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**Comparing the afterlives, political uses and memories of extreme violence during the wars
of decolonization in France, The Netherlands and Britain**

Raphaëlle Branche

In September 2018, French President Emmanuel Macron visited an elderly lady near Paris and handed her a text. Knowing that she was very ill, the president's office had rushed to arrange this visit. She had to be there, very much alive, to receive the president's visit and to hold up the mirror he was seeking. What did Macron want to see in the mirror held up by Josette Audin, the widow of a member of the Algerian Communist Party, tortured and executed by the French Army in Algiers in 1957? Why could the words he said to her, in her small apartment, over a cup of coffee, not be said anywhere else? How did this staged scene fully play a part in the political uses of history, and more specifically, the history of France's last decolonization war: the Algerian War? And was this official and public act of penance and the active political use of history uniquely French, or can it be seen as part of a larger and comparable confrontation with the violent colonial past amongst the former imperial powers central to this volume? If so, how do these processes in The Netherlands and the United Kingdom differ and to what extent are they similar?¹

Josette Audin has passed away since then. Over the previous decades her name and that of her husband, Maurice Audin, have become a symbol of the fight for recognition of the crimes committed by the French army during the Algerian War. She carried this name proudly while working to make sure that it would never be forgotten by France's policymakers. In this fight, she was not alone. She was supported by the French Communist Party and by well-known intellectuals and activists, notably historian Pierre Vidal-Naquet. Maurice Audin was a member of the Algerian Communist Party (at that time, Algeria was considered a part of France). The party was in favor of Algeria's independence and was banned as soon as the war of decolonization began. In 1957, in Algiers, Audin was arrested by French parachutists, along with other party members. Less than a month later, his wife was notified that he had escaped. He would never return. One of his comrades testified that he had seen Audin seriously injured after being tortured.² Josette would never accept the official

¹ All my thanks to the anonymous reviewer and to Esther Zwinkels, Stef Scagliola and Huw Bennett for their answers to my questions regarding the Dutch and the British cases. I also wish to thank Christopher Mobley for his help with the English version of this text.

² Also a member of the PCA and a journalist, Henri Alleg was arrested in June 1957 and tortured. His book *La Question*, dealing with his experiences in French captivity, was first published in 1958 and subsequently banned.

story. Immediately, she alerted the press and attempted to find out what had actually happened to her husband. At the time, Algiers was the site of stiff repression by the French army. This repression was directed against anyone suspected of supporting the struggle for independence: nationalists, as well as communists or progressives. Torture was used systematically, and the army also practiced ‘enforced disappearances’ to an extent never before seen: people were arrested, tortured and killed, and their corpses were never recovered. An estimated 2,000 people or more disappeared from Algiers in 1957.³

Very quickly, Josette Audin was able to present the information she had gathered to a young historian. Pierre Vidal-Naquet became the mainstay of an association – the Maurice Audin Committee – formed to gather evidence that Maurice Audin had been tortured and murdered. The historian gathered documents and wrote a historical critique of great value, denouncing a crime of state masked as an escape. The book was published in May 1958, less than a year after Audin’s disappearance, as *L’Affaire Audin*.⁴ The title was an intentional parallel with the Dreyfus Affair that, at the beginning of the century, had stirred passions in France with the case of Alfred Dreyfus, a captain in the French Army who was Jewish and had been wrongly accused of treason. Captain Dreyfus’s public defense went well beyond military circles. It gave rise in France to the figure of the intellectual who uses his or her notoriety to aid a just cause. In the Dreyfus Affair, novelist Emile Zola became an ardent partisan of Dreyfus. Sixty years later, Pierre Vidal-Naquet did not have Zola’s reputation or his eloquence. Later, however, he would reach the summit in his field of research. Vidal-Naquet was not a novelist. He contributed to Audin’s cause as an historian, using the historical method to build the case. *L’Affaire Audin* is both a partisan work (the book contradicted the only official truth) and a history book in which he proves his thesis through a careful analysis of sources.

Since then, his thesis has not been proven wrong.⁵ To the contrary, Maurice Audin’s disappearance has been situated in a broader context enabling it to be even better understood. The torture and disappearance of Maurice Audin has since been shown to be emblematic of

His testimony is the last eye-witness account of Maurice Audin’s ordeal. Jean-Paul Sartre supported Henri Alleg together with three other French literature Nobel prize winners. An article that he wrote in support of Alleg (“a victory”) became the preface to the book’s English translation.

³ On the issue of assessing the exact figures of crimes such as forced disappearances, see Raphaëlle Branche, *La Guerre d’Algérie: une histoire apaisée ?* Paris, Le Seuil, 2005, p.204-217, available on line at <http://raphaellebranche.fr/wp-content/uploads/2013/04/e%CC%81preuves.pdf>

⁴ Pierre Vidal-Naquet, *L’Affaire Audin*, Paris: Minuit, 1958.

⁵ Magalie Besse and Sylvie Thénault (eds.), *Réparer l’injustice : l’affaire Maurice Audin*, Paris: Institut Francophone pour la Justice et la Démocratie, 2019, 258 p.

an extremely frequent repressive method used by the French army at that stage of the war.⁶ Unlike other individuals who disappeared after being tortured, Maurice Audin was of European origin and his wife had resources at hand to publicize his case. She could count on a support network, initially comprising communists and later expanding and giving an echo to her case so that Audin would not be forgotten. After leaving Algeria, Josette Audin and her three children lived in France, where she continued to fight for the truth. She relied on the engagement of several generations of militants who successively fought for the truth to be recognized and for responsibility to be taken by the French state. Outside France, she was also supported by mathematicians around the world, as her husband had been a mathematician.

What was Josette Audin asking for? What did she continue to request ever since 1957 from the various presidents of France? She asked for the truth about her husband's disappearance. This meant the identity of his murderers, the identity of the ones who ordered his killing, the conditions of his death and the location of his corpse. Putting his killers on trial was impossible because the Algerian War ended with an amnesty for all war-related crimes. Thus, the legal avenue was closed, and political recognition was the only avenue that remained open. In 2000, she signed, along with Pierre Vidal-Naquet, an appeal calling for general recognition that the French state had practiced torture. She received no answer until François Hollande's election in 2012. Hollande allowed her to have access to records about her husband's disappearance held in the army's archives. She went to the archives with a historian. Everything in the records was already known. Pierre Vidal-Naquet's work, in particular, had already established most of the facts.

François Hollande's response was made on an individual basis and Josette Audin was granted favourable treatment in many respects. The aim was to give a widow information about the circumstances surrounding her husband's death. The decision by Emmanuel Macron, Hollande's successor, was different. The new president decided to address the political dimension of her appeal. By accepting Audin's request, he agreed to make her case an example whereby he could speak more broadly about the violence committed by the French army in Algeria. The declaration had been carefully prepared with historians to avoid any historical errors. The political truth had decided to admit what the judicial truth – as a result of the amnesty – could not. The now accepted political truth was perfectly in tune with the facts as they had been established by researchers. Their investigations had concluded that there were two scenarios for Maurice Audin's death and both were mentioned in the

⁶ Raphaëlle Branche, *La Torture et l'armée pendant la guerre d'Algérie, 1954-1962*, Paris: Gallimard, 2001, 474 p.

declaration. The political words were expressly based on the truth-seeking work of historians and journalists.⁷

Yet the objective was twofold. First, to acknowledge the truth about Audin, and second, about the system that had led to his death. Macron's speech ended a long process. The French state recognized that Maurice Audin had died at the hands of the army and it recognized the systematic use of torture during the Algerian War: "In the name of the French Republic [... the President] acknowledges that Maurice Audin had been tortured and executed, or tortured to death, by soldiers who had arrested him at his home. He also recognizes that while Audin's death was, ultimately, a deed committed by certain individuals, it had nevertheless been enabled by a legally-instituted system."⁸ Macron thus paved the way for the future by calling for archival records about other disappeared individuals to be opened,⁹ and for the people with information that could lead to progress in establishing the truth to be able to speak freely. As the commander-in-chief of the French armed forces and president of France, Macron's words were intended as a strong incentive for those still keeping secrets to speak out. Lastly, at the end of his declaration, Macron came out in favor of taking responsibility for the past in order to ease tensions: "By taking this work for truth to a deeper level, the path should be opened up for a better understanding of our past, greater lucidity for the injuries caused in our history, and a new determination to reconcile the memories of the French and Algerian peoples."

The very last words of the declaration referred to a people that was absent from the rest of the text: the Algerian people. The political act was therefore at least equally important for what it said as for what it did not say. It highlighted, in counterpoint, the absence of any references to the colonial dimension of the Algerian War. It ignored the fact that torture and other forms of abuse and repression were chiefly directed at Algerians, the colonized people, alongside individuals who rejected France's colonial project. The Algerians and France's colonial past are the forgotten parties in this declaration that focused on the case of Maurice Audin.

In addition, by going to Audin's home, Macron wanted to show that he was close to this woman and her fight. He sought also to be a French president who was open to listening,

⁷ Macron's statement was made after two other precautions had been taken. The president had consulted the French army and the diplomatic corps and did not go to see Audin until he was certain neither would react negatively to this declaration.

⁸ For the full declaration see: <https://www.elysee.fr/emmanuel-macron/2018/09/13/declaration-du-president-de-la-republique-sur-la-mort-de-maurice-audin> (visited 1 March 2020 / author's translation)

⁹ 18 months after the presidential declaration, the French National Archives published an on line guide on "the missing of the Algerian war" in the French public archives. <https://francearchives.fr/fr/actualite/223693824>

while signaling that his words had an almost magical effect. This was the stage set for this private encounter. The mother, surrounded by her children, her home, very few advisors were present. The only camera authorized was that of a journalist and family friend. However, this was indeed a political act, and the fact that it took place in private was an integral part. Perhaps the whole scene overwhelmed the young president? He said the word “forgiveness”, which was not in the speech as written and would not be included in the Elysée Palace’s official communiqué thereafter. Indeed, this word belongs to another register and has a very hefty meaning following the debates that have shaken French society over the past fifteen years regarding the colonial past. Some have called for repentance or forgiveness, whereas others have considered this word to be a red line that must not be crossed. In January 2021, when receiving the report he had commissioned on “memories of the Algerian War and colonization”, the President (in fact, his special advisor on memory issues) reiterated its willingness not to address any official apology for France’s colonial past in Algeria.

Building a comparison, elaborating a lexicon

France’s situation with regard to the Algerian War is, in many respects, an extreme case. Compared to the Netherlands with regard to the war in Indonesia, the British and their response to the Mau Mau Uprising, or even France with regard to the Indochina War, Algeria stands out. First and foremost, this is as a result of its ties to the former metropole. Unlike the other territories of the French colonial empire, Algeria was considered a part of mainland France and administratively divided into *départements*. Its inhabitants were French citizens and even in late colonial times, the journey across the Mediterranean Sea by boat only took a day. It was more than a territory inhabited by indigenous peoples where a more or less privileged colonial society had settled to exploit its resources. Algeria was the homeland of hundreds of thousands of people who had come from Europe over several generations. When the war broke out, these Europeans numbered one million out of a total population of nine million. Nearly 1.7 million French conscripts were sent off to fight in the war.

Yet, the French-Algerian case works like a magnifying mirror. Taking it as the central case in this comparison reveals some of the major stakes of the political uses of the history of extreme violence during decolonization wars.¹⁰ By comparing three countries, the specific features of each situation as well as their common points are emphasized. Focusing on public

¹⁰ On the Dutch debates on the colonial past, see Gert Oostindie, *Postcolonial Netherlands: Sixty-five Years of Forgetting, Commemorating, Silencing* (Amsterdam, 2012).

uses of history means starting by remembering that the fact that there *is* a public use has meaning in and of itself. Many decolonization conflicts have simply been erased from collective memory . There is no public discourse about them, or at least, not in the former colonial metropolises. To understand why certain events are remembered, discussed and taught while others are not, we need to look behind the events themselves. Scrutinizing which events occurred that are the subject of discourse leads obviously to the present. Why does the societies of former colonial metropolises remember this history, and how?

Two caveats have to be taken into consideration before making the comparison. First of all, this analysis focusses on the political uses of this past in the former metropolises: the Netherlands, Great Britain and France. Research including the former colonies would be very different. Second, it will focus only on legacies of extreme violence in the context of counter-insurgency, i.e. cases of wars waged by troops sent by a political entity that considered itself to be an empire. These forces could be both members of the indigenous populations and people from the metropole fighting against armed groups supported by the majority of the population seeking independence. These groups claimed political sovereignty for a nation other than the colonizer. The Algerian nationalists wanted an independent Algeria, the Indonesians an Indonesia that was not the Dutch East Indies, and the Mau Mau a Kenya that was rid of the British and their allies. These wars all led to, or contributed to, independence for these countries and, ultimately, the end of the Dutch, British and French colonial empires.

The three countries also share a basic characteristic. They were all democracies –at least in their respective metropolises – during the wars in which they used extreme violence and have remained democracies since. This characteristic sets them apart from Salazar’s Portugal, in particular.¹¹ These democracies did not always acknowledge that they were at war. Their basic principles such as freedom of expression, free association, and human rights were harshly put to trial by the nature of these wars.¹² Memories of this violence are thus a constant reminder of these trials, whether viewed as deviations or successes of democracy. These three characteristics explain the nature of the actors. The political uses of the past are chiefly made by the state. Within the state, various actors are involved, and they must be clearly

¹¹ Miguel Bandeira, Jerónimo and António Costa Pinto (eds), *The Ends of European Colonial Empires: Cases and comparisons*, London: Palgrave Macmillan, 2015.

¹² On the issue of torture, see Darius Rejali, *Torture and Democracy*, Princeton: Princeton University Press, 2007. Raphaëlle Branche, “The French military in its last colonial war: Algeria, 1954-1962, the reign of torture”, in Simone Tobia and Christopher Andrew (eds), *Interrogation in War and Conflict. A comparative and interdisciplinary analysis*, London and New York: Routledge, 2014, p.169-184. Huw Bennett, “The Other Side of the COIN: Minimum and Exemplary Force in British Army Counterinsurgency, in Kenya”, *Small Wars & Insurgencies*, 2007, 18:4, p.638-664. More broadly, see Samy Cohen (ed.), *Democracies at war against terrorism*, Basingstoke: Palgrave Macmillan, 2008, p. 280.

distinguished. For the purposes of this chapter, the three basic and separate branches will be solely mentioned: the executive, the legislative and the judiciary. Civil society may also be actors, from political activists, for whom the issues related to the memory of decolonization wars are part of a broader struggle, to militants fighting over a specific memorial event, in most cases, the victims of this violence. Amongst these victims, the place held by the formerly colonized peoples and their descendants need not be forgotten.

The political uses of the past, of any past, must always be understood not in light of the past but in light of the present situation in societies. This is why, despite factual differences in the histories of the decolonization wars we are looking at, there may be common points that refer both to specific facts as to the way that Western European societies have dealt with their collective identities more broadly since the Second World War. Borrowing from Lenz and Welzer, it is possible to elaborate the ‘lexicon’ that forms the basic parts of narratives that relate this past of extreme violence and counter-insurgency during decolonization conflicts.¹³ The two scholars work on the narratives of the Holocaust across various European countries, and they have identified what can be regarded as a shared lexicon when looking at the contents and meanings of institutionalized memory. Unlike the Holocaust, the wars of Decolonization are not all the same and did not all occur at the same time. However, they belonged to the same historical sequence of the Cold War and emergence of what was then called the Third World. The various countries and societies affected by the Holocaust also showed a diversity of situations, but this does not prevent us from thinking about the existence of a shared lexicon that, precisely so, refers perhaps less to a shared experience than to a shared memory manufactured after the event. This chapter seeks out this lexicon chronologically from the end of the decolonization wars to the present day, while simultaneously distinguishing two broad periods in the historical cycle of memory and confrontation of a violent past.

Towards the first cracks in the official narratives

The first item in the lexicon is ‘*model*’. This idea emerged directly in the wake of the wars of decolonization. The colonial empires had yielded, but in counter-insurgency terms the methods they used were often presented as victorious – either as part of a one-off clear-cut victory as in Algiers in 1957, or a more far-reaching victory in the case of the Mau Mau

¹³ Harald Welzer and Claudia Lenz, “Opa in Europa. Erste Befunde einer vergleichenden Tradierungsforschung”, in Harald Welzer (eds). *Der Krieg der Erinnerung. Holocaust, Kollaboration und Widerstand im europäischen Gedächtnis*, Frankfurt am Main: Fischer Taschenbuch Verlag, 2007, p.7-40.

rebellion or the Malayan Emergency (1948-1960). The Dutch military obviously had a harder time claiming counter-insurgency victory, but present their two conventional military offensives in July 1947 and December 1948 (the so-called ‘Police Actions’) as military accomplishments. The blame for the failing counter-insurgency campaigns in their wake was deferred to national and international political pressure for negotiations and a quick transfer of sovereignty. A back-stabbing myth was born and, as in France, the question of military defeat never arose.

In the French and British cases, the counter-insurgency methods were theorized and modelled during and after the wars. They were later advocated within NATO and during bilateral cooperation, also with non-Western states. In fact, the two counter-insurgency schools were built as part of an old rivalry, going back to at least the nineteenth century and the wars of imperial conquest. This rivalry was further fuelled during the interwar period, notably in the League of Nations. After having been model colonizers, the French and British developed the idea that they had invented efficient models of repression: colonial policing for the British, and the doctrine of revolutionary war for the French. With regard to the methods per se, the soldiers were ready to admit to the extreme violence that they advocated. It all depended on the audience. And they chose their words carefully. However, the reality of internment camps, torture or psychological warfare are clearly described for this kind of war.¹⁴

On a more public basis, this coincided with a political discourse that presented the end of colonial sovereignty as an opportunity or a success. The second item in the lexicon is *success*: these wars were presented as having positive outcomes for the former metropolises. In France, Charles de Gaulle insisted on the economic investments that could be redirected to France’s productive assets, and he resolutely focused the armed forces on nuclear dissuasion. The colonial empire was presented as a part of the past that modern France had no reason to regret. Meanwhile, the British were proud of having maintained special ties with Kenya and having helped bring to power a team that was very indebted to the former colonial power.¹⁵ Like the Netherlands, the two countries committed to building the European Community to

¹⁴ Since the mid-2000s, due to the wars in Afghanistan and Iraq, ‘classic’ counter-insurgency doctrine, or COIN, was temporarily hailed as the silver bullet to fighting guerrilla’s before being criticized for not delivering on its promise. Here again, the past of the decolonization war was mobilized, but without major additions to the lexicon. This time, parts of Dutch military circles also advocated a ‘Dutch model’ of counterinsurgency (partly inspired on colonial examples). On the Dutch case, see Thijs Brocades Zaalberg, “The Use and Abuse of the ‘Dutch Approach’ to Counter-Insurgency”, *Journal of Strategic Studies* 36, no. 6 (2013): 867-897.

¹⁵ Daniel Branch, *Defeating Mau Mau, Creating Kenya; Counterinsurgency, Civil War and Decolonization*, Cambridge: Cambridge University Press, 2009.

various degrees. They belonged to the Western bloc and had been founding members of NATO since 1949; their supranational context had simply shifted.

The voices that might propagate another narrative were not easily heard in public. The consensus dominated until at least the 1970s. On the issue of extreme violence, the silence was deafening in the years or decades after the war. The end of empires drove a refocusing on national territory; the indigenous populations remained in their native lands and could not be heard in the former metropole, where they had become foreign.¹⁶ Their presence on European soil was seen as a temporary situation for migrant labor. In addition, the wars ended with amnesties that allowed for two things: imprisoned independence fighters were released, and the potential for prosecution of the colonial armed forces became less likely.¹⁷ Not all amnesty decrees had exactly the same scope or covered exactly the same crimes, but the reality was nevertheless that the individuals who had committed crimes during actions to win the war would not be prosecuted. There was an ‘accountability gap’ from the start. This situation pushed away anything that might cast a shadow over the dominant narrative.

In the late 1960s, cracks began to appear in the image of success that these societies projected. There were several reasons for this: the 1968 revolts, echoes of the Vietnam War, and protests against the United States as a superpower, as well as domestic political balances whose foundations were shaken and the forthcoming global economic crisis. In a few years, the world changed very fast. For a short period, the issue of violence during decolonization wars moved centre stage. However, it still proved difficult to go beyond accepting abuse as ‘military excesses’, mere aberrations from the norm, which was considered to be proper military conduct. The third item in our lexicon is therefore *denial*: repressed memories as well as the denial of the state’s responsibility for more structural forms of misconduct.

In the Netherlands, the ‘*Excessennota*’ (memorandum on excesses) appeared in June 1969 as a direct result of revelations of atrocities in the media. Several months earlier, Veteran Joop Hueting had given a detailed eye-witness account on national television, triggering many strong denials, but also admission statements from other veterans. The hastily drafted report was based on documented cases in the Dutch archives (see also the chapters by

¹⁶ On the specific issue of the memories of the repression of Algerian nationalists in Paris, see Jim House and Neil Macmaster, *Paris 1961. Algerians, State Terror, and Memory*, Oxford: OUP, 2006.

¹⁷ On Algeria, see Raphaëlle Branche, “To forget and remember : the paradoxical legacy of French military actions in Algeria” in Gareth Curless and Martin Thomas (eds), *Oxford Handbook on Colonial Insurgencies and Counter-Insurgencies*, to be published. On Indonesia, see Esther Zwinkel’s PhD (soon to be defended ?). On Kenya, David M. Anderson, “Making the Loyalist Bargain: Surrender, Amnesty and Impunity in Kenya’s Decolonization, 1952–63”, *The International History Review*, 2016.

Brocades Zaalberg/ Luttikhuis and Bennett/Romijn).¹⁸ During the war, the Dutch authorities had never considered these violent acts to be anything other than ‘alleged crimes’, ‘alleged excesses’, or ‘misdeeds’ at the worst.¹⁹ After the report, their occurrence was recognized, but the official term ‘excesses’ was used by the Dutch Prime Minister Piet de Jong – a former navy officer – to accentuate their exceptionality. It also allowed the issue of legal accountability to be evaded as excesses are not necessarily crimes. The term later gained sway to refer to this kind of violence, fuelling the idea of misdeeds circumscribed to one region or one kind of service (special forces in South-Sulawesi and members of the intelligence services). In the Dutch case, public attention for Dutch atrocities clearly coincided with mounting critique of U.S. military conduct in the Vietnam war. Only several months later, U.S. Army Lieutenant William Calley would be court-martialed for his leading role in the 1968 My Lai massacre in Vietnam. Hueting’s televised revelations had triggered the notion that the Dutch had their own Vietnam, but the situation had been politically defused and soon the whole the affair seemed to sink into collective oblivion.²⁰

In France, the debate coincided less with the height of the Vietnam War and was focused on what would be the only topic for debate regarding extreme violence during the war: torture. No other war crime affected French public opinion as intensely as this issue during the war. It was still the focus of the debate in the early 1970s. The protagonists were Pierre Vidal-Naquet and Generals Massu and Bollardière. In 1972, Vidal-Naquet published a book that retold the practice of torture during the war²¹. He showed that this violence was long-standing and had already been used by the colonial police. It had been used on a wide basis during the war, and he insisted on the fact that the political authorities had intentionally ignored it and it had developed without being punished. However, this book reached a much smaller audience than the public debate between the two generals the previous year. General Massu defended his military record during the repression that he had ordered in Algiers in

¹⁸ Stef Scagliola, “The Silences and Myths of a ‘Dirty War’: Coming to Terms with the Dutch–Indonesian Decolonisation War, 1945–1949”, *European Review of History: Revue européenne d'histoire*, 2007, 14:2, p.235-262.

¹⁹ For the Dutch case, I had to rely on English publications. See Bart Luttikhuis and A. Dirk Moses, “Mass violence and the end of the Dutch colonial empire in Indonesia”, *Journal of Genocide Research*, 2012, 14:3-4, p.257-276. Rémy Limpach, “Business as Usual: Dutch Mass Violence in the Indonesian War of Independence 1945–49”, in Bart Luttikhuis and A. Dirk Moses (eds.), *Colonial Counterinsurgency and Mass Violence. The Dutch Empire in Indonesia*. Milton Park, Abingdon: Routledge, 2014, 358 p., p.64–90. See also Rémy Limpach, *De brandende kampongs van General Spoor*. Amsterdam: Boom Publishers, 2016.

²⁰ On My Lai, see Howard Jones, *My Lai: Vietnam, 1968, and the Descent into Darkness*, Oxford : OUP, 2017. For collective oblivion see : Paul Bijl, *Emerging Memory: Photographs of Colonial Atrocity in Dutch cultural memory* (Amsterdam: Amsterdam University Press, 2009), 194–195.

²¹ Pierre Vidal-Naquet, *La Torture dans la République : essai d'histoire et de politique contemporaines, 1954-1962* (Paris : Minuit, 1972) p. 205.

1957, minimizing the violence of torture. General Bollardière argued against him by asserting the importance of respecting human rights and denouncing the moral deviation of the French army during the war.

However, both men were speaking of a single period of the war that was made very famous by the 1966 film *The Battle of Algiers*. The award-winning film, directed by Gillo Pontecorvo and censored in France, was released for the first time in France in 1971 for a very brief period. This was no coincidence. The term ‘battle’, with its positive connotations (because a ‘battle’ is not a police operation, interrogations involving torture, or murders disguised as escapes), refers to a very short period of the Algerian War: nine months of repression in Algiers, during a war that lasted seven and a half years over a territory four times larger than France.

Both generals were heroes of the Second World War. Their debate occurred at a very specific moment in the history of the memory of the Second World War, more specifically, the history of the French state during that period. Historian Henry Rousso has called this period “the return of the repressed.”²² The catalyst was a Franco-Swiss documentary filmed in 1969, *The Sorrow and the Pity*, made up of archive images and filmed testimonials. For four hours, former resistance fighters, ordinary citizens and former collaborators retold the period. *The Sorrow and the Pity* was disturbing because it did not fit into the dominant memorial theme of the era, which viewed the Resistance in heroic terms while being silent about the attitude of the vast majority of the French. This film is considered to be a break in the memory of the Nazi Occupation, as it showed the reality of collaboration. In other words, it held up a cracked mirror to the French, whereas the political authorities had held up a smooth, but dishonest mirror. The film emphasized the Vichy regime’s role, and more broadly, the complicity or indecisiveness of most French people. The question of whether torture had been justifiable during the Algerian War resurged in this context. The two historical sequences were not unrelated for the French at the time since torture had strong connections with the Gestapo in French collective memory.

Similarly, in the Netherlands, the Second World War provided a memorial framework with a strong influence over post-war society. This was also a narrative framework to describe current events. In their diaries, the Dutch soldiers arriving in Indonesia quite often made the comparison with the Nazi occupation.²³ Also French soldiers were troubled to see their army

²² Henry Rousso, *Le syndrome de Vichy (1944-1987)*, Paris : Le Seuil, 1987, 382 p.

²³ Gert Oostindie, Ireen Hoogenboom and Jonathan Verwey, “The decolonization war in Indonesia, 1945–1949: War crimes in Dutch veterans’ egodocuments”, *War in History*, 2018, Vol. 25(2), p. 254–276. See also the

behaving like they had seen the Germans do France during their childhood. In the Netherlands, resurging memories connecting the decolonization war to the Second World War had no practical effects on the former's public memory. In 1971, a bill was passed to lift the statute of limitations on war crimes. It would only apply to crimes committed during the Second World War. The Dutch war crimes committed in Indonesia would be excluded from it. The De Jong government's stance on this period of history was quite clear: crimes that had come under the statute of limitations could not be prosecuted, "based on the argument that the arbitrary availability of historical files and not the severity of the war crimes would have determined who would be charged and who would not."²⁴ The comparison here serves in fact to distinguish between the situation of the Second World War and that of the Dutch East Indies. The violent acts committed during the decolonization war were described as 'excesses', i.e. acts that were the responsibility of individuals and not attributable to a system.

Still, the fact that these memories returned to center stage in all three countries at approximately the same time was no accident. It was related to the experience of those who participated in the wars of decolonization, and also to a broader context of looking at the Second World War from a new perspective. In France, the Vichy regime and the role of the French state was being questioned, while in the Netherlands the very high rate of extermination of the Jewish community was questioned. The Netherlands was the only Western European country to rival Eastern European countries on this tragic point. Historian Pieter Lagrou, by comparing France, Belgium and the Netherlands, has shown how the 1970s rediscovery of the scale of the genocide and the number of Jewish victims of the Second World War renewed the focus on these questions and looked at denial as revelatory of post-war societies.²⁵ Issues of social or political responsibilities during Second World War overshadowed the same issues regarding the wars of decolonization. For these conflicts, the convergence of the two collective memories strengthened the underestimation of the colonial crimes.

In the Netherlands and France, questions about the wars of decolonization were raised in the public sphere. These questions dealt with the legality of violence and could prompt

introduction to this volume.

²⁴ Stef Scagliola, "Cleo's 'unfinished business': coming to terms with Dutch war crimes in Indonesia's war of independence", *Journal of Genocide Research*, 2012, 14:3-4, P.419-439, p.425.

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Pieter Lagrou, "Victims of Genocide and National Memory : Begium, France and the Netherlands, 1945-1965", *Past & Present*, Volume 154, 1, February 1997, p.181-222.

soul-searching about the legitimacy of power, notably by pointing out the absence of safeguards that could have prevented democratic abuses. These questions were asked in terms that demonstrated new sensibilities and emerging public awareness of human rights issues. The fourth term in the lexicon is *human rights violations*

The debates about the past that haunted the Netherlands and France in this period were also a heated and timely issues in Great Britain.²⁶ However, the British did not face the same ambiguities regarding their own past as they had not endured German occupation. Nevertheless, the country also experienced a period of questioning its values as the ‘Troubles’ in Northern Ireland started this very same period. From 1969, the public debate became especially agitated with mixed references both to the Second World War and decolonization. In Northern Ireland, the Royal Ulster Constabulary were often taunted by civil rights protesters in the late 1960s and early 1970s for being ‘RUC-SS’ and, at the same time, Irish nationalists depicted the British Army's actions in Northern Ireland as a colonial war.²⁷

More broadly speaking, this topic was part of a vast movement that affected all three countries, but Great Britain in particular. Two formal complaints were made against Britain by Greece under the European Convention on Human Rights (ECHR) during the Cyprus conflict of 1955-59 that partially contributed to the founding of Amnesty International in 1961.²⁸ One of the NGO's founding members, the Irish lawyer and politician Sean Mac Bride, had been interned for ties with the IRA in the early 1920s. The 1970s were a major period of international visibility for the fight against the torture of political and military prisoners²⁹. Amnesty's large campaign for the abolition of torture began in 1972, but there had been previous actions. An International Conference for the Abolition of Torture was held in Paris in 1973, and the chairman of Amnesty International was awarded the Nobel Peace Prize in 1974. Then, in 1975, the United Nations published a declaration against torture. Two years later, Amnesty International received the Nobel Peace Prize, in turn, while the Geneva Convention was amended to take better account of irregular warfare. It was in the spirit of the

²⁶ Erik Linstrum, “Facts about atrocity: Reporting colonial violence in postwar Britain,” *History Workshop Journal* 84 (2017): 108-127.

²⁷ Huw Bennett, “Escaping the Empire's shadow : British military thinking about the insurgency on the eve of the Northern Ireland Troubles”, in *Decolonization and Conflict: Colonial Comparisons and Legacies*, London: Bloomsbury, 2017, p. 229-246.

²⁸ Tom Buchanan, *Amnesty International and Human Rights Activism in Postwar Britain, 1945–1977* (Cambridge University Press, 2020); Brian Drohan, *Brutality in an Age of Human Rights: Activism and Counterinsurgency at the End of the British Empire* (Cornell University Press, 2018) (chapter 2 on the Cyprus ECHR cases); and A.W.B. Simpson, *Human Rights and the End of Empire: Britain and the Genesis of the European Convention* (Oxford University Press, 2001) (chapters 18 and 19 on the Cyprus ECHR cases).

²⁹ Stephen Hopgood, *Keepers of the Flame: Understanding Amnesty International*, Ithaca: Cornell University Press, 2006.

times to view the extreme violence during the wars of decolonization as a reality that western societies were no longer willing to accept, a counter-model. However, like in the Netherlands, the public discourse on colonial violence faded in France and the United Kingdom in the course of the early 1970s.

Veterans and victims speak out

Not until the 1990s and especially the two subsequent decades, did the issue return to the political forefront. The 1990s were characterized by greater awareness of the individual participants in war: the ordinary soldiers and civilians. The fifth term in the lexicon is *ordinary men* waging a real war. In the Netherlands, the well-known 1947 novella *Oeroeg* was adapted to the cinema in 1993, bringing into sharp focus the violence committed on both sides, but notably by the Dutch. There were several TV documentaries, notably a 1995 film entitled *The Excesses of Rawagedeh*.³⁰ The testimony by survivors and archive documents were devastating, prompting an investigation by the Ministry of Justice following questions in Parliament. Also the 1969 *Excessennota* report was republished. However, there were no judicial repercussions. Ordinary soldiers were a topic for discussion, but they were not viewed simply as perpetrators. They were increasingly seen as victims of war that had been fought “on the wrong side of history”, as Dutch foreign minister Ben Bot would publicly state in Indonesia in 2005, This had not been accepted as widely several decades before. The image that soldiers had been forced to fight in a ‘dirty war’ that was waged for the wrong reasons changed the debate on their accountability. They had been sent on impossible missions and obeyed orders for which the political authorities often did not assume responsibility, even though in the end the policymakers should clearly be held accountable.

In the early 1990s, in the Netherlands, the pressing topic in the news is the intervention in the former Yugoslavia, and especially, the accusations against the Dutch peacekeepers operating under the UN-flag in Srebrenica.³¹ The lengthy investigation carried out by the Netherlands Institute for War Documentation (1996 to 2002) followed by a parliamentary inquiry (June 2002 to January 2003) insisted on the responsibility of political and military decision-makers. This strengthened the view that veterans were more victims than perpetrators. One opinion poll conducted in 2005 defined certain nuances depending on the war in question: veterans of the Second World War were almost unanimously seen as

³⁰ Gerda Jansen Hendriks, “‘Not a Colonial War’: Dutch Film Propaganda in the Fight Against Indonesia, 1945–49”, in: Luttikhuis and Moses (eds.), *Colonial Counterinsurgency...*, *op. cit.* p.198–213.

³¹ Gielt Algra, Martin Elands and Jan René Schoeman, “The Media and the Public Image of Dutch Veterans from World War II to Srebrenica”, *Armed Forces & Society*, Volume 33 Number 3 April 2007, p.396-413.

heroes in a just war. For other military operations, from the decolonization war to the present-day, we can clearly see that survey respondents distinguish the government's role from the actions of soldiers. The divergence between these two assessments is strongest for the war in Indonesia.³² This clearly supports the image of ordinary soldiers as victims of war, much more than as perpetrators of possible war crimes. This view was enhanced by the surge of attention worldwide for trauma's suffered by veterans as well as non-military victims of war.

Also in France in the 1990s and 2000s, fresh emphasis was put on the ordinary experiences of war and notably the experiences of ordinary soldiers. Several TV documentaries are evidence of this. *Les années algériennes* by Bernard Favre and *La guerre sans nom* by Bertrand Tavernier recorded the words of civilians and soldiers, who retold the war on the ground. Violence was not excluded from their narratives, but it was not the central theme, nor was violence limited to acts committed by the French.

This was also the period when France officially recognized the war as such. In 1987, all the veterans associations had gathered in what they called a "united front" to lobby for a better recognition of their injuries and traumas and an official changing of label from "the maintenance of order operations" to "the war". In 1999, Parliament voted unanimously to change the name, and a national monument dedicated to the soldiers and fighters who lost their lives was unveiled in Paris in 2002, for the 40th anniversary of the end of the war.

What could have been the end of a cycle proved to be the widening of its scope instead. The focus was on violence once more, but now in a broader societal context. From 2000s onward, the sixth item in the lexicon is *public recognition* of the crime, and material or symbolic reparations. In 2005, the French Parliament passed a law that triggered outrage amongst historians, and especially in a portion of French society that was unaccustomed to organizing as a political force. This law stipulated, amongst other things, that schools were to teach the "positive role" of colonization, "notably in North Africa" – the expression traditionally used to speak of Algeria. This law relayed an ideological position that no historian would support. Following this law, the president of Algeria protested and called for the controversial article to be repealed. By contrast, the Algerian state describes colonization as a crime against humanity. In France, historians and citizens protested publicly and also called for repeal. Nearly a year later, the president of France signed an act to withdraw this article. On this subject, the president had lost control over his parliamentary majority. In

³² These results are quoted in Giel Algra and others' article: they were derived from the opinion poll that was conducted by the Centre for Research and Expertise of the Veterans Institute in Doorn, Netherlands, in September 2005.

2006, tensions needed to be calmed, especially as French cities had endured several weeks of serious urban rioting, with the authorities declaring a ‘state of emergency’ under laws dating back to the beginning of the Algerian War³³.

What was really new in the public debate on colonial violence after the turn of the century was the new visibility for the formerly colonized populations or their descendants. Reacting to the February 2005 law, people of colour, descendants of formerly colonized migrants, publicly spoke out to proclaim themselves ‘indigenous people of the Republic’. They eventually founded a political party. Their analysis was straightforward: they were ‘indigenous people of the Republic’ because the French Republic discriminated against them, following on from discriminations that were the foundation of the colonial system and society. Their message about the colonial past was very clear. They denounced a fundamentally unequal and violent system. Going well beyond wars, they attacked colonialism and slavery in general and advocated specific political agency for these populations whose history was connected to colonialism. By reversing the stigmatism, they advocated political action, whereas the previous generations were described as being too passive and complacent towards the Republic viewed as still influenced by a colonial spirit.

Thus, in France, the visibility of colonized indigenous people occurred through political messages from those who claimed to be the descendants of the colonized. Those who had experienced the Algerian war of liberation were not the most vocal. Nevertheless, an elderly Algerian woman called Louise Ighilahriz rekindled the process in 2000 by showing the courage to testify in the media about the torture and sexual violence she had endured at the hands of French troops in 1957.³⁴ She filed a defamation lawsuit against General Maurice Schmitt, the former Chief of Staff of the French Armed Forces, who had been a lieutenant in Algeria in 1957, and who had accused her of lying. The general was found guilty and given a symbolic penalty. He appealed and was acquitted on grounds of good faith. Ighilahriz appealed to the supreme court, but her appeal was rejected two years later and Schmitt’s good faith was confirmed. The French judicial system had been unable to deal with the substance of the case because an amnesty law had made any criminal prosecution of military personnel impossible. Therefore the issue of the extreme violence committed during the Algerian War could only be presented before courts in charge of cases dealing with the freedom of expression. The efforts of an Algerian woman, formerly colonized and a former militant for

³³ Sylvie Thénault, “L’état d’urgence (1955-2005). De l’Algérie coloniale à la France contemporaine : destin d’une loi”, *Le Mouvement Social*, vol. n° 218, 1, 2007: 63-78.

³⁴ Louise Ighilahriz (with Anne Nivat), *Algérienne*, Paris: Fayard, 2001.

the National Liberation Front, would have no judicial impact. Nevertheless, the political effects of such a ruling were not trivial for the status of the truth. Lacking a suitable judicial venue, Ighilahriz' experience or rape and torture became widely known as a result of free expression.

In Great Britain and the Netherlands, formerly colonized people have also filed cases with the judicial systems. Unlike in France, some of these cases have been successful. In the Netherlands, the question involved crimes committed in Rawagede and South Sulawesi. To begin with, the Prosecuting Office confirmed that the crimes were time barred and perpetrators could not be prosecuted. The effects of the amnesty law still hold sway and protects veterans. However, the Dutch state was sued in civil court by victims. The judicial system accepted the lawsuit filed by nine widows whose husbands had been killed in the wartime massacres. The court rejected the state's invocation of the statute of limitations, and ordered it to pay the widows compensation for material damage (immaterial damage was rejected). For the other cases in South Sulawesi, the Dutch state initiated a settlement to compensate widows in similar execution cases, outside court. Apart from this financial aspect, there were political stakes: via the justice system, the Dutch state was forced to acknowledge its responsibility for the situation of these women. Thus, in addition to this recognition through the courts, there was recognition of this violence by the executive branch. On 9 December 2011, the 64th anniversary of the massacre, the Dutch ambassador to Indonesia travelled to the town that is now called Balongsari and officially apologized for what had happened there.³⁵

In Great Britain, the question of the crimes committed during the repression of the Mau Mau Uprising was also raised by formerly colonized people, and also before the courts. In the early 2010s, four Kenyans filed suit against the British state for torture and violence that they had endured.³⁶ The lawsuit was ruled to be admissible by the judge who turned down the Foreign Office's argument that anything that had occurred before 1963 should be handled by the new independent Kenyan government. The Foreign Office also argued that the witnesses that could have shed light on the issue of responsibility at the highest level had all died. However, the judge considered that the archives would be a substitute. Indeed, new

³⁵ Chris Lorenz, "Can a Criminal Event in the Past Disappear in a Garbage Bin in the Present?: Dutch Colonial Memory and Human Rights: The Case of Rawagedeh", in Marek Tamm, ed., *Afterlife of Events: Perspectives of Mnemohistory*, Basingstoke, Palgrave Macmillan, 2015.

³⁶ David M. Anderson, "Mau Mau in the High Court and the 'Lost' British Empire Archives: Colonial Conspiracy or Bureaucratic Bungle?", *The Journal of Imperial and Commonwealth History*, 2011, 39:5, p. 699-716.

archives had been identified, and research by David Anderson, Caroline Elkins and Huw Bennett had revealed the magnitude of the repressive system.³⁷ Hence court cases quickly shifted public interest to questions on the archives and the British state's handling of secrecy. Had records been destroyed? Were still in Kenya or had they been shipped to Great Britain and if so, were they accessible and under what conditions?

In 2013, a court ruled in favor of the Kenyan plaintiffs. As in the Netherlands, the British government made an out-of-court settlement with more than 5,000 Kenyans who had been tortured whilst in British detention during the Mau Mau Uprising of the 1950s.³⁸ The question of hidden archives became a public affair, widely relayed in the media by David Anderson. The historian had written the first book to establish scientifically the way in which the repression of the Mau Mau Uprising was based on widespread legalization and legitimization of illegal violence. He also clearly established that it was a direct continuation of the ordinary violence of the colonial system, involving land seizures, political violence and police brutality. Contrary to some of his colleagues, David Anderson considered that violence was a topic for historical scholarship that absolutely had to be explained in terms of the context of its appearance and execution. Working in the archives, David Anderson became a de facto militant for access to documents. He strongly advocated the need to do scientific historical research on these topics that were inconvenient for a portion of British public opinion and its political class. In this fight against state secrets, the alliance between historians and the media, political personalities and lawyers proved decisive.

Another alliance formed in the Netherlands also appears to have paid off. In 2012, three major research institutions (the Royal Netherlands Institute of Southeast Asian and Caribbean Studies, the Netherlands Institute of Military History and the NIOD Institute for War, Holocaust and Genocide Studies), together with some left-wing parties and a portion of the media, advocated a broad scholarly enquiry into the violence of the decolonization war. From the outset the institutes stated that they were distancing themselves from the legal vocabulary, on the one hand, and official euphemisms, on the other. They asked “to conduct research to understand how and why people were motivated to commit cruelties, which so far

³⁷ David M. Anderson, *Histories of the Hanged: Britain's Dirty War in Kenya and the End of Empire*, London & New York: Weidenfeld & Nicolson and WW Norton, 2005. Caroline Elkins, *Britain's Gulag: The Brutal End of Empire in Kenya*, London: Pimlico, 2005. Huw Bennett, *Fighting the Mau Mau: the British Army and Counter-Insurgency in the Kenya Emergency*, Cambridge: Cambridge University Press, 2013.

³⁸ Following the Kenyan case, 33 former members of the Cypriot guerilla group Eoka also filed a suit against the UK government. In 2019, the government decided to settle the case out-of-court. See Helena Smith, “UK to pay £1m to Greek Cypriots over claims of human rights abuses,” *The Guardian*, January 23, 2019 and Jean Christou, “British army given ‘free rein’ to torture Eoka suspects,” *Cyprus Mail*, November 18, 2018.

have been labelled as ‘excesses’.” Ultimately in 2016 the Dutch government decided to provide funding for precisely such a historical research program.³⁹

Nothing similar has happened in France. In the early 2000s, the executive branch could still state that torture and summary executions were acts by rogue individuals and “minority actions”, but the archives have generally been open so far and researchers have been able to demonstrate the systemic nature of torture during the war and the magnitude of war crimes, summary executions in particular. The military court archives were recently opened up, and they show unequivocally how impunity was built during the war, well before the amnesty. As a result of this impunity, a methodical system of repression that was generally illegal under the laws of the era was developed.⁴⁰

The French President admitted in 2018 to what had long since been scientifically demonstrated. The declaration, in which he stated that “[t]his system was the unfortunate ground for sometimes terrible acts”, was carefully written to avoid offending the armed forces. Macron used predominantly moral terms, but nevertheless clearly admitted that torture had gone “unpunished because it was regarded as a weapon [...] considered to be legitimate during that war, despite being illegal.” By stating that successive governments had failed to “safeguard human rights, and first and foremost, the physical integrity of the women and men held in custody under their sovereignty”, he asserted that political accountability was key. In so doing, he gave a general message on the actions of the armed forces, stating that this speech was not aimed at casting general disgrace at all the individuals who had served in Algeria, and calling on France to look at this page of its history “with courage and lucidity”.⁴¹

On 10 March 2020, some of the courage called for by Macron was also shown when King Willem-Alexander during a state visit to Indonesia apologized for “excessive violence on the part of the Dutch” in the late 1940s. As with the 2005 declaration by Foreign Minister Bot, which had subtly denounced the war and its aims, the wordings were weighed carefully. They could still be interpreted as admitting only to “excesses” (“derailments of violence” in Dutch) rather than to the structural nature of extreme violence used. According to some, particularly

³⁹ For more information on the programme Independence, Decolonization, War and Violence in Indonesia, 1945-1950 and its eight subprojects see: www.ind45-50.org/en/about-programme. This volume is one of the outcomes of the programme’s subprojects.

⁴⁰ On the resulting difficulty to document specific cases due to the lack of archival records also see the chapter on sexual violence in this volume by Natalya Vince and Stef Scagliola.

⁴¹ Despite the President’s expressed will to further open up the French military records, new barriers have been thrown up in the form of archival restrictions in January 2020. All documents after 1940 classified as “secret defence” – also files on the Algerian case previously accessible without formal restrictions – need to be declassified by a stamp, creating long delays. From January 2020 all historical research on sensitive topics has been stopped.

in veterans circles and amongst the predominantly Eurasian post-colonial migrant community, the king had gone too far. On the other end of the spectrum, some called for collective penance for centuries Dutch colonial suppression and exploitation. However, the statement that also emphasized regret for “the pain and the sorrow of the families effected” came a positive surprise to journalists and scholars alike and was welcomed by many.⁴²

Conclusion

In gradually and grudgingly confronting its violent path of decolonization, France has certainly not been unique. Algeria may have been an extreme case, but overall, the shared lexicon emerging in this chapter demonstrates that the broad parallels eclipse the national differences. So, have France, the Netherlands and the Great Britain reached the end of a cycle and are about to start a new one? In each of these countries the cycle that began with victims being unable to speak and with soldiers unable to break their shameful or discreet silence. The state’s official positive message was the only one that could be heard. At the end of this cycle – or the beginning of the next – not only could the victims speak, but they were also heard. Soldiers admitted to the ambiguous situation they had been placed in and states recognizing at least a portion of their responsibility for the extreme violence during the wars of decolonization.

The conditions for historians to carry out their research have changed over the decades. While access to archives has overall improved, and witnesses are more willing to testify, society’s demands have increased and the pressure exerted on those who speak about the past has become stronger. For historians, this does not necessarily mean that their working conditions have unequivocally improved. As new questions have gained public attention, people from different backgrounds, with many different motivations, have appealed to historians to investigate and report the truth. Historical truth must exist side by side with political truth and truth as determined by the courts. It must be articulated with these other spheres of truth, and historians must take stock of the many consequences of this situation.

These questions have certain specific features for scholars working on the extreme violence of decolonization wars. The main one is probably that this search for historical truth now involves the formerly colonized societies. How is it possible to work on this violence in

⁴² For the king’s statement see : www.royal-house.nl/documents/speeches/2020/03/10/statement-by-king-willem-alexander-at-the-beginning-of-the-state-visit-to-indonesia (visited 10 May 2020). On the expected avoidance of apologies see : Kysia Hekster, ‘Geen koninklijke excuses bij bezoek aan Indonesië’ (1 maart 2020) : www.nos.nl/artikel/2325249-geen-koninklijke-excuses-bij-bezoek-aan-indonesie-maar-waarom-niet.html (visited 20 March 2020).

those countries? How do historical narratives of this past resonate with the issues that these countries currently face? What can be done so that these narratives, developed in the former metropolises, do not contribute to a reactivation of colonial domination, through scholarly or symbolic questions?

In any case, the field of historical scholarship is not separate from the other fields, judicial or political. Historians are placed at the heart of the way in which our formerly imperial states and societies think of and depict themselves. The various national cases and societal contexts that have been compared in this book must also be positioned within a broader framework, and the issue it addressed is one of the key historical themes of our period, which may be bringing to a close – albeit with some difficulty – a colonial and postcolonial sequence.