

DIGICOLJUST

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

Contract - B2191/P2/DIGICOLJUST

SUMMARY

Context

DIGICOLJUST is a two-year pilot-project that has federated 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.

Dozens of military courts (*conseils de guerre*) were created during the conquest and "pacification" of the Congo in the last quarter of the nineteenth century. Military courts were gradually – mainly between 1889 and 1921 – established permanently throughout the Congo. 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 conquest, periods of rebellion and insurgency, the two World Wars –as well as to everyday life of European and African soldiers and officers of the *Force Publique*.

Long considered as lost, the trial records of the military courts of the Congo Free State (1885-1908) and the Belgian Congo (1908-1960) constitute a unique heritage. Military courts tried Congolese soldiers and Belgian officers for violations of both military and civilian law. These trial archives are of fundamental significance in three ways. First, they contain 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 wartime, therefore providing crucial insights into the different guises of military governance. Third, in cases of unrest, entire regions could be placed under a "military regime". Military courts sanctioned Congolese for rebelling against the state, thus offering exceptional insight into the history of their resistance against colonial rule.

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 original 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 meant to be transferred to the State Archives, which are now in charge of their management.

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 digitization 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 valorization of these archives, through research seminars for 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.

Aiming at the accessibility of the collection of court-martial archives and about the exploration of the new research agendas these sources might enable, DIGICOLJUST's work has been organized on three levels: a first level of identification and inventory of sources; a second level concerned with their digitization and preservation; and a third level devoted to online dissemination and scientific valorization.

Transcending these three levels, three strategic principles have guided our work. Firstly, in the difficult context of debates about the "shared" archival legacy of the colonial bureaucracy, we were convinced of the importance of creating a user-friendly digital tool informed by our attention both to ethical concerns and to the persisting digital divide between Western Europe and Central Africa. Secondly, DIGICOLJUST has been intended to provide a first basis 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 (*Institut National des Archives du Congo*, located in Kinshasa). Thirdly, as a pilot-project, DIGICOLJUST had to open the path for further heritage and/or research funding on a collection of archives rich in scientific and societal possibilities.

Methodology

These strategic objectives have been implemented along four distinct work areas, each of which involves the production of deliverables using specific methods.

The first area is the opening up of the archives of the colonial military jurisdictions to research through the identification, decontamination, transfer, inventory, description and historical contextualization of the archives of colonial military jurisdictions. In addition, the references and identification data of the case files have been encoded in a database. By multiplying the entry points in the archive case files, this database allows for easier and more detailed research and statistical studies. During this process, other funds and series of archives relating to colonial military jurisdictions have also been identified (Military courts *en campagne* and Military Courts of the Ruanda-Urundi mandate). These will be inventoried in the course of the DIGICOLJUST-2 research project, which will begin in 2023.

The second area is the digitization and preservation of archives. The Leopoldville military Court (1891-1956) has been chosen as a pilot collection for the digitization campaign. Also included in this set of archives were the case files judged by the Leopoldville military Court that were appealed to the competent military Court of Appeal (of Boma, and then Leopoldville). In terms of preservation, all the archives of the colonial military courts have been repackaged, labelled and stored in the National Archives 2 – Joseph Cuvelier repository.

The third area is the valorization of the archives and the dissemination of the scientific results of the research project. The archives of the military courts were made available for consultation as soon as they arrived at the National Archives 2 – Joseph Cuvelier repository in December 2020. Within the framework of the project, two research seminars for 86 history students were organized at the ULB and the VUB on

the basis of the archives of the colonial military jurisdictions during the academic year 2021-2022. A [Hypotheses blog](#) was created and maintained throughout the project to allow the general public and researchers to follow the progress of the project and to discover the archives. Finally, the archives were also promoted to young people through their integration in the creation of an educational lesson for secondary schools.

The fourth and last area is the establishment of a collaboration with our archival colleagues at INACO. Despite the Covid-19 epidemic which prevented any travel in 2020 and early 2021, two trips (to Kinshasa and then to Brussels) allowed the project team to meet with INACO archivists and to start a concrete and constructive dialogue. These exchanges highlighted the need to adopt a hybrid approach to sharing our common archival heritage. In addition to digitization, the production of paper copies appeared in the course of the project as a useful complement to ensure that the archives could be more easily accessed by Congo-based scholars and researchers. This is why the archives of the Leopoldville military Court have also been printed in order to be consulted on paper at the INACO.

Results and conclusions

In 24 months, the project's team has been able to map the archival materials, to retrace their history, to conceive a format of online access, both user-friendly and scientifically sound, for the digitization of the pilot program (1,174 case files/29,488 scanned pages from the military court of Léopoldville (1891-1956), i.e. approximately 20% of the collection). The digitised archives are [accessible online](#) as of 6 December 2022.

In spite of the impediments caused by the Covid-19 (which has delayed the start of our project) and by the time-consuming decontamination and transfer of the 5,200 case files from the Ministry of Foreign Affairs to State Archives, the objectives of the project are met at the end of 2022 : cataloguing of 19 Military courts record groups with professional finding aids; digitisation and online publication of the pilot program (1,174 case files from the military court of Léopoldville); organisation of a research seminar for students from the ULB & VUB; submission of three scientific publications (two articles and one chapter submitted to international publishers) ; development of a pedagogical initiative for secondary school teachers to work with the source collection in the classroom. Furthermore, DIGICOLJUST led to the creation of a database adding to the research possibilities offered by the military courts records' collection.

By organising the transfer of judicial archives and by opening them to research, DIGICOLJUST actively supported the State Archives in the execution of their public service mission. Furthermore, by digitising a pilot collection of military court archives, setting up a collaboration with INACO's archivists around operational objectives and organising their research visit to Brussels in September 2022, DIGICOLJUST has enabled the State Archives to enter into direct dialogue with the INACO. DIGICOLJUST has thus played a key role in making the sharing of our common archival heritage with the Democratic Republic of Congo a reality.

Finally, DIGICOLJUST served as an indispensable steppingstone for further research endeavours. DIGICOLJUST's team obtained 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 second research phase will both complete and deepen our current achievements with the full digitization of the military courts records collection, the further development of the praxis of sharing archival/digital heritage between Belgium and Congo in a bilateral dynamic of conservation and

research with the INACO, and the realisation of three new research projects on 1) military violence in early colonial Congo, 2) on gender-based violence, and 3) on wartime military justice.

Keywords

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