

IAP P6/01 JUST-HIS.BE “JUSTICE AND SOCIETY”

ANNUAL REPORT 2008 - SCIENTIFIC REPORT

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I - Description of the state of the research conducted within each WP

Thematic Work Package 1: (re)Sources for Justice: Institutions, Competences, Organisation (P4: State Archives - Promoter K. Velle)

Since access to, and knowledge about the production of historical sources invariably and fundamentally determines the quality of scientific research on the past and its relations to the present, WP1 constitutes a cornerstone of this IAP research programme on the history of Justice administration in Belgium. The precise content and objectives of WP1 have been described in detail in the annual report 2007 (pp. 3-4). For the sake of this report on the progress made in 2008, it is appropriate to remind readers that next to being structured around **PhD projects** on key areas requiring targeted research efforts in order to increase and sophisticate existing knowledge [see ch. I, WP1, 2. PhD research], as is the case for the other WP's of the IAP (WP 2-5), WP1 also provides both the necessary foundations and collective tools for carrying out these different projects and develop the programme at large: information about and access to the archival sources for the history of Belgian justice, and research instruments to correctly exploit and analyse (interpret and contextualise) them.

This is being realized, first of all, through the provision of **archival support** for the entire network by the partner responsible for WP1, the State Archives (P4). In 2008 this has taken on the form of various valuable initiatives, with as most important achievement the obtention of collective access to the main judicial and penitentiary archival funds in Belgium for all the IAP researchers [see ch. I, WP1, 4. contributions of the team]. Next to these support activities, WP1 is aimed to contribute to the gradual development of a research instrument, an “**institutional research guide**”, that offers an overview of the available sources for the history of Belgian justice (archival inventory) and insights into the competencies, organisation and general activity of the different institutions making up the justice system during the 19th-20th centuries (research guide). Both the two IAP archivists-researchers (V.D. Nguyen and F. Welter) working on the prioritized work areas - the penitentiary archives and the archives of the judicial police [see ch. I, WP1, 1. institutional research guide] - and the State Archives' team [see ch. I, WP1, 4. contributions of the team] have, again, booked considerable progress in this respect during the year 2008.

1. Towards an institutional research guide: the penitentiary archives and the archives of the judicial police

In 2008, the work done in this subsection of WP1 has continued to focus on the first major step in the elaboration of an institutional research guide, i.e. the creation of a comprehensive **archives inventory**. Since this first phase alone already takes up a considerable amount of work and time, the IAP network has decided to concentrate the efforts made in WP1 on two documentary sectors that manifest an urgent need for archival preservation on the one hand, and are the most likely to contribute to research carried out within other WP's on the other: the **penitentiary archives** and the **archives of the judicial police**. The different actions and phases in the elaboration process of an archives inventory for these sectors are:

1. checking the state of conservation and accessibility of funds kept at the State Archives, verifying whether they have been sorted and inventoried, and preparing actions to do so when this is not the case;
2. undertaking attempts to determine which other archival funds are likely to exist and where they are kept, by identifying the main archive producers and the nature of the documents these services have produced and received (identification and localisation);
3. conducting inspection visits in the field, at these services, to establish the state of preservation and volume of archival sources kept by the producers, and to prepare their selection and eventual transfer to the State Archives;
4. once deposited, the archives need to be classified and subsequently inventoried.

After having booked great progress in the first three areas during 2007 by focusing their efforts on this WP1 subsection, the two IAP archivists-researchers (active on the project since July 2007) have again advanced considerably in this work throughout the year 2008, producing results in the fourth area as well (classification and inventorying), while at the same time, they have also increasingly concentrated their attention onto their PhD research [see ch. I, WP1, 2. PhD research].

1.1. WP 1a The penitentiary archives (Van Duc Nguyen)

Following the major delay of the Brussels and Walloon region, compared to Flanders, in terms of the preservation and accessibility of penitentiary archives, with only few funds deposited at the State Archives - often only partially - and most archival sources still being kept by their producers or their successors in law (Forest, St-Gilles, Jamioulx, Huy, Arlon, Nivelles, Lantin, Marneffe), the efforts made in 2008 have continued to focus on the prisons from the judicial districts in these regions.

Between May and June 2008, thanks to the help of the General Archivist (K. Velle), a series of meetings with the Directorate General of the Belgian prisons could be held. This has allowed to develop a global strategy for the retrieval of prison's archives. A broad awareness campaign concerning the penitentiary archives has been launched: the directors of the Walloon prisons have all been informed in detail about the process of transferral of archival funds to the State Archives and legal requirements concerning archives' preservation in Belgium.

Further, V.D. Nguyen has conducted inspection visits in the penitentiary institutions of Marneffe and Saint-Hubert in order to identify the available material and prepare its retrieval. He has also contributed to the creation and publication of the inventory of the archives of the prison of Mons, as well as to a draft version of the inventory of the archives of the internment institution of Nimy. Finally, he has finalised the classifying of the archives of the prison of Dinant.

1.2. WP 1b The archives of the judicial police (François Welter)

During the year 2008, F. Welter's activities in this subsection of WP1 have concentrated on mainly two areas: the organisation of the transfer and inventorying of the archives of the judicial police of the Public Prosecutor's Offices on the one hand, and determining the precise number and volume of these funds (inventoried or not) on the other. After having carried out numerous prospection and inspection visits during 2007 in the central services of the current Federal Police and in

decentralised judicial directorates (PJF) keeping the archives of the former judicial brigades, F. Welter has been able to finalise the inspection for all PJF's of the Walloon region, with the exception of Nivelles, on the 1st of April 2008. As a result of these visits, three services have deposited their archives at the State Archives: Arlon, Verviers and Dinant.

The transfer of the archives of the judicial brigade of Namur having been obtained in 2007 already, F. Welter has produced an inventory of this fund (circa 58 meters long) between May and November 2008. A draft version of this inventory has been transmitted to the State Archives Direction for a second reading, and will be finalised and published in the near future. Further, F. Welter has started working on the inventory of the archives of the judicial brigade of Verviers, in order to get it published in the course of the year 2009.

With respect to the archives of the judicial brigade of Brussels, despite efforts made, it will probably not be possible to negotiate and organise a transfer of the funds to the State Archives on the short term, but thanks to the help of the Archivist General, F. Welter will probably obtain the authorisation to consult the funds at the premises of this judicial police service.

2. PhD research on the history of the prisons and the history of the judicial police in Belgium

2.1. *The history of the central prisons in Belgium, 1795-1870 (Van Duc Nguyen)*

This research project aims to reconstruct the history of the first central penal prisons (*prisons pour peines*) in Belgium. Through the integration of a long term perspective, on both the prisons' activity and the prosopography of prison detainees, the emergence and development of the first Belgian penitentiary system is studied in-depth. Following an examination of the different available sources that the research could draw upon, V.D. Nguyen has decided to slightly narrow down the time frame of his research by abandoning the period running from 1770 to 1794, thus focusing it on the period from 1795 to 1870.

A first study of the research literature has been done, through a consultation of the popular press, Belgian and European scientific journals in the field, and general works on the nineteenth century. With respect to the source material, it should be noted that an agreement for the temporary loan of copies of the archives of the Brothers of Scheppers (Mechelen) has been negotiated. Further, the archival funds of the administration of Dyle and Brabant (State Archives depository of Anderlecht), the Army museum, and the administration of the prisons (General State Archives) have been examined. V.D. Nguyen has also looked into various parts of the penitentiary archives kept at the State Archives depository of Beveren. Finally, he has visited the archives in Paris in order to get a first impression of which sources are available there that could be used for his PhD research.

V.D. Nguyen has participated in most of the activities of the IAP Doctoral School [see ch. II, 3.1. PhD training] and has presented a paper on two of the IAP network's conferences [see ch. II, 4.1. conferences]; one of these papers has been reworked into an article and its publication is forthcoming [see ch. III. publications]. V.D. Nguyen has also established a research collaboration with N. Fally (WP3a) on the history of the Belgian central prisons [see ch. I, WP1, 3. collaborations], and has contributed to the digitization initiatives undertaken in 2008 by the State Archives for the benefit of the larger IAP project [see ch. I, WP1, 4. contributions of the team].

2.2. *The Judicial Police of the Public Prosecutor's Offices (1919-1952): The difficult choice between efficient criminal investigation and ideological convictions* (François Welter)

F. Welter's PhD research is concerned with an examination of the activities of the judicial police of the Public Prosecutor's Offices from their creation in 1919 up until the year 1952. Through in-depth case studies of a selection of judicial brigades, it aims to trace the early origins and organisation of this police service, as they manifested themselves in practice, and to investigate the attitude of and role played by the judicial police during the Second World War and the Liberation.

Most of the year 2008 has been devoted to the collection, analysis and testing of source material for the research. Four funds of archives, of unequal size, have thus been completely analysed. First of all, the archives of the Commissioner General for judicial delegations have been examined; this fund contains very disparate information on the organization of the judicial police, international police cooperation, coordination of the judicial police's activity, the recruitment of personnel, etc. Parts of this source material have been used for a paper on "The role and action of the Belgian judicial police in the International Criminal Police Organization. 1923-1950", which has been presented at the latest international conference of the IAP network in Ghent [see ch. II, 4.1. conferences]. Next, the archives of the judicial brigades of Namur, Dinant and Verviers have been thoroughly and entirely examined, revealing a large number of highly interesting sources such as numerous circulars of the General Public Prosecutor's Office, personal files of policemen and thematic dossiers (School for Criminology, fight against counterfeit money...) for the period from 1919 to 1952.

F. Welter has followed the entire cycle of seminars and the Summer School organised within the framework of the IAP Doctoral School [see ch. II, 3.1. PhD training]. Next to the paper mentioned higher, he has presented two other ones, at the first IAP network conference and at a doctoral seminar held in October 2008 at the University of Namur. His participation in the latter seminar and in the discussions held there, has allowed him to deepen his reflection on the focus and the methodological approach of his PhD research. The publication of one of these papers as an article is forthcoming, and a review of the work of B. Majerus, *Occupations et logiques policières. La police bruxelloise en 1914-1918 et 1940-1945*, is currently being prepared in collaboration with Kirsten Peters (WP4) [see ch. I, WP1, 3. collaborations]; it is to be published in an international journal in the year 2009 [see ch. III. publications]. Finally, F. Welter has established contacts with the IAP post-doc (M. De Koster - WP3 team) in view of future participation in international research networks on the history of policing (CIRSAP programme of Lille 3 - WP6, and others) [see ch. I, WP1, 3. collaborations].

3. Collaborations [(...↔...)] with researchers from other WPs

In 2008, contacts for the exchange of information and research results have been continued between V.D. Nguyen (WP1a) and N. Fally (WP3a), who is also working on the **penitentiary system** in Belgium (central prisons), but for the subsequent period of 1870 to 1940. Further, together with V. Massin (WP3b), these researchers collaborate in the development of initiatives for the retrieval, collection and **digitization** (and subsequent integration in the JUST-HIS portal) of unpublished circulars from the penitentiary administration [see ch. I, WP7, 3. JUST-HIS repository]: parts of the collection of Eric Maes, with whom contacts established in 2007 have been continued and future

meetings are scheduled in 2009; and unpublished circulars, found by the researchers in archival funds, issued by both the general department and the special administration responsible for the penitentiary system for juveniles, the Office for Child Protection (WP1a↔WP3a-b).

F. Welter collaborates with K. Peters and with M. Bost and L. Van Haecke on the topic of **police and justice during the World Wars** and the liberation, which involves the exchange of information, source material and results from their individual projects. This collaboration has also resulted in the joint preparation, together with K. Peters, of a review of the work of B. Majerus, *Occupations et logiques policières. La police bruxelloise en 1914-1918 et 1940-1945*, to be published in an international journal in the year 2009 (WP1b↔WP4b↔WP5a-b). Further, F. Welter and the IAP post-doc (M. De Koster) have established contacts in 2008 in view of joint future participation in international research networks on the **history of policing** (CIRSAP programme of Lille 3, and others) (WP1b↔WP3↔WP6).

4. Contributions [(→...)] of the partner's team to the WP's research and the entire IAP

For the gradual elaboration of an **institutional research guide** on the sources for the history of Belgian justice (archives inventory and an institutional guide), a process that directly benefits the larger IAP research during this and future phases (→IAP), the two IAP-archivists-researchers receive active support and help from several other members of the State Archives' team. The work carried out in WP1 with respect to the penitentiary archives and the archives of the judicial police is firmly integrated into a broader preservation, inventorying and research programme for judicial and penitentiary sources, set up and carried out by the State Archives. For 2008, priority has been given to the acquisition and the inventorying of archival records of the penitentiary sector (→WP1a & WP3a-b) and the Bar and notary (→WP2 & research on legal professions by WP4 & WP6 teams).

A large-scale inspection of the chambers of the notary has been prepared and will be carried out throughout 2009. With respect to the penitentiary archives, the State Archives' team hopes to have most of the work done by the end of 2009: inventories have been dressed and published (or are forthcoming) for the prisons of Tournai and Mons; for Nimy, a first draft of an inventory has been produced. The archives of the prisons of Namur et Dinant are currently being classified; publication of the inventories is scheduled for 2009. Classifying and inventorying is in progress for the archives of the prison of Nivelles; they should be accessible in the State archives depository in Louvain-la-Neuve by the end of 2009. For the prisons of Huy, Lantin, St-Hubert efforts are being made to have the archival funds deposited at the State Archives by their producers, and for St-Gilles, a transfer of the prison's registers has been obtained. Further, the State Archives' team is currently examining the development of future strategies for the retrieval of relevant archival funds. Because of their interest for the research conducted within other WP's, priority will be given to the acquisition of archives dating from the post-World War I repression (→WP5 & research on WWI by WP3 team).

Equally important to note with respect to the objective to develop an institutional research guide, is that all inventoried funds kept at the State Archives are being repertoried in an online database managed by the State Archives. This database lists the available inventories, with references to the location of the funds, of which about 300 can already be downloaded integrally. The ultimate aim is to create an **online archives inventory** that provides direct access to the full-text of all the State Archives' inventories. Next to being directly relevant for WP1, this initiative also generally

facilitates the research conducted within the IAP network (→IAP) and benefits the development of the JUST-HIS internet portal (→WP7), since it has been agreed that this portal will integrate a link to the State Archives' database [see ch. I, WP7, 2. integration of databases].

Another major contribution of the State Archives' team to the larger IAP project (→IAP) made in 2008 involved the **obtention of a collective authorisation issued by the judicial authorities** (the General Prosecutors of the Courts of Appeal), **for all the IAP researchers to access Belgian judicial and penitentiary archives**. In close collaboration with the other IAP promoters and the IAP post-doc, the Archivist General, K. Velle, has coordinated the network's collective request for access - required by law for less than 100 years old privacy sensitive archives - and undertaken considerable efforts to persuade the authorities. Throughout the year 2008, this has resulted in authorisations gradually being granted for all the Belgian judicial districts, for archival funds from all levels of the judicial system. This is a *major breakthrough* for the IAP network, since access to these funds was an absolute prerequisite for the execution of the different research projects (WP1-5) and because the collective character of the authorisation facilitates the exchange of source material between the researchers, allowing for new research venues to be opened up and tested during the course of their projects. Finally, individual research and follow-up of the PhD projects by the IAP coordinators (promoters and post-doc) is facilitated by the obtention of collective access.

There is, however, one major backdraw: the judicial authorities have *refused access* to the personal and disciplinary files of magistrates. Although this is understandable in view of the personal information contained in such records, it is nevertheless deeply regrettable, since these are precisely the files providing crucial information for the research conducted in WP2, WP4 and WP5. The Archivist General and IAP promoters plan to establish contact with the cabinet of the Minister of Justice (S. De Clerck) shortly, in order to persuade the authorities of the necessity of access to these - supposedly publicly accessible - documents for the IAP research to advance.

The State Archives have also continued to **support** initiatives undertaken by network members for the retrieval of other public and private archival collections that are crucial to the IAP research, kept outside the State Archives' depositories. Contacts established in 2007, with the help of WP3 and WP4 coordinators X. Rousseaux and J.P. Nandrin, with the Court of Cassation to obtain access to its archives, have resulted in partial access for a small group of IAP researchers. This group has managed to identify a broad range of highly interesting documents and to copy as many as possible during the short period of access that was granted to them. The material thus collected is of particular importance to the research conducted within different WPs (→WP2a, WP4, WP5).

Similarly, the State Archives have continued their support to the actions has deployed by members of the team of the University of Ghent, B. Quintelier and G. Martyn, for the retrieval of archives of the different Bar Councils (→WP2 & research on legal professions by WP4 & WP6 teams).

Finally, thanks to the financial support of the IAP programme, the State Archives have been able to realise the **digitization** of the entire collection of the Ministry of Justice circulars (*Receuil des circulaires... du Ministère de la Justice*). With the help V.D. Nguyen (WP1a), the numerous volumes have been prepared for digitization - classified and cut up - and an inventory of the content has been dressed, and subsequently transmitted to a sub-contractor within the scope of a general public bid issued by the State Archives. Copies of the entire digitalized collection of the Ministry of Justice circulars will be shared between the State Archives and the IAP network, allowing its integration

into the common JUST-HIS database and internet portal [see ch. I, WP7, 3. JUST-HIS repository] (→WP7 & IAP).

In terms of scientific activities developed, it should firstly be noted that the postdoc E. Berger, former member of the IAP coordinator's team (UCL-CHDJ), has become a member of the State Archives team in 2008, while maintaining an attachment with his former team as a visiting professor. As such, he has continued to collaborate with H. Leuwers (Lille3) on **justice during the French period** (→WP6). He has also examined and digitized a large number of inventories in 16 French district archives depositories during the summer of 2008, all of which can be of use to other IAP researchers (→IAP).

Further, in January 2008, the State Archives have coordinated, together with the IAP post-doc, the organisation of the IAP conference "Justice and Society: Sources and perspectives for the socio-political history of justice in Belgium (1795-2005)" in their depository in Louvain-la-Neuve [see ch. II, 4.1. conferences]. Publication of the proceedings of this conference, in the IAP "Justice & Society" series, is forthcoming [see ch. II, 4.2. collective IAP publications and ch. III. publications] (→IAP). For 2009, a State Archives **symposium** on "Notaries and Archives" is scheduled in the month of May, focused on an assessment of the new law on the profession of notary of 1999 and its implications for archives management and research on this legal profession (→research on legal professions by WP2, WP4 & WP6 teams).

Thematic Work Package 2: Civil Justice: Ministries of Justice and Barristers

(P2: Ghent University - Promoter D. Heirbaut)

As has been motivated in detail in the annual report 2007 (pp. 13-14), WP 2 proposes an integrated approach to the study of both the history of the Belgian Bar and the ministers of Justice and their civil law policies, in order to substantially increase and renew existing scientific knowledge about the history of civil justice in Belgium. Since each of these domains of research imposes its own specific needs and problems in terms of both the collection of source material, research approaches and analysis, the work within this WP has been organised into two PhD subprojects treating each domain (WP2a and WP2b).

1. *WP2a The Belgian Ministers of Justice and their civil policies: A prosopographical and quantitative analysis* (Bram Van Dael)

Bram Van Dael has structured his research project on the Belgian Ministers of Justice and their policies in the civil sphere along three major lines. First, the apparatus responsible for developing civil policy, the minister of justice and his administration, are being examined. Second, the personal backgrounds, ideological preferences and networks of the ministers of justice are being examined. The objective is to gain new insights into the ministers of justice as persons, constructing a model of the "average curriculum vitae of the average minister of justice". This part of the research involves a prosopographical approach. Furthermore, it also provides the necessary basis for the third part, the study of civil policies, that aims to explain these policies - examined on the basis of the resources of the minister (the 'tools' used to implement his policy: laws, royal decrees and if

possible, also departmental circulars) through the personal background of the responsible minister of justice. In 2007, B. Van Dael already took the decision, together with his promoter D. Heirbaut, to narrow down his research focus to the civil policy in personal and family law, and the law of corporations, i.e. those areas that are particularly relevant to the study and are at the same time to some extent representative for entire civil law.

In 2008, B. Van Dael has first of all focused his activities onto the collection and ‘testing’ of relevant source material, and the determination of possible approaches and methodologies for analysis. With respect to the literature collected for the research, he has extended this - already quite large - corpus with mainly published sources on the ministers of justice and other alfa-scientific works on policy. Further, efforts have been made to identify and get acquainted with scientific methods providing the possibility to approach and analyse the research subject in innovative ways, a process that has involved a considerable investment in the obtention of additional historiographical, methodological and technical training.

Throughout 2008, B. Van Dael has followed the cycle of seminars of the IAP Doctoral School and the courses on database creation and management given within the framework of the Summer School on methodologies in the social sciences [see ch. II, 3.1. PhD training], a course on Private and Public Justice in Dubrovnik (Croatia), a summer school on the Public and Private in Modern Law at the University of Turku (Finland), and several courses on techniques for qualitative data processing of data at the Ghent University (SPSS, SAS, Introductory Statistics). For 2009, he plans to further extend his training by following an intensive course on social network analysis in the summer.

This methodology of social network analysis, coming from sociology, constitutes the core of the research approach. Following this choice, a first set of data on the the Belgian ministers of justice has been collected using various published sources (general reference works, (auto)biographies,...). The database constructed to integrate these data will be shared with other IAP researchers in the network’s common database and portal JUST-HIS [see ch. I, WP7, 2. integration of databases, and ch. I, WP2, 3. collaborations]. Subsequently an adapted quantitative processing technique, involving the use of specialised software permitting a visual representation of the results (UCINET, Sociometrica and Network Workbench) has been identified and ‘tested’ out on the collected material. This phase of testing has proven to very beneficial, since it has revealed both the advantages and limits of the adopted statistical technique, which in turn has allowed to refine methodological choices.

For 2009, B. Van Dael plans first of all to extend his study of the Belgian ministers of justice, drawing not only on literature but also on archival sources, and to write one, or if possible two articles on this topic, which can be used as a starting point when writing the actual PhD. Further, he will conduct a network analysis of the Belgian civil policy, starting with personal and family law, in order to identify organized sub-groups among the various laws concerning civil policy. Next, these subgroups will be explained on the basis of the personal characteristics of the ministers of justice who were in office at the time the measures were taken. The results of this analysis will also be integrated into (an) article(s) that can be used as basis for the PhD.

B. Van Dael has co-organised a workshop on “Civil Policy in Belgium”, held with the support of the IAP project in Ghent in September 2008 [see ch. II, 4.1. conferences], where he has also presented a paper. Next to the latter, he has presented 6 other papers at both IAP conferences and seminars and the international seminars / summer school mentioned above. This has resulted in the

production of three articles, that have either been published in 2008 or are forthcoming [see ch. III. publications].

2. *WP2b History of the Belgian bar from the French Revolution to the present* (Bart Quintelier)

Mapping out the entire history of Belgian lawyers from the French Revolution to the present, treating all its facets, in just a few years' time, is a rather utopian goal. B. Quintelier has therefore that not all sub-periods will be examined in detail: the period of the French regime, the “Neuf Départements Réunis”, and that of the United Kingdom of the Netherlands will, in fact, receive less attention than the period from Belgium’s independence onwards. This necessary limitation of the research scope is, however, partly compensated by the input of the European IAP-partners (University of Lille 3 and Free University of Amsterdam) working on both periods, since a large part of their research activities is focused onto the study of legal professions, among which the group of barristers [see ch. I, WP6 and ch. I, WP2, 3. collaborations].

During 2008, B. Quintelier has identified the following aspects and questions to be prioritized in his PhD research. On an institutional level, the research will address: the organizational forms of the bar itself; the relations to the proctors (‘pleitbezorgers, avoués’); the discipline and disciplinary boards, the relations between bar and magistrates (most bars were only installed in the twentieth century; before that moment, the lawyers were controlled by the courts); the Fédération des avocats belges and its later Flemish counterpart; the economic and cultural associations and unions of lawyers. On a sociological and political level the following work hypotheses and research questions are put forward:

- The story of Marie Popelin, the first woman who wanted to be admitted to the bar, is well known, but this is not the case for the growing number of women in the legal profession and their influence in general.
- It is the classical point of view that the nineteenth century lawyers were ‘French minded’, certainly in the bigger towns, but a lot of Flemish lawyers played an important role in the struggle for the Flemish rights.
- Who becomes a lawyer? How are the relations between young starters (during their three years of apprenticeship) and the real members of the bar, subscribed to the so called ‘tableau’? Is the image of the wealthy lawyers correct? When do lawyers start to cooperate in legal companies?
- A lot of lawyers are also politicians (the link with the research on the Ministers of Justice is obvious); does the large quantity of lawyers in the parliamentary assemblies bring along that they enact a ‘self-serving’ law?
- What is the image of the lawyers in the public opinion (saviours in cases of emergency or vultures) and how (or not) did the professional group take part in an active image building strategy?

Further, as a consequence of the fact that apart from the work of B. Quintelier’s PhD supervisor, G. Martyn, nothing substantial has been written on the history of the Belgian bar, he has examined which non-historical and non-scientific works contain bits and pieces of useful information for the research.

B. Quintelier has also continued his quest for archival sources, which has proven to be a very difficult one, demanding a considerable investment of time and work, but has slowly begun to produce important results throughout 2008. Following the submission of a first request for permission to consult the archives of different bar councils, addressed to their presidents in 2007, which had led to a number of provisional authorisations, but also to some highly regrettable refusals, B. Quintelier has addressed a second request to all the presidents of Belgian bar councils and has held meetings with several of them, as well as with the president of the Flemish Association of Bar Councils. He has been assisted in this by his PhD supervisor, G. Martyn, and the Director of the State Archives, K. Velle [ch. I, WP2, 3. collaborations]. Whereas the Council of lawyers at the bars of Ghent had initially refused access to their archives, B. Quintelier has now managed to obtain a positive reaction, which is of crucial importance to the research since the bar of Ghent is the oldest and probably the most important of Flanders. Further, there now is hope that the Association of French-speaking lawyers of the Brussels Bar, keeping the archives of the Joint Association of Lawyers at the Brussels Bar, the oldest and largest in the country, will reconsider its initial refusal and grant access. Finally, several presidents of bar councils have renewed their positive answer, especially the ones from Eupen and Charleroi. Further, B. Quintelier also plans to meet with L. Maréchal, president of the Ordre des barreaux francophones et germanophone, to negotiate access to all bar archives concerned.

Following his quest for bar archives, he has produced an overview of all the available sources, which has been integrated into different contributions, co-authored with G. Martyn, to the reference work “Bronnen voor de studie van het hedendaagse België, 19e-20e eeuw”, to be published soon [see ch. I, WP2, 4. contributions of the team and ch. III. publications].

B. Quintelier has started off the examination of the archives of the National Bar Council of Belgium, and presented some of his first results at the most recent international conference of the IAP network, held in Ghent. Two others papers given at previous IAP conferences have been reworked into articles; publication is forthcoming [see ch. II, 4.1. conferences and ch. III. publications]. In 2009, further research in bar archives will be conducted, firstly in those of the bar of Dendermonde, kept at the State Archives, the results of which will be integrated into an article for a special issue of the scientific journal *Pro memoria* [see ch. II, 4.2. collective IAP publications]. Finally, B. Quintelier has written three MA papers within the scope of his Law studies - which he has completed successfully in 2008 - that are directly relevant to his PHD research, since they delivered insights into the tax-situation, the plea-monopoly and disciplinary regulations. Finally, B. Quintelier has assisted some of the seminars of the IAP Doctoral School [see ch. II, 3.1. PhD training].

3. Collaborations [(...↔...)] with researchers from other WPs

Through its combination of research on the Ministers of justice with research on the Belgian bar, and because the persons, networks and practices of Ministers of justice and of lawyers are crucial to the study of numerous areas of judicial policy (civil, criminal, penal) and justice administration in Belgium, WP2 has established different links with the research conducted within other WPs of the IAP project. These links will stimulate mutual exchange of source material, data, methods, results between different IAP researchers. In 2008 such exchanges have, for example, taken place between both WP2 researchers and L. Van Haecke (WP2↔WP5b).

B. Van Dael has also collaborated with the IAP IT Officer, A. François, for the design and elaboration of his research **database** containing information on the Ministers of Justice [see ch. II, 3.1. **PhD training**]; this database will be shared with the other researchers in the network's common database and portal JUST-HIS (**WP2↔WP7**).

Further, B. Quintelier, his PhD supervisor G. Martyn and the Archivist General K. Velle, have continued to collaborate closely to retrieve and obtain **access to the archives** of different bar councils and their associations (**WP2↔WP1**). For the research on the history of the Bar in the period of the French regime, the “Neuf Départements Réunis”, and that of the United Kingdom of the Netherlands, B. Quintelier will engage in a collaboration with the European IAP partners (University of Lille 3 and Free University of Amsterdam) who have focused a part of their activities onto the **study of legal professions**, among which the group of barristers (**WP2↔WP6**).

4. Contributions [(→...)] of the partner's team to the WP's research and the entire IAP

The important efforts undertaken by B. Quintelier and G. Martyn for the retrieval of bar archives, and the production of an overview of all currently available sources by B. Quintelier in particular, constitute an important contribution to the **institutional research guide** elaborated within WP1, which in itself is intended to benefit the larger IAP network (→**WP1 & IAP**). Further, these initiatives and the associated research on the organisation of the bar and the functioning of barristers (WP2b) are also beneficial to other WPs, in particular to the (prosopographical) research on **legal professions** (→**research on legal professions by WP4 & WP6 teams**).

Another contribution of WP2 to the global IAP project has been realised in the area of the networks' external communication and **dissemination of research results**, and stems from WP2's integrated research approach: the two WP2 researchers have jointly presented their projects at the IAP session at the “Dag van de Nieuwste Geschiedenis”, held in March 2008 in Brussels [see ch. II, 4.3. **further dissemination**] (→**IAP**).

WP2 coordinator D. Heirbaut has organised the session “L'Empereur et ses fidèles: le droit privé belge après 1804”, held in February 2008 for the IAP **doctoral school** [see ch. II, 3.1. **PhD training**]. Further, his continued efforts for the development of the IAP's scientific information dissemination activities, i.e. the identification and extension of interesting publication channels, have opened up new possibilities for the realisation of future **collective IAP publications** [see ch. II, 4.2. **collective IAP publications**] (→**IAP**).

The Ghent University team has organised a **workshop** on “Civil Policy in Belgium” with the support of the IAP network in September 2008, and has co-organised, together with the coordinating UCL team (WP3), the latest international IAP **conference** on the History of Civil and Criminal Justice in Belgium and neighbouring countries, held in Ghent in February 2009 [see ch. II, 4.1. **conferences**] (→**WP2a & IAP**). The team has also begun preparations for the organisation of a **conference** on the history of the Bar, scheduled for October 2009 (→**WP2b & research on legal professions by WP4 & WP6 teams**).

Finally, the Ghent University team has developed new and continued existing **international collaborations** that hold particular relevance for the research conducted within WP2 or the IAP project at large. Apart from the ongoing international collaborations (e.g. MPI and colleagues at universities in other countries), the following efforts undertaken in 2008 are noteworthy. Contacts

established in 2007 with M.E. Verburg, who is working on the history of the Ministry of Justice in the Netherlands, have been continued and resulted in his participation as international expert in the latest international IAP conference (→WP2a). Via D. Heirbaut's involvement in the network of the British Legal History Conferences, a similar collaboration has been set up with A. Musson of Exeter University, who is the main organiser of the next edition of this international legal history conference, which will be concerned with the topic of methodology in legal history and can thus be of interest for several IAP researchers (→WP2 & IAP). D. Heirbaut has also organised a session on the codification at the latest Conference of the American Society for Legal history (Canada), and finished the publication of monographs on the two hundred years-anniversary of the Code on civil procedure (published) and the Code of commerce (forthcoming) [see ch. III. publications].

Thematic Work Package 3: Criminal Justice: Criminal Policies and Penal Practices
(P1: Catholic University of Louvain - Promoter & IAP Coordinator: X. Rousseaux)

The research conducted within this work package is situated within the larger framework of a comparative historical study of criminal law policies and administrative practices regarding penalties (penal management) (1795-2005). This WP is thus structured around the study of crime control between policies and governance; the various research areas and questions involved in this have been specified in detail in the annual report 2007 (pp. 19-20) Linked to and informed by this larger research programme conducted by the IAP and WP3 coordinator's team (including the IAP post-doc and IAP IT Officer), WP3 has been structured around a main field of penal policy and management: the penitentiary world.

This area of penal policy concerns the evolution of debates on criminal and penal management, and the practices eventually developed within penitentiary institutions (prisons). The narrative thread is the succession of parliamentary debates: penal code reform (1867, 1997), prison modernization (1887, 1920, 1944). Further, the role played by various actors has to be taken into account: intellectuals and politicians, journalists and citizens, parliament and governments, as well as prison inmates themselves. Moreover, this implies an examination of the interactions between social issues (banditism, recidivists), criminological theories (social defence, new social defence, new penology), political debates, and penitentiary regimes and practices. These points make up the main focus put forward for the WP3a subproject on the penitentiary question and the prisons in Belgium between 1870 and 1940. The other WP3 subproject is oriented towards an examination of the particular 20th-century development of justice for juveniles along the passage from classical penalties towards more moderate (?) measures, whereby penal practices mutated from repressive to protective custody. The main focus of the project WP3b has been placed on public penitentiary institutions for young female delinquents in Belgium (1912-1965).

1. *WP 3a Cellular Regime and 'défense sociale': the penitentiary question in Belgium between 1870 and 1940* (Nathalie Fally)

For her PhD research focusing on the penitentiary question in Belgium between 1870 and 1940, N. Fally has chosen to study the central prisons of Ghent and Leuven: contrary to secondary prisons,

those institutions were general and not regional, and hosted exclusively male, both civilian and military, convicts. Established in 1860, the central prison of Louvain was then the cellular prison *par excellence*: it was charged to host criminal as well as correctional convicts sentenced to more than five years imprisonment. Founded in 1773, the central prison of Ghent was, during the study period, composed of eight sections: one was completely cellular; like the prison of Louvain, it hosted criminal and correctional convicts sentenced to long-term imprisonment. In the seven other sections, common confinement (consisting of shared custody during the day and cellular detention during the night) was in effect. Those sections received criminal and correctional convicts unfit for cellular confinement because of their physical or mental health; they were also meant for criminals sentenced to penal servitude or forced labour who had opted for the regime of common confinement after ten years spent in cell, as permitted by law; finally, two of those sections hosted young convicts and unruly pupils of reform schools, under 18 or 21 years of age.

After having examined different types of archives of general nature (archives of the Ministry of Justice relating to the organization and management of prisons, archives of the administrative commissions), N. Fally has begun analysis of the prisoners' files, which constitute a privileged source to penetrate even deeper into the world of the prison and to study the real-life of individuals imprisoned. Since the archives of the central prisons of Ghent and Leuven contain more than 73 000 prisoners' files for the period 1870-1940, a random sampling was done. A relational database has been elaborated for the analysis of the selected files. N. Fally is currently filling this database; this work will probably take up the major part of her time in the year 2009.

Until now N. Fally's research has essentially focused on the realization in practice of the mixed penitentiary system conceived by the Belgian authorities, that coupled two modes of imprisonment: solitary cellular confinement was generally applied, but in some precise cases replaced by common confinement. The central prisons of Leuven and Ghent are in this context emblematic since the first one was strictly cellular and the second one almost entirely devoted to common confinement. There were thus significant exceptions to the rule of solitary cellular confinement; moreover, the latter implied a type of compensation for common confinement, in the form of reduced prison sentences. Established by the law of March 4 1870, the "Belgian system" remained to be applied until the Second World War. In 2008, N. Fally has also focused more in particular onto the evolution of the penal treatment applied to mental deficient convicts. The aim was essentially to withdraw them from prisons: imprisonment was indeed considered to be an excessive sentence for those people since they had lost their reason. In practice, however, this goal appeared to be very difficult to achieve. From this perspective, N. Fally has examined the archives of the infirmary, of the mental medicine service and of the special section for "abnormal" convicts for the prison of Ghent, and the archives of the anthropological laboratory, the psychiatric annex and the Social Defense committee for the prison of Leuven. Within the framework of a collaboration of the UCL team with *Le Soir* focusing on "Youth and Justice" (July 2008), N. Fally has also begun to study the sections of the central prison of Ghent hosting juvenile delinquents [see ch. I, WP3, 4. contributions of the team and ch. III. publications].

These first in-depth investigations of archives have already permitted to provide better insights into the various aspects of the organization and functioning of both prisons (such as penitentiary labour, disciplinary rules, mechanisms of pardon, reduced sentence and conditional release, prisoners' transfers, daily experiences of the prisons' staff, ...), and allow to shed light onto the relationships

between local prison authorities and the central administration. On these questions, she exchanges information and results with V.D. Nguyen (WP1A), who is working on Belgium's central prisons for the earlier period from 1795 to 1870. With V. Massin (WP3b), she has engaged in a close collaboration on the theme of disciplinary practices in penitentiary institutions. Further, N. Fally has dressed an inventory of all (presumably) unpublished departmental circulars on penitentiary matters found in the archival funds, an initiative that benefits the IAP's digitization projects for the development of the JUST-HIS portal [see ch. I, WP3, 3. collaborations, and ch. I, WP7, 3. JUST-HIS repository].

She has also continued to read relevant works and to build up her bibliography, going through a large number of specialized journals of the penitentiary world that were published in her research period (f.e. *Bulletin de la Société Générale des Prisons*; *Revue de Droit pénal et de Criminologie*; *l'Ecrou. Organe de la Fédération des fonctionnaires et employés des prisons*; *Bulletin de l'administration pénitentiaire*; *Bulletin de la Société de Médecine mentale de Belgique*...).

N. Fally has followed the entire cycle of seminars and the Summer School organised within the framework of the IAP Doctoral School [see ch. II, 3.1. PhD training] and has presented papers at three conferences organised or supported by the IAP network, two of which have been reworked into articles that are in print [see ch. II, 4.1. conferences and ch. III. publications]. She has also successfully submitted paper proposals for several international conferences, in which she will participate in 2009.

2. WP3b To observe, care, and discipline. Public penal institutions for young female delinquents in Belgium (Bruges, Saint-Servais, 1912-1965) (Veerle Massin)

V. Massin conducts research on the Belgian public penitentiary institutions for juveniles, between 1912 and 1965, a choice that has been motivated by the existence of a gap, within Belgian historical and criminological research, in the existing knowledge on this theme and period, especially in comparison to the recent 'boom' in international research. The PhD project focuses more in particular on penitentiary institutions for the specific category of female juvenile delinquents. The research is thus situated at the junction of three research domains: one on imprisonment, a second on juvenile delinquency, and a third on female criminality.

In 2008, after having consulted her PhD supervisors (X. Rousseaux, UCL & Jenneke Christiaens, VUB), Veerle Massin has refined the focus of her PhD research by choosing to concentrate the core of her analysis on the public reform school for delinquent girls of Bruges (1922-1965). She examines the trajectories of 'incorrigible' girls and young women, through the study of both ideas, norms and practices (on sexuality, morality, education, repression). The population of Bruges consisted of the "rejects" and the "throw-outs" of the system: the girls that none of other institutions wanted to keep (because of venereal diseases, pregnancy or 'unruly' behaviour). This particular focus and approach allows to clearly reveal the limits and failures of institutional responses to juvenile delinquency, particularly in relation to 'incorrigible' behaviour of girls. From this perspective, V. Massin has subjected to themes to an in-depth study throughout 2008: girls with venereal diseases and re-education practices in Bruges.

At the turn of the 20th Century in Belgium, as in other Western countries, venereal diseases were at the heart of social, moral and hygienic preoccupations. Since juvenile courts largely focused on

girls' precocious attitudes towards sexuality, it is not surprising that child protection bodies had to deal with the problem as well. Indeed, amongst the girls prosecuted, a large number were affected by such diseases. The issue became so worrying that a specific establishment for juvenile justice girls suffering from venereal diseases was created in 1922 in Bruges. No institution of this kind was planned for delinquent boys. This institution perfectly illustrates what type of moral and medical protection the State wanted to provide, not only for the *vénériennes* themselves, but also for the entire society. As Bruges's director phrased it at the time: "The existence of institutions such as these constitutes the answer to a pressing social need" (J. Van Zeir in *Revue de l'Éducation Surveillée*, Paris, 1947, p. 78). The type of medical treatment girls were submitted to in Bruges was very strict and did not always get the girls cured easily. This caused great impatience among their families and juvenile judges, some of whom openly criticized the institution and its medical experts who appeared to take over the judges' functions. The all-powerful doctor, who decided when the moment of recovery and release from the institution had come, irritated more than one party, and frequently forced the institution to justify their approach. To medical treatment was coupled with moral treatment: Bruges defended the - relatively limited - educational and occupational training offered to the juveniles as a means of keeping them out of trouble, by learning them the ability to earn a living and lead honest lives. A sort of moral elevation was supposed to be produced in the course of these diverse educational activities and through community life.

With respect to the re-education practices for 'incurable girls', V. Massin's research demonstrates how placement in the state reform school of Bruges marked the turning point where child welfare concerns of re-education through individualised residential treatment made way for much older penitentiary practices of isolating 'dangerous' individuals from society and keeping them under control. This 'last phase' in the institutional treatment of delinquent girls was one in which the direction of the institution of Bruges acquired a quasi-monopoly in the decision-making on how the 're-education' of its population should be realised and organised. At this point, the Juvenile Justice Bureau (Office for Child Protection at the Ministry of Justice) abandoned most of its usual efforts - within the network of public reform schools - to inspect and regulate the disciplinary regime. On the basis of a detailed analysis of this regime, i.e. the different disciplinary means and punishments imposed upon the 'incurable' girls and the ways in which the young women responded to them, it can be argued that the direction of Bruges made use of a discourse emphasizing the sexual nature of girls' wayward and delinquent behaviour, in order to impose very harsh disciplinary measures and to prevent them from being put into question. Further, by looking at the girls' responses, V. Massin has established that these measures proved to be largely inefficient attempts to "bring the rebellious to their knees". These results are being exchanged with N. Fally (WP3a) within the scope of a collaborative reflection on the theme of disciplinary practices in penitentiary institutions [see ch. I, WP3, 3. collaborations].

Next to the obtention of this considerable number of precise research results, V. Massin has devoted a large part of her time to the collection and examination of additional source material and research literature, conducting frequent visits to libraries and archival depositories. The archives of the public reform school for delinquent girls of Bruges are kept in Beveren. In order to save time and financial means, and speed up the research even more, V. Massin has negotiated a transfer of parts of this fund to the State Archives depository in Brussels. During the course of her archival research, she is inventoring all the (presumably) unpublished circulars issued by the Office for Child

Protection that she finds in the funds, an initiative that benefits the IAP's digitization projects for the development of the JUST-HIS portal [see ch. I, WP3, 3. collaborations, and ch. I, WP7, 3. JUST-HIS repository].

V. Massin has participated in the entire cycle of seminars and the Summer School organised within the framework of the IAP Doctoral School throughout the year 2008 [see ch. II, 3.1. PhD training]. Further, she has presented four papers on the basis of her research results - on disciplinary practices in penitentiary institutions, young women and venereal diseases, public state institutions for young female delinquents - at international conferences in Montreal and Lisbon and at three IAP conferences and seminars [see ch. II, 4.1. conferences]. Two of these have been reworked into articles that will be published shortly. Moreover, she has published two articles together with IAP IT Officer and FNRS post-doc A. François and a contribution to the « Youth and Justice » series coordinated by the UCL team in *Le Soir* [see ch. III. publications]. Finally, she participates actively in the different activities of the research subgroup on juvenile delinquency and juvenile justice of the UCL team [see ch. I, WP3, 4. contributions of the team].

3. Collaborations [...↔...]) with researchers from other WPs

As has already been mentioned higher, WP 3 researchers V. Massin and N. Fally have further extended their collaboration in 2008, by concentrating on the theme of disciplinary strategies in penitentiary institutions, while the latter has continued her contacts for the exchange of information and results with V.D. Nguyen (WP1a), working on the first **penitentiary system** in Belgium (central prisons) between 1795 to 1870. These three IAP researchers also collaborate through initiatives for the retrieval, collection and **digitization** (and subsequent integration in the JUST-HIS portal) of unpublished circulars from the penitentiary administration [see ch. I, WP7, 3. JUST-HIS repository]: parts of the collection of Eric Maes, with whom contacts established in 2007 have been continued and future meetings are scheduled in 2009, and unpublished circulars, found by the researchers in archival funds, issued by both the general department and the special administration responsible for the penitentiary system for juveniles, the Office for Child Protection (WP3a-b↔WP1a). The WP3 researchers have also been receiving useful information on interesting source material from L. Van Haecke (WP5b) (WP3a-b↔WP1a).

The research on the **history of policing** conducted by the IAP post-doc (M. De Koster) within WP3 has continued to involve a research collaboration on the circulation of police knowledge with C. Denys from the University of Lille3 (partner EU1), through participation in the CIRSAP programme (together with IAP coordinator X. Rousseaux) [see ch. I, WP6]. Contacts have been set up with F. Welter to determine interesting ways for his PhD research to become part of this collaboration too (WP3↔WP6↔WP1b). Further integration of the IAP police research in larger **international networks** is being prepared by M. De Koster through an extension of her international collaborations, resulting from participation in the SSHA, ESSHC, European Urban History Association, European Centre for the Study of Policing, group for 'Polizeigeschichte' in Germany, and an international GERN network on Colonial Policing. Moreover, since several of these networks are not confined to the study of policing alone, but also cover the domains of crime and justice history, legal history and social history at large, this participation will allow M. De Koster to facilitate the integration of other IAP research(ers) as well in the coming years.

The IAP post-doc has also continued her research within the field of **juvenile delinquency and juvenile justice** and associated efforts for international networking, in collaboration with the other IAP-WP3 researchers and other members of the UCL team [see ch. I, WP3, 4. contributions of the team].

The IAP IT Officer and FNRS post-doc A. François is equally involved in the above mentioned internal collaboration, contributing to the research conducted within WP3. Within the scope of her mandate of postdoctoral research fellow of the National Fund for Scientific Research, which she obtained in October 2008, she will continue her research on juvenile justice via a project focusing on the **private penitentiary institutions for young delinquents** in Belgium. Further, she is currently preparing the publication of her PhD thesis. She continues to coordinate the **development of the JUST-HIS portal** [see ch. I, WP7] and her **support and training activities for the IAP PhD students** in the field of database construction and sampling techniques [see ch. II, 3.1. PhD training]. Next to an internal WP3 collaboration with V. Massin (WP1b) on young women and venereal diseases that has resulted in the publication of two co-authored articles, she has collaborated with M. Bost (WP5a) on **magistrates during the Second World War**, in particular on the strike of the Belgian Magistrates in 1918, which has led to a joint paper presentation at the Belgian-Dutch Symposium on Legal History, held in December 2008 in Louvain-la-Neuve, that will shortly published as a co-authored article [see ch. III. publications] (WP3↔WP5a).

Other important research collaborations between WP3 and other WPs within the IAP network have resulted, like in 2007, from activities deployed by the IAP and WP3 coordinator X. Rousseaux. Firstly, collaboration has been continued with WP5 for research on the **Belgian justice administration during the World Wars**. X. Rousseaux has published a book on postwar political retribution of ‘uncivil behaviours’ in Belgium in 2008 [see ch. III. publications]. He was also involved in the joint organisation with D. Luyten (WP 5 promoter, SOMA-CEGES) of the session “*Wars and the repression: Belgian Justice at a particular moment of crisis*” in March 2008 for the IAP doctoral school [see ch. II, 3.1. PhD training]. Further, together with the IAP post-doc, both IAP-promoters have started up a new project on ‘Belgians before World War II Berlin Courts’, in collaboration with Prof. H. Reinke of the Technical University of Berlin, within the framework of the IAP project (WP3↔WP5).

Second, IAP and WP3 coordinator X. Rousseaux has continued his scientific collaboration with WP 4 coordinator J.-P. Nandrin (FUSL) within the scope of the FRFC project on the **prosopographical study of judicial personnel**. Together with WP4 team member C. Goffin, X. Rousseaux has also conducted a research visit to Paris archives for the **digitization** of archives on justice administration in the Belgian territories under French rule during 1795-1814, which in turn contributes to exchanges with EU1 partner University of Lille 3 on this topic (WP3↔WP4↔WP6). As is also mentioned below, these investments in both the further development of the prosopographical database on judicial personnel and digitization initiatives also benefit the IAP research at large and the JUST-HIS portal [see ch. I, WP3, 4. contributions of the team, and ch. I, WP7, 2. integration of databases].

4. Contributions [(→...)] of the partner's team to the WP's research and the entire IAP

The above mentioned collaboration of IAP and WP 3 coordinator X. Rousseaux with the WP 4 team (FUSL) within the scope of the FRFC project also benefits the entire IAP project, since it involves further development, coordinated by the IAP IT Officer and the WP4 team, of a **prosopographical application for the study of judicial personnel** in view of its integration into the JUST-HIS portal. During 2008, great progress has been booked in this work area [see ch. I, WP7, 2. integration of databases] (→IAP). These efforts contribute directly to the research conducted on legal professions within several other WPs of the project (→research on legal professions by WP2, WP4, WP5 & WP6).

Further, X. Rousseaux and his UCL team (Centre for Law and Justice History - CHDJ), have developed an original methodological information retrieval system containing data from the **Belgian judicial statistics**, Quetelet.net. This project has been coordinated by CHDJ post-doc F. Vesentini, who has managed to ensure further future development of the application through the starting off of a new project called INSTAP in 2008. This project too, has been linked to the IAP project, with the intention to integrate the application into the IAP JUST-HIS portal [see ch. I, WP7, 2. integration of databases]. Further, thanks to the combination of IAP funding with funding of the former Quetelet project, the **digitization** of a series of Criminal and Civil Law Codes and volumes of jurisprudence, to be integrated into the JUST-HIS database, has been realized. This comes on top of the other digitization initiatives undertaken by WP3 members and X. Rousseaux, mentioned higher (→WP7 & IAP).

X. Rousseaux has organised, with IAP support, the latest edition of the Belgian-Dutch **Symposium** on Legal History, held in December 2008 in Louvain-la-Neuve, at which several IAP researchers have presented a paper and the proceedings of which are forthcoming. Together with the Ghent University team (WP2), the coordinating UCL team has also organised the latest international **IAP conference** on the History of Civil and Criminal Justice in Belgium and neighbouring countries, held in Ghent in February 2009 [see ch. II, 4.1. conferences, and ch. III. publications] (→IAP).

Further, X. Rousseaux has (co-)ordinated two of the sessions for the IAP **doctoral school** in the spring of 2008, while UCL post-doc F. Vesentini was the main organiser of a **Summer School** on Research Methodologies in Social History held in June 2008. Together with the IAP IT Officer, the IAP post-doc and a number of experts on these matters, they have provided courses on qualitative and quantitative research methodologies and database construction and management [see ch. II, 3.1. PhD training] (→IAP).

The IAP postdoc is involved in a project together with UCL team member J. Campion that aims to create a research guide for the history of the police (archives inventory and bibliography), which has been launched at a **seminar** on the sources for the history of police services organised by both researchers, with IAP support, in January 2008 [see ch. II, 4.1. conferences]. The proceedings have been published as the first volume of the IAP "**Justice & Society**" Series, at the State Archives [see ch. II, 4.2. collective IAP publications]. The work on this research guide complements the efforts undertaken within WP1 [see ch. I, WP1, 1. institutional research guide] and the information gathered is to be integrated into the JUST-HIS database (→WP1, WP7 & IAP).

Contributing to the research conducted within WP3, is an intense scientific collaboration within the UCL team on the history of **juvenile delinquency and juvenile justice** between IAP researchers V. Massin (WP3b), A. François (IAP IT Officer and FNRS post-doc), M. De Koster (IAP post-doc) and D.

Niget, team member and responsible for the coordination of an UCL Coordinated Research Action on “Youth and Violence”. In 2008, this has resulted in joint publications (V. Massin & A. François on the theme of venereal diseases, [see ch. III. publications]) and in the joint participation in and organisation of sessions at several international conferences (ESSHC 2008 and preparations for SHYC 2009, ESSHC 2010). Moreover, this group of researchers, together with IAP coordinator X. Rousseaux, participates in an international research network with the universities of Angers, Montréal, Groningen, Genève and Brussels. They are currently writing a monograph on the History of Juvenile Justice in the Twentieth Century in Western Europe and Canada (Nessie2 project). Finally, they have all contributed, within the scope of the UCL CRA on Youth and Violence, to a series of articles on the theme “Youth and Justice” in the newspaper *Le Soir*, published between July 28th and August 1st 2008. This last collaborative project has also prompted the integration of N. Fally (WP3a) into this group, since for her contribution to the series, she has begun studying the sections of the central prison of Ghent which were hosting juvenile delinquents [see ch. III. publications] (→WP3a-b). Other members of the CHDJ team conduct research that stands in close connection to projects carried out within other WPs: J. Champion works on the French-Belgian-Dutch Gendarmerie after World War II (link with WP1b-WP5b), B. Amez conducts research on military justice during World War I (link with WP5) and F. Muller works on the High Magistracy (link with WP 4). Finally, G. Baclin’s research is concerned with the production of criminal justice statistics and their uses in criminal and penal policy (link with WP1, WP3 and WP5; see also Quetelet.net and INSTAP above). More generally speaking, the expertise of the coordinating UCL team on the **social control of crime through criminal justice** is integrated in the broadest sense. A good example of the large research spectre developed within the CHDJ, involving both a comparative and long-term perspective, is the recent publication of Aude Musin, Xavier Rousseaux, Frédéric Vesentini (eds), *Violence, conciliation et répression. Etudes d’histoire du crime, du moyen âge au 21e siècle* (Louvain, PUL, 2008, collection Histoire, Justice et Société) [see ch. III. publications] (→WP3a-b & IAP). Finally the UCL/CHDJ team and IAP coordinator X. Rousseaux contribute to the integration of both WP3 and the larger IAP network into the Belgian representation in various **international research networks on criminal and penal policy**: CRIMPREV (6th European Framework Programme), IAHCJJ & GERN. In 2008, additional efforts have been made by the IAP coordinator and post-doc to further enlarge international research collaborations, i.e. through meetings and actions to obtain funding for a long-lasting inter-centre collaboration with the most important English research centre in the field of criminal justice and crime history (ICCCR and European Centre for the Study of Policing of The Open University) (→WP3a-b & IAP).

Thematic Work package 4: Prosopography of judicial personnel
(P3: Facultés universitaires Saint-Louis - Promoter J.-P. Nandrin)

As has been explained in detail in the annual report 2007 (p. 26), the activities developed within this work package concentrate upon the scientific study of the judicial personnel (bureaucrats, magistrates, and lawyers) as a group from the time of its formation in 1795 under French control, later to become the subject of the social history of elites in modern Belgium. Legal professionals are thus examined in direct relationship to their backgrounds and networks. The central question is

as follows: is the magistracy a socially conservative elite linked to the dominant groups in the State and Belgian society, or has it changed, becoming more representative of diversity in ideology, politics, social groups and social or ethnic origins, more representative of the population of the nation as a whole?

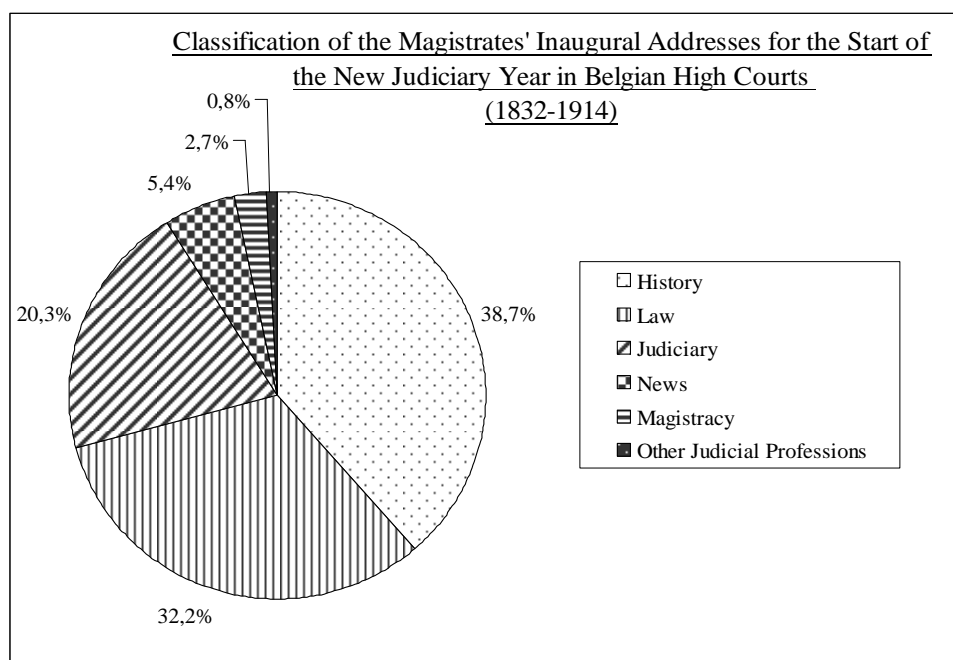
The core of this work package consists of its use of the potential of new technologies in order to create a database containing the names and profiles of all the magistrates who exercised functions during the period studied, and to integrate it into the JUST-HIS portal [see ch. I, WP7]. In the framework of a FRFC project, the WP4 team and the IAP coordinator's team (UCL/CHDJ) have developed and are further elaborating a specific computer application for such prosopographical data, and are pioneering in the exploration of this area of research [see ch. I, WP4, 4. contributions of the team, and ch. I, WP7, 2. integration of databases]. The work concerned with the collection and input of biographical data on magistrates (and in the future, other legal professions as well) is based on new scientific research on Belgium's judicial personnel that will, in turn contribute to the realisation of the research objectives outlined above, and result in PhD theses. In this first IAP phase, the research focus lies on research on the Belgian magistracy between 1830 and 1914, and during the Second World War.

1. WP4a Magistrates' Inaugural Addresses for the Start of the New Judiciary Year in Belgian High Courts (1832-1914) (Aude Hendrick)

As a reminder, the purpose of this PhD research is to identify and analyze all the inaugural addresses held in the superior courts in Belgium from 1832 to 1914. The year 1832 marks the beginning of the judicial organization of the young Belgian State; therefore, it seemed appropriate to choose this date to begin the analysis and to end it in 1914, when no inaugural address was held for the start of the new judiciary year because the war had been raging in Belgium for two months. Apart from the exceptional situation arising from the beginning of the First World War, the so-called *mercuriales* were delivered at regular intervals throughout the period studied. In addition, A. Hendrick has chosen to integrate, as far as possible, addresses for the installation of the presidents and seated magistrates into the scope of the research. These speeches are quite comparable to the inaugural addresses in the choice of themes covered, but they have the advantage of offering a much more detailed biography of the magistrates, which is crucial to the prosopographical research planned within this WP.

Next to information on the persons and careers of magistrates, the Belgian inaugural addresses and installation speeches are characterized by a wide variety of topics reflecting their major concerns. A. Hendrick's first results, obtained in 2008, reveal that six main themes structure the content of the corpus of inaugural addresses throughout the period studied (see Figure "Classification of the Magistrates' Inaugural Addresses" below): legal history or the history of justice makes up the first most important category (38.7%), followed by legislation and legal issues (32.2%), the organisation of the justice system (for example the courts, penitentiary institutions and different types of procedures, 20.3%), and, much less frequently appearing as a theme, the societal events of the time, the "news" (5.4%). Further, the magistracy itself is also the object of some of the inaugural addresses (2.7%); their number is small but sufficient to allow an examination of how this group was

portrayed. Finally, the profession of notary appears in two speeches (or 0.8%), both held in the Court of Appeal of Ghent.



A. Hendrick has been able to obtain these results only after having invested a great deal of work and time in the digitization, OCR'isation and finally correction of her voluminous corpus of source material: the theoretical total of all inaugural addresses delivered during the period studied is 295, and at this point, 262 of these speeches have been inventoried and digitized, which comes down to 88.8% of the corpus. The digitization and the Optical Character Recognition (OCR) applied to the digitized material have been realised by a sub-contracting company (IRIS). Next, correction of the remaining - and unfortunately still quite numerous - little errors in the treated texts has been started off in 2008 by A. Hendrick and job-students. The long process of digitization, OCR'isation and finally correction of the addresses finally results in material allowing for a thorough lexical statistical analysis, making up the core of the methodology applied for this PhD research.

To bring this process to a succesful end, A. Hendrick has invested considerably in the obtention of additional training throughout the year 2008: she has participated in the different courses that have been offered within the framework of the IAP Doctoral School [see ch. II, 3.1. PhD training], as well as in specialised training focusing mainly on discourse analysis, i.e. sessions on the techniques and software for lexical statistical analysis (Hyperbase, Lexico3 and DTM) and a Doctoral Research Seminar in Computer's resources for qualitative analysis, coordinated by the University of Liège (http://analyses.ishs.ulg.ac.be/edtss_methodes_logiciels/lab0.html).

Since it will shortly be made available to the IAP network through its integration into the JUST-HIS portal (restricting access to network members untill completion of the PhD research) [see ch. I, WP7, 3. JUST-HIS repository], the corpus of source material collected and treated by A. Hendrick offers

other IAP researchers the opportunity to produce analyses on their own research topics on the basis of the full-text of the inaugural speeches [see ch. I, WP4, 4. contributions of the team].

A. Hendrick has participated in four conferences throughout 2008. At the first conference of the IAP network held in Louvain-la-Neuve in January 2008, she has presented a paper on the double quality of the addresses: they're both a fully-fledged research object in their own right, and a key source for studying opinions of the magistracy. During the IAP-Session "Justice & Society" at the *Journée de l'Histoire contemporaine* in March 2008, she has given a general presentation of the focus and objectives of her PhD research to other Belgian historians. Next, the first research results have been integrated into a paper presented in November 2008 at the University of Lille 3 (partner EU1) seminar '*La construction des professions, du national à l'européen*', discussing the comparisons Belgian Magistrates made in their addresses between their own professional functioning and foreign legal professions. Finally, at the latest edition of the Belgian-Dutch Symposium on Legal History, held in December 2008 in Louvain-la-Neuve, a paper was given on the appearance of 'History' as dominant theme in the inaugural addresses held in the Court of Appeal of Brussels, in which A. Hendrick has argued that there were three main reasons for this tendency: nationalism, the celebration of predecessor and a commemorative approach [see ch. II, 4.1. conferences]. Three of these papers have been reworked into articles and are either in print or have been submitted for publication to the responsible editors [see ch. III. publications].

In 2009, A. Hendrick will continue her analysis of all the inaugural and installation addresses, drawing on the technical and methodological expertise in 2008. Further, she plans to pursue an examination of press articles on the reopening of the Courts at the start of each new judiciary year, and of the minutes of the ceremonies (kept in the archives of the Belgian High Courts).

2. WP4b Belgian Magistrates during the Occupation of the Second World War, 1940-1944 (Kirsten Mareke Peters)

The second WP4 subproject has been focused onto the Belgian magistracy during the Second World War. In order to successfully address the gaps in the existing knowledge on this topic, K. Peters has chosen to prioritize the following aspects:

1. the study of the individual magistrates, their political opinions and ties with other members of the magistracy;
2. a combination of detailed analysis of moments of crisis with attention for more 'ordinary', calmer periods;
3. an assessment of the impact of the occupier's policies on the magistracy through a study of German decisions and decrees and their impact on the fate of certain magistrates, drawing on the archives of the 'Justiz-und Rechtsstelle' section of the German military administration kept in the Freiburg Federal Military Archives (Germany);
4. finally, a close examination of the policies of the Secretaries-General in order to guarantee a more comprehensive approach to the topic, motivated by the fact that the large number of conflicts that have risen around the legitimacy of the legislation enacted by the Secretaries-General indicates that the history of the magistracy under the occupation is actually inseparable from the history of the Secretaries-General.

In 2008, K. Peters has first of all concluded much of the search for relevant literature and the methodological reflection for her PhD research, thus delimitating and refining her approach and research focus (presented under points 1 to 4 listed above). She then presented these at the first IAP conference held in Louvain-la-Neuve in January 2008 and during the special 'IAP session' at the annual conference of the Belgian Association for Contemporary History in Brussels in March 2008 [see ch. II, 4.1. conferences]. Next, Kirsten Peters has concentrated her efforts onto the examination of large parts of the material from the archives of the German military administration in Belgium during World War II (the above mentioned funds kept at the German Bundesarchiv-Militärarchiv in Freiburg (Breisgau)) on the one hand, and of a large proportion of her archival material kept at the SOMA-CEGES, primarily including the Jamar, Schuind and Vossen archives.

The analysis of this source material has, first of all, allowed K. Peters, to book progress in her investigation of the impact of the German military administration on the Belgian magistracy. A first set of intermediary research results, revealing how the specific domain of recruitment and nomination policies within the Belgian magistracy was influenced by the German administration, has been presented at the latest edition of the Belgian-Dutch Symposium on Legal History, held in December 2008 in Louvain-la-Neuve. The paper given has been reworked into an article and is currently in print. K. Peters has subsequently extended this to an investigation of incidents concerning the magistracy as a whole, which include the judicial crises of summer 1942 and winter 1942/43. A paper on the subject of the first judicial crisis was presented at the latest IAP conference held in Ghent in February 2009 [see ch. II, 4.1. conferences, and ch. III. publications].

Following preparatory contacts set up in 2007, K. Peters has started collaborating with F. Welter (WP1b), who has integrated the period of the WWII occupation and Liberation in his research on the activity of the judicial police, and with whom a co-authored publication is being prepared [see ch. III. publications]. Other projects in cooperation with M. Bost and L. Van Haecke (WP5) are currently being planned [see ch. II, 4.1. conferences, and ch. III. publications].

For 2009, K. Peters plans to focus more on the individual biographies of magistrates: several details on various personalities could already be obtained from the archives of the military administration and will be completed with data from court archives. Other sources containing information on the attitude of certain judges and prosecutors towards the German occupier can be found in the *Fonds du Haut Commissariat à la Sécurité de l'Etat* (State Archives) and in the specialised press (*Annuaire administratif et judiciaire de Belgique et de la capitale du Royaume*, *Moniteur belge*, *Journal des Tribunaux*, *Justice libre*, etc.). The results of the examination of these different sources are not only to serve the PhD research as such, but will also be encoded in the prosopographical database on magistrates [see ch. I, WP4, 4. contributions of the team and ch. I, WP7].

3. Collaborations [...↔...]) with researchers from other WPs

Following contacts and first exchanges set up in 2007, K. Peters (WP4b) collaborates with F. Welter and with M. Bost and L. Van Haecke on the topic of **police and justice during the World Wars** and the liberation. In 2008, this has resulted in the joint preparation, together with F. Welter, of a review of the work of B. Majerus, *Occupations et logiques policières. La police bruxelloise en 1914-1918 et 1940-1945*, to be published in an international journal in the year 2009. At the same time, preparatory talks for the realization of joint research and publications with M. Bost and L. Van

Haecke have taken place. This is the result of the fact that the WP4b project adds a comparative perspective to WP5, since it includes research on German military justice administration, based on German archival sources. This also implies that the occupier's perspective comes into view, which is rather unique in Belgian research on the world wars (WP4b↔WP1b↔WP5a-b). The three researchers of WP4b and WP5 have jointly presented their PhD projects at the 'IAP session' at the annual conference of the Belgian Association for Contemporary History in Brussels in March 2008, thereby demonstrating how their collaboration benefits the coherence of both the content and the output of their research results and, by extension, of those of the larger IAP project [see ch. II, 4.3. further dissemination].

As has already been mentioned among the research collaborations of WP3, WP 4 coordinator J.-P. Nandrin (FUSL) and IAP and WP3 coordinator X. Rousseaux have continued their collaboration within the scope of the FRFC project on the **prosopographical study of judicial personnel**. Thanks to a renewal of this project obtained in 2008 (mandate of WP4 team member C. Goffin), it has been possible to extend the research to the periods of **Belgian justice under French and Dutch rule** (1795-1830, which constitutes an important contribution to the exchanges with EU1 partner University of Lille 3 on this topic (WP4↔WP3↔WP6). As is also mentioned below, both the FRFC and the IAP project have allowed important investments in the further development of the prosopographical database on judicial personnel during the year 2008, also benefiting the IAP research at large and the JUST-HIS portal in particular [see ch. I, WP3, 4. contributions of the team and ch. I, WP7, 2. integration of databases].

4. Contributions [(→...)] of the partner's team to the WP's research and the entire IAP

The above mentioned collaboration of IAP and WP 3 coordinator X. Rousseaux with the WP 4 team (FUSL) within the scope of the FRFC project also benefits the entire IAP project, since it involves further development, coordinated by the IAP IT Officer and the WP4 team, of a **prosopographical application for the study of judicial personnel** in view of its integration into the JUST-HIS portal. During 2008, great progress has been booked in this work area, thanks to the IAP funding: together with the IAP IT Officer, the WP4 team has prepared a major upgrade of the existing database. The huge scope of this mission is clearly being reflected by the fact that the produced work planning attached to the contract ("cahier des charges"), that is currently being submitted to possible sub-contractors, counts no less than 75 pages. With respect to the input for the database, it should be noted that both IAP-WP4 researchers collaborate in this, using data collected in the course of their PhD research [see ch. I, WP7, 2. integration of databases] (→WP7 & IAP). These different efforts contribute considerably to the **research conducted on legal professions** within several other WPs of the project. Further, WP4 team member C. Goffin, who has obtained a new research mandate within the FRFC project that has been focused onto the French and Dutch period (1795-1830), has undertaken a research visit to Paris, together with IAP coordinator X. Rousseaux, for the **digitization** of archives concerning the justice administration in the Belgian territories under French rule (→WP4 and other research on legal professions by WP2, WP6 & WP7).

The efforts made by A. Hendrick for the **digitization** and OCR treatment (and associated 'cleaning' of the material) of the entire corpus of inaugural addresses of magistrates constitutes one of the main digitization projects of the IAP network in view of the development of the JUST-HIS portal [see

ch. I, WP7, 3. JUST-HIS repository]. Since this work has almost been completed throughout 2008, it will soon be possible to make this collection accessible to the other IAP researchers, allowing them to produce analyses on their own research topics on the basis of the full-text of the inaugural speeches (→WP7 & IAP).

WP4 coordinator J.-P. Nandrin has coordinated, with the support of the State Archives (WP1), the follow-up of negotiations started up in 2007 with the Court of Cassation to obtain access to its archives, as a result of which a small group of IAP researchers has gained partial access in 2008. This group has managed to identify a broad range of highly interesting documents and to copy as many as possible during the short period of access that was granted to them. The material thus collected is of particular importance to the research conducted within different WPs. Further, WP4 team member and post-doc V. Bernaudeau has done highly interesting new research on the basis of the archives of the Court of Cassation (→WP4, WP2a, WP5).

Finally, WP4 promoter J.-P. Nandrin has acted as chair and as discussant in sessions on the history of the magistracy and of judicial personnel in general at the Lille 3 seminar on this topic in November 2008 and the Belgian-Dutch Symposium on Legal History in December 2008 [see ch. II, 4.1. conferences]. Further, he has set up, and supervises, new MA research on the practices of the judges of peace and has elaborated a grid for the analysis of their archives (→WP4 and other research on legal professions by WP2, WP6).

Chronological Work Package 5 : Justice in the post-War period 1914-1950

(P5: Centre for Historical Research and Documentation on War and Contemporary Society, SOMA/CEGES - Promoter D. Luyten)

The research activities developed within the scope of WP5 share the objective to study the Belgian judicial system during and after the two World Wars in an innovative way, in order to fill important gaps in the existing knowledge about Belgian justice during these specific periods of crisis. The limitations and shortcomings of the available research on this topic, the particular interest of innovation in the research domain and the ways in which the research carried out within WP5 aims to realize this, have been discussed in detail in the annual report 2007 (p. 31). For the purpose of this report, it seems convenient to remind readers that the novelty of the WP 5 research lies within its integrated approach to both wars. With respect to their impact on the Belgian judicial system, this brings to the forefront the obvious question of how, and to what extent, the experiences of the First World War and its aftermath shaped policies and experiences during and after the Second World War.

During 2008, the two IAP-WP5 researchers M. Bost and L. Van Haecke have continued their archival research for their PhD's on the judiciary during the First World War (M. Bost) and the post World War II purges (L. Van Haecke), participated in conferences in Belgium and abroad, prepared publications and as far as L. Van Haecke is concerned, continued the cataloguing of the archive of the office of the judge advocate general (*instructions générales*).

1. WP 5a *The Attitude of Belgian Magistrates during the First World War* (Mélanie Bost)

During the year 2007, M. Bost has first of all chosen to focus her doctoral research onto the attitudes of the Belgian magistracy towards the German occupation and, more broadly, onto the functioning of the Belgian justice system during the Great War. Concerning the methodology used, she has opted for a qualitative approach that does not, however, exclude attention being paid to the quantitative aspects of some issues. For instance, the activity of courts and tribunals during the Magistrates' strike of 1918 will be examined systematically, drawing on minutes of judgments, reports of court sessions and, as regards the Public Prosecutors' Offices, case registers and registers of the execution of sentences. This last point illustrates well how M. Bost, confronted with a serious lack of both scientific research and easily available archival funds for the First World War, has chosen to follow the very labour-intensive but extremely valuable strategy of consulting a very broad range of archives produced at all levels of the justice system, and trying to piece bits and pieces together from an impressive mass of documents, that all have to be subjected to careful and critical examination before their actual relevance (or irrelevance) for the research becomes clear. In general, the project situates itself within the current renewal of historiographical approaches to the First World War.

During 2007 and an important part of 2008 as well, M. Bost was still largely confronted with the major technical problem of access to the judicial archives. The necessary authorizations were only granted in the second part of the year (and for Brussels only in December). But now the major breakthrough of a collective access for all IAP researchers to a broad range of judicial archives has been realized, the approach put forward by M. Bost can finally be translated into practice. The refusal of the judicial authorities to grant access to the files of the judiciary personnel is, however, very handicapping for her research on the magistracy. As has been mentioned earlier in this report, the IAP promoters plan further negotiations with the Minister of Justice on this point [see ch. I, WP1, 4. contributions of the team, and ch. I, WP5, 3. collaborations].

During the first semester of 2008, waiting for this precious "open sesame", M. Bost has examined non-judicial archives (police archives, archives of the rich First World War fund of the State Archives, personal archives from judges of people composing the magistrates' social networks, archives of the Ministry of Justice) conserved all across the country. During the following six months, with the authorizations of access, M. Bost has begun to collect the Flemish judicial archives conserved in the State Archives depository in Beveren and the part of the Walloon judicial archives conserved in the depository of Mons.

An essential step forward in the work resulted from the punctual opening of the archives of the office of the judge advocate general of the Court of Cassation and the possibility offered to the IAP researchers to digitize them [see ch. I, WP1 & WP4, 4. contributions of the team]. For the First World War, about sixty dossiers have been preserved. Given the fundamental role of the judge advocate general in this period - leading negotiations with the occupier, elaborating the chief *modus vivendi* - these dossiers offer valuable insights on both the material, organizational, relational and judicial difficulties encountered during the occupation, as well as on the strategy developed by the office of the judge advocate general to resolve them. Some traces of confidential correspondence, notably in the context of the Magistrates' strike of 1918, provide precious clues for interpretation.

Despite the long-lasting problem of limited access to archival sources, M. Bost has managed to book progress on three main topics of her PhD research :

As most of the knowledge commonly held on Belgian justice in 1914-1918 concerns the *strike of the Belgian magistrates (February-November 1918)*, this is a first important item of study. M. Bost aims, by examining still largely unexploited court records, to challenge the official view of this strike and measure the direct effects of the "*cès de justice*". The first research results obtained call for a review of the common assertion that from mid-February 1918 to the armistice, unemployment of the Belgian judiciary was complete. Analysis of the minutes of proceedings and judgments and of the register of notes reveals that in the General Government, at least a part of judges' activities were not suspended. The prosecutors have clearly continued to operate, at least for some time. In the main "Ettapengebiet", covering the jurisdiction of the Court of Appeal of Ghent, all judicial activities were continued, at least for urgent cases, until the German authorities ordered to cease activity, thereby forcing the strike. The Flemish activist press and some judges' archives show that, during the strike, conflicting views emerged on the attitude to adopt, in some cases generating tensions between persons. The buoyancy in some public prosecutor's rooms disrupts the mythologized vision of a unanimous magistracy, whose attitude was magnified in the aftermath of the Great War.

A second area of research opened up by M. Bost is concerned with the *line of conduct determined by the General parquet of cassation*. As indicated above, the archives of the office of the judge advocate general (general parquet) of the court of Cassation provide important information on the functioning of Belgian justice during the occupation. Although they contain many gaps, the archives of the three Courts of Appeal and of the lower jurisdictions, now accessible, will progressively complete our knowledge.

Third, M. Bost has addressed the question of the *missions devoted to the Belgian magistrates in wartimes*. By confronting her first results with the international literature on justice in wartimes - in France and Netherlands during the Second World War - M. Bost has established that, contextual differences notwithstanding, some fundamental issues in these different experiences of occupation were posed in identical terms, questions and answers. This raises questions about the nature and the specificity of the judiciary. Comparison of the content, the immediate repercussions and the long term fate of two fundamental rulings, i.e. the arrest of 20 May 1916 of the Belgian Court of Cassation and the "*Toetsingsarrest*" (review judgement) of the Dutch Supreme Court (*Hoge Raad*) of 12 January 1942, well known thanks to the research of Derk Venema (see below), has suggested that 1) in both cases, the high courts refused to assign the national judges the right to evaluate the legitimacy of the occupier's legislative acts; a decision highly criticized by a part of the judicial world ; 2) whereas the Dutch arrest has traditionally been viewed as the one of total capitulation, in Belgium the strike of the magistracy in 1918 was responsible for entirely erasing the compromises of previous years. The comparison also permitted to identify the point of no return for the Belgian high magistracy. Rather than the defense of national institutions, threatened by the proclamation of independence of Flanders, it was the defense of the judiciary's independence, its essential attribute, that prompted the switch from cooperation to resistance. The collective withdrawal was decided upon unanimously and immediately, once judicial independence had been violated, namely when the advisers of the Brussels Court of Appeal had been discharged and its leaders deported.

M. Bost has followed the entire cycle of seminars and the Summer School organised within the framework of the IAP Doctoral School [see ch. II, 3.1. PhD training]. She has presented papers at the IAP network conferences and special session at the annual conference of the Belgian Association for Contemporary History in Brussels, and at the Belgian-Dutch Symposium on Legal History and the SOMA-CEGES seminar on the research of Derk Venema on the attitude of Dutch magistrates during WW II (M. Bost acted as discussant), which have been organised with IAP support [see ch. II, 4.1. conferences]. She has also attended the Conference "Law under occupation" organised by NIOD, an important foreign partner of the SOMA-CEGES, in Amsterdam (June 2008). Two of these papers have been reworked into an article, one of which is on the Magistrates' strike and is co-authored with A. François (IAP IT Officer and WP3); both will shortly be published [see ch. III. publications].

Apart from this last collaboration, M. Bost also works together closely with her WP5 colleague L. Van Haecke, F. Welter (WP1b) and K. Peters (WP4b), with whom detailed projects for joint research actions and publications are being prepared. She plans to develop a similar collaboration with A. Hendrick of WP4a [see ch. I, WP5, 3. collaborations].

2. *WP 5b The Repression of Collaboration after the Second world War as a Policy Problem for the Judicial System* (Lawrence Van Haecke)

The general subject of L. Van Haecke's PhD research project is the repression of collaboration after the Second World War. More precisely, it concerns the development of the judicial apparatus to punish the collaborators and how the state managed this repressive action. The research is divided into two parts. The first chapter concerns the way in which the Belgian government-in-exile built up their repressive laws and prepared itself for the liberation. How did the government take on this task and which specific goals and ideas shaped the content of those laws? The second chapter of research delves deeper into how the military courts got built up and how a policy of punishment was configured. Which problems posed themselves and how did the government and the judicial apparatus reacted in order to find a solution?

In 2008, L. Van Haecke first of all broadened up and specified his research topics. The former resulted from the integration of a comparative perspective, through investigation of the purge in France and the Netherlands. Further, the decision has been made to look at the research subject through a double theoretical lens : use is made of the frame of transitional justice and the theory of path dependence in order to identify the particularities of the way the Belgian government prepared and managed the repression. Further, L. Van Haecke, narrowed down his research focus in order to allow in-depth research on certain phases. He decided, for example, to study the policy of the military justice administration with respect to the application of the decree on the civil purge and the transaction law (short procedure when the person incriminated agreed upon the sanction proposed by the military prosecutor), since these laws changed the policy instruments available to the military courts in important ways.

Further, L. Van Haecke has spent a great deal of time on the research of different archival sources. First of all, he completed his research on the government-in-exile in London, mainly using the archives of the Cabinet of the Prime Minister and the *Comité pour l'Etude des Problèmes d'Après-Guerre*.

The *Instructions Générales* of the Chief Military Prosecutor's Office constitute the most important archival fund for this research. They allow to look behind the military prosecutor and see how judicial policy was developed. Another important archive was that of the *Haut Commissariat à la Sécurité de l'Etat*. This office controlled and coordinated all the services for the maintenance of law and order. It was headed by the Chief Military Prosecutor and this allowed him to take part in the preparation and workings of the government in a whole new way.

L. Van Haecke has also collaborated with Lieven Saerens of the WP5 team (Cegesoma) on the above mentioned *Instructions Générales* in order to dress an inventory of this important archival fund [see ch. I, WP5, 4. contributions of the team].

In the course of his archival research activities, L. Van Haecke has discovered interesting source material for several other IAP researchers: he has provided information in this respect to B. Quintelier (WP2b), V. Massin and N. Fally (WP3), François Welter (WP1b) and Kirsten Peters (WP4b). In turn, he has also received information from most of the IAP researchers. With M. Bost (WP5a), F. Welter (WP1b) and K. Peters (WP4b), a collaboration was already established in 2007 and this has been continued in 2008 with meetings in order to search for common grounds for joint papers and articles on their research topics. With B. Van Dael (WP2a), A. François (IAP IT Officer, WP3), N. Fally (WP3a) and L. Nguyen (WP1a), similar reflection has been started off [see ch. I, WP5, 3. collaborations].

L. Van Haecke has participated in the entire seminar series and the Summer School of the IAP Doctoral School [see ch. II, 3.1. PhD training]. He has presented papers at the IAP network conferences and the special session at the conference of the Belgian Association for Contemporary History in Brussels, and at the Belgian-Dutch Symposium on Legal History organised with IAP support [see ch. II, 4.1. conferences]. He has also attended the Conference "Law under occupation" organised by NIOD, an important foreign partner of the SOMA-CEGES, in Amsterdam (June 2008). Two articles, to be published shortly, have been produced on the basis of these papers [see ch. III. publications].

3. Collaborations [(...↔...)] with researchers from other WPs

L. Van Haecke (WP5b) has been actively involved in the **exchange of information on useful source material** with several IAP researchers, from all the other WPs involving targeted PhD projects, and plans to extend this to the realization of joint publications (WP5b↔WP1↔WP2↔WP3↔WP4). Further, together with M. Bost (WP5a), he has continued to collaborate with F. Welter (WP1b) and K. Peters (WP4b), on **police and justice during the world wars**. This collaboration has involved exchanges of information on source material, bibliography, research questions and methodological issues, and the preparation of joint papers and publications (WP4b↔WP1b↔WP5a-b). The three researchers concerned have jointly presented their PhD projects at the 'IAP session' at the annual conference of the Belgian Association for Contemporary History in Brussels in March 2008, thereby demonstrating how their collaboration benefits the coherence of both the content and the output of their research results and, by extension, of those of the larger IAP project [see ch. II, 4.3. further dissemination].

M. Bost has also collaborated with the IAP IT Officer and FNRS post-doc A. François (WP3) on the **strike of the Belgian magistracy** in 1918, whereby the latter has illustrated the general observations made by M. Bost through the example of a particular jurisdiction: the court of children in Brussels. The richness of the archives from this court, well reflecting its activity throughout the

war, and the numerous publications of the Brussels judge Wets, have proven to be helpful to understand how this court experienced the strike, the modalities and motivations for joining the movement and possible strategies for further action. This has resulted in a joint paper presentation at the Belgian-Dutch Symposium on Legal History held in Louvain-la-Neuve in December 2008, and in a co-authored article in the proceedings of this conference [see ch. III. publications] (WP5b↔WP1).

Considering the numerous lacunae of the scientific literature on the Belgian magistracy, A. Hendrick's doctoral research devoted to **magistrates' inaugural addresses**, from the 19th century up to 1914, also provides new information and reflection for M. Bost's research, which is why plans exist for the mobilisation of both IAP researchers' results for a confrontation between practice and discourse (WP5b↔WP4a).

Close collaboration between the WP5 team and the WP1 team of the State Archives, set up in 2007 because of its great value for the WP5 research, given the greater difficulties **accessing archives on justice in wartimes**, the lack of available material on WW I, and because both research projects draw on a broad range of archival sources, has been continued throughout 2008, with as most important element the decision of the State Archives team to prioritize the WW I period in their future initiatives for the retrieval and inventorying of Belgian judicial and penitentiary archives [see ch. I, WP1, 4. contributions of the team] (WP5a↔WP1).

The theme of **Belgian justice administration during the World Wars** has also continued to fuel internal collaborations between IAP promoters, more in particular between WP4 promoter D. Luyten and WP3 and IAP coordinator X. Rousseaux. Together they have organised the session "*Wars and the repression: Belgian Justice at a particular moment of crisis*" in March 2008 for the IAP doctoral school [see ch. II, 3.1. PhD training]. Further, together with the IAP post-doc, both IAP promoters have started up a new project on 'Belgians before World War II Berlin Courts', in collaboration with Prof. H. Reinke of the Technical University of Berlin, within the framework of the IAP project (WP3↔WP5).

4. Contributions [(→...)] of the partner's team to the WP's research and the entire IAP

The WP5 team of the CEGES-SOMA has continued its efforts in integrating the WP5 and IAP research into **international networks** by participating in and organizing workshops and conferences. M. Bost and L. Van Haecke have both participated in a conference organized by the Dutch Institute for War Documentation (NIOD) on the so-called 'toetsingsarrest' (review judgment). They have presented their part of the PAI project and discussed the specificities of the Belgian case and the influence of the experiences of the First World War on the attitude of the judiciary during the Second World War. In July 2008, the WP5 team has organized a **seminar** in Brussels on the occasion of the recent publication of the PhD of Derk Venema (Radboud University Nijmegen) on the Dutch judiciary during the Second World War [see ch. II, 4.1. conferences]. WP5 promoter Dirk Luyten has participated in an international conference organised by the Institut d'Histoire du Temps Présent and the Ecole des Hautes Etudes en Sciences Sociales in Paris in May 2008: « Transitions, épurations, sorties de guerre. Retour sur les concepts et catégories d'analyse ». A **publication** at Cambridge University Press is planned. The CEGES-SOMA team has participated in the **conferences** organised by the PAI-network in 2008 and the WP5 promoter assisted in the preparation of the volume on the sources for the history of justice in Belgium in the IAP « Justice & Society » series published at the State Archives

(forthcoming) [see ch. II, 4.2. collective IAP publications, and ch. III. publications] (→WP5&IAP). Finally, WP5 promoter D. Luyten has contributed considerably to the IAP's **digitization** initiatives and **development of the JUST-HIS portal**, by taking up the coordination of the IAP internal Task Group Digitization, together with the IAP post-doc, and by sharing the expertise of his team on the construction of online archival sources databases and on questions of copyright within the IAP Task Group 'Repository' [see ch. II, 1.2. management of Transversal WP7], and through efforts to prepare the digitization of the series of circulars of the office of the judge advocate general, kept at CEGES-SOMA [see ch. I, WP7, 3. JUST-HIS repository], and (→WP7&IAP).

Further contributions to the WP5 research and other WPs in which the context of the world wars is the object of study (WP1b, WP3 team, WP4b) have been realized through the following research activities developed by other CEGES-SOMA team members (→WP5& WP1b, WP4b and WP3 research on world wars).

C. Kesteloot participates in the project 'The long-lasting legacy of collaboration' of the Dutch Institute for war documentation (NIOD). The project investigates the **legacy of collaboration during the Second World War** in a new way. The hypothesis is that we may gain a better understanding of the social consequences of the war and collaboration by examining the paths and strategies of exclusion from and integration into Dutch society of the former national socialist milieus during the long post-war era. Thus, the main issue is no longer to assign labels such as 'right' or 'wrong', but instead make these attributions into objects of research in their own right. Furthermore, emphasis will no longer be on the individual 'perpetrators'. Instead, the research will also include the spouses and children who may not have been politically active but whose lives, as a consequence of belonging to the collaborationist camp, were also profoundly affected. One of sub-projects focuses on the internment camps in the Netherlands compared to Belgium.

R. Verwaest has continued his research on the application by the Belgian state of the laws of war in the twentieth century. A central theme of this project concerns the **policy of the Belgian military justice** during the Ruhr-occupation in the 1920's and its position towards the rights of German POW's in Belgium after the Second World War. The project focuses also on the position of the office of the judge advocate general regarding prosecution and extradition to Belgian allies of non-Belgian citizens suspected of collaboration after 1944. The angle of the project of R. Verwaest is a specific one, but is complementary to the research of L. Van Haecke on the policy of the Belgian military justice after the Second World War. Both researchers work in close cooperation and exchange information.

Finally, C. Kesteloot, P. Aron and D. Luyten have **co-published** several contributions in the *Dictionnaire de la Seconde Guerre mondiale en Belgique* (edited by P. Aron & J. Gotovitch, Bruxelles, André Versaille, 2008) [see ch. III. publications].

Chronological Workpackage 6 : Justice in Revolution(s) : The French experience (1795-1814) and the Dutch experience (1815-1830)

(EU1: University of Lille-3 - Promoter H. Leuwers & EU2: Free University of Amsterdam - Promoter S. Faber)

The research contributions of the universities of Lille 3 and Amsterdam (Free University) are intended to deepen our understanding of the origins of Belgian justice and police activities, to identify common experiences, and to isolate national differences in the process of construction, while at the same time, the study of the judicial history of Belgium is bound to illuminate the experiences of France and the Netherlands.

The WP6 research activities are directly contributing to the research conducted within WP2 (the Belgian Bar from French Revolution to the present), WP3 (police history) and WP4 (prosopography of judicial personnel) via active collaboration with these WPs and the associated teams [see ch. I, WP2-WP3-WP4, 3. collaborations]. E. Berger, former FNRS post-doc at the IAP Coordinator's team (UCL-CHDJ) and now member of the State Archives team has continued to assist the IAP network in its contacts with the French partner [see ch. I, WP1, 4. contributions of the team].

For the team of the **University of Lille 3** (partner EU1), the year 2008 has made it possible to pursue and extend ongoing research on the worlds of the police and the judiciary at the turn of the pre-modern to the modern period.

Reflections on the specificities and convergences of the processes of social construction of the **legal professions and their networks of the 18th and 19th centuries** have been deepened further. After a first research seminar, devoted to the *Expériences spécifiques ou partagées : juges, avocats et notaires dans l'espace franco-belge* (to be published in 2009 by the Belgian State Archives, within the collection « Justice & Society » of the IAP-project) [see ch. II, 4.2. collective IAP publications, and ch. III. publications], it has appeared useful to enrich the approaches by crossing professional histories and widening the geographical scope. Another study day was thus organized within the framework of the MESHS of Lille, with the support of IRHiS UMR 8529 : held on November 28, 2008, this seminar brought together about twenty historians, law historians and sociologists who are experts on the topic *La construction des professions, du national à l'europpéen* [see ch. II, 4.1. conferences].

The idea behind the seminar was that activities in the domain of justice (developed by judges, lawyers, prosecutors/*avoués*, the notary, and even sergeants, bailiffs, police chiefs - and their pre-modern equivalents), and in the medical field (doctors, surgeons, health officers...), that are often linked to one another by sociological studies, deserve more common historical analyzes that move beyond the different "professions" themselves. Further, the questionings on the specificity of the Belgian experiment have also encouraged to develop a comparative perspective : for this occasion, we have focused this on the Belgian, French, German and Italian territories, which all share - to a different degree - the characteristic of having experienced the Napoleonean episode. By stimulating reflection on the spacial construction of the medical and legal activities of the 18th and 19th centuries, and by situating them within the context of contemporary issues (T. Bianic), the seminar

has thus allowed a reading of social constructions at work in a geographical space observed at various levels.

Although geographically and chronologically varying in scope, the different experiences examined were all simultaneously linked to the growth of State power, the emergence of self-conscious Nation States, the persistence of regional attachments, confrontations or shared experiments, as well as to the economic and social transformations accompanying the entry into the industrial period. During the 18th and 19th centuries, within the history of medical and legal activities in Western Europe, the formation of 'professional' groups took place at the local or provincial level, sometimes with the support of central intendants or governors, like in the case of the military surgeons (R. Limelette), sometimes within the framework of "colleges" (C. Pauthier). Professional developments also adapted to the expectations of the 'clients' and aimed to address the manifold issues at stake in this period, with the surgeons giving up on the *barberie*, for example (C. Rabier). With the Revolution, and even more during the Empire, shared experiences with multiple destinies developed under the French influence, such as that of the inquiring magistrate (E. Shepherd). When studying their foreign impact, it appeared that they should be analyzed more in terms of adaptation than in terms of influence, the circulation of experiences being a very complex phenomenon, especially for the lawyer profession (F. Aimerito), for example. The difficulty of assessing this impact is heightened by the fact that support or openness towards the different "models" is rarely, paradoxically, made explicit in public discourses (A. Hendrick). From the 19th century onwards, finally, the State is interested more than ever in the legal and medical activities, although strategies and the intensity with which this was done differed considerably from one state to another (Mr. B. Vincent), while certain law or medicine professionals founded their first national organizations, studied foreign experiments and reflected on the insertion of their activities into a European context. Next to the examination of the actors, the stages and the limits of the constructions observed at the local, provincial, national or European level, the discussions during the seminar also concerned the notion of "professionalisation", which was the subject of interesting interdisciplinary exchanges, and will be examined more in detail during a next seminar planned for the year 2009.

The Lille 3-research on the **circulation of policing models and knowledge in Europe during the 18th and 19th centuries** has also been continued, within the framework of the CIRSAP-programme CIRSAP, supported by the IAP project. The year 2008 was one of development and consolidation of the international network of researchers associated with the programme, as well as further deepening of the work in progress.

Following a seminar organized by the MMSH of Aix-Marseille in June 2008 on the circulation of police knowledge in Mediterranean Europe, the research centre IRHIS at the University of Lille 3 organized the 4th international CIRSAP-conference on December 5th and 6th 2008, on the 'Septentrional' (Northern) experiences of such circulations. This conference brought together 28 researchers from ten different countries in the centre and the north of Europe, among who two members of the Belgian IAP network, X. Rousseaux and M. De Koster [see ch. 1, WP3, 3. collaborations], next to the representatives of the team from Lille.

For more details and a comprehensive overview of the topics treated at this conference, see the full programme and the presented papers on the site of IRHIS: <http://irhis.recherche.univ-lille3.fr/ANR-CIRSAP-Agenda.html>. The exchanges and discussions at the conference have been concerned with

transfers and comparisons of policing techniques, both on the street level as in political policing and associated specialized services. Further, the participants have examined transfers of policing knowledge from one country to another in times of institutional reconstruction and police reform, as well as the mixed perspectives and cultural construction of police models resulting from these processes. Particular attention has been paid to the diffusion of the model of the French police of the Revolution and the Napoleonean Empire to Belgium (A. Tixhon on police chiefs (*commissaires*), F. Gaveau on the rural police, A. Lignereux on the gendarmes). This has involved an examination of the difficulties surrounding the implementation of this model, the conditions for its integration and acceptance, and forms of resistance in the field encountered by it.

The discussions have all highlighted the need and particular relevance of a broader international approach to the history of policing and police forces in Europe. Of course, different cultural traditions undoubtedly gave some processes of police (re-)organization a highly autonomous character, and institutional configurations varied considerably as well. Yet the research presented at the seminars in Lille and Aix clearly reveals how 18th- and 19th-century European police officers shared similar concerns and combined efforts in the quest for adequate responses to the ongoing social and political transformations - ranging from industrialization and its destabilizing urban and rural effects to mounting claims for political pluralism - in a Europe where the circulation of ideas and men was facilitated by new technical means. The different studies sketch a picture of police forces that were permanently under construction, continuously trying to draw lessons from neighbouring or sometimes faraway experiments, to be applied to or eliminated from their own practices and organization. As a consequence, it is no longer possible to view the European police world as a mere juxtaposition of rigid state agencies, confined to their respective national spaces. Undergoing professionalisation and evolving in function of social demands and policy guidelines, police forces questioned their techniques and their organization on the basis of the experiences of other countries.

Situated by geopolitics on the crossroad of North-Western Europe and undergoing turbulent historical developments, the Austrian Netherlands of the 18th century, later the Belgian departments under French rule, the Belgium of the Kingdom of the Netherlands, and finally independent 19th-century Belgium, in many ways participated at the forefront in these constructive circulations of modern police forces.

The year 2008 has also brought about the publication, supported by the CIRSAP-programme, in collaboration with the research centres IRHIS-Lille3 and CRHQ-Caen, and in which several IAP-members have participated, of a comprehensive volume on the *Métiers de police*, at Rennes University Press. With its 560 pages, it offers a vast European panorama on the question of professionalisation of the police profession from the 18th to the 20th centuries [see ch. III. publications].

Following the next phase in the CIRSAP-programme, the year 2009 will be devoted to a reflection on policing in the colonial empires and its relationships with policing and the police forces of the metropolitan centres. The 5th international CIRSAP-conference will be held at the University of Paris 1 in November 2009. Currently, the CIRSAP-network is studying future strategies for the valorization of both the bibliographical and documentary databases developed within the programme, and the research contributions of its participants via the creation of an electronic scientific journal.

Whereas during the year 2007, the research activities developed within WP6 of the IAP project were focused onto the partnership with the University of Lille 3, working on the first preliminary period in the history of Belgian justice prior to Belgium's independence (1795-1814), 2008 has meant the kick-off of the collaboration with the **Free University of Amsterdam (EU2)** on the subsequent period of the Dutch experience (1815-1830).

Following participation of the Amsterdam University promoter S. Faber in the meeting of the IAP network's Steering Committee in September 2007 and the subsequent finalisation of formal arrangements (contract and financing) for the participation of this European partner in the IAP project by the end of that year, S. Faber and team have begun preparatory research in archival records and scientific literature. During 2008, S. Faber has coordinated an optional Master course seminar at the Free University of Amsterdam on Belgium-Netherlands in the period from 1814 to 1839. This Master course seminar was developed on the basis of S. Faber's research on this topic and period, and has been followed by 12 participants, whose participation has, in turn, produced new reflections and venues for further research.

Further, S. Faber has launched a procedure for the recruitment of a student research assistant for his team; in the autumn of 2008, thanks to combined financial efforts of the Free University of Amsterdam and of the Belgian IAP network, this has been realized successfully. Together with this student research assistant, S. Faber aims to realize a maximal input into the IAP project on the **history of justice administration during the Dutch period (1815-1830)** throughout the year 2009. Possibilities for targeted research efforts within the scope of this general contribution include, for example, a comparison between the Belgian published circulars of the Ministry of Justice and those issued by its Dutch equivalent. This option has been opened up as a result of the digitization of the entire series of the Belgian circulars, which has been coordinated by the Belgian State Archives [see **ch. I, WP1, 4. contributions of the team, and ch. I, WP7, 3. JUST-HIS repository**], and would draw upon earlier research of S. Faber on the Dutch circulars (the results were published as a contribution to H.G. van de Bunt e.a. (red.), *Richtlijnen van het Openbaar Ministerie* (Ars Aequi libri, serie strafrecht en criminologie 8; Nijmegen 1993).

Transversal WP 7: Towards an integrated instrument for historical social science research: JUST-HIS

To concentrate efforts, transmit information within the network and to diffuse outside the partnership new technologies for information collection and retrieval, the IAP network has decided to aim for a strong technical and methodological integration, one centred around the networking and distribution of accumulated knowledge. All IAP researchers contribute to the elaboration of a database nexus called **JUST[ice]-Historical Information Systems (JUST-HIS)**.

The online integrated information system and internet portal for justice resources JUST-HIS is aimed to ensure, via a single and centralized access, the management of all information related to the IAP project and its execution, as well as the diffusion of knowledge on the history of Belgian justice. It is meant to perform several functions at the same time : to provide a tool for the valorization of the project, to support the daily operation of the network, and to constitute a research instrument that truly *aggregates* the resources accumulated by the network members.

The platform being set up to result in this JUST-HIS portal is the central instrument of integration of the IAP network. It plays a crucial role in bringing the researchers together as one team, collecting and diffusing information throughout the partnership, offering structured data for quantitative or qualitative research and promoting new enterprises for the preservation, analysis and retrieval of disappearing documentation.

In January 2008, **informatician** A. François has been recruited to ensure the technical development of the JUST-HIS portal for WP7. In October 2008 she obtained a post-doctoral fellowship of the National Fund for Scientific Research (FNRS), in the scope of which she continues her research on juvenile delinquency and juvenile justice within the WP3 team of the UCL (CHDJ), focusing more in particular on the private penitentiary institutions for young delinquents in Belgium [see ch. I, WP3, 3. research collaborations]. She stays, however, in charge of the technical coordination of WP7, devoting 20% of her activity to the IAP project, within the time slot allocated by the FNRS for support to the hosting institution (UCL). A. François also performs the function of IT officer for the larger IAP network: she has created, and manages, the IAP intranet and the network's website, www.just-his.be; she has provided technical training on database management to the PhD's working on the project; she has provided general IT support [see ch. II, 1.1. network coordination, 3.1. PhD training, and 4.3. further dissemination].

1. Design and development of the JUST-HIS portal

The work delivered by A. François during the year 2008 for the development of JUST-HIS, has first of all involved a reformulation of the general aims and objectives put forward for this portal (see higher) into a precise project defining the exact nature, structure, design and content of the application, and identifying the different steps and technical prerequisites of its development process. This has been realised through an exhaustive study of similar existing applications, a user's survey among the members of the network (to determine user's needs and expectancies), the integration and re-orientation of certain components of the project (databases) that were already under development, and finally, through the realization of the principal technical choices. These choices, as well as a first prototype of the application, have been presented and approved by the IAP network at its latest general network meeting (Executive Group) held on 13 January 2009.

1.1. Definition of the needs

In order to clearly define the needs with respect to JUST-HIS, the following actions have been undertaken:

- An examination of the general outlines of the JUST-HIS project, of the existing applications to integrate (in first instance: the database "prosopography and repertory of magistrates..."), and of similar projects developed at the national and international level.
- A preliminary user's survey, consisting of meetings and interviews with the different IAP-promoters, has been carried out from May to November 2008. This survey took the form of a cumulative process, with the time between each interview being devoted to the integration of the remarks and demands formulated during the preceding meeting. In each phase, the

results obtained have been exchanged and discussed among the promoters, the informatician and the post-doc coordinating the IAP network.

As a result of these actions, the following needs have been identified, that can be classified in two main sections: the diffusion of the accumulated knowledge on the history of Justice in Belgium, and the management of the information relating to the IAP project.

1.1.1. Diffusion of the knowledge on the history of justice administration in Belgium

This point refers to the broadest objective of the portal : it is destined mainly for the scientific community (History, Droit, Criminologie, Sociologie, etc), but should also be accessible and of use for teachers, journalists or any citizen searching for scientific data on a specific set of themes in the field. In the same line of thinking, the JUST-HIS portal has the function to provide access to sources of documentation of varying nature and content, more precisely:

- A corpus of bibliographical data on the history of justice administration in Belgium: references of scientific monographs, articles, contributions to collective volumes, both Belgian and foreign, both older and recent;
- Research instruments: inventories of archival records;
- So-called “gray literature”: PhD theses, Master theses, research reports, produced by members of the network and any other person willing to integrate such work fitting one of the research themes of the IAP project;
- Published and unpublished sources: a corpus of digitized source material (inaugural addresses, circulars, iconographic sources, etc);
- Access to the databases “Prosopography of Belgian magistrates” (judiciary personnel) and “Quetelet.net” (Belgian judicial statistics), either completely integrated into the portal or accessible via a link.

In addition, certain documents and sources, gathered by the PhD’s within the framework of their research projects in the IAP, will be accessible to a restricted public (i.e. network members) only, for the duration of their PhD research. However, since the ultimate goal of the project remains to open up these databases to the entire scientific community, this restriction of access will be made undone at the end of the IAP project.

1.1.2. Management of the information relating to the IAP project

The type of information concerned here can be divided into two categories: the external communication of the network’s research results and activities; and communication in function of a series of specific needs of network members.

a) External communication

The portal is to constitute the main window of the IAP project to the outside world:

- Description of the project;

- Composition of the network;
- Personnel engaged on the project;
- Agenda of scientific meetings, seminars, conferences organized within the framework of the project;
- Activity (annual) reports, including the publications of the members of the project;
- Scientific production of the network members (this last point being included in the preceding item 1.1.1.)

The portal has equally been identified by certain partners (in particular P2 - University of Ghent) as a valuable platform for the integration and regular posting of a newsletter devoted to the covered scientific field (replacing the existing newsletter of the network).

b) Specific needs of the network members: “Extranet” of the portal

A series of specific needs have been enumerated by the members of the project, both PhD’s and promoters:

- Agenda of the “internal” activities of the network: management meetings, internal seminars, etc.
- Administrative documents: minutes of meetings, internal reports, etc.
- Practical documents useful for the daily functioning of the researchers (IAP contract, logos, templates, fonts, layouts, etc.)

It goes without saying that a ‘confidential’ nature characterizes the majority of this information, which means that it will have to be integrated into a structure of the *Intranet* type, that is called Extranet here, since safety procedures and restrictions of access are being managed externally.

1.2. Technical choices

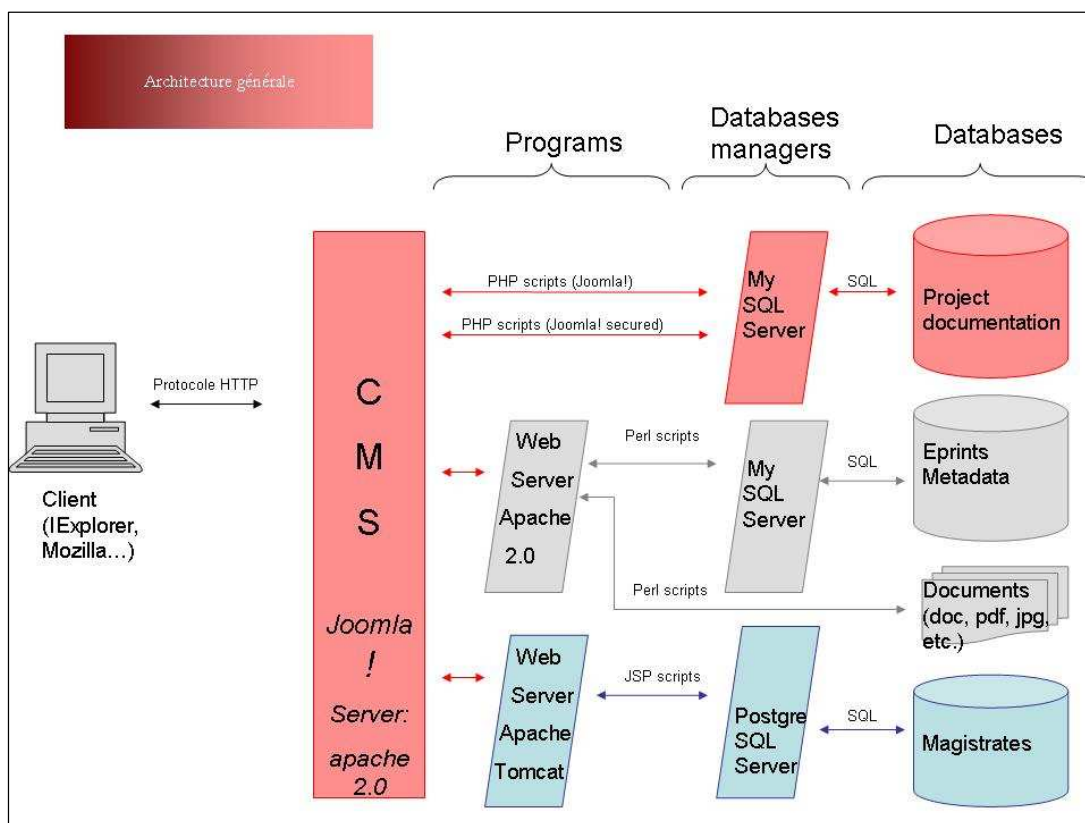
Method used:

- Getting acquainted with existing solutions
- Evaluation and testing of these solutions
- Design of an integrated architecture

Results (architecture):

General architecture: several separate and autonomous modules integrated within a *Joomla!* CMS (Content System Management)

- “Prosopography of judicial personnel”: existing application
- Component “Repertory of documentary resources”: Research Repository *Eprints*
- Component “Window of the project”: CMS
- Component “Intranet” (extranet) : CMS



2. Integration of databases into the JUST-HIS portal

Since the end of 2008, thanks to the IAP funding and huge efforts made by the IAP IT Officer A. François and members of the FUSL team (P2), considerable progress has been booked in the further development of the **prosopographical application for the study of judicial personnel**. Originally created in 2005 within the scope of a FRFC project on the prosopography of the Belgian magistracy, coordinated by WP4 promoter J.-P. Nandrin (FUSL) and IAP promoter X. Rousseaux (UCL-CHDJ), and following the insertion of this project in the IAP programme [see ch. I, WP4, and ch. I, WP3, 4. contributions of the team], the application is to get a major upgrade in view of its integration into the JUST-HIS portal. Two objectives have been put forward for this upgrade: to solve the last remaining imperfections and, above all, to increase the possibilities and performance of the application. These improvements concern both the accessibility of the database and the executable research requests, as well as the exactitude of the provided information, notably with respect to the formal hierarchisation of the courts and tribunals. Further, this also involves optimisation of the application's management of evolutions in the institutional framework of the successive political regimes in the history of Belgium. Between August 2008 and December 2008, this upgrade has been prepared by the IAP IT Officer A. François and F. Muller and C. Goffin of the FUSL team. After having analysed and (re)filled the existing application, they have drafted a detailed task programme (*cahier des charges*) that clearly reflects the huge scope of this mission: it counts no less than 75 pages. A public bid has been issued to five subcontracting IT companies. The work of

Re-engineering will start in March 2009 and will be done by the company Cediti S.A.; delivery of the product is scheduled for July 2009.

With respect to the future integration of **Quetelet.net**, an original methodological information retrieval system containing data from the **Belgian judicial statistics** developed by IAP coordinator X. Rousseaux and his team (UCL-CHDJ), the year 2008 has also proven to be promising. F. Vesentini, the CHDJ post-doc who initially launched this project, has managed to ensure further development of the application through the acquisition of new funding for a project called INSTAP [see ch. I, WP3, 4. contributions of the team].

With the State Archives (P4), it has been agreed that the JUST-HIS portal will integrate a **link to the State Archives' online catalogue and database**, in which all inventoried funds kept at the State Archives are being repertoried. This database lists the available inventories - referring to the location of the funds - of which about 300 can already be downloaded integrally. The ultimate aim is to provide direct access to the full-text of all the State Archives' inventories [see ch. I, WP1, 4. contributions of the team].

With the help of IAP IT Officer A. François [see ch. II, 3.1. PhD training], several IAP researchers have constructed and are filling interesting **individual databases** within the scope of their PhD research, for example B. Van Dael's (WP2a) databases for the collection and analysis of prosopographical data on the Ministers of Justice and of statistical data on their legal resources (laws, decrees, circulars, etc.) [see ch. I, WP1, 3. collaborations]. It has not yet been determined how their integration into the JUST-HIS portal will technically be realized (several options are possible), but since this will only be done at the end of the PhD projects, this is not an urgent question. Therefore, the IAP network has prioritized initiatives for the retrieval and digitization of collections of source material to be integrated in JUST-HIS (see below).

3. The JUST-HIS Repository: digitization initiatives and collection of bibliographical data

3.1. Digitized collections of source material

In order to realize the input of a **corpus of digitized source material** into the JUST-HIS Research Repository [see objectives mentioned above under 1. 'Definition of the needs'], the IAP network has undertaken several efforts in 2008 for the retrieval, collection, inventorying, digitization and other preparatory treatment of archival and documentary sources. Coordination of these initiatives is provided by the newly created internal **Task Group 'Digitization'**, while the questions related to the organisation and presentation of the digitized sources within the Repository are being examined by a new **Task Group 'Repository'** [see ch. II, 1.2. Management of Transversal WP7]. It has to be noted that before the actual integration into the JUST-HIS research repository and portal (following the finalisation of their technical development, only towards the end of the IAP project), the different collected and digitized sources are being made available within the network for all the researchers through the intranet. Further, the network members have formally agreed that sources constituting the core material of ongoing PhD projects can only be used by other members after completion of the PhD.

During 2008, the following progress has been booked in the field of (preparation of) digitization of sources on the history of Belgian justice:

A. Hendrick (WP4a) has completed the digitization and OCR'isation of almost 90% of her voluminous corpus of **295 inaugural addresses of magistrates delivered in Belgium's High Courts between 1832 and 1914**. The digitization and the Optical Character Recognition applied to the digitized material have been realised by a specialised subcontracting company (IRIS). Further, correction of the remaining - and unfortunately relatively numerous - little errors in the full-texts resulting from the OCR has been started off by herself and job-students. Shortly, the entirely digitized corpus of corrected inaugural speeches will be made available to the other members of the IAP network [see ch. I, WP4, 4. contributions of the team].

Thanks to the financial support of the IAP programme, the State Archives have been able to realise the digitization of the **entire collection of published Ministry of Justice circulars (*Receuil des circulaires... du Ministère de la Justice*)**. With the help V.D. Nguyen (WP1a), the numerous volumes have been prepared for digitization - classified and cut up - and an inventory of the content has been dressed, and subsequently transmitted to a subcontractor within the scope of a general public bid issued by the State Archives. Copies of the entire digitalized collection of the Ministry of Justice circulars will be shared between the State Archives and the IAP network, allowing the latter to diffuse the material among its members and eventually integrate into the JUST-HIS portal [see ch. I, WP1, 4. contributions of the team].

Further, thanks to the combination of IAP funding with funding of its former *Quetelet* project, the WP3 and coordinating team (UCL-CHDJ) has been able to digitize a series of **Criminal and Civil Law Codes and volumes of jurisprudence** in their entirety, also meant for the network's researchers and the JUST-HIS portal [see ch. I, WP3, 4. contributions of the team].

For 2009, the IAP Task Group 'Digitization' has decided to focus on preparations for the digitization (and subsequent integration in the JUST-HIS portal) of **unpublished circulars from the penitentiary administration**: parts of the collection of Eric Maes, with whom contacts established in 2007 have been continued and future meetings are scheduled in 2009; and (presumably) unpublished circulars issued by both the general department and the special administration responsible for the penitentiary system for juveniles, the Office for Child Protection, found in archival funds and subsequently inventoried by V.D. Nguyen (WP1a) and N. Fally and V. Massin (WP3) during the course of their research [see ch. I, WP1-WP3, 3. research collaborations]. For the often complex and difficult task of determining the precise type of the circular and identifying the issuing authority, necessary for proper classification of the collection, the IAP Task Group Digitization has decided to ask assistance from experts at the State Archives, E. Maes and maybe also S. Faber (EU2).

Finally, WP5 promoter D. Luyten (CEGES-SOMA) has undertaken initiatives to prepare and obtain the necessary authorizations for the digitization of the series of **circulars of the office of the judge advocate general**, kept at CEGES-SOMA [see ch. I, WP5, 4. contributions of the team].

3. 2. Bibliographical references

Concerning **bibliographical material**, to be inserted into the JUST-HIS research repository [[see ch. I, WP7, 1.1. definition of the needs](#)], the following priorities for collection and input have been identified by the IAP Task Group Digitization:

- all the **references from the bibliographical introduction to research on Belgian justice** published by the General Archivist and WP1 coordinator **K. Velle** (*Recht en gerecht: bibliografische inleiding tot het institutioneel onderzoek van de rechterlijke macht (1796-1994)*, Brussel, ARA, 1994, 2v.) will be inserted, one by one, into the repository. In a later phase and as far as possible, abstract and/or the full-text of the studies concerned can be attached to these fields.
- all the references of the **publications of the IAP promoters** will be collected and integrated, following the same procedure (one by one and with subsequent addition of full-texts where possible), and starting with the publications of the IAP coordinator, **X. Rousseaux**.
- collection and insertion of all the references of the **articles and contributions published in specialised judicial or criminological journals**, of which none or only a few collections are still available in libraries throughout the country, such as *Revue de Droit Pénal et de Criminologie*, *Journal des Tribunaux*, *Bulletin de l'Office de la Protection de l'Enfance*, etc. For the first two journal, exploratory research on the tables of contents has already been conducted with the help of job-students, in order to determine whether these can provide a complete overview of all the references for the entire series of volumes published. Unfortunately, the first results of this exploration seem to suggest that the tables of content not always contain the complete references of the articles and contributions (no authors or numbers of pages mentioned, for example), and the references would thus have to be checked one by one. Further investigation is needed to establish this, and alternative solutions are being searched for.

II - Organisation and functioning of the network

1. Coordination, management and internal communication

1.1. Network coordination, project management and internal communication

The first part of this chapter is concerned with the network's organisation and the practical terms governing collaboration and communication between the partners.

The **IAP coordinator**, X. Rousseaux (UCL-CHDJ), is responsible for the **coordination** of the different IAP partners and work packages. Under his supervision, the daily coordination of the IAP network is carried out by the IAP post-doc (M. De Koster), an **IT officer** (A. François: IT support, information coordination, database and documentation management) and an **administration officer** (D. Olivier: administrative coordination), attached to his team.

In 2008, the coordination activities of the **IAP post-doc** have involved the following actions:

- daily *scientific coordination*, including the coordination of the PhD research via the doctoral school [see ch. II, 3.1. PhD training] and contacts with the PhD students; the organisation of IAP conferences and seminars [see ch. II, 4.1. conferences]; of the publication process of the IAP "Justice & Society" Series [see ch. II, 4.2. collective IAP publications]. For the logistic aspects, she is *assisted by the administration officer*, who she assists, in turn, in contacts with scientific partners, research administrations and academic authorities.
- *coordination of the work on the development of the JUST-HIS portal, together with the IAP IT officer* [see ch. I, WP7]. The tasks carried out range from personal work efforts to the transmission of information to and between collaborating partners, follow-up, and steering of the WP7 Task Groups (with D. Luyten, P5) [see ch. II, 1.2 management of transversal WP7].
- she *assists the IT officer in the information coordination*, by producing information for the network (practical documents, memos, agendas for meetings) and *about the network*, for its external communication (website content, abstracts/descriptions of the (sub)project(s) to be spread in scientific circles, conference and seminar announcements, programmes ...).
- *with the help of the administration officer*, she assists the IAP coordinator and promoters with the *budget management*: follow-up, calculation and planning of expenses, organisation of collective funding of the large IAP projects, searching for additional external funding.
- *preparation and organisation of network meetings* (Steering Committee, Executive Group, WP7 Task Groups (with D. Luyten, P5) [see ch. II, 1.2 management of transversal WP7]. For the logistic aspects of these tasks, she is *assisted by the administration officer*, who also writes out the minutes of the meetings.

Both the IAP IT officer and the post-doc combine their coordination actions with scientific research, conducted within WP3 of the IAP coordinator, and associated scientific activities [see ch. I, WP3, 3. collaborations, and 4. contributions of the team]

The Belgian IAP promoters, the IAP post-doc, administrative officer and IT officer constitute the **Steering Committee** of the network, meeting at regular intervals in order to *guide and follow-up the management of the network* and make the most important *strategic decisions* concerning the research, communication and dissemination activities deployed by the network. **Four meetings** of the Steering Committee have taken place throughout 2008, about one every three months.

The members of the Steering Committee, the representatives of the European partners and the IAP researchers working full-time on the project, make up the **Executive Group**. The meetings of the Executive Group are, firstly, aimed at the *structured exchange of information between the Steering Committee and the IAP researchers* (complementing frequent, more loosely structured exchanges among network members at network seminars and conferences [see ch. II, 3.1. PhD training and 4.1. conferences]). This involves the provision of information by the Steering Committee about its policy and decisions, and the transmission of directives and guidelines for the functioning of the network and the researchers (administrative formalities, financial guidelines, internal communication and external dissemination policy). On the other hand, the meetings of the Executive Group are meant as a *platform for the researchers to communicate their questions and possible problems* and request information or support. Finally, the meetings are intended to *inform the European partners* about the state of advancement of the larger IAP project, and *allow them to report on their activities*, progress and possible problems (daily contacts with the EU partners are maintained by the Belgian partners responsible for these partnerships and the IAP post-doc). In 2008, **one meeting** of the Executive Group has taken place in June 2008.

At least once a year, the IAP network/Executive Group holds a **General Network Meeting**, to which all *associated researchers* or at least delegations from the partners' research teams are also invited. **One such meeting**, largely devoted to the JUST-HIS project, and initially scheduled for the end of 2008, has taken place in January 2009. Further, the *management of contacts and collaborations between the IAP researchers and the associated teams* is also done through **internal meetings of the research teams**. All the teams participating in the IAP project regularly hold such meetings, essential to solidly integrate the IAP research into the teams' larger activities. This clearly benefits both sides: 2008 saw numerous contributions from the partners' teams to the IAP research (in both the associated and other WPs). This is why separate subsections for these contributions have been introduced in this annual report [see ch. I, WP1 to 5, 4. contributions of the team].

Finally, in order to further stimulate efficient *internal exchange of information* within the IAP network and to provide any information necessary on the whole IAP project and for the functioning of the different partners and researchers, the IAP IT officer has developed an **IAP intranet**, that provides access to IAP members only, and is supposed to become fully integrated, together with the other communication tools, into the IAP JUST-HIS portal [see ch. I, WP 7, 1.1. definition of the needs].

1.2. Management of Transversal WP7: development of JUST-HIS portal

The IAP network attaches particular importance to WP7 of the IAP project, since the platform being set up to result in the JUST-HIS portal is the central instrument of integration of the partnership. It plays a crucial role in bringing the researchers together as one team, collecting and exchanging information, data and research material throughout the network. However, the practical realisation

of this internet portal, as it has been defined by the IAP promoters [see ch. I, WP 7, 1.1. definition of the needs], is a huge undertaking. This is not only because of the large amount of technical choices that have to be made and of content to be gathered and organised, but also because the portal's development requires investments by all network members and teams: the input of financial means, technical and scientific expertise, and manpower [see ch. I, WP7] As a result, the *management of this central collective IAP project is very complex and labour intensive*, too much for this to be done by the IAP post-doc and IT officer of the coordinating team (UCL-CHDJ) alone - as had initially been foreseen. Therefore, the IAP network has decided to create two special internal Task Groups, assisting them in the organisation and execution of the work for the development of JUST-HIS.

In order to ensure efficient coordination of the initiatives of collection and/or digitization of source material and bibliographic data, to be inserted into the JUST-HIS Research Repository [see ch. I, WP7, 3. JUST-HIS Repository], an internal Task Group 'Digitization' has been created. This group is presided by WP5 promoter D. Luyten and is composed of delegates from all WPs 1 to 5 (PhD students), the IAP IT officer and the IAP post-doc. It held its first meeting in March 2009.

Further, in view of an efficient organisation of collaborative reflection and work on the architecture of and content presentation in the JUST-HIS Repository (structure, classification of themes, keywords, descriptions of items repertoried, etc.) on the one hand, and on copyright and privacy issues (cf. the objective of online public access) on the other, an IAP Task Group 'Repository' has been set up. This task group is composed of the IAP's senior researchers/promoters, the IAP IT officer and the IAP post-doc. The first meeting of this group was held in October 2008.

2. Functioning of the network: overview of internal collaborative activities

The table presented here, summarizes the main collaborative activities that have taken place in the year 2008 within the IAP network (between individual researchers and/or promoters and/or teams). More detailed information on each of these activities can be found in the subsections “Collaborations” and “Contributions of the team” of the sections concerning the research carried out within each WP, in Chapter I of this report [see ch. I, WP1-5, 3. collaborations, and 4. contributions of the team]. Some collaborations have already resulted in co-publications; these have *not* been included in the table and are to be found in Chapter III of this report [see ch. III, 2. co-publications]. Equally *not* included - some exceptions notwithstanding - are the ‘purely’ collective activities and products of the IAP network, created by and benefiting the entire network; these are discussed in the following sections of this chapter [see ch. II, 3. PhD training and supervision, and 4. scientific activities and dissemination of results].

1. support	partner(s) providing	WPs benefiting
general archival support	P4	all
archives inventory & research guide	P4	WP7 + all
collective request & obtention of access to justice archives	all	all
access particular archives: Court of Cassation	P1 & P3 & P4	WP2a-WP4-WP5
access particular archives: bar councils & associations	P2 & P4	WP2
IT support & training in database construction and sampling techniques	P1	WP1-WP2a-WP3-WP4a-WP5
2. retrieval, collection and exchange of sources, data & information	partners involved	WPs benefiting
development prosopography application, in JUST-HIS	P1 & P3	WP4-WP7 + all
Quetelet.net application for judicial statistics, in JUST-HIS	P1 & P4	WP3-WP7 + all
Design JUST-HIS portal	P1 & all promoters	WP7 + all
coordination content collection & organisation content Just-HIS repository	P1 & P5 & Task Groups WP7	WP7 + all
digitization of source material & collection bibliographical data	all	WP7 + all
individual research databases, in JUST-HIS	P1 & P2	WP2a-WP7 + all
IAP website & intranet	P1	all
3. research collaborations (1 for co-publications, see chapter III)	partners involved	WPs benefiting
penitentiary system & doctrines, disciplinary strategies	P1 & P4	WP1a-WP3a-b
Police and justice during and after the world wars	P1 & P3 & P4 & P5	WP3-WP4b-WP5
Belgian justice under French rule	EU1 & P1 & P2 & P3 & P4	WP2b-WP4-WP6
legal professions	P1 & P2 & P3 & P4 & EU1	WP2-WP4-WP6
attitudes and discourses of the magistracy	P2 & P5	WP4a-WP5a
policing and circulation of police knowledge	EU1 & P1 & P4	WP1b-WP3-WP6
juvenile delinquency and juvenile justice	P1	WP3
4. co-promotership and -supervision	partners/promoters involved	
WP5a PhD project	P1 (Rousseaux) - P5 (Luyten)	
WP5b PhD project	P4 (Velle) - P5 (Luyten)	
WP4a PhD project	P3 (Nandrin) - P1 (Rousseaux)	
WP4b PhD project	P3 (Nandrin) - P1 (Rousseaux)	

P1: UCL-CHDJ / P2: Ghent University / P3: FUSL / P4: State Archives / P5: SOMA-CEGES / EU1: Université Lille3

3. Functioning of the network: PhD training and supervision

3.1. PhD training

During the first four months of 2008, the IAP promoters and post-doc have organised the IAP doctoral school¹, within the framework of the module “*Pouvoirs et régulation sociale dans l’histoire*”, coordinated by IAP partners P1 (UCL) & P3 (FUSL), of the FNRS interuniversity doctoral school *Histoire, art et archéologie* (HISTAR, ED4). The doctoral school serves as a platform for contacts and collaboration among the IAP PhD-students/researchers and for information meetings and training provided by the IAP coordinators. The PhD training has taken on the form of a specific **IAP doctoral research seminar “Justice et régulation sociale en Belgique, 1795-2005”**. For the academic year 2007-2008, this seminar was composed of four thematic sessions of 3 hours :

- 21 February 2008: « L'Empereur et ses fidèles: le droit privé belge après 1804 », Louvain-la-Neuve, organised by D. Heirbaut (P2, Ghent University)
- 6 March 2008: « Guerres et répression: la justice belge dans un moment de crise particulier », Brussels, organised by D. Luyten (P5, SOMA/CEGES) & X. Rousseaux (P1, UCL-CHDJ)
- 13 March 2008: « Le monde judiciaire: biographies croisées et réseaux », Brussels, organised by J.-P. Nandrin & F. Muller (P3, FUSL)
- 17 April 2008: « La justice pénale, clef de voûte de l’Etat moderne », Louvain-la-Neuve, organised by X. Rousseaux (P1, UCL-CHDJ)

Each of these thematic sessions was composed of introductory lectures (14h-16h) and a discussion seminar (16h-17h) structured around a number of key readings on the theme of the session: one of the essential objectives was to discuss and explain these texts collectively, in order to allow the participants to enlarge their knowledge of both historiographical and epistemological questions. Although organised within the framework of the FNRS interuniversity doctoral school HISTAR of the French-speaking Community, the sessions have explicitly been designed to fit the interests of all the IAP PhD-students/researchers, by focusing them upon four of the main IAP research themes. They were most of all an internal affair, meant to provide targeted training directly linked to the IAP research and to ensure continuous transmission and exchange of information in order to achieve the highest possible level of internal cooperation. The IAP doctoral seminar was, however, open to other interested PhD students as well; each of the sessions have been attended by a number of external researchers.

In June 2008 (16th-20th), the doctoral research training has been continued with a one-week **Summer School on Research Methodologies in Social History**², organised by UCL (P1) post-doc F. Vesentini. Together with the IAP IT Officer, the IAP post-doc and a number of experts on these matters, they have provided courses on qualitative and quantitative research methodologies and database construction and management, as had been planned from the onset for the IAP project.

¹ Further information on the IAP doctoral seminar, the summer school, and the larger doctoral module *Pouvoirs et régulation sociale dans l’histoire* can be found on: <http://histar.fltr.ucl.ac.be/>

² For details on the programme, see ‘Summer School’ on <http://jupiter.fltr.ucl.ac.be/FLTR/HIST/CHDJ/>

Further, IT Officer A. François has been providing **methodological and technical training, assistance and advice** to several IAP researchers on the structured collection of source material (sampling techniques) and database management (especially for WP1, WP2a, WP3b, WP4a, WP5).

3.2. Supervision of PhD theses

Further coordination of the activities of the IAP PhD students conducting the core research within the WPs is assured through the (Belgian) IAP promoters, who all take part in the **supervision of PhD theses**. For four of the ten PhD projects, the **IAP coordinator**, X. Rousseaux (UCL-CHDJ), has been appointed as sole supervisor (L. Nguyen, F. Welter, N. Fally, V. Massin). The promoters appointed for the two PhD projects of WP2 (B. Van Dael and B. Quintelier) are the two major **specialists** in Belgium in the respective fields of research: D. Heirbaut (WP2 coordinator, Ghent University) and G. Martyn (Ghent University team). In the four remaining cases, **co-supervision of the PhD theses** has been set up: this has already been described and justified exhaustively in the annual report 2007 (p. 44). For the purpose of this report, we have simply listed the cases of co-promotership in the table on internal IAP collaborations presented higher [\[see ch. II, 2. overview of internal collaborative activities\]](#).

We might also remind the reader that certain IAP promoters have been appointed as external expert in special **commissions to advice other promoters-supervisors** of PhD theses, realised within other research teams. J.-P. Nandrin and WP4 coordinator (FUSL), for his example, has been appointed as one of the experts in the commission created to advice the promoters-supervisors from the Ghent University.

4. Functioning of the network: scientific activities and dissemination of results

4.1. Conferences and seminars organised by the network

The conferences, seminars, workshops organised by the IAP network are, of course, meant in the first place to serve the dissemination of research results and external communication about the IAP project to peers in the scientific community and to the public at large. But they also provide a platform for regular contacts and research collaborations between the IAP network members (PhD students, postdocs and promoters).

Much like the previous year, several conferences, seminars and workshops have been organised within the scope of the IAP network in 2008: these activities range from the annual (in)ternational IAP network conference to more small-scale seminars organised by an IAP partner with the support of the project (clearly identified as such). The proceedings of the large network conferences are systematically published (in this phase rather: prepared for publication); out of the other IAP study days and seminars, the network selects those on obvious IAP topics for publication. All the volumes thus selected are integrated into the IAP “Justice & Society” Series, published at the State Archives [\[see ch. II, 4.2. collective IAP publications\]](#).

- *Les méconnues de la recherche : les archives des polices en Belgique*, Louvain-la-Neuve, January 24th, 2008.³

This international seminar has been organised in January 2008 by the IAP post-doc M. De Koster and WP3 team member J. Campion (UCL-CHDJ), in collaboration with the FNRS Contact Group “*Sources et méthodes pour l’histoire du contrôle social*”, and focused on the sources for the history of police and policing in Belgium. It has been attended by no less than 60 participants, researchers as well as archivists, with whom the project for the elaboration of a research guide (archival sources and bibliography) for the history of the police in Belgium has been discussed and launched. The proceedings of this seminar were the first to appear in the IAP’s “Justice & Society” Series.

- IAP Network Conference *Justice et Société : Sources et perspectives pour l’histoire socio-politique de la justice en Belgique (1795-2005) / Justitie en Maatschappij : Bronnen en perspectieven voor de socio-politieke geschiedenis van justitie in België (1795-2005)*, Louvain-la-Neuve, January 25th, 2008.

This national conference has been organised by the State Archives in their new archives depository in Louvain-la-Neuve, with the help of the UCL-team, and has been attended by about 50 participants. On this occasion, the ten IAP PhD-researchers have presented their progress in identifying and collecting relevant source material for their research projects, which has provided a first overview of the available sources for the history of Belgian justice and allowed to identify main areas of limited accessibility of archival sources, which have to be given priority in the development of further initiatives for retrieval and inventorying.

- CEGES/SOMA seminar on the occasion of the recent publication of the PhD of Derk Venema (Radboud University Nijmegen) on the Dutch judiciary during the Second World War, July 2008.

WP5 team (CEGES/SOMA) has organized this seminar because of D. Venema’s work on the Netherlands is of particular interest for the study of the Belgian judiciary during the Second World War, more in particular his work on the Dutch so-called « toetsingsarrest ». PAI researcher M. Bost has acted as discussant for Venema’s lecture.

- Workshop “*Civil Policy in Belgium*”, Ghent, September 2008.

This workshop has been organised by the University of Ghent team, with the support of the IAP network, since civil policy is a central theme in the WP2 research (also for Barristers...).

- *Du provincial au national et à l’européen : la construction des catégories professionnelles dans l’espace juridique et médical (XVIIIe-XIXe s.)*, Lille, November 28th 2008.

This conference organised in Lille by H. Leuwers, coordinator of the EU1 University of Lille3 team, constituted a next step forward in the research of the Lille3 team on legal professions and legal *milieux* in the 18th and 19th centuries. Detailed discussion of the topics treated and the resulting insights can be found under the WP6 section in Chapter I [see ch. I, WP6].

³ For details on the programme, see : <http://calenda.revues.org/nouvelle9570.html>

- *Histoire du droit et de la justice: une nouvelle génération de recherches / Rechts- en justitiesgeschiedenis: een nieuwe generatie voor het onderzoek*, Belgian-Dutch Symposium on Legal History, Louvain-la-Neuve, 10-12th December 2008

IAP coordinator X. Rousseaux has, thanks to IAP support and together with A. Wijffels, co-organised this 3 day-long international conference on Law and Justice History, at which several of the IAP researchers have participated a paper. These contributions are shortly to appear in a volume published at the Presses Universitaires de Louvain.

- IAP Network Conference *The History of Civil and Criminal Justice in Belgium and neighbouring countries: New Perspectives*, Ghent, 5-6 February 2009.

The University of Ghent team (D. Heirbaut) has co-organised, together with the coordinating UCL team (WP3), the latest IAP Network Conference in February 2009. It was composed of a series of introductory lectures, overviews of the history in neighbouring countries by reknowned international experts in the field, who also acted as discussant for the papers presented by all ten IAP PhD students. Very valuable exchanges and comments have resulted from this conference, the PhD student were very positive, and the IAP network was honoured to be able to welcome some of the biggest names in the field of legal history (Ghent University) and that of Crime and Criminal Justice History (UCL).

- Study day “*Histoire et Justice*” of the SOMA-CEGES Seminar *Une histoire d’avenir: les jeunes historiens ont la parole*, Brussels, 27th March 2009.

Thanks to IAP support, this CEGES-SOMA seminar, specifically oriented towards young historians, who are asked to present the results of their recent MA or PhD research, has been co-organised by CEGES-SOMA member Chantal Kesteloot and IAP Coordinator X. Rousseaux.

For the rest of the year 2009, the State Archives plan a symposium on “*Notaries and Archives*” in the month of May, focusing on an assessment of the new law on the profession of notary of 1999, and its implications for the opening up of their archives, digitization, etc.

Finally, the University of Ghent team has begun with its preparatory work for the organisation of a conference on the history of the Bar in October 2009.

4.2. Specific collective IAP publications

Next to (forthcoming) publications by individual IAP researchers and co-authored publications resulting from collaborations between network members, all of which have been included in the list of publications at the end of this report [see ch. III. publications], the IAP network has again invested considerable efforts throughout the year for the (future) realisation of collective IAP publications:

a. Revised edition of the *Politieke en sociale geschiedenis van justitie in België / Histoire socio-politique de la justice en Belgique*, a collective work that constituted the starting point of this project. D. Heirbaut has taken up contact again with the editor of the first edition, “*Die Keure / La Charte*”, in order to check whether their initial agreement to publish a revised edition still holds,

and to subsequently establish a more detailed planning. These talks have, for now, resulted in a positive reaction, and an invitation to hold a longer meeting with the IAP promoters to discuss details. The promoters agreed to schedule this meeting before the summer of 2009.

b. **IAP “Justice & Society” Series (published at the State Archives):** to enhance the visibility of the network, the IAP promoters started examining possibilities for the publication of an own ‘IAP series’. In the meantime, the first volume in this series, *Les archives des polices en Belgique. Des méconnues de la recherche ?*, integrating entirely reworked versions of the conference proceedings (conference organised in January 2008, M. De Koster & J. Campion), has been published with the State Archives. Three other volumes (on the sources for the history of justice in Belgium; legal professions in the French-Belgian territories; the acculturation of police and judicial models in Belgium under French rule) of reworked IAP Conference proceedings are as good as ready to be sent to the State archives for print; they will appear shortly [see ch. III. co-publications (published and forthcoming)]. For each volume in the “Justice & Society” series, the same standard principles apply. The conference organisers act as editors for the volume and collect and review the texts; for the proceedings of the annual IAP network conferences, and in order to ensure the quality of the contributions, the texts are submitted to peer review by an editorial board composed of the IAP promoters and the IAP post-doc. The IAP post-doc further coordinates all subsequent phases of the publication process for the “Justice & Society” Series (correction, harmonisation, lay-out and proof reading of manuscripts; delivery of cover illustration(s) and text; negotiation with the State Archives about the graphical design (for volume I) and publication schedule; dissemination of copies to authors and promotion). The series title is in Dutch, French and English; the articles are in Dutch or French but summaries in the other language and in English are integrated at the end of each volume. The collaboration with the State Archives, then, is visualised through the graphic design, that incorporates the main graphic elements of all State Archives series (new graphic design since 2007!), yet the IAP Series can be clearly distinguished from the others via the use of blue as base colour for every cover, the IAP logo and reference to the programme in the colophon.

c. **Monographs:** the IAP network explicitly aims to have the **PhD theses** produced within the IAP published as a series of monographs at the end of the IAP project. The option of publication in the series “*Iuris Scripta Historica*” of the Royal Flemish Academy of Belgium for Arts and Sciences, a well-known legal history series, has been abandoned by the network, since not all IAP promoters felt this to be a well-suited publication channel, especially giving the bi-lingual character of the network. However, contacts taken up again by D. Heirbaut with “*Die Keure / La Charte*”, in view of the publication of a revised edition of the book that lies at the basis of the current IAP collaboration (see above, a)), have raised considerable hopes for a series of PhD-monographs with this editor. Nothing has been fixed or agreed yet, but the IAP promoters have been invited by the editor to hold a meeting to discuss this idea further, which will be done before the summer of 2009.

d. **Articles:** IAP promoters D. Heirbaut, X. Rousseaux and D. Luyten have engaged in negotiations with the Board of Publishers of two highly esteemed national scientific journals in the field of legal and contemporary history for the publication of **special issues of these journals on particular IAP research themes and composed** (although not necessarily entirely) **of articles of IAP researchers.**

Firstly, this concerns a special issue of “*Pro Memorie*” on legal professions (D. Heirbaut), for which articles have already been produced and publication is scheduled for 2009. Second, the publication of a special issue of the “*Bijdragen tot de Eigentijdse Geschiedenis / Cahiers d’Histoire du Temps Présent*” (*BEG-CHTP*) (X. Rousseaux and D. Luyten) on justice in times of war has been planned, but still has to be realised, which can maybe still be done by the end of 2009, but might be postponed to 2010. Further, D. Heirbaut has also recently published an article on the state of research in legal history in Belgium, for the French journal *Clio & Themis*, and dedicated its conclusion almost exclusively to the presentation of the IAP project. Finally, the IAP post-doc and the IAP promoters are currently preparing an article on the history of Belgian justice and the new research conducted on the topic within the IAP programme for the journal *Science Connection* of the Federal Science Policy Office [see ch. III. publications].

4.3. Further dissemination of information about the IAP project and of research results

Next to the organisation of several IAP conferences and seminars and collective and individual publications of the network’s members, dissemination of information on the IAP project or communication of preliminary research results to peers in the scientific community and to the larger public has been realised through the organisation of sessions and the presentation of papers presentations at national and international conferences organised by others, as well as via an electronic newsletter and the IAP website.

The IAP researchers, promoters and coordinators have taken part in several **scientific conferences organised by other research teams / groups / networks** throughout 2008, either through the organisation or the chairing of sessions and roundtables within the framework of larger conferences or through individual lectures. The most important of these conference participations, i.e. those contributing directly to the IAP research (at PhD, WP or network level) and certainly those involving the organisation of **joint sessions** and/or the presentation of **joint papers**, are briefly discussed in the subsections 3 and 4 of each WP section in chapter I of this report [see ch. I, WP X, 3. **collaborations and 4. contributions of the team**]. For the complete list of individual lectures given by IAP collaborators, we refer to the websites of the respective partners, which can be found via links on the IAP website www.just-his.be.

More important to mention here, is that the IAP network has organised a **special IAP session** at the annual conference of the Belgian Association for Contemporary History (“Dag van de Nieuwste Geschiedenis / Journée de l’Histoire contemporaine”) in Brussels on March 15th 2008. On this occasion, the IAP coordinator has presented the global IAP programme, while the ten IAP PhD-researchers have presented their research conducted within the different WPs. Further, a report of this session has been published by University of Ghent researcher B. Van Dael in the journal of the Association [see ch. III. publications]

So far, the IAP network has been using the existing **newsletter** “Rechtshistorische courant” issued by the University of Ghent team (P2, Institute for Legal History) to communicate information about the IAP project to external scholars in the field. Yet, the aim is to create a specific IAP newsletter published in English and disseminated via the JUST-HIS portal [see ch. I, WP 7, 1.1. **definition of the needs**].

In the same line of thinking, the temporary website of the IAP network (www.just-his.be) created by the IAP IT Officer in the beginning of 2008, and all the information on the IAP project that can be found on it (network composition; the partners' main expertise and contribution, their participation in the different WPs and contact details; a summary and a description of the project detailing the main research themes and work packages; an overview of the IAP staff; a list of the scientific publications, a list of the conferences and seminars organised so far, and the annual scientific report 2007), is to be integrated into the CMS of the JUST-HIS portal, appearing on its homepage [see ch. I, WP 7, 1.1. definition of the needs].

III - Publications (published in 2008 and forthcoming)

1. List of publications of the IAP teams

UCL - CHDJ

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BACLIN G., ROUSSEAU X., « les pratiques judiciaires », in ROUSSEAU X., VAN YPERSELE L. (dir.), *La Patrie crie vengeance ! Le châtime des inciviques belges au sortir de la Guerre 1914-1918*, Le Cri, Bruxelles, 2008, p. 103-130.

BERGER E., *La justice pénale sous la Révolution. les enjeux d'un modèle judiciaire libéral*, Rennes, Presses universitaires de Rennes, 2008, 293 p.

CAMPION J., « Autour des archives de polices en Belgique : une introduction », in CAMPION J. (ed.), *Les archives des polices en Belgique. Des méconnues de la recherche ?*, IAP series I, Brussels, State Archives, 2009, p. 5-10.

CAMPION J., « Misères et richesses archivistiques : la gendarmerie et la sortie de la seconde Guerre mondiale », in CAMPION J. (ed.), *Les archives des polices en Belgique. Des méconnues de la recherche ?*, IAP series I, Brussels, State Archives, 2009, p. 93-110.

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DE BROUWER J., « De guerre las ? Les brasseurs bruxellois devant la justice », in ROUSSEAU X., VAN YPERSELE L. (dir.), *La Patrie crie vengeance ! Le châtime des inciviques belges au sortir de la Guerre 1914-1918*, Le Cri, Bruxelles, 2008, p. 311-344.

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FRANÇOIS A. & MASSIN V., « Pratiques judiciaires et institutionnelles autour d'une nouvelle population dangereuse : les jeunes filles atteintes de maladie vénérienne (Belgique, 1912-1950), dans *Les nouvelles figures de la dangerosité*, L'Harmattan, 2008, p. 63-77.

FRANÇOIS A. « 'Une véritable frénésie de jouissance...'. Prostitution juvénile et armées d'occupation en Belgique (1940-1945) » dans *Revue d'Histoire de l'enfance « irrégulière »*, n° 10, 2008.

FRANÇOIS A. « From Street Walking to the Convent: Young Prostitutes Judged by the Juvenile Court of Brussels during World War One », in JONES H., O'BRIEN J. & SCHMITT-SUPPRIAN C. (ed.), *Untold War. New perspectives in First World War Studies*, Boston - Leyde, Brill, 2008, p. 151-178.

FRANÇOIS A., « Une phalange de collaborateurs pour 'une tâche de cœur' : Les délégués à la protection de l'enfance (Belgique, 1912-1949) », in *Histoire et Sociétés. Revue européenne d'Histoire sociale*, n° 25-26, p. 212-225.

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