

JUSTICE IN POST-WAR BELGIUM

Popular Passions and Political Realities

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THE JUDICIAL REPRESSION OF WARTIME CRIMES WHICH FOLLOWED THE LIBERATION OF BELGIUM IN SEPTEMBER 1944 IS, TOGETHER WITH THE EVENTS OF MAY 1940 AND THE *QUESTION ROYALE*, A CENTRAL *LIEU DE MÉMOIRE* OF TWENTIETH-CENTURY BELGIUM. AS THE IRMA LAPLASSE AFFAIR AMPLY DEMONSTRATED, THE LEGITIMACY OF THE POST-WAR REPRESSION REMAINS THE FOCUS OF COMPETING DEFINITIONS OF THE PAST (AND FUTURE) OF BELGIUM. HISTORICAL STUDIES OF THE REPRESSION (NOTABLY THE IMPORTANT WORK OF LUC HUYSE) HAVE HITHERTO FOCUSED ON THE JUDICIAL AND ADMINISTRATIVE HISTORY OF THE REPRESSION. THIS ARTICLE, BY USING A NUMBER OF NEW SOURCES SUCH AS THE PAPERS OF ACHILLE VAN ACKER, SEEKS TO INITIATE A DISCUSSION ON THE WIDER SOCIAL AND POLITICAL CONTEXT WHICH DEFINED THE EXTENT, CHARACTER AND LIMITATIONS OF THIS JUDICIAL PROCESS.

I. Introduction

Justice is of interest to historians principally because it is inescapably imperfect. If judicial procedures were conducted according to the absolute standards of the divine Day of Judgement which so haunted the medieval Christian imagination, casting down the wicked into hell and raising the virtuous to heaven, the role of the historian would be no more than to act as the accomplice of the Celestial Recorder. In fact, it is of course precisely because the definition and execution of justice is inextricably intertwined with, and moulded by, wider social and political forces that historians of different eras have long found in the records of judicial proceedings a privileged window into the mentalities, structures and internal tensions of diverse societies. The vast, sometimes chaotic or overly bureaucratic but also often impressively rigorous systems of justice which were established in most European states after the Second World War to judge those accused of collaboration and other crimes committed during the war years form no exception to this rule. Acting according to improvised procedures, severely constrained by a lack of resources and pressurised by the requirements of political authorities and the demands of popular expectations, the judicial authorities charged with the investigation of murky events could only hope to dispense a rough and approximate justice. The bitter legacies of the war years and the volatile amalgam of fears, hopes and material sufferings which suffused the liberation of Europe all too rarely provided an environment conducive to the dispassionate dispensation of justice.

The improvised and imperfect nature of post-war justice should not be used - as has become increasingly fashionable in recent years - to discredit the entire project of prosecution of crimes committed during the war years. Amidst the inevitable examples of miscarriages of justice and of inconsistencies in the judgements and sentences passed, it is important to bear in mind that the prosecutions also represented an attempt to pursue those responsible for manifold forms of suffering and to do so in a manner which reasserted principles of justice and liberty. Post-war justice in western Europe was imperfect but its purpose was not unworthy and not all of the judgements and sentences were incorrect.

It is, however, less the content of the trials themselves than the ways in which the prosecutions were determined by the political and social circumstances of their time which constitute their historical importance. As a number of studies have demonstrated¹, the shape and character of the various purges and prosecutions provide an excellent means of analysing the dynamics of European societies in the immediate post-war years. The devising and implementation of the structures of justice constituted a highly politicised arena in which mass pressures and elite concerns were focused with a rare intensity. The drafting of legislation, the calculation of the criteria of guilt and innocence, and the nature of the sentences passed all aroused considerable public controversy and frequently occupied a dominant position both in political debate and private conversations. In effect, the prosecutions became one of the central means by which European societies debated not only their past failings but also their future character.

II. A Contested Space

The importance of the post-war prosecutions as a contested space in which wider social and political conflicts were made manifest is well demonstrated by the example of Belgium. In some respects, the prosecution of those accused of collaboration proceeded more smoothly in Belgium than in a number of other European states. During the German Occupation of 1940-1944, the government-in-exile in London had issued decrees which revised the legal code in order to facilitate the subsequent prosecution of those who had chosen to serve the German cause as well as ensuring that all such prosecutions would be conducted by the Belgian military (rather than civilian) judicial authorities. The rapid liberation in the first days of September 1944 avoided any vacuum of power and there were far fewer acts of spontaneous vengeance against those accused of collaboration than occurred during the much more protracted liberation of France. Aided by the firm support of the Allied military authorities and by the fortuitous absence in detention in Germany of King Leopold III, the Pierlot government was able to re-establish its authority and to put in place the structures of military justice. Detention camps were established for those accused of crimes during the Occupation and a substantial bureaucracy of legal and police personnel employed to prepare and conduct the trials. By 1946 134 chambers of the *Conseils de Guerre* were in operation throughout the country. 405,067 dossiers were opened on individuals accused of collaboration and 57,254 were prosecuted. Of these 2,940 were sentenced to death (of whom 242 were executed); 2,340 were sentenced to life imprisonment. By 1947 the majority of the trials had been completed and the bureaucracy gradually dismantled. In the early 1950s a large number of those sentenced to terms of imprisonment were released from jail prematurely. Unlike in many other countries, however, no amnesty

¹ e.g. P. NOVICK, *The Resistance versus Vichy : the purge of collaborators in liberated France*, London, Chatto and Windus, 1968; P. ROMIJN, *Snel, streng en rechtvaardig*, Houten, De Haan, 1989.



• Mont-sur-Marchienne, 4 September 1944. A few women suspected of collaboration, some shaved, being brought in by the Resistance.
(Photo SOMA-CEGES)

was declared for wartime crimes and some former collaborators remain deprived of their civil rights ².

The apparent smoothness of the post-war repression was, however, in many respects illusory. From the outset, the scope of the prosecutions, the definition of which actions during the war should be deemed to constitute collaboration and the punishments appropriate to particular crimes were at the centre of public debate. This was especially so in the immediate post-liberation period. Between September 1944 and the autumn of 1945, no issue - with the possible exception of the closely-related controversy surrounding the wartime actions of Leopold III - aroused such sustained public passion. Parliament, the press and, more especially, the informal arenas of debate, such as the street, workplace and private correspondence, all bore witness to this intense and at times almost hysterical concern with the punishment of those “mauvais belges” whose actions were felt to be at the root of the sufferings and deprivations of the war years.

2 See L. HUYSE & S. DHONDT, *Onverwerkt verleden. Collaboratie en repressie in België, 1942-1952*, Leuven, Kritak, 1991; J. GILISSEN, “Etude statistique sur la répression de l’incivisme”, in *Revue de droit pénal et de criminologie*, 1952 (31), p. 513-628.

The passions aroused by the repression were in part the consequence of a number of conjunctural or “accidental” factors, notably the unexpected continuation of the war, the unpopularity of the post-liberation government led by Hubert Pierlot and the intense material suffering during the winter of 1944-45. But the issue of justice also straddled what can be seen in retrospect to have been two of the central fault-lines of post-war Belgian politics. The first of these was the division between those committed to the reconstruction of a modified version of the pre-war status quo and those diverse forces which since the 1930s had sought to replace the nineteenth-century parliamentary state by some form of new political and social order. For the former, the post-war repression was essentially an opportunity to crush those dissidents of the extreme right (the Flemish Nationalists and the Rexists) who had chosen to side with the Nazi occupying forces. For the latter, however, the purges always encompassed a much wider agenda. The repression of wartime crimes could not, they argued, be limited to actions of explicit collaboration; it must also embrace the administrative and social elite who had chosen to accommodate themselves to the apparent German hegemony in 1940 as well as those industrialists who, whatever their personal sentiments, had worked either directly or indirectly for the German war economy. For groups such as the left-wing resistance coalition, the *Front de l'Indépendance-Onafhankelijkheidsfront* (FI), the repression became a means of calling into question the established political order and the social hierarchies upon which it was based. The war, they argued, had revealed “la carence des fausses élites” and must lead to a radical restructuring of the Belgian political community³.

The second fault-line traversed by the issue of post-war justice was that between the mass of the population and the political elite. As contemporary observers frequently remarked, the demands for action against collaborators emanated above all from the people⁴. Though there clearly were differences of degree and emphasis, all of the evidence which we possess (notably the secret reports based on postal censorship) emphatically states that at least until the summer of 1945 a large majority of the population supported vigorous action against former collaborators. Various groupings, such as the Communists and the FI, sought at different times to exploit this sentiment, but they did not invent it. Indeed, it would seem that popular demands for severe action always exceeded the positions adopted by all of the major political forces. This divergence between the insistent popular calls for vengeance and the more pragmatic and limited view of repression which had become dominant in elite circles by the spring of 1945 highlighted the wider division which existed in post-war Belgium between

3 e.g. *Où en est l'épuration ?*, Brussels, FI, [1944]; F. DEMANY, *Histoire de la Résistance belge et du Front de l'Indépendance*, Brussels, FI, [1944].

4 e.g. A. WAUTERS, *Note sur la situation en Belgique au 15 septembre 1944* (CENTRE DE RECHERCHES ET D'ÉTUDES HISTORIQUES DE LA SECONDE GUERRE MONDIALE, Brussels (Henceforth CREHSGM), *Papiers de guerre d'Arthur Wauters*, PW 1/87); “Que veut le peuple belge?”, in *Indépendance*, 7-8 April 1945.

the mass of the population and a small and relatively closed political and social elite. Far from undermining the position of this elite, the German Occupation had in many respects strengthened it. The system of indirect rule imposed on Belgium by the German authorities had reinforced the power of privileged Belgian intermediaries such as the civil servants and local notables while the experience of exile in London created a division between many of the post-war political leaders and the mass of their compatriots who had experienced the reality of Occupation ⁵.

III. The Structures of Justice

The purpose of this article is to examine some of the ways in which the issue of justice impacted upon the political evolution of Belgium between the liberation and the end of 1945 and, conversely, the ways in which the nature, extent and structure of the post-war purges were determined by this broader political context. This is not to claim that the repression was no more than a product of these wider forces. On the contrary, one of the most distinctive features of the process of justice in post-war Belgium was the relative autonomy maintained by the military justice authorities from political influences ⁶. This independence was in part a reflection of the widespread public respect for the judicial process. The failings of the government were incessantly criticised, as on occasions were those lawyers who, it was felt, committed themselves too energetically to the defence of their collaborationist clients. But the courts themselves remained largely above criticism. Their actions commanded respect and, after the oppression of the German Occupation, their formal and ponderous procedures possessed an evident emotional force as a symbol of the re-establishment of the principles of impartial justice.

This autonomy was also, however, a product of the relations of power between the judicial and political authorities. Amidst the plethora of competing and overlapping responsibilities of Belgian and Allied authorities during the liberation and its aftermath, the military justice authorities succeeded in establishing a position of considerable independence. This success owed much to the controversial and authoritarian figure of Walter Ganshof van der Meersch. As chief military prosecutor (*Auditeur Général*) and *Haut Commissaire à la Sécurité de l'État*, a title which granted him wide authority over matters relating to the internal security of the country, Ganshof van der Meersch behaved at times as an almost pro-consular figure. He dominated the implementation of the repression legislation which he had helped to draft in London and energetically

⁵ E. VERHOEYEN, *La Belgique occupée*, Brussels, De Boeck-Wesmael, 1994.

⁶ F. DUMON, "La répression de la collaboration avec l'ennemi (1944-1952)", in *Revue Générale*, 1996, No. 1, p. 57-65.

repulsed all attempts to circumscribe the independence of the structures of military justice⁷.

Relations between the government and Ganshof van der Meersch were never without tensions but they deteriorated during the spring of 1945 as the new government headed by Achille Van Acker sought to impose its own priorities on the process of repression. The success of these efforts at imposing governmental control were, however, only limited. Thus, though a decree-law was issued by the Van Acker government in May 1945 defining the criteria which should be deemed to constitute economic collaboration, the interpretation of this law remained the domain of Ganshof van der Meersch and his staff. The frustration felt by Van Acker was revealed in August 1945 when in an improvised speech to parliament the prime minister accused the military judges of taking upon themselves the right to interpret the laws and of prolonging the process of repression in order to continue enjoying the privileges of their offices. Outraged by these remarks, the principal prosecutors and judges collectively threatened to resign, obliging the Minister of Justice to use the occasion of a speech to the Senate to withdraw the force of Van Acker's comments and pay fulsome tribute to the dedication and courage of the military judges⁸.

IV. Popular Passions

The relationship between the judicial and political spheres was therefore always complex. The respect accorded to the judicial process and the institutional independence enjoyed by the military justice authorities limited the opportunities for direct political intervention. At the same time, however, the post-war repression could not remain immune from the influence of wider political and social forces. This was particularly true at the moment of liberation in September 1944. The euphoria of release from German oppression, so long anticipated but also unexpected in its suddenness, provoked a wave of actions against those who had served the German cause. The Resistance groups participated prominently in this process. The rapid withdrawal of the German forces deprived the Resistance in much of Belgium of any significant opportunity to engage in military combat. Almost as a form of compensation for their frustration, both the Communist-influenced *Partisans Armés* and the more conservative *Armée Secrète* seized

7 e.g. W. GANSHOF VAN DER MEERSCH, *Réflexions sur la répression des crimes contre la sûreté extérieure de l'état belge*, Brussels, 1946; *Journal des Tribunaux*, 26 March 1994; K. HOFACK & L. HUYSE, "De afrekening met de vrienden van de vijand", in L. HUYSE & K. HOFACK, eds., *De democratie heruitgevonden*, Leuven, Van Halewyck, 1995, p. 27-44.

8 *Annales Parlementaires*, Chambre des Représentants, 8 August 1945, p. 657 and Sénat 10 August 1945, p. 563 and 29 August 1945, p. 648; "Procès-verbal de la réunion. . .", 16 August 1945 and Huwart to Ganshof van der Meersch, 17 August 1945 (RIJKSARCHIEF BRUGGE (Henceforth RAB), *Archief Achille Van Acker* (Henceforth AAVA), File 594). I am grateful to Michel Nuyttens of the Rijksarchief Brugge for granting me access to the Van Acker papers.



• Women, suspected of collaboration, confined in the lion cages of Antwerp Zoo.
(Photo SOMA-CEGES)

on the opportunity to arrest and incarcerate in improvised camps a highly heterogeneous assemblage of those who in the highly-charged atmosphere of the moment were believed rightly or wrongly to have been the agents or profiteers of Nazism.

The population participated actively in this display of amateur zeal. Amidst the exuberance of greeting the Allied liberators and the gestures of reclaiming public buildings from their German and collaborationist usurpers, the population also sought to vent their pent-up frustrations on the evil or self-interested agents of the German cause and on those (especially women) who had displayed a “weakness” for German occupiers. This “fureur populaire” followed patterns which in some respects recalled the traditions of a bygone era. There were a number of lynchings and incidents of torture, as well as ritual humiliations such as the shaving of women’s heads which expressed the almost carnivalesque character of the moment ⁹.

In other respects, however, these actions displayed a popular concern with the reassertion of the principles of law after the arbitrariness of the Occupation. Whatever the excesses of some *exaltés* and the injustices perpetrated against innocent victims of misidentification or of malicious rumour, the street theatre of September 1944 was focused primarily on the legal rituals of the arrest and incarceration of collaborators. As the Minister of Justice in 1945, Charles du Bus de Warnaffe subsequently remarked ¹⁰, fears in some bourgeois circles that the liberation would serve as the pretext for a St. Bartholomew’s Day massacre proved to be mistaken. Rather than supplanting the police and the judiciary, the resistance groups and crowds sought to participate in that legal process by apprehending collaborators and transferring them into the hands of the authorities.

The events of September 1944 expressed therefore not merely the transient intoxication of liberation but also a deeply-held belief in the necessity of a “justice sévère et expéditive” ¹¹. Far from subsiding, this conviction hardened during the subsequent weeks. The prosecution of all of those responsible not merely for wartime crimes but also more generally for the sufferings of the war years remained throughout the autumn of 1944 a central and at times obsessive concern of a large majority of the population ¹². This strength of feeling was reflected in the continuation of local improvised acts of justice but it was above all to the government that the people looked for decisive action and against whom their ire came to be directed when their expectations were not fulfilled.

9 “Le Parti Communiste. . .”, in *Le Drapeau Rouge*, 25 September 1944; du Bus de Warnaffe to Van Acker 30 April 1945 (RAB AAVA, File 403); Reports of Captain J-L Merckx [September 1944] (ARCHIVES GÉNÉRALES DU ROYAUME, Brussels, *Archives Van Zeeland*, File 0864). I am grateful to Vicomte Van Zeeland for permission to consult his father’s papers.

10 *Annales Parlementaires*, Chambre des Représentants, 27 April 1945, p. 360.

11 “Une proclamation des partis. . .”, in *Le Peuple*, 5 September 1944.

12 CASUM Report 12th Army Group US Army 21 September 1944 (CREHSGM, AW 3); “La Trahison et la Justice”, in *L’Aurore*, 29 September 1944; “Le programme du Gouvernement”, in *La Libre Belgique*, 4 October 1944.

As early as mid-September complaints were being voiced at the premature release of some collaborators and at the failure to arrest others, but it was during the subsequent month that such criticisms became widespread¹³. The profound unpopularity which enveloped the government led by Hubert Pierlot during the autumn of 1944 had many origins. Shortages of foodstuffs and of fuel, as well as the government's awkward attempts to enforce the demobilisation of the resistance movements, were no doubt sufficient to lose it much of its credibility. If there was, however, one factor above all others which turned the population against the government and led eventually to its resignation in February 1945, it was its failure to meet popular expectations regarding the repression.

These criticisms were in some respects unjust. By the end of October, the structures of military justice were already in place. The internment camps had been largely brought under central control, and the conditions in them were gradually improved. Though some detainees against whom there was no real evidence were gradually released, the prosecutions of others went ahead rapidly¹⁴. Amidst the manifold disruptions caused by the continuation of the war, these measures were no small achievement. But they in no way served to satisfy public opinion. There was, as a British Foreign Office report commented in December, "extreme bitterness" in all sections of the population at the failure of the Pierlot government to respond to the popular expectation of harsh action against all categories of war criminals¹⁵. In particular, the suspicion rapidly developed that while the miserable mercenaries of the Nazi cause, the "lampistes" as they were often called, were being punished harshly, the major figures - those who possessed the greatest influence or financial means - remained at liberty¹⁶. As a Brussels patriotic group commented in March 1945, the process of justice had become "une vaste comédie". There appeared to be no logic or purpose to the decisions of the authorities and the Minister of Justice, Verbaet, seemed overwhelmed by the enormity of the task¹⁷.

Not surprisingly, the political opponents of the Pierlot government sought to exploit public dissatisfaction at the perceived failings of the repression. The prosecution of major industrialists was one of the principal demands voiced by the *Front de l'Indépendance* in

13 e.g. Compte-rendu of Conseil Général of Parti Socialiste Belge 17 September 1944 (INSTITUT EMILE VANDERVELDE, Brussels (Henceforth IEV)); Roch to Van Acker 2 October 1944 (RAB AAVA, File 483); "Een waarschuwend woord", in *Het Belfort*, 21 October 1944.

14 Comité ministériel restreint, 16 October 1944 and "La réorganisation administrative...", 3 November 1944 (RAB AAVA, Files 442 and 473).

15 Belgium and Luxembourg 19 December 1944 (PUBLIC RECORDS OFFICE, London, *Foreign Office* 123/581); "Nécessité d'un nouveau gouvernement", in *L'Aurore*, 25 November 1944.

16 J. RENS, *Impressions de mon voyage en Belgique du 16 septembre au 20 octobre 1944*, 23 octobre 1944 (CREHSGM, *Archives de guerre de Jef Rens*, PR 5/387); "Aux suivants de ces Messieurs", in *Le Monde du Travail*, 17 November 1944; "The British in Belgium", in *The New Statesman and Nation*, 2 December 1944.

17 Pro Patria to Van Acker, 11 March 1945 (RAB AAVA, File 416); "Le mois politique", in *La Revue Nouvelle*, 1 February 1945; "D'une semaine...", in *Le Soir*, 14 February 1945; "La Répression", in *L'Appréciation*, 24 February 1945.

its conflict with the government over the disarmament of resistance units in November 1944 and both the FI and the Communists returned repeatedly to this theme over the subsequent months. Conscious no doubt of the popular appeal of such demands, they posed as the advocates of a wide-ranging purge at all levels of Belgian society, emotively contrasting the actions of the government in firing on the FI demonstrators in Brussels on 25 November while releasing alleged collaborators from detention ¹⁸.

Despite such attempts at political manipulation, it is clear that the demands for a more vigorous repression transcended conventional partisan divisions. Subsequently, some on the political right portrayed the six months or so after the liberation as a time of a quasi “terreur blanche” when a small minority of politically-motivated resistance militants had pursued their partisan policies of vengeance. Yet, though the arbitrary actions of some local resistance units do appear to have aroused considerable disquiet, there is little evidence that demands for the severe punishment of war criminals were confined to a small minority. The people did not want mob rule by ill-disciplined resistance units but support for a rapid and severe purge remained overwhelming and insistent. Political figures were well aware of public feelings on the issue ¹⁹ but the clearest evidence of public opinion emerges from the weekly reports on postal censorship compiled by the Ministry of National Defence. Exploiting their powers in time of war, the authorities secretly opened and inspected all mail sent abroad (as well as to the Congo) and to Allied and Belgian soldiers. Many thousands of letters were examined each week and the detailed reports provide a privileged insight into the preoccupations and attitudes of the Belgian population.

V. The Evidence of Postal Censorship

An incomplete collection of these reports have recently become available to historians in the papers of the prime minister Achille Van Acker and they provide striking illustration of the public obsession with vengeance against their compatriots who had served the interests of the enemy. Though the reports for the final months of 1944 are absent, those compiled during the spring of 1945 reported a swelling chorus of bitter denunciations of the failings of the repression. The authorities were denounced for acting too slowly, for the inequality in their treatment of different categories of defendants but, above all, for failing to punish those convicted of wartime crimes sufficiently severely. Though some correspondents justified the need for a “répression totale et rapide” in terms of justice or of the need to protect the country against a resurgence of the extreme right, the

¹⁸ *Où en est*; “Le Pays ne veut pas. . .”, in *Le Drapeau Rouge*, 28-29 November 1944; “La Justice sur la pente”, in *Front*, 4 March 1945.

¹⁹ e.g. *Annales Parlementaires*, Chambre des Représentants, 15 February 1945, p. 180.



- The effigy attached to the house of “champion slaughterer” Pévenasse speaks volumes. Only on 18 August 1944 Rex leader Pévenasse had been responsible for some extremely bloody reprisals against the civilian population of Charleroi. (Photo SOMA-CEGES)

dominant logic was the simple one of punishment and of revenge. The censors reported a “*désir unanime de mesures fermes et énergiques*” (6 April 1945), a “*désir unanime de châtement*” (14 April 1945) and the “*désir ardent du public, de voir un châtement exemplaire aux traîtres et pro-allemands, quel qu’ils soient*” (20 April 1945)²⁰.

Clearly, such evidence should not be accepted at face value. The reports available date from the spring of 1945 at a time when the imminent collapse of the Third Reich fixed public attention on the horrors of the Nazi regime and thereby on those who had served its interests. Many correspondents may, moreover, have exaggerated their feelings in private letters to distant friends and family, expressing their bitterness with a misleading enthusiasm and hyperbole. It is possible too that the military censors may have chosen to overemphasise the strength of public feeling on an issue with which they were in

²⁰ Contrôle des Communications, Rapport Général, 6, 14, 20 and 28 April 1945 (RAB AAVA, File 574). The reports are in French but are based on analysis of letters written in all languages.

sympathy. Nevertheless, even allowing for such qualifications, it seems impossible to question seriously the evidence which emerges from these reports of a Belgian public preoccupied with the need for the energetic prosecution of wartime crimes.

VI. Local Revenge and National Renewal

This reality in turn raises the question as to why so many Belgians felt so strongly about this issue. In the difficult months of late-1944 and 1945, there was no lack of other problems - the intense material shortages, the conflict between the resistance and the government or the status of Leopold III, for instance - vying for public attention. And yet the issue of the repression seems at least until the summer of 1945 to have remained at the forefront of public preoccupations. Certainly, this concern was not universal. Within the *haute bourgeoisie* there was not surprisingly always a concern that the “psychose de l’incivisme” could expand all too easily into an attack on other social targets ²¹. It is possible also to distinguish between the virulent concern with repression evident in many of the tightly-knit industrial communities of central Wallonia and Flanders with the less intense climate of the rural areas of northern Flanders and of Namur and the Luxembourg. Such distinctions are, however, always perilous. Rural repression was frequently as much a reality as was its urban equivalent and sweeping generalisations, such as that the post-war purges were imposed on Flanders by the Belgian state, are little more than retrospective constructions ²². The demands for justice may not have been universal but they were emphatically national and popular in character.

The bitterness which the issue of the repression aroused among the population had complex origins but, as in many other areas of western Europe, its principal emotive force seems to have lay in the way in which it combined local desires for revenge with broader social and political themes. Post-war hostility towards those who had served the enemy was always intensely local in character. If political campaigns for a sterner repression policy stressed the threat which former collaborators allegedly posed to the future of the nation, the focus of popular feelings was always much more local. It was the physical presence of those accused of collaboration, denunciation or profiteering which was at the origin of numerous neighbourhood disputes. Actions against collaborators frequently took on the character of archaic affirmations of community identity : lists were posted up of individuals invited to leave communes; demonstrators paraded their victims around the streets or exposed them to public ridicule in the town square;

21 *Annales Parlementaires*, Sénat 29 August 1945, p. 633; Baronne Albert HOUTART, “Cahiers” (CREHSGM, PH 11).

22 See the remarks of E. WITTE, “Tussen restauratie en vernieuwing”, in E. WITTE, J. BURGELMAN & P. STOUTHUYSEN, eds., *Tussen restauratie en vernieuwing*, Brussels, VUB, 1990, p. 33.

houses of accused collaborators were sacked and their possessions distributed among local victims of the war ²³.

This rough justice reflected in part the localism which has long been a distinctive element of Belgian political culture. But it was also the more immediate consequence of the sufferings of the German Occupation. The war had narrowed horizons. Local loyalties to family and neighbourhood had taken precedence over wider concerns. The difficulties of travel and dependence on unofficial networks of support had in effect confined much of the population within their communities. Never before had the institutions of local government - above all the *Maison Communale* - acquired such a centrality in people's lives. It was the commune which distributed rationing stamps and which acted as the essential intermediary between the population and the German authorities. The bitterness of local attitudes towards collaborators was, thus, in many respects the product of the stored-up resentments of the years of Occupation. The sufferings, frustrations and simple physical promiscuity of those years had left a volatile legacy which found expression in the denunciations and spontaneous acts of revenge which multiplied after the liberation. Communities vented their vengeance on those individuals accused of having exacerbated the sufferings of their neighbours either by having served the interests of the enemy or by having profited financially from the material sufferings.

This pursuit of wartime collaborators in some respects reflected no more than the primitive logic of revenge. Just as many Belgians had taken pleasure in the assassination of collaborators during the Occupation or relished the material sufferings of the Germans in 1945, so they demanded the investigation and, above all, harsh punishment of those guilty men (and, more rarely, women) perceived to have been responsible for their own wartime sufferings. These accusations were often vague or misplaced and displayed an exaggerated notion of the consequences of the actions of local collaborators. It was easier and also more satisfying to blame hardships on particular individuals rather than on the inevitable dislocations caused by the war or the actions of faceless German officials. As in all such local settlements of accounts, reputation and rumour were more important than evidence and accusations focused all too easily on the most exposed or vulnerable members of the community.

At the same time, however, the popular bitterness against collaborators also served as a metaphor for the expression of wider social and political concerns. Denunciations

²³ e.g. Personnel de maîtrise, 10 October 1944, Lt. De Poerck to Auditeur Général 11 May 1945 and M. GOSSART, *Incidents du 14 mai...* (RAB AAVA, Files 483 and 641B); "La justice populaire..." in *Indépendance*, 12-13 May 1945.

of economic profiteers, for example, frequently took the form of often virulent urban attacks on a rural population believed to have enriched themselves during the Occupation by selling food at black-market prices to their urban compatriots²⁴. More generally, the pattern of popular accusations reflected the social tensions exacerbated during the Occupation between the working classes and a prosperous elite of industrialists and property-owners. The working class had been exposed most directly to the dangers and hardships of the war and had experienced a marked decline in its living standards²⁵. Conversely, prosperous members of the bourgeoisie, cushioned by their influence and financial wealth, had been protected from many of the deprivations of war or in some cases had benefited from them. Not surprisingly, therefore, in the industrial regions of both Wallonia and Flanders post-war demands for justice were strongly influenced by this social tension. Industrialists were denounced not merely because they were alleged to have contributed to the German war effort but also because to many workers it seemed that they had profited from the war to enrich themselves at the expense of their employees²⁶.

Political aspirations were also inextricably intertwined with the demands for justice. As all observers recognised, there was a widespread hope that the war would lead to a more just social and political order²⁷. This understandable optimism that the sufferings of the Occupation would not prove to have been in vain transcended conventional political divisions. It found expression in the widespread support for a universal system of social security as well as in the numerous programmes of social and political reform. The desire for justice jutted awkwardly into this climate of reform. Especially in the minds of many politicians and administrators, the vindictive and negative spirit of the repression appeared to be the antithesis of a forward-looking programme of reconstruction. For much of the population, however, the pressure for the comprehensive prosecution of war criminals appeared to be an essential element of the process of post-war change. A metaphorical language of cleanliness and of sweeping away those responsible for the failures of the past frequently accompanied the popular rhetoric of the post-war purges. Only through an “assainissement total” could the basis be created for a new society and nation. Purges were therefore not just acts of revenge; they were also, however imperfectly, statements of a wider commitment to justice and freedom²⁸.

24 e.g. “Les fermiers sont-ils des affameurs ?”, in *Indépendance*, 13 April 1945.

25 The *Banque Nationale* estimated that in January 1945 retail prices were 88% higher than in 1938 but that wages had risen on average by only 40% : Note résumée. . . , 9 October 1946 (RAB AAVA, File 588).

26 Analysis of Coal Strike and Labor Situation, 7 February 1945, Entretien avec le Lieutenant Brancart, 15 May 1945 and Administration de la Sûreté de l’État, *Bulletin Journalier*, 11 September 1945 (RAB AAVA, Files 645, 641B and 639).

27 e.g. RENS, *Impressions*, p. 15.

28 “Nécessité d’un nouveau gouvernement”, in *L’Aurore*, 25 November 1944; DEMANY, *Histoire...*; “Compte-rendu du meeting. . .”, 26 September 1945 (CREHSGM, PL 7/50).

VII. Purges and Post-war Politics

The role of the post-war purges both as an expression of local community dynamics and as a means of articulating a wider social and political agenda helps to explain why the issue of justice possessed such emotional importance for many Belgians in the months following the liberation. It also explains, however, why it did not fit easily into the conventional divisions of Belgian political life. Certainly, as has already been seen, the *Front de l'Indépendance* sought to recuperate the issue of justice and use it to its own ends. In April 1945 the FI attempted to make itself the mouthpiece for popular dissatisfaction by proposing more rigorous measures for the prosecution of economic and political collaborators²⁹. These efforts were never, however, successful. The image of the FI was too tarnished after its confrontation with the government in November 1944 to appeal to a broad cross-section of the population and, although the FI long



• Members of the Resistance parade a suspect through the streets of Leuven. To leave no doubt he is wearing a notice saying "I am a traitor".
(Photo SOMA-CEGES)

²⁹ "De Zuivering na zes maanden ondervinding", in *Het Belfort*, 25 March 1945; "Le FI et l'épuration", in *Indépendance*, 13 April 1945.

continued to advocate a wide-ranging purge of wartime collaborators, this failed to prevent its decline into a movement of marginal political importance³⁰. The Communists made similar efforts to exploit the issue. Even after their return to the government in February 1945, they continued to use the failings of the policy of repression to attack the Catholic Minister of Justice, du Bus de Warnaffe, as one element of their more general goal of transforming the government of national unity into a more progressive “Popular Front” government³¹.

The Socialist Party too sought to turn the issue of justice to their own advantage. The publication in February 1945 of an outspoken pastoral letter by the primate of Belgium, Cardinal Van Roey, criticising the excesses of the post-liberation repression enabled the Socialists to pose as the vigilant defenders of repression against the supposedly indulgent stance of their coalition partners, the Catholic Party³². This was a theme which appealed to the anticlerical prejudices of many Socialists and one which gained in strength after the political crisis provoked by the King’s release from German detention in May and the eventual departure of the Catholic Party ministers from the government in August 1945. The logic of the Socialist Party’s new position at the head of a predominantly secular coalition government, as well as the prospect of the first post-war parliamentary elections in February 1946, led Socialist leaders such as the party’s president Max Buset to portray the policy of repression as part of the wider struggle between the forces of liberal democracy and those of a Leopoldist and clerical neo-fascism³³.

These opportunist efforts to incorporate popular pressures into Catholic-Socialist political rivalries were never fully successful. Whatever the tendency of some on the Catholic right to view the entire post-war purges as a Communist plot, the CVP-PSC remained committed to the legal process of repression of wartime crimes³⁴. Moreover, the real division was increasingly not that between the Socialist-led government and its Catholic opponents but the gulf which emerged between the vast majority of the political elite and much of the population. While many Belgians continued to demand a harsh and wide-ranging repression of wartime crimes, elite attitudes evolved rapidly during the spring and summer of 1945 towards a much more pragmatic definition of the

30 Rapport moral 2e Congrès National FI 10-12 May 1946 (CREHSGM, PR 20/7); Administration de la Sûreté de l’État, Rapport Mensuel, June 1946 (RAB AAVA, File 639).

31 *Annales Parlementaires*, Chambre des Représentants, 21 March 1945, p. 294-95; “La Justice ne peut res-ter...”, in *Le Drapeau Rouge*, 30 April 1945.

32 CARDINAL VAN ROEY, *Directives religieuses pour l’heure présente*, Brussels, 1945, p. 9; “Le Conseil National du PSB...”, “Au cours d’un Meeting...” and “Les inciviques ont des complices...”, in *Le Peuple*, 19 February, 30 May and 9 June 1945.

33 M. Buset Radio speech [February 1946] (IEV, *Papiers Max Buset*); HUYSE & DHONDT, *Répression*, p. 292-94.

34 *Annales Parlementaires*, Sénat, 25 September 1945, p. 678-79; Administration de la Sûreté de l’État, *Bulletin Journalier*, 12 October 1945 (RAB AAVA, File 639); “Une importante réunion...”, in *Vers l’Avenir*, 24 October 1945.

repression. In particular, there was an increasing awareness among the political elite of the damage which lengthy and controversial prosecutions could inflict on the recovery of the country. Both in parliamentary debates and in contributions to the press, there was a new sobriety in the comments of many politicians during 1945. Unambivalent crimes, they argued, must be punished but the investigation of past actions must not be allowed to prejudice the political, economic and moral reconstruction of the country³⁵.

This new attitude was typified by the Socialist prime minister, Achille Van Acker. When he replaced Pierlot in February 1945, he promised to strike “vite et fort” against those guilty of wartime crimes. Often repeated in his subsequent public speeches, such declarations were, as Van Acker no doubt intended, widely seen as providing reassurance of his commitment to the policy of repression. From the outset, however, his efforts were principally directed towards ensuring that the prosecutions were completed as rapidly as possible. As he declared to the Senate on forming his second government in August: “La préoccupation principale doit être d’en finir [i.e. the repression] aussi vite que possible, de ne pas laisser s’envenimer la plaie”³⁶. To this end, those interned without charge were released, a new accelerated procedure was instituted for minor crimes and a revised version of Article 115 of the legal code was decreed in May 1945 specifying the forms of wartime economic activity which were deemed to be punishable. This clarification of the criteria governing economic collaboration was in many respects no more than an overdue rationalization. A vast number of dossiers had been opened on those suspected of having collaborated economically with the Germans and some definition of which actions should lead to prosecution was clearly essential. The terms in which the new text were formulated clearly indicated, however, that it was also intended to ensure that prosecutions were limited to those economic adventurers who had worked wholeheartedly for the Nazi cause. Those who had sought to resist German commands were to be exempted from punishment and the investigation of economic collaboration, the decree stated, should not be permitted to prejudice “la reprise de l’activité industrielle et agricole du pays”³⁷.

The subordination of the pursuit of justice to the wider economic and moral interests of the nation evident in the actions of Van Acker was a stance shared by all of the principal political forces (with the partial exception of the Communists) from the

35 *Annales Parlementaires*, Chambre des Représentants, 14 February 1945, p. 159-65; “Le problème de l’épuration”, in *Forces nouvelles*, 3 March 1945; “Repressie na zeven maanden”, in *De Nieuwe Standaard*, 16 May 1945; “Bilan sommaire. . .”, in *Vers l’Avenir*, 29 December 1945.

36 *Annales Parlementaires*, Chambre des Représentants, 14 February 1945, p. 154-55 and Sénat, 10 August 1945, p. 563; Van Acker Radio speech 11 March 1945 (RAB AAVA, File 428); “Achille Van Acker. . .”, in *Le Peuple*, 3 May 1945.

37 *Moniteur Belge*, 28-29 May 1945, p. 3406-09; Van Acker to De Launoit, 28 December 1945 (RAB AAVA, File 423).

middle of 1945 onwards. This did not signify an abandonment of the repression of wartime crimes or still less the pardoning of those responsible for them. On the contrary, the trials of almost all of the major political collaborationist figures occurred during the latter months of 1945 or 1946 and culminated in harsh sentences. But there was a new-found belief, as Van Acker declared in a speech at Namur on 19 December 1945, that the repression was “une plaie qui ne peut durer des années. On ne reconstruit pas sur la haine”³⁸. The consensual policy of the political elite was therefore to confine the process of repression to the prosecution of clear acts of treason such as serving in the armies of the Reich, espousing its ideological goals or assisting its police. Conversely, they sought to prevent it from becoming an obsessive witchhunt of all wartime *faiblesses* or a means of calling into question the actions of those - notably the senior civil servants and industrialists - whose willingness to adapt to the German presence had formed the basis of the administration of Belgium during the Occupation.

This policy was to some extent the product of specific pressures. Privately, influential industrialists such as the Baron De Launoit lobbied hard for the judicial investigation of their wartime activities to be brought to an end and the *Comité Central Industriel* protested at the atmosphere of suspicion which surrounded many businessmen. To have maintained economic production during the war was, they argued, a patriotic act which had provided employment for their workers and saved the country from starvation³⁹. More generally, however, this pragmatic approach to the issue of post-war justice was the consequence of the overriding priority accorded in 1945 and 1946 to the economic and political reconstruction of the country. In economic policy, this led governments to give priority to the increase of industrial production to the exclusion of any other measure - such as wage increases for coal miners, the nationalization of key industries or the investigation of the wartime actions of the industrialist elite - which might prejudice this goal⁴⁰. Similarly, in the political sphere, the dominant objective was the restoration of the unitary Belgian state and the parliamentary liberal order enshrined in the Constitution of 1831. This goal encompassed certain reformist measures, such as the introduction of universal social security and eventually women's suffrage, but excluded other reforms - notably the regional devolution of power or a radical democratization of central and local government - which might have called into question the political order. In this wider context, the post-war repression became essentially a tool of political and economic reconstruction rather than a means of challenging the status quo⁴¹.

38 “Discours prononcé à Namur . . .”, 19 December 1945 (RAB AAVA, File 428).

39 “Note pour le gouvernement”, 23 January 1945; De Launoit to Van Acker, 7 August and 22 November 1945 and “Appel au gouvernement”, October 1945 (RAB AAVA, Files 543, 416, 423 and 596).

40 Conférence du Charbon, 26 February 1945; Van Acker Radio speech, 19 May 1945; A. De Smaele Speech, 26 September 1945 and C. Huysmans Radio speech, 23 August 1946 (RAB AAVA, Files 649, 427, 542 and 602).

41 M. CONWAY, “The Liberation of Belgium, 1944-1945”, in G. BENNETT, ed., *The End of the War in Europe 1945*, London, HMSO, 1996, p. 117-38; HUYSE & HOFACK, eds., *De democratie...*



• Walter Ganshof Van der Meersch, *Auditeur Général* and *Haut Commissaire à la Sécurité de l'Etat*. He was the co-architect of the post-war repression policy. (Photo SOMA-CEGES)

VIII. The May 1945 Demonstrations

This limited and instrumentalist definition of the repression was at odds with the more violent and, in some respects, radical vision of much of the population. The people did not all want radical political or economic change but they did demand the energetic prosecution of those responsible for the sufferings of the war years and their exemplary punishment. The conflict between these contrasting definitions of the process of post-war justice came most dramatically to the fore during the popular disturbances which followed the end of the war in May 1945. These appear to have started at Ronse (Renaix) in West Flanders on the night of 23-24 April, when local resistance members stuck up posters demanding that 10 reputedly collaborationist families should leave the town. Similar actions were reported a few days later in towns on the coast, notably at Knokke and Blankenberge⁴². It was, however, the announcement of the capitulation of the Reich on 8 May which gave a national momentum to these crowd actions. Amidst the spontaneous celebrations which ensued, crowds in many areas of the country seized the opportunity to sack houses of collaborators, to parade those accused of wartime misdeeds around the streets or to force them to leave town. Further incidents occurred over the subsequent weekend of 12-13 May and throughout the following week, most notably in the west of the country. The most troubled areas were the provinces of West and East Flanders and the Hainaut where the generalization of attacks on collaborators led the provincial representative of the security authorities to send an alarmist report to his superiors on 16 May describing a “carence grave de l’autorité constituée”⁴³. In fact, passions seem to have subsequently calmed down before a second and more politically-directed wave of protest actions and demonstrations erupted primarily in Brussels and francophone Belgium at the end of May⁴⁴.

As in September 1944, the form of these popular disturbances was an amalgam of traditional crowd actions and more contemporary attitudes. In some cases, the exuberance of celebration (and alcohol) played a major role, but in others the sacking of houses was carried out in a much more methodical and ritualized manner⁴⁵. Many collaborators were assaulted and in some relatively isolated cases these actions had fatal consequences. At Oostende on 13 May a former employee of the Gestapo was thrown into the harbour and drowned while at Lessines on 29 May a former Rexist was lynched on

42 Administration de la Sûreté de l’Etat, *Rapport Mensuel*, April-May 1945 and Ministère de Défense Nationale, *Rapport de Sécurité* [May 1945] (RAB AAVA, Files 639 and 641B).

43 *Rapport du Capitaine Drapier*, 16 May 1945 (RAB AAVA, File 641B); *Annales Parlementaires*, Sénat, 17 May 1945, p. 378-82.

44 “Des manifestations. . .”, in *Le Peuple*, 25 May 1945; “Dans tout le pays. . .”, in *Le Drapeau Rouge*, 8 June 1945; Ganshof van der Meersch to Ministre de Défense Nationale, 11 June 1945 and Administration de la Sûreté de l’Etat, *Bulletin Mensuel*, June 1945 (RAB AAVA, Files 673 and 639).

45 Lt. De Poerck to Auditeur Général, 11 May 1945 (RAB AAVA, File 641B); “La justice populaire. . .”, in *Indépendance*, 12-13 May 1945.

the railway station platform when he was discovered returning incognito from Germany. More frequently, however, the violence was largely symbolic and collaborators (and their families) were merely exposed to the humiliation and insults of their fellow citizens⁴⁶. Above all, there was a strong localist flavour to the disturbances. Collaborators were paraded around the streets, dragged to the town square and obliged to pay obeisance to the war memorial or taken to the frontiers of the commune and expelled. Such actions obeyed an improvised logic of community justice and, rather than explicitly rejecting the superior authority of the law, the demonstrators saw themselves as remedying its failings by punishing those collaborators who had been released or by apprehending those who had succeeded in returning clandestinely to Belgium after the final collapse of the Reich⁴⁷.

The immediate stimulus for the disturbances lay in the highly-charged events of early May. The May Day parades and the German surrender as well as the controversy surrounding the possible return of Leopold III and the strikes which broke out in many industrial regions in May all served to create what Ganshof van der Meersch described on 12 May as “une vive et dangereuse effervescence”⁴⁸. Above all, however, popular emotions were heightened by the liberation of the principal Nazi death camps in April and the subsequent return of emaciated Belgian former detainees. The revelation of the horrors of the camps provoked a wave of indignation which found its outlet in attacks on those who had assisted, however indirectly, the Nazi authorities. Local incidents frequently broke out in the wake of the return of prisoners from Germany or, as for example in the case of the disturbances at Ath, after a funeral service for those political prisoners who had died in Germany⁴⁹.

In part, therefore, the May disturbances were not so much specifically an attack on former collaborators as a response to wider events. But they also had their origins in popular bitterness at the perceived slowness and leniency of the repression. Anger at the return to communities of former collaborators released from preventative detention had been mounting over the previous weeks and the immediate reaction of the government to the disturbances was to order the re-detention of all those collaborators whose liberty might provoke “un légitime scandale”⁵⁰. More generally, the crowd actions reflected the popular desire to achieve the comprehensive investigation and punishment of

46 Commissaire Delcort to Commissaire en Chef, 14 May 1945 (RAB AAVA, File 641B); “L’Epuration”, in *Le Soir*, 16 May 1945; “Un incivique pendu...”, in *Le Peuple*, 1 June 1945.

47 “Devant la carence de l’épuration” and “Gosselies”, in *Indépendance*, 3 and 15 May 1945; *Vlaamsch Weekblad* cited in RAB AAVA, File 632.

48 Ganshof van der Meersch to Minister of Justice, 12 May 1945 (RAB AAVA, File 641B).

49 “Le crime qui doit être payé”, in *L’Aurore*, 28 April 1945; “Gosselies”, in *Indépendance*, 9 May 1945; Gendarmerie of Mons to Commandant de Corps, 16 May 1945 and Administration de la Sûreté de l’Etat, *Rapport Mensuel*, April-May 1945 (RAB AAVA, Files 641B and 639).

50 “L’Epuration”, in *Le Soir*, 16 May 1945; “Le problème de l’épuration”, in *Le Peuple*, 18 May 1945.



• Two Belgian Prime Ministers after the liberation. Above : Hubert Pierlot (right) in the company of Camille Gutt, upon the departure of the Belgian Government for Brussels (London, 8 September 1944). Right : Achille Van Acker with Generals Montgomery and Erskine in 1945. (Photos Hubert Pierlot Foundation and Liber Amicorum Achiel Van Acker)



those who had served the Nazi cause. As the commander of the *Gendarmerie* in Mons reported to his superior on 16 May, the demonstrations in his area were an expression of popular exasperation at the fact that no collaborator had yet been executed in the city as well as the failure to prosecute “les industriels, commerçants ou fermiers accusés par la rumeur publique de collaboration économique ou de profits illicites pendant l’occupation”. The only way of calming popular anger, he concluded, was to reintern all former detainees, extend the investigations of economic collaboration and execute a number of prominent collaborators⁵¹.

Though the first demonstrations appear to have been purely local initiatives, many of the subsequent ones did benefit from a degree of external organisation. The FI resistance movement played a part in instigating some actions and, after initially reacting cautiously, the Communist Party changed its stance at its central committee meeting on 14 May and encouraged its membership to take the lead in organising demonstrations as well as channelling them into attacks on the policies of du Bus de Warnaffe, the Catholic Minister of Justice. The consequence was the second wave of protest meetings and actions which occurred in the last days of May and early June⁵². Despite these efforts at orchestration, the demonstrations initially enjoyed considerable

51 Gendarmerie of Mons to Commandant de Corps, 16 May 1945 (RAB AAVA, File 641B).

52 R. DISPY, “Les tâches immédiates du Parti”, in *Guide du Militant du Parti Communiste de Belgique*, May 1945, p. 4; “Les promesses de M. Van Glabbeke...” and “Pour en finir avec les traîtres”, in *Le Drapeau Rouge*, 14 and 24 May 1945; Rapport sur la situation politique et l’activité du FI Comité National du FI, 29 July 1945, p. 8 (CREHSGM, PR 20/7).

public support. Mainstream newspapers such as *Le Soir* expressed their comprehension for the actions of the protesters and it was only once they became more widespread and more politicised that fears of “straat anarchie” began to temper public attitudes. Even so, the postal censors reported a “satisfaction générale” with the actions in letters sent during the first week of June⁵³.

It would be wrong to exaggerate the importance of the events of May. Some regions, such as Liège, were hardly touched by them, and the disturbances were in many respects no more than the transient product of an exceptional combination of circumstances. They posed little danger to the established political order and compared with other events which occurred at the same time, notably the major wave of strikes which swept Wallonia during May and the controversy surrounding Leopold III’s wish to return to the country, they had a limited political impact. The disturbances did, however, encapsulate the tension between the popular desire for a repression based on revenge and punishment and the elite attitude that it should be subordinated to the greater good of national reconstruction. The crowd actions were a last and, in some respects, desperate attempt to reclaim a popular definition of post-war justice from the elite but their consequence was merely to accelerate the transformation of the purges into a judicial process carefully segregated from popular pressures.

The spectacle of what the Socialist newspaper *Le Peuple* termed “la vindicte populaire”⁵⁴ reinforced the conviction of the government and of the military justice authorities that the repression must be expedited as rapidly as possible. At a press conference on 6 June the Minister of Justice, du Bus de Warnaffe, sought to blame the demonstrations on “exciteurs poursuivant un but politique” and insisted that the decisions of the courts must remain indifferent to the appeals of the street⁵⁵. This determination to ensure that the prosecutions were removed from the dangerous realm of public passions was assisted by the divisive political legacy of the disturbances. The belated decision of the Communists and their FI allies to espouse the cause of the demonstrators brought the issue of the repression much more directly into the sphere of political controversy. During the subsequent summer the Communists campaigned energetically for a more wide-ranging repression, organising a large number of public meetings at which the issue of justice was closely linked to demands for the abdication of Leopold III⁵⁶. Conversely,

53 “Pour une justice rapide” and “L’ordre doit régner”, in *Le Soir*, 2 May and 9 June 1945; Lt. De Poerck to Auditeur Général, 11 May 1945; *Vlaamsch Weekblad* and Contrôle des Communications, Rapport Général, 1-7 June 1945 (RAB AAVA, Files 641B, 632 and 639).

54 “La Répression”, in *Le Peuple*, 31 May 1945.

55 “M. du Bus de Warnaffe. . .”, in *Le Soir*, 7 June 1945; “Prévention et Répression des Grèves — Maintien de l’ordre”, 25 May 1945 (RAB AAVA, File 583).

56 FI Liège to Van Acker, 6 June 1945, and Administration de la Sûreté de l’État, *Bulletin Journalier*, 11 October 1945 (RAB AAVA, Files 673 and 639); “Op den Vooravond van den Grooten Kuisch”, in *Het Belfort*, 10 June 1945; “Compte-rendu du meeting. . .”, 26 September 1945 (CREHSGM, PL 7/50).

the public disorder during May and the subsequent Communist-directed campaign gave an unprecedented impetus to Catholic misgivings about the process of repression. Du Bus de Warnaffe warned Belgians in June against imitating the “totalitarian” methods of foreign powers and denunciations of a “justice à sens unique” perpetrated by “de lakeien van Moscou” were frequently voiced in Catholic and Leopoldist circles⁵⁷.

The incorporation of the issue of the repression into partisan disputes between left and right blunted its political impact. Rather than a focus around which public passions could mobilize, it became part of wider political disputes and as a consequence it lost both its autonomy and much of its emotional force. There was no recurrence of the May demonstrations and, despite the rhetoric voiced on the political extremes, the Van Acker government proceeded steadily with its limited but rigorous policy of repression. The trials of leading Flemish Nationalists and Rexists helped to assuage popular demands for justice and the repression became a primarily bureaucratic and judicial process. At the heart of this change was a marked evolution in public opinion. As the reports of both the *Sûreté* and the postal censors indicated, bitterness at the shortcomings of the repression remained strong throughout the summer of 1945. But, after a further brief rise in passions in early September at the time of the first anniversary of the liberation, the issue gradually died away and during the autumn it ceased to be cited by the censors as a theme in correspondence⁵⁸. Though its legacy was long evident in bitter local disputes and isolated violent attacks on former collaborators, the repression had in effect ceased by the end of 1945 to exercise a major influence over public or private debate. It had become a concern not of the present or the future but of the past.

IX. Conclusion : The Repression and post-war reconstruction

In retrospect, the history of the post-war repression in Belgium - as in much of western Europe - can be seen to have been inseparable from the wider process of political normalization and economic and social reconstruction. The form and, more especially, the scope of the prosecutions was the product of a complex relationship between three overlapping dynamics : the rituals and procedures of the judicial process; the popular pressure for investigation and punishment; and the dictates of the national interest as perceived by the governing elite. These three forces occasionally worked in unison but they more frequently came into conflict with each other. Thus, if the first factor remained

57 “Mauvais souvenirs d’occupation”, 13 June 1945, and Administration de la Sûreté de l’État, *Rapport Mensuel* August 1945 (RAB AAVA, Files 598 and 640); “Nieuwe politieke zeden”, in *De Nieuwe Standaard*, 29 May 1945.

58 Rapport hebdomadaire des Postes Territoriaux de la S.E., 25 August-1 September and 1-8 September 1945, and Contrôle des Communications, Rapport Général sur le courrier hebdomadaire, 31 August, 23 September and 9 November 1945 (RAB AAVA, Files 639 and 640).

relatively constant throughout 1944 and 1945, it was the second which provided much of the initial energy behind the purges but the third which from the spring of 1945 defined the focus and the limits of the repression.

The ascendancy of this pragmatic governing mentality and the marginalization of popular demands for a more wide-ranging purge make it all too tempting to see the process of repression in terms of a radical potential which was gradually superseded by predominantly conservative goals. Rather than serving as a cathartic exploration of how Belgian society had responded to the challenge of German Occupation, the post-war trials focused on specific crimes which were individual or ideological in nature. The extreme-right - or at least its collaborationist Flemish Nationalist and Rexist variants - was forcibly disbanded. Economic profiteers and the agents of the German police were punished for their criminal opportunism. So too were those who out of ideological enthusiasm or material necessity had betrayed their country to serve in German military and paramilitary units.

The investigation and prosecution of these crimes was a substantial achievement but it did not call into question the structures of the Belgian social and political order. Indeed, to a large extent the repression contributed to a stabilization of the pre-war world. The dissolution of Rex and of the Flemish Nationalist *Vlaams Nationaal Verbond* (VNV) rid the parliamentary parties of their most irritating and threatening pre-war opponents. In social terms, few of those prosecuted were powerful figures while - as became obvious during their trials⁵⁹ - many of the modest servants of the German cause came from the least favoured sections of society. Conversely, none of the pre-war political elite and very few major industrialists, local notables or civil servants (other than German nominees) were held to account for their wartime actions. Far from expelling the pre-war elite from their positions of authority, the repression became one of the central means whereby that elite recovered its leadership role from their collaborationist usurpers⁶⁰.

To contrast this conservative reality with popular demands for a more wide-ranging purge is in some ways misleading. The post-liberation desire for revenge was insistent and occasionally violent but it was not necessarily radical. The focus of the people's anger was more personal than political and demands for the exemplary punishment of those responsible for wartime sufferings did not imply a commitment to major social or political changes. In one important respect, however, the popular mood after

59 e.g. "Conseil de Guerre de Tournai (A)", in *Le Courrier de l'Escaut*, 21 December 1944; "Conseil de Guerre", in *La Meuse*, 15-16 April 1945. See also M. CONWAY, *Collaboration in Belgium: Léon Degrelle and the Rexist Movement, 1940-44*, New Haven and London, Yale University Press, 1993, p. 241-42.

60 See B. DE WEVER & P. GUNST, "Van Kamerleden en burgemeesters", in HUYSE & HOFACK, eds., *De democratie...*, p. 69-89.



• An apocalyptic image of the Breendonk concentration camp after the liberation. Arrested *inciviques* at work under the watchful eye of members of the Resistance.
(Photo SOMA-CEGES)

the liberation did challenge the norms of the political system. The calls for a thorough investigation of wartime behaviour were based on the belief that those who had held positions of responsibility at both a national and local level during the war should be held to account for their actions. This in turn reflected the wider change which had taken place in popular attitudes. The events of the war years had cracked open the pervasive culture of deference within Belgian society and had created expectations of a new relationship between governors and governed. The pressures for a post-war investigation of wartime actions were one expression of this less deferential mentality and help to explain the cynical disillusionment which surrounded the process of repression once it had been deflected by the elite into the prosecution of explicit acts of collaboration. In this way, the post-war purges represented not merely a successful process of conservative

reconstruction but also an abortive attempt to redefine the nature of citizenship within the Belgian political community.

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