

Kolen en kampen

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Summary

Coal and Camps: the employment of political delinquents in Dutch coal mines, 1945 - 1958

Once the German occupation of the Netherlands came to an end (1944/45), the country entered a new phase. The transition from being occupied to being a free country again was far from easy. The many studies as part of the transition literature are clear proof of this.¹ Studies to date have mostly focused on entire nations as such, and less so on respective smaller regions. This is especially disappointing for countries where the post-war transition went through different phases, as was the case in the Netherlands. To fill this gap, I chose to focus on the South of Limburg for my study into the matter of employing political prisoners as part of the miner work force. During my research it also became evident that legal questions around such employment could not be separated from the economic and social circumstances of the day. To compare the situation with that in Belgium, I used the dissertation by Helen Grevers.²

Between September 1944 to May 1945 the South of Limburg experienced an extraordinary situation, as this part of the Netherlands was already liberated, as were parts of North Brabant. But the Germans still occupied large parts of the country, and the lawful government was, at least initially, still residing in London. The freed parts were under *Militair Gezag* (Military Command), which had extensive powers. Once the war was over, questions immediately arose over what to do with those that had collaborated with the occupiers. Detention, trial, punishment? If so, how, and by whom? Such a transition had the potential of leading to a reversal of norms: perpetrators could become victims, victims perpetrators. How far should retribution extend, where should captured collaborators be housed? Should they be punished indefinitely via confiscation of property, disenfranchisement, etc? These were the questions that started my closer investigation of the situation in the South of Limburg.

While answering these questions, it soon became apparent that economic circumstances had played a dominant role. The reality of 1945 and later years prompted a solution via a combination of 'transitional justice' and economic necessity. Given the presence in the region of large numbers of collaborators awaiting trial and the urgent need of securing a workforce for the mines, employing political prisoners seemed a logical solution to the problem at hand. Although this prompted new questions in its turn: could free miners work alongside prisoners? Such a solution resembled forced labour, and was that acceptable? I answered these and other questions first in chapter 2, following the introduction, before discussing the legal aspects in chapter 3. In chapter 4 I discussed how political prisoners fared after their release. Reintegration was the overriding concern in their treatment.

¹ Wouters ed., *Transitional justice*; Grevers, 'Voorbij Bijltesdag'.

² Grevers, *Van landverraders tot goede vaderlanders*.

The post-war economic efforts in Limburg were all about restoring the production of coal, since coal was needed not only for heating houses, but also for generating energy so that factories could be started up. Coal production levels had dropped severely due to a lack of miners. Some of these workers had been member of the National Socialist Movement (NSB) or the National Workers' Union (NAF), or had collaborated in some other way with the German occupiers. They had all been fired immediately upon the liberation, as had been any Germans employed in the mines, irrespective of whether the latter had done any wrong: the mere fact of having a German nationality was enough to be fired.

The solution to the shortage of staff soon presented itself by considering employing political prisoners. My research has shown that it was the mining companies that took the initiative here. Military Command protested in the person of the military commissioner for the mining region, Major C.M.J.A.F. Nicolas. He considered employing collaborators in the mines completely out of the question, although he did not specify why. His solution instead was to employ those enrolled in unemployment relief work and unemployed workers. Even so-called 'bonafide' Germans, those of German descent, but who had not perpetrated any crimes during the war, were denied consideration as possible workers in the mines. In Belgium similar capacity problems occurred. Belgium even employed prisoners of war during 1945, even though this was prohibited under the Geneva Convention from 1929. One year on, '*incivieken*' (collaborators) were employed in the mines. And unlike the Dutch situation, it was the Belgian government that led that initiative.

Once all of the Netherlands was liberated, coal production became even more important. In addition to the Dutch State Mines, there were four more mining companies, all in private hands. The government did not consider these capable of acting firmly in this matter, and thus it placed these mines under government control, with Christiaan Th. Groothoff, as overall Administrator. This period lasted until 1949. Under the direction of the Administrator a start was made employing political prisoners. This move was initiated by the Belgian owners of the Willem-Sophia mine in Spekholzerheide, and based on a Belgian example. Administrator Groothoff adopted this solution and ensured a smooth start by first allowing imprisoned ex-miners to go down into the mine. Despite initial protests, he saw to it that permission to do so was given by the "*Ad-Va*", the Mining board of Advice for Employment matters. This Committee had representatives from both employers and employees. The prospect of increasing coal production levels proved decisive. With employment firmly secured, and no real miner protests, employment levels later went up. From June 1946 onwards, political prisoners, drafted of their own free will, were allowed to work underground.

In the Dutch prison system, it was quite normal for prisoners to be employed to work, even if detained or interned. Previously, Dutch prisoners had been *incidentally* employed as part of harvesting, or for clearing rubble. Now this was *structural* employment, and for pay. And from 1946 this happened in Limburg at a scale not seen anywhere else. As early as 1945, Military Command had still objected to such type of employment, now it was the Directorate-General for Special Administration of Justice

(DGBR) that protested. In the eyes of administrators in the Hague it was unthinkable and not allowed to have political prisoners work underground, and at such good pay at that. Administrator Groothoff was eventually able to convince the Directorate otherwise. And here the economic situation proved decisive. Providing good pay to political prisoners ensured their motivation to work of their own free will, and that in turn benefited the overall production of coal. Why else would they agree to hard physical labour if there were no reward? That way they could provide living support for their families. This was formally settled in agreements concluded by the Administrator and the Directorate in May and October 1946, and later in February 1947. The first agreements in 1946 were by and large wage-based. Later agreements in 1947 added an important new aspect: next to the importance of coal production, now the importance of individual prisoners being allowed to work was emphasised, as this helped the process of resocialisation of prisoners, and that in itself served a public good, apart from helping the economy.

In my introduction I discussed the question of forced labour in the mining industry in more general. While forced labour was effectively used in some areas during WWII, this solution was avoided in Limburg mines. But what about the situation after that, once political prisoners were employed *freely*? Was this a case of forced labour? Available literature hints at this.³ Yet based on my research I think it is safe to conclude that no political prisoner was forced to work in the mines, nor was anyone sentenced to serve time in the mines. There was the *option* to serve time, either in an internment camp, to go to prison, or, instead, to work underground, if medically cleared to do so. In that case workers were offered virtually the same terms of employment as free miners. They were not able to join the Dutch Miner fund (the AMF), nor would they accrue any pension (rights). But the pension contribution that the mining authorities would otherwise have to pay to their free workers was paid out on top of their wages. So, there was no 'unfair' competition between miners employed out of their free will and those that were assigned to do such work.

Until the end of the period of assigned employment in 1958, over 13,000 men were employed to work in the mines. But they did not all spend equal time down in the mines. This number of 13,000 includes any male that worked in the mines as a political prisoner, sometimes no more than one day, in other cases years. The highest number of men ever employed at any one time was 2,887, in August 1947. In fact, this was the time that all mines employed political prisoners. From then on, numbers went down, due to prisoners having since been pardoned or paroled. After December 1952 only the Julia mine in Eygelshoven still employed political prisoners. And while during the first year only NSB members with a mining background were put to work in the mines, from June 1946 any non-miner could qualify, and increasingly including those with more serious degrees of prior collaboration: members of the SS, Landsturm, and eventually even some that had committed actual war crimes and that had to serve a long prison term. Over time numbers went down.

³ See footnotes in section 2.2, *Dwangarbeid*?

I have carefully documented the group of workers that started between August 1945 and June 1946 in the Willem-Sophia mine. After a year and a half of detention, these former miners had once again become ordinary Dutch citizens, instead of being 'unwelcome elements'. But the findings of this part of my study cannot be applied to all such workers between 1946 and 1958. Numbers had grown, the percentage of unschooled increased, and eventually detainees were put to employment in all 12 mines. Practical considerations made it impossible to extend the same in-depth investigation to these later groups. What did become clear is that, over time, different types of prisoners were involved: not only former NSB or NAF members, but also those charged with more serious crimes, such as SS membership, or of having fought on the East front, of having been a *Landwachter* or having committed actual war crimes. Some of those that had committed war crimes in the Netherlands even had German citizenship, as was the case with Albert Konrad Gemmeker, camp commander at Westerbork.

Anyone with a German nationality had been fired with immediate effect upon the end of the war. Forced by the shortage of workers, the Mines and the Administrator had wanted to start re-employing 'bonafide' Germans as early as 1945, as long as these workers had as good a track record as 'good Dutchmen'. But this was not to be. In 1946, however, the Mining Industry Council, with representatives of employers and employees in the mining industry, adopted a regulation that made it possible for Germans to be employed once more. Being a "German" was framed via the negative. They had to be of German descent, to have worked in the mines before, or be someone that could not prove to have been on the 'right' side, such as for having joined the German army. Labelled 'non-bona fide' Germans, they were allowed back into the mines, albeit only in some of the mines, and only as long as they worked in separate pillars. In fact, this meant that this group was treated more harshly than any political delinquents. They were paid 10 percent below free and detained miners. It took until 1949 for this discriminatory treatment to end.

Separate recognition was given to the group that refused service in the Indies. These were Dutch males drafted for military service in the Netherlands Indies. This refusal resulted in serious convictions. From 1949 on, they could opt to work in the mines, just as former collaborators could. In total this involved only a small number of miners. In 1950 some 40 worked in the Laura & Vereeniging mines, and as few as 3 at the Willem-Sophia mine in 1951.

So it was the combination of labour shortage and low coal production levels that forced the solution to employ political delinquents and 'non-bonafide' Germans in the mines, mostly underground. There had been those that worked above ground, but from February 1947 the DGBR prohibited their employment for fear of desertion. The employment of these workers was key to ensure sufficient levels of coal production, especially between 1945/46 and into late 1948. Total production rose from 5,097 tonnes in 1945 to 11,032 tonnes in 1948. From July 1946 up to and including August 1948, the most important period when all political prisoners were employed, this proved a key additional reservoir for the work force. The Dutch State Mines saw the percentage of detainees as part of its total workforce underground grow from 5 to over 9 percent; the share of detainees in private mines was even greater, ranging from 13 to 17 percent in August 1947, and then

slowly reducing to almost 12 percent. Hence, we can only conclude that between July 1946 and August 1948 the group of political prisoners was an important addition to the total work force underground. By and large their share averaged 10 percent, with an additional share from 'non-bonafide' Germans, although their share overall was smaller than that of political delinquents. At the end of 1946 some 1.3 percent of the formal workforce underground was from non-bonafide Germans, a total that went down to 0.6 percent at the end of 1948.

From August 1948 on, the importance of employing political prisoners declined, due to subsequent pardoning; the number of mines employing such workers also went down, although the share between mines varied. In September 1949 more than 24 percent of the formal worker count in the Laura mine consisted of political delinquents, while in the Willem-Sophia mine this was a mere 7.6 percent. One year later these numbers were down to 18.8 and 8.6 percent and would only go down more from then on. From December 1952 the Julia mine in Eygelshoven was the one mine still to employ political prisoners, although their total share overall was quite small.

I have extensively discussed the legal aspects of the transition that started right after the liberation: the arrest, surveillance and housing of collaborators. Initially, chaos dominated in overcrowded camps. There was a shortage of food, prisoners were at the mercy of guards not trained for the job, and hygiene was poor. There was misconduct by guards in places such as Maastricht and in the mining region, notably Hoensbroek Castle. But there was by no means a 'reversal of norms' in any of the Limburg camps, as had happened in Camp Westerbork.⁴ To put it differently, as far as we could ascertain, no one taken prisoner and maltreated by the German occupier in the South of Limburg later served as guard over collaborators. Before the liberation in September 1944 they had either already been killed or deported north, where more harsh days awaited them. Detainment camps in the South were at first under the command of resistance fighters, including members of the *Ordedienst* (OD), but none of these guards had been detainees themselves. But it is true that they and other members of the Domestic Armed Forces at times abused their position to take revenge. After an initial period of chaos, order was restored, and Military Command intervened, before turning over control back to the Directorate-General for Special Administration of Justice (DGBR). After their initial but temporary detainment, anyone of a (suspected) NSB background eventually had to face trial. Trial and sentencing could only commence once the entire nation had been freed. This meant that circumstances in South Limburg, exceptional until May 1945, were no longer different from those in other parts of the country. Tribunals and Special Courts were set up. Tribunals were intended to deal with 'light' cases, and could impose sentences to internment. Special Courts would try more serious cases, such as for having joined the SS or the *Landwacht*, and this could result in imprisonment, ranging from a few years to life imprisonment. In reality, most sentences ended in early release. As of 1947 the normal penal system was extended to include the trying of political prisoners. This meant that having served 2/3 of a sentence and having shown good

⁴ Abuys en Kortholt, *Interneringskamp Westerbork*.

behaviour, the remainder of one's sentence could be acquitted and that someone could qualify for early release. And added to this there was the formal pardon in 1948 to mark the Golden Jubilee of Queen Wilhelmina and the Inauguration of Queen Juliana. There were cases of pardoning later, but never purely because of having served time in the mines.

The Limburg Mines region thus served as testing ground how to solve two problems that had to be tackled after the liberation: economic revival and the trying of collaborators. These problems presented themselves earlier than anywhere else in the country, and here it was possible to try out different solutions with relative ease. These included assigned labour, but also extended to modernizations of the prison system. During the Occupation prisoners under German rule had experienced the poor conditions during imprisonment. Upon the end of the war the National Committee Fick was set up to work out improvements. One of its members was Chr. A. Arnoldus, who knew the prison system inside out. He started as Director of the penitentiary institution of the Julia in Eygelshoven, and was later, as General Director of all penitentiary centres of the Mining region, the one to oversee and implement these improvements.

A prison sentence that the Special Courts had handed out could not only be served in special penitentiary centres, but also in State Work Institutes (Rijkswerkinrichtingen, or RWI), three of which were located in Southern Limburg: in Eygelshoven, Terwinselen and Treebeek. These institutions were intended to house those political prisoners that had been sentenced and that had agreed to serve time in the mines of their own free will. Arnoldus introduced a new regime in these centres. People were grouped by age, and after work, prisoners could follow courses, and engage in leisure activities such as watch movies, make music, practice sports, or join a choir. These centres became an example to the rest of the country. To showpiece his solution, Arnoldus even set up a full Leisure centre, the Passart in in Treebeek, where, from 1949 on, detained miners could enjoy their leave. What distinguished the Julia, Wilhelmina and the Passart institutions was the way prisoners were treated. No longer was the focus on their wrongdoing, but on rehabilitation and return into society. That was the sole focus in their stay. From being considered scum, political delinquents now became ordinary prisoners that worked to support their families and could redeem themselves that way. In effect, this was a transition from detainment sic to entrusting and aiding detainees to regain their freedom.

So, upon their release these political delinquents returned to society, including those that had chosen to work in the mines. They were given the choice to continue their work underground, or to find other employment. For anyone that had worked in the mines before or during the war this choice was mostly an easy one: they would want to continue their work underground. The work was familiar, they did not have to leave home, and in most cases, they were accepted back by their old comrades. But for those that had only worked in the mines during their detention, the choice was less easy.

Staffing shortages made the Administrator issue an urgent request to those allowed to leave to consider continuing working as miner, especially if they had a good track record. But where during their detention 20 percent of detainees had indicated willingness to

continue work as a free miner, the number of miners that did so was much lower. Contact with family and friends had influenced them to make a different choice; some found work elsewhere, and yet others were forced to look elsewhere owing to housing issues. By 1957 over 9 percent of the 13,271 political delinquents had accepted a job in the mines, even if such a choice was all from easy. Mining Committees, Rings and Boards had to approve of this option, and despite their history of having worked well alongside fellow miners, being accepted as a fellow '*koempel*' was anything but a given. Promotion to management levels was possible on paper, but a practical impossibility.

Ex-political prisoners were discriminated against in more ways, such as not qualifying for extra allowances, no Christmas bonus, no concessionary coal, nor being allowed to save for clothing stamps. Only as time went by did such workers achieve a more equal treatment. Both ex-detainees and non-detainees, they all suffered from the same lack of housing options. That explains why so few married men chose to work in the mines. Management could not guarantee housing for anyone, ex-detainee or not; at best they might be assigned a place in one of the 'apprentice houses', but any family member had to stay behind. For ex-detainees that had already been away from home for so long, this was hardly an attractive prospect. And the small number of special 'Limburg houses' meant that this option added little extra housing incentive.

By and large, many of the detainees required to serve time in the mines continued to find themselves being treated as second-rate citizens, all the more as their Dutch citizenship had formally been repealed, or by being denied, for years, any active or passive voting rights, not only in national elections, but also those at lower levels, including Mining Rings.

If we take a step back to reflect, it is fair to say that the transition in South Limburg from being occupied to being once more a free region was a smooth one in the end. Employing political prisoners had a positive net result for the Limburg mines. Coal production levels went up. From 1947 on, Limburg mine camps were to become a role model for the Dutch penitentiary system, in which having to work was a key element. How individual political detainees have looked back on their period of detention and required labour is less easy to say, as this depended on factors ranging from the total time spent in one of the camps, to finding a new job, or being taken back in by one's family. Nine (9) percent of detained labourers went on and worked as free miners, feeling at home in the Limburg region and managing to carve out a new existence there. Some ex-political prisoners experienced first-hand the difficulties of finding employment anywhere.

Documentaries and other public records from the Seventies and later years have repeatedly suggested that free miners had always opposed the employment of political prisoners.⁵ My research does not back up this claim. There were a few trades union leaders that expressed concern in 1945 and September 1946 about the reputation damage of miners if detainees were forced into employment, mining coal. But there is no evidence to suggest any widespread resistance or repulsion. Detained miners worked in separate pillars,

⁵ See footnotes in section 2.2, *Reacties van mijnwerkers*.

with little or no contact between them and free miners. In later years these groups did mix, owing to safety considerations. Below ground both groups of workers became colleagues having to work together, and such solidarity was more important than keeping old grudges alive from earlier Occupation days, which were fading anyway. *'Want als je vijandig tegenover elkaar staat, dan blijf je kapot daar onderin het gat, hè, omdat de gevaren te groot zijn.'*⁶

It is my view that any suggestion that 'the miners' could not stand collaborators is rather the result of a victimization cult: "we were not asked anything", "labour work underground did not count", and "those traitors were forced on us". It is a collective sentiment that is hard to disprove via historical research. There may well have been cases where there were altercations between free and detained miners. But if we take into account the difficult economic situation just after the war, we can only conclude that, overall, assigned labour had a positive impact on the Limburg mining industry, and on the Reconstruction of the Netherlands as a whole.

The transition from being occupied to being free was a unique one in the South of Limburg. The region was liberated 8 months ahead of the rest of the Netherlands. This meant that it also had to face the question how collaborators should be treated earlier than elsewhere. And of course, it was here, in Limburg, where the coal mines were located, an important economic factor that did not present itself anywhere else. It would be of interest to investigate if this very combination of economic factors and judicial innovation can be found elsewhere in the Netherlands.

Translation: Peter Wilms van Kersbergen, M.Phil.

⁶ Quote from an interview with an ex-miner, in the radio documentary by Dister and Kusters, *De gestraften in de mijn. Part 3*, aired on 23 June 1980 (own translation): *'If you end up fighting each other down there, the pit will kill you, as it is too dangerous down there.'*