

THE IMPACT OF WORLD WAR II
ON POLICING IN
NORTH-WEST EUROPE

Cyrtile Fijnaut (ed.)



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Deze reeks staat onder redactie van:

I. Aertsen
J. Casselman
L. Dupont
C. Fijnaut
J. Goethals
F. Huisbaut
S. Parmentier
D. Van Daele (secretaris)
F. Verbruggen
R. Verstraeten
G. Vervaeke

Afdeling Strafrecht en Criminologie
Faculteit Rechtsgeleerdheid
K.U. Leuven

The World Wars and Their Impact on the Belgian Police System

Benoit Majerus and Xavier Rousseaux

The 1980s and 1990s provided the occasion for an in-depth re-examination of the Belgian police and justice system. The 1980s were marked by political terrorism (Cellules Communistes Combativantes), hooligan violence (the Heyssel disaster) and organised crime, symbolically and fantastically represented by the 'Killers of Brabant' case, for which evidence is still being compiled. The 1990s were the years of political corruption at the highest governmental level (the August-Dassault case) and of violence towards juveniles, symbolised by the affair of Dutroux-Nihoul *et al.*

With regard to the police, cases in the 1980s had two major consequences: an increased interest within communities for security and the revelation of the police weaknesses (competition, lack of co-ordination between police forces, absence of telecommunications and insufficient technical equipment). That is why the public criticism that was relayed to the Parliament had led to an audit ordered by Toback, Minister of the Interior, on the 'police services' in 1987. This audit had in fact been justified by the lack of precise data on the functioning of the police forces and, in a broader sense, the lack of scientific knowledge on policing in Belgian society.¹

¹ Team Consult, *Les services de police en Belgique*, Brussels, Inbel, 1987. Ordered by the Ministry of the Interior, Louis Toback (SP), this audit was meant to 'fresh out the discussion on the future of the police system' and allow the competent Ministers and the government to determine their own political opinions with a view to reorganising the police services and an efficient security policy. With regard to the recognition of the system, it suffered due to rivalry between the services and each page shows the absence of an overall vision of the services. C. Fijnaut, W. Bruggeman *et al.*, *De politiediensten in België: vier commentaren op het rapport van Team Consult*, Arnhem, Gouda Quint, 1989.

level, due to systematically robbed archives. Within the framework of this study, we have used three archives: the Brussels Police archives, the documentation files of the General Commissariat of the Judicial Police and the archives of the High Commissariat for the State Security Office.⁵

We have therefore chosen to proceed in two stages: a presentation of the essential points in the development of the Belgian police system in the first half of the 20th century, with clarification and explanation of the impact of the Second World War and the Liberation on the basis of new analysis.

A peculiarity of the Belgian situation is added to this: the double occupation of 1914 to 1918 and 1940 to 1944 by Germany. As is shown by recent research, a look at the Second World War with prior reflection on its 'big sister' can prove stimulating.⁶ Thus, in the field of police, a German administration was installed for a four-year period on both occasions. Occupiers and occupied were forced to find a *modus vivendi*. Unlike the Netherlands or France, the experiences from 25 years earlier had a decisive influence on reactions between the Belgians and the Germans in 1940.

wegen, Arnhem-Antwerp, Gouda Quint-Kluwer, 1995; L. Van Outrive, 'De parden worden achter de wagen gespannen ... recente ontwikkelingen in de Belgische politie-geschiedenis', in: G. Duhaat, P. Ponsaers, G. Pyl and R. van de Sompel (eds.), *Voor verder onderzoek ... essays over de politie en haar rol in onze samenleving/Pour suite d'enquête ... essais sur la police et son rôle dans notre société*, Brussels, Politiea, 2002, pp. 225-255.

6 The archives of the High Commissariat of the State Security Office (AA1311, CEGES) constituted material that had been 'worked upon' at several levels (intelligence agent, information service, HCSE, and so on). For lack of other sources, above all as far as the gendarmerie is concerned, we consider this to be a reliable resource for the quantitative information that it provides. The archives of the Brussels Police provide a wealth of information for the study of the functioning of the police at local level. Finally, although the General Commissariat dossiers at the criminal police had been severely purged, they provide original information on this little-studied body for the period 1930-1950.

7 F. Maerten, 'Le poids du souvenir de 14-18 dans l'engagement résistant durant la Seconde Guerre mondiale. Le cas du Hainaut', in: J.-P. Nandrin and L. Van Ypersele (eds.), *Politique imaginative et éducation*, Brussels, Facultés Universitaires Saint-Louis, 2000, pp. 89-125.

After 1996, the parliamentary committee on the Duroux-Nihoul affair revealed the major problem in policing activity to the general public (predominantly the French-speaking public, which had benefited from the direct and fully televised broadcast of the debates): that of police instructions. A system that has been denounced for a long time by the examining magistrates. Encouraged by the Police Act of 5 August 1992 (Arts. 6 and 8), investigating officers can evade the magistrate's instructions. Officially, the latter have nothing to do with the allocation of human resources in the police services. Unofficially, parallel enquiries can be legitimated by those who are hierarchically responsible in the police services.²

This very 'judicial' interpretation on the part of the magistrates illustrates the upheaval in police development in Europe: the growing empowerment of the services and the absence of effective control by the legislative and judicial authorities over police work. In the case of Belgium, the absence of legal control of the Belgian function before 1986 can only be explained by the complex history of the Belgian police system, its internal contradictions and its growth in latent power since the Second World War.³

While 1980-1990 were years of crisis and criticism, the end of the 20th century was marked by the Kingdom's most important police reform. It also marked the end of a taboo that military occupation from 1914 to 1918 and from 1940 to 1944 had not really been able to overcome: that of a unified civil police.⁴ Nevertheless, the taboo proved to be resistant as it concealed interests shared by the executive, legislative and judicial authorities in not touching the delicate mechanism of Belgian policing in the post-war period.

Belgian historiography is still largely torn between corporate memories and socio-political syntheses.⁵ There are few detailed monographs available at local

2 C. Matray and P. Martens, 'Politique et justice, entre convivialité et suspicion', in: P. Delwit, J.M. Dewaele and R. Magnette (eds.), *Gouverner la Belgique: citivages et compromis dans une société complexe*, Paris, PUF, 1999, p. 162.

3 C. De Valkenecq, 'Les rapports entre les services de police et les autorités judiciaires', in: Y. Cartuyvels et al., *L'affaire Duroux: la Belgique malade de son système*, Brussels, Complexe, 1997, p. 138.

4 See C. Fijnaut and F. Goossens, *Het Belgische politiewezen*, Antwerp, Kluwer, 1998; P. Ponsaers and S. De Kimpe, *Consensusmania: over de achtergronden van de politie-hervorming*, Leuven, Acco, 2001.

5 L. Van Outrive, Y. Cartuyvels and P. Ponsaers, *Les polices en Belgique: histoire socio-politique du système policier de 1794 à nos jours* (Bruxelles, Vie ouvrière, 1991); C. Fijnaut, *Een kleine geschiedenis van de huidige organisatie van het Belgische politie-*

The civic guard, a bourgeois guard of young city-dwellers, formed the third pillar of this system. Their purpose was to relieve the army in times of war and to maintain law and order in the event of unrest, in particular in political or wheat riots.¹¹

Lastly, the army constituted the fourth pillar, that of maintaining law and order in the event of political or social unrest.

The various crises in the 19th century, those of 1848 and above all the social riots of 1886, show the gaps in the Belgian police system. The communal police were hardly professional and were subordinate to local interests. The civic guard was lacking in discipline and was linked to the interests of the dominant classes. Until 1886, the army saw to the essential maintenance of law and order. It was composed of young working class recruits and was unreliable in times of social crisis. Only the gendarmerie, a military force under governmental control, had the favours of the authorities.

The army was progressively relieved of its public order tasks to the benefit of the gendarmerie. Following the crisis of 1886, Léopold II thus obtained the creation of a second gendarmerie regiment and a mobile section.¹² The experience of the First World War introduced a second rupture in this process.

III.2. The First World War: Temporary Modernisation

The invasion of Belgium in August 1914 sounded the final death knell for the civic guard. It may have been mobilised one more time, but it quickly turned out to be incapable of assuming the two roles conferred to it: in fact, it was neither effective in its role as an army substitute nor in that of maintaining law and order. In addition to this, it very quickly became apparent that the Germans often confused them with snipers; which is why the burgomaster of Brussels, Adolphe Max, dismissed the second ban (the reserve) on the approach of the invader, in order to avoid any misunderstanding. The gendarmerie on the other hand withdrew with the army

11 H. Heyman, R. Hockx, P. Veldeman and B. Willems, *Leve het algemene stemrecht! Vive la Garde Civique! De strijd voor algemeen stemrecht*, Leuven 1902, Leuven, Peeters Publishers, 2002.
12 G. Deneckere, *Sire het volk mort; sociaal protest in België (1831-1918)*, Antwerp-Ghent, Hadewijch-Amsab, 1997.

III.1. Genesis and Development of the Belgian Police (1795-1914)

On the birth of the Belgian State in September 1830, the maintenance of law and order was assured by four forces.

On the one hand, there was a national gendarmerie, created by the law of 11 April 1796, organised by the decree of the 28 Germinal Year VI (17 April 1798) while the Belgian *départements* were annexed to France. This gendarmerie was to be kept by William I of Orange within the framework of the union of Belgium with Holland under the name of *Marchaussee*.⁸ In 1830, the Belgian Constituants renamed it *Gendarmerie nationale*. The missions of this military force were: to assist the army in times of war, to supply police services by quartering in rural barracks, to contribute to public order in the event of unrest, particularly demonstrations in towns, and to cover the functions of the criminal police for the prosecution.

A second force was the communal police. Ideologically linked to the local structures of the *Ancien Régime*, it was in reality organised on the French model of the Police Act of 1789.⁹ The general developments from 1796 to 1990 tended to create a distinction between the urban communal police and the rural police which is frequently neglected.¹⁰ Apart from the main cities (Brussels, Ghent, Liège and Antwerp), these police forces were entirely controlled by the burgomasters and took care of administrative policing, the maintenance of law and order and criminal policing within the competence of the 2000 Belgian communes.

8 C. Fijnaul, 'De la gendarmerie hollandaise à la marchaussee royale des Pays-Bas (1805-1815)', in: J.N. Luc (ed.), *Gendarmerie, Etat et Société au XIXe siècle*, Paris, Publications de la Sorbonne, 2002, pp. 423-436.

9 See for example the works of L. Keunings on the Brussels police from 1830 to 1914: L. Keunings, 'L'histoire du corps de police bruxellois de 1831 à 1914', *Bulletin Trimes-triel du Crédit Communal de Belgique*, 1983, pp. 149-184; *Id.*, 'Du garde ville à l'agent de police; les débuts de la professionnalisation en Belgique (1880-1914)', *L'Officier de Police*, 7, 1988, pp. 1-96.

10 L. Malliet, 'De landelijke politie; eemaking met de gemeentepolitie naar tweehonderd-jarig bestaan?', *Panopticon*, 4-3, 1983, pp. 246-279 and *id.*, 'De veldwachter, die onbekende; een historische studie over de weigving op de landelijke politie van de provincie Brabant in de periode 1791-1969', KU Leuven, dissertation for criminology, unpublished work, 1981.

bers fell by almost 300 from a total of just over 800 agents. This mostly affected officers of lower ranks: for instance, more than half of the corporals were enlisted. Without any precise statistics available, the situation seems to have been comparable with other communes.¹⁵ Initially, the communal authorities tried to compensate for this deficit by recruiting auxiliary police. However, the entry conditions were relaxed and the training period shortened. Secondly, recourse was made to 'guards' composed of town citizens. In Brussels, the middle classes could perform their service in the *gardes bourgeoises*, which were, however, dissolved quite rapidly. On the other hand, the *garde ouverte* functioned for a longer period of time. In this case, working class citizens, who made up most of the numbers, controlled the proletariat. This body was mainly active in the working class neighbourhoods of the town.

Partial and Temporary Modernisation

In Brussels, the local German administration was at the root of the considerable structural reform of the Belgian police, which led to a temporary surge of modernisation. It imposed a centralisation of policing in this agglomeration of 16 communes. The superintendent of the Central Division of Brussels became the hub of this system. From henceforth, the superintendents of the 15 other communes had to go through him, and could no longer directly address the occupier. Compulsory conferences for the 16 bodies were introduced, with a view to achieving better coordination between them. This centralisation was pushed the furthest in the fight against venereal diseases: the 'vice squad' was completely unified and placed under German control.

Relatively Unproblematic Co-operation

The position of the communal authorities in Brussels was not characterised by any great servility *vis-à-vis* the occupier. Adolphe Max and likewise his successor Maurice Lemonnier were forced to leave the mayor's office. These two examples are only the most visible tip of the countless conflicts between occupiers and occupied. But the maintenance of law and order never constituted a major point of

¹⁵ For Brussels: Note 'Diminution du personnel' (not dated); Cabinet du Bourgmestre (CB) 803, Brussels city archives (AVB); for Schaerbeek: L. Bertrand, *Schaerbeek pendant la guerre 1914-1918*, Brussels, Dechenne, 1919; for Liège: J. Brose, *Histoire de la police liégeoise de 1795 à nos jours*, Huy, Imprimerie Coopérative, 1970, p. 426.

and was to be absent from the vast majority of Belgian territory throughout the four years of war.

When the front stabilised in November 1914, only a small area in the southwest of the country remained under Belgian authority. For four years, the maintenance of law and order in this small national corner was assumed by the army and the gendarmerie. The latter body, and this remains a rather unusual point in the sensitive field of policing, also received competencies from abroad. It was responsible for the protection of the government in Le Havre (France). Moreover, detachments from the Belgian gendarmerie were established in October 1914 in the French capital, and in August 1915 in London, where they were to care for the many Belgian refugees there. They carried out this task until November 1918.

In occupied Belgium, only the communal police remained in place. Contrary to what Lode Van Outrive affirmed, it is in fact on this institution that law and order stood during the four years of the Occupation.¹³ However, as was pointed out earlier, the communal police depended on the burgomaster, and therefore his attitude would strongly determine the attitude of the former in relation to the occupier. Research on this is still very incomplete, except as far as Brussels is concerned, which will therefore serve as a case study.¹⁴ At the same time, however, one should not forget the specific character of this city (a capital with a large police force and of particular German interest as it was the seat of their administration and an important railway junction). It is therefore more a matter of presenting assumptions and research possibilities than a summary that could be based on a multitude of local studies. At policing level, we would like to use three working assumptions:

Qualitative and Quantitative Weakening

In spite of the goodwill of the Minister of War, de Broqueville, who declared his agreement not to integrate the Brussels police into the Belgian army, police num-

¹³ L. Van Outrive, Y. Cartuyvels and P. Ponsaers, *Les polices en Belgique: histoire sociopolitique du système policier de 1794 à nos jours*, Bruxelles, Vie ouvrière, 1991. The authors state that 'the civic guard was very often the only police force that the authorities could use during the war' (p. 86). However, the civic guard was banned by the German occupying force.

¹⁴ B. Majerus, 'Controlling Urban Society in Brussels during World War I', in: R. Chickering and M. Funck (eds.), *Endangered Cities: Military Power and Urban Society in the Era of the World Wars*, Boston, Brill, to be published.

friction. As we have seen, the German administration interfered regularly in this domain. Nevertheless, none of the three successive burgomasters of Brussels turned this into a subject of dispute. Moreover, the Brussels police intervened during demonstrations or gatherings that were organised against the occupier. For instance, a divisional superintendent finished his report on the events of 21 July 1917, Belgium's national day, with the following phrase: 'demonstration attempts were severely suppressed'.¹⁶

III.3. At the End of the War

The experience of the First World War and German Occupation was to lead the main political forces in power to undertake significant reforms in the field of justice and the maintenance of law and order. The national union government of 1918 united the principal political families: the Catholics and Liberals of the 19th century were joined by the Belgian Labour Party, which occupied the Ministry of Justice with Emile Vandervelde as party leader.¹⁷

With regard to policing, the main consequences of the First World War were:

- *The fall in the reputation of the civic guard*, which was poorly trained and inefficient.

- *The relative resistance of the communal police vis-à-vis the occupier*, strengthened by the fragmentation of power. It may be assumed that the strong local integration of the communal police compensated for their low level of professionalism. The government therefore did not interfere with the communal police.

- *The ambiguity of the status of the gendarmerie*. In times of war, ought it to lay more emphasis on its military missions and follow the army, or on its civil missions and provide for order in an occupied country? The stationing of the gendarmerie forces in the military missions with the army in the field took place to the detriment of policing in rural areas. The years 1915-1920

¹⁶ Report of 21 July 1917 by Ledoux, superintendent of the 4th division, to Lemonnier, burgomaster; superintendent of the central division (Cp) 502-5, AVB; emphasis added.
¹⁷ J. Polasky, *The Democratic Socialism of Emile Vandervelde: between Reform and Revolution*, Oxford, Berg, 1995.

set the stage for highly threatening crime on which the local elites based their demand for a reinforcement of the gendarmerie. In 1919, the gendarmerie saw its numbers rise from 4,300 to almost 5,900 men. Its units were given greater mobility than in the period before 1914.

- *The absence of a centralised criminal police*. Confronted with the professionalisation of increasingly mobile and even international crime, the General Prosecutors Offices (Brussels, Liège, Ghent) had been calling for the creation of a judicial police force under the control of the public prosecutors since the end of the 19th century.¹⁸ In 1896, the government drafted a law on the creation of a judicial police force, but this was not passed until 1919. The war, and above all the Military Security's dominance on the subject of 'criminal police' at the time of the Liberation, swept away political support. Basking in the glory of its prestige from resisting the occupier, the magistracy used all of its influence in reinforcing the fight against organised and international crime. On 7 April 1919, a judicial police force was established that was centralised around three jurisdictions of the Courts of Appeal: Ghent, Brussels and Liège. Shortly afterwards, the law of 21 September 1919 abolished the Military Security, the extension of whose competencies in times of war did not greatly please the magistracy.

On the other hand, the period 1920-1940 was a time when many proposals were made to create a national civil police force, all of which failed. The local authorities were reluctant to have the local police put under surveillance, which, moreover, had strongly resisted the centralisation attempts of the occupier. In the 1930s, however, political radicalisation and the escalation of social unrest pushed the government into envisaging a centralising reform to the police system. Debate ensued between those in favour of a civil police under the control of the Ministry of the Interior and those in favour of a centralised judicial police under the control of the Ministry of Justice. Another rift caused friction between the advocates of a centralised police force and those attaching importance to a localised police (local elected representatives and burgomasters of the large towns).

¹⁸ One example: through the debates on 'trading' in white women that shook Belgium in 1880 and highlighted the unsuitability of the various authorities to combat an international problem. The regulatory control of prostitution came under the competence of the communal police, the fight against the immoral earnings of the prostitution courts and against slave trading fell to the State Security Office and the immigration police.

For the inter-war period, the initial research carried out on the archives of the judicial police undermines the unwillingness to create a national civil police force. Each *procureur général* (Brussels, Ghent, Liège) directly controlled the central judicial police squads of its jurisdiction. In Brussels, there was scarcely disguised competition between the police of the city and the judicial police squad. Although the general superintendent of the judicial police was in theory responsible for the national and international co-ordination of police activities, the centre of 'regulation' was restricted to technical co-ordination.

The entrenchment of positions mainly benefited the gendarmerie. Towards the end of the First World War, the fear of crime in the countryside and the myth of a 'Spartakist' type of uprising had already generated an increase in gendarmerie numbers. The latter was also modernised by the creation of mobile, motorised units alongside the six territorial units. During the social movements of 1932 – dockers' strikes in Antwerp, miners' strikes in Borinage and demonstrations by war veterans – its intervention became more concentrated. The appointment of a head from the gendarmerie rather than the army encouraged the gendarmes to claim specialised expertise in the maintenance of law and order, which the soldiers did not possess.¹⁹ Nevertheless, within a context of growing international tensions, the Ministry of War wanted to preserve the military character of the gendarmerie, in order to reinforce border surveillance and the fight against espionage.

The only structural innovation was a failure. In June 1934, in a context of radicalisation between the extreme left and the extreme right, the government decided to transfer the State Security Office and the immigration police from the Ministry of Justice to the Ministry of the Interior. The motivation was the co-ordination of the fight against the private militia. Socialists and liberals presented opposition, arguing that the formation of truly political police could result. The government withdrew its decision.

Nevertheless, it set up a State Police Office (*Police Générale du Royaume*, PGR), which was to compile information on potential threats to public order.²⁰

¹⁹ We find this call for specialisation of the gendarmerie under the penmanship of the retired Major Victor Gillard in several issues of the magazine *Le Gendarme*, banned by the command (*Le Gendarme* nos. 151-155, July to November 1932. *Le Gendarme* file, Auditorat militaire, State archives in Liège).

²⁰ C. Fijnaut, 'Het politiewezen: van oud naar nieuw en terug', in: L. Huyse and K. Hoflack (eds.), *De democratie hervatgevonden; oud en nieuw in politiek België, 1944-1950*, Leuven, Van Halewyck, 1995, p. 154.

This bureau, which depended on the secretariat general of the Ministry of the Interior, was never, in the inter-war period, a real instrument of power. Its role was mostly limited to purely administrative tasks.

The information was in fact the key and the only independent resource for the police authorities aiming to modernise their activity. On the eve of the Second World War, three forces were able to claim national police status: the judicial police and its general superintendent on information against organised and international crime; the State Security Office on the surveillance of political activists and foreign agents; and the gendarmerie, responsible for combating military espionage and for border security. The PGR hardly had a place in this struggle, in which each regalain Ministry (of Justice, the Interior and War) defended the service that provided the resources on which its information was based.

III.4. A Second Occupation: a Repetition of the First?

On 28 May 1940, after an 18-day campaign, the Belgian army surrendered to the German army, which appeared to be omnipotent. King Léopold III may have decided to remain on occupied territory, but his government, after numerous trips, went to recover in exile in London and to join ranks with the Allies. The administrative and economic elite still in Belgium declared themselves willing to co-operate to a certain extent with the occupying authority. This policy of the 'lesser evil' was designed to allow the Belgian organs and institutions to be maintained. The *Militärverwaltung* had every interest in managing Belgium with the least possible personnel. From both sides, the interest of a *modus vivendi* was clearly evident. The military administration would find sympathetic contact with the college of the Secretaries General, which formed a sort of unofficial government.

Assuming order so as to allow for more or less normal economic life was one of the essential tasks of the occupier. It could, of course, draw support from its own police forces, but they were far from being enough in terms of numbers. The three pillars of the Belgian police system, namely the gendarmerie, the judicial police and the communal police, would therefore be required in order to contribute to the maintenance of law and order. On the part of the secretaries general, there was agreement that this task had to be accomplished as soon as possible by the Belgian institutions.

III.4.1. The First Attempts (May 1940 to April 1941)

In contrast to the situation during the First World War, the entire system for prevention and repression in Belgium remained functional during the Second World War.

In spite of the 'strange war', the Belgian gendarmerie did not seem to have developed very concrete plans for the event of a German invasion. During the eighteen-day campaign, each territorial head did everything that he deemed to be appropriate. In the first weeks of the Occupation, a certain vagary seemed to reign over the future tasks to be carried out by this body. Furthermore, it had lost a certain number of its men.²¹ As of the end of May 1940, affairs were nevertheless taken in hand again. The secretaries general were given their responsibilities by the German authorities. They also liberated the gendarmes relatively quickly from the camps in which they were interned. The gendarmerie under the Ministry of Defence was placed under the control of the secretary general of the Interior, Vossen. Thus it lost its military character without implying a change in its tasks or its functioning. In early June, the meeting of commanders from various territorial groups in Brussels bore witness to the recovery of its activity. The meeting dealt chiefly with the surveillance and protection of communication and transport. Moreover, the German administration showed itself to be well satisfied with its functioning, as was demonstrated by the permission for them to carry their guns again during service hours as of mid-June. Both the secretaries general and the German administration considered it to be the only institution capable of meeting the challenges that characterised the first months of the Occupation, particularly as far as supplies and fraud were concerned.²² In 1940, the gendarmerie was composed of eight territorial groups and two mobile regiments, which brought its numbers to 175 officers and 8200 men.

At the start of the Occupation, the structure of the communal police was as disorganised as that of the gendarmerie. In view of the strong communal autonomy, the situation was admittedly different from one town to another. Nevertheless, one

²¹ W. Van Geet, *La gendarmerie sous l'occupation*, Braine-l'Alleud, Editions J.M. Collet, 1992, pp. 17-22.

²² For the German administration: *Tätigkeitsbericht (TB) Nr 3 der Militärverwaltung (19.6.1940)*, pp. 6-8, AA577, Centre d'Etudes et de Documentation 'Guerre et Sociétés (CEGES)', For the Secretaries General: Minutes of the meeting of the Secretaries General (PSG) of 30 October 1940, p. 2; BA L 3/11, CEGBS.

III.4.1. The First Attempts (May 1940 to April 1941)

observation could be made: numbers had fallen dramatically. On the one hand, part of the police had enlisted in the Belgian army; on the other hand, some had fled. This last observation also applies to those directly superior, namely the burgomasters. According to Delandshere and Ooms, the largest communal police force in Belgium, that of the city of Brussels, was reduced to 22 units on 18 May, the date on which the Germans entered Brussels. One week later the situation was little better, with 37 agents – yet it totalled around 1,140 in 1939. In order to compensate for this shortage of men, two thousand police auxiliaries were recruited.²³ But this was a provisional stopgap. In Ghent, out of 420 police officers, 205 left their post in May 1940. In July of the same year, only 24 had yet to be called up.²⁴ Little by little, the situation returned to normal. As in 1914, the German authorities were struck by the strong communal autonomy that appeared to them to be incongruous in the large agglomerations where the competencies were distributed between a multitude of communes. In the wake of German pressure, secretary general Vossen organised meetings for the chief superintendents of Brussels and Antwerp, in order for them to co-ordinate and unify their actions.²⁵

The reaction of the judicial police during the early months *vis-à-vis* the occupier is almost unknown. At the end of 1940, it had 334 members, 221 of which were in Brussels. This force, dependent on the King's prosecutor, did not seem to attract the attention of the occupier, as far as we can tell from the *Tätigkeitsberichte* drafted by the head of the German administration, Reeder. In the early months, the public prosecutors were mainly kept busy with their reorganisation. No major conflict seems to have affected their daily work.

Generally speaking, the three forces seem more or less to have continued in their activities as they had before the war. The Belgian population was subjugated by the German army. First of all, the German army's behaviour as an occupier differed markedly from their behaviour in 1914. Secondly, the overwhelming success of the *Wehrmacht* seemed to indicate that it was necessary to adapt to this new German Europe. Moreover, during the first months of the Occupation, several social groups did not reject the idea of accepting the new situation and seizing the

²³ P. Delandshere and A. Ooms, *La Belgique sous les nazis, 1940-1941*, Brussels, l'Édition Universelle, undated, pp. 36, 51.

²⁴ G. Geers, *En onderzoek naar het Gentse politiekorps tijdens de Tweede Wereldoorlog*, Ghent, RUG, dissertation for history masters, unpublished work, 2002, pp. 72-73.

²⁵ *TB Nr 10 für Okt. 1940*, p. 42; AA577, CEGBS.

the two elements. The Germans were very keen to have better control of these institutions, and were to remain rather distrustful of the Belgian forces of law and order throughout the entire war.

These reforms were not only linked to the new ideological context. Without wishing to suggest that the war in itself was conducive to crime, there was a spectacular escalation in certain categories of offences during the Occupation. In addition to very spectacular acts of sabotage, it was above all around supply provisions that numerous breaches of the law were observed: the black market constituted an illegal parallel market.

The appointment of Gerard Romsee on 2 April 1941 to the position of secretary general of the Interior represented a key rupture. Vossen, who would have to leave in the spring of 1941 after reaching the age of sixty (decree of 7 March 1941) offered opposition to the *Militärverwaltung* several times regarding the appointment of the burgomasters, in particular that of Elias, a VNV ideologist in the Ghent town council. Gerard Romsee, a lawyer by training, distinguished himself in the 1930s as an elected representative of Limbourg for the VNV, the Flemish national-ist party. Having been nominated to the post of governor in his native province in 1940, he was one of the most prominent Flemish personalities during the numerous projects that were circulating in the summer of 1940. But in the spring of 1941, Romsee was not the chosen candidate of the committee of the secretaries general (CSG), which instead had someone who belonged to the pre-war elite in mind.²⁸ On the other hand, he benefited from the support from his party, which had suffered a failure when Schuind was nominated secretary general of Justice and of the *Militärverwaltung*.²⁹ The VNV saw this as a way of accomplishing their 'greep naar de macht' (seizure of power) (De Wever). For Reeder, this was a matter of having someone who was not against his plans and who was prepared to implement reforms in the maintenance of law and order and in supply aspects. Over the three years of his mandate, Romsee did not tire in his defence of a hard-line policy against all 'criminal acts'; he was often in the minority within the Committee, as most of the secretaries general did not follow his ideas. Romsee, however, was not

²⁸ Jurist Stanaut, Director General of the Public Security and deputy of De Foy, has the support of the CSG; PSG of 5 March 1941; BA L 3/11, CEGES.

²⁹ G. Schuind was secretary general of Justice from 4 April 1941 to 17 September 1943. M. Van den Wijngaert, *Het beleid van het comité van de secretarissen-generaal in België tijdens de Duitse bezetting, 1940-1944*, Brussels, Koninklijke Academie voor Wetenschappen, Letteren en Schone Kunsten van België, 1975, p. 312.

opportunity to construct a new system of state control. Neither the gendarmerie nor the communal police were necessarily confronted with new conflictual situations between professional duty (the maintenance of law and order) and patriotic duty (allowing 'subversive' actions). In this field however, there is one not inconsiderable exception: the persecution of the Communists. Anti-Communism, which was already widespread in some Belgian circles before 1940, seems to have facilitated co-operation between the Belgian and German authorities as far as the surveillance of Communist circles was concerned.²⁶

A brief presentation of the German police, which was established in Belgium during these four years of the Occupation, is necessary here. Four institutions played an important role in this. The *Abwehr*, intelligence service of the German army, were particularly interested in counter-espionage. The *Geheime Feldpolizei* (GFP) dealt with the same problems. It possessed vast executive powers, in spite of being relatively diminished in number. The *Feldgendarmerie*, for which the main mission was that of an internal police force for the *Wehrmacht*, also became responsible for the maintenance of law and order on occupied territory. Finally, the Sipo-SD, usually referred to under the term *Gestapo* in the occupied territories, dealt essentially with 'subversive' activities. Alongside these four main bodies, other less important institutions (e.g. the *Landeschutzabteilung* or the *Hilfsgendarmerie*) functioned in occupied Belgium. Within the *Verwaltungsabteilung*, a small service (*Griene Polizei*) was responsible for controlling the Belgian police, especially the communal police, as the gendarmerie was overseen by its German counterpart.²⁷

III.4.2. From April 1941 until Liberation

III.4.2.1. The Time of Reform

The German authorities were deeply dissatisfied with the division in the forces of law and order in Belgium. In Germany, there had been a definitive unification of policing since 1939 under the *Reichsstichherhshauptamt*. 'Centralisation', 'Modernisation' and 'Unification' were to be the keywords in the police reform initiated in 1941. There was a double objective. On the one hand, there was the question of improving the quality of the police, and on the other of finding out how to balance

²⁶ R. Van Doorslaer, 'La police belge et le maintien de l'ordre en Belgique occupée', *Revue du Nord*, 1987, special edition, pp. 90-93.

²⁷ E. Paquot, 'Police allemande! La mise en place', *Jours de guerre*, V, 1991, pp. 103-117.

slow to introduce a complete restructuring of the police. Before going into further details on these various enterprises, three key ideas must be pointed out that, according to his biography, characterised Romseé's behaviour: the greatest possible independence from the Belgian authorities, regulatory power of the secretaries general at penal level and the lack of distinction between 'crime' and 'illegality'.³⁰ The preferred instrument for these changes was an institution that was founded in 1934: the State Police Office (PGR). In order to realise his new policy, Romseé called upon Emiel Van Coppenolle, whom he placed at the head of the PGR in October 1941, thus replacing Muelenaere who, as we will see later, did not show himself to be particularly co-operative with the new secretary general. Van Coppenolle distinguished himself in the 1920s and 1930s as a Dutch-speaking officer (which was quite rare) in the army. He regularly wrote articles that appeared in the Flemish newspaper *De Standaard*. The ideas of Van Coppenolle on his role at the head of the PGR and on the maintenance of law and order corresponded to the expectations of his direct superior, Romseé, and of the German administration, as is proven by the speech that he gave in February 1943 before the gendarmérie commanders:

I understand the word 'to command' in the literal sense. ... Those in superior office ... must endeavour to restore and maintain the most rigorous discipline. I will support those who work towards this objective. I will dismiss the others. ... For the police, the only thing that must count is keeping law and order. A crime is a crime and the perpetrators must be sought out, whoever they are.³¹

During the war, the PGR acquired greater autonomy by inheriting the status of 'Department Directorate-General' at the Ministry of the Interior (June 1942). As the archives had not been preserved (or have possibly not yet been discovered), its composition and its numbers to a large extent remain a mystery. In a note drafted by the High Commissariat of the State Security Office, the names of 126 members were highlighted.³² The PGR was divided into several services that were to allow it

³⁰ E. Raskin, *Gerard Romseé: een ongewone man; een ongewoon leven*, Antwerpen, Hadewijch, 1995, especially pp. 192-193 and p. 233.
³¹ Minutes of the meeting of the company commanders in Van Coppenolle's office, 12 February 1943; AA1311-2048, CEGES.
³² Staff list - PGR Service (not dated, probably 1943): AA1311-1793, CEGES.

to pursue its task. Thus, the 'S' bureau (for statistics) had to permit the use of available forces in a more economic way. Each day, a map of the various attacks was established. For the first time in its history, Belgium had a centralised office that was responsible for establishing a 'photographic image' of the situation with regard to law and order on a daily basis. However, this improvement in control was limited to fields judged to be sensitive by those responsible in the PGR, and not to all offences. In other words, 'attacks perpetrated against the authorities ... acts of significant sabotage ... strikes that could lead to disturbances ... acts of crime ... any other event that constitutes a threat to the public order'.³³

One year later, it led to the creation of an autonomous inspection service that was responsible for the surveillance of all of the county's executive organs. Armand Tilman, who was at its head, had been deputy superintendent in Antwerp. His activities had always been marked by scathing anti-Communism. His first ten colleagues came exclusively from the gendarmérie. In reality, this was an intelligence service on 'terrorist' groups. It appears that this service was not very effective, in particular due to the activities of Tilman, who was trying to gain a certain level of independence by freeing himself from the supervision of Van Coppenolle and Romseé by co-operating with the SS. Tilman was to leave in June 1944.³⁴ The gendarmérie is the institution that attracted all the attention. Vossen, Romseé's predecessor, made a proposal to the occupier to reinforce the gendarmérie by recruiting army officers who at the time were in Germany, having been prisoners of war since October 1940. The occupying force did not give a positive response until August 1941. But among the 150 officers that were returning to the county, practically all were Flemish and members of the *Luitenant De Winde-Kring*. This cultural association founded in a prison camp took a more political turn when the majority of its members signed a manifesto in early 1941 that challenged the Belgian state and affirmed the will of the signatories to construct a Flanders in the spirit of the new order. Pissier, president of the CSG, and general Keyaerts,

³³ Note dated 25 July 1943 from the PGR to the Staff Office of the gendarmérie; AA1311-2018, CEGES. For the statistics office in general, see A. E. Van Coppenolle, *Emiel Van Coppenolle*, 1973, pp. 164-165 (these are Van Coppenolle's manuscript memoirs, a copy of which was submitted to the CEGES).
³⁴ R. Van Doorslaer and E. Verhoeyen, 'L'Allemagne nazie, la police belge et l'anticommunisme en Belgique (1936-1944) - Un aspect des relations belgo-allemandes', *Revue Belge d'Histoire Contemporaine*, 1986, 1-2, p. 112; executive decision of 30 June 1943, AA1311-1793, CEGES and C. Fijnaut, *supra*, note 20, pp. 159-160.

responsible for the repatriation of soldiers, in addition to Dethise, a commander serving in the gendarmerie, tried to oppose the integration of these officers into the Belgian police. But Romsee and Van Coppenolle succeeded in integrating 41 of them into the gendarmerie, where they represented just under one quarter of the officers, while 21 were integrated into the communal police and the PGR.³⁵

The instability of the gendarmerie in the early years of the Occupation is illustrated by the numerous changes that occurred at its head. Between May 1940 and January 1943, it had no less than 6 commanders.³⁶ They were confronted by a rather delicate situation. On the one hand, there were the Germans who considered the gendarmerie as the only police that were capable of responding at least partially to their expectations. On the other hand, the NVV (but also Rex, the French-speaking collaboration movement) saw in them the ideal way of hoisting themselves up to positions of power. Finally, in February 1943, Van Coppenolle was also appointed to the head of the gendarmerie. A few months later, the PGR moved into the building in which the headquarters of the gendarmerie was located. The 'physical' distance that could exist between the two institutions therefore disappeared. Alongside its symbolic value, this move illustrated the advanced stage of centralisation. From this moment on, Van Coppenolle held a key position in the maintenance of law and order. Three key factors characterised the reforms of the gendarmerie: an increase in numbers, the Flemish movement, and the integration of members of the New Order and modernisation. These three elements can be found in one of the first decrees concerning the gendarmerie: the organisation numbers went up respectively to 250 officers and 9,200 troop members; the first differences based on the linguistic regime were introduced; two training centres were established and mobile companies were put in place.³⁷

This decree was only the first step in an ongoing effort to increase the number of gendarmes. In 1944, the headquarters of the gendarmerie theoretically had 290

³⁵ K. Van Vlasselaer, *De Vlaamse krijgsgesvangenen in de Tweede Wereldoorlog: de officieren van de Luitenant De Winde-kring*, KU Leuven, dissertation for history masters, unpublished work, 2000.

³⁶ Van Gool (until December 1940), who stepped down for reasons of 'health'; Dethise (December 1940 – December 1941); Lelaire (December 1941 – January 1942); Daelmans (January 1942 – February 1942), who declared himself to be sick; Delehouzée (February 1942 – October 1942), who went into retirement after reaching the age limit; and Bouitte (October 1942 – February 1943).

³⁷ Decree of 26 November 1941; AA1311-2015, CEGES.

officers and 10,200 men, available. However, during the entire war, a reasonably significant gap still existed between the organisational and the real numbers. According to a report from the headquarters of the gendarmerie in the post-war period, 3,339 new gendarmes had been recruited by the Ministry of the Interior during the war. Without taking account of the men who had retired or dismissed during the war, this figure should at least have been 4,115 (organisational numbers in 1940 – 8,375; in 1944 – 12,490).³⁸

Until the eve of the war, the gendarmerie was a body in which the French language largely dominated, especially in the upper ranks. It was therefore evident that, since Van Coppenolle, a Flemish promotion policy was to be actively pursued, which in fact proved to be fruitful. Moreover, a survey by the *Commissie voor Taaltoezicht* had raised the fact that the linguistic law of 1938 was not applied.³⁹ The force was divided into two linguistic units, with the territorial group of Brussels belonging to the Flemish region (with the exception of the districts of Nivelles and Wavre).⁴⁰ Between 10 May 1940 and 29 August 1943, 2,128 new gendarmes were recruited, 72% of whom were Dutch-speaking. Among the ranked officers, this percentage was even higher: of 68 new men, all but two were Flemish.⁴¹ Of course, a certain number of gendarmes claimed to be Dutch-speaking in order to increase their chances of being recruited. Nevertheless, these figures indicate a distinct growth of the Flemish presence in the gendarmerie. Without exactly knowing the number of men that came from the New Order out of those recruited after 1940, both the NVV and Rex tried to place their members there. Thus, Streef, head of Rex's political service, launched several appeals in 1942 for these men to integrate into the gendarmerie. The political service of Rex even dealt with part of the administrative work that the potential candidates had to complete.⁴²

³⁸ Report of 14 February 1945 by Dethise, commander of the gendarmerie corps to Ganshof van der Meersch; AA1311-627, CEGES.

³⁹ C. Franssen, *Politiewerk in bezettingstijd. Ertiel Van Coppenolle – Korpscommandant van de rijkswacht tijdens de Tweede Wereldoorlog*, RUG, dissertation for history masters, unpublished, 2001, pp. 145-146.

⁴⁰ Decree *bis* of 26 November 1941; AA1311-2015, CEGES.

⁴¹ Note 'Gendarmerie Corps – Situation on the date of 15 September 1943'; AA1311-2008, CEGES.

⁴² Note of 17 December 1942 from Streef to the heads of districts and groups of Brussels; AA1311-2051, CEGES.

There were two vectors of transmission in the modernisation process: first, the improvement of training, and secondly better equipment. The Tervuren school for gendarmetric officers was started up in May 1942 with Flemish and French-speaking sections. Verbecren, an army officer from Luckenwalde, became director of the institution. Among the teachers in this new school, there were several members of the VNV and several Rexists. Lode Claes for instance, one of the brains behind the VNV, taught constitutional law, legal history and natural law there while drawing considerable inspiration from the *Gemeinschaftstheorie* upheld by National Socialism.⁴³ Dessart, another VNV member, was to provoke an incident that led to the expulsion of nine students who refused to sign a text that declared that they recognised the authority of the head of the Ministry of the Interior and of Public Health [Romsée], from whom orders and instructions concerning the maintenance of law and order were issued, and that they would execute and ensure their execution unconditionally'.⁴⁴ Two instruction centres were created for candidate gendarmes, one in Antwerp for those that spoke Dutch, and the other in Voltem (Liège) for those that spoke French. The programme no longer focussed on military training, but rather on offering a basic legal knowledge.

Until the end of the war, the different commanders of the gendarmetric companies complained about the lack of arms and insufficient means of transport. Not that Van Coppelolle would ever have the sufficient means to equip all of the gendarmes appropriately. But, besides this material constraint, above all he saw the territorial units as being too unreliable to supply them with equipment that could be used later against himself and the Germans. In order to efficiently combat the black market and terrorism, he was to establish 'F' (Fraud) squadrons, mobile units and two elite groups that were better armed. In the squads of the territorial groups, around two thirds of the men were armed with a gun; the members of the mobile groups and the fraud squadrons all possessed guns and one third possessed rifles; all gendarmes in the elite groups not only had guns and rifles, but also long distance rifles. This was in any case the situation that was reported by a summary analysis carried out in London by the High Commissariat of the State Security Office.⁴⁵ The mobile groups and fraud squadrons were mainly composed of etc.

⁴³ Transcript of the evidence given on 24 December 1944; 'Grauls en Consorten' case, cart 56, Auditorat Général (AG).

⁴⁴ W. Van Geel, *supra*, note 21.

⁴⁵ Note 'Inquiry into the Belgian gendarmetric corps' of 28 June 1943; AA1311-2055, CEGES.

ments that were judged to be new and safer than the gendarmes, who were already in service before in 1940 and who remained confined to territorial groups. Out of the 42 officers from the executive ranks of the army, scarcely a quarter were to be found in the territorial districts. The vast majority were placed in the new units.⁴⁶ The policy *vis-à-vis* the various communal police forces went along the same lines as that applied to the gendarmerie. Of course, the reactions of the communal authorities and their bodies varied from one locality to another. It is in this very disparity that the shoe pinched, according to the German administration; this form of reasoning was blithely taken up by Van Coppelolle. The communal autonomy, which indeed allowed the burgomaster to play an important role in the maintenance of law and order, at least in the large towns, would gradually be emptied of important elements as far as the police was concerned. Training, the selection and appointment of senior personnel was no longer the task of the burgomaster or his deputy, but rather of the Minister of the Interior. Likewise, with regard to low-ranking personnel, it was the PGR who centralised the whole entry procedure. Whoever wanted to apply no longer went through the communal administration, but through the PGR.

The entry examination and the training for both high and low-ranking personnel was standardised and unified. Before the war, each commune could fix its own selection criteria. Aside from the large communes such as Brussels, the communal police often stood out due to their lack of legal knowledge and poor physical condition. During the war, an examination with harmonised criteria for all of Belgium and a thorough training programme were established. On the examining board, only one official was from the Ministry of the Interior, all other members were nominated by Van Coppelolle, allowing him to form this selection committee as he wished.⁴⁷ Schools for lower ranking personnel were set up by the Decree Law of 8 June 1942 in Antwerp, Brussels, Bruges, Charleroi, Ghent, Hasselt and Liège.

The intervention of the Minister of the Interior was also evident in the fixing of numbers in the various communal police forces. Here again, the PGR tried to develop a scientific – in other words, modern – way of calculating the 'needs' of each commune. Alongside two rather obvious parameters (population and surface area), two other criteria clearly reflect the social strata that the new authorities deemed to be the most dangerous: the number of manual labourers and foreigners residing in

⁴⁶ Note 'Gendarmetric Corps – situation on 29 August 1943'; AA1311-2048, CEGES.

⁴⁷ Decree of 1 October 1941; AA1311-1792, CEGES.

the commune.⁴⁸ Nevertheless, this zeal for reform posed numerous problems. The decrees and interpretative circulars succeeded each other at a rather frenetic rate. Between March 1942 and May 1943, eight texts were issued by the PGR concerning the calculation of staff numbers. In September 1943, Van Coppenolle recognised 'that a number of questions relating to reorganisation continue to give rise to confusion or doubt liable to hinder or complicate the move from the old regime to the new one'.⁴⁹

There were probably between 11,000 and 13,000 communal police agents during the Second World War, but only five agglomerations – Brussels, Antwerp, Liège, Charleroi and Ghent – had more than one thousand agents; they represented around 10,000 civil servants, i.e. 75% to 90% of the total numbers.⁵⁰ It is therefore evident that the German administration and the PGR had a particular interest in undertaking even tighter controls: this was one of the objectives of the introduction of the large agglomerations. In the inter-war period, this subject arose in all European countries. In order to improve and rationalise city management, town planners proposed the creation of agglomerations. Unlike Belgium, where these ideas were not put into practice, German cities such as Hamburg or Berlin saw a certain level of concentration in the inter-war period. Following the Occupation, these projects were also implemented in Belgium.

Between 1941 and 1942, the communes of the agglomerations of Antwerp, Ghent, La Louvière, Charleroi, Brussels, Bruges and Liège were unified. In most cities, this institutional and administrative reform allowed Romse to set up colleges of municipal magistrates that were more favourable to the New Order. In Brussels for example, 19 communes were united under Greater Brussels. Grauls, the new burgomaster, was a member of the VNV, while the councillor, Brunet, was a well-known Rexist. In view of Articles 90 and 94 of the communal law, the burgomaster's position was essential. He alone was responsible for the execution of the laws, decrees and regulations of the police. In six of the seven cities, the VNV or Rex would thus have direct control over the police by placing their candidates in the post of burgomaster.⁵¹ For the chief inspectors, 'collaborationist' penetration

⁴⁸ Circular of 21 August 1942 from the PGR; AA1311-1792, CEGES.

⁴⁹ Instruction of 7 September 1942 from the PGR; AA1311-1792, CEGES.

⁵⁰ 'Table of staff numbers per province (situation 1942-1943)'; AA1311-1791, CEGES.

⁵¹ For Ghent: Elias (VNV); for Bruges: Devroe (VNV); for La Louvière: Gorain (Rex); for Charleroi: Teughels (Rex); for Brussels: Grauls (VNV); for Liège: Dargent (Rex). Greater Antwerp was the only agglomeration where the parties of the New Order did

has not yet been studied. In at least three of seven cities, the police remained under the command of the same superintendent as before the war: in Antwerp (Jozef de Potter), Ghent (August Dekese), and probably Bruges as well. However, changes occurred with the creation of the large agglomerations; in Brussels, Maurice Boule became head of the central commission, and in Liège, Maurice Joba directed all of the special services.⁵² Sometimes the sympathies of the new chief inspectors were easily identifiable, such as for Liège (Maurice Joba was Rexist). Maurice Boule on the other hand was accused of having both VNV and Rexist leanings.

Apart from the changes with regard to the police leaders, a more structural overhaul was also carried out. The communal police, who had previously been limited by the borders of their communes, could now intervene everywhere in the agglomeration. The different police divisions were restructured in a more rational manner. The PGR attached great importance to creating specialised services. In the cities in which it no longer existed, a vice squad was also established. All the communal police in the large agglomerations also saw the creation of a mobile squad within their body that was to intervene in the case of demonstrations. These units were likened by the population to the mobile units of the gendarmerie and seem to have had, in part, the same tasks. From then on, these seven communal police forces were in theory capable of maintaining order in towns without needing support of the gendarmerie.

The introduction of the large agglomerations admittedly constituted a rupture in the organisation of the police in large towns. Nevertheless, certain efforts for greater centralisation and better co-operation had already been made in 1940, at least for Brussels. As of October 1940, the organisations, including the communal police of the 19 Brussels communes, no longer directly addressed the services of the German authority. All documents issued by the police had to pass the Central Division of the Brussels police. Only in serious and urgent cases could the superintendents of the other communes immediately address the *Kommandantur*; they

not provide the burgomaster. The Catholic Delwaide replaced Huysmans, who was in exile, and remained in place in Antwerp.

⁵² For Antwerp: L. Saerens, *Vremdelingen in een wereldstad: een geschiedenis van Antwerpen en zijn joodse bevolking (1880-1994)*, Tiel, Lannoo, 2000; for Ghent: G. Geerts, *supra*, note 22; for Bruges: L. Schepens, *Brugge bezet 1914-1918, 1940-1944: het leven in een stad tijdens twee wereldoorlogen*, Tiel, Lannoo, 1985; for Liège: E. Paquot, *Sicherheitspolizei-Sicherheitsdienst-Lüttich et organisation policière allemande à Liège (1940-1944)*, ULg, dissertation for history masters, unpublished work, 1985.

the least affected by the Occupation, even though its numbers underwent the largest increase out of the three major police forces: before the war, it had 282 units, whereas on the eve of the Liberation, it had just 499 members.⁵⁶

III.4.2.2. Police Practice

Faced with this reorganisation of the system of maintaining law and order and its functions during the Occupation. How were their activities interlinked with the wishes of the German administration and the activities of the German police? On what levels did schisms exist? What was the necessary reaction *vis-à-vis* the new legislative framework introduced by the Germans? In fact, Article 43 of the Hague Convention stipulates that 'as the authority of the legal power has been passed de facto into the hands of the occupier, the latter will take all measures that depend on it with a view to restoring and assuring public order and life while respecting, unless in the case of an absolute impediment, the laws in force in the country'. It therefore recognised the fact that the occupying force had, under certain precise conditions, a regulatory capacity. On the other hand, the Belgian law of 5 March 1935 concerning the duties of civil servants in wartime declared that civil servants, employees and agents of the public services 'must abstain from their functions if the occupier wants to impose on them acts that are incompatible with their duty to be faithful to the homeland'.⁵⁷

As of the autumn of 1940, it became apparent that an increasing percentage of the Belgian population was adopting a negative attitude towards the occupying force and was also prepared to openly demonstrate it. The first test for co-operation between Belgian and German forces took place on 11 November 1940, a day in commemoration of the 'German defeat' of 1918, which would also assess how the Belgian forces would react when faced with 'patriotic' unrest. Already in late October 1940, a major clandestine propaganda campaign had been launched, issuing an invitation to celebrate 11 November. Meanwhile the German administration was starting to think about measures to be taken as of mid-October. It planned for the *Geheime Feldpolizei* and the *Feldgendarmarie* to step aside and for order to be ensured by the Belgian police forces. In the country's capital the monument to the

nevertheless also remained obliged to send a report to the head inspector of Brussels. The German authority therefore conferred it with a centralising role for the whole agglomeration, as of 1940. The importance of this post was also evident in another field. Co-operation between the *gendarmérie* and the communal police improved at the end of 1942 when the sites of the *gendarmérie* units were modified as much as possible on the new divisions of the communal police. A certain co-operation between the two bodies already existed before the creation of the large agglomerations. A joint information bulletin for the communal police and the *gendarmérie* of the Brussels agglomeration had existed at least since October 1940. It resembled the traditional 'daily orders' and was published on a daily basis, containing the most important information concerning the tasks of the forces of law and order (research opinions, new regulations decreed by the Germans, and so on). The Brussels city police took responsibility for this centralisation work; in fact, the signature of the head inspector of the city of Brussels appeared at the bottom of each bulletin.⁵⁸

In the autumn of 1942, the Rexist burgomaster of Charleroi was assassinated. This murder was used as a pretext by Romseé to propose the creation of a civil police force within the Ministry of the Interior on 20 November 1942. One week later, it fell under the competence of the Council of the Secretaries General, as the criminal police was being directly challenged.⁵⁴ Since the start of the Occupation, the legal system, and more particularly the magistrates of the public prosecutor's departments, had been heavily criticised by the representatives of the New Order. These attacks escalated when the New Order became the target of Resistance action. The German administration preferred a judicial police force that was not under the supervision of the public prosecutor's department. Secretary general Schindt seemed to have been at least partially sensitive to this criticism. At the end of 1942, units with the objective of pursuing political crimes were established under the direction of the three attorneys general.⁵⁵ But in the following years, neither the German administration nor Romseé ceased complaining about its inactivity. Nevertheless, the judicial police remained the institution that seemed to have been

⁵³ 'Information Bulletin to the police and gendarmerie authorities of the Brussels agglomeration' (B.I.) of 19 October 1940; Box 25, Police 1940-1945, AVB.

⁵⁴ PSG of 20 November 1942, pp. 5-8, and 27 November 1942, pp. 7-11; BA L 3/11, CEGES.

⁵⁵ R. Van Doorslaer, *De Belgische politonucle krachten tijdens de bezetting*, 1972, unpublished study, pp. 40-42.

⁵⁶ List of criminal police staff (1919-1941), General commissariat of the judicial police (CGPJ) – 202, Archives of the State Archives (A&Aand).
⁵⁷ The texts can be found in each 'Mobilisation booklet'; Personnel 1944, AVB.

1942.⁶⁰ However, the reaction two years earlier had been anything but that. On 16 October 1940, a German order had made it compulsory to report the presence of English citizens in Belgium. Interrogated by the chief inspector of Brussels on the attitude of the agents *vis-à-vis* this regulation, Hahn, the German civil superintendent of Brussels had replied that 'the police is obliged to immediately arrest any English citizen that they can, living secretly in his department and must deliver them to the German authorities.'⁶¹ This letter was printed in the daily orders given to policemen, and we can therefore conclude that this was also the policy pursued by the Brussels police. Contrary to what would happen two years later, no higher authority had been consulted. We can suppose that the Belgian officials, influenced by the international context, adopted a more prudent approach in 1942 than they had in 1940.

In March 1942, the three attorneys general tried to formulate a common regulation of conduct, valid for the entire country: all cases judged by the Germans would no longer be induced by the Belgian police. However, during the summer, the magistracy was subject to pressure and by the autumn, declared that it would no longer make distinctions between political and other affairs on condition that the occupier would not intervene in the investigations. Despite the promise made by von Craushaar, one of the senior officials of the *Militärverwaltung*, to respect this condition except in cases involving members of the *Wehrmacht*, the German police continued to intervene in the Belgian investigations.⁶² The summer and autumn of 1942 were marked by a dramatic increase in 'political' attacks. The supposed *modus vivendi* lost all value: in January 1943 when von Falkenhäusen, the military commander for Belgium and the North of France, made it known that the Belgian police were required to intervene, independently of the (Belgian or German) court before which the case would be judged.

At the same time, a question arose regarding the attitude of the forces of law and order with regard to compulsory work, introduced on 6 October 1942. As in other European countries, this measure was to be the basis for a resurgence of problems surrounding the maintenance of law and order. The local German administrations of several towns asked for the participation of the communal police and the gendarmes in the execution of 'orders from the Labour Offices with a view to applying regulations on compulsory work'. In Antwerp, the communal police is even

⁶⁰ R. Van Doorslaer, *supra*, note 55, p. 76.

⁶¹ B.I. (see note 53) of 31 October 1940: box 25, Police 1940-1945, AVB.

⁶² C. Franssen, *supra*, note 37, pp. 244-247.

Unknown Soldier at the Congress Column became the symbol of this silent but massive opposition. The communal police remained passive throughout the day, and it fell to the *Feldgendarmarie* to disperse the crowd. In the afternoon, security was assured by the German forces and units of the Belgian gendarmes.⁵⁸ This initial 'experiment' allowed two conclusions to be drawn: first, the communal police seemed to be ill-adapted for intervention within the context of 'patriotic actions'; secondly, in the case of problems, the Germans would have recourse to their own police force *as well as* trying to use the Belgian gendarmes, which they considered to be more reliable.

Over the four years of the Occupation, the Belgian police was more and more frequently confronted with situations in which it found itself faced with a German demand that ordered them to intervene without allowing them to be certain that 'the identity of the arrested persons, condemned or freed by the Belgian legal authorities, would not be communicated to the German authorities'.⁵⁹ This problem increasingly arose as soon as 'patriotic' actions also transgressed the Belgian legislative framework. On 23 June 1941, the Sipo-SD of Liège ordered the commander of the gendarmes in the Seraing district to arrest Communists. The commander refused and was supported by Colonel Dethise, who was at the time head of the gendarmes. In July 1941, von Falkenhäusen affirmed that the Belgian police had to make arrests that were based on infractions of German regulations, while at the same time recognising that the German security forces would make certain arrests that could provoke conscientious objections among Belgian agents. This letter was addressed not to Schuid, the secretary general of the Ministry of Justice, but to Romsee. The refusal of Muelenaere, director of the PGR, to pass on this order was to be central to his remoteness from this institution.

At the same time, the beginnings of a new conflict were taking root. This time, it was a question of whether the Belgian forces of law and order were obliged to arrest Allied parachutists. This affair, which took shape around a real local case, quickly received national recognition. In fact, it was the *Kommandantur* in Ghent who had asked the gendarmes to participate in the search for Allied parachutists. The case arrived on the desks of both Schuid and Romsee. Romsee sought the opinion of the Legislative Council, which gave a negative response in December

⁵⁸ J. Gérard-Libois and J. Gotovitch, *L'an 40: la Belgique occupée*, Brussels, CRISP, 1972, pp. 367-376.

⁵⁹ De Foy's declaration, PSG of 28 January 1944, p. 5; BA L 3/11, CEGES.

One final change was announced in the last weeks of the Occupation. Following the invasion of Normandy, the *Militärverwaltung* was replaced in August 1944 by a *Zivilverwaltung* at the head of which was the *Höherer SS- und Polizeiführer* Junglaas. In mid-August, de Foy and Romsee were informed that the German authority wanted to return to the agreement of January 1944. But this proposal would go unheeded, given the advance of the Allied troops, who entered Brussels on 3 September.

III.4.2.3. The Persecution of the Jews

These few paragraphs have allowed us to present the main areas of police action at national level. We are now going to try to see how this policy was applied at local level by taking a look at the persecution of the Jews. This will involve both ideological reflections and considerations regarding the police.

Anti-Semitic legislation was introduced in Belgium from the first year of the Occupation. Between 23 October 1940 and 21 September 1942, 18 regulations excluded Jews from economic, social and cultural life. But the German policy did not stop at creating symbolic and physical 'ghettos'. On 4 August 1942, the first convoy for Auschwitz left Belgium. Of the 70,000 to 75,000 Jews that lived in Belgium in 1940, around 30,000 would not survive the German Occupation.

The management of the deportation of the Jews fell to the Sipo-SD. As only a minority of Jews volunteered for the *Arbeitseinsatz* (deportation to Auschwitz), the Germans organised raids. As the Sipo-SD was limited in numbers, it had to call upon other German and/or Belgian police forces. This was therefore the context of co-operation with the Belgian institutions. The Brussels and Antwerp agglomerations had by far the highest Jewish population in 1941 (more than 28,000 and 22,000 respectively). To this day, the town of Antwerp remains the only case in which an elaborate analysis made it possible to define the responsibilities of the various parties.⁶⁵ For raids were carried out in Antwerp in the summer of 1942, and each time the German police asked for the co-operation of the Antwerp com-

⁶⁵ L. Saerens, *supra*, note 52, more particularly pp. 592-629. For the occasionally aggressive reactions to the book: L. Saerens, 'Vreemdeelingen in een "wereldstad". Een geschiedenis van Antwerpen en zijn joodse gemeenschap (1880-1944)', *Driemaandelijkse tijdschrift van de Stichting Auschwitz*, 70, January-March 2001, pp. 51-52. For more details on the Brussels situation, we refer you to Benoit Majerus, 'Logiques administratives et persécution antijuive', *Cahiers d'histoire du Temps Présent*, 11, November 2003.

said to have arrested workers.⁶³ This conflict between the secretaries general (especially between that of the Ministry of the Interior and that of the Ministry of Justice) was drawn out until the middle of September 1943, when Schindl, among others, was dismissed from his duties, owing in particular to his opposition to the instructions to be given to the police services for arrests ordered by the Military Authority.⁶⁴ Schindl had already attracted Romsee's ire some months beforehand, when he defended the passive attitude of the (judicial) police by declaring 'that a very difficult situation has been created by the military administration due to the fact that the latter has refused to provide assurance that legal proceedings would not be removed from the Belgian police should they discover the culprit. The German administration has defined the crimes; it is up to it to suppress them'.⁶⁵

His successor, de Foy, head of the Public Security before the war and Schindl's replacement as of October 1943, received the assurance that those arrested by the Belgian services would be judged under Belgian jurisdiction except in cases of infringement of German interests. At the same time, Reeder informed him that the Belgian police would no longer be called upon to co-operate in the field of compulsory work. The reasons for this political change are unclear. In the opinion of historian Albert de Jonghe, the structural weakness of the German police, who were confronted with ever growing opposition, required the intervention of the Belgian security forces, even if that implied a relaxation of German policy. But the written commitment to this agreement did not reach the Belgian authorities until 22 January 1944. This compromise was already rendered null and void two and a half months later. This time, the *Oberkommando der Wehrmacht* (OKW) decreed that the German War Councils had the exclusive responsibility for all armed offences. The OKW made this decision against the will of the German administration in Belgium. The reaction of the Belgian courts was not long coming. In a circular dated 11 April 1944, the three advocates general defined their new policy: the Belgian courts henceforth refused to co-operate in the suppression of non-patriotic crime. The result was large-scale passivity on the part of the Belgian courts.⁶⁶

⁶³ PSG of 20 November 1942, pp. 1-2; BA L 3/11, CEGES.

⁶⁴ PSG of 17 September 1943, p. 2; BA L 3/11, CEGES.

⁶⁵ PSG of 30 July 1943, pp. 6-7; BA L 3/11, CEGES.

⁶⁶ A. de Jonghe, 'La lutte Himmler-Reeder pour la nomination d'un HSSPF à Bruxelles. Cinquième partie: Salzbourg avant et après', *Cahiers d'histoire de la Seconde Guerre Mondiale*, VIII, 1984, pp. 21-37 and pp. 106-117.

munal police. During the first raid, on 15 August, the communal police indirectly assisted the Sipo-SD and the *Feldgendarmarie*. On 27 August, a second raid failed because members of the police had used pamphlets to warn the Jewish population. In order to 'punish' it, the Antwerp police itself was ordered to carry out a raid the following day. About three weeks later, on 11 September, individual policemen assumed the more passive role of accompanying to the station those Jews who had been arrested by the Germans.

In Brussels, the communal authorities, and above all the head of police, namely Coelst, the incumbent burgomaster, seem to have taken a different position.⁶⁸ Between July and September, two demands to arrest Jews arrived on the desk of the chief inspector of Brussels. The first letter, dated 3 July 1942, and therefore sent long before the first request in Antwerp, came from Oesterheld, *Kriegsverwaltungschef* of the *Oberfeldkommandantur* of Brussels. He asked the communal police to arrest Jews who had not responded to invitations to go to the health inspection or the employment office. On 6 July, Coelst refused to obey this order because he considered that this was a case of 'arbitrary arrestation', which would bring him before a repressive court.

It remains to be seen why Coelst took such a firm position during the Occupation. Coelst's refusal was not linked to any pronounced philosemitism, but rather to the framework that we have already outlined above, namely the issue of arrests on German orders. In fact, in his letter of 6 July, he says: 'in response to your order [the letter of 3 July] I take it as my duty to inform you, as I have already written *previously to another German authority*, that the communal police in Belgium is was not seen in the specific framework of the persecution of the Jews, but rather in that of the arrest ordered by the Germans. On 2 July 1942, one day before Oesterheld wrote his letter, the conference of burgomasters had been looking into this very issue. It declared itself in agreement with a text proposed by Herinckx, burgomaster of Uccle, who was a qualified lawyer, and opposed the Germans with a demurrer. In his reply to Oesterheld of 6 July, Coelst used part of the legal argu-

⁶⁸ Jules Coelst (1870-1946), who was a pharmacist and a Catholic communal councillor in Laeken, then in Brussels as of 1921, was the most popular Catholic politician in Brussels in the inter-war period. In the years preceding the Second World War, he was noted for his xenophobic attitude within the communal council: S. Tascheran, V. Piette and E. Gubin, 'L'immigration à Bruxelles dans les années trente; le cas particulier des commerçants étrangers', *Cahiers d'histoire du Temps Présent*, IX, Bruxelles, 2001, pp. 45-56.

mentation, word for word, that had been developed by Herinckx.⁶⁹ This reflection process, which finished on 2 July 1942, was certainly influenced by an event that had taken place one month earlier. On 4 June 1942, the *Feldgendarmarie* had called up 60 police agents from Greater Brussels for the 'organisation of a general patrol'.⁷⁰ In fact, on 5 June, the police agents participated in the arrest of Belgian citizens, most of whom were former Belgian officers and deputy officers. This seems to have provoked a 'saving shock' within the communal administrations.

This interpretation is reinforced by the events that took place on 2 and 3 September 1942. On 2 September, the chief inspector of Brussels, Van Autsaerden, was personally summoned to Van Coppenolle, who asked him to send one of his collaborators the next day to the *Untersturmführer* Dr. Thomas from the Sipo-SD. He demanded 100 to 150 police agents to carry out a 'raid on foreigners' in the Brussels communes of Anderlecht, St-Josse-ten-Node, Schaerbeek and St-Gilles. The first argument used by Van Autsaerden's subordinate in order to give a negative response was based on the action involving the communal police of the agglomeration in early June 1942. Thomas tried to counter the argument by saying that at this time it really was a question of foreigners and not Belgians.⁷¹ The negative response from Coelst of 3 September was accompanied by the dossier established in June 1942.

In Liège, the communal police had completed a surveillance mission during the deportation of Jews on 3 August 1942. In Charleroi, Saerens did not find evidence of such co-operation. The same conclusion must be drawn for Ghent in Geers' opinion, where police agents cited the Hague Convention and the Belgian Constitution, which recognises Jews as citizens in their own right in Belgium.⁷²

⁶⁹ Transcript of an interrogation on 11 December 1944 of Houart, governor of Brabant; Grauls en Consorten, part 50, AG. Letter of 3 July 1942 from Oesterheld to Coelst, letter of 6 July 1942 from Coelst to Oesterheld and note from Herinckx on the arrests ordered by the Germans in box 35, Personnel 1940-1945, AVB. The difference between the behaviour of Coelst and of Delwaide, who despite rather close political opinions finds the beginnings of a response. It would, moreover, be interesting to apply our analysis to the Antwerp case.

⁷⁰ Letter of 8 June 1942 from Coelst to the *Oberfeldkommandantur*, CB 846, AVB.
⁷¹ Report of 3 September 1942 from [name illegible] to Coelst; box 39, Police 1940-1945, AVB.

⁷² For Liège and Charleroi: L. Saerens, *supra*, note 67, pp. 653-654; for Ghent: G. Geers, *supra*, note 24, pp. 103-105.

have the possibility of supervising the various Belgian services. On their side, the secretaries general did not ask for more than the ability to maintain their prerogatives concerning the maintenance of law and order. Despite this policy of the 'lesser evil' that was to assure Belgian control over the security services, the German occupier imposed reforms on the existing police forces. It managed to do this by means of staff and structural changes:

After his failed efforts to place Komsee at the head of the Ministry of Justice, Reeder managed to put him in command of the Ministry of the Interior. Komsee, who was to distinguish himself as the 'grote hervormer' (great reformer) (Raskin) then placed Van Copenolle at the head of the PGR by dismissing Muelenaere, who was not co-operating sufficiently. With the PGR, Van Copenolle had a pre-war institution that had not fulfilled the centralisation role that its creators had intended for it when it was established in the 1930s. During the Occupation, the Ministry of the Interior would be able to centralise the work of the Belgian police in his hands. Van Copenolle also became the commander of the gendarmerie, and the communal administrations saw themselves relieved of some of their competences concerning the communal police. At the start of the Occupation, Reeder complained about the dispersal of the police executives; two years later, the German occupier always knew who to address in the event of problems: Van Copenolle would be 'Mister Security'. This wish to unite the command of the police forces was also apparent in neighbouring countries. Only one institution escaped Van Copenolle – the judicial police. Although, it was subject to some minor changes, Van Copenolle's wish to transfer it to the direction of the PGR or to create a civil police was always thwarted by the other secretaries general.

The reforms of the gendarmerie and the communal police were characterised by an increase in numbers and modernisation by means of better training. Unlike the French, the Belgian police were not hit by systematic purging during the Occupation. There was at least one case of ostracisation of those out of favour with the New Order which can be observed in the senior posts of the gendarmerie and at the head of some communal police forces. According to a German report, around 30% of the officers in service before 1940 left at the end of 1943 and were partially replaced by men who had been trained in the new school for officers in Tervuren.⁷⁵ This in any case constitutes a point that needs more systematic analysis.

erlands on C. Fijnaut, *Voorproeve van een geschiedenis van de Nederlandse politie*, Tilburg, 2001.

⁷⁵ *TB Nr. 25: Juli-Sept. 1943*, p. B14; A 1577, CEGES.

III.4.2.4. The Parallel Political Police: an Example

The refusal of out-and-out co-operation on the part of the Belgian police and their inefficiency in protecting the members of the New Order parties explains the birth of militia or police from the major collaboration movements, such as the DSI (Department of Security and Intelligence) for Rex. Without going into too much detail of these movements, we would like to use the example of the DSI to demonstrate the indirect influence of these bodies on policing in Belgium.

In fact, the police from the movements of the New Order were not only a means of intimidation *vis-à-vis* the secretaries general, but were also truly active themselves. Established in 1943, the DSI had two main official tasks: gathering information on the potential enemies of Rex and providing better protection for its members from ever more frequent attacks. In fact, in the course of time, the DSI was to become a real Rexist police force that was not restricted to a passive role. Local squads were set up on a permanent basis in La Louvière, Charleroi, Huy and Brussels. In Brussels, the first squad, named 'Z', co-operated with the Sipo-SD since August 1943 in matters such as tracing of hidden Jews. In La Louvière, the 'A' squad seemed to have been the most 'efficient'. Close collaboration between it, the Rexist town council and the Sipo-SD made it possible to compensate for the unwillingness of the Belgian security forces.

A parallel network to the traditional forces of law and order was installed, especially in the last months of the Occupation, even though it must not be forgotten that there were also numerous conflicts with the German authorities.⁷⁶

III.4.2.5. The Occupation: Police Modernisation Laboratory?⁷⁴

The Second World War caused deep upheaval in Belgian policing. The *Militaire-waiving* could not entirely rely on its own organs for want of personnel. Nor did it

⁷⁴ In October 1943, von Craushaar threatened the Secretaries General with calling upon the collaboration movements to assure order; cf. PSG of 29 October 1943, p. 1; BA L 3/11, CEGES. Agenda of the 'Z' squad (August-November 1943); box 9 (Shaw), 'Z' squad trial, A.G. and M. Conway, *Degrelle. Les années de collaboration. 1940-1944: le rexisme de guerre*, Outignies, Quorum, 1994, p. 200 and pp. 258-259.

⁷⁵ In this chapter, we sometimes refer the reader to the situation in France and the Netherlands; we have essentially based our work for the former country on the joint work of J.-M. Berlière and D. Peschanski (eds.), *La police française (1930-1950): entre boulevards permanents et permanences*, Paris, La documentation Française, 2000, and for the Netherlands

Both the gendarmetric and the communal police were to see their numbers in-

crease. The numbers in the former rose from 8,375 to 10,490 (a 25% increase). As for the communal police, the situation probably varied considerably from one locality to another. Unfortunately, we have to this day only one study on a local police force. In Ghent, the number of police agents increased from 662 in 1940 to 832 in 1943, although we do not exactly know the extent to which this increase (25%) was due to the integration of communal police at the time of the creation of Greater Ghent.⁷⁶ In the case of Greater Brussels, the growth in numbers seems to have been dramatic. In 1939, the 19 communes had just over 2,518 police agents, four years later, the new VNV burgomaster had 3,870 men under his orders (more than a 50% increase).⁷⁷ Nevertheless, the question remains as to whether the theoretical and claimed numbers correspond to the actual numbers. However, it would be difficult to deny the fact that at the end of the war, Van Coppenolle had greater scope than at the point of his entry into the PGR. The new men (setting aside the question of whether these new recruits belonged to the New Order) were often employed in the new structures ('F' squadrons, mobile squad, and so on), which were created in both the gendarmetric and the communal police of the large agglomerations.

The other important initiative, namely modernisation, was mainly achieved by creating 12 training centres (three for the gendarmetric and nine for the communal police). Romsee and Van Coppenolle replied to a request that had been made during the inter-war period by the trade unions of both the top and bottom of the personnel hierarchy. By establishing schools throughout Belgium, they enhanced the image of the profession of gendarme and policeman. The implementation of this training system allowed Romsee to reinforce his control over the two bodies and to exert an ideological influence. However, we must not attach too much importance to this last point: as well as teachers labelled VNV or Rex, others who were assumed to be close to the Resistance taught there. Furthermore, even among the former, the teaching seemed to be characterised by a certain technical quality that did not overly suffer from ideological influences.

⁷⁶ G. Geers, *supra*, note 22, pp. 107-108.

⁷⁷ For the 1939 statistics: 'Report on the organisation of the surveillance service of the police of the regional direction of the P.A.P. Brussels', box 31, Police 1940-1945, AVB. For the 1943 statistics: 'Staff table per province (situation in 1942-1943)', AA1311-1791, CEGES.

Although at first glance the occupier may have improved the police structures and the status of police agents and gendarmes by means of the Belgian institutions, they nevertheless came up against various types of opposition. We have chosen to illustrate this conflict using the attitude that the Belgian police adopted *vis-à-vis* the independence of the magistrate proceedings and Jewish persecution. The first example allows us to follow developments at national level and the main behavioural patterns. It illustrates the uncertainty and repeated change that dominated in a field that was often characterised in peacetime by a certain stability, at least at the theoretical level of practice. Did this situation not create a state that was characterised by its immobility? Were the police not running the risk of getting lost somewhere between the two alternatives? They would thus fail to completely respect the rules in an orderly fashion. Nor would they repudiate those that were fiercely rejected at the time. However, the chosen perspective (as mentioned above) would not allow an answer to this question:

III.5. The Liberation: Restoration of Order, Rearmament, Purgings, Repression

The High Commissariat at the State Security Office had been preparing for the Liberation since 1943 from London. The maintenance of law and order was a declared priority. One network of agents essentially constituted Brussels academics, most of whom were reserve officers, was placed under the responsibility of W. Ganshof van der Meersch, who combined the functions of High Commissioner of the State Security Office (HCSS) and General Military Auditor. He therefore had control over all of the civil and military police forces, security and military justice, and was also in charge of preparing wartime collaboration cases for judgement.⁷⁸ How was order to be re-established with police forces that had been compromised during the Occupation? The purging of the police and gendarmes became a sensitive issue. With this objective in mind, and kept abreast of events by the informers in the senior administration and the police and magistracy in the occupied country, the agents of the High Commissariat closely followed the reforms of

⁷⁸ For information on the High Commissariat, see E. Laureys, 'The Staff of the High Commissariat for National Security', in: M. Conway and J. Gotovich (eds.), *Europe in Exile: European Exile Communities in Britain 1940-1945*, New York, Bergahn Books, 2001, pp. 135-152.

general Bourguignon had reinforced the groups in Brussels, Charleroi, Liège and Mons – in other words, the regions dominated by the armed Resistance.⁸¹ Weapons were limited and would be mainly directed at the provinces of Liège and Hainaut. On 3 October 1944, a daily order from general Eisenhower paid homage to the Resistance fighters, and also invited them to hand their weapons in to the Belgian authorities.⁸² The SHABF did not hide its irritation *vis-à-vis* the 'softness' of Belgian authorities, and threatened to take action.

On 31 October 1944, the government fixed the number of Resistance fighters that could be incorporated into the army, the gendarmerie, the police or other public services at 40,000 men.⁸³ The next day, the Allied forces agreed to entrust the Belgian gendarmerie with the task of collecting weapons. Several decrees provided for the collection of weapons and introduced regulations on their authorised carrying. But, faced with the refusal of Resistance groups to cede their arms to the Belgian gendarmes, Erskine proposed that the weapons be delivered to the Allied forces.

Threats and refusals bore witness to the discredit of the gendarmerie and police. In Brussels, in Limbourg, the *Partisans Armés* (PA) are said to have received the order to open fire on any gendarmerie troop that tried to force entry into its premises. Ganshof advised the gendarmes 'to arrange assistance as far as possible from qualified representatives of the Allied authorities'.⁸⁴ Refusal was to come above all from left-wing Resistance fighters. The right-wing Resistance (royalists, ex-military officers) would quickly agree to surrender their weapons to the gendarmerie depots. However, these depots were not adequately guarded. Thus, several gendarmerie depots, although near of the Allied depots, were pillaged. This weakness of the gendarmerie not only affected the armament (no authorisation for use) but also their automotive facilities. By the end of November, there were fully blown clashes between groups of partisans and gendarmes, particularly in the region of Charleroi.⁸⁵

81 E. Laureys, *L'enjeu du maintien de l'ordre*, unpublished summary report, CEGES, 1998, p. 9.

82 Letter from Erskine to the Minister of National Defence, 14 October 1944, AA 1311-1553, CEGES.

83 J. Gotovitch, *supra*, note 79, p. 405.

84 Report from the general auditor to the minister of the gendarmerie corps, 9 November 1944; AA1311-1606, CEGES.

85 Reports from the Farciennes gendarmerie, 23 November 1944 from Charleroi, 29 November 1944 to the general auditor; AA1311-1606, CEGES.

Romsée and Van Coppenolle. In spite of a more negative impression of the gendarmes' behaviour among the public, it was this force, the only national force under military control, that the government decided to support in order to create public order in Belgium.

The policy was simple: eliminate the elements that had been most involved with the New Order among the officers, rearm the gendarmerie first and foremost and take them back under military control, and retain the advantageous reinforcement of the gendarmerie by Van Coppenolle.

In effect, two characteristics of the Liberation of Belgium made the problem of maintaining law and order both more acute and less arduous than had been foreseen: the liberation of almost all of the territory in several days (from 3 to 15 September 1944) and the massive presence of the Allied forces, which were reinforced during the battle of the Belgian Ardennes in November 1944 – January 1945.

The first task was to rearm the forces of law and order in order to assure the disarmament of the armed Resistance. The policy of airdropping arms to the Resistance groups as of 1943 caused fears of a confrontation between the armed Resistance forces, used to violence, and the discredited, poorly equipped forces of law and order. Some groups went so far as to dismiss the burgomasters and their deputies, or take over the local communal administrative offices or disarm the police and dictate the law to them. Other groups practiced road controls, searches, arrests and illegal requisitionings. The fear of reprisals on the part of collaborators caused organisations to be reluctant to disarm, particularly after they had been officially recognised as a Resistance movement.

Faced with these problems, a four-phase plan was set up: military supervision, political and administrative repression, demobilisation, and disarmament of the Resistance.⁷⁹ High Commissioner Ganshof proposed the rearmament of the forces of law and order as of 18 September as one of the priorities.⁸⁰ It was left to the gendarmerie to deal with the disarmament of the Resistance groups.

From 23 September, before the territory had been entirely liberated, the gendarmerie corps was functional even though its numbers were below the organisational framework requirements. According to E. Laureys, figures vary between 60% of the numbers (province of Antwerp) and 99% (Luxembourg). Corps commander

79 J. Gotovitch, *Du Rouge au Tricolore: les Communistes belges de 1939 à 1944; un aspect de l'histoire de la Résistance en Belgique*, Brussels, Labor, 1992, p. 400.

80 Report from Ganshof to Pierlot, 18 September 1944; AA1311-1553, CEGES.

But in January 1945, the main part of disarmament was completed. The integration of members of the Resistance as gendarmerie back-up forces was a major priority. Success was variable. In Antwerp, only 9 former Resistance fighters were accepted by 12 October 1944.⁸⁶ On the other hand, by 16 December 1944, 372 Resistance fighters were integrated into the Territorial Group of Brussels.⁸⁷ In order to tackle these inadequacies, the Minister of National Defence authorised the gendarmerie to recruit professional soldiers who were over 36 years of age.⁸⁸

Border control was likewise a controversial issue that was of particular interest to the Allied authorities, above all the cantons that were annexed to Germany from 1940 to 1944, the cantons of Eupen-Malmedy-Sankt Vith. The Belgian authorities also used them as an expression of the renewed sovereignty over the country, and the High Commissariat quickly negotiated the re-establishment of the neighbourhood border squads with the Allies.⁸⁹ After the Armistice, the German border was watched over by battalions of gunmen, in particular the gendarmerie company of Malmedy.⁹⁰

In the course of the reorganisation of the gendarmerie, relations between High Commissioner Ganshof van der Meersch and the commander of the gendarmerie became tense, and even provoked a threat of resignation from the High Commissioner.⁹¹

In this context, the communal police were provisionally sidelined. In the rural areas they were neglected in favour of the gendarmerie. In the large towns, they were suspected of having been used by the burgomasters close to the New Order and were disrupted by the dissolution of the large agglomerations. In Brussels, the

⁸⁶ E. Laureys, *supra*, note 79, p. 7

⁸⁷ Note from Lieutenant-Colonel Leroy, commander of the territorial group of Brussels, to Major Catoire, 16 Dec. 1944; AA1311-626, CEGES.

⁸⁸ Copy of a note from deputy military auditor Theyss, 28 October 1944; AA1311-626, CEGES.

⁸⁹ Only those of Mandersfeld and Rocherath were not re-established, because they were situated in a military occupation zone.

⁹⁰ Belgian Frontier Control Organisation, Appendix B to 21 AG/INT/2227/4/4, June 1945 (draft); AA1311-677, CEGES.

⁹¹ Letter from the general auditor of the High Commissioner to the State Security Office to the Ministry of National Defence, 19 January 1945; AA1311-659, CEGES.

Gross-Brüssel ceded to 19 communal police forces, over which the Brussels city

police naturally dominated.

Moreover, the powers granted to the burgomasters concerning the arrest of 'unworthy citizens' were very rapidly contested – by the Resistance forces, who accused the local burgomasters of protecting their own constituents, and by the burgomasters themselves, who justified their refusal by the practical incapacity of the local police to maintain order in the case of an arrest or of a release. Furthermore, numerous burgomasters nominated by the occupier had been suspended or had fled. In the end, buffeted by public opinion, the burgomasters were reluctant to purge their communal staff. From October 1944, the power to make arrests was transferred to the King's public prosecutors of the arrondissements.

The police were often described as being undisciplined and incompetent by the officers of the High Commissariat at the State Security Office. The police superintendent of Malmedy 'did not appear to be able to fulfil his functions appropriately. More anxious to assure his safety during the von Rundstedt offensive ... he devoted himself in a notorious, chronic and public manner to drunkenness. Although with an irreproachable reputation from a patriotic point of view, he took a police agent who was a former German soldier during this war into his service, a deserter of 9 September 1944 and who is suspected of having been seen mounting the guard in the Dachau concentration camp'.⁹²

III.5.1. The State Security Office

On the other hand, in the 'London' context of re-establishing order, the State Security Office appeared to be the second pillar beside the gendarmerie. During the war, the Security department had to a large extent been shelved. During the period 1944-1947, the State Security Office saw an increase in its numbers. On 20 January 1947, 2,239 posts were opened with retroactive effect from 1 September 1946. The inspectors were judicial police officers and as such authorised to track down collaborators. Recruitment took place from among the most reliable police agents, taken from the forces. These were essentially judicial police officers who had remained under the tight control of the magistrates and the secretary general of Justice during the Occupation, and sub-officers who were temporarily detached from the gendarmerie. The best men from the communal police were also included, especially those from Brussels.

⁹² Report from Major Leroy, 9 March 1945; AA1311-28, CEGES.

In a report dated 16 September 1944, the head inspector of the territorial squad of the State Security unit of Brussels drew up an initial report of the two weeks of the city's Liberation. From 4 September, the squad had had 8 superintendents, 7 acting head inspectors, and 24 acting inspectors of which 12 were detached gendarmerie officers. The staff from the local police and the gendarmerie were described as being ill-trained in criminal techniques. The resources were derisory, there was a lack of arms, typewriters and telephones. Only four cars had been requisitioned, with neither chauffeurs nor fuel. Nevertheless, between 4 and 15 September, this territorial squad had made 81 arrests, which the superintendent deemed to be 'all judiciously chosen, some of which were particularly important'.

III.5.2. Repression and Purging

With regard to the repression ('this question, the most delicate of those posed by the post-war period'), a note from the HCSS evoked the differing sentiment in occupied Belgium. 'In Flanders, it is necessary to distinguish well between the true traitors: Vlag, Légion Flandre, Waffen SS, and those who simply profited from the opportunity to take advantage of the State: newly appointed gendarmes, factory guards, and so on. In Wallonia on the other hand, all those who wore a uniform and walked in threes are doomed to hate, as are all the newly appointed civil servants.'⁹³

The purging of the police forces remains to be studied. In addition to the cases before the military jurisdictions of the main of body involved with the New Order (e.g. Grauls or Van Coppenolle), the internal purging in the various forces were carried out in various ways. As far as research tells us, it seems that legal and administrative purging was limited to dispersing the most compromised elements in the police hierarchy. Thus, for the judicial police, a majority of the appointments and promotions made between 1940 and 1944 were confirmed in the post-war period.⁹⁴ The gendarmerie took responsibility for purging its own staff itself.⁹⁵

⁹³ Extract from document no. 55056, sd. (1943): AA1311-T, CEGES.

⁹⁴ Dossiers from the documentation service, CGPJ-202, AEA and.

⁹⁵ Letter from General-Major Bourguignon to the Ministry of National Defence Fernand Demets 11 November 1944 (copy for information to the Superintendent of the State Security Office): AA 1311-659, CEGES.

Three thousand gendarmes are cited as having been dismissed out of a total 10,000 individuals.⁹⁶

III.6. The Post-War Period: an Absence of Structural Reforms (1945-1957)

We have often said that the post-war periods in Belgium have been missed opportunities to resolve political problems that had been thoroughly analysed during pre-war periods. It was certainly the same for the police system at the end of the Second World War as at the end of the First World War. By the Armistice of 1945, the police system was still based on its original tripartite structure (gendarmerie, communal police and judicial police).

III.6.1. Communal Police and Rural Police

Fragmentation and stagnation characterised the post-war management of the local police, who had been largely involved in the 'localisation' of the New Order. VLA and Rexist burgomasters in Flanders and Wallonia instrumentalised the police force. For instance, in Quaregnon, in the heart of the Borinage industrial basin, Rex burgomaster Chéron gained support from the head of his police in the development of the fight against 'terrorists' of the *Front de l'Indépendance* (FI).

The political choices of the agents led to real 'wars' between police, collaborationists, legalists (or wait-and-see partisans) and Resistance fighters. In spite of this crisis, the immediate post-war period did not see any reform of the communal police. From 1952 to 1954 there were many vague political impulses for improvement.

The Minister of the Interior, L. Moyersoen, created a police inquiry committee that reached the conclusion that it was necessary to develop training through the creation of one police school per province. These were to be established on a variety of bases (managed by the province, the town or a private association) as financed by the Minister of the Interior. On the other hand, there was no law concerning the 120 legislative texts of the 18th to 20th centuries that concerned the function of the police before 1936.

⁹⁶ L. Van Oultve *et al.*, *supra*, note 11. Refer to the study of the purging, corps by corps

III.6.2. The State Security Office and Judicial Police

The liquidation of the High Commissariat at the State Security Office in 1947 freed the agents responsible for repressing collaboration. The resolution of the royal crisis with the abdication of King Léopold III in 1950 distanced the threat of a Resistance or Communist coup d'état.

The State Security Office, which comprised autonomous departments under the Minister of National Defence in March 1940, returned to the fold of the Minister of Justice in July 1946. It thus joined the service of the immigration police in 1948 in the *Direction de la Sûreté publique*. Its numbers and missions fell with the return to military and civil peace. Once the investigation of cases against collaborators had concluded, many security agents went into the judicial police force, thus developing intelligence and service exchange networks. The osmosis between the different bodies in terms of political information was probably due to the proximity of recruitment and also of organisation into territorial squads or functional hierarchy.⁹⁷

Nevertheless, in the 1950s, the judicial police stagnated. Reinforced within the framework of the fight against left-wing Resistance during the Liberation, it was challenged by certain politicians because of the regional and linguistic imbalance in its squads (100 Walloon and 100 French-speaking). Its scope was blocked despite an increase in the tasks of the judicial police due to the extension of its competencies (Decree Law of 1 February 1947) and the economic and social expansion of the 1950s. The wages of the judicial police were lower than those of the communal police. Its Regulation Committee was mainly in charge of personnel matters: appointments, promotions, transfers, discipline and proposals for extension of the framework. The judicial police tried to develop their laboratories in order to modernise police techniques and was above all active in the field of international police relations.⁹⁸ Its general commissioner to the judicial delegations, Fernand Louwage, who had been imprisoned in Berlin during the war, was to be the first president of the new Interpol, re-established in 1946 in Paris.

⁹⁷ *Ibid.*, pp. 180 and 182.

⁹⁸ Artête Royal of 23 January 1951, *ibid.*, pp. 170-173.

III.6.3. The Growth in Power of the Gendarmerie

In the context of the royal issue and the growth in power of Communism only the military status of the gendarmerie provoked any lively discussion. A compromise was reached between the advocates of demilitarisation of the gendarmerie in favour of an civil force of law and order, and those in favour of the maintenance of the gendarmerie in its tasks of military security: the maintenance of the gendarmerie under military status but as an autonomous force independent of the army. The law on the gendarmerie was approved in 1952 by the parties in power but was not voted upon until 1957. Designed to free the gendarmerie from overly direct instrumentalisation on the part of the government and the army in the maintenance of law and order, it would paradoxically leave elbow room for the gendarmerie to develop over the thirty years that followed into a modern, integrated police force.

The 1957 law on the gendarmerie in fact crowned an autonomisation process for the gendarmerie, furthered by the absence of political consensus on the reform of the police system. Autonomisation was initially introduced within the armed forces, where the gendarmerie had its own central office, and then the gendarmerie became a fourth military force with full operational autonomy. Autonomisation took place in the expansion of the police work, because in addition to the maintenance of law and order, the gendarmerie was developing maritime and air police, traffic control police, and was fighting crime via special investigating squads (BSR) located in the judicial districts.⁹⁹

The police archives bear indirect witness to the growing influence of the gendarmerie on functions that traditionally fell to the judicial police. For instance, at the end of the 1940s, the gendarmerie quickly took an interest in the techniques of the fight against crime and delinquency. Its staff wanted to send trainees to the judicial police laboratories, which followed instructions, albeit unwillingly. In spite of the official discourse, mistrust set in between the two bodies in charge of the judicial police. In 1949, the gendarmerie carried out an inquiry into the problems faced by its squads, and in 1952 the judicial police questioned its own squads.¹⁰⁰ The conflict centred on the National Central Bureau for Documentation, managed by the judicial police of Brussels. Although the judicial police highlighted the falling of the communal police with a criminal section (the large urban police

⁹⁹ *Ibid.*, pp. 179-185.

¹⁰⁰ 'Gendarmerie' dossier, CQPJ-131, AEA and.

Agency	Supervisory Authorities
Security Police	Military security Ministry of Defence
	State Security Office Ministry of Justice
	Gendarmerie General Staff Office Ministry of Defence/the Interior (1992-)
	Mobile legion Specialised units (intervention groups, air police, border control, traffic control)
Criminal Police	General Commissariat of the Criminal Police
	National Central Bureau
	Territorial squad Ministry of Justice/General Prosecutors
	Central Research Bureau Ministry of Defence/the Interior
	Gendarmerie Ministry of the Interior/Burgomasters
Community Police	Burgomaster/Ministry of the Interior
	Communal or rural police Hierarchy/Ministry of Defence/the Interior (1992-)
	Territorial squads of the national gendarmerie

Was the complex construction of a two-tier police through the merging of the forces in 2002 a victory for the gendarmerie or, on the contrary, did it mark the end of its expansion? For some, the existence of two levels barely conceals the acknowledged domination of the gendarmerie. At the federal level, the gendarmerie took a position of power by imposing its working methods and hierarchical relationships. For others, the efficacy of the gendarmerie was weakened due to the loss of its local relays. Currently, at the federal level, the authority of the gendarmerie is evident. Locally, former gendarmes and police agents are 'mixed' into the new police zones, the configurations of which are highly variable.

This raises two fundamental questions. Are we not going to witness schisms between two types of zones: those dominated by the gendarmes (rural zones) and

forces),¹⁰¹ the complaints above all targeted the gendarmerie, which the judicial police reproached for failing to providing information to the Bureau. As during the inter-war period, the management of criminal information was the main area of competition between the two forces aspiring to be 'national' police. In the 1960s and 1970s, mechanisation and computerisation was to accentuate this 'war' of information, which would culminate in the summer of 1996 with the child kidnapping case.

III.6.4. 1950-2000 and Beyond: the Gendarmerie in Control of the Police System

If we take the police typology of Dominique Monfardet and try to apply the history of the Belgian police from 1914 to 2000, we gain a greater understanding of why the gendarmerie was both the main obstacle and the catalyst for the impossible reform of the Belgian police system.¹⁰²

From the 1960s to the 1990s, internal divisions in police functions – internal and external security, administrative and community police, criminal and repressive police – focussed on one major conflict, that of the fragmented civil police and a national and military gendarmerie. The 22 judicial police squads lacked uniformity and joint direction until the end of the century.¹⁰³

The gendarmerie was not only present in these three types of police – its system of military and hierarchical command accentuated its role as a State within the State. Information secrets, technological mastery and operational mobility assured it a decisive advantage since the 1960s. This advantage was strengthened by the lack of political control over the gendarmerie and efficient lobbying by the general staff before the decision-makers.

The demilitarisation of the gendarmerie in 1992 is in fact a result of this dominant presence on all levels.¹⁰⁴

¹⁰¹ Letter from the General Commissioner to the King's prosecutor of Brussels of 25 July 1956; CGPJ-131, ABAnd.

¹⁰² D. Monfardet, *Ce que fait la police; sociologie de la force publique*, Paris, La Découverte, 1996, p. 140 and pp. 271-282.

¹⁰³ L.A.A. De Bruyn, 'De gerechtelijke politie bij de parketten en de reorganisatie van het politiebestedel in België', in: C. Fijnaut (ed.), *De reguliere politiediensten in België en Nederland: hun reorganisatie en onderlinge samenwerking*, Arnhem, Kluwer, 1992, p. 9.

¹⁰⁴ M. Easton, *De demilitarisering van de rijkswacht*, Brussels, VUB Press, 2001.

tenance of law and order under the control of the secretary general of the Interior. The 'F' (fraud) squadrons were a laboratory for the modern tasks of territorial control and intelligence. Finally, the gendarmerie school provided a model for new training.

4. The Liberation provided even more reinforcement in that it did not challenge the model. Supported by a purged, unitarist and conservative upper hierarchy, the High Commissariat of the State Security Office wanted to transform the gendarmerie into a body directed towards combating collaborators and defending the State against Communist Resistance forces. In the eyes of the establishment, the gendarmerie appeared to be obsessed with the Cold War in its role as the only force capable of preventing the dissolution of a State that had been manhandled throughout eight years of German Occupation.

5. Belgian historiography has until so far paid little attention to the transmission of decisions taken at national level to local level, and this is the case for both the communal police force and the districts of the gendarmerie or the judicial police squads. The comparison between Antwerp and Brussels regarding the persecution of the Jews demonstrates that the Occupation must not be considered as having been a static situation in which no scope for manoeuvre existed. It is rather a question of analysing the dynamics that developed in order to interpret the place of this scope for manoeuvre in the level of authority. In the case of policing, at least four actors were involved at different decision-making levels: the occupying forces, the (state) power (at national and local level), the different police forces, and society.

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dominantly police zones (urban zones)? And what relations will exist between a well equipped and technically advanced federal police and local zones with less expertise in the field of criminal investigation and the maintenance of law and order? The agreement does not regulate the problem that remains a fundamental rift in Belgian society, the level of authority in the maintenance of law and order between partisans of a centralisation in the Ministry of the Interior and those in favour of the decentralised structures intended by the Belgian revolution: the 589 burgomasters of the communes, the 27 public prosecutors and the 10 provincial governors.

III.7. Conclusions: the Impact

Significant research is being carried out which is only just beginning to cause new archives to be opened up for inspection. Nevertheless, points can already be made regarding the impact of the Second World War on policing in Belgium.

1. The first unique characteristic of the Belgian case is the double experience of police occupation from 1914 to 1918 and from 1940 to 1944 involving both Belgian police forces and German police. There were considerable differences between the two periods, but the experience of the first war clearly pushed the Germans to support centralisation attempts in a police system whose fragmentation and competition was a permanent source of puzzlement for them.

2. The resistance of the structures to the occupying forces certainly impeded the subsequent development of civil police centralisation under the control of the Ministry of the Interior and the Ministry of Justice. The judicial police never became the motor of a national police force, even with reinforced help from the State Security Office after 1944. The agglomeration police created by Romseé did not survive the Liberation. The national and local political world was strengthened in its suspicion of a centralised police authority and local councillors jealously cultivated their police prerogatives. As for the magistracy, its monopolistic position led it to prefer a police dichotomy.

3. Centralisation was developed indirectly, outside the context of a democratic debate and legislative framework. The gendarmerie was the spearhead of this initiative. Having been absent from the occupation of 1914, it was strengthened at the end of the war in its function of maintaining law and order and providing political information. These functions were exploited when it was secured by the Ministry of the Interior during the war. The mobile groups developed expertise in the main-