integrated police force.

The crisis mood was deepened when ‘the unthinkable became reality’ (Fijnaut 2001: 237): Dutroux escaped from custody. Although he was arrested within hours, the political fallout of yet another painful mishap in the criminal justice system was huge. On the wings of the renewed public outcry that followed the escape, the justice minister resigned and a political breakthrough was forged in the hitherto stalemated discussions about the commission’s initial recommendations for police and judicial reform.

The dioxin contamination: from electoral dynamite to political obscurity (1999–2000)

The dioxin crisis, 3 years later, took a different course. On 26 May 1999 it was announced on Belgian television that chickens and eggs were contaminated with dioxin (Deweerd 2000: 177–8). The minister of agriculture (Karel Pinxten) and minister of public health (Marcel Colla) initially denied the severity of the contamination, but 2 days later all chickens and eggs were taken off the market. The ministers explained that at first they had known only about a contamination of feed – *not* in animals or food products. They argued that it had been necessary to wait for test results to see if dioxin was also in chickens and eggs (Van der Donckt 2000: 29).

On 31 May 1999, the two ministers reported on the dioxin contamination to Prime Minister Dehaene. In an official press release after the meeting, the prime minister declared that ‘based on currently available information, my ministers took their responsibility from the moment they had all necessary information about the dioxin contamination’ (Van der Donckt 2000: 34). At this point, Dehaene still trusted his ministers and accepted their explanation. Later that day, the ministers organised a press conference and repeated their contention that they could not have acted before 26 May because they were uncertain about the scope of the dioxin contamination. Colla added: ‘Resignation is out of the question’ (Van der Donckt 2000: 35). Neither minister felt he should accept responsibility for the crisis and located blame outside the political domain altogether: the contamination was an industry problem, not a regulatory failure.

In the meantime, liberal opposition leader Verhofstadt struck political gold when he obtained a document showing that both ministers had in fact known about the contamination a month before it became

public. On 1 June, he took it straight to the prime minister, who had no alternative but to force Colla and Pinxten to resign immediately. Pinxten continued to defend himself, claiming he had never seen the document, adding that the only thing he had been guilty of was 'faulty communication' – an argument he would later repeat during the subsequent parliamentary inquiry. Colla, in turn, was bitter and commented publicly that he was sick and tired of being blamed (Van der Donckt 2000: 38–40). Clearly, neither had resigned of his own accord. They had been sacrificed by Prime Minister Dehaene in the run up to the parliamentary elections, due in 2 weeks.

The government attempted to contain the crisis with a series of seemingly disjointed and often unclear decisions in the face of compensation claims from various stakeholders. It also had to cope with criticism from European Commissioner Franz Fischler, who suggested that Belgium had not been fast enough in informing the EU about the contamination, which might have devastating economic consequences for meat and meat product exports throughout Europe (the EU is a fully integrated agricultural market). The commission proceeded to ban all Belgian poultry and egg exports (Larsson et al. 2005). Duped Belgian farmers then protested against the government, blocking border crossings. The cabinet eventually managed to produce a list of 'safe' farms and companies (Deweerd 2000: 180).

The ministerial resignations did not provide a political catharsis. The dioxin crisis continued to consume the media as well as the political debate during the remainder of the election campaign. All political parties tried to exploit the crisis for their own purposes. The prime minister tried depoliticising the issue. He sought to project himself as a statesman, announcing that he would stop all campaign activities to handle the crisis: 'I don't care about my image right now. I have to get in control of the situation. We'll worry about everything else after 13 June 1999. At this very moment, my personal future is not my main concern' (*Het Belang van Limburg*, 7 June 1999). Moreover, he sought to avoid being typecast as the leader of a government eschewing its responsibility by announcing that a parliamentary inquiry into the crisis would be held after the elections. His political message to the voting public was that his government was in control and would be best placed to oversee a postelection inquiry and lesson-drawing operation. His attempt to present the government as a unified front was compromised when the Flemish socialist coalition partner duly reminded Dehaene's Christian Democrats of their earlier refusal to merge the

regulation of food production (a responsibility of the Ministry of Agriculture) and distribution (handled by the Ministry of Public Health) in one department.

These manoeuvres on the government side were all but nullified by the clamour of opposition parties left, right and centre to portray the dioxin crisis as symptomatic of a deeper weakness – Dehaene's 'chaotic' style of governance (Deweerd 2000: 181). The Green Party saw one of its main platforms, food production and safety, reach the top of the political agenda and capitalised on it at the polls. On 13 June 1999, the coalition parties received a battering. The victorious Liberal and Green parties established a parliamentary committee of inquiry. It commenced its work on 16 July 1999 and presented its report in early March 2000. Its low-key, mostly technical recommendations were accepted in parliament without difficulties.

Parliamentary investigations in Belgium

Whenever certain events become labelled as crises, scandals or fiascos, the parliamentary opposition usually leads the calls for an inquiry. Every individual member of parliament (MP) and every party in the Chamber or the Senate has a right to submit a proposal for the establishment of an investigation committee. This happens often, and hence the number of proposals to begin inquiries far exceeds the number actually held. This is in large measure due to the fact that a parliamentary majority is required to instigate an inquiry. Obtaining such a majority presupposes the support of at least one of the governing parties, who often have few incentives to lend this support – delicate multiparty coalitions are easily destabilized by such 'defections' to the opposition. Hence, it is only when negative publicity and public pressures to take action are so overwhelming that inquiries become politically feasible.

Technically, parliamentary investigations are fully independent. Their scope of inquiry can be limited only when it interferes with a judicial inquiry. The political reality is different. By the time an inquiry committee meets for the first time, the parties have already selected their committee member(s), and they will have selected the chairperson. Such agreements are informal and can be the product of intense political maneuvering within parties and between them (Staelraeve 2004: 17). The number of committee members varies from ten to fifteen. Crucially, the balance of membership among the parties is proportional to the number of their parliamentary seats. This rule guarantees the governing

coalition a majority on every committee, which effectively limits its scope and political potential – unless, as we shall see, extraordinary circumstances arise. Just as the selection of committee members is a party's political decision, the time horizon of the inquiry can be politically controversial. Some interests are keen simply to have sufficient time for investigation, whilst others may advocate what amounts to a 'freezer scenario' – extending and delaying an inquiry until the media and the public forget about the whole thing (Staelraeve 2004: 18–19).

Committees possess procedural powers that are quite similar to those of an examining magistrate in court. The committee can hear witnesses, hold domiciliary visits, appoint experts and interrogate key persons. A committee would typically spend much of its time in preparing and conducting hearings with sworn-in witnesses. Most hearings are open to the public and the press, and hearings are only closed on the request of witnesses. The internal dynamics of committee meetings are confidential. Ultimately, the committee produces a final report, which must be approved by a parliamentary majority. Often, therefore, political anticipation and bargaining takes place not only within committees but also between committees and their wider parliamentary environment.

The Belgian parliamentary inquiry process is thus based on a relatively fixed legal framework of investigation, responsibilities and recommendations. Whatever the formal rules under which they operate, crisis and/or scandal inquiries are part and parcel of the broader social and political 'meaning-making' process that necessarily follows surprising, disturbing or otherwise extraordinary events and revelations (Boin et al. 2005: 116). As we have argued in the introduction, such inquiries are therefore shaped by the political and temporal context in which they occur as well as by the political 'management' of the inquiry process by the investigators, the investigated, parliament as a whole, external stakeholders, mass media and the active public alike. It is to these clusters of factors that we now turn, beginning with the latter.

The investigation process: exploiting the moment

The Dutroux inquiry (and its aftermath)

In the Dutroux case, the broad message of both the press and public was that the victims, their families and the Belgian people had been let down by failures in the political, criminal justice and police systems.

Such a high degree of scrutiny was focused on the responsibilities of key actors, accompanied by a lack of trust in institutional processes, that a full-blown crisis emerged, challenging the legitimacy of key public institutions. The sense of shock, typical of what Boin et al. (2005: 100) call ‘the incomprehensible crisis’, limited interelite blame games and produced an unusually thorough search for the causes of the crisis. From this point of view, a parliamentary inquiry seemed an obvious route for processes of investigation and accountability. This was strengthened because not only was there strong human interest in the kidnapping and murder of the girls but it tapped into core values in society – justice, democracy and national security. The revelation of multiple crimes and failures, accompanied by massive media attention, made the crisis even more severe (Manssens and Walgraeve 1998: 16–17).

Even in these circumstances, the necessity of a parliamentary inquiry was not evident to all political players. The governing Christian-Democratic CVP wanted a different type of investigation – enlarging the remit of an existing committee of inquiry on the so-called Bende van Nijvel (an extremely violent gang that had spawned bloodshed in supermarkets), with its own MP Tony Van Parys as its chairman. This general committee should then be split into two subcommittees, one investigating the gang as well as the murder of French socialist politician André Cools, the other tackling the Dutroux crisis. It is not clear whether this preference betrayed a desire to bury the entire case into a political ‘freezer’ or whether CVP simply wanted to retain firm control of all justice-related inquiries, if only to make sure that these would not compromise the political future of its own Minister of Justice Stefaan De Clerck, who was seen as a rising star within the party. The other parties accused the Christian Democrats of playing a political game and ganged up on it. Buckling under the combined pressure of the other parties and an increasingly irate public opinion, the CVP finally agreed with a special committee of inquiry on the Dutroux case, which started its work on 17 October 1996.

Time pressures were important in the Dutroux inquiry because public opinion demanded swift action. Opposition parties were of a similar mind. The committee initially got only 3 months to hold its investigation, although some parties had argued for 6 months (Reynders et al. 1996: 4). However, it is likely that the shorter deadline was part of a compromise with the CVP, whose proposed ‘comprehensive inquiry’

was to last only 3 months. Time was also important for another reason. The Dutroux crisis had laid bare the widely divergent views of political elites, judiciary, public, media and citizens' groups on the quality and integrity of the justice system. The very act of instigating an investigation would signal a commitment by the political elite to respect public opinion on this highly emotional issue. Furthermore, a thorough inquiry with a sufficient time allocation would be more liable to produce a settled operational and political closure on the case.

The remit of the Dutroux committee was broad. It included not just an investigation of the circumstances and facts pertaining to the case but also involved making appropriate recommendations for reform of the police and the judiciary. Chairing the Dutroux investigation was Marc Verwilghen, a Flemish liberal MP. Verwilghen obtained that vital position more or less by 'accident'. The right to lead the Dutroux committee had in fact belonged to the largest opposition party, the French-speaking Parti Réformateur Libéral (PRL). However, the PRL had close affiliations with the officers of one of the judicial districts under scrutiny, and so they refused committee leadership. The floor leader of the VLD, Patrick Dewael, wanted to 'keep his hands free to criticise the government', and so the hitherto unknown Marc Verwilghen took leadership of the Dutroux committee (De Mulder and Morren 1998: 167).

All parties took interest in the investigation and were keen to influence committee decision making. Chairman Verwilghen surrounded himself with vice presidents and a large team, with all political parties being represented (Landuyt and De 't Serclaes 1997: 9). In turn, the two 'rapporteurs' for the investigation belonged to government parties. Typically, another key division within Belgian society was also respected: one rapporteur was Flemish; the other, Walloon.

The media swiftly transformed the energetic and determined inquiry chairman Verwilghen into a national hero (Ponsaers and De Kimpe 2001: 55–9). Verwilghen had been a backbencher but was one of the three MPs who had introduced the proposal for a parliamentary investigation. Once the inquiry got under way, Verwilghen kept a tight grip on how the committee operated. He led the hearings and displayed empathy for the families of victims but was tough with other witnesses. He tried to convince other committee members to work in the public interest – and, for once, to put their parties' interest in second place. His image of a sound and neutral politician was firmly established in

several confrontations with witnesses, and particularly his statement that ‘nobody will leave the room before we know which one of you is lying’. Verwilghen did well after the Dutroux committee. In 1999, he was one of the most popular Belgian politicians and became minister of justice in the new Liberal-Green coalition.

More than half of the Dutroux committee meetings were open to the public. Nevertheless, it was necessary for some very sensitive information to be discussed behind closed doors. But as always, the committee suffered from leaks to the press. This was no surprise. The focal point for the investigations of the inquiry was in Wallonia, and its ruling elite had much to fear from the inquiry. To cope with press leaks, the Dutroux committee strengthened its standing orders about public statements (Landuyt and De ‘t Serclaes 1997: 26–7), making it possible to punish committee members who broke the code. This in turn reinforced Verwilghen’s leadership and helped him mitigate, though not fully stem, the tide of leaks from the commission.

The Dutroux investigation gave central stage to the parents of the victims – their questions, complaints and worries. It did so by hearing them first and then again at the end of the inquiry. The committee also kept close contact with the victims. The investigation was, in part, the result of a request of the ‘Committee Julie and Melissa’, named after two of the Dutroux victims (Landuyt and De ‘t Serclaes 1997: 12). It was the first time in Belgian history that ‘ordinary’, nonorganised citizens had formed a political action group with such an immense influence on public opinion. Pressure groups in the field of criminal justice barely existed (Van Outrive 1998: 35). Whenever they were challenged about deficiencies in the justice system, magistrates normally insisted on the importance of the separation of powers and asked for ‘more of the same’: more money, more personnel and so on. Their interest was in strengthening the status quo rather than reform of the judiciary.

Other stakeholders played a role in the Dutroux crisis. The king, for example, held an audience with the parents of the missing children. Afterwards, he organised a roundtable conference on child abuse and missing children, making a remarkable statement which criticised magistrates, ministers and government. He demanded a thorough investigation into the matter and presented a list of questions and comments to the minister of justice (Van Outrive 1998: 24; Fijnaut 2001: 237). These actions and declarations were exceptional (and constitutionally debatable). The moral force of the king’s intervention was great: parliament

and the government were urged to act by the last remaining symbol of national unity whose public authority at the time far exceeded theirs. The trade unions also played an unusual role in the aftermath of the crisis. After the examining judge, Connerotte, was taken off the Dutroux case, masses of people spontaneously ceased working, and many schools closed their doors. Trade unions supported their rank and file in these actions (Ponsaers and De Kimpe 2001: 49–50).

The Dutroux Commission dominated Belgian newspapers throughout its life span. An average of 30 percent of all news in that period was about the Dutroux case (Manssens and Walgraeve 1998: 16–17). Almost every day the headlines were devoted to the case. At the outset of the investigation, some media tried to tease out tensions between political factions within the committee. Some committee members reportedly felt that reform would come faster without the fanfare of an investigation; others believed the investigation was vital regardless, as a platform for enacting public accountability for what had happened (Ponsaers and De Kimpe 2001: 53). As the investigation progressed, media ceaselessly reported on its quarrels with various stakeholders, internal tension and dissent, accusations against individual committee members, and a steady stream of leaks. Polls taken at the time suggested the commission by and large managed to gain and retain the respect of a large majority of the Belgian public regardless.

The inquiry report found fault in the entire policing and criminal justice systems. It recommended two structural reforms: integration of all police services in a two-level structure and changes to the organisation and functioning of the Public Prosecution Service (Fijnaut 2001: 241–2). Similar proposals had been discussed by the government and several committees prior to the Dutroux crisis, but had not produced major reforms. And the Dutroux commission's product did not bide well either. Despite its judiciously maintained veneer of consensus, disagreements within the commission were never far below the surface. Under pressure for a consensus from public and press opinion, the committee could only agree on very general recommendations, sufficiently ambiguously worded so as to allow much room for interpretation (Ponsaers and De Kimpe 2001: 64–8). The report was adopted unanimously in committee and in parliament. But this hardly mattered, as in subsequent debates the parties disagreed profoundly on the meaning of phrases like 'the integration of police services.' Magistrates and judicial services were highly critical of the reform proposals. Although

they stated that they were 'willing to contribute to measures which guarantee a better functioning of judicial institutions', they deplored the 'public executions' of witnesses in the committee and in the report. The National Committee of Magistrates was of the opinion that 'the committee's resolutions are a threat to the independence of the judiciary' (*De Tijd*, 18 April 1997).

The Dutroux report identified general and individual failings: forty people from police and judicial services were judged to have made mistakes during the search for the missing children. In this context, the government was under great pressure to act. Blame was focused primarily on judicial and police forces, making it easier for ministers to survive if they took collective and considered action. The cabinet endorsed the report, accepted responsibility and announced that it would work out a reform plan. The government also began disciplinary investigations against all the individuals cited in the report.

A few months after the report, debate on police reform was still fierce and Dehaene's coalition government was unable to reach agreement on the way forward. As a consequence, it turned to a committee of experts to devise a new police structure, but these efforts also failed (Ponsaers and De Kimpe 2001: 70–1; Fijnaut 2001: 244). The big bang of the Dutroux crisis seemed to end in an institutional whimper – until Marc Dutroux made a sensational escape from the Palace of Justice in Neufchâteau on 23 April 1998. Dutroux was arrested a few hours later, but the damage was done. Journalists chided that Belgium's most important criminal could 'go for a walk in the woods' and make politicians, magistrates and the police look like fools.

News of the escape became public while Prime Minister Dehaene was debating in parliament. The opposition promptly submitted a motion of no-confidence. Dehaene needed to protect the government from the public firestorm that broke out, and two ministers resigned the same day: the Minister of Home Affairs Vande Lanotte and Minister of Justice De Clerck. One week later, the commander of the national police also resigned (Ponsaers and De Kimpe 2001: 223–4; Fijnaut 2001: 244). This time, swift action by the government helped to restore some of its legitimacy – a vital move, given that parliamentary elections were only one year away.

Crisis-induced political sacrifices paved the way for institutional reform (Eppink and Verhoest 1998). Joint talks between government and opposition parties were initiated about the reorganisation of police

and reform of the judiciary. These talks became known as the 'Octopus talks' and culminated a month later in an agreement on wholesale reforms in the entire criminal justice system. This ended a deep political and institutional crisis that had started almost two years before, when Dutroux was arrested.

The dioxin inquiry (and its political pre-emption)

News of the contamination broke during the middle of an election campaign. Public opinion, stakeholders and press saw the dioxin crisis as not just an operational and personal failure of the two sacked Christian democratic ministers and their party, but as a political failure on the part of all other governing parties. The Christian Democrats tried to contain the crisis by proposing a parliamentary inquiry after the elections, which all major political parties agreed to. Throughout the acute crisis period, the cabinet did not give the impression of being in charge (Van der Donckt 2000: 45–9). It proved unable to put crisis operations on a firm footing before the elections took place.

This combination of perceived incompetence and electoral inducements gave the dioxin crisis the hallmarks of an 'agenda setting crisis' (Boin et al. 2005). It came to symbolise hitherto neglected risks and vulnerabilities, providing a major rhetorical opportunity for the Green Party AGALEV-Ecolo to frame the underlying problem as one of 'food safety'. Two weeks after the crisis broke, the Christian Democrats lost the parliamentary elections and their hold on federal government power, which they have not regained since.

The short-term issue of blame assignment had to a large extent been dealt with through the resignations of the two ministers. As a result, the inquiry – held after the elections – faced the danger of a lack of media and public interest – potentially undermining its role as a vehicle for policy learning and an accountability forum. The new Liberal–Socialist–Green coalition parties nevertheless wanted to keep their pre-electoral promise and proceeded to start the dioxin inquiry while their negotiations for a new government were still going on (Landuyt et al. 1999). The inquiry lasted 9 months, but all parties were keen to move forward and put the crisis behind them as quickly as possible (Van der Donckt 2000: 161). The Christian Democrats wanted to minimise any further political damage from the issue; the socialists were preoccupied with finding their way into a very different type of coalition

environment; the other parties gave priority to the operational aspects of the crisis. This made it more difficult for the committee to formulate 'hard' conclusions and make clear judgements about administrative responsibilities and underlying institutional questions.

The remit of the dioxin committee of inquiry was to document all facts that led to the dioxin contamination; describe the entire production chain of eggs, dairy and meat in Belgium; document all existing control services and mechanisms; investigate all current rules about the production of eggs, dairy and meat and make suggestions to improve them; and identify responsibilities (Vanhoutte and Paque 2000: 6). Prior to the election, the opposition parties had wanted the scope of the inquiry to be as large as possible, but when in government they sought to narrow it. A liberal MP commented: 'It would be stupid to complicate things for the government. This is not the Dutroux inquiry. There is no interest of the state at stake' (*De Morgen*, 28 August 1999) – a clear manifestation of the political about-faces of parties who were in opposition before the crisis and in government after it.

Charles Janssens, a member of the Walloon socialist government party PS, chaired the dioxin inquiry. His appointment was remarkable, since the scandal was set in Flanders and his ability to understand and speak Dutch was known to be limited. This odd choice had to do with the fact that almost all Flemish parties had been implicated in the dioxin crisis one way or another, either before or after the elections of 13 June 1999. Furthermore, the dioxin committee differed from the Dutroux committee in other respects. It counted only five members, and there was no clear division between opposition and government parties or between representatives of the Dutch- and French-speaking communities in Belgium (Vanhoutte and Paque 2000: 5).

The media framed Janssens' leadership of the inquiry in terms that differed markedly from their depiction of Verwilghen as chairman of the Dutroux inquiry. Verwilghen was made a hero, Janssens was ridiculed. He was depicted as a clumsy, inept politician unfit for the task assigned to him. Moreover, he had not signed the proposal for a parliamentary investigation in the dioxin case. Unlike Verwilghen, therefore, his early track record on the issue did not display an unequivocal commitment to an inquiry. In combination with his linguistic handicap and low standing within his own party, these factors limited his capacity to exercise strong leadership during the investigation – often delegating important tasks to other members. This, in turn, made it

difficult to present the media with images of a strong and forceful investigation. A self-fulfilling prophecy took hold: the committee was plagued incessantly by political allegations and press leakages, impairing the accountability process.

The dioxin crisis attracted considerable media attention, although not at the same level as the Dutroux case. Press articles about dioxin were mostly on pages two, three or four. Throughout the investigation, the press was largely critical of the committee's work.¹ It focused initially on the limited capabilities of chairman Janssens and the political squabbles concerning the appointment of committee members. It then highlighted several disagreements between committee members as well as insinuations about a cover up by the political elite (Van der Donckt 2000: 171). Some newspapers pointed out that the committee did not really get up to speed until two months into its investigation, and that even then internal conflicts and allegations continued. In the months that followed, the inquiry focused on the ambivalent role played by the civil servant who had fed the key documents to liberal leader Verhofstadt, veterinarian Dr. Destickere. Besides being an inspector in the Institute for Veterinarian Control, Destickere had been employed as an insurance specialist for the feed production company that discovered the dioxin contamination. Destickere's minister, Colla, had refused permission for Destickere to combine both jobs. After the dioxin contamination became public, it was Destickere who gave Verhofstadt proof Colla had known about the contamination earlier than he had stated publicly. The press wondered aloud if Destickere was a genuine whistleblower who had acted in the public interest or simply a self-serving, disgruntled employee misusing confidential information.

The dioxin committee presented its report in March 2000. Press, parliament and government showed relatively little interest in the parliamentary presentation and subsequent debate (Van der Donckt 2000: 160–1). Opposition parties did not approve the report because no reference to the role of the new Verhofstadt government was made in it (Deweerd 2001: 290–1). Although a list of conclusions, recommendations and responsibilities was formulated, the report did

¹ The paragraphs that follow are based on a content analysis of four Belgian newspapers during the investigation period. Detailed referencing has been omitted given this book's international readership, but original sources can be requested from Sophie Staelraeve at: sofie.staelraeve@sociaalhuiskuurne.be.

not create a big splash in the food sector or in Belgian politics at large. It recommended some useful government actions; for example, the establishment of the Federal Food Safety Agency, but this had been under way anyway. The committee's report appeared when political closure on the crisis had already come about: two ministers had resigned and a new coalition was voted in. The operational response to the contamination was ongoing but was handled by the new government and not covered in the report (Deweerd 2001: 292). The dioxin crisis and investigation did put the broader issue of food safety higher on the political agenda, partly aided by the fact that around the time of the publication of the commission report Belgium was experiencing a number of Bovine Spongiform Encephalopathy (BSE) cases – further alerting citizens to the need to take food chain management seriously. The commission report's recommendations were partly targeted at making it possible to detect indications of food chain contaminations and react more effectively to them – an unspectacular but welcome thrust in a BSE-affected country needing to regain standing with the European Commission (Deweerd 2001: 294; Rihoux et al. 2001: 259). However, compared to the Dutroux inquiry, the dioxin committee's wider institutional and symbolic impact was limited.

The upshot of this brief examination of the inquiries process in the two cases reveals some important differences between them, which, contrary to some of the propositions, did not always prove to be very consequential for the inquiries' outcomes. For one, although both commissions operated under the same set of parliamentary investigation rules, which set their investigative powers and staffing and the like, the Dutroux commission was clearly the weightier of the two. Its chairman was a rising political star who seized the opportunity to act as a moral entrepreneur and an advocate of institutional reform, whereas his counterpart in the Dioxin inquiry was weak and quite possibly selected for that very reason. Secondly, the two commissions' *modi operandi* differed much less than their respective public images would have it. Both, for example, failed to keep a united front throughout the full duration of their investigations and were plagued by leaks and well-publicised rivalries. Yet the public profile of the Dutroux inquiry was high and mostly favourable, whereas the dioxin inquiry struggled to make headline news and to offset the impression of being a mere 'after the event' ritual. Finally, in framing its findings the Dutroux commission's report paired a system-wide allocation of responsibility

with the naming and shaming of forty-four individuals and sweeping albeit vague reform proposals, whereas the dioxin inquiry went more down the technical, specific and incremental route in its recommendations, partly because the need to allocate blame had been obviated by the prior resignation of the two key cabinet ministers. No compelling explanation for their differential significance and impact emerges from this review of process factors. Let us therefore turn to the other key factor in inquiry politics: the social and political context in which crises, scandals and inquiries are set.

The inquiry context: a polity scarred by scandals

The peculiar Belgian blend of a highly segmented state structure, intense multiparty competition, deeply rooted corporatism and the widespread politicisation of public service appointments went hand in hand with a political culture characterised by informal, nontransparent cooptation and osmosis between social, political and bureaucratic elites. Informal networks of patronage and loyalty both along and across party lines created a system that harboured many veto players standing in the way of policy and institutional reforms even after the biggest of crises (Kuipers 2005). Crises by their very nature require some sort of political response. Yet because its very structure makes it very difficult to adopt and enact substantive policy change, the Belgian system thrives on symbolic crisis management. Following Brunsson (1989), it can be characterised as a system of ‘organised hypocrisy’: much talk, few clear decisions and surreptitious action.

Against this backdrop it is perhaps less surprising that a series of outrages occurring during the 1980s and 1990s, particularly in the field of criminal justice and public order, duly led to the establishment of numerous inquiries. These produced sometimes searching analysis of the institutional weaknesses of the system and made detailed reform recommendations. But they tended to result in modest ‘modernisations’ at best, which remained mostly confined to uncontroversial domains such as staffing, training, equipment, communications and so on. The spiral of crisis > inquiry > stalemate/symbolism > crisis went through several iterations during this era. Major inquiry triggers in the period included: a long spate of extremely violent (twenty-eight killed, many more wounded) attacks on supermarkets perpetrated by the mysterious ‘Nijvel Gang’; a European Cup Final stadium riot killing thirty-nine

and wounding hundreds; the unsolved murder of a prominent French socialist politician often linked to corruption and mafia practices; the unsolved murder of a veterinary inspector on the trail of widespread illicit hormone trade in the Belgian meat industry; and a defence helicopter procurement bribery scandal involving long-time minister and former NATO Secretary-General Willy Claes.

Hence, as Fijnaut (2001: 235) observes, ‘the Dutroux scandal was therefore by no means unique. In fact, it represented yet another climax in a perpetual cycle of crises. The proportions assumed by the Dutroux crisis would be difficult to grasp if it were not for all the crises that had preceded it and that had gradually eroded the legitimacy of the criminal justice system’. He could have added ‘and in the political institutions and elites in general’ (cf. Huyse 1996; Elchardus and Smits 2002).

The essence of a contextual explanation of the different course and outcomes of the two crises and their inquiries can now be presented. It is twofold. First, although the two crises inevitably shared this historical context of repeated cycles of scandalisation and stabilisation, the key difference between them was the cumulative effect that occurred: the Dutroux crisis and its legacy of popular distrust of the government and disgust with ‘old-style’ politics became part of the immediate context of the dioxin inquiry. It was the most conspicuous evidence of what Pujas (2006: 33) calls a ‘breakdown of key political bargains’ upon which the dominant position of the ruling political cartel in Belgium rested. It not merely added another of these cycles, it created an unprecedented ‘market for scandal’ (Lowi 2004) by weakening and disorientating the government and demonstrating that concerted opposition aided by popular outrage could force elites to accept far-reaching institutional reforms. The Dutroux crisis demonstrated that the cumulative effect of these scandal–stabilisation cycles had been to push down the legitimacy of public elites and institutions. Its ‘added value’ in this ongoing trend was that it pushed public disaffection with government below a critical threshold, triggering a unique type and level of mass mobilisation in the form of the White Marches.

The whole experience of the Dutroux crisis harboured two mobilising lessons for the government’s critics. One was negative: our system is in even worse shape than we thought. The other was positive: massive and sustained popular protest triggered by extraordinary events can force the ruling caste to abandon its complacency. These lessons were part of the mental space that all players in the system occupied by the

time the dioxin crisis occurred. During the late 1990s and beyond, the spectre of Dutroux hung over everything that smacked of governmental 'mismanagement' and 'scandal' in the Belgian polity – a scare source of historical analogy, available for rhetorical use by every public actor that chose to muster it (cf. Brändström et al. 2004). Its impact was to shrink the political space available to the governing coalition to engage in denial, delay and deflection in case another crisis event occurred.

The second contextual factor is more obvious but at least as important in explaining the difference between the cases: the dioxin case burst into the open during the immediate preelection period, whereas the Dutroux crisis did not. The political logic of electoral survival played out differently in both cases. Whereas in late 1996 the Dehaene government could still afford to take a calculated risk of trying to ride out the Dutroux crisis without getting itself into the federal, political and bureaucratic minefield of reforming the criminal justice system – there was enough time for popular discontent about this lack of vigour to blow over and be nullified by the government's intended achievements in other policy domains – this was clearly impossible in 1999. The dioxin issue fed right into the election campaign and there was no way in which any of the parties could afford not to be associated with a 'safety first' and 'hard-line' approach to containing health risks, both present and future ones. Hence instead of reluctantly agreeing to an inquiry as in the Dutroux case, the government now proposed one itself. Moreover, the prime minister had no choice but to project himself as a devoted crisis manager and forego electoral politicking during a time when his opponents were free to hack away at the government for its presumed neglect of food safety.

Crisis investigations in Belgium: beyond ritual?

This chapter has analysed the course and outcomes of two crises and crisis-induced parliamentary inquiries facing the Dehaene II government in Belgium (1995–1999). As explained in the introduction, our analysis is focused on explaining the significant differences in their course and outcomes; but before we evaluate our main findings (see Table 6.1), we should reemphasise the considerable similarities that also exist between them. As far as elite survival is concerned, the Dehaene government managed to outrun the long and deep shadows

Table 6.1. *Context, process and impact of the Dutroux and dioxin crisis inquiries*

	Dutroux crisis	Dioxin crisis
<i>Context factors</i>		
The nature/scope of the crisis trigger	Highly emotional: abused and murdered children, bungled investigations, conspiracy theories.	Potentially emotional: a 'victimless' food scare, a bungled coverup attempt.
Crisis framing in relation to ongoing political narratives	'Another dramatic indication of organised incompetence (and possibly rot) in the criminal justice system'.	'Yet another example of a government that cannot or will not put the safety of its citizens first, and that has learned nothing from "Dutroux"'.
Placement of crisis/inquiry in political time	Crisis occurs in government's midterm period. Inquiry and postinquiry process drags on for 18 months.	Crisis occurs during election campaign; inquiry promised during campaign, but not started until after the election.
The prevailing balance of political forces at the time of the inquiry	Parliament: ascendant coalition, neutralised opposition. External: vocal, powerful and deeply critical judicial and bureaucratic 'players'.	Parliament: embattled coalition, aggressive opposition. External: deeply discredited agro-food sector; weak resistance from relevant ministries.
Media and societal responses to the crisis and the crisis inquiry	Immediate, deep and lasting public indignation and trauma. Enduring saturation of media coverage of the 'moral panic' kind. Media heroification of inquiry chairman.	Momentary public uncertainty followed by disinterest. Sharp but comparatively short burst of media coverage. When inquiry began, the public had largely lost interest. Media consistently critical of inquiry and its chairman.

(cont.)

Table 6.1 (*cont.*)

	Dutroux crisis	Dioxin crisis
<i>Process factors</i>		
The politics of the inquiry's composition, powers and staffing	Major struggle about scope of inquiry: focused versus 'diluted' mandate. Tussle for the chairmanship, gained by ambitious 'outsider' candidate.	Postcathartic inquiry: ministerial resignations had already occurred. No political heavyweights involved.
The moduli of the inquiry and its leading figures during the investigation process	Leadership selection by default: ambitious, independent-minded and tenacious chairman acting as moral entrepreneur in advocating reform. Victim-centred inquiry process. High-profile support from the king. Initial internal cohesion of commission broke down eventually.	Leadership by government design: French-speaking chairman in a largely Flemish sector. Chairman had low standing in own party. No victims to be mobilised in inquiry process. Few allies in the extraparliamentary arena. Commission fraught by internal conflict and dissent from the outset.
The framing of inquiry findings and recommendations	Report faulted entire police and criminal justice system; ministers largely exculpated. Forty officials singled out for individual failures. Unanimous but ambiguously worded recommendations.	Technical, politically unspectacular diagnosis and recommendations.

cast by the Dutroux affair, but ended up having to sacrifice two ministers more than a year into the crisis process, long past the end of the initial inquiry. In the dioxin case, the ministerial sacrifices were made early into the crisis, but the voters punished the government out of office nevertheless. They were able to do so by virtue of the fact, coincidental or not, that the dioxin crisis broke out 2 weeks before parliamentary elections were to take place. In both cases, therefore, the dismissal of ministers was not a case of political accountability being enacted by a parliamentary forum. The parliamentary inquiries as such had little to do with both sets of resignations. In fact, parliamentary inquiries have never caused resignations in Belgium, and the Dutroux and dioxin crises did not break with this tradition. Belgian ministers do not quit unless their resignation is politically necessary to save a governing coalition. Decisions about ministerial exits are made by prime ministers and party barons, not by parliamentarians in their role as controllers of the executive.

Still, there is little doubt that both inquiries did play an important role in the accountability process relating to both crises. They both reached deep into the often complex political and bureaucratic constellations and interactions that had allowed both crises to develop. And, importantly, they did most of their work in full public view. Although they uncovered alarming facts about the efficacy and resilience of the policy systems they investigated, both committees took pains to restore public confidence in the checks and balances of parliamentary democracy by trying as much as possible to conduct their investigations coherently and professionally. Although itself all but flawless, the Dutroux commission did succeed somewhat better at this than the dioxin commission – also by organising public hearings with several stakeholders so as to enable the voices from the grass roots to be heard in the otherwise rather secluded chambers of Belgian federal politics. To the extent that both crises at least partly revolved around citizens' chronic distrust of government, the inquiries by and large assisted in 'working through' both crises in a fashion befitting a liberal democracy.

In political and policy terms, there were important differences between both inquiries, as pointed out at the outset of this chapter. In the middle part of the chapter we examined both contextual and process factors that may account for these differences. At the end of the day, these can be summed up as follows. First, the Dutroux commission went to work prior to any political catharsis taking place – it

was a brainchild of the opposition parties designed to force the government's hand, and because of huge public pressure for decisive action, the government could not use its regular majority hold on inquiry politics to stave off a serious, probing investigation. The government had to go along with a firm and high-profile inquiry; any other course of action might have triggered severe popular unrest. The dioxin commission began as an electoral damage-limitation ploy by Prime Minister Dehaene, and ended up largely as a postcathartic ritual after two ministers had already been forced out and the voters had already inflicted political punishment by bringing about an unprecedented liberal-led coalition without Christian Democratic participation. The new coalition had little use for a commission whose birth they had supported during the campaign, and did what it could to marginalise it. Notwithstanding that, and perhaps in response to it, the commission's main impact was within the policy sector it investigated, providing it with an agenda for adapting its practices that met with little opposition and was largely implemented.

Second, time and timing were important factors explaining the course of events. The Dutroux crisis was situated at the beginning of the Dehaene government, giving a relatively young and coherent government room to manoeuvre and diffuse tension by adopting familiar methods: painstaking multiparty negotiation and consensus formation in response to the inquiry's highly sensitive reform recommendations. In contrast, the dioxin contamination became public only two weeks before an election. As predicted by the propositions, the lack of time before election day, the 'heated up' political climate and the decreased coherence of the government prevented it from successfully controlling the political fallout of the crisis.

Third, the investigative scope of the Dutroux inquiry was broad and allowed it to examine underlying institutional constellations. Although fact finding and allocation of responsibility were integral to its mission, its key ambition (certainly of its chairman) was to achieve a breakthrough in the institutional stalemate surrounding criminal justice policy. Its main handicap was just that: the existence of that stalemate. It divided the commission. The price of unanimity was a watering down of the specificity of its proposals. And it looked as though the commission's recommendations would suffer the same fate as those of its various precursors. As it happened, fate intervened: the game was

changed entirely by the Dutroux escape and the political firestorm this generated. Making major changes and making them fast had become a matter of elementary political and institutional survival for the main veto players in the criminal justice policy game. Hence, in the end, it was not the commission as such but the events on the ground that forged the political breakthrough (cf. Maesschalk 2002).

The dioxin investigation was much narrower and technical in scope. The commission could not use the political lever of a still due accountability debate (including the shadow of possible sanctions against key ministers and officials) to gain momentum for any broader reform objectives. Moreover, the new government had already committed itself to some of the institutional innovations and policy changes that the dioxin commission proposed. Also, elections seemed to deal with the accountability issue, and so the inquiry lost what otherwise might have been an important driving force.

Fourth, committee leadership was important. Public and press pressure to produce results were much higher during the Dutroux investigation. Dutroux commission chairman Verwilghen rose to the occasion. He exerted a form of situational leadership that at times seemed to border on the charismatic – considering the undiluted public admiration and ‘heroification’ surrounding him for some time. Given the depth of the crisis the Dutroux revelations had triggered – the entire institutional make up of the justice system and indeed the political culture in Belgium at large was targeted by unprecedented and symbolically powerful forms of grass-roots political mobilisation – and the incessant media coverage of the affair along a villains–heroes story line, the potential for charismatic relationships developing around a new, untainted, tough-talking political figure was clearly there (Van Dooren 1994). Verwilghen jumped into that window – earning the jealousy, hatred and obstructionist intrigue of many establishment actors in the process, even within the commission itself (Brouwer 1997). Cause and effect are not so easy to disentangle, however. One may also argue persuasively that the strong public support for the Dutroux inquiry and for Verwilghen in particular was the product of a successful though fleeting coalition between the parents of the victims and other citizens’ groups. They instinctively realised that Verwilghen and his commission were their best if not their only bet in forging the government to render account and to make significant policy changes instead of the kind of

symbolic patchwork it had done in the past. In contrast, the dioxin inquiry was lacking such bottom-up wind in the back and its hapless chairman was never likely to elicit momentum either.

Fifth, as predicted, media representations of crises and crisis inquiries proved a weighty factor. The press in the two cases examined tended to converge on storylines about the 'real' nature of the crisis, the stature of the inquiry and the performance of its chairman. In doing so, media coverage 'made' the Dutroux inquiry and 'broke' the dioxin inquiry. To be sure, the Dutroux committee was also exposed to considerable media pressure about its internal workings, but by and large the media's tone enhanced the popularity of Verwilghen and other committee members and gave the commission status as an 'interpretive authority' (see Parker and Dekker, this volume) of the Dutroux crisis.

When confronted with severe crises, political leaders will be tempted or feel forced to propose or condone an official inquiry. In Belgium, such inquiries tend to be conducted by parliament. Compared to practices in other countries such as the UK and other Western democracies, where there is frequent reliance on expert-led 'blue ribbon' inquiries, the Belgian mode of political crisis management tends to politicise the very conduct of the inquiry itself. In the Dutroux case, this served to augment its stature and potential impact, whereas in the dioxin case it served to detract from it. This chapter has demonstrated the unique blend of factors that enabled the Dutroux commission to temporarily escape the seemingly inevitable marginalisation of Belgian crisis inquiries – although its policy impact was delayed and disappointing to many. Another combination of contextual factors ensured that a much smaller crisis had more immediate and enduring political consequences, but at the same time preempted the ensuing inquiry of much of its clout. These circumstances were indeed unique, and despite the much vaunted 'new political culture' that is said to have emerged in Belgium in recent years following the face lifts and generational changes in most of the traditional parties, significant parts of the populace and plenty of sceptical observers feel that the 'Belgian system' of old is alive and well under the surface of relabelled party names and the rhetoric of political innovation (cf. Elchardus and Smits 2002).

The propositional framework used here provided a parsimonious yet versatile torchlight for both selecting the material and interpreting the findings. Whilst some of the individual propositions may border on the

obvious to political science cognoscenti, in combination they seem to 'work', particularly through the juxtaposition of context and process factors in crisis inquiries they enable. As stated in the introduction, we make no pretence of having conducted a rigorous test of this analytical framework, nor do we claim it exhausts all possible factors impinging upon crisis inquiries. But taking it as a starting point in further, more ambitious controlled comparison research designs seems as good an analytical strategy as any in the ongoing endeavour to comprehend the dynamics of crisis inquiry politics.

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