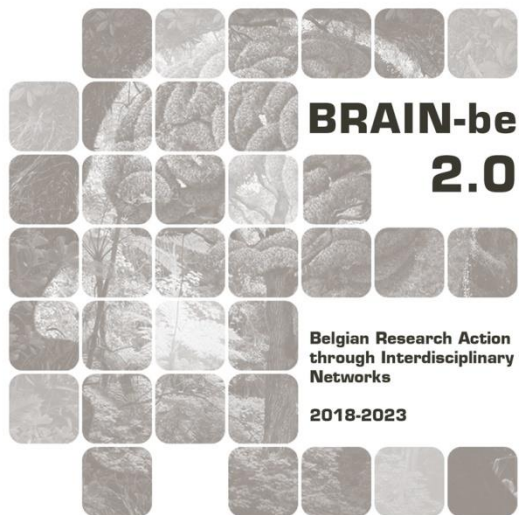


POSTWAREX

The ultimate punishment: military justice and the executions of death penalties for collaborators after the Second World War in Belgium (1944-1950)

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Pillar 2: Heritage science



NETWORK PROJECT

POSTWAREX

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FINAL REPORT

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ABSTRACT

Context

The project Postwarex, was a 2-years network project in the Heritage Science Pillar, focusing on the role of the military justice in the executions of 242 death penalties after the Second World War in Belgium in the context of the punishment of collaboration. These executions were the ultimate sanction for collaboration and were and are still subject to facile myths with a part of the general public. The executions have been researched from a quantitative sociological perspective and from the angle of the procedure for pardon focusing on the minister of Justice and the head of state. The role of the military justice has not been studied in-depth. With the recent transfer of all the archives of the military justice system to the State Archives conditions are in place for such an in-depth study.

Objectives

The key objective of this project was to understand the role and the impact of the military justice system on the 242 executions, by focusing on the different components the military justice in the phases of the process leading to an execution and on the execution itself. Role and impact of the military justice system were different in these phases, ranging from advisory power (the chief military prosecutor made a recommendation to the head of state and the minister of Justice on pardon) to decision-making power (the military courts pronounced the death penalty and the military prosecutors were in charge of carrying out the execution if pardon had not been granted). From the perspective of procedures and practices the question is also what social function the executions might have had for the military justice, which were the societal objectives and how these executions can be situated in the long-term history of the death penalty in the Belgian judicial system, in which these large-scale executions after the Second World War were an exceptional episode. The research is based on an intensive analysis of the different components of the archives of the military justice system, combining individual files from the 242 people executed and more policy-oriented sources from the office of the chief military prosecutor.

Conclusions

The general conclusion is that for the military justice the executions as a penalty had an exceptional status, in the sense that they were reserved for specific crimes. The selection of these crimes did not occur ex ante in the policy of persecution, but as part of a process, first, in the trials before the military courts (and the Cour de Cassation) then in the recommendations of the chief military prosecutor. The executions were not the final step in a gradation of punishment for particularly serious crimes, but can rather be understood as an extraordinary sanction for very serious crimes, with the local context playing a major role. One of the functions of the executions, therefore, for the military judiciary is, on the one hand, to maintain confidence in the judiciary, with the stakes being that particularly serious crimes should actually receive the highest punishment and that this penalty should be carried out in practice. On the other hand, the generally violent conduct of those for whom an execution was considered the appropriate punishment has caused such trauma within the

local and national community that post-war rehabilitation of the local and national community could, from the perspective of the military justice only be achieved by permanently removing the perpetrators from those communities. Another general conclusion is that the military justice was keen to respect rules and procedures for these executions. The office of the chief military prosecutor closely monitored the executions and the work of the military prosecutors in charge, elaborated uniform procedures including when necessary, filling gaps in the legislations.

As far as the decision-making process on granting pardon is concerned, the research showed that the relationship between chief military prosecutor Ganshof van der Meersch and the ministers of Justice were not free of tensions. Although the chief military prosecutor only had advisory power, Ganshof filled in this role proactively, helped by the frequent changes of the ministries of Justice (who took decisions on pardon personally not relying on their administration) in the instable political context of the second half of the 1940's. The approach of Ganshof and the ministers of Justice was quite different: the recommendations of the chief military prosecutor followed a case-by-case approach and were not used to bring more uniformity in the decisions to grant or reject pardon. Conversely, the successive ministers of Justice aimed at more uniformity in the decision to accept or reject pardon, by using criteria, an idea the chief military prosecutor declined since this would question the decisions of the courts and would lead to a kind of 'third party court'. Ganshof's successor Paul Van der Straeten, who became chief military prosecutor in May 1947 was more open to the idea of a global revision, although there remained opposition from some (high ranking) magistrates, who preferred decisions on a case-by-case basis rather than on the basis of comparison and criteria, because of the exceptional character of the execution as a penalty.

Keywords : punishment of collaboration, legal history, the death penalty, the military justice system, Belgian history 1944-1950, political and institutional history.

1. INTRODUCTION

The BRAIN 2.0 Project Postwarex was a two-years BRAIN 2.0 network-project aiming at a fundamental archive-based historical research of the role of the military justice in the 242 executions in the context of punishment of collaboration in Belgium after the Second World War.

These executions were exceptional in the history of the Belgian judicial system. Although capital punishment was foreseen in the penal code, the tradition was since 1863 (with the exception during the First World War) that executions no longer took place, since the head of state granted systematically pardon. The 242 executions after the Second World War were not only exceptional since they were not in line with the tradition, but also as these 242 executions outnumbered by far earlier executions by Belgian Justice, which amounted to 79 between 1830 and 1940, meaning that in 6 years, 4 times more persons were executed than in the 110 years before the Second World War.

The project focused on the role and position of the different components of the military justice in the process which led to the decision to execute a person convicted to the death penalty and to the execution itself which was organized by the military justice. The project has the ambition to contribute to the societal debate on these executions, which is 80 years after the facts still alive, by presenting scientifically sound information on these executions and more in particular the role of the military justice. This research is possible now since all the archives of the military justice system are, after their transfer to the State Archives available for research. The aim of the project was to share with the general public the findings of archival research, which is often only used by professional historians.

2. STATE OF THE ART AND OBJECTIVES

In 1994, Luc Huyse and Kris Hoflack published the first statistical analysis of the 242 persons executed (Huyse, Hoflack, 1994, 17-27). In depth academic archival research on this group started in 2006 and focused on political and gender aspects. In 2006, Koen Aerts (Aerts, 2006) published on the policy of granting pardon by the head of state. This article, based on the archives of the Royal Palace, looks at political aspects and reconstructs the policy of the different ministers of justice (who were politically responsible for the decisions of the head of state) at that time and describes how this policy was debated in parliament.

This political perspective, in combination with cultural history, also prevails in the book of Mathieu Vanhaelewyn on the 242 persons executed (Vanhaelewyn, 2016). This author develops a long-term perspective on capital punishment in Belgium. In his study on the camp of Breendonk, Patrick Nefors provides details on the executions of Flemish SS-men involved in the terror regime in the camp (Nefors, 2004, 243-249). Mathieu Roeges (Roeges, 2008) has studied the 35 women sentenced to death. Using criminal records open for research at that time, Roeges' focus was on gender-stereotypes.

To sum up, research on this topic has been limited to certain aspects or groups and not primarily based on the archives of the military justice system and if so, procedure and judicial argumentation were not the central focus.

Capital punishment has received attention in the recent wave of historical research on the First World War as well. Stanislas Horvat studied in depth the military justice system during the First World War (Horvat, 2009, 3rd ed. 2018a) and the executions of Belgian soldiers during that conflict (Horvat, 2018b). Benoît Amez published an overview of the judicial procedure of the military justice system leading to capital punishment sentences, including executions of Belgian soldiers (Amez, 2014) as well as, with Xavier Rousseaux, a case study on an execution following a conviction by a military court in non-occupied Belgium (Amez, Rousseaux 2012). Although these convictions occurred during the war, the findings of this research can be used as a point of comparison for the post-1944 executions: in both cases, the military prosecutors played specific, important roles as would military judges later on and, in both cases, pardon requests were numerous and the procedure (sometimes requiring interventions by MPs) was similar. By far the most executions since 1830 have resulted from the verdicts of military tribunals: this project offers a long term perspective on the role of military justice in the implementation of the death sentence in Belgian legal history.

The central aims of Postwarex is to understand the role and the position of the military justice system in the 242 executions, by focusing on the different components of the military justice in the phases of the process leading to an execution and on the execution itself. This role and impact of the military justice system was different in these phases. First, a military court, mostly the Military Court of appeal, exceptionally only a Court martial pronounced the death penalty. At that stage, the military justice had decision-making power. Second, in the framework of the procedure for pardon the (office of) the chief military prosecutor made a recommendation to the head of state and the minister of Justice to implement or not the death penalty. At this stage, the military justice only had advisory power, but the question is to assess the exact impact of this advisory power, which implies

an analysis of the relationship between the chief military prosecutor and the minister of Justice and the evolution in this relationship. Third, when the head of state did not grant pardon, the death penalty had to be executed. At this final stage, the military prosecutor of the court martial which had pronounced the death penalty was responsible for carrying out the execution. He had to make an appeal to other institutions as the Gendarmerie (the state police) and the local authorities. Here the question is how the relationship with these institutions took form and evolved. Furthermore, to what extent the executions were used by the military justice to make the connection with the population ? From the perspective of procedures and practices the question is also what social function the executions might have had for the military justice and which were the societal objectives.

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3. METHODOLOGY

This research was based on extensive archival research of the different components of the military justice system on one hand and on the archives of the head of state (the Prince-Regent Charles at that time) and the ministry of Justice (the administration in charge of pardon) on the other hand. The core archives were the archives of the military justice system, to which the project researchers had an unrestricted access. This research was based on two types of archives, which provide information on two levels of decision-making. First, at the level of the decisions at individual level to impose the death penalty, the individual penal files are the key source. Next to each file, there exists also a synthesis, the so-called A-file, which makes it possible to retrieve the key elements of each case. Also at individual level, for the decision to grant pardon, the recommendation(s) of the chief military prosecutor on each case were collected. As for the position and policy of the office of the chief military prosecutor and for the executions themselves, the 'Instructions générales' and the 'Documentation' archives were used. Moreover, in the course of the research some non inventoried files proved to be relevant as well as the personal files of the magistrates of the military justice system who were involved in the executions. Finally, the personal archive of Chief military prosecutor Walter Jean Ganshof van der Meersch kept at the ULB was used. Next to written archives, for some aspects of this research (as the practice of the executions), photos provided some interesting additional information.

These archives were basically processed in two ways. As for the individual cases, the data from the different components of the archives consulted were integrated in an excel database. This database contains detailed information on 1214 suspects that were condemned to the death penalty in the presence of the accused for acts of collaboration with the enemy. Based on extensive analysis of the sources of the military justice referring to the individual cases, the database provides detailed information on the convicts and their activities during the German occupation, their arrest by the Belgian authorities, their trial before the military courts, their request for pardon, a summary of the recommendation(s) of the chief military prosecutors as well as their execution or release from prison. Furthermore, the database also gives an overview on the available archival sources and the location where the sources can be found. In total, the research tool comprises for each convict more than 100 fields that are easily searchable by using one of the preinstalled filters.

The archives pertaining to the position and the policy of the office of the chief military prosecutor and the executions themselves, were analyzed in a systematic and detailed way and combined with the findings of the different other archives to understand the position of the office of the chief military prosecutor focusing on meta-judicial questions as the significance of the death penalty and the executions in the policy of prosecution on one hand and on the impact of the military justice in the pardon procedures on the other hand.

Next to archives, parliamentary proceedings and documents were used to reconstruct the political debate and efforts of the parliament to impact the policy of the executions.

The Postwarex-project was split-up in two work packages, one on the meta-judicial perspective and on decision making processes, the other on the individual cases. Each work package was attributed to one researcher, but it was of course needed that the work was well coordinated to have a common perspective on the military justice and the executions. Therefore, work meeting were

organized at a monthly basis with the two researchers and the promoters of the project, to coordinate the work, to discuss the findings and to monitor the progress of the project and to make adjustments when necessary. Of each meeting a report was made. These reports were archived. The follow-up committee, with experts from Belgium and abroad was actively involved in the project. Each half year meetings were organized. Due to Covid-19 all except one were held virtually. These meetings were combined with activities of the project such as the workshop on the sources and the final conference and were based on notes on the progress of the project or on first drafts of chapters for the book. In that way, the project could profit from direct feedback from the members of the follow-up committee. A report was made of each meeting and these reports were archived as well.

4. SCIENTIFIC RESULTS AND RECOMMENDATIONS

The project has clearly filled a gap in the research on the executions as part of punishment of collaboration after the Second World War, since we have now a complete view on the role of the different components of the military justice system and their relationship to the political decision makers which were the central focus of previous research, on the way that the executions were integrated in the policy of the military justice and on their significance and on the way that decisions were taken within the military justice system on the executions, as well at general as well as at an individual level.

First, it appears that there was no preliminary reflection on the executions when the legal framework for punishment of collaboration was prepared in London, a process in which chief military prosecutor Ganshof van der Meersch played a key role. It was expected that there would be death penalties and executions, but no specific preparations were made nor was there a reflection on the type of crimes for which executions would be the adequate sanction. When the first executions were to be organized in November 1944, the office of the chief military prosecutor elaborated the procedures to follow by way of a circular letter to the military prosecutors. This procedure, which was very detailed, was based on the interpretation of the existing legislation and fine-tuned when specific problems appeared, which happened regularly. The analysis of the executions themselves showed that the cooperation with other institutions on which the military prosecutors had to rely was not always smooth sailing. It often appeared to be difficult to find a location that was suited for the executions, some local authorities were not always willing to provide the assistance which was expected from them, the financial aspects were sometimes a bone of contention and the Gendarmerie which was designated to carry out the death penalty was reluctant about a role that it was felt might discredit them with the population. The military prosecutors sometimes had to enter into negotiations with other authorities and make compromises, what shows that the image of an all-powerful military justice after the war, which is still present today with the general public, needs qualification. A particular concern in carrying out the death penalty was publicity. The military justice and in particular the office of the chief military prosecutor wished to direct and control this publicity, whereby the execution was part of the effect of the punishment by demonstrating to the population that judicial decisions were being carried out, but at the same time maintaining serenity and avoiding instrumentalising the executions politically. The office of the chief military prosecutor also monitored closely the different executions and asked for explanations when the process did not comply with the rules set out in the circular letters, in particular when there were signs of excessive violence (e.g. where there had not been unaccurate targeting) or unwanted photographs had circulated or there were rumours that an excessive access had been allowed to the public to witness the executions.

All in all, the military justice devoted particular attention to the organization of the executions, once the request for pardon had been rejected. This shows that the execution had a particular significance for the military justice, situated at a particular moment in time, rather at the end of the procedure than at the start. The procedure before the military courts started early, resulting in death penalties, for which no pardon was granted and which were executed in November 1944. As already explained, from the prosecution's perspective, the death penalty was not targeted to specific types of crimes and as a consequence, the death penalty was the result of the judicial

process before the military courts and mostly also the military court of appeal and before the Court of Cassation (90% of those executed made an appeal with the Court of Cassation). The death penalty was moreover not limited to specific types of collaboration, but was prescribed for military collaboration, political and intellectual collaboration, for denunciation, aid to the enemy and to a lesser extent espionage. In many cases, it appears that people convicted to capital punishment had been involved in combined collaboration crimes : military collaboration and political collaboration, or denunciation and political collaboration. The combination of political collaboration and military collaboration often concerns those who had been active in a paramilitary formation linked with a collaborationist party. Often, people convicted to the death penalty were also guilty of violent crimes other than collaboration related, as murder, manslaughter, beatings and injuries. An important group are those who had worked for German police and intelligence services. The analysis of the criminal files shows that about 25 % of those executed had been active as a Zivilfahnder or Hilfsgendarm. Both were actively involved in violently tracking down those who wanted to avoid forced labour in Germany, resistance fighters, Jews and pilots of the allied armies. Examination of the files has shown that it is usually the crimes committed by these arms bearers on the home front that ultimately weigh on the decision whether or not to proceed to execution. In other words, they were more than just military collaborators as is often assumed. In the recommendations on pardon of the chief military prosecutor, the fact that the perpetrators had been involved in large scale violence against members of the local community, who had been terrorized by their acts is often used as an argument to give a negative advice for pardon.

The conclusion that the executions were rather the outcome of a process than the result of a planned policy by the military justice is not in line with one of our initial hypotheses when the project was conceived. Next to the concrete cases, the project aimed at a meta-judicial perspective on the executions, combining two chronological perspectives : the long-term history of the executions in the history of Belgian justice starting in 1863 and the history of the Second World War and occupation. The 242 executions were a departure from a long standing tradition and our hypothesis was that this might have been caused by the specificity of Nazism, which had led to an internal reflection within the Military Justice on the function of the death penalty and the executions, in the sense that the executions would have been from the start of the prosecution of collaboration targeted to specific types of crimes, which were considered to be especially serious. However, this appeared not to be the case. The executions were rather the result of a bottom-up process of decision making within the military justice system than the implementation of a planned prosecution policy. It appeared that the final outcome was that the death penalty was inflicted for serious crimes of collaboration involving (lethal) violence on the population, typically man hunt or involvement in executions in revenge of violence against collaborators, rather than on crimes which could be associated directly with Nazism or with leading positions in organisations of political collaboration. In those cases pardon was systematically refused in the recommendations of the chief military prosecutor to the head of state, precisely because the crimes committed had resulted in lethal violence against the local population and the resistance. The chief military prosecutor considered that carrying out the death penalty was necessary for the restoration of the local community and for maintaining confidence in the judiciary because the population had a legitimate expectation that for such serious and traumatising offences, the death penalty would actually be carried out. The recommendations were not based on an implicit or explicit weighing and comparison of different crimes but on a case by case approach in which the local context played a

more important role than collaboration as a global phenomenon. This did not change when repression was in a more advanced stage and as a consequence, a comparison between the severity of crimes would have become possible as the judiciary gained a better understanding of the dynamics of collaboration. It also appears that the recommendations were not used by the office of the chief military prosecutor to bring more uniformity in the decision to grant or reject pardon. This appeared to be a bone of contention with the successive ministers of Justice, who aimed at more uniformity in the decision to accept or reject pardon, by using criteria, an idea the chief military prosecutor declined since this would question the decisions of the courts and would lead to a kind of 'third party court'. In practice however, this is what potentially could occur since we discovered that the minister of Justice not only based his decision on the recommendations of the chief military prosecutor but often also requested the whole criminal file to take a decision. This fundamental difference in visions led to conflicts between chief military prosecutor Ganshof van der Meersch and the successive ministers of Justice. The second half of the 1940's was characterized by political instability : governmental coalitions often changed and as far as the department of Justice is concerned, there was no continuity. The department was held by different ministers (although mostly catholics and liberals) and most of them headed the department only for a short period of time (some months). This allowed the chief military prosecutor to reaffirm his position at changes of ministers, mostly at its own initiative. After all, with each change of government, the minister had to familiarise himself with the cases, because - and that is another relevant finding of the analysis of the decision making process - for the death penalties it was not the administration which was in charge, but the minister himself (and his personal staff). This makes clear that the executions had a special status for the minister as well, since these decisions were not only a matter of life and death, but were irreversible as well. When Ganshof van der Meersch was succeeded by Paul Van der Straeten in May 1947 the situation changed. Van der Straeten was more open to the idea of a global revision, although there remained opposition from some (high ranking) magistrates, who preferred decisions on a case by case basis rather than on the basis of comparison and criteria, because of the exceptional character of the execution as a penalty.

From a chronological perspective, the analysis of the decision making process on the acceptance or rejection of pardon shows that until Spring 1946 the recommendations of the chief military prosecutor tended to rejection and that the minister of Justice followed these recommendations. Until then, tensions between the office of the chief military prosecutor were not outspoken, but started when the minister of Justice decided to pardon whilst the recommendation proposed an execution.

If we compare the position of the chief military prosecutor and the ministers of Justice, it appears that the latter were more inclined, especially as time went on, to accept pardon. Between April 1946 and 1952, the magistrates of the chief military prosecutor's office issued a negative opinion in 80% of cases, while the final decision offered commutation in 81% of cases, the opposite proportion. In the first year following the first pardon, i.e. from April 1946 to April 1947, 57% of the positive or negative opinions of the chief military prosecutor's office were followed, and out of the 128 proposals for rejection by the magistrates, only 36 were followed, or 28%. The percentage of magistrates' opinions followed by the Minister of Justice in the final decision signed by the head of state fell as the repression progressed, reaching 31% for the period 1949-1950 and 16% of negative opinions followed. The chief military prosecutor was therefore always more severe than the Minister of Justice, especially as the latter's leniency increased over time. Even if, once the recommendation

was given by the chief military prosecutor, he formally had no longer a say in the procedure, he tried to impact the decision by sending letters and/or reports.

One of the reasons for the tensions between the office of chief military prosecutor and the ministers of Justice appeared to be the fact that the procedure for pardon was not subject to time limits, or in other words, there was no obligation for the minister of Justice or the head of state to take a decision within a certain time frame. Moreover, since these decisions were ultimately political decisions, a minister of Justice was inclined to postpone a decision when a government no longer had the confidence of parliament or when the government was in crisis. The absence of time frame to take decisions contributed to the tendency to abandon case-by-case decisions and rather opt for decision making based on comparison and criteria.

Next to the meta-judicial perspective and the analysis of the decision making processes, the project aimed at a case by case approach of which one of the objectives was to have clear profile of the persons who were finally executed. To make the profile, the project followed a dual approach. First, the findings of the archival research at case level were integrated in a database, which allowed to draw a quantitative and statistical profile. Some of the findings were already discussed above, but some others deserve mentioning as well. In public discourse, the executions are often presented as a sort of revenge of the Belgian state against Flanders and the Flemish movement. Our findings show that this image does not correspond to reality. Using the choice of language for the judicial procedure it appears that most of the people executed were French-speaking (130 out of 242). This can be explained by the more brutal character of collaboration in French-speaking Belgium, since we found that the executions were used for especially violent acts of collaboration. 9 out of 10 people executed had in some way or another 'blood on his hands'. Another quite interesting finding is that from a geographical perspective some cities and regions are clearly over-represented in the executions. This goes for the city of Brussels, and the provinces of Hainaut and Antwerp, where more people were executed as compared to the percentage of the total population. There is a link with the specific types of crimes for which a perpetrator was executed. In Brussels, being the capital, there was a concentration of German administrations and (police) services, which gave more opportunity to perpetrate the types of crimes which led to an execution. Antwerp was an administrative centre with a strategic interest. As for Hainaut, the explanation is that in the province one of the most violent collaboration crimes was committed, the 'Courcelles massacre' in which 27 civilians were murdered in revenge for a deadly attack of the collaborationist mayor. After the war, the 80 perpetrators of the Courcelles massacre were tried and finally 27 were executed. This specific geography of the executed points once again to the specific character of the big majority of those who were executed, which contrasts with the idea which is still present in collective memory that the people executed had rather been involved in political collaboration or had not deserved the death penalty and certainly not an execution for their actions. Second, some key criminal files were analysed more in depth and used to illustrate general tendencies from the statistical analysis. The focus is more on representative cases than the well-known ones, precisely to adjust the general public's perception on the executions.

The general conclusion is that for the military justice the executions as a penalty had an exceptional status, in the sense that they were reserved for specific crimes. The selection of these crimes did not occur ex ante in the policy of persecution, but as part of a process, first, in the trials before the military courts (and the Cour de Cassation) then in the recommendations of the chief military

prosecutor. The executions were not the final step in a gradation of punishment for particularly serious crimes, but can rather be understood as an extraordinary sanction for very serious crimes, with the local context playing a major role. One of the functions of the executions, therefore, for the military judiciary is, on the one hand, to maintain confidence in the judiciary, with the stakes being that particularly serious crimes should actually receive the highest punishment and that this penalty should be carried out in practice. On the other hand, the generally violent conduct of those for whom an execution was considered the appropriate punishment has caused such trauma within the local and national community that post-war rehabilitation of the local and national community could, from the perspective of the military justice only be achieved by permanently removing the perpetrators from those communities. Another general conclusion is that the military justice was keen to respect rules and procedures for these executions. The office of the chief military prosecutor closely monitored the executions and the work of the military prosecutors in charge, elaborated uniform procedures including when necessary, filling gaps in the legislations. The analysis of the recommendations of the chief military prosecutor shows that even different requests for pardon for one and the same person were taken into consideration.

The intensive research in the different components of the archives of the military justice has shown the rich informative value of these archives, enabling to reconstruct in detail for each person why he/she was executed or not. These archives provide first-hand information on a particular moving period in personal histories. For the descendants of people sentenced to death, this information makes it possible to understand this particular moving period in personal lives and can contribute to counterbalance facile myths which still circulate about these executions. Therefore, it deserves recommendation to facilitate access to these archives for the descendants, of those sentenced to death in particular but also of those who have been otherwise sanctioned by the military justice or or have been the subject of a judicial enquiry. The judicial authorities still have to give an authorization for access to the archives of the Military Justice; researchers get as a general rule the authorization, but others, as the descendants have to justify their interest and are not always given access to these archives. Historians and archivists are since long making a plea to facilitate access to the archives of the military justice system for the descendants. This research on the executions can contribute to this discussion since it shows that the decision to execute was a complex process in which the military justice played a key, albeit not always decisive role. Explaining the complexity of this process through the archives can contribute to a better and more accurate understanding by the descendants of the context and circumstances and the reasons why a death sentence was imposed or carried out.

5. DISSEMINATION AND VALORISATION

The Postwarex-project aimed at deconstruction of facile myths on the 242 executions with the general public. Therefore, as far as publications of the results of the project are concerned, the priority was with a format of publication specifically aimed at the general public in both national languages French and Dutch. In contrast to what is often assumed by the general public, the executions were not a typical kind of punishment for one part of the country, but was part of the phenomenon of punishment of collaboration at the level of the Belgian state. Publication in both languages is thus the better option which moreover guarantees that the results of this BRAIN 2.0 project are disseminated in the same way within both national communities and that the societal debate on these executions can be based on the same information in the two language-communities. The Postwarex project found an editor, well acquainted with editing books for the general public on the Second World War and its aftermath in Dutch and in French willing to publish the book in both languages. The manuscript is ready and publication is planned for the spring of 2023. The book consists of an introductory chapter in which the general context is explained and three chapters focusing on the successive roles of the military justice : punishing, pardon and the execution itself.

The main results of the project were already presented at a Conference for the general public on 24 May 2022, in Dutch and in French at CegeSoma. The conference was a success, not only by the number of attendees (47 registered attendees), but also because the conference attracted a different audience as compared to people who are present at other conferences organized by CegeSoma on the Second World War and its aftermath. This conference was organized during the project. With the publication of the book the results of the project will be disseminated more widely also after the project. A first step will be the (bilingual) launch event of the book organised by the editor.

Next to the books, the key results of the project will also be disseminated digitally on the website Belgium World War II. The digital format allows to present research results differently, combining research content with original sources and focusing on specific aspects as the reception of the executions by the press, a subject that was only touched upon in the books, since the focus is on the military justice. All the material has been collected. The section on punishment of collaboration of the Belgium World War II website is currently under revision. The results of Postwarex will be integrated in the updated articles and used to add new content on key actors and specific cases. Biographical articles will be added on minister of Justice Van Glabbeke and chief military prosecutor Paul Van der Straeten, whose policy on the executions differed from that of his predecessor Ganshof van de Meersch, leading to a less tense relationship with the minister of Justice. As for the specific aspects, articles on an economic collaborator executed will be added as well as on the Eastern Cantons (the German speaking part of Belgium, a territory transferred from Germany to Belgium after the First World War). These Cantons were annexed by Germany during the Second World War and were in a somewhat specific situation. This digital publication format will not only focus on specific issues which could not be elaborated fully in the book, but will also allow to target other audiences. BelgiumWWII has moreover a blog section, which can be used to reflect the debate on the topic of the executions after the publication of the results of the project.

A key deliverable of the project is the already mentioned database. The data were used for the book publication (see sections 4 and 6) but the data can be used to study other aspects : we focussed on the executions, but the database contains information on a much larger group of 1214 persons sentenced to death in the presence of the accused. Therefore, following the end of the Postwarex-project, the final version of the database will be deposited at the State Archives research repository, to make the results of the Postwarex-project available for further research.

This database will also serve as an instrument for the long-term valorisation of the project, not only to serve as a starting point for further research, but also because we dispose now of reliable figures and data on the death penalties, based on a combination of all available sources, not only of the archives of the Royal Palace, which proved not always to be precise. The database is also conceived as a tool for archivists. The project showed that it was not always easy to retrieve files since different directory systems of the military justice had to be combined and the different court martials and sections of the military court had not organized their archives in a uniform way. In the database, the archival references were systematically integrated. This not only facilitates further research, but also the work of archivist to retrieve files for the general public looking for information on their ancestors on whom the death penalty had been imposed. During the research for the project, there was a close cooperation with the archivists of the Cuvelier repository of the Belgian State Archives where the files of the military justice are kept. In informal exchanges between project-researchers and archivists, specific often detailed knowledge on the organisation of the archives of the military justice was shared (it appeared e.g. that surnames were often translated from Dutch to French or the other way around, which of course complicated retrieval of files), which also helps archivists in the future to provide public services for the archives of the military justice.

In the end phase of the project, one of the project researchers was asked to co-author an article on the gender aspect of the executions in Belgium in a long-term perspective, for a French A-1 historical journal. As a consequence, the results of the project will be disseminated outside Belgium as well. After the publication of the book, the results will be summarized for a A-1 journal in English.

During the project, several initiatives were taken to make the project known with different specific audiences. In December 2020 a (due to Covid-19 virtual) workshop on the sources was organized targeted at specialist researchers and archivists, attended by 32 people, among whom the key experts in the field. The website of Cegesoma was used to introduce the project at the start, to report on the workshop on sources and to announce the conference of May 2022 where the results were presented. The project was presented internally at a research workshop of CegeSoma on 19 October 2020. One of the project researchers was invited at a student seminar on 23 November 2020 at the UCL on capital punishment. The other gave a presentation on Postwarex at the 2021 yearly meeting of the Committee for Legal History of the Royal Flemish Academy of Belgium for Science and the Arts.

6. PUBLICATIONS

Published

'BRAIN 2.0-project Postwarex van start gegaan' in, *Newsletter CegeSoma*, Juni 2020, nr 57. (<https://www.cegesoma.be/nl/project/brain-project-postwarex-van-start-gegaan-2020-2022>)

'Le projet Postwarex BRAIN 2.0 vient de démarrer' in, *Newsletter CegeSoma*, Juin 2020, n° 57 (<https://www.cegesoma.be/en/node/1636>)

BRAIN-project Postwarex started (2020-2022) in, *Newsletter CegeSoma*, June 2020, n° 57 (<https://www.cegesoma.be/en/project/brain-project-postwarex-started-2020-2022>)

'Een eerste workshop van het POSTWAREX-project : De bronnen van het militair gerecht en het onderzoek over de doodstraf en de terechtstellingen na de Tweede Wereldoorlog' in: *Newsletter CegeSoma*, Januari 2021, nr 62 (<https://www.cegesoma.be/nl/een-eerste-workshop-van-het-postwarex-project-de-bronnen-van-het-militair-gerecht-en-het-onderzoek>)

'Un premier workshop pour le projet Postwarex : Les sources des juridictions militaires pour étudier la peine de mort et les exécutions capitales après la Seconde Guerre mondiale' in: *Newsletter CegeSoma*, Janvier 2021, n° 62. (<https://www.cegesoma.be/fr/un-premier-workshop-pour-le-projet-postwarex-les-sources-des-juridictions-militaires-pour-%C3%A9tudier-la>)

'A first workshop for the Postwarex project : Sources from military jurisdictions to study the death penalty and capital punishment after WWII' in: *Newsletter CegeSoma*, January 2021, nr 62 (<https://www.cegesoma.be/en/first-workshop-postwarex-project-sources-military-jurisdictions-study-death-penalty-and-capital>)

Dimitri Roden, 'Vander Velpen, Jos, Breendonk. Kroniek van een vergeten kamp (Berchem: EPO, 2020)' in: *Contemporanea*, 2021, XLIII, 3.

Forthcoming

Élise Rezsöhazy, Dimitri Roden, Stanislas Horvat, Dirk Luyten, *De laatste 242. De terechtstelling van collaborateurs na de Tweede Wereldoorlog*, Tielt, Lannoo, 2023.

Élise Rezsöhazy, Dimitri Roden, Stanislas Horvat, Dirk Luyten, *Les 242 dernières exécutions en Belgique. Les séquelles de la collaboration 1944-1950*, Bruxelles, Racine, 2023.

Contributions for Belgium WWII on Paul Van der Straeten, Adolphe Van Glabbeke, on the executions in relation to economic collaboration and the Eastern Cantons and updates of existing articles pertaining to punishment of collaboration.

In preparation

Élise Rezsöhazy, Dimitri Roden, Stanislas Horvat, Dirk Luyten, 'The military justice and the executions of the death penalties in Belgium after World War II'

J. de Brouwer, E. Rezsöhazy, Mathilde Van Ackere, "Femmes et peine de mort. Les représentations de genre dans la répression de la collaboration en Belgique (1944-1950)". 20&21 Revue d'Histoire.

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