

# OUTLAW

## Outsiders and the Law. Uncovering Criminal Justice Trajectories in Nineteenth-Century Belgium

**DURATION**  
01/09/2021 - 01/12/2025

**BUDGET**  
597.249 €

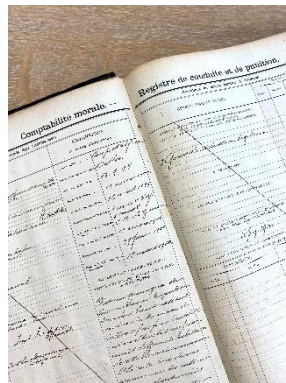
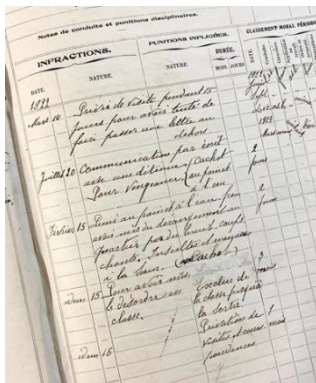
### PROJECT DESCRIPTION

People are equal before the law. This principle is strongly embedded in the judicial doctrine of the Enlightenment, and also in the liberal Belgian constitution. In practice, however, the justice system did not always follow that rule: some people appear to be more equal before the law than others. Focusing on the social profiles and penal trajectories of persons confronted with criminal justice (police, courts, prisons) in 19th-century Belgium, this interdisciplinary, historical-criminological research project aims to determine how different dimensions of social vulnerability (gender, class, age, migration background...) shape the workings of criminal justice. By reconstructing the untold stories of vulnerable 'outsiders' in their dealings with the law, this project also aims to give voice to largely underrepresented groups in history. To achieve this, the recently acquired collection of Belgian prison archives in the State Archives constitute an ideal starting point.

A first main objective of OUTLAW is therefore the realisation of an online research and valorisation tool for Belgian prison archives (19th-20th c.), that will significantly increase accessibility and exposure of these collections to scholars and the general public. This bilingual portal (Dutch/French) will virtually unite all the prison archives kept in the State Archives and inform visitors about the history of the Belgian prison system, the data to be found in the prison records and related judicial archives and how to search them. The portal will also show visitors how storytelling techniques can be applied to uncover the untold stories of 19th century 'criminals' and use them for public outreach.

In order to increase the accessibility of prison archives, the State Archives will also digitize all registers of the so-called "moral bookkeeping" of Belgian prisons. Those registers were introduced into the Belgian prison system in 1855 and contain numerous notes about the family background, education level, behavior and physical and mental condition of the approximately 150,000 inmates who were sentenced to prison in Belgium between 1855 and 1924.

After scanning the registers, the data of those approximately 150,000 male and female convicts will be transcribed by volunteers and entered into a database. This database will offer an unprecedented overview of the convicted prison population in Belgium during the second half of the nineteenth and the first quarter of the twentieth century. All data - together with the digitized images - will be integrated into the existing online search engine and the digital repository of the State Archives and will be made available to the public free of charge via the online portal. Genealogists will be able to find out if their ancestors were ever behind bars. The database will also be a powerful research tool for social historians and historical criminologists to uncover the characteristics and functioning of the nineteenth century Belgian judicial and penal system.



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Ghent University's contribution to the project consists of a PhD research questioning the impact of social vulnerability in its various dimensions on the functioning of criminal justice, focusing on the period 1870-1914, when this issue became particularly urgent. Belgian society underwent a first democratisation yet remained characterised by large socio-economic inequality. Growing official concerns about crime and the 'dangerous classes' led to heightened attempts to discipline large sections of the population, resulting in rising numbers of police arrests, criminal prosecutions and prison sentences. Our working hypothesis is that persons' contacts with the law differ fundamentally depending on their social position and their corresponding social capital – the ability to efficiently mobilise social networks, or lack thereof. By combining quantitative methods and qualitative in-depth analysis of individual trajectories through the criminal justice system, this dissertation does not solely examine the 'top down' judicial treatment of these persons, but it also examines their experiences and agency. By detecting discrimination mechanisms through the law-in-action perspective and the analytical concept of the court or prison as an arena, OUTLAW contributes not only to our knowledge of the past, but also to a better understanding of social vulnerability in the current legal system. Think of ethnic profiling, racism, sexual orientation, class justice, ...

This project will result in an online research and valorization portal on Belgian prison archives and storytelling, public access to the digitized prison registers of moral bookkeeping, a database of 150,000 convicted prisoners that is incorporated in the search engine of the State Archives, a dissertation on social vulnerability in the nineteenth-century Belgian legal system, the organization of lectures, webinars and poster presentations to share the project results, and an international closing conference on "Outsiders and the Law", including publication of the proceedings.

## CONTACT INFORMATION

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## LINKS

<https://www.arch.be/index.php?l=nl&m=lopend-onderzoek&r=onderzoeksprojecten&pr=outlaw-outsiders-and-the-law.-uncovering-criminal-justice-trajectories-in-nineteenth-century-belgium-1855-1924>

<https://www.instagram.com/outlawtales/>