

Remembering King Baudouin, Witness to Life

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PERMIT ME TO BEGIN ANECDOTALLY. Twenty years ago, when I was a doctoral student at the Catholic University of Louvain in Belgium, I served as a chaplain to the Faith and Light movement. An organization devoted to Catholics with disabilities, Faith and Light chapters met monthly for Mass, a meal, and musical or dramatic performances. Each year we held our national conference at one of Belgium's shrine churches. One year I and others were pushing some community members in wheelchairs from the parking lot to the shrine church at Banneux, the site of that year's congress. Several cars pulled up on the shoulder of the road in front of us. A man and woman got out of one of the cars, greeted us, and asked if they could pray a decade of the rosary with us. They were Belgium's King Baudouin and Queen Fabiola, a couple long known for their commitment to the rights of the disabled, especially of disabled children. I was aware of the affection in which Belgium's Catholics held their king. In the countryside of Brabant, where I worked at a rural parish on the weekends, curates would pray for Baudouin in the canon of the Mass, as their medieval ancestors had once prayed for the Holy Roman Emperor. But the meeting at Banneux was my one, fleeting personal contact with the king himself.

A shy man, respected for his scrupulous neutrality in the bitter communitarian wars that have long opposed the Dutch-speaking Flemish of northern Belgium to the French-speaking Walloons of the south, King Baudouin carefully avoided public commentary on divisive political and moral issues.¹ He was a constitutional monarch—the king of the Belgians, not of Belgium—and he was expected to respect the laws passed by the parliament in a nation renowned for its democratic institutions. In 1990, however, King Baudouin would abandon this reserve in a political crisis that would

shake the very constitution of the nation. The issue was abortion.

On March 29, 1990 the Belgian Parliament approved the legalization of abortion by the vote of 126 affirmative, 69 negative, and 12 abstentions. Prime Minister Wilfried Maertens and the members of his party, the Social Christians, had opposed the law, but they could not resist the massive support for legalized abortion provided by the equally large Liberal and Socialist parties in the parliament. The law removed legal penalties for elective abortion in the first four months of pregnancy and even later for abortions performed due to maternal life-endangerment or grave, incurable fetal defect. Provisions for obligatory counseling on the alternatives to abortion and enhanced social and economic assistance for pregnant women had attracted wavering moderates.

According to the Belgian constitution, all laws passed by the legislature had to be signed by the king in order to become law. The signature of the king for the ratification and promulgation of a law had long been considered a mere formality. In the 160-year history of modern Belgium, no monarch had refused to sign legislation duly passed by the parliament. When the prime minister presented the abortion law to the king, however, Baudouin stated his opposition to the law as a violation of the most basic human right, the right to life. He shocked the prime minister by informing him that he was debating whether he could in conscience sign the iniquitous law.

Prime Minister Maertens urged the king to sign the legislation. He argued that his own party had fought for twenty years to oppose the legalization of abortion but that the dwindling electoral support for his party, based on the nation's practicing Catholics, and the changed moral environment of the country since the 1960s meant that strict anti-abortion laws no longer enjoyed majority support. Furthermore, he argued that if one day the Liberals and the Socialists formed a governing coalition, the restrictions on abortion present in the law just passed would certainly be absent. He also warned the king that refusal to sign the law would ignite a campaign to force him to abdicate the throne or even to end the monarchy and inaugurate a republic. His refusal would be denounced as a provocative assault on the Belgian constitution and on democracy itself.

Other government ministers used a pragmatic argument to

attempt to convince the king to sign the law. They pointed out that the current anti-abortion law was unenforceable. In many regions of Belgium police, prosecutors, and courts simply refused to repress the practice of abortion, even when it was publicly advertised. In the rare cases of prosecution, it was nearly impossible to find a jury to convict an abortionist at unanimity. In the extremely rare cases of successful conviction, the penalties did not exceed the fines routinely given for a parking ticket. Moreover, any Belgian seeking an abortion could easily procure one in neighboring France or Holland, where abortion had been legal for years. Journalists often alluded to Belgian *tourisme abortif*. The old unenforceable law was a relic that only stated a principle with no actual application in contemporary society. To which the king responded that this principle, however, was the most basic principle of any civilized society: the right to life of all innocent human beings. This was his problem: How could he sign a law that clearly and massively abandoned that keystone principle?

To resolve his perplexed conscience Baudouin consulted a number of prominent opponents of abortion, including our deceased University Faculty for Life member Dr. Jérôme Lejeune in Paris,² to see if he could reconcile his personal opposition to abortion with the apparent regal duty to ratify the law. By all accounts his closest advisor was his beloved wife Fabiola. When he explained to her on the eve of his decision that his refusal to sign could result in his abdication and the end of the monarchy, she is reported to have said: "I know how to do a good day's work. I still have my lifesaving certificate from the Red Cross."

To understand the depth of this crisis of conscience, it is crucial to grasp the unusual relationship between the monarchy and Baudouin. Baudouin's father, King Leopold III, had abdicated the throne in 1951 at the conclusion of the Belgian controversy known as "the royal question." Many Belgians had criticized Leopold's conduct during World War II. They questioned his order that Belgian troops surrender only ten days into the German attack. His allegedly premature surrender contrasted poorly with the heroic resistance to the Germans led by his father, King Albert I, during World War I. They condemned Leopold's refusal to go into exile to help the Allied

cause in London, as the monarchs of Holland and Luxemburg had done. Although Leopold had been arrested and deported to Germany by the Nazis in June 1944, critics claimed that his ambiguous statements and silences during the brutal German occupation of Belgium had given aid and comfort to the enemy. In the years following World War II, many of these critics had demanded the abolition of the monarchy.

In 1950 a Belgian referendum had produced a small majority for retaining rather than abolishing the monarchy, but the divisions in the vote were glaring. The Flemish had voted strongly for the monarchy, the Walloons strongly against. Catholic regions had voted yes, while anticlerical regions had voted no. Given this explosive division in public opinion, King Leopold attempted to save the embattled monarchy by abdicating in favor of his twenty-year old son Baudouin, who was uncompromised by the war.

Accompanied by riots and by the assassination of a parliament member who had cried "Long live the Republic!" on the floor of parliament, Baudouin's reign began in violent disdain. Especially after his marriage to the Spanish princess Fabiola de Mora y Aragon in 1960, Baudouin gradually restored the prestige of the monarchy and acquired an enormous personal popularity. By the 1980s his delicate treatment of the nation's linguistic quarrel and his devotion to a wide array of charitable causes had transformed the discredited throne into an immensely respected pillar of Belgian national identity. To provoke a constitutional crisis by refusing to sign the abortion law risked the destruction of the national unity and social entente Baudouin had worked forty painful years to build.

On March 31 Baudouin sent a personal note to Prime Minister Maertens informing him of his refusal to sign the abortion law. He stated at length the grounds of his opposition. "This bill poses a grave problem of conscience for me. I fear that in effect it will be understood by a large part of the population as an authorization to practice abortion during the first twelve weeks after conception. I also have serious worries about the clause permitting abortion to be practiced beyond twelve weeks if the child to be born is afflicted with 'a particularly grave anomaly recognized as incurable at the moment of diagnosis.' Have we considered how such a message will be

perceived by the handicapped and their families? In short, I fear that this law will contribute to a palpable diminution of respect for the lives of the weakest among us. Thus you will clearly understand why I do not want to be associated with this law.”³

Anticipating the inevitable criticism of his refusal to sign the law as an attack on democratic rights, Baudouin asserted his own right to freedom of conscience. “I know by acting in this way I have not chosen an easy path and that I risk not being understood by many of my fellow citizens. To those who may be shocked by my decision, I ask them: Is it right that I am the only Belgian citizen to be forced to act against his conscience in such a crucial area? Is the freedom of conscience sacred for everyone except for the king?”⁴

As a stunned parliament and nation learned of the king’s decision, Belgium appeared on the verge of constitutional collapse. With a parliament determined to maintain a law it had passed by a large majority and a king opposed to its ratification, the nation faced the abyss. In this moment of crisis Prime Minister Maertens cobbled together an ingenious compromise *à la belge*, a compromise that permitted everyone to save face and to follow diametrically opposed consciences. Article 12 of the Belgian Constitution stipulated that when the monarch was in a state of incapacity to govern, the royal powers of state, including the power to ratify and promulgate legislation passed by the parliament, devolved to the council of ministers. With the tacit acquiescence of the king and the assent of all the major parliamentary parties, the prime minister effected an astute legal maneuver. On April 4 he convoked both houses of parliament, which promptly declared the throne vacant due to the king’s incapacity to govern because of a serious problem of conscience. During this vacancy Prime Minister Maertens presided over a council of ministers that ratified and promulgated the controversial abortion law. On April 5 the prime minister reconvoked the parliament, which voted a declaration that, since the king was now capable of governing, given the resolution of his problem of conscience, the throne was once again occupied and the king could resume his constitutional royal powers.

Maertens’s delicate maneuver had saved Belgium from

constitutional collapse, but it also reflected the enormous respect for Baudouin even by his opponents on the abortion issue. While Baudouin was ready to sacrifice the throne in the defense of human life, the parliament—despite outraged calls for abdication of an allegedly anti-democratic king in the Belgian media⁵—could not sacrifice a conscientious man who had become the living symbol of national unity and national moral ideals.

Although Baudouin framed his political remarks on abortion in the language of human rights, it was no secret that religious convictions motivated his conduct on this and other moral issues. After Baudouin's sudden death from heart failure in 1993, Léon Josef Cardinal Suenens, the retired primate of Belgium, published spiritual extracts from the letters and diaries of the king with the permission of the widowed Queen Fabiola.⁶ Several passages in his diary express the anguished soul of Baudouin as he privately wrestled with the abortion controversy of 1990.

In December 1989 he describes the impending political battle. “The vise closes in on me over the problem of abortion.... My God, all of this forces me to seek support in You alone.”⁷ As parliament, his cabinet of ministers, and the press pressured him to sign the law, he confesses his utter solitude. “I have set sail alone with my conscience and God.”⁸ One brief phrase encapsulates the theological reason why he refused his signature and risked the monarchy: “If I hadn't done this [refused to sign the abortion law], I would have been sick my entire life for having betrayed the Lord.”⁹

At the funeral Mass for King Baudouin, Gottfried Cardinal Daneels, the primate of Belgium, praised the deceased ruler as a king who had shepherded his people after the biblical model of King David. Speaking to a nation stunned by the sudden, premature death of their beloved monarch, Daneels evoked the charity and humility that so characterized Baudouin's personality. In one passage he underlined the tenacious courage shown by this shy, melancholic man during the abortion war of 1990.

Permit me to close by citing this encomium from Cardinal Daneels's funeral oration for King Baudouin: “This shepherd-king was especially a model for his people. He gave them the example of

a conscience that was noble, sensitive, infinitely delicate, respectful of the least moral and spiritual principle. For him the conscience was absolute. It was the voice of the deepest part of the human person and the voice of God. He always followed it, even at the risk of his personal interests, even at the risk of putting the monarchy into question. He knew that human life was worth such a price.”¹⁰

NOTES

1. For contrasting biographies of King Baudouin, see Alain José Fralon, *Baudouin: l'homme qui ne voulait pas être roi* (Paris: Fayard, 2001), Herman Liebaers, *Baudouin en filigrane: témoignage d'un grand maréchal de la cour, 1974-1981* (Bruxelles: Editions Labor, 1998), and Stéphane de Lobkowicz, *Baudouin: biographie* (Braine-l'Alleud: J.-M. Collet, 1994).

2. For a discussion of this consultation, see “La fondation Jérôme Lejeune,” *Dimanche*, no. 39 (21 octobre 2001): 2.

3. Roi Baudouin, “Lettre au Premier Ministre Wilfried Maertens” (30 mars 1990) on <http://historyindian.tripod.com/fonctionroyale1/id3.html>: 12. Translation from the French is by the author.

4. *Ibid.*: 12-13.

5. For a typical critique of Baudouin’s gesture as antidemocratic, accompanied by a call for abolition of the monarchy, see Nadia Geerts, “Saint Baudouin?” *Toudi*, no.44 (mars 2002): 28-29.

6. See Léon Josef Cardinal Suenens, *Le Roi Baudouin: une vie qui nous parle*, (Oppem-Meise: Éditions Fiat, 1995). Translations from the French are by the author.

7. Roi Baudouin, *Journal spirituel*, cited in *ibid.*, 127.

8. *Ibid.*

9. *Ibid.*

10. Gottfried Cardinal Daneels, “Oraison funèbre,” cited in *ibid.*, 160.