

2.1 General context

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Historical developments

The voluntary sector in Belgium is quite varied and complex. Its origins go back to Article 20 of the Constitution (1830), which stated that “Belgians have the right to associate with one another, and this right cannot be submitted to any preventive measure”. However, apart from the aforesaid article, no legislation on the matter was developed and no legal framework that guaranteed freedom of association was elaborated until 2005.

Therefore, Belgians had to wait until the beginning of the 20th century before the law on the status of certain types of associations (non profit-making activities) was passed by the Parliament. In that period, mutual-help associations (1894), professional associations (such as those of lawyers, architects, etc.) (1898), non-public universities (1911), international associations (1919) and trade unions (1921) were recognised. The status of non profit organisations was defined by a law approved in June 1921, which provided organisations with a legal status. Following the law, there was a significant increase in the number of non profit organisations.

This trend was especially marked throughout the 1970s due to a renewal of democratic spirit linked to the contestation period of the late 1960s. As a consequence of the growing difficulties of public authorities to respond to the needs of society, and a general crisis of the welfare state, a new wave of associations appeared on the scene. These organisations operated principally at a micro-level, attempting to resolve tangible problems with limited financial resources and ambitions. The Association pour le Volontariat was created in 1972 as an initiative of the Red Cross. The development of the association was based on the need to better coordinate voluntary actions. On the basis of the Anglo-Saxon model, a national structure, has been developed, which was “regionalised” two years later. In order to get closer to local associations and volunteers, six regional centres were established in Wallonia. Also, the non profit organisation Trans-Mission has been created with the mission of organising volunteering abroad. Similarly, in Flanders, the structure coordinating volunteering has been created in 1977 under the auspices of the non profit organisation Het Platform voor Voluntariaat. The 1990s was also a positive decade for associative life. Slowly, the general public became aware of the importance of the associative sector, although the real impact is still difficult to measure as few studies have been conducted to evaluate the impact of this sector in society.

However, the main accomplishment in the volunteering sector has been the establishment of the law setting the rights of volunteering (Law of 27 December 2005 on the rights of volunteers),

which finally created a clear legal framework both for volunteers and voluntary organisations.

In the German-speaking community, volunteer work plays a central role in all aspects of public life. Voluntary and associative work are closely connected, especially in the sports, culture, leisure, social and educative sector. Based on the action plan on “volunteering” that was one of the main priorities during the 2004-2009 legislature and following a series of consultations of volunteering organizations, the government elaborated different approaches and set new priorities aimed at promoting volunteering. In order to support volunteer work in associations, the government initiated the project “Acting together” (*Miteinander wirken*) as part of its Regional Development Concept (*Regionales Entwicklungskonzept*, REK). Volunteering remains a priority topic within the REK II with the project “Engagement commits” (*Engagement bewegt*), which focusses on improving the conditions for volunteering. Currently, about 41% of the people in the DG are active in volunteering, of which 10% are involved in youth work and sports, 9% in the social, cultural and musical sector and 8% are volunteers in religious or in leisure activities.

Volunteering in rural areas

In rural areas of the German-speaking community (mainly in the southern part), the commitment to volunteering seems to be much higher than in urban areas, which could be explained by an increased growth of social structures, a more participative decision-making process on local level as well as a more present associative life in general. The main actor coordinating volunteering in the rural part of the DG is called [Ländliche Gilden](#) (rural guilds) and gets support from the Government through the REK I framework and the Rural development policy 2014-2020 of the EU (e.g. for the project [LAG 100 Dörfer, 1 Zukunft](#)).

Main concepts

The expressions *Ehrenamt* (*bénévolat* in french) and *Freiwilligentätigkeit* (*volontariat* in french) have been for a long time used as synonyms in Belgium. However, the 2005 law on volunteering ([Loi relative aux droits des volontaires](#)), has established a distinction between the two notions. The law officialises the term “volunteering” as being an activity defined by the law. All other non-remunerated activities would have to be qualified as *Ehrenamt*. In the Dutch speaking part of Belgium, only the word *vrijwilliger* is used. It corresponds to the Anglo-Saxon terminology designating non-remunerated work. However, the meaning of the term can slightly change according to the context. Sometimes it is interpreted in the sense of the law while sometime is interpreted more broadly or in a more restricted way. Therefore, the notion of volunteering does not always have the same meaning in the current language as well as in literature. The volunteering situations analysed in the main research papers focussing on volunteering are sometimes very different. The law on the rights of volunteers has been created with the intent to set up a common definition which would be shared by all the stakeholders involved in volunteering. The definition intends to reduce to a maximum the risks due to ambiguities and delimit the precise meaning of volunteering.

The 2005 Law on Volunteering ([*Loi relative aux droits des volontaires*](#)) describes volunteering as follows:

- Volunteering is unpaid. Volunteers perform volunteering activities without receiving any payment. Although volunteering is unpaid, volunteers can be given a limited amount of money, to reimburse their expenses or as a forfeit, for costs to be made;
- Volunteering does not involve coercion. A volunteer commits him/herself without any obligation; he or she cannot be forced to perform an activity. Although persons can-not be forced to volunteer, the moment they engage in some type of voluntary activity, a kind of (juridical) relationship (with mutual rights and duties) is established;
- Volunteering is undertaken for others or for the society. Volunteering means being of use to others who are not family or acquaintances, in an organisation or for society in general; and
- There should always be a distinction between volunteering and professional activities. A volunteer cannot perform the same activity both as an employee and as a volunteer for the same employer. A person can volunteer within his own organisation provided that a clear distinction is made between the activity he performs as paid staff, and the activity he performs as a volunteer.