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**Social Policy Formulation in Minority Nations:
A Question of Institutions or Congruence?**

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**Canadian Political Science Association
Annual Conference 2011, Waterloo, ON
May 16-18, 2011**

Introduction

Two broad approaches have been used to assess the existence and institutional arrangements of multinational states: considerations of justice and stability through constitutional mechanisms and the area of public policy. It is in the area of policy formulation that states have demonstrated a willingness to foster and sustain a sense of nationhood in both minority and majority contexts, leading theorists to ask questions about the sort of initiatives undertaken in order to foster community for both normative and functional ends.

Much of the early work in the field of multinational democracies was produced by political theorists. These studies were mainly concerned with determining normative standards related to considerations of justice and stability, as demonstrated in *Multinational Democracies*, a volume edited by Alain-G. Gagnon and James Tully (2001). Federalism was typically used as the lens through which constitutive and constitutional questions were addressed. The plausibility of asymmetrical arrangements and the normative boundaries of federalism are examples of studies in the approach related to justice and stability. Many of these questions draw upon the concept of politically-salient identities, including national and ethnocultural identities and how states have responded to accommodating such claims. The identity of citizens has become a matter of politics as multinational states are characterized by competition for the allegiance of the citizens.

The second approach to understanding multinationals is rooted in public policy and is based on the idea that the state is more than a service provider, it engages in projects to fashion community in policy areas such as education, social security, language policy, immigration, etc., ultimately carving out citizenship spaces. Social policy in particular has nation-building potential because it “refers to measures that fight economic insecurity, redistribute income, and provide social services to workers and citizens” (Béland and Lecours, 2008, p. 5). These programmes can help define the bonds of citizenship by establishing a basic level of welfare for all citizens. The boundaries of citizenship can also be established through social policy by defining the population to whom the state owes protection and who owes allegiance to the state (Jenson, 1997). Identifying with and contributing to common social programmes can help construct a shared vision and common identity for a country.

Which level of government controls these policies can become particularly important in multinational states. In terms of social policy, Nicola McEwen (2005) argues that the practice of assuming policy ownership and the contest for policy control have more significance for territorial politics than does the divergence or convergence of public policy. Béland and Lecours (2006) put forth a similar argument, stating that the symbolism of provincially run programs is crucial because social policy possesses mobilization and identity building potential. The quest for decentralization has been associated with the diversity of the modern nation-state with regional actors that have gained relevance as optimal providers of welfare (McEwen and Moreno 2005).

Precisely how does social policy develop and evolve to meet the needs of the internal nations? There are competing theories related to the evolution of social policy within multinational democracies divided along linguistic lines. Jan Erk (2008) argues in his book *Explaining Federalism: State, society and congruence in Austria, Belgium, Canada, Germany and Switzerland*, that political institutions are influenced by society and that consequently, social policy will devolve to achieve congruence with the underlying ethno-linguistic structure of the nation. In contrast to Erk who privileges a sociological approach to federalism, Daniel Béland and André Lecours put forth an institutional-based approach to social policy in multinational federations, treating federal institutions as the independent variable that influence the outcome of

social policy. For Béland and Lecours, institutional obstacles can preclude the convergence of social policy with ethno-territorial cleavages since nationalism is not independent from policy legacies nor is it purely a societal force.

Based on the two approaches to social policy in internal nations, this paper will ask the following question: Do institutions enable/constrain the behaviour of actors in nationalist movements thereby structuring their social policies as Béland and Lecours propose; or do institutions evolve to meet the underlying ethno-linguistic structure of the internal nations as Erk's congruence theory proposes? Using the cases of Canada's and Belgium's internal nations and two distinct areas of social policy, education and old age pensions (Canada)/social security (Belgium), this paper will seek to uncover which approach can best explain social policy development and evolution in Québec and Flanders. This paper will proceed in three parts. First, the arguments put forth by Erk and Béland and Lecours will be outlined. Second, the case studies and their social policies will be presented. Third, the cases and their social policies will be discussed in an attempt to determine which approach can best explain social policy development and evolution in sub-state nations.

Congruence or Institutions?

Congruence – Society Influences Institutions

From a sociological perspective, Erk (2008) argues that overtime, federal institutions adapt to achieve congruence with the underlying social structure (in the case of this study, the underlying ethno-linguistic structure) of the society. In other words, political institutions change in order to reach a better fit with society. With this approach, identity becomes an independent variable, one to which federal institutions respond by gradually changing to accommodate it. By privileging identity, Erk seeks to highlight the shortcomings of new-institutional approaches to explaining change, favouring instead society based approaches to studying change and continuity in comparative politics because it is to society that institutions – such as federal institutions – respond.

A principle unifying and defining element of a nation is its language. In the cases of Canada and Belgium, language is a source of unity and uniqueness within Québec and Flanders transcending other differences, while also serving as a source of disunity with other citizens (outside of the internal nations) in the federations. According to Erk, when a political structure and an ethno-linguistic structure do not match, gradually, through the pursuits of political actors, the political structure moves towards congruence with underlying societal characteristics. There is a move towards congruence when there is discrepancy between the ethno-linguistic societal structure and the broader political structure of the country. As Erk explains, “if the “nation” is smaller than the unit defined by the political institutions, there will be devolutionary pressures on the unitary institutions” (Erk 2008, p. 10). In contrast, there are tendencies towards centralization when “the “nation” is bigger than the unit marked off by political institutions” (Erk 2008, p. 10). In these linguistically homogeneous societies, focus is on the content of public policy and their efficient delivery—not their symbolic value or alignment with the society's underlying ethno-linguistic structure.

Institutions – Guiding Behaviour

For Béland and Lecours, state institutions and structures mediate nationalism and the behaviour of nationalist actors. From a historical institutionalist perspective, the authors argue that existing social programs and state structure “constitute a powerful source of institutional inertia” (Béland and Lecours 2005a, p. 271) that can enable or constrain the development of

future policy. Historical institutionalism's emphasis on path dependency promotes an understanding of the persistence and continuity of institutions to favour and reproduce power arrangements that perpetuate their existence. Change within historical institutionalism can only be explained by critical junctures, which are major historical moments where there is a rise in tensions and a struggle for power, allowing for major institutional change. Such moments are brought upon by exogenous shock or factors outside of the institutions themselves (Hall and Taylor 1996). Institutions are considered to privilege certain interests while demobilizing others. The conflict for scarce resources among rival groups is considered to be at the very heart of politics from the historical institutionalist perspective (Hall and Taylor 1996).

Due to the persistence and continuity of institutions, the time at which sub-state nations seek to challenge the existing structure of social programming is crucial in determining their success. As Béland and Lecours (2005a) explain, a nationalist movement that becomes powerful before modern social policies are established have a greater chance to shape welfare state development than a nationalist movement that attempts to become influential after the social programmes have crystallized. Based on this approach, institutions guide the behaviour of actors. Institutions, from this perspective do not gradually change to meet the underlying ethno-linguistic characteristics of a society; it is rather institutions that influence action.

For the purpose of this paper, institutions will be defined from a material perspective. Examples include formal or informal procedures, routines, norms and conventions embedded in the organizational structure of the polity or political economy, such as constitutional order, operating procedure of a bureaucracy etc. (Hall and Taylor 1996). The principal institutional arrangement for this analysis will be the federal structure in Canada and Belgium. At the centre of the principle of federalism lies the assumption of the worth and validity of diversity, which is why federations have proved to be useful in particular states at protecting territorial minorities.

Federalism is typically associated with a vertical separation of powers, which splits jurisdictions along territorial lines. A functioning federation requires four main tenets to enforce a vertical separation of powers and to make a system of shared responsibilities functional. Paraphrasing Richard Simeon, the four composing elements are as follows: first, a written constitution that is difficult to amend; second, a supreme court that can act as umpire to settle conflicts between different branches of government; third, constituent units that participate in the federal process; and finally, the many formal and informal inter-governmental networks of co-operation addressing common problems that affect different levels of government and or various constituent units (Obinger et al., 2005). The welfare state structures in Canada and Belgium will be counted as one of multiple formal (and informal) inter-governmental networks. With the competing approaches explained and a definition of institutions established, this paper will proceed by discussing the two case studies.

Case Studies: Social Policy in Québec and Flanders

The 'most similar systems' design was used to select the case studies, since both countries share commonalities as linguistically diverse, federal, parliamentary systems. These common characteristics are viewed as controlled for, maximizing similarities and minimizing differences to allow for a sound comparative study (Przeworski and Teune, 1970). There exists a similar ethno-linguistic structure in Belgium and in Canada. Flemish nationalism is based on language which parallels Québécois nationalism, also rooted in language. Each nation seeks greater autonomy from its central state and they are both confronted with another nation contained in their state that possesses a more centrist or unitary view of the country, the Walloons for the

Flemish and English Canada for the Québécois. These two cases provide important similarities for study (Erk, 2002).

Understanding the relationship between nationalism and social policy could provide an entry point to studying territorial solidarity in environments other than the state. Nationalist movements have used social policy as an identity building tool central to nationalist mobilization (Béland and Lecours, 2008). The policy areas selected for the analysis are education and old age pensions (Quebec)/social security (Flanders). Education was selected because it can reflect the ethno-linguistic composition of a society and can inferably be a social policy used for nation building purposes since it relates directly to identity. A society can use education to form its members making “educational institutions . . . primary mechanisms for promoting ideological power in societies” (Shohamy, 2006, p. 90). Old-age pensions/social security were also selected because they represent a direct mechanism for nation-building, since the government providing the programme can come to be seen as the provider of citizenship rights. Having established the framework for the essay, we can now proceed to the discussion of the two case studies and their constitutive social policies to determine whether congruence or institutional analysis can best explain the development and evolution of social policies in sub-state nations.

Case #1: Québec

Context and History of Federalism in Canada

The federal system in Canada was implemented after multiple failed attempts at assimilation of the French Canadians concentrated in the province of Québec. With the confederation of Canada under the British North America Act in 1867, the Québécois maintained their distinct identity and way of life as a minority nation within the country. French speakers outside of Québec were not protected by the federal government and overtime, Québec came to be seen as the last enclave of protection for a distinct language and culture on the North American continent (Erk 2008). The national community and Québec’s territory became inseparable with the Quiet Revolution that started in the 1960s. Historically, it was the Catholic Church that was responsible for social policy and propagated its agrarian, linguistic and religious ideals for years in the province. Once an inward looking nation that depended on the Catholic Church for the majority of its social programs, the Québec state began to take responsibility for its own social programs in areas such as health and education with the onset of the Quiet Revolution (Gagnon and Simeon, 2010; Simeon and Papillon, 2006).

During this time, when federal attempts at nation-building through social policy were strongest, Québec decided to opt-out of multiple programs established by the federal government only to run parallel programs in the province with money from the opt-outs. It became clear that it was not the content of the program but the government that came to be seen as the operator that was important because “for provincial officials, the development of Québécois social programmes was a statement about the province’s distinctiveness and its desire to take control of policy areas related to identity-building” (Béland and Lecours, 2008).

Education

A most distinct area of identity formation for the province has been through its education system rooted heavily in the promulgation of the French language, particularly among immigrants. Based on section 93 of the Constitution Act 1867, education falls under provincial jurisdiction, a power Québec fervently guards. In 1951, the Massey Report recommended that the federal government extend the reach of public policies and responded by introducing a direct subsidies program to post-secondary education. Then Premier of Québec, Maurice Duplessis,

opted out of the subsidy and refused any federal intrusion in the area of education, also opting out of the Student Aid Program in 1954 (the province also rejected the Millennium Scholarships when they were introduced in the year 2000) (Erk 2008). Duplessis promoted a form of protective nationalism and “succeeded in retarding the implementation of specific federally sponsored policies, and their nationalist project in the field of education and social policy” (Béland and Lecours, 2005b, p. 193).

Under the premiership of Jean Lesage, the Parent Commission (*la Commission royale d'enquête sur l'enseignement dans la province de Québec: L'éducation pour tous*), struck in 1961, was an iconic report, particularly symbolic of the Quiet Revolution because it assisted in reforming Québec society. Monsignor Alphonse-Marie Parent, the Commission's chair, held audiences with over 300 groups, and in the final report that was several volumes in length, an action plan was put forth for a complete overhauling of Québec's educational system in 1966. The democratization of the system, access to education, the division of the system into elementary, secondary, college and university levels and the creation of CÉGEP, originate in the report (Corbo, 2002). Further, the report called for the Québec state and not the Church to run the education system, effectively reinforcing the importance of education policy as a means to protect and promote a changing nation.

It is certain that Québec's situation in Canada is distinct and that the province's need and ability to protect its internal nation is paramount, however, there are multiple institutional factors that provide Québec with this breadth of powers and the ability to use them. In contrast, Erk maintains that the underlying ethno-linguistic structure in Québec exerts pressures on Canada's political institutions to change and to become congruent with its underlying ethno-linguistic structure. Institutions are bypassed according to Erk (2008) and do not effectively explain the social policy's congruence, as evidenced by the decentralization of powers mainly with respect to Québec. However, Québec is within its constitutionally defined sphere of powers by refusing any federal intrusion in the area of education. Further, the education system is not centralized in the rest of Canada, challenging Erk's argument that social policy within homogeneous societies tends to be centralized.

Québec tends to be the focus of the country any time policy is enacted that promulgates or protects the interests of the nation contained in the province of Québec. Historically, other provinces have also taken extreme action in their educational spheres, prohibiting French schools through legislation. At a time when Francophones still constituted a significant majority in the province, the Manitoba Schools Act of 1891, banned the French language from Manitoba schools and the provincial legislature. It was not until 1979 that the Supreme Court of Canada ruled that the law was unconstitutional. Ontario banned all French from its schools in 1912 with Regulation 17 (Bourhis, 1984). Only in 1986 was the French Language Services Act (FLSA) adopted in Ontario to guarantee an individual's right to French language services from the provincial government's ministries and agencies in 25 designated areas (Ontario, 2009).

The examples of Manitoba and Ontario are intended to demonstrate the importance and influence of institutions in regards to social policy. When these provinces enacted legislation banning the use of French, it was not because policy congruence had been achieved with the underlying linguistic structure of the provinces, but rather because these provinces had the constitutional ability to regulate their educational systems and Québec is no exception. It is not the intent of this paper to refute the fact that education is used as a tool in Québec to foster a sense of belonging in the province through the use of a common public language, nor to ignore the congruence of social policy and the underlying ethno-linguistic structure of the province in comparison to the largely Anglophone majority in the rest of the country. Rather, the intent is to

demonstrate that the argument of congruence alone is not strong enough to explain the connection between internal nations and their use of social policy. In order for an internal nation like Québec to achieve the level of devolution and decentralization of power it has from the central state, there has to be factors more stable and much stronger than congruence. The issue of pensions in Québec aptly demonstrates this point, since pension policy is not directly related to language and identity. Rather, working within its institutionally defined powers, Québec was able to run a parallel pension plan and use it as a nationalist tool in the province.

Old Age Pensions

The issue of pensions in Québec formed the earliest and “perhaps most significant instance of asymmetrical decentralization in the field of social policy” (Béland and Lecours, 2008). In 1937, the Judicial Committee of the Privy Council and the Supreme Court of Canada struck down legislation that would permit federal involvement in welfare state policies, upholding the constitutionally delineated division of powers between the two spheres of government. Under pressure from Liberal Prime Minister Mackenzie King, all ten provinces supported a constitutional amendment to change the restriction stemming from the division of powers. The amendment gave the federal government jurisdiction over unemployment insurance and substantial power in the area of pensions. With the new ability to enact welfare policies, in 1940, unemployment insurance was the first social policy enacted nationally by the federal government (Banting, 2005; Béland and Lecours 2005b).

In 1951, another constitutional amendment gave the federal government authority to provide old age pensions directly to citizens. Québec, not wanting to run its own program at this time, insisted that the constitutional amendment include provincial primacy, stipulating that no federal plan should hinder the operation of future provincial legislation, keeping open the option to run a parallel plan later on. When contributory pensions came to the table in the 1960s, Québec announced that it would operate its own program (Banting, 2005).

The purpose of Québec’s adoption of a distinct pension plan was rooted in the findings of the Dupont Report, which in 1963, recommended that a contributory pension plan be created that could serve as an economic reservoir of capital for the province. Just like Hydro-Québec, the *Caisse de dépôt et de placement du Québec* would serve as a tool and symbol of emancipation while assisting in the government’s plan for economic expansion (Brooks and Tanguay, 1985). When Québec opted out of the Canada Pension Plan (CPP) to run the parallel Québec Pension Plan (QPP), the province “was clearly engaging in a nation-building project which, in principle, should be compatible with its status as a member of the Canadian federation” (Guibernau, 2007).

When Québec decided to run its own pension scheme, the province was engaging in nation-building because it wanted to be seen by the citizens of the province as the primary provider of rights, encouraging them to identify principally with the provincial government. The government of Québec did not achieve policy devolution and ultimately congruence with the QPP based on the underlying ethno-linguistic structure of the province. Indeed, the French language is the foremost marker of the Québécois identity, however, it was within Québec’s rights to claim this policy area.

Based on Québec’s right as a province to negotiate certain exclusions with the federal government, it used the institutions of Canadian federalism to achieve the level of policy devolution it desired to increase the relevance of the provincial government in the everyday lives of its citizens. Further, the timing of the social policy development influenced the outcome. A pension plan had not crystallized at the federal level and this enabled Québec’s political actors to develop and implement their own old-age pension regime. In this way, Québec could use social

policy to reinforce national identities by creating a set of “welfare institutions [that] represent a common heritage, a symbol of shared risks and mutual commitment, and a common project for the future” (Moreno and McEwen, 2005).

The case of Québec demonstrates the limits of the congruence theory to explain the use of social policy for nationalist projects. Had it not been from the institutions of Canadian federalism, including the Constitution and its conventions related to federal-provincial negotiations, Québec would not have been able to achieve the level of policy control it currently enjoys through the linguistic structure of the province alone. The limits of the congruence theory become apparent because it cannot be applied to social policy that is not directly linked to identity. In order to explain varying levels and areas of social policy control in ethno-linguistically diverse sub-nations, institutional constraints should be accounted for.

Case #2: Flanders

Context and History of Federalism in Belgium

Elite French Belgians initiated a revolution in 1830 with the intention of creating a French speaking state. Since French was associated with enlightenment and modernity, it was believed that it would overtake lesser languages and contribute to the functioning of a unitary state with institutions modelled after those in Jacobin France with the intention of creating one indivisible nation. Up until the beginning of the twentieth century, the country was culturally and socially dominated by the French language and the French-speaking bourgeoisie. The Dutch language however, persisted in the northern part of the country (Erk, 2008; Delmartino et al., 2010). Present day Belgium is divided into three regions, with the Dutch-speaking Flemish Region, the French-speaking Walloon Region and the bilingual Brussels-Capital Region. Historically, Wallonia was the economic power of the country, but after World War II, Flanders’ economic status began to overtake Wallonia’s, which contributed to the rise of Flemish nationalism (Witte, 1992).

The Flemish nationalist movement was a reaction against the nation-building attempts of the Francophone elite, but it evolved from a movement that initially sought the restructuring of the Belgian state, to one that increasingly expressed a Flemish identity. The demand for cultural autonomy was central to the Flemish movement’s struggle to have its culture and language recognized and the nation’s rights advanced (Delmartino et al., 2010). Approximately 58% of Belgium’s population is made up of Flemish citizens (Delmartino et al., 2010) and their democratic weight has enabled them to turn their ideas into political power (Béland and Lecours, 2008). Originally a unitary state, through multiple constitutional amendments beginning in 1970 (with changes still occurring today), Belgium has become a federation (Delmartino et al., 2010; see also Dumont et al., 2006). Federal practices in the country however, preceded the official federalization. When the Flemish had achieved desired congruence in the political structure and institutions of the state, they shifted their focus to social policy content (Erk, 2008), which is well demonstrated in the area of education policy.

Education

Education policy in Belgium is divided along linguistic lines and with the Schools Peace in 1958, the linguistic battle in the country was waged through the education system. Initially, education was a national area of jurisdiction, but differentiation between linguistic groups began in 1961 with two ministers of education, one Dutch and one French-speaker in the same ministry. By 1963, the development of the two distinct linguistic communities was encouraged by turning over responsibility for administering primary and secondary education to regionally-based

cultural councils. Bilingual schools in Brussels were abolished, and all schools became unilingual (Erk, 2008).

Walloons were hesitant to endorse the communitarization* of education desired by the Flemish, but eventually acquiesced to the political character of educational self-rule. Today, the French-speaking community is largely satisfied with its degree of autonomy, although the Flemish continue to call for more autonomy (Dumont et al., 2006). For the Flemish, increased autonomy in an area like education is a matter of cultural preservation and crucial to the nation. Education officially became the responsibility of the communities in 1988 (as described in article 127 of the Constitution). This enabled communities to have complete autonomy over education allowing them to shape their individual systems (Delmartino et al., 2010).

Initially, it would seem that the congruence theory is a sound explanation for the development of educational policy in Belgium. After all, the linguistically distinct communities did achieve autonomy over the area of education despite Walloon hesitation over further communitarization. The struggle of the Flemish nationalist movement to have their culture and language recognized and protected offers a potential explanation for the change in federal laws related to the control of education policy. However, looking further at the matter, nationalist movements – the Flemish nationalist movement in this case – cannot be viewed as solely a societal force because political institutions affect these movements. Béland and Lecours (2005a) provide a more convincing explanation for the devolution of social policy in Belgium through an institutional perspective.

Flemish nationalism, the force behind the fight for increased devolution of social policy in the Belgian state, cannot be understood independently from its development. It was the Francophone domination in 1830 that led the Flemish to put forth an alternate notion of Belgium rooted in bilingualism and biculturalism. The originally unitary state and its institutions did not facilitate devolution. Institutions such as the constitution or the federal structure were not bypassed when attempting to achieve devolution. Rather, the Flemish worked through the existing political system and its institutions to achieve control of education policy. These developments altered the institutions of the Belgian state, providing the Flemish with tools to achieve their desired policy control (Béland and Lecours, 2005a). It was principally the federal structure of the Belgian state that shaped the behaviour of the actors who had to work through a time of education policy centralization at the federal level. The importance of accounting for institutional constraints when assessing nationalist social policy is further evident when studying social security in Belgium.

Social Security

Social security in Belgium was run by labour and union leaders who convened during the German occupation to organize post-war reconstruction efforts. What resulted from these meetings was the Arrêté-Loi—a temporary executive order that came into effect without a parliamentary vote (Béland and Lecours, 2008). Calls to decentralize social security were present in government reports as early as 1939 and were reiterated in ministerial proposals in the 1950s and also by the Christian-Democrats who argued that social-security providers should be closer to those to whom they provide services. However, at the national level, there was great

* ‘Communitarization’ in Belgium is a term used to describe the federalization process (with power and responsibilities devolved to the linguistic communities), due to the role the linguistic communities played in the decentralization or move towards congruence between state and society (Erk, 2008).

opposition to these calls for decentralization in the area of social security. Increasing complexity, varying contributions between regions and concerns that the resulting advantages would be unequal, were all cited as reasons for the national government's aversion to decentralization (Dandoy and Baudewyns, 2005).

The issue of fiscal transfers between regions in Belgium is central, fuelling opposing sides of the social security debate. According to the Flemish nation, power over social security should be given to the communities. Nationalism underlies their position, since the Flemish promote the idea that the Francophone Belgians are outsiders who have a "culture of dependency" and who "willingly overuse Social Security benefits." Federalizing social security is a matter of identity and culture for the Flemish who maintain that "Flemings are more efficient than Walloons" (Béland and Lecours, 2005a). The Walloons however, fear that regionalizing social security would disadvantage them and would herald the end of the Belgian state, by reinforcing a distinctly Flemish identity and weakening the Belgian identity (Dandoy and Baudewyns, 2005).

The congruence argument cannot adequately explain why the Flemish have not achieved policy decentralization in the area of social security despite their nationalism and their distinct ethno-linguistic structure—especially because devolution was achieved in the area of education. From an institutionalist perspective however, political factors inhibiting the federalization of social security become clear. Institutional obstacles can preclude the convergence of social policy and ethno-territorial cleavages. The two main inhibitors to the federalization of social security in Belgium are first, the labour unions and federal employees' organization, who oppose the decentralization because it would deprive them of their regulatory power in policy and labour relations; and secondly, the institutional veto of Francophone parties, because from their perspective, social security is essential to the maintenance of the socio-economic status of individuals and Belgium's survival as a unified country. Further, labour unions such as the Catholic ACV/CSC and the Socialist ABVV/FGTB believe that workers solidarity should prevail over linguistic divides in the country, creating yet another strong interest opposing the federalization of social security (Béland and Lecours, 2005a). Thus when it comes to explaining the lack of congruence between social security and the Flemish, the country's federal institutions including its party structure can be pointed to as an inhibiting forces.

Vested interests related to social policy can act as a powerful source of constraints. The fact that the Belgium welfare state developed in a centrist structure continues to limit the federalization of various policies today. Even though Flemish nationalism is strong, it faces institutional obstacles when attempting to gain the breadth of policy control it desires due to constraints from unions and political parties. In Québec however, because its autonomy was institutionally secured in various spheres and defined in the constitution, the Canadian federal government was required to accommodate the province's demands for policy devolution and provincial control in a variety of areas (Béland and Lecours, 2005a).

Discussion and Evaluation

When attempting to understand the development and evolution of social policy in internal nations, the competing theories of congruence and institutional-based analysis offer compelling explanations. Erk's congruence theory, particularly for matters related directly to culture, such as education and media, do appear to be explained initially by societal forces. As demonstrated by the Quebecois and Flemish cases in education, alignment of federal institutions with underlying ethno-linguistic structures did seem apparent. However, when more closely observed, the role of federalism and its institutions in mediating the behaviour of actors and ultimately explaining

social policy formulation and evolution in sub-state nations, emerges as a more favourable explanation and lens for analysis.

The persistence of institutions in any material form, such as written or unwritten laws, processes and procedures, has tangible consequences for the power seeking movements of sub-state nations. It was institutional inertia (Béland and Lecours 2005a), that institutional resistance to change that made the process of devolution difficult and long particularly in the Flemish case. Autonomy in the area of education took years to achieve because of the federal institutions mediating nationalist forces. Further, the congruence of social security has not yet been achieved by the Flemish, namely because of institutions and timing. When the Flemish attempted to achieve devolution, their efforts were hampered by an already existing social security scheme at the federal level, as well as imposing political parties and labour unions that banded together to protect the rights of workers instead of adhering to linguistic cleavages in the country.

Timing was also particularly significant in the case of the Quebecois nationalist movement. The success of the Quebecois attempt to control their own old age pension scheme was due in part to the timing of the move. When the Quebecois decided that they wanted to run a parallel plan, a federal plan had not yet been established and the actors had previously negotiated to retain the right to not participate in a federal plan (if one were to emerge) in order to run one unique to Quebec. Paired with other institutional tools from the federal structure, such as inter-governmental negotiation practices, the timing and institutions made for a winning formula for Quebec's efforts at social policy control.

Erk's congruence theory is not however, completely inapplicable. Elements of Erk's theory are apparent in the case of Canadian pensions. Quebec, as the smaller internal nation is able to run its own plan, but the plan in the rest of Canada's largely English-speaking society is centralized, as Erk's theory would posit. According to Erk, in the larger and linguistically homogeneous nation, social policy is centralized and the main concern is how the policy is implemented and not its symbolic value. Although elements of the congruence theory do appear to explain certain tendencies with pension plans in Quebec and Canada, the institutional explanation for the emergence of Quebec's unique plan is more nuanced and compelling. The institutional argument accounts for the political structure in which the nationalist movement was operating as well as the crucial factor of timing, both determinants of successful attempts at increased policy control by internal nations.

Conclusion

The development of a welfare state reinforces the idea that the territorial boundaries of the policy represent the boundaries of a nation or a people. Sharing a common identity and a set of civic values reinforces the state's legitimacy and justifies social policy making and governmental action. Nation-building is a continuous process and social policy is used by established states to maintain their legitimacy and territorial integrity. Social policy enables governments to shape and impact the lives of their citizens on a daily basis (McEwen and Moreno, 2005). Internal nations have come to use social policy as an instrument of territorial differentiation in the symbolic struggles over political autonomy and power. Nationalist movements are inclined to create social programmes within the institutions they control through decentralization. Social distributive policies are used by sub-state nations to highlight their version of the national framework (Béland and Lecours, 2008).

The congruence and institutional based approaches provide interesting explanations for the development and evolution of social policy in substate nations. Based on the analysis of this paper, it appears that the institutional approach can explain the emergence and evolution of social

policies more effectively than can congruence. The congruence approach, although able to account for the development of social policy related directly to culture, such as education, does not effectively explain the development of policies outside of the cultural realm as in the case of old age pensions in Quebec and social security in Flanders. Political actors do not operate in a vacuum—they are influenced by their state's institutional structure. In the case of Quebec and Flanders, the federal structure and its requisite institutions and arrangements, such as the presence or absence of the welfare state structure, acted as enabling and constraining forces in the attempts by sub-state nationalist movements to achieve greater social policy control in the areas of education and old age pensions/social security. Although the influence of societal forces on the operation of institutions cannot be denied, the institutional-based approach is more effective at explaining the success or failure of social policy formulation.

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