

Opinion piece
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WHY ENGAGEMENT ARTS DID NOT SPEAK OUT ABOUT S.M.A.K. UNTIL NOW

ENGAGEMENT ARTS

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It remained silent for far too long around the transgressive situation within the Ghent contemporary art museum S.M.A.K., say the authors of ENGAGEMENT ARTS. They outline why even they — as representatives of an organisation that advocates for a safe arts sector — initially did not dare to speak out. As long as whistleblowers are confronted with aggression from the institution itself, a safe working environment within S.M.A.K. remains out of reach.

In March 2024, a group of (former) S.M.A.K. employees approached ENGAGEMENT ARTS with a request for support. In the preceding year, they had filed complaints about the leadership within S.M.A.K. with various internal and external bodies, but found little or no response. They then took their complaints to the Vlaams Meldpunt voor Grensoverschrijdend Gedrag (Flemish Reporting Centre for Transgressive Behaviour), and both this body and the Flemish Department of Culture were sufficiently alarmed to formally contact the S.M.A.K. board. This, too, had little effect. For that reason, and in consultation with the Vlaams Meldpunt, the complainants ultimately opted for an open letter. They hoped it would serve as a wake-up call for those responsible, prompting them to finally acknowledge the seriousness of the problem.

ENGAGEMENT ARTS has extensive experience listening to whistleblowers in our sector, and there is one characteristic they all share: they never act rashly. A request for support is always preceded by a long internal process of raising concerns and seeking solutions. This was no different at S.M.A.K. The individuals involved came from different parts of the organisation and held very diverse responsibilities and roles. From within their respective positions, they first attempted to find solutions themselves and later tried to raise the issues internally.

It is easy for outsiders to ignore or deny the psychological and moral complexity faced by whistleblowers, but believe it or not: they, too, would rather not see their organisation suffer reputational damage. It is a myth that whistleblowers are reckless or driven by personal vendettas or revenge. More often than not, they have a strong work ethic and a deep sense of duty. They sacrifice their own well-being and comfort for a greater good. Such employees never go to the press “impulsively,” without having carefully considered the consequences for all parties involved. Even afterwards, they often continue to grapple with ethical questions. Sounding the alarm is frightening: if someone is pushed so far within an

organisation that they believe this is the only remaining option, it is clear that they are in an unsafe situation, with a very real risk of retaliation.

PROBLEMS, ‘JUST LIKE EVERYWHERE ELSE’

The S.M.A.K. whistleblowers were aware of this risk as well, and their fears proved justified. In none of the cases we have supported at ENGAGEMENT ARTS have we ever encountered such a large-scale internal and external smear campaign. For example, after the publication of the open letter, senior figures within S.M.A.K. deemed it acceptable to send emails to staff urging them to support the director. Insults were also circulated on social media, often in a belittling and sometimes even aggressive tone. We fully understand that when you read unpleasant things about a close colleague or friend, it is difficult not to be guided by the sympathy, appreciation or gratitude you feel for that person. What does alarm us, however, is that even sensible people seem unable to imagine that their own positive experiences do not necessarily coincide with someone’s functioning as a director.

The ultimate proof that the whistleblowers’ fears were justified came when, just days after the open letter was published, the director of S.M.A.K. filed a complaint with the investigating judge against “unknown persons,” thereby de facto accusing his own (former) employees. ENGAGEMENT ARTS and the Vlaams Meldpunt had, in fact, guaranteed that these “unknown persons” were indeed (former) S.M.A.K. employees. We had closely followed the drafting of the open letter and could testify that the complainants and whistleblowers had acted with integrity. They had been careful to avoid personal attacks or language that could suggest as much. As a result, many problematic experiences did not even make it into the final letter, because they were too “individual” or the result of a one-off conflict, and therefore insufficiently indicative of a structural problem.

There had also been continuous consultation with the Flemish Reporting Centre, which had access to the individual complaints and to the documents substantiating the experiences, ensuring that not a single word was unfounded. Anyone who rereads the letter can see this confirmed: it is not an attack on a person, but an indictment of that person's functioning as director of S.M.A.K. In other words, it concerns his public role within a public institution, funded with public money and subject to public oversight. Moreover, the letter did not only call into question the museum's leadership, but also the absence of transparent evaluation processes and checks and balances. In short, the letter formulated a complaint about the governance of S.M.A.K. as such — or rather, about the lack of good governance, integrity and professionalism.

In the months that followed, we at ENGAGEMENT ARTS grew increasingly concerned about the responses to the open letter. The signals we received from Ghent were far from reassuring. Outwardly, the board engaged in a strategy of deflection: the focus was placed on the supposed “shame” of the public complaints rather than on the reasons for going public in the first place. (Incidentally, to this day neither alderwoman Astrid De Bruycker (Vooruit) nor the museum board has acknowledged that there were indeed serious flaws in the internal complaints procedures, both in assessing the severity of complaints and in the adequacy of the response.) Equally little was communicated about the substance of the complaints themselves: at most, S.M.A.K. was said to have problems “like everywhere else.” Meanwhile, the report on safety and well-being at work by the external prevention service Mensura (June 2024) was treated by the board more as a threat to the institution's reputation than as an invitation to acknowledge the seriousness of the situation. This constitutes a deeply problematic attitude on the part of the board — compounded by the fact that filing a criminal complaint against employees (“unknown persons”) strikes us as incompatible with the role of a director.

INTIMIDATION

What, in our view, has received far too little attention in this entire affair is precisely this “complaint against unknown persons.” We recognise that any individual who feels wronged has the right to file a complaint with an investigating judge (although access to such a procedure is, of course, limited to those who can afford it). But in Ghent, it was primarily the whistleblowers and staff members who were victimised. They had to step far outside their comfort zone simply to do their jobs, and when they raised concerns about this, they were “rewarded” with the risk of criminal prosecution. Not a word was said about the harm they suffered, nor about their future and well-being.

Instead, the museum board continues to invest resources and trust in a director who considers it perfectly legitimate to file a complaint against whistleblowers without taking a step back. It continues to believe in a transition process towards good leadership and a safe working environment with a director who accuses his own (former) employees precisely because they raised problems concerning that very work environment. A safe workplace is one where people dare to express criticism and where, if necessary — when internal complaints procedures do not function adequately or in a timely manner — they can also sound the alarm without fear of retaliation. A workplace where this safety cannot be guaranteed is not a safe workplace.

Some employees (who were not themselves whistleblowers) left S.M.A.K. after the complaint for that reason. The functioning and safety of ENGAGEMENT ARTS was also compromised by the criminal complaint. Because we supported the whistleblowers, we too found ourselves, as suspects, in a police interrogation room. The complaint was an instrument of intimidation, intended to silence (former) employees and ENGAGEMENT ARTS. This is a serious precedent within our sector, and we are astonished that it has raised so little alarm.

For months on end, no one — including ourselves — dared to speak.

RIGHT TO ANONYMITY

Even now that the complaint has reportedly been withdrawn (although we have not yet received confirmation from the public prosecutor's office), many questions remain. Who, after this precedent, would ever again be willing to take the risk of speaking about problems, even anonymously? If we at ENGAGEMENT ARTS already hesitate so deeply about what we can and may write, the answer to that question is clear. What few people know is that whistleblowers are entitled to protection and even to anonymity, especially when they fear retaliation. What even fewer people realise is that when internal complaints are not addressed adequately, complainants have the right to make their concerns public. Robust protection for whistleblowers is a cornerstone of integrity within organisations and governments.

Whether or not the complaint has now been withdrawn is, in fact, of limited relevance. What remains problematic is that when the director filed a complaint against “unknown” (former) employees, neither the board nor the City of Ghent demanded that he take a step back from his role as director. While everyone has the right to file a complaint, such a move is incompatible with the directorship — certainly within an organisation already struggling with the exercise of that role.

We will always continue to support whistleblowers, even when they see no other option than to make their complaints public. The sector desperately needs them in the transition towards a better and safer culture. The S.M.A.K. whistleblowers paid a high price simply for wanting to carry out their jobs professionally and in accordance with ethical codes. It is clear now that the investments in repair are not benefiting them. At the very least, they deserve an apology from the board and

recognition that their complaints were justified — as confirmed by the 2024 Mensura report.

We acknowledge that leadership is difficult and that good leadership is a learning process. Over the past twenty years, however, the director of S.M.A.K. has been given ample opportunity to develop these skills. The crucial question, then, is how much time and how many resources the board can reasonably and with full integrity continue to invest in this director — and how much collateral damage the museum is willing to accept in doing so. This case has once again shown that those who raise the problem become the problem, and that resources are prioritised for the cause of the problem rather than for those who identify it. ENGAGEMENT ARTS believes that such responses, together with directorships without time limits, should belong to the past.

ENGAGEMENT ARTS advocates for a safe arts sector. Our work has been supported by ministers Sven Gatz and Jan Jambon in the context of their action plans against transgressive behaviour. We are currently funded by minister Caroline Gennez, who considers the fight against transgressive behaviour and the creation of a safe arts sector a priority. ENGAGEMENT ARTS works with a network of volunteers who act as the sector's antennae. We are a group of people with lived experience, colleagues and confidential advisers who offer a listening ear and support to victims, complainants and whistleblowers. We work in the field and are easily accessible; we share our expertise and experiences and refer people to the appropriate bodies for follow-up.