

The neutrality of Belgium

«Un ministère qu'on soutient est un ministère qui tombe»

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CHAPTER II

THE LONDON CONFERENCE AND THE QUINTUPLE TREATY

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The artificial union between Belgium and Holland, proclaimed at the Congress of Vienna by the will of England, broke down by force of circumstances.

The Dutch, of low-German descent, mostly Protestants, a commercial and seafaring people, on the one part, and the Belgians, mostly Walloons, fervent Roman Catholics, more given to industry than to commerce, on the other part, could never form one nation of common ideals and interests. For centuries the Belgians had cordially hated the Dutch; the Congress of Vienna appointed King William, a Dutch prince, as their «legitimate» ruler. The official language was Flemish, while the Belgians spoke French or a French «patois.» The Dutch officialdom treated the Belgian provinces not much better than the territory of a conquered nation.

A general unrest was the unavoidable consequence. It merely required one spark from without to bring the powder magazine of discontent in Belgium to explosion.

This spark came from Paris, where, in July, 1830, a revolution broke out against the reactionary King Charles X, which ended with the overthrow of the Bourbons, reinstated as the «legitimate» Kings of France after Napoleon's downfall, and with a considerable curtailment of the prerogatives of the crown, which, by way of election, passed to the «bourgeois-king» Louis-Philippe of Orleans. The significance of that revolution was not so much the forced abdication of an incapable ruler as that the principle of «legitimacy,» particularly emphasized at the Congress of Vienna, received a severe shock.

When, therefore, the success of the «July Revolution» became known in Belgium, the country went into open rebellion against its appointed ruler and forced Prince Frederic, King William's son, together with the Dutch garrison of Brussels, to evacuate the Belgian capital. On October 4th, the Belgians declared their independence from the Netherlands and, subsequently, constituted a Provisory Government at Brussels.

The Great Powers, which had considered the question of the Netherlands settled for all time at the Congress of Vienna, were much upset by Belgium's total disregard of their schemes. A few years earlier, King William's appeal to them to bring his rebel subjects back under his control would, doubtless, have caused an armed intervention of the Powers in Belgium, on behalf of Holland. Such, however, were the general conditions in Europe, in consequence of the July Revolution, that, for fear of a European war, neither England nor the Central Powers, Prussia and Austria, dared to intervene. The British Government, in particular, realized that a stern opposition to Belgium's declaration of independence would only drive that country into France's arms, which would mean a death-blow to British policy of a Continental bulwark. The new French ruler, on the other hand, was more inclined to carry out the popular demand for Belgium's annexation by peaceful means than to risk for it his newly won throne, in a war against all Europe.

Under those circumstances, a diplomatic conference for common deliberation on the Belgian problem seemed to be equally welcome to all the Great Powers---with the possible exception of Russia, whose ruler would have preferred coercive measures against the rebellious Belgians.

At the suggestion of the Duke of Wellington, the then all-powerful English Premier, it was arranged that the plenipotentiaries of England, France and Russia, assembled at London to settle the Greek Question, should also take in hand the affairs of Holland and Belgium, in concert with specially appointed plenipotentiaries of Austria and Prussia.

This conference of the delegates of the five Great Powers at London, commonly called the «London Conference,» held its inaugural meeting on November 4, 1830. It is commented upon by the English historian, Boulger, who ranks as an authority on Belgian history, in the following manner:

«The London Conference has been cited as a proof of the concord of Europe; no one who reads its sixty-three Protocols from end to end will find in its record proof of anything but discord,---the latent strife, the keen rivalry, of the five Powers which then constituted Europe. The Conference that nominally dealt with the fate of Belgium was concerned least of all with its interests. It wanted to avert a general war, to maintain the balance of power, to prevent Belgium falling to France, and to save Holland from being too much weakened.»(8)

It is not without importance to note that the «keen rivalry» between the Great Powers which Boulger considers the dominant note in the negotiations concerning Belgium, existed, in point of fact, only between England and France. The participation of Austria, Russia and Prussia in the London Conference was scarcely more than a formality, for the said three Powers, after December, 1830, were, during several months, too much occupied by the great Polish Mutiny for serious attention to the affairs of Belgium, far less important to them. «It is inconceivable,» says another English authority, «that the Belgian Question should have been left so entirely in the hands of the two western Powers.»(9) But such was the fact: it was England and France which made the bed on which the Belgians were to rest «in perpetuity» it was Lord Palmerston, one of the ablest Foreign Secretaries England ever had, and the French Ambassador Prince Talleyrand, the most conspicuous figure in European diplomacy of that time, who gave Belgium her status among the European nations---to suit their own countries' purposes.

The first six weeks of the London Conference were principally devoted to the establishment of relations with the Provisional Government at Brussels and attempts to arrange for a formal armistice between Holland and the Belgians. More important, without doubt, were the inofficial pourparlers of the delegates outside of the regular meetings for reaching a definite decision whether Belgium's declaration of independence was to be sanctioned by the Great Powers or not.

Finally, on December 18, 1830, Lord Palmerston made a formal motion, seconded by Prince Talleyrand, to the effect that the separation of Belgium, as an independent state, from the United Kingdom of the Netherlands be acknowledged in principle. This motion was carried in the meeting of December 20th, the minutes of which contain the following neat outline of the program of the Conference:

The Conference will proceed to discuss and concert such new arrangements as may be most proper for combining the future independence of Belgium with the stipulations of Treaties, with the interests and the security of other Powers, and with the preservation of the balance of Europe.(10)

Discussing which measures would best secure those aims, the plenipotentiaries, in their meeting of January of the subsequent year, decided on a number of stipulations, embodied in eight articles.

The first four of those articles regulate the question of the future territorial limits of Belgium which, though they do not particularly interest us for the purpose of this study, were, naturally, of primary importance at that time, because they set forth which of his domains the King of the Netherlands was to yield to his rebel Belgian subjects, for a future independent realm. After detailed provisions with regard to those territorial arrangements, the Protocol of the said meeting goes on:

The preceding Articles being agreed upon, the Plenipotentiaries directed their attention to the means of consolidating the work of peace to which the five Powers have devoted their lively solicitude, and of placing in their true light the principles which actuate their common policy.

They were unanimously of the opinion that the five Powers owe to their interest, well understood, to their union, to the tranquility of Europe, and to the accomplishment of the views recorded in their Protocol of the 20th of December, a solemn avowal, and a striking proof of their firm determination not to seek in the arrangements relative to Belgium, under whatever circumstances they may present themselves, any augmentation of territory, any exclusive influence, any isolated advantages; but to give to that country itself, as well as to all the States which adjoin it, the best guarantees of repose and security. It is in pursuance of these maxims, and with these salutary intentions, that the Plenipotentiaries resolved to add to the preceding articles those which follow:

ARTICLE V

Belgium, within those limits that shall be determined and traced, conformably to the arrangements laid down in Articles 1, 2, and 4 of the present Protocol, shall form a perpetually neutral State. The five Powers guarantee it that perpetual neutrality, as well as the integrity and inviolability of its territory, within the above-mentioned limits.

ARTICLE VI

By a just reciprocity, Belgium shall be bound to observe the same neutrality towards all other States, and not to make any attempt against their internal or external tranquility.⁽¹¹⁾

In the subsequent meeting of the plenipotentiaries of January 27, the financial and other important questions were also arranged and new articles drawn up which, together with those decided upon on January 20, formed the so-called «Bases destined to establish the separation of Belgium from Holland,» commonly called the «Eighteen Articles.»⁽¹²⁾ In the latter document Articles VI and VII, referring to the perpetual neutrality of Belgium, are practically identical with Articles V and VI of the former Protocol.

The Protocols do not mention which Power was responsible for this proposal of neutralizing in perpetuity the new independent kingdom.

Neutralization as an institution of international law was then nothing entirely new as, in 1815, the Swiss Confederation had been declared a perpetually neutral state. The idea of neutralizing Belgium can, therefore, not be called a thing without a precedent. Nevertheless, the measure was yet so out of the ordinary that it must appear very strange that the Protocols which, otherwise, dwell on every detail of the deliberations, should just on this point keep absolutely silent and mention the decision of the plenipotentiaries that the new kingdom was to be neutralized as though it was the most natural, self-understood thing in the world. Neither do the standard works of history, as far as they have been available to me, throw any light on this subject. Even the «Encyclopedia Britannica» gives no clue, mentioning only that «the Powers recognized the independence of Belgium as a neutral state.»

The only detailed information on this subject is, apparently, contained in a special treatise on neutrality by the Belgian Professor Ernest Nys, who is considered one of the foremost authorities in this matter. The distinguished scholar relates:

«Already on November 15, 1830, Count Matuszewic (one of the two Russian plenipotentiaries) had elaborated a project in which he practically suggested the affirmation of a perpetual neutrality. The five Powers, by a protocol or treaty, were to guarantee in common the existence of the Belgian Kingdom and to declare that none of them could under any circumstances invade or occupy it without the consent of the four others; likewise, they were to guarantee Holland against a Belgian invasion.

«On December 20, Matuszewic and his colleague, Prince Lieven, had consented to the proclamation of the independence of Belgium; but they had made the utmost efforts to have her perpetual neutrality affirmed in order that she might serve as a sort of barrier against the encroachments of France (en quelque sorte de barrière contre les impiètements de la France).

«Is anybody anxious to ascertain the true sentiments of the English statesmen who protected Belgium and assisted in forcing that neutrality on her? Among the arguments which Palmerston, the Secretary of Foreign Affairs, invoked were considerations like the following: «The Belgians have always been a restless and turbulent nation. It seems necessary to condemn it in a way to a peaceful existence and to force it to turn its attention entirely towards commerce and industry, which will render it a great rival to France, every day, and more disposed towards Holland.

«It was Prince Lieven who reported this argument, in a despatch of January 22, 1831.»⁽¹³⁾

As Russia was politically quite disinterested in the affairs of Belgium, the fact that her plenipotentiaries should have taken the lead in the neutralization scheme seems most significant, if one remembers that Russia was under great financial obligations towards England.⁽¹⁴⁾ It seems perfectly clear that the scheme was conceived by the British Cabinet with a view to safeguarding the continental bulwark of England, cut loose from the Netherlands, against «French encroachments,» and that, for financial considerations, the Russians were used to promote the British scheme at the London Conference.

A French writer, Mr. Raymond Guyot,(15) gives a slightly different version of the origin of the neutralization scheme. He relates how, in January, 1831, i.e., quite in the beginning of the Conference, there was, for awhile, a complete deadlock in the negotiations of the Conference with Holland and Belgium for an armistice, as neither country wanted to yield to the proposals of the Great Powers. At that critical moment, the writer says:

«Talleyrand conceived of an expedient which would allow them to gain time and stop the conflict--the neutralization of the Belgian territories. The first effect of this solution was to grant the Powers the possibility of making the King of Holland--with military force, if that should be necessary--respect the territory assigned to the Belgians. Besides, it necessarily excluded every idea of an annexation of Belgium by France, which Palmerston always seemed to be afraid of. Finally, it created on our (i. e. the French) frontier, instead of a hostile, powerfully armed Power, as the Kingdom of the Netherlands was, a barrier which was insurmountable to invaders.»

In a letter to Lord Granville, Lord Palmerston reports on Prince Talleyrand's proposals, which centered around several important «frontier rectifications» in favor of France, and he states that the French plenipotentiary fought for them «like a dragon.» for two days. He adds:

«At last, we brought him to terms by the same means by which juries become unanimous---by starving. Between nine and ten, at night, he agreed to what we proposed, being, I have no doubt, secretly delighted to have got the neutrality of Belgium established.»(16)

This remark of the British statesman, not devoid of malicious joy, may possibly be interpreted as implying that Lord Palmerston had so ingeniously handled the situation that his French antagonist had been induced to propose the very scheme of the British Cabinet to the Conference. It is, however, perfectly clear that Prince Talleyrand's proposal was cleverly turned into something quite different from what he had meant it to be.

It is well known that «when the ink with which the arrangements had been signed was hardly dry,»(17) the same Prince Talleyrand came forward with another scheme for the welfare of Belgium, consisting in the partition of this country between France, Holland and Prussia, with Antwerp as a Free Port and City---unless England should claim the place for herself, though Talleyrand was afraid that she might turn it into a «Gibraltar of the North.»

This second scheme shows very clearly what the first one was worth: a diplomatic trick, a «hands off!» addressed to the Dutch; an urgency measure, at best. However, Talleyrand's colleagues at the Conference, notably Lord Palmerston, the plenipotentiary of the only other Power deeply interested in the negotiations, made something quite different out of the French diplomat's proposal. As Mr. Raymond Guyot points out, they «seized» upon Prince Talleyrand's proposed emergency measure and turned it into «a solemn avowal, and a striking proof of their firm determination, etc.» as set forth in the Protocol of the 20th of January.(18)

To England it was, indeed, of infinitely greater importance to keep the other Powers out of Belgium than to obtain for herself possession of any part of Belgian territory, even of Antwerp, which she has never half as much desired for herself as she has insisted that no other strong Power should put its hands upon.(19) To France, however, the «solemn avowal» contained in the Protocol of January 20th, so skillfully marshaled by Lord Palmerston, was utterly distasteful---which is sufficiently clear from the fact that she delayed her formal adherence to that Protocol till April.

Such was the origin of the Great Powers' decision that Belgium was to be a neutralized country. Henceforward, this stipulation forms a standing number in the various programs drawn up by the Conference to suit the wishes both of Belgium and Holland, with which countries it continued to negotiate in order to secure their acceptance of the «bases» for their separation.

These negotiations proved particularly difficult with Belgium as long as this country lacked the ruler provided for in the Belgian Constitution.

The election of a sovereign was, of course, the exclusive right of the Belgian people; however, the Great Powers, especially England, were determined not to have any prince on the Belgian throne who Might not suit their purposes.

The Belgians having, from the outset, decided that a prince of the house of Orange-Nassau would under no circumstances be acceptable to them, the crown, through French intrigues, was offered to the young Duc de Nemours, second son of King Louis-Philippe of the French. Naturally, if a French prince had occupied the new Belgian throne, French influence would have been so predominant in the new kingdom that its annexation by France could only have been a question of time. Lord Palmerston, therefore, took speedy measures to prevent such a possibility---he put before the plenipotentiaries a proposal according to which no prince of the ruling houses represented at the Conference should be eligible for the Belgian throne---which was accepted by all the plenipotentiaries except Talleyrand.(20) At the same time he brought all his influence to bear on the French monarch, who reluctantly withdrew his son's candidacy as, otherwise, a war with England seemed unavoidable.

After the equally successful elimination of another candidate, likewise undesirable to England, the British Cabinet obtained, on June 4, the election of its own protégé, Prince Leopold of Saxe-Coburg and Gotha, who had been married to the late Princess Charlotte of Great Britain and Ireland and was known to contemplate a second marriage with Louise of Orleans, daughter of the king of the French.(21)

With the assistance of the King-Elect, the negotiations of the Conference made quicker progress.

In the meeting of the plenipotentiaries of June 26, 1831, the Eighteen Articles were slightly modified to meet several objections of the Belgians who, among other things, had taken exception to the neutralization scheme, considering it an unwarranted interference in their internal affairs. The articles referring to the perpetual neutrality of Belgium were, therefore, worded as follows:

ARTICLE IX

Belgium, within the limits such as they shall be traced in conformity with the principles laid down in the present preliminaries, shall form a perpetually neutral state. The five Powers, without wishing to interfere in the internal administration of Belgium, guarantee to it that perpetual neutrality, as well as the integrity and the inviolability of its territory within the limits mentioned in the present Article.

ARTICLE X

By a just reciprocity, Belgium shall be bound to observe the same neutrality towards all other States and not make any attempt against their internal or external tranquility, reserving itself, however, the right of defending itself against all foreign aggression.(22)

The modified Eighteen Articles were, indeed, still far from meeting all the wishes of the Belgian people concerning their separation from the Netherlands. But as Prince Leopold gave it clearly to be understood that he would decline the crown unless those Articles were accepted, the Provisory Government at Brussels finally gave in and declared their acceptance. Thereupon, Prince Leopold took the oath on the Constitution, as first King of the Belgians, on July 21, 1831

The Conference, having thus succeeded in imposing their terms on Belgium, tried in vain to persuade Holland to accept them. King William flatly refused to sign those «preliminaries,» which, therefore, remained a mere draft of a treaty.

King William did more. He denounced the armistice between the two countries and invaded Belgium. He would not have had any difficulty in reconquering the «rebel-provinces» had not France, on Leopold's request, despatched thither at once a strong army, which kept the Dutch forces in check.

Meanwhile new negotiations and counter-proposals ensued in London, one notable feature being the draft of a separation-treaty proposed by Belgium, in which no mention was made of the perpetual neutrality.

Since, however, also on the basis of this draft, no agreement was reached with Holland, the Conference finally lost its patience and, on October 14, 1831, decided on a new treaty proposal, known as the «Twenty-Four Articles,» which it submitted to the two parties with the promise that the Great Powers would guarantee its execution, and with the threat that it contained the «final and irrevocable decision» of the Powers.

The Twenty-Four Articles are a rather lengthy instrument, which contains about all the provisions made necessary by an international act of such importance as the cutting-off of about one-half of an existing kingdom and making a new kingdom of it. They are a sort of liquidation of the United Kingdom of the Netherlands and a charter for the new Kingdom of Belgium, in one act.⁽²³⁾ Their main provisions are, therefore, a definition of that part of the domains of the King of the Netherlands which, henceforward, was to be independent Belgium, and, further, a division of all the rights and duties thus far vested in the United Netherlands among the henceforward separate Kingdoms of the Netherlands (Holland) and Belgium. The protocols and the notes annexed thereon leave no doubt that the question of the definition of the boundaries of Belgium and, next to it, the division of the public debt, were then considered by far the most important points of the proposed settlement.

The only article which is of interest for the purposes of this study is the one determining the future status of Belgium as a perpetually neutral state. It reads:

ARTICLE VII

Belgium, within the limits specified in Articles I, II and IV, shall form an independent and perpetually neutral State. It shall be bound to observe such neutrality toward all other States.

In this considerably modified form, the neutralization clause was destined to form part of the treaties concluded on the basis of the Twenty-Four Articles.

Holland, it is true, did not declare her willingness to be a partner to that proposed treaty for a number of years to come. Belgium, however, guided now by her Anglophile King Leopold, accepted the proposals of the Powers by the following note of her plenipotentiary in London, dated November 14, 1831:

His Majesty, desirous of sparing his people all the miseries which would be entailed by the forced execution of the twenty-four articles and not wishing to expose Europe to a general war, yields to the imperious law of necessity and accepts the hard and onerous conditions which are imposed upon Belgium by the Conference of London.⁽²⁴⁾

In consequence, on November 15, 1831, the five Great Powers concluded a treaty of twenty-seven articles with the Belgian plenipotentiary of which the Twenty-Four Articles, including the above-cited Article VII, formed, textually, Articles I-XXIV. This treaty does not contain any specific guarantee with regard to the perpetual neutrality of Belgium, as proposed in the earlier stages of the negotiations. It merely stipulates, in a quite general manner, the following:

ARTICLE XXV

The Courts of Great Britain, Austria, France, Prussia and Russia guarantee to His Majesty the King of the Belgians the execution of all the preceding Articles.

Moreover, Article XXVI announces that there shall be peace and friendship between the rulers and subjects of the Great Powers on one side and of Belgium on the other side---a provision not unnecessary, according to the spirit of the times, since, till the conclusion of that treaty the Belgians were considered rebels against their legitimate rulers, the King of the Netherlands---while Article XXVII stipulated that the treaty must be ratified and the ratifications exchanged simultaneously at London within two months.

The last-mentioned condition was not fulfilled, apparently because the different parties still entertained the hope that recalcitrant Holland, without whose consent the treaty remained, necessarily, a half measure, would be persuaded to accept it. On January 11, 1832, therefore, Lord Palmerston proposed an extension of the time limit fixed for the exchange of the ratifications.⁽²⁵⁾ On January 31st, Great Britain and France exchanged their ratifications with the Belgian plenipotentiary. ⁽²⁶⁾ On April 18th of the same year, Austria and Prussia ratified the treaty, «under the express reservation of the rights of the Germanick Confederation, relative to the Articles of the Protocol which regard the cession and exchange of a part of the Grand-Duchy of Luxembourg, forming one of the States of the Confederation,»⁽²⁷⁾ ---which was tantamount to nonratification as long as the legitimate ruler of Luxembourg, viz., the King of the Netherlands, would not sign the treaty. Some time later Russia also ratified the treaty, but withdrew entirely from the Conference on October 27th, declaring herself opposed to the coercive measures which, then, Great Britain and France had decided to use against Holland.⁽²⁸⁾

The merely conditional ratification of the treaty of November 15, 1831 by Austria and Prussia, naturally deprived that instrument of its generally binding force. This is clearly shown by an official note of the Belgian Acting Plenipotentiary to Lord Palmerston, dated June 13, 1832, in which he sets forth that the exchange of the ratifications not having taken place as stipulated, Belgium had to consider the treaty at least as a set of conventions with England and France, both of whom had ratified it, and no subsequent act could have rendered it other than obligatory for those two Powers; wherefore he calls on them to put it into execution.(29)

However, since, under those circumstances, the said treaty could not offer any guarantee to England that France, which then had a considerable army in Belgium to stop further hostilities by the Dutch, might not ultimately annex Belgium, Lord Palmerston considered it necessary to prevent this contingency by a special convention with France. This convention, concluded on October 22, 1832, states its object to be «to carry into execution the stipulations of the Treaty relative to the Netherlands, concluded at London on the 15th of November, 1831, the execution whereof, by the terms of Article XXV of the said Treaty, has been jointly guaranteed by their said Majesties» (i.e., the King of England and the King of France) «and by their Majesties the Emperor of Austria, the King of Prussia, and the Emperor of Russia.» It expresses regret that the three other Great Powers «are not at present prepared to concur in the active measures which are requisite for the execution of the said Treaty,» and stipulates that both France and England would evacuate Belgium as soon as the object of the intervention was attained.(30)

As a matter of history, the provisional settlement of the affairs of Belgium, arrived at in the treaty of November 15, 1831, was carried out by English and French arms during the subsequent months. The King of the Netherlands was soon obliged to give in, and concluded a convention with Great Britain and France on May 21, 1833, by which he promised to desist from all further hostilities against the Belgians, whilst the two Great Powers declared their former friendly relations with Holland re-established and promised to invite Austria, Prussia and Russia «to assist in settling a definite treaty.»(31) Belgium acceded to the said convention by an official note to the plenipotentiaries, dated June 10, 1833.(32)

The final settlement of the Belgian Question did not take place till six years later, when again the plenipotentiaries of the five Great Powers, together with those of Belgium and Holland, assembled at London for that purpose. They signed the so-called Quintuple Treaty on April 19, 1839.

The Quintuple Treaty is, in reality, a set of three treaties, concluded between the Great Powers and Holland, between Holland and Belgium, and between the Great Powers and Belgium, supplemented by an act of accession on the part of the Germanic Confederation to some of the arrangements of the main treaties.

The three treaties, the text of which, as put before the British Parliament in 1839, will be found in the Appendix(33), contain the uniform provision that the articles annexed to each of them (which are, in each case, the identical Twenty-Four Articles agreed upon by the London Conference on October 14, 1830 have to be considered «as having the same force and validity as if they were textually inserted in the present act» (i. e., the main treaties), «and that they are thus placed under the guarantee of their said Majesties» (i.e., the rulers of the five Great Powers and of Belgium and Holland).

Of the annexed Articles the one referring to the neutralization of Belgium reads as follows:

ARTICLE VII

Belgium, within the limits specified in Articles I, II and IV, shall form an independent and perpetually neutral State. It shall be bound to observe such neutrality towards all other States.

The neutralization Clause is, thus, identical with that of the treaty between the Great Powers and King Leopold, of November 15, 1831, which was formally declared as no longer binding.

The 24 articles that were annexed to the three treaties did not only settle the affairs of Belgium and Holland, but also vitally affected the territory of Luxembourg. The latter country, which, by the Congress of Vienna, had been raised to the rank of a Grand-Duchy to be governed, through personal union, by the King of the Netherlands, was violently claimed by the Belgians, to be included in their new kingdom, a measure repudiated with equal violence by King William of Holland. The London Conference effected a compromise by reducing the Grand-Duchy to about half its original size and ceding

the remainder to Belgium, wherefore there exists, since then, an independent Grand-Duchy and a Belgium province of the same name. However, Luxembourg had, since times immemorial, formed part of the Holy German Empire and was, consequently, included in the «Germanic Confederation,» newly established at the Congress of Vienna. For this reason, the plenipotentiaries, to avoid further trouble, had to arrange that the Germanic Confederation formally agreed to the cession of a part of one of her states to a foreign sovereign. This was done by the Act of Accession, the text of which is likewise reproduced in the Appendix.(34)

The Quintuple Treaty does not contain any clause with regard to the time at which its provisions should come into operation. Evidently this was not considered necessary by the compilers, as, at the time of its conclusion, the separation of Belgium from the Netherlands had long been carried out de facto, and the territories assigned to both countries were in the actual possession of the two respective governments. The treaties, therefore, can be said to have in the main only sanctioned the state of affairs which existed in 1839, as a consequence of the Belgian revolution and of the intervention of the Great Powers by negotiations and by armed force.

A few words may be added concerning the attitude of the Belgian people towards the neutralization of their country.

There seems to be an idea prevalent, especially in the United States, that the German Powers in deciding on that neutralization had conferred a special beneficence on Belgium.

It would even seem as tho some among the leaders of the Pacifist Movement had considered the status of neutralization of a country as one of the most promising solutions of the great problem of establishing eternal peace among the nations, and, therefore, look askance at Germany for having disregarded it in the case of Belgium. Professor A. G. de Lapradelle, the present exponent of French law at Columbia University, plainly gives voice to this way of reasoning, in a recent essay.(35)