

THE ROYAL FILM ARCHIVE OF BELGIUM

Note on the absence of censorship in Belgium

Belgium has no censorship. This is a provision in the Belgian constitution.

That means that films do not have to be shown to any official before their public projection. Nevertheless the Belgian penal law, as the law of all other countries forbids "l'exposition d'images contraires aux bonnes moeurs". There is of course a wide Jurisprudence which states in detail the limitation of the law. That is the only source to which one can refer. No public prosecutor will agree to give comment on the law before a projection. They estimate that their role is limited to the consideration of crimes after the offence and not before.

So the Belgian law puts on each person or organisation the responsibility for the use they are making of the liberty given to them by the constitution.

In the case of FLAMING CREATURES the Selection Jury of the Third Experimental Film Competition and the officers of the Royal Film Archive had to consider whether the projection of this film would offend the law or not. Having consulted the Jurisprudence they decided unanimously that the projection of FLAMING CREATURES might justify a prosecution and that there was no escape in the present situation. Therefore, in order not to compromise the Third Experimental Film Competition and the eventual following competitions, they decided with regret to withdraw FLAMING CREATURES from the Competition and to try to clarify the law in such a way that in the future the showing of such a film should be possible within the frame of an Experimental Film Competition.