

IFLA/FAIFE
World Report:
Libraries and
Intellectual Freedom



Belgium

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Relevant legislation

During the 19th century Belgium was known for its liberal attitude towards authors and publishers. Famous authors such as Karl Marx, Baudelaire and Multatuli lived in Brussels and had their books published in Belgium.

Belgium became independent in 1830. The Belgium constitution (1831) was one of the most liberal ones at that time. Article 19 guaranteed the intellectual freedom; article 25 stated freedom of press and that censorship can never be introduced.

The right of access to government information is from a more recent date. As Belgium is a federale country there are laws for access to documents of the Flemish Government (23.10.1991), the French Community and Region, the federal government (11.04.1994) and the provinces and cities (12.11.1997).

The law on archives dates back from 24.5.1955. The Belgian parliament is presently discussing a revision.

Belgium is federalised in three regions (Brussels, Flanders and Wallons) and three communities (Flemish, German and French speaking). The communities are responsible for education and culture. Each of them has an act on public libraries and is independent for library policy and development. But all right issues such as public lending right, copyright and author right are federal as is the Ministry of Justice. The European directive on public lending right has not been transferred in Belgian law until now.

Libraries in Flanders

A wide network of 320 public libraries in Flanders is available for all citizens. The Flemish government has connected all public libraries to the Internet <http://www.bib.vlaanderen.be>. This was realised as early as September 1997. Both library staff and various user groups are trained to use new tools.

The basis of the public libraries is in the Public Library Decree of 1978. This very explicit law states e.g. that the librarian and library personnel are responsible for the collection development and that nor the deputy of culture nor the library advisory council can decide on the purchase of individual titles. The law also gives free access to the public library for children; stipulates the maximum annual membership fee for adults (now 300 BEF or circa 7.5 EURO) and says that the lending of books can not be charged.

A revision of the Public Library Decree is announced by the end of 2000. It is foreseen that also use of Internet in public libraries will become free of charge as well as the lending of digital

Population:	10,159,000 (1996)
GNP per capita:	\$ 26,440 (1996)
Government / Constitution:	Kingdom
Main languages:	Flemish (Dutch), French and German
Main religions:	Roman Catholicism
Literacy:	-
Online:	26,36% (Sept. 2000)

information.

As in most European countries libraries are struggling with an increasing number of publications, both in print and in digital form, to be acquired with the same or smaller budgets. Especially academic and research libraries have complained about the skyrocketing prices for periodicals.

Specific Cases

Violations of intellectual freedom are rare, but some cases have come up regarding the liberty of authors to use existing persons in their novels and critiquing them, as was the case recently with a book of Herman Brusselmans called "Uitgeverij Guggenheimer" and with a book of journalist Hans Knoop on the case of Marc Dutroux. In both cases the intellectual freedom collapsed with the privacy law.

Furthermore, discussion has taken place about the availability in public libraries of books on negationism (the denial of the holocaust). The Belgian law prohibits the publication of such works. In the history of libraries, politicians have sometimes expressed their surprise about the fact that a library had a copy of such books, and wished to withdraw it from the collection. Librarians had to clarify their policy of supporting the free flow of information and access to information and have these copies on stock for consultation only. (Example: Robert Faurissons the diary of Anne Frank and the discussion in the public library of Genk February 2000).

A lot of discussion arose by the election of a member of the extreme right party "Vlaams Blok" as president of the council of the public library of Antwerp (October 1999).

An overview of violations can be found on <http://www.antwerpenopen.be/censuur>.

These violations only seldom affect the collection development of libraries. There is some concern for the concentration in the book publishing industry in general, the move out of Belgium of the Dutch language publishers to the Netherlands in particular. As a result of this, access to publishing might be reduced.

It is feared furthermore that the new procedures for tendering the acquisition of book and other materials may have some impact on the landscape of booksellers and thus on the easy access to information.

Library Association policies

The section of public libraries and the section of archives of the Flemish Association for Libraries, Archives and Documentation Centers (VVBAD) have adopted professional codes. A dutch version can be read on <http://www.vvbad.be/arcodes.html> for archives or <http://www.vvbad.be/obcodes.html> for public libraries. The section of school libraries have prepared a draft on the tasks and functions of the school librarian <http://www.vvbad.be/sbtaken.html>.

Discussions on ethical questions pop up now and then on the agenda of these boards.

The Council of the VVBAD worked intensively on the topic "Free access to information". A manifesto was published <http://www.vvbad.be/vtimani.html> and a round table with members of the Flemish, the national and the European Parliament was organised in 1999.

In the international field, VVBAD supports both IFLA/FAIFE's and EBLIDA's activities and published the IFLA/FAIFE statement. VVBAD protested against the French authorities with regard to the censorship that had been established in some French public libraries by the local National Front administrations and supported the action of EBLIDA against the introduction of book lending charges in France.