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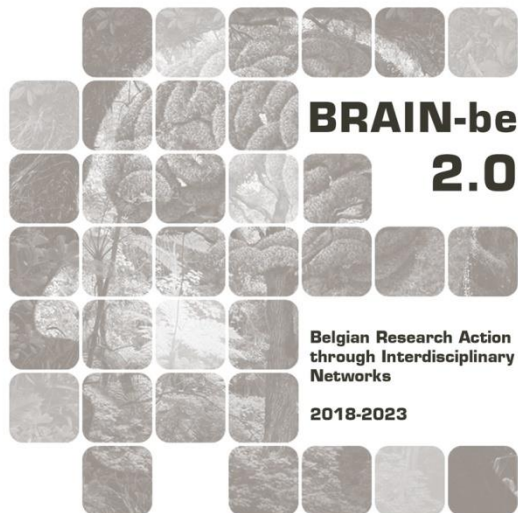
Colonial Violence, Subaltern Agency and Shared Archival Heritage: A Digital Platform of Colonial Judiciary Sources

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Pillar 2: Heritage science





NETWORK PROJECT

DIGICOLJUST

**Colonial Violence, Subaltern Agency and Shared Archival Heritage:
A Digital Platform of Colonial Judiciary Sources**

Contract - B2191/P2/DIGICOLJUST

FINAL REPORT

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ABSTRACT

Context

DIGICOLJUST is a two-year pilot project that federates the scientific expertise of the State Archives and of the ULB and VUB around a central yet contentious piece of the Belgian federal heritage. Dozens of military courts were created during the conquest and "pacification" of the Congo in the last quarter of the nineteenth century. Some of them were maintained until independence in 1960. More than 5,000 case files produced by these jurisdictions have been preserved. These archives bear witness to exceptional historical episodes – the colonial conquest, periods of rebellion and insurgency, the two World Wars – and everyday life of European and African soldiers of the *Force Publique* (Congo's colonial army).

Objectives

DIGICOLJUST's ambition has been first and foremost to make a significant swath of Belgian colonial archives freely and readily accessible to the academic community through a digitisation campaign and to offer tools for a shared access to a significant piece of colonial "displaced" public archives.

Conclusions

In 24 months, the project's team has been able to meet its envisioned: inventorying of the military courts records' collection and publication of professional finding aids; digitisation and online publication of the pilot program; organisation of a research seminar at the ULB & VUB; submission of three original scientific publications; and development of a sample lesson for secondary school teachers to work with the source collection in the classroom. Furthermore, DIGICOLJUST also led to the creation of a database, the establishment of a concrete collaboration with the INACO (*Institut National des Archives du Congo RDC*) and the funding of a second research phase for DIGICOLJUST-2 "Military Violence and its (Dis)Contents in Colonial Congo: Sharing the Records, Writing the History", due to begin in February 2023 and to run for four years.

Keywords

Colonial History; Military Courts; Congo Free State; Belgian Congo; Violence; Agency; Digital History.

1. INTRODUCTION

DIGICOLJUST's initial proposal has been introduced in the context of the call BRAIN-be 2.0's "Pillar 2 Heritage science", a BELSPO program aiming at the funding of projects of conservation, access (including through digital tools), interpretation, management and valorisation of federal heritage to encourage scientific exploitation and social valorisation. Our project started from a poorly known, long considered "lost", archival collection of fundamental significance for the history of colonial violence and of African agency under Belgian colonialism: the archives of the trial records of the military courts of the Congo Free State (1885-1908) and of the Belgian Congo (1908-1960). They are part of the larger collection of public colonial archives "evacuated" to Belgium on the eve of

independence. These records are currently being transferred from the Ministry of Foreign Affairs to the Belgian State Archives, and form a heritage shared by Belgium and its former colonies. At a time when debates about the "decolonization" of archives from former European imperial administrations are gaining intensity, this invaluable archival legacy entails important responsibilities in terms of conservation and accessibility, not only for the scientific community, but also for Belgian and African citizens who want to reclaim their personal, family and/or collective history.

From the beginning, DIGICOLJUST was conceived as a response to challenging societal and scientific contexts. Belgium's colonial past has recently dramatically resurfaced in public debates. A few months prior to the project's conception, the reopening of the Africa Museum in Tervuren coincided with a UN report advising Belgian authorities to apologise for the country's colonial ventures. Official excuses by the Prime Minister for the handling of mixed-race children born in "Belgian Africa" who were taken away from their mothers contributed to further fuel public controversies. Soon after the start of the project, these debates gained in intensity with the murder of George Floyd in May 2020, one month before the 60th anniversary of Congo's independence in late June. These events led to the creation of a parliamentary commission on the Belgian's colonial past on 17 July 2020. However necessary, these tense debates too often pitted fantasised "Belgian" and "Congolese" visions of the colonial past against one another. They also highlighted the need for more historical knowledge on the colonisation of Central Africa, and for more evidence-based expertise on the contentious topics of colonial violence and repression.

Furthermore, research on the history of Belgian Congo has faced two major obstacles. First, the written legacy of the Belgian colonial administration is held in Brussels and is difficult to access for researchers based in the global South. Second, little research has been done on Congolese experiences of colonisation, often because of a lack of available sources. Although bottom-up approaches are gaining ground in the global imperial historiography, the history of Belgian colonialism has mostly been written from the vantage point of colonial agents and institutions.

DIGICOLJUST was conceived as a pilot-project jointly led by the State Archives, the ULB and the VUB to offer a response to these challenges. DIGICOLJUST has been intended as a pilot-experience in the development of joint dynamics of preservation and exploitation of the State Archives' "colonial" collections. It did so through the inventorying, digitisation, analysis and valorisation of a unique set of still unconsulted archives documenting both the deployment of colonial violence and Congolese challenges to colonial order. In line with the objectives of BRAIN-be 2.0's "Pillar 2 Heritage science", the project aimed to produce a state-of-the-art inventory of the collection (thereby documenting the "culture of neglect" (Hiribarren 2017) of this archival series), to digitise a significant part of the collection so as to ensure its preservation and accessibility through the internet, to develop research tools to disclose the records to users from different disciplines, research interests and national academic traditions, and to stimulate research at the national and internal level.

The onset of DIGICOLJUST was also the conviction that the allegedly "lost" collection of colonial military court records offered a particularly interesting starting-point to take up these challenges. The nature of this content favoured the creation of scientific and societal opportunities to discuss the violence of colonial repression and African agency in the same analytical embrace. Indeed,

Congolese soldiers and Belgian officers were tried by military courts for violations of military and civilian law. These trial archives are of fundamental significance in three ways. First, they hold countless cases of insubordination, theft, desertion, substance abuse or sexual violence, shedding a crude light on the daily troubles agitating Congolese armed forces. Second, they were active both in peace and war time, therefore providing crucial insights in the different guises of military governance. Third, in cases of unrest, entire regions could be placed under “military regime”. Civilian courts were replaced by military ones, in which appeal procedures were restricted. Martial courts sanctioned Congolese for rebelling against the state, thus offering an exceptional insight in the history of their resistance against colonial rule.

This collection thus allows researchers to address issues of colonial (military) violence, and to raise original questions about the ways in which colonised people were able to speak about their experiences of violence and subjection. DIGICOLJUST's promoters therefore thought it offered significant potentialities to stimulate new heritage and scientific insights, from both archival and historiographic perspectives.

2. STATE OF THE ART AND OBJECTIVES

2.1. DIGICOLJUST in relation to the state of the art

From its start, one of the key goals of DIGICOLJUST was to unearth an original source material of core importance for the Belgian/Congolese and international historiography of colonialism in Central Africa, and to design appropriate digital tools to value them.

In terms of state of the art and on a general level, our project builds on a growing body of literature in colonial and African history using court records to study social change. In the wake of Roberts and Mann's path breaking book *Law in Colonial Africa* (1991), historians have used court records as repositories of alternative voices, of agency, and as expressions of how Africans made sense of colonial legal and power dynamics. Court records as sources obviously present important limitations, especially military court files. They may overstate the operation of law in colonial context (Mann 2009) and contribute to overestimate judicial disciplining as a tool of curbing military violence and rebellious acts against colonial order. In addition, court transcripts never offer unmediated insights into the acts under investigation. Questions of language, translation, and transcription of oral testimonies are not exclusive to the colonial context, but they have special bearing in an environment in which (French) language and literacy were strategic tools of domination. Translation was not only a matter of language: courtroom encounters were also shaped by the transposition of testimonies into colonial categories of dispute and into the normative framework of judicial conventions, acting as filters of "the sets of interactions, speech, silences, and gestures of all the actors present in the court." (Roberts 2005:24)

Furthermore, court records remain an incredibly rich source material, including for the analytical dissonances that readings "against" and/or "along" the grain (Stoler 2009) can generate. The archives at the heart of the DIGICOLJUST project can therefore contribute to renew the writing of histories of colonial hegemony and of African agency, in particular in three subfields at the core of

historiographical debates on colonial history that are of particular interest to Congo as a colony : the history of colonial violence; the history of the words and actions of colonised people (and of their modes of expressions in colonial courtrooms); and the history of colonial security forces and politics of order. In Henriët, Lauro and Juste's scientific article submitted for review to an A1 journal in African studies (see sections "Scientific results" and "Dissemination" below), the three authors examine in detail the ways in which court-martial records can be articulated with the rich historiography of these three subfields of research and above all the ways in which they can complement them with new analytical perspectives.

2.2. Objectives and general strategy

DIGICOLJUST's ambition has been first and foremost to make a significant swath of Belgian colonial archives freely and readily accessible to the academic community through a digitisation campaign, and to offer tools for a shared access to a significant piece of colonial "displaced" public archives. It also aimed at the exploration and valorisation of these archives, through research seminars for history students, through scientific research, and through the promotion of exchanges between Belgian and Congolese archivists/scholars. Ultimately, DIGICOLJUST has also been intended as a door-opening project towards a better knowledge of the history of colonial (armed) violence and of African agency in Central Africa and towards the development of a more global history of military justice in the 19th and 20th century.

To achieve these ambitions, DIGICOLJUST has joined the scientific expertise of the State Archives and of the ULB and VUB, their respective skills and responsibilities as centres of heritage management, knowledge production and training of history teachers, around a central yet contentious piece of the Belgian federal heritage. Our strategy was to organise the team's work on three levels: a first level of identification and inventory of sources; a second level concerned with their digitisation and preservation; and a third level devoted to online dissemination and scientific valorisation. (See also section "Methodology" below for more details)

Transcending these three levels, a series of strategic principles have guided our work:

First, we were convinced from the start that a digital tool responding to the challenging context of debates about the "shared" archival legacy of the colonial bureaucracy should avoid two pitfalls. A first pitfall would have been to offer a fragmentary sample of the "most interesting" documents of the collection, which prevent the user from seizing the coherence and extent of the archive. We therefore proposed from the start to produce the inventory of, to digitise and to publish online integral, full-range collections, as pilot projects. A second pitfall would have been to invest in the high-tech tools of the digital humanities, which often create parallel, artificial collections built on the logic of search engines. Since the aim of our project was to share an archival heritage and thus, in a certain sense, to offer modalities of virtual restitution, the integrity of the document, the context of its production and the capacity to authenticate it has to be a priority. The project has thus been focused on the creation of a digital reading experience that duplicates as closely as possible the physical reading experience in situ, of the original document. This concern for a user-friendly "simple" digital tool was also informed by our attention to the persisting digital divide between

Western Europe and Central Africa, as internet accessibility remains low in the Congo. To implement this strategy, we could base ourselves on the blueprint for the digital access to judicial records on war crimes developed by the project JUSINBELGIUM (also funded by the BRAIN-be program (2015-2019) and directed by Pieter Lagrou and Ornella Rovetta), with which DIGICOLJUST shares a same involvement with integrity, authenticity and archival context.

Another guiding principle in the strategic deployment of DIGICOLJUST was that it should provide a first basis for the development of best practices towards joint dynamics of preservation and exploitation of the State Archives' "colonial" collections or, more concretely, for the development of a dialogue and of collaborations with Congolese colleagues, in particular with archivists of the main archival institution of DRC i.e. the INACO. For several years indeed, the State Archives of Belgium had no contact with their fellow institution in Kinshasa, and none of the archivists of the Joseph Cuvelier repository had experience in DRC. In the context of mounting debates about displaced Belgian public colonial archives and about potentialities of restitutions, DIGICOLJUST has provided the State Archives with an effective collaboration with the INACO through in-site dialogues led both in Kinshasa and in Brussels.

Finally, a last guiding principle of DIGICOLJUST's general strategy was that it had to be (quite literally) a pilot-project, opening the path for further heritage and/or research funding on a collection of archives rich in scientific and societal possibilities. The absence of colonial archival heritage as a clear thematic priority in the 2019 BRAIN-be call (in which DIGICOLJUST was submitted) prevented our initial proposal to aim for a budget that would have allowed the project to live up to its full digitising and research ambitions. From the beginning, our project was destined to be continued; our team has therefore worked (successfully) (see section "Scientific results and valorisation" below) to apply for substantial funding to pursue and deepen the work undertaken, in terms of digitisation, collaboration with the Congo, and especially in terms of research.

3. METHODOLOGY

DIGICOLJUST has been made possible thanks to the work and contribution of several scholars and archivists associated to and/or recruited by the project: besides the four initial co-promotors of the project, who took an active part in its implementation, the realization of the objectives were accomplished thanks to the work of Tommy De Ganck (AGR/ARA), Delphine Lauwers (AGR/ARA), Ornella Rovetta (ULB/VUB/AGR/ARA) and, in the last phase of the project, of Renaud Juste (VUB).

3.1. Inventorying of the historical sources

3.1.1 Identification and selection of records

The documents produced by the military courts of the Congo Free State and of the Belgian Congo were part of the colonial archives displaced to metropolitan Belgium in 1960-1961. The Ministry of Foreign Affairs - which succeeded the Ministry of Colonies, the initial official producer of these records - initially placed these archives in the buildings of the State Archives for preservation. From 1997 onwards, the Ministry transferred its archives back to its facilities. However, following the signing of a Memorandum of Understanding between the Ministry of Foreign Affairs and the State

Archives in 2014, all 9.5 linear kilometres of the so-called "African Archives" are being transferred to the State Archives, which are now in charge of their management.

As part of this project, the archives produced by the military courts in particular were identified, gathered and moved to the National Archives 2 – Joseph Cuvelier repository between mid-September and mid-November 2020. For this purpose, the team had to identify the relevant documents within the '*Gouvernement Général de Léopoldville*' records, which amounts to approximately 6 kilometres. The team had already carried out an analysis on samples of archival material to set up the project, but the final selection of documents was to be based on a systematic review and detailed analysis of the records. For this purpose, we have compiled a list of archives of interest using the databases established at the Ministry of Foreign Affairs with the help of a selection of keywords. All archives included in this selection were then physically consulted in order to formally identify them and assess their interest for the research project.

This systematic analysis was a complex and time-consuming step in the project, for two main reasons. Firstly, this work was carried out during the Covid-19 pandemic. The Ministry's archive service had reduced its number of opening days, which slowed down our work pace considerably. The analysis of physical archive materials was essential in the process of identification and selection of documents, making teleworking irrelevant for this stage of the project. Secondly, the identification of documents requires not only an understanding of their internal content, but also of their provenance - identifying the archive producer - in order to reconstruct the original records collections. This task was particularly difficult in our case since the '*Gouvernement Général de Léopoldville*' records - an extensive collection that consists of the records produced by the local administration in the Congo Free State and the Belgian Congo, headed by the General Government in Léopoldville - had been dismantled at the Ministry of Foreign Affairs.

The results of this analysis were a) the establishment of a list of selected archives to be transferred, b) a mapping of the useful records collections, c) the understanding of the layers of previous archival management and organisation of the records through their history.

The dismantlement of the '*Gouvernement Général de Léopoldville*' records by the Ministry of Foreign Affairs produced several artificial records collections organised by themes. Within these archives, two records' collections were of particular interest to our research:

- 1) The first one is 'GG JUST', which stands for '*Gouvernement général de Léopoldville - Justice*'. This collection contains the files produced by the colonial judicial authorities, including the military courts and the military courts of appeal. 138 boxes of the 'GG JUST' series, consisting of the archives produced by the military tribunals were selected for transfer;

- 2) The second collection, called "GG" for '*Gouvernement Général de Léopoldville*' contains archives produced by the central administration of Congo and different peripheral administrative institutions. This heterogeneous collection includes a large variety of judicial records. 84 boxes of the 'GG JUST' series, consisting of the archives related to military courts, were also selected for transfer to the State Archives. This selection includes several

court registers as well as the important records of the field [*en campagne*] courts-martial. These documents

In addition to the original military courts documents, the team found old handwritten card catalogues made by a state archivist in the 1960s. When the Congo archives were "evacuated" to Belgium in 1960, a first reorganisation of the records was carried out at the State Archives. Later in the 1960s, the archivist Philippe Muret, worked specifically on the military justice case files. He carried out:

- A preliminary finding aid on index cards;
- A nominal list of European defendants;
- An index of offences with the corresponding cases and references;
- A compilation of files relating to military justice that were found in separate series.

These handwritten catalogues were also transferred to the State Archives and later converted in a digital format (see section 3.1.4 below).

Finally, apart from the Military Courts records collection, another and larger records collection (1326 boxes representing 200 linear metres), called "*Affaires Judiciaires Parquet Général*" and produced by the central public prosecutors' office, was identified, selected and prepared for transfer to the State Archives. This collection has been selected in order to give a general overview of the treatment of the judicial cases by the local Administration of Justice. This records collection which spans throughout the entire colonial period includes for instance the prosecutor's argumentation to stop or continue the prosecution of "problematic" cases (such as case files involving European military agents) but also includes administrative and legal evaluations of the judgements made by the different civil and military courts. Thus, this very rich collection allows a broader analysis of case files by shedding a light on the complex entanglement of political, administrative and legal factors at play in the justice proceedings. It proved to be very useful later in our further research (see below, section 3.1.6).

Towards the end of the second (and last) year of the project, colleagues working on the Archives of Rwanda project (Flore Levant and Dantès Singiza) found records produced by the Military Court sitting in Rwanda and dating from the period between 1916 and 1961. These files were discovered within the collection of the "Rwanda Residence Archives", commonly called "RWA". This records' collection was created at the Ministry of Foreign Affairs. It brings together documents from various original collections and is therefore, once again, the result of a dismemberment and reorganisation of files. The RWA collection contains about 100 boxes of judicial records' files. Twelve of these boxes, representing two linear metres, contain a set of approximately 500 case files relating to the Rwandan Military Court. The structure of the RWA collection and the conditions of its constitution are not yet fully clarified. It is still possible to find other case files that would have been interspersed with other court archives' series in the future. In addition, another part of the files produced by military courts might be included in the 'Archives du Burundi', known as 'BUR'. Indeed, some of the case files records already recovered appear to have been produced by the Military Courts Council for

the Occupied Territories, which was active during the period of occupation of German territories. However, this military tribunal operated at the level of Ruanda-Urundi. Further study of the archives in the RWA and BUR collections should shed light on the situation in the coming months and enable us to find other records produced by the military courts introduced in Rwanda and Burundi.

These records will also be inventoried during the second phase of the project.

3.1.2 Decontamination and transfer of the records

The transfer of the selected records to the State Archives began in mid-November 2020.

During the exploration of the records collections, the team discovered that they had been affected by humidity, micro-organisms and insect damage. The selected documents were thus first sent to the Netherlands for decontamination. This necessary step delayed the planned operations by a month. After their treatment by gamma radiation, the archives were finally delivered to the National Archives in mid-December 2020 to be processed by the DIGICOLJUST team.

In order to maintain the accessibility of the transferred records during their inventorying, a temporary finding aid was composed and shared with researchers and the general public.

3.1.3 Description of the records

All the documents transferred from the Ministry of Foreign Affairs to the State Archives in the first year of the project have been analysed and described between mid-December 2020 and mid-June 2021.

The presence (or absence) and preservation state of each of the +5200 trial files and registers have been verified and their basic identification data (roll number, date of judgement, preliminary inventory number attributed by Philippe Muret, material and temporal scope) have been collected.

This essential and in-depth preparatory work for the inventories has given a precise picture of the state of the records series for each tribunal (dates, content, missing records, extent). This step also allowed us to formally establish that the military courts archives found in the GG-JUST collection at the Ministry of Foreign Affairs were still ordered according to the Philippe Muret cataloguing system. The latter had gathered military trial files originally included in different records collections to create "artificial" series by seat and geographic location of the military courts. For instance, cases from the Series 2, 3, 5, 6 and 7 of the military Tribunal of Léopoldville were originally held in the records of the civil courts and have been extracted by Philippe Muret.

The court registers, trial files and administrative records of field courts-martial [*en campagne*] have also been described in detail. The administrative files required a particularly precise analysis and description in order to collect the information necessary for their classification. Indeed, unlike the individual trial files, which were easier to classify thanks to their roll number, and which were composed in a systematic way, the contents of the administrative files were disparate and had sometimes been mixed up. We therefore had to analyse their contents at the document level.

3.1.4 Digital conversion of the existing research tools

The handwritten card catalogues and indexes created by archivist Philippe Muret have been converted into an excel database by the Ministry of Foreign Affairs staff and job students under State Archives supervision between April and September 2021. To ensure the data quality, precise encoding handbooks were composed and the Ministry of Foreign Affairs staff and job students were formed.

The digital conversion of the paper catalogues provided us with a consolidated and usable database giving a more detailed overview of the case and allowing a statistical study. This database is also an additional tool for researchers to explore the archives (by name, date of judgement, seat of court,...). It already proved useful in the preparation of the ULB and VUB seminars in allowing the screening and selection of case files to be analysed by students.

The database combines information from different data sources:

a) Index cards cataloguing the case files:

The backbone of this database is the information coming from the index cards which look as follows:

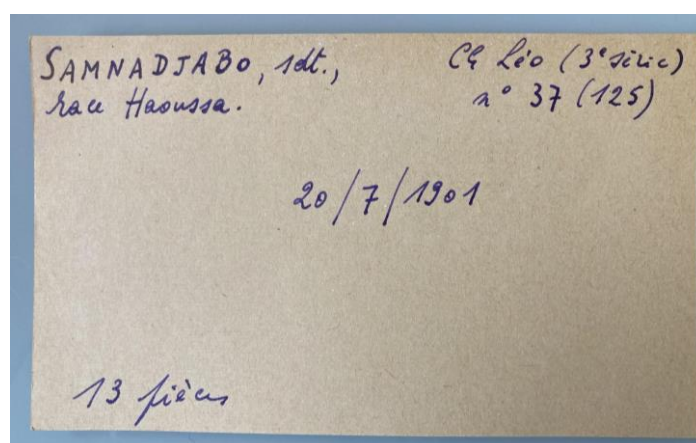


Figure 1. Index card by Philippe Muret

This step produced a table of all the cases (first instance and appeal cases), except for the field courts-martial during both World Wars. The table includes the following data:

Level of jurisdiction	Seat of court	Case number	Number of defendants	Name(s)	Grade(s)	Date of judgement	Number of records in the file	Number of digitised pages (for the pilot project)
Conseil de guerre	Léopoldville	37 (125)	1	Samnadjabo	soldat	20/07/1901	13	to be completed

Table I. Case files - general data

b) Appeal case files:

The appeals cases have been further described by the job students. Appeal case files include both first and second instance case files. Thus, these files made it possible to identify additional (and

previously unknown) military tribunals, to determine the rate of appeal acceptance, and compare sentences between the first and second instance. To allow these research, the job students encoded, in addition to the information coming from the index cards, data extracted directly from the appeal case files documents. These data were structured as follow:

First instance					Second instance				
judgement date	seat	jail time penalty	death penalty	fine penalty	judgement date	seat	jail time penalty	death penalty	fine penalty

Table II. Appeal case files – sentencing data

This concerns the following courts:

- Boma (Appeal): 554 case files
- Stanleyville (Appeal): 190 case files
- Coquilhatville (Appeal): 300 case files
- Luebo (Appeal): 28 case files

c) **Nominal list of “European” defendants:**

Philippe Muret created a list of the European defendants based on the case files. His list is not exhaustive as it only includes the names of the first defendant or two. Where there are more than two defendants, the names of other defendants were missing. This list was therefore completed by checking the names and origins of the defendants in the files.

d) **Handwritten index of offences:**

The table mentioned above has been completed with the information from the handwritten index of offences realised by Philippe Muret.

Achat et détention d'alcool: CGA Cog 192;
Achat et transport d'alcool: CG Cog 849;
Administration volontaire de substances nocives: CGA Boma (2^e série) 8;
CGA Stan. 60;
CG Boma 450;
Anthropophagie: CGA Boma 43;
Amputation arbitraire: CGA Cog 33, 122, 142, 147;
CG Boma 336, 516;
CG Léa (3^e série) 61; (6^e série) 1; (8^e série) 111, 121,
197, 897;
CG Cog 466;
CG de la Mongala (Léonale) 1;
CG Lisala 277, 307, 394, 513;
CG Stan 314;
CG Kivungu (Bardandou) 26, 28, 79; (Kikwit) 243, 318;
Amputation et détention arbitraires: CGA Boma 20, 151, 213, 258, 261, 300,
320, 325, 356, 362, 374, 429;
CGA Cog 4, 37, 53, 62, 70, 78, 207, 284, 295;
CGA Stan 8, 26, 41, 43, 48, 54, 57, 70, 92, 123;
CG Boma 482, 497, 509, 535, 581, 616, 639, 745;
CG Léa (3^e série) 20, 53; (4^e série) 31, 101, 108, 371;

Figure 2. Original index of offences

3.1.5 Classification of military court records

Part of the DIGICOLJUST team’s work was devoted to establishing the archival classification scheme (“*plan de classement*”) for the finding aids.

It has been decided that each military tribunal would be the subject of a separate research guide rather than establishing a single inventory for all military courts. Indeed, from an archival point of view, each court is considered as an archive producer. There are other arguments in favour of establishing an inventory and research guide by court: the incomplete state of the records series, the chance that other series will be found in the future, and the ways in which the records were produced at the time (with each judicial seat and court managing its own records), further justify this choice.

Below is the classification of the military courts, indicating for each of them their dates of activities, the number of files kept and the time-period they cover.

Military Courts collections (by seat)	Dates of activity	Collection dates	Number of files
<u>Military Courts</u>			
Basankusu	1906-1932	1929-1932	23
Basoko	1889-1932	1889-1932	87
Boma	1896-1960	1911-1955	799
Coquilhatville	1921-1960	1921-1950	941

Kwango	1903-1960	1914-1959	349
Léopoldville	1891-1960	1891-1956	1183
Libenge	1895-1960	1895-1959	39
Monveda	1905-1913	1908	1
Nouvelle-Anvers	1897-1911	1901-1908	10
Stanleyville	1897-1960	1897-1956	526
<u>Military Courts of Appeal</u>			
Boma	1888-1960	1898-1931	554
Buta	1921-1960	1924-1933	1
Coquilhatville	1921-1960	1921-1950	300
Léopoldville	1921-1960	1930-1931	1
Luebo	1926-1960	1926-1944	30
Stanleyville	1921-1960	1922-1954	191
<u>Military Courts "en campagne"</u>			
First World War	/	1914-1918	/
Second World War	/	1940-1945	/

Table III. Classification of the military courts' records

The DIGICOLJUST project is, from an archival point of view, part of a broader set of projects on colonial archives within the State Archives of Belgium. Today, there is not yet a comprehensive overview of all the records to be transferred to the State Archives in the near future. The finding aids produced by DIGICOLJUST are therefore potentially subject to later updates. They represent, however, a crucial step in making these collections accessible.

Furthermore, some material relevant to the military courts is also included in other series. The co-existence of civil and military jurisdictions in the same seat means that some of the documents relevant to the project will additionally be described and integrated into other finding aids at a later stage. Insofar as civil cases are the most numerous, registers including cases from both types of jurisdictions will be described at the level of the civil courts, and not included in the inventory of military records. Those records were thus excluded from the military court records classification scheme. A transversal understanding of the colonial records collection is therefore crucial and is underlined in the introductory parts of the inventories.

3.1.6 History of the Military Courts and of their archives

Inventorying the records also required an in-depth study of the history of the Military courts themselves and of their records. In addition to describing the structure and content of the saved documents, it was essential to place them in the context of the history of the courts that produced

them, but also to gain a general historical understanding of the value and representativeness of the remaining documents' collection.

This historical contextualisation of the records collection necessitated further research in related archival material (i.e. other colonial records collections: the public prosecutors' offices, the *Force publique*, the departments of the Directorate of Justice at both metropolitan and local level, the personal files of the local administrative agents) and in published legal and administrative sources (i.e. *Bulletin Officiel*, *Bulletins et Annuaires administratifs*, ...). The administrative and case files were of course also an important source of information for understanding the functioning and organisation of military courts.

This research had to respond to three main historical questions:

- What was the formal organisation of the military courts and how did it evolve over time?
- How many different military jurisdictions existed during the entire colonial period?
- What have been the successive transformations of their seats and their judicial area over time?

This research has resulted in the production of two research tools offering an overview of the military jurisdiction over space and time:

- A list of all the military courts of which we have been able to find a trace, organised chronologically and by region, linked to useful sources on their subject;
- Tables showing, year by year, the list of existing military courts, mentioning for each of them their seat and jurisdiction, and highlighting the modifications (deletions, additions, transfers) to which they have been subjected.

Following the classification scheme of the military court records (see above, section 3.1.5), each court has its own separate research guide. Each research guide includes an in-depth historical introduction retracing the history of the military courts and of the management of their records (from their creation until the present time) as well as an inventory, referencing the records according to the new classification scheme. Nevertheless, the historical contextualisation is common and has been written to provide a general perspective on the history of military tribunals so that each tribunal is situated in its wider institutional and documentary context. The research guide of the records of the Military court of Léopoldville was the first written and published (see the bibliography below). The model for the general historical description is further adapted for each of the military courts research guides.

The inventorying of the Military courts "*en campagne*" active during the two World Wars has not been carried out during this first phase of the project. Indeed, we decided to prioritise the concretisation of the collaboration with our Congolese archivist colleagues (through the production of a collection of printed copies and the organisation of their research visit in Brussels, see the section 3.4 below). As the team successfully applied for a new research project (DIGICOLJUST-2) including a sub-project on wartime military justice, the historical study and inventorying of the

(records of) the military courts “*en campagne*” during the two World Wars will be a priority in this second project phase. These records were nonetheless already well analysed and described.

3.2. Digitisation and Preservation

The preservation and digitisation tasks have been carried out with the involvement of job students. The researcher based at the State Archives of Belgium supervised them and trained them in technical matters, while the joint research seminar at the ULB-VUB provided the methodological training to understand and describe the records collections.

This methodology, based on the experience gained in the JUSINBELGIUM project - a four-year research project (2015-2019) previously funded by BRAIN-be BELSPO program – is a win-win for the institutional partners: the students had already acquired an in-depth knowledge of the archives to be digitised during the seminars, while the opportunity to be a professional actor in the production of the digital collection motivated the students to actively participate in the seminars.

Four job students (3 from the VUB, 1 from the ULB) worked under the supervision of the team during 3 distinct periods (1 July to 31 August 2021, 15 September to 15 October 2021 and 7 to 11 February 2022) for a total of 127 working days. During these different phases, the students also participated in the extraction and verification of information (to be) included in the database (see above).

3.2.1 Preservation

The preservation of the archives has been organised in accordance with the preventive conservation principles that require the tidying, cleaning and packaging of the records with professional acid-free folders and boxes to ensure its proper storage and physical preservation in the long term. During this process, each record has also been checked and labelled (before being digitised, for the pilot collection) to ensure the quality of cataloguing. After their repackaging, record boxes were shelved in the National Archives 2 – Joseph Cuvelier repository.



Figure 3. Military courts records boxes at the National Archives 2 - Joseph Cuvelier repository

After their repackaging, the material scope of the archives is of 194 record boxes for 27 linear metres, distributed as follows:

Military Courts collections (by seat)	Number of boxes	Linear meters
<u>Military Courts</u>		
Basankusu	1	0,14
Basoko	2	0,28
Boma	21	3
Coquilhatville	27	3,8
Kwango	10	1,4
Léopoldville	42	5,8
Libenge	2	0,28
Monveda	1	0,14
Nouvelle-Anvers	1	0,14

Stanleyville	17	2,4
<u>Military Courts of Appeal</u>		
Boma	37	5,2
Buta	1	0,14
Coquilhatville	18	2,5
Léopoldville	1	0,14
Luebo	2	0,28
Stanleyville	11	1,4
TOTAL	194	27

Table IV. Scope of the military courts records

As the inventorying of the Records of the Military Courts “*en campagne*” during the two World Wars has been postponed to this second project phase, the 20 boxes containing these records (3 related to the First World War and 17 to the Second one) were not repackaged during this first phase of the project.

3.2.2 Digitisation

The digitisation of the pilot collection includes the digitisation of 1163 trial records (1891-1956) and of 7 registers (1911-1947) of the Military Tribunal of Léopoldville (*Première instance*), together with 40 court files extracted from the Boma Military Court of Appeal.

The Military Tribunal of Léopoldville has been chosen to be the pilot-project of the digitisation campaign for several reasons. Firstly, it is the largest of the remaining Military Tribunals collections, with 1183 items representing up to 30% of the first instance military trials collection and up to 23% of the entire collection (appeals included). Secondly, the documents are in a good general state of preservation, the files being generally complete and legible. Thirdly, the collection covers almost the entire colonial period (1891-1956), including the Congo Free State period and the two World Wars. This collection therefore opens up a wide range of research possibilities and provides an overview of the evolution of the application of military justice over time. Choosing this records collection as a single pilot (and not two as originally planned) was also a coherent and satisfactory solution to meet the requirements of the project in time. Indeed, the pandemic and the complex entanglement of the original records collections in the artificial “GG” collection at the Ministry of Foreign Affairs (see above section 3.1.1) had delayed our work schedule. Fourthly, the Léopoldville jurisdiction was an important and large judicial area that included not only the city of Léopoldville, the capital of the Belgian Congo from 1928 onwards, but also the rural areas of its province. Therefore, the case files

of the military courts of Léopoldville open up a window from which the relations between the city and its hinterland, and more specifically the challenges posed by the law enforcement problematic, can be observed. From a broader historical perspective, the trial records of Leopoldville are also of great value as they offer countless possibilities for exploring its social and cultural history. However, this collection would not have been complete without the 40 court cases from Leopoldville tried at second instance at the Boma Military Court of Appeal.

a) Digitisation of the complete registers and case files of the Military Tribunal of Léopoldville:

	Registers	Case files	Total
Number of files	7	1,167	1,174
Number of pages	604	28,884	29,488

Table V. Digitisation of the registers and case files of the Military Court of Léopoldville (1891-1956)

b) Digitisation of the appeals files at the Appeals Military Court of Léopoldville and of Boma (related to Léopoldville):

	CGA Léopoldville	CGA Boma	Total
Number of files	1	39	40
Number of pages	63	1,773	1,836

Table VI. Digitisation of the appeal files at the Military Court of Léopoldville and of Boma

The scans were produced with professional scanners producing high-definition Tiff-files (300dpi), a format that ensures the preservation of original documents. The image files were named during the scan process according to SAB standards and guidelines. These standards ensure their automatic linkage with related inventories and the production and recording of their metadata, which is essential for their authentication. Several quality checks were conducted during and after the scanning process and the scans have been validated by the SAB. Digital files are stored and backed-up on the SAB's information infrastructure and on a portable external hard drive acquired by the team.

3.3. Online Dissemination and Scientific Valorisation

3.3.1 Online dissemination

a) Publication of the digitised case files

Online dissemination of military courts records raises important legal and ethical questions regarding the privacy and reputation of the individuals these documents concern.

From a strictly legal point of view, the General Data Protection Regulation applicable in the European Union since May 2018 restricts privacy protection to living persons. The possibility that the

youngest defendants in the 1950s would still be alive at the time of the publication, thus reaching more than 80 years of age, is negligible. Indeed, the most recent cases digitised and published online in this project date from 1959 and deal with adult persons at the time of their trial. Moreover, this project is consistent with the SAB archival general public missions that may involve processing personal data for "the performance of a task of public interest" (art. 6.1.e RGPD) based on the law (art. 6.3 RGPD).

Nonetheless, DIGICOLJUST requires protecting the privacy and reputation of people who experienced the strain of colonial institutions, which routinely violated the human dignity of the "colonised". The research team will handle sensitive colonial judiciary documents and trial records of individuals who have been victims, witnesses and/or perpetrators of a vast array of crimes, ranging from theft, assault or drunkenness to rape and murder. Although the project's chronological scope extends from the 1880's to the late 1950's, and therefore would tread on the privacy of very few living individuals, it remains crucial for us to shield their families from potential slander. This is all the more crucial given the colonial regime's arbitrary, violent and inherently racist nature.

This is why we will apply protective measures to publish and share documents and data. Digital files will be hosted on the website of the State Archives. To protect the privacy of the potential still living defendants judged by the Military Court of Léopoldville, only the case files judged until 1945 will be accessible online. Access to the digitised archives will also be conditioned by the signature of a research declaration through which each reader must declare their identity and the purpose of their consultation and commit him/herself to respect the legal provisions in force regarding the processing of personal data.

The publication of digitised archives only through an institutional online platform ensures that the archives collection is properly contextualised by their respective inventory. Indeed, the digitised archives will be accessible through the online research guide. Publishing on the State Archives website also prevents the use of OCR processing on the files prior to their online publication. JPEG copies of original documents will be published without full-text recognition (OCR) and names of individuals are not mentioned in the inventories. Using this method means that, in terms of searchability, our collection offers the same modalities as a paper version.

This is crucial as the guidelines adopted by the legal profession for the publication of case-law make a double distinction between the paper version and the online version in the publication of case-law. The online publication of case-law offers modalities of instant searchability that paper versions do not allow. Full-text publication of judicial decisions can therefore be used for online background checks using any standard internet browser. Even if all legal decisions are by nature public, the potential harm to the reputation of a defendant through online publication outweighs the benefits of the principle of publicity. In our project, names cannot be instantly googled and accidentally lead the internet user directly from the random name of an individual to highly sensitive court records of his or her ancestor.

The digitised archives are [accessible online](#) as of 6 December 2022.

b) Research blog and online presentation of the project

To ensure an online presence for the project and to regularly inform the scientific community about our activities and main results, [we have created a blog](#) on the platform Hypotheses.org. Founded in 2009, Hypotheses is part of OpenEdition, a broader portal for the dissemination of publications in the humanities and social sciences. This platform is widely used in the international academic and scientific community. All content hosted on Hypotheses.org is open access and is therefore also suitable for communication with a wider audience as no library or university affiliation is required to access the content. The choice of this platform therefore also ensures transparent communication about the approach adopted in the DIGICOLJUST project for the management and valorisation of the archival heritage that Belgium shares with its former colonies.

The architecture and design of the blog website has been created using Hypotheses.org templates. Publications on the blog included information on the activities of the project on the one hand, and historical contextualisation and analysis of the military courts records on the other hand (see below, section 5). General information about the project was published in English to ensure its international visibility, while the historical essays were written in three languages (French, English and Dutch) to reach a wider Belgian and international audience.

3.3.2 Educational activities: joint research seminar ULB/VUB with students in History

As proposed in the initial project, ULB and VUB have worked together to organise parallel seminars for a group of approximately 86 students. Degrees in history at the ULB and VUB are inspired from the German training model that "traditionally" encourages students to work on unexplored archival material from their BA years. In the academic year 2021-2022, Benoît Henriët and Amandine Lauro, as professors in charge respectively of the BA1/BA2 seminar in contemporary history at the VUB, and of the BA3 seminar in contemporary history at the ULB, have worked together to organise their classes and research workshops around the themes and archives of DIGICOLJUST.

At the VUB, Benoît Henriët, with the assistance of Ellen Debackere, worked with a group of 36 BA1 and BA2 students. In the first weeks of the academic year, students had to choose one file on the grounds of the offence of crime under trial, the period and the court against which the defendants had to appear. The students were encouraged to pursue both quantitative and qualitative enquiries on these archives. First, they used the databases compiled by the DIGICOLJUST team in order to replace their individual case-study in a broader historical framework. Thanks to these research tools, students were able to sketch out the frequency of the offence under study, how its pursuit varied in time and space, and the potential influence of a soldiers' rank on judicial processes. Second, students crossed their primary sources with the existing literature on diverse themes such as colonial armies, justice and indigenous agency to build their own individual research question. Some focused on the judicial repression of offences and crimes such as petty theft, cannabis consumption or desertion. Others studied the activity of a given court, the use of military justice as a disciplinary tool, or the resort to forensic sciences in the *Conseils de Guerre's* enquiries. One of the best essays has been turned into a blogpost, to be consulted on the project's website. Furthermore, students were also asked to produce a short podcast episode in group, based on thematic red threads tying

several of their case studies together. They were guided in this process by Ornella Rovetta, who had previously worked on general public outputs based on academic projects. Both the individual and collective assignments testified of the possibility to use these archives as a research material for students, even in the early stages of their curriculum, and of the multiplicity of approaches allowed by these trial records.

At the ULB, Amandine Lauro, with the assistance of colleague Denis Diagre and teaching assistants Ararat Apaligan and Aurélie Bouvart, has trained 50 students. They have worked intensively on military court-files to realise research essays focusing either on specific types of crimes, on the activity of a specific court during a specific time-period and, for a few students, on individual trials (in the cases of particularly complex/thick judicial investigations), meaning that students have together worked on several hundreds of trials. The results of the essays are, as expected, of variable quality, but they all confirmed the scientific potential of these archives. In a popularisation of science perspective, students were also asked to produce a short text in a blogpost format "translating" the results of their scientific research into an accessible narrative. The best two texts (derived from the best two scientific essays) were published on the blog of the project after editing work by Lauro (see section 6 below).

Several activities were jointly organised for VUB and ULB students, most notably a common session on visual and film material on the activities of the *Force Publique* (in November 2021) and an introductory visit repeated for several groups of students at the State Archives so as to introduce the students to DIGICOLJUST's collection and project (in October 2021). These visits were led by Ornella Rovetta and State Archives' collaborator Tommy De Ganck, who both also provided during the whole academic year key-assistance in the preparation and archival follow-up of the seminar and in the management of the welcoming of a group of 86 regular visitors at the Joseph Cuvelier repository.

3.4. Collaboration with INACO

3.4.1 DIGICOLJUST visits the INACO

In late October/early November 2021, after months of email exchanges, Benoît Henriët and Amandine Lauro travelled to Kinshasa where they presented DIGICOLJUST and discussed its uses and relevance with the community of Congolese archivists and historians. Henriët and Lauro first presented DIGICOLJUST at the *Journées de l'Histoire*, a two-day symposium on the challenges and opportunities of history teaching in the DRC. During this event, Congolese and foreign scholars exchanged views with secondary school teachers, activists, journalists and politicians, including Caroline Désir, Education minister of the Fédération Wallonie-Bruxelles. Henriët and Lauro also met extensively with the project's Congolese partners, including Jean-Bedel Iyoka, deputy-director of the National Archives (INACO), and historians Christian Chiza (ISP Bukavu), Kiangu Sindani (UNIKIN) and Donatien Dibwe dia Mwemba (UNILU). The digitisation of the *Conseils du Guerre's* archives offered a chance to deploy new research synergies between Congo and Belgium based on this shared archival heritage, and to provide Congolese students with primary sources they could mobilise for their undergraduate and graduate thesis. Many possibilities for further collaboration were sketched out

during those meetings. The digitised records of colonial martial courts could serve to broaden the scope of primary sources available for history students in Kinshasa and beyond.

The key-encounters were the two meetings Henriët and Lauro had at the INACO with J-B. Iyoka about future possibilities of handling digital copies of court martial records, and about future research endeavours using both the *Conseils de Guerre* and archives of the *Force Publique* held in Kinshasa (in particular archives of the personal files of the African rank-and-file soldiers, which also contain their disciplinary records). These exchanges proved very fruitful, notably in light of their instrumental role in the conception and funding of the future DIGICOLJUST-2 project (2023-2027). One of the objectives of this project is indeed to develop a partnership with INACO around the "shared" archival heritage of the *Force Publique* and of its disciplining records. It will take the form of research exchanges/stays between Brussels and Kinshasa, of a joint reflection on the construction of best practices in sharing (digital) records and, of the creation of a collaborative research guide connecting the military court records kept by the SAB with the career files of *Force Publique's* soldiers kept by the INACO.

These first meetings also opened the door to the achievement of one of DIGICOLJUST's main ambitions. On March 25 2022, with the support of the State Archives of Belgium and of their universities, Benoît Henriët and Amandine Lauro officially handed out a digital copy of the archives of the military tribunal of Leopoldville (i.e. the "pilot collection" of our digitisation and research project). These archives amount to 1.174 case files (29,488 scanned pages) spreading from 1891 to 1956. The ceremony took place at the *Ecole Nationale d'Administration* in Kinshasa, in the presence of the Belgian Ambassador in the DRC, Mr. Jo Indekeu, and of the Minister-President of the Brussels Capital Region, Mr. Rudy Vervoort. It marked the opening of a day of academic workshops jointly organised by a ULB-VUB interdisciplinary delegation who joined the official mission of the Brussels Capital Region to Kinshasa. Handing over copies of archival collections related to the history of this capital city (and of its rural hinterland) was therefore particularly meaningful in this context. The digital copy was received by Mr. Moke Sanza, General Director of the INACO, and Mr. Jean-Bedel Iyoka, Vice-Director and Head of the Digitisation Department of the institution.

3.4.2. Sharing archives beyond digitisation?

This handover required a lot of work in the run-up to the event, led in large part by Tommy De Ganck. Exchanges with our INACO colleagues have highlighted the limits of digital methods in the implementation of inter-institutional and international sharing of our common archival heritage. Indeed, one of the objectives of sharing archives is to open them up to consultation and research by the widest possible audience. However, access to digital tools and the Internet is unequal throughout the population. This is true in Belgium, but even more so in the Democratic Republic of Congo, where the population and public institutions do not all have as much computer equipment and high-speed broadband connection, and where electricity cuts are frequent. The digital divide is therefore one of the factors that must be taken into consideration to ensure that the archives are truly open to the Congolese public. This is why the archives of the Leopoldville Military Court have also been printed and bound in 127 volumes in A4 format. Making the archives available in paper form on the INACO shelves will ensure their diffusion and accessibility to a wider Congolese public.

Furthermore, paper copies also fulfil a symbolic function: it helps to legitimise INACO as a national archival institution in the eyes of the public.

In practice, the production of two sets of copies (paper and digital) was another pioneering venture made possible by this project. Its practical implementation was instructive in terms of the methods used. The State Archives' digitisation method is not designed for subsequent printing while paper copies production was not included in the original project planning. Therefore, the printing required various tests to ensure that the formats of the original documents (of varying sizes) were adapted to the single A4 format and to check their legibility. Also, as the copies were made in image format, it was not possible to include annotations with the references of each page. Binding the copies in volumes, each with a table of contents referring to the files, separated by a coloured page, was therefore a practical, albeit time-consuming, solution. Indeed, each of the 28.571 pages had to be well ordered in the 1.147 files. While it was possible to automate most of the organisation of the pages by file using the functions of the professional printer, it was still necessary to carry out a thorough human check, which revealed some errors that needed to be corrected, to manually insert the coloured separator page between the files and to compose the tables of contents and cover page of each volume.

3.4.3 INACO visits the State Archives

To further concretise our collaboration with INACO, we invited our Congolese colleagues to Brussels. Jean-Bedel Iyoka and Patrick Mushizi were welcomed as guest researchers from 1 to 15 September 2022.

During these two weeks, the project team, and more broadly the 'African Archives' unit of the State Archives, discussed possible practical ways of sharing the archival heritage of the colonial period. In addition to the State Archives' collections, Mr Iyoka and Mr Mushizi also had the opportunity to discover the 'colonial archives' collections of the Ministry of Foreign Affairs, the Royal Museum for Central Africa, the Royal Palace, the VUB and the ULB.

At the State Archives, roundtables were organised the 5, 6 and 7 September 2022 between INACO's archivists and archivists responsible of the different research projects currently carried on at the State Archives (Transfer of the "African Archives" from the Ministry of Foreign Affairs to the State Archives, "Share: Supply a Fair and Transparent Access to a Shared Heritage. Decolonised Research about Belgian colonisation in Congo, Rwanda and Burundi (1885-1962)", "Rwanda Archives", "Metis-resolution"). During these round tables, the objectives set, the results achieved but also the challenges encountered in the management and exploitation of the "African Archives" were presented and discussed. These exchanges enabled our Congolese colleagues to grasp the nature of the records collections already explored, but also to measure the extent of the work still to be done. Indeed, the turbulent history of the management of African archives, which have been moved several times over the last half-century, has considerably slowed down the analysis and inventorying of these "displaced archives".

The research stay of our Congolese colleagues gave us the opportunity to lay the foundations of a practical collaboration to be implemented in DIGICOLJUST-2. Two workshops were held on the

methods and standards used in the State Archives and INACO for inventorying archives on the one hand, and for digitising them on the other. Exploring and comparing our working methods led both parties to identify the practical roadblocks that will need to be addressed in the coming months (legal and ethical privacy issues, compatibility of used classification systems). Valorisation of Military Courts records has also been discussed in this context as the sharing modalities must respond to the expected uses of the records collection. Law Faculties of Congolese universities have been identified as potential collaborators and end users of the Colonial Military Courts records collection. Finally, the issues regarding the records collection of former members of the *Force publique* preserved by INACO in their Kinshasa repository have been discussed in the larger context of our sharing heritage approach. The files of former European and African members of the army are kept in the archival collections of both countries so that records collections held in each country complement each other. DIGICOLJUST-2 will thus map the links between these different sets of documents to facilitate research and access to this archival heritage in both countries.

The digitisation of archives is essential in this context as it allows for the easy duplication of documents and their effective sharing. However, in some cases, the production of paper copies is useful to allow the display of iconic documents that illustrate the essential stages of the constitution of the Democratic Republic of Congo as a state. It is in this perspective that a paper copy of the Treaty of cession of the independent state of Congo to Belgium, concluded between the two states on 28 November 1907, was given to the INACO archivists. Therefore, it is a hybrid (digital and material) approach that has been adopted to choose the best fit to meet the specific needs and objectives according to specific contexts.

4. SCIENTIFIC RESULTS AND RECOMMENDATIONS

The project's scientific results are discussed at length in the 'methodology' and the 'dissemination and valorisation' sections (3 and 5).

DIGICOLJUST led us to develop two sets of recommendations. One is related to the strategies implemented in order to better value colonial archives as a contested heritage shared by former colonies and metropolises. Another is related to the project's added value in historical research and education.

The meeting between INACO's Deputy Director General Jean-Bedel Iyoka, and the Archivist General Karel Velle, which took place on 6 September 2022 at the State Archives in Brussels, paved the way for making the sharing of archives from the colonial period operational in the coming years. While both parties agreed on the need to digitise more archival collections in order to generalise and make their sharing more effective, it is essential to develop a strategy to find the necessary means. First of all, it is imperative to prioritise the collections to be digitised. To do this, the collaboration between the INACO's and State Archives' archivists is essential to effectively map the useful collections and identify the documents that meet INACO's needs. Secondly, it is essential to continue to raise awareness of the issue among political leaders in both countries, in order to release the funds needed to implement a large-scale digitisation programme. The sharing of archives from the colonial period with the Democratic Republic of Congo could be inspired in the future by the Rwanda

Archives project, which is currently underway. However, such a project would require a significant budget that the State Archives current funding cannot cover. In this context, DIGICOLJUST plays an important role. As a pilot project, DIGICOLJUST offers the possibility, through the concrete realisation of a smaller-scale records digitisation and sharing project, to start building the strategy for a larger but realistic project to be implemented in the future. As the experience of DIGICOLJUST shows, this strategy will have to take into account not only the technical costs of a digitisation program but also the crucial human investment necessary to properly coordinate the international and interinstitutional collaboration.

In terms of valorisation, DIGICOLJUST aimed at contributing to a better knowledge and understanding of the deployment of colonialism in the field, of the forms it took and the frictions it caused, of its inner contradictions and the space it provided for the deployment of indigenous agency, resistance and subversion. The project's outputs in the form of scientific publications, research seminars, a pedagogical tool kit and several blog posts testified of the promising nature of judicial records as repositories of "fragments" of the experiences and voices of colonised individuals. However, the very fragmentary nature of these traces complexifies their comprehensive and systematic study in a two-year time span. Thankfully, funding for a second project (DIGICOLJUST-2, see section 5 below) will allow us to tap further into these records as sources for the bottom-up study of colonial history. It would therefore be welcome if pilot projects could apply for specific follow-up funding. In that way, the money invested into research would reach its full potential, both in terms of publications and as a primary source for educational endeavours.

The members of the follow-up Committee have expressed their satisfaction regarding the accomplishment of the project during the last two years. They have acknowledged the accordance of the final results with the original proposal of the project and have particularly insisted on the societal et pedagogical value of the learning content created (see section 5 below). They have also underlined the great historical interest of the archives of the colonial military courts, which goes beyond colonial and military history. Indeed, these archives open up numerous perspectives for historical research from various methodological and historiographical points of view. For these reasons, they have expressed a genuine enthusiasm for the DIGICOLJUST-2 project that will begin in 2023.

5. DISSEMINATION AND VALORISATION

The project led to a vast range of outputs, both destined to scientific audiences and to the general public. Taken together, they testify of the comprehensive results that can arise from the cataloguing and digitisation of an archival series. Five different types of results stemmed out of DIGICOLJUST: scientific publications, oral presentations, a pedagogical toolkit, research blog posts, and, ultimately, a further, successful research proposal.

1. The project's copromotors and collaborators produced four **scientific publications** during DIGICOLJUST's timespan (for references, see point 6 below). Tommy de Ganck and Ornella Rovetta wrote together a [research guide](#) of the pilot collection digitised during the project, which include its archival inventory. Far from being a simple description of an archival series,

they enriched it with a comprehensive history of colonial military courts, of their structure and their evolution in time, as well as with an overview of the history of their written records. This constitutes a necessary introduction into the complex and still little-known history of court-martials in colonial Congo, which will be greatly needed by all of those who will delve into these archives. The team members also published scientific articles. Henriët, Lauro and Juste wrote a contribution for the journal 'History in Africa', the leading journal for methodological and historiographical discussions pertaining to African history. It explains what the *Conseils de Guerre* were, the structure of their archival legacy, and sketches out potential research topics that these records could help document, notably by developing several case-studies based on particularly revealing trials. This paper aims to make the collection better known to a broad public of Africanists, who might want to seize the opportunity of DIGICOLJUST's digitisation plans to include those records in their own research endeavours. The article is currently under peer-review. Furthermore, Lauro has single-authored a contribution to an edited volume on the history of homosexuality in the Belgian colonial empire. There, she used court-martial records related to cases of sexual violence between men as rare primary sources that help document the existence of same-sex sexualities in the Congo and the anxieties they raised among judicial as well as political leaders. While under contract with Oxford University Press, this chapter is presently under peer-review. Finally, Henriët and Juste mobilised the judicial handling of civilians by the *Conseils de Guerre* in the aftermaths of the 1931 *Tupelepele* movement as a starting point to shed a new light on the history of indigenous agency and colonial repression in interwar Central Africa in a co-authored forthcoming article, to be submitted to an international journal in African studies in the coming weeks. If the ULB and VUB research seminars have demonstrated the importance of court-martial records in the study of colonial armies, justice systems and their intersection, the two latter outputs also show that these documents can also be used in a diverse range of historical enquiries.

2. DIGICOLJUST **team members also presented the project and its achievements** at seven different instances. Already in September 2021, Tommy de Ganck made a [short video](#) explaining the project for the State Archive's Youtube channel. Ornella Rovetta also presented the project on the 26 November 2021 in a workshop on transitional justice and Belgium's colonial past with the CaCoBuRwa collective, organised by African Futures. This workshop led to the recording of a [MIT open course](#) on the same topic published on the MIT Youtube channel (see outreach publications, section 6 below). Furthermore, in May 2022, Tommy De Ganck gave an exposé on the project at the "Wetenschappelijke lente /Printemps scientifique 2022" event organised at the Africamuseum of Tervuren. In September of the same year, he introduced members of the general public to DIGICOLJUST via an oral communication and an information panel during the Brussels Heritage Days. In July 2022, Lauro gave a presentation on the court-martials of colonial Congo at the Military Justice in the Modern Era Conference organized at the Freie Universität Berlin. Finally, in November 2021 and September 2022, Lauro and Henriët presented DIGICOLJUST twice, respectively in Kinshasa during the symposium *Les Journées de l'Histoire*, and in Milan at the 5th Congo

Research Network conference. These communications reached diverse audiences, which included visitors of the State Archives, members of the international scientific community, and Congolese secondary school teachers. The digitisation of the pilot collection will allow them to further engage with the *Conseils de Guerre's* records.

3. One of the project's main goals was to facilitate the use of court-martial records beyond academic circles. Renaud Juste therefore developed a **sample lesson** for secondary school teachers, which mobilised archival fragments taken out of the pilot collection alongside colonial photographs and Congolese popular paintings. It endeavours to help teachers and pupils from the third grade nuance their understanding of (colonial) history by critically approaching the archetypes of colonised people as either victims, collaborators or resistant fighters against colonialism. Selected examples taken out of the *Conseils de Guerre's* archives will help pupils understand and illustrate the concept of agency as a way to respond, make sense, circumvent and subvert colonial hegemonic ambitions. The toolkit is currently being reviewed by didactic specialists of the ULB and VUB. It will be published on the websites of the project and possibly of the two universities in the coming weeks.
4. The DIGICOLJUST website hosts the '[Stories from the archives](#)' series of four blog posts written during the summer of 2022. Three of them have been penned by ULB and VUB history students (with the collaboration of Lauro and Henriët), and were based on the remarkable essays they submitted at the end of their research seminar (see above, 3.3.2.). The last one was written by Renaud Juste, appointed as scientific collaborator on the project in March 2022. Each of these short texts approach court-martial records from a different angle: forgery as a criminal offence, the judicial handling of Kimbanguism in the *Force Publique*, desertion as a form of everyday resistance, and an alleged "magic booklet" recorded as evidence used in court. These vignettes offer as many accessible and instructive insights into the rich and diverse research opportunities offered by the *Conseils de Guerre*.
5. Finally, DIGICOLJUST served as an indispensable stepping stone for further research endeavours. Three of the project's co-promoters - Henriët, Lauro and Tallier - successfully applied for **another** BRAIN-be 2.0 call, which allowed them to obtain funding for **DIGICOLJUST-2 "Military Violence and its (Dis)Contents in Colonial Congo: Sharing the Records, Writing the History"**, due to begin in February 2023 and to run for four years. This new chapter in the study of court-martial records will lead to the full digitisation of the *Conseils de Guerre's* archives, and to further research projects: one PhD on military violence in early colonial Congo, and two postdoctoral positions: one on gender-based violence, and one on wartime military justice. As a pilot project, DIGICOLJUST managed to reach significant milestones in a two-year time span. This new undertaking will both complete and deepen these achievements. Finally, Henriët and Lauro have applied to two other funding sources for a joint project in fundamental scientific research focusing on military agency that will be based on the archives unearthed by DIGICOLJUST. While their first attempt was unsuccessful (FWO Junior Research Project Scheme, 2021), the result of their second application is still pending (FNRS Weave Research Project Scheme, 2022).

6. PUBLICATIONS

Scientific publications

De Ganck, Tommy & Rovetta, Ornella. (2022). *Inventaire des archives du Ministère des Colonies et successeurs en droit. Administration d'Afrique. Conseil de guerre de Léopoldville, 1891-1956*, Archives générales du Royaume 2 - Dépôt Joseph Cuvelier (Inventaire 43), Bruxelles, 115 p.

Henriet, Benoît, Lauro, Amandine & Juste, Renaud. (2023). "The Archives of the Force Publique Court-martials (1889-1959). New Sources for the History of Violence, Justice and Agency in Colonial Congo," in *History in Africa* (submitted November 2022, under review). [Peer-reviewed]

Henriet, Benoît & Juste, Renaud. (2023). "Subverted Values. Bodies, Spaces and Objects in Times of Revolt (Belgian Congo, 1931)," (to be submitted in December 2022, under review). [Peer-reviewed]

Lauro, Amandine. (2023). "The Belgian Empire and Its Legacies: Colonial Silences and Postcolonial Dynamics of Queer (In)Visibility in Central Africa," in S. Corrêa, G. Gomes Da Costa Santos, & M. Waites (Eds.), *Colonialisms and Queer Politics: Sexualities, Genders and Unsettling Colonialities*. Oxford, Oxford University Press (contract signed, submitted September 2022, under review). [Peer-reviewed]

Outreach publications

Archives de l'État. 2022 (March - May). *Reproduction des archives du Conseil de guerre de Léopoldville. Dossiers de procédure des affaires jugées (1891-1956): dossiers 10-1183*, 127 volumes. https://search.arch.be/en/zoeken-naar-archieven/zoekresultaat/ead/rabscans/eaid/BE-A0545_722869_807023_DUT

Juste, Renaud. 2022 (October 16), Blog post: "The Magic Booklet". <https://digicoljust.hypotheses.org/category/stories-from-the-archives>.

Lauro, Amandine. 2020 (December 1). Blog post: "Past and Present: Soldiers on Trial in Times of War and Peace in (Colonial) Central Africa". <https://digicoljust.hypotheses.org/70>

Martens, Hanna, with the collaboration of Henriët, Benoît. 2022 (August 25). Blog post: "Is desertie een vorm van 'allegaads verzet'?" <https://digicoljust.hypotheses.org/category/stories-from-the-archives>.

Parée, Arthur, with the collaboration of Lauro, Amandine. 2022 (September 16). Blog post: "Militaires et kimbanguistes au Congo belge". <https://digicoljust.hypotheses.org/category/stories-from-the-archives>.

Schollaert, Clémentine, with the collaboration of Lauro, Amandine. 2022 (August 8). Blog post: "Enquête sur les faux en écriture dans la Force Publique". <https://digicoljust.hypotheses.org/category/stories-from-the-archives>.

Oral presentations

De Ganck, Tommy. 2021 (September). "Le projet DIGICOLJUST - Colonial Violence, Subaltern Agency and Shared Archival Heritage", Video/Web presentation, State Archives of Belgium.

https://www.youtube.com/watch?v=kT7thnNII_w

De Ganck, Tommy (2022), "Koloniaal verleden / Passé colonial : BRAIN / DIGICOLJUST: Colonial Violence, Subaltern Agency and Shared Archival Heritage: A Digital Platform of Colonial Judiciary Sources", Presentation of the objectives and accomplishments of the project at the Conference "Wetenschappelijke lente /Printemps scientifique 2022" (03/05/2022 : AfricaMuseum).

De Ganck, Tommy . 2022 (September 17-18), Exhibition and presentation of the archives of the colonial military courts and the DIGICOLJUST project as part of the Heritage Days (17-18/09/2022: State Archives 2- Joseph Cuvelier).

Henriet, Benoît & Lauro, Amandine. 2021 (October 29). "Archives numérisées, patrimoine partagé : le projet DIGICOLJUST", Paper presented at the international conference "Journées de l'Histoire: Repenser l'enseignement de l'histoire du continent africain et de la RDC" (29-30/10/2021: Université de Kinshasa).

Henriet, Benoît & Lauro Amandine. 2022 (May 23). "Audition/Hoorzitting La Chambre/De Kamer Commission spéciale "Passé colonial"/Bijzondere commissie "Koloniaal verleden" - "Rôle de l'Etat"/"Rol van de Staat", General Presentation that included a short presentation of DIGICOLJUST presented at Audition/Hoorzitting Commission spéciale "Passé colonial"/Bijzondere commissie "Koloniaal verleden" (23/05/2022, Belgian Federal Parliament).

Lauro, Amandine. 2022 (July 30). "Colonial Violence, Subaltern Agency and Shared Archival Heritage: Towards a History of Military Courts and their Archives in the Belgian Congo", Paper presented at the international conference "Military Justice in the Modern Era, 1850-1945" (28-30/07/2022: Freie Universität Berlin).

Henriet, Benoît & Lauro, Amandine. 2022 (September 13). "Military Courts in the Belgian Congo: Colonial Violence, Subaltern Agency and the Challenges of "Shared" Archival Heritage", Paper presented at the Congo Research Network Congress (13-15/09/2022: Università Degli Studi Di Milano).

Ornella Rovetta, Discussion with Liliane Umubyeyi, Seminar « Reparations for Slavery and Colonization : Contemporary Movement for Justice », on the following topic : « Utiliser les archives dans la reconnaissance du passé colonial de la Belgique », 6 December 2021. Online on the MIT OpenCourseWare Youtube Channel: https://www.youtube.com/watch?v=ml4vCRO_4io

DIGICOLJUST in the press

Breckman, Colette. 2021 (November 2). "Historiens belges et congolaise pour "décoloniser" et repenser l'enseignement de l'histoire", in *Le Soir*, 03.11.2021.

<https://www.lesoir.be/404079/article/2021-11-02/historiens-belges-et-congolais-pour-decoloniser-et-repenser-lenseignement-de>.

Belga. 2022 (March 28). “RDC: Passé colonial: des documents digitalisés de cours martiales remis aux archives congolaises”, in *La Libre. Afrique*, 28.03.2022. <https://afrique.lalibre.be/69150/rdc-passe-colonial-des-documents-digitalises-de-cours-martiales-remis-aux-archives-congolaises/>.

Belga. 2022 (March 25). “Gedigitaliseerde documenten van krijgsraden van koloniale periode overgemaakt aan Congolese archieven”, in *Het Laatste Nieuws*, 25.03.2022. <https://www.hln.be/nieuws/gedigitaliseerde-documenten-van-krijgsraden-van-koloniale-periode-overgemaakt-aan-congolese-archieven~a66c45f3/?referrer=https%3A%2F%2Fwww.google.com%2F>.

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