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Incomplete Negotiations: The Belgium Case

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Abstract

Why do some negotiations end in agreement and some do not? Are there lessons that can be learned from studying negotiations that did not end in agreement? In this paper, I examine the history of 19th century Belgium and the events that led up to the negotiations over its future in 1830, which ended without agreement. The Kingdom of the Netherlands which consisted of Belgium, Luxembourg and northern Netherlands was formed at the Vienna Congress in 1815 with a specific purpose of serving as a buttress against French expansion. In 1830, due to unfavorable treatment by the Dutch, the Belgians rebelled and declared independence. This paper analyzes reasons for the lack of agreement in the negotiations that took place at the London Conference between the Dutch and the Belgians with the great powers of Europe (Russia, Prussia, Austria and Great Britain) acting as mediator. The reasons that contributed to lack of agreement in negotiations were the following: the actors all had perceived power asymmetry; the great powers were ineffective in their role as a mediator due to their own strategic interests; there was a lack of trust between the negotiators as well as towards the mediator; King William I could not see benefits of Forward-Looking Outcomes that the neutrality of Belgium could bring to his country; finally, during the course of negotiations the mediator neither created nor provided opportunities for Mutually Hurting Stalemates or Mutually Enticing Opportunities. As a result of these different factors, the negotiations between the Dutch and Belgium did not reach agreement. These reasons can be used to understand the outcomes of other negotiations as well as to provide guidelines for effective negotiations.

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Incomplete Negotiations: The Belgium Case

Dragica Fridl

I. INTRODUCTION

History teaches us that at times small powers due to their geographic location and relevance can play a key role in international politics. Nineteenth century Belgium¹ was a rare ‘jewel of Europe’. It was the most sought after ‘prize’ and an intriguing puzzle for both eager conquerors and presumptuous European diplomats. No other country enjoyed such an attractive strategic geographic location, which since early times made it a major arena for its neighbors. This ‘European crossroads’, was the easiest path between France and Germany and the best avenue for entry of British goods to the Continent. The most solid evidence of its centrality and strategic relevance remains an incredible historical record of 21 battlefields within the present Belgian boundaries during ancient times, 352 in medieval, and 618 between 1500 and 1932.² This paper will analyze Belgium’s turbulent fate in the 19th century when the country found itself in the hands of great powers serving their strategic purpose. It will focus on the negotiations that took place over the fate of Belgium within the international system of balance of power. The primary goal is to analyze the events that led up to the negotiations and the process of negotiations in order to determine the reasons why the

¹ Central Belgium consisted of a corridor, which extended from the Aachen area in the western Germany to the Lille-Maubeuge region of northern France.

negotiations did not end in agreement. By analyzing the process that took place and explaining the outcome through negotiations theory, this paper seeks to contribute to the field of negotiations as one can learn as much from negotiations that do not end in agreement as from the ones that do.

II. HISTORICAL BACKGROUND

Next to its central geographic location, frequent invasions of Belgium territory were also a result of its economic significance for the region. The Belgians were the first to construct national rail system and second to the English in entering the Industrial Revolution.³ Belgian Provinces remained a persistent object of contention between the French to the west and the Germans to the east, while both Spanish and Austrian monarchs ruled the provinces from 1556 to 1792. The French however remained the fiercest and most adamant claimants of Belgian territories. They captured the Belgic Provinces in 1792, lost them the following year, only to regain and annex them in 1794.⁴ In addition, the period between 1776 and 1790 was characterized by instability and a series of insurrections that broke out in different countries.⁵ This period of volatility ended in 1814 with the disintegration of Napoleon's empire, which put Belgium's fate in the hands of European diplomats. Napoleon's defeat at Waterloo and the loss of the Belgic Provinces, even though it caused heartache for the French, did not discourage them from pursuing their dream of re-annexation of Belgium.⁶

² A. de Winter, *La Belgique Champ de Bataille de L'Europe*, pp. 26-27, 51-54. 105-110.

³ Daniel H. Thomas, *The Guarantee of Belgian Independence and Neutrality in European Diplomacy, 1830s-1930s*, p.5.

⁴ Ibid.

⁵ These included the American Revolution of 1776, revolutions in Holland, Sweden, Ireland and Geneva as well as the Brabant Revolution, the Liege revolution in 1789 and finally the French revolution. Adrien de Meeues, *History of the Belgians*, p. 236.

⁶ The French were encouraged by the fact that the majority of the Belgians spoke French and had already accepted French institutions. French authorities came back to the idea in 1829 and made an unsuccessful

With the fall of Napoleon, the Holy Alliance developed into a super-national league for the suppression of revolutions and the upholding of the principle of monarchical legitimacy.⁷ The actions taken by the Holy Alliance almost erased the dividing line between international affairs and the domestic affairs of a State. It represented an imposition of a regime by external force and an intervention in the internal affairs of a state in the most flagrant manner. Some authors have asserted that the conclusion of the pious terms of the Holy Alliance⁸ in 1815 between Tsar, the Emperor of Austria and the King of Prussia as well as the righteous resolutions adopted three years later by the Congress of Aix-la-Chapelle of 1818,⁹ concerning the sanctity of international treaties were a “mere staged show”.¹⁰ According to their opinion, the emphasis on law and religion served only to mask the real intention of the Powers. Throughout the years, their main goal was to maintain the territorial status quo and to prevent democratic tendencies from threatening the privileges of the governing classes and the absolute rule of the princes. The central goal of European powers was buttressing the well-established balance of power system determined at Vienna

pursuit of annexing Belgium. This was part of a scheme of Prince Jule de Polignac, who became foreign minister and minister of war. The council of state decided to propose that the Belgian provinces be annexed by France and the Dutch by Prussia. The British were to be offered the Dutch colonies and if they refused to acquiesce. In Sir A. Ward and G.P. Goosch, eds., *Cambridge History of British Foreign Policy 1783-1919* (3 vols., New York, 1922-23), II, 122-23; See also Alfred Stern *Geschichte Europas seit der Vertragen von 1815 bis zum Frankfurter Frieden von 1871* (10 vols., Berlin 1894-1924), III, p.189.

⁷ Woolsey, *Introduction to the Study of International Law*, p. 49.

⁸ According to Alan Sked in *Europe's Balance of Power 1815-1848*, the Holy Alliance was the ‘vague document ever to trouble European diplomacy’. It bound its signatories to base their foreign policies upon the ‘receipts of justice, charity and peace, to treat their fellow sovereigns as ‘brothers’ and to acknowledge that the Christian nation as a whole had ‘no other sovereign’ save “God, Our Divine Savior, Jesus Christ’. They were also to recommend His teachings to their peoples to bring about the ‘happiness of nations’. p. 4.

⁹ At the Congress of Aix-la-Chapelle in 1818 France was admitted as an equal member into the ranks of the great powers and she based her claim for admission on the principle that she might be called upon to maintain order in her neighboring states. In C.K. Webster, *The Foreign Policy of Castlereagh 1815-1822* (1925) p. 146.

¹⁰ Emile Cammaerts, *The Keystone of Europe*, p.1

regardless of the cost this effort entailed.¹¹ The peace settlements reached at the Peace of Paris in 1814 and the Treaty of Vienna in 1815¹² clearly reflected the value of the state over the nation. During this period territories were bartered among the sovereigns.¹³

Between 1815 and 1848 intervention was a device used by Great Powers¹⁴ to control and assist the governments of weaker states. They however wanted to differentiate between intervention and war and even though they did intervene on a number of occasions, none of those acts were preceded by a declaration of war. There was a manifest determination amongst the Great Powers to establish the principle that intervention by force in the internal affairs of another state was a legitimate and legal act. Congresses, treaties and peace acts, which were quite frequent during this period, were a way of establishing, formalizing and confirming that legitimacy. The powers derived their legitimacy of intervention from the shared assumption established by

¹¹ Ibid.

¹² The aspirations of the diplomats assembled in Vienna had not only been to maintain France within her old frontiers, but also to erase the outcome of the last twenty-five years, which had transformed the political outlook of Europe. It took only fifteen years to demonstrate how vain and unrealistic this had been. At the time of the Congress of Vienna, the main obsession of the European powers, which included Austria, Great Britain, Prussia and Russia, did evolve around the French and their role as well as aspirations in Europe, especially when it came to their lost territories. Beyond answering the numerous questions of frontiers and territory following collapse of the French Empire, the Congress of Vienna aimed at designing a powerful mechanism and a system of power that would prevent the potential dominion of Europe by any single power. Balance of Power was the number one item on the agenda and it was to be maintained at whatever cost. Emile Cammaerts, *The Keystone of Europe*, p. 1

¹³ When one sovereign lost a contested territory, he was compensated with another. The use of the term “souls” rather than “citizens” to refer to populations a sovereign would receive in compensation symbolized the view that states existed apart from their people. This is also evident in fact that dynastic claims over territory were favored over national claims by newly liberated peoples throughout Europe. The Belgians, Norwegians, and Poles were replaced under foreign rule; Belgium was incorporated into Holland and Norway into Sweden. Germany and Italy remained fragmented and disunited by design, even though Britain preferred a united Germany to help maintain a balance of power in Central Europe. In resolving the Polish question, Austria retained Galicia and Tarnopol and Prussia was given Posen and Thorn. The remainder of the Duchy of Warsaw came under the authority of the czar of Russia. In addition, Prussia obtained two-thirds of Saxony.

¹⁴ The four great powers that defeated Napoleon and restored peace and independence to the states of Europe were Austria, Great Britain, Russia and Prussia.

binding treaties, that they were guardians of the peace of Europe. This principle was evident in the words of Austrian minister Klemens von Metternich who asserted:

“when domestic social unrest makes it impossible for a government to meet its treaty obligations that bind it to other countries, the right to intervene belongs as clearly and indisputably to every government which finds itself in danger of being drawn into the revolutionary maelstrom, as it does to any individual who must put out a fire in his neighbor’s house if it is not to spread to its own.”¹⁵

The right to intervention was presented in a positive light, as great powers helping weaker states uphold their treaty obligations, rather than great powers meddling into the affairs of other states. ¹⁶ Fearing more revolutions and insurrections with the exceptions of Great Britain and France, the Powers in November 1820 adhered to the Troppau Protocol, which stated that:

“States which have undergone a change of Government due to revolution, the results of which threaten other states, *ipso facto* cease to be members of the European Alliance, and remain excluded from it until their situation gives guarantees for legal order and stability. If owing to such alterations immediate danger threatens other states, the powers bind themselves, by peaceful means, or if need be by army to bring back the guilty state into the bosom of the Great Alliance.”¹⁷

Intervention remained central to the ‘Congress System’ and rather controversial as Great Britain strongly opposed the Powers intervening into the affairs of other states.¹⁸ British Foreign Secretary Castlereagh rejected the Protocol and the claim that intervention was the duty of the Alliance and officially declared the text as a clear

¹⁵ Kalevi Holsti, “Governance Without Government: Polyarchy in Nineteenth-century European International Politics,” in James N. Rosenau and Ernst-Otto Czempiel, eds., *Governance Without Government: Order and Change in World Politics* (Cambridge, England: Cambridge University Press, 1992), p. 261.

¹⁶ This common policy and the way of thinking was undermined in the 1820s and 1830s by disagreement amongst the great powers as to what constituted disorder and whether turmoil in a particular country constituted a threat to the peace of Europe.

¹⁷ Alan Sked, *Europe’s Balance of Power 1815-1848*, p. 6

violation of international law.¹⁹ Castlereagh established the British position in a paper of May 5, 1820, stating that the Quadruple Alliance was an alliance for the “liberation of a great proportion of the Continent of Europe from the military dominion of France...It never was, however intended as an Union for the Government of the World or for the Superintendence of the Internal Affairs of other States.”²⁰ Britain and France believed that the right to intervene rested solely on the appeal of the government in distress for assistance. They adamantly rejected the argument that a right of intervention belonged to the alliance of five powers. However most of the disagreement between the Powers was more about the nature and the purpose of the five-power alliance and the contest for its leadership rather than a debate about the principle of intervention.²¹

The great powers of Europe perceived the act of recognition of new states as a stabilizer of security and a tool for the maintenance of the equilibrium among states. New entities were recognized as independent states in order to support the balance of power system. The great powers were bound by no principle of the self-determination of peoples or ethnic groupings.²² For the people and for their governments, the determination to return to peace was far more compelling than liberal and nationalist ideas.²³

¹⁸ For the text see Kenneth Bourne, *The Foreign Policy of Victorian England 1830-1902* (Clarendon Press; Oxford, 1970) pp. 198-207.

¹⁹ C.K. Webster, *The Foreign Policy of Castlereagh 1812-1915*, vol. II. pp. 322-323.

²⁰ Castlereagh's Confidential State Paper of May 5, 1820, in Ward and Gooch, eds., *Cambridge History*, vol. II, pp. 626-27.

²¹ Roger Bullen, *The Great Powers and the Iberian Peninsula, 1815-48* in Alan Sked, *Europe's Balance of Power 1815-1848*, p. 56.

²² Although nationalism was certainly used at the time, its expression and practice was strongly discouraged.

III. BELGIUM – THE BUFFER STATE

A French ambassador at the time of Louis XIV commented that “The English will give the shirts off their backs to prevent the French from penetrating into the Low Countries.”²⁴ Both the French and the British maintained a close interest in the fate of the Belgic Provinces.²⁵ For military and economic reasons, the Northern Netherlands also had a great stake in the fate of Belgium.²⁶ In the 18th century, long fortresses stretched along the border between the Habsburg-owned Austrian Netherlands (Belgium) and France. Interestingly, even though the fortresses were on Austrian soil, they were manned by Dutch garrisons in the interest of Europe.²⁷ It was soon realized that fortification did not represent enough of a barrier to stop the northward expansion of the French troops.²⁸ As a result, during the height of the allied offensive against Napoleon in the fall of 1813, the stadtholder-in-exile, later King William I of the Netherlands, requested the cession of all Belgium to Holland in order to build a new barrier against French aggression.²⁹

²³ Alan Sked, *Europe's Balance of Power 1815-1848*, p. 15.

²⁴ Herman Vander Linden, *Belgium: The Making of a Nation*, trans. Sybil Jane (Oxford, 1920), p.161.

²⁵ The main reason behind this was Britain's strong belief that their possession by France or any other country in Europe would upset the balance of power and pose a threat to the British Isles. They were fully aware of the danger implied by the shrewd comment made by Napoleon: “Antwerp in the hands of a strong France was a pistol pointed at the heart of England.” Sir James Headlam-Morley, *Studies in Diplomatic History*, (London, 1930), ch. VI, “The Problem of Security”, cited in Daniel H. Thomas, *The Guarantee of Belgian Independence and Neutrality in European Diplomacy, 1830's-1930's* (1983) p.6.

²⁶ These concerns were the capstone governing the politics and conduct of foreign affairs of the great European powers towards Belgium. Even though its size and military strength seemed insignificant, due to its geographic location and strategic relevance for the peace in Europe, Belgium's destiny was closely tied with the interests of Great Britain, France and Germany. This country represented the focal point on which the interests of the European powers converged. In turn due to the fact that most of its history is characterized by foreign rule, Belgium depended on the great powers both militarily and diplomatically.

²⁷ The Austrian presence significantly impacted the balance of power calculation as Austria was one of the four guarantors of the perpetual union of the Austrian Netherlands with the united provinces to the north. Britain, Prussia, and Russia were the other three guarantors.

²⁸ Ernst B. Haas, *Belgium and the Balance of Power*, pp. 7-8.

²⁹ William I to Castlereagh, November 9, 1813 and Castlereagh to Aberdeen, November 23, 1813, cited in G. J. Renier, *Great Britain, and the Establishment of the Kingdom of the Netherlands 1813-1815* (London, 1930), pp. 205-207.

The Kingdom of the Netherlands which was created at the end of the Napoleonic Wars ³⁰ was one of the most deliberate and carefully motivated decisions of the Quadruple Alliance of 1814.³¹ The unhappy union of the United Netherlands consisted of Belgium, Luxembourg and northern Netherlands.³² The powers disposed of the Southern Netherlands first at the Peace of Paris on May 30, 1814, and by the Final Act of the Vienna Congress on June 9, 1815 which stated:

“In the interests of European peace, and of the balance of power, the Southern provinces were joined to the Northern Netherlands under the sovereignty of the House of Orange-Nassau, in order to form together an indivisible state under the constitution already existing in the North, altered to meet the circumstances.”

William I was appointed as the new “legitimate” king and accepted this disposition on July 21, 1814 and from March 16, 1815 commenced his rule of the amalgamated kingdom.³³ The Treaty of Vienna never consulted the Belgians about the decision to unite them with Holland in order to form a barrier against any French expansion and to preserve peace in Europe.³⁴ Belgians who had a history of conquests of their territory and rule by other powers, perceived themselves as voiceless and knowing the ‘rules’ of the balance of power system, their inexperienced diplomats readily acquiesced to the wishes of the powers. On the surface, Holland took all possible measures to guarantee

³⁰ John W. Rooney, Jr., *Revolt in the Netherlands Brussels – 1830* (1982) p. 1.

³¹ Ernst B. Haas, *Belgium and the Balance of Power*, p. 7.

³² Arthur Wellesley Wellington, Dispatch, Correspondence, and memoranda of Field Marshal Arthur, Duke of Wellington (London, 8 vols., 1867-80), “Statement of the Expenditure on the Fortresses of the Pays-Bas during the year 1829,” and “Statement in English Currency of the Expenditures on the Fortresses in the Netherlands to 31st December, 1829.” These enclosures are attached to the letter of colonel Jones to the Duke of Wellington, 12 May 1830, pp. 32-33 in *Revolt in the Netherlands Brussels – 1830*, (1982) p. 1.

³³ The primary goal of the Congress of Vienna was to establish a new balance of power in Europe, which would prevent imperialism within Europe, and maintain the peace between the great powers. Moreover, it hoped to prevent political revolutions such as French Revolution and maintain status quo. Ernst B. Haas, *Belgium and the Balance of Power*, p. 6.

³⁴ Adrien de Meeus, *History of the Belgians*, p. 262

that the relationship between the south and north would be based on equality.³⁵ However, in reality it was a source of disappointment for the Belgians whose dissatisfaction and grievances only increased exponentially over time.

The worsening situation only exacerbated the differences between two peoples. The antipathy between the Belgian people and the Dutch is founded on the diversity of commercial and agricultural interests between the two parts of the kingdom as well as on the opposition between the religious principles.³⁶ With respect to economy the Dutch had the traditional economy of trade and very open while Belgians had less developed local industries. Hence, while the Dutch wanted free trade, the Belgians called for the protection of tariffs. Religion and language also pointed towards significant differences between the French speaking Roman Catholic south and the Dutch speaking Protestant north. Belgians demanded higher role for the Church in the government which went against the desires of the Dutch. These differences were probably not sufficient to cause a riot however the worsening situation within the Kingdom and the oppression of the Belgian population awakened nationalistic feelings helping the Belgian people develop a strong sense of national identity and unifying them in their fight for freedom.

IV. KING WILLIAM'S REIGN

History has shown that even an unlikely union between different groups can survive the test of time provided it has strong leadership able to afford the necessary balance and accommodate diverse needs. King William's rule proved to be a bitter

³⁵ Two capitals were established in Brussels and at The Hague, and the Estates General was appointed to sit in each alternately. No discrimination was allowed between the two peoples, and there was to be an equal number of Belgian and Dutch deputies, which was to ensure that no part of the country would have a chance of oppressing the other. The Constitution guaranteed freedom of worship for both groups. Ibid. pp.262-263.

³⁶ Matternich, *Memoirs*, Metternich to Wessenberg, Oct. 3, 1830, vol. V pp. 35-36.

disappointment to the Belgian people.³⁷ In response to the threat posed by Napoleon's return from Elba, William I appointed a select commission of Belgians and Hollanders to consider codifying the Fundamental Law of the Kingdom.³⁸ Another point of contention and Belgian frustration was the fact that they bore greater responsibility in paying taxes.³⁹ Belgian notables decided to reject the modified Fundamental Law and as the bourgeoisie of Belgium increased in economic power, they demanded a greater role in solving political and social questions. Instead of trying to accommodate the Belgian demand, William I disregarded their claim and proclaimed the law as accepted.

Despite disagreement with William's ruling, the Belgians initially were divided. Walloon and Flemish differences, although important, did not yet have a major effect upon political alignments. The clerical question did, as the Catholic party defended the position and authority of the Roman Catholic clergy while the Liberals, under the influence of the principles of the French Revolution, demanded more toleration and less clerical influence. Yet both Catholic and Liberals were Roman Catholics, and in their Catholicism shared a dislike for living under Protestant rule.⁴⁰ By his poor judgment and bad policies, William managed to unite Liberals and Catholics into a united opposition. On November 8, 1828 a National Coalition of Catholics and Liberals was formed under the fitting name of the Union of Opposites. It endured for 14 years.

³⁷ Many foreign diplomatic observers noted that King William I did not have the capacity and leadership skills necessary to keep the union together. He failed to understand the religious and cultural sensitivities of the Belgians. Ibid. p. 20.

³⁸ Ministers were responsible only to William, the King appointed over half of the Senate, and the Second Chamber could only reject or approve but not amend legislative proposals. A problem came about with respect to representation in the Chamber. The Belgians whose region possessed 3,400,000 inhabitants compared with Holland's 2,000,000 insisted that representation be proportionate to the size of the population. Edmundson, *The Low Countries, in the Cambridge Modern History*, Vol. X, p. 521,

³⁹ Even though the two regions were to share their joint debts, the Belgians' liabilities amounted to thirty-two million florins while those of Holland were two billion. The Belgians thus were obliged to pay taxes to finance a debt which was mostly not theirs. Jonathan E. Helmreich. *Belgium and Europe: A Study in Small Power Diplomacy*, p. 10.

The fact that the Dutch always thought of Belgium as a territory annexed to Holland rather than as equal part of the state did nothing to alleviate grievances of the Belgians.⁴¹ Even as early as 1819, the animosity between the Belgium and the Dutchman was difficult to ignore.⁴²

Failing to recognize the signs of growing displeasure, King William made an attempt to promote national feeling of unity by urging the acceptance of Dutch as the national and official language. This caused not only an outrage but a problem for Belgians who spoke French or Walloon, which included nearly all the professional men and leaders of society. Even though some concessions were made in 1829, by then a majority of the leading figures of the south, receiving considerable support both in Flanders and in Wallonia, were calling for autonomy from Dutch rule.⁴³ It was only a matter of time when Belgian grievances would turn into violent protest.

V. THE BELGIAN REVOLUTION

“What danger can a slave incur?
Better to die than live in slavery.
Throw off the yoke of the oppressor
And let the stranger fall into our blows.
Sacred love of country give us fortitude and audacity.
My country gave me life,
I shall give it liberty?”

⁴⁰ Jonathan E. Helmreich, *Belgium and Europe: A Study in Small Power Diplomacy*, p. 11.

⁴¹ From the very start the Dutch made their intention clear of keeping control of most governmental and administrative posts. The home ministry employed 117 Dutch officials compared to 11 from Belgium in 1830; of the army's approximately 2500 officers, less than a fifth were Belgian. Edmundson, *The Low Countries* p. 525.

⁴² A large number of songs appeared in Belgium attesting to this: “I'm not a Dutchman, And I don't want to be one. Yes, I am a Belgian, And that's what I think is grand. And I am proud, upon my word, Of the name of my Fatherland. Adrien de Meeus, *History of the Belgians*, p. 263.

King William wrongly assumed that the patriotic lyrics of an opera could not cause a disturbance. He saw no apparent reason to ban the performance of *La Muette de Portici* in Brussels on August 25, 1830, even though it had previously been prohibited.⁴⁴ It was precisely these lines of sacrifice, bravery and righteousness that moved the audience and emboldened their deeply engrained patriotic feelings. At the beginning it was not clear whether the revolt was aimed at the Great Netherlands state, Protestantism, and constitution, the system of government, the government itself, or the dynasty. The one thing that was clear was that it represented an attack of Belgium on Holland.⁴⁵

Even though William's overconfident temperament and political ideology played an important part in the causes of the revolution, they provide insufficient explanation of the events which unfolded. The Revolution occurred for more profound reasons. Frequently, language, religion, and economics have been viewed as the underlying causes of the revolt. Interestingly enough, British diplomats, pointed to these factors as potential problem areas as early as 1814.⁴⁶ The basic causes of the eruption of 1830 were the deep beliefs of each people that they were different, and that their uniqueness would be overshadowed by the other. This belief of "separateness" which was being violated by the Dutch who were trying to dominate the Belgian people created a feeling of animosity and grievance.⁴⁷

⁴³ Jonathan E. Helmreich. *Belgium and Europe: A Study in Small Power Diplomacy*, p. 12. See also Strikwerda, *House Divided*, p. 27-30.

⁴⁴ John W. Rooney, Jr., *Revolt in the Netherlands Brussels – 1830* (1982), p. 1.

⁴⁵ E. H. Kossmann, *The Low Countries 1780-1940*, p. 151.

⁴⁶ Public Record Office, Diplomatic Archives, FO 37/81, James to Castlereagh, 27 October 1815, p. 7 November 1815, 14 November 1815, and FO 37/88, 10 February 1815 in John W. Rooney, Jr. *Revolt in the Netherlands Brussels – 1830* p. 4.

⁴⁷ For an in depth analyses on the Belgian dislike for the Dutch see Augustus Beamount, *Adventures of Two Americans in the Siege of Brussels, September 1830* (Cornhill, 1831).

The Bruxellois did not at first think about demanding a complete separation from Holland.⁴⁸ Instead of the anticipated and much feared French oppression in September of 1830, the European powers faced the challenge of internal revolution. Berlin, London, Vienna and St. Petersburg were confronted with the decision of whether to lead armed aid to Holland in maintaining the status quo or whether a different course was to be followed.⁴⁹ Each of them individually considered what was in the best interest for their countries. Tsar Nicholas I of Russia was interested in the success of the Netherlands for military, dynastic, and economic reasons and he profoundly feared French expansion.⁵⁰ The foreign minister of the new French government, Count Mole, faced a dilemma regarding the issue of whether France should allow the dispatch of British and Prussian troops to Belgium to restore order or whether the proper policy should be to give aid to the insurrection. Another option for the French was to stay neutral in this matter and leave things up to the other European powers. During the rebellion, the British seemed to support the Belgian efforts to challenge the existing order and break into the European system. At first, London's reaction to the riots was nonchalant.⁵¹ The British Foreign office was convinced that the Brussels affair centered on local grievances. The Tory Prime Minister at the time of the revolt, the Duke of Wellington, regretted the disruption of the Vienna system, however at the time he did not want to pledge British military aid to King William I, partly because he

⁴⁸ An assembly of notables met three days after the outbreak and sent a delegation to ask the King to consider Belgium's grievances and to discuss them with the States General. A Committee of Public Safety was formed of which the majority were moderates. Revolutionary groupings did call for a provisional government but until September 20, it was all in vain. Jonathan E. Helmreich, *Belgium and Europe: A Study in Small Power Diplomacy*, p.6.

⁴⁹ Ernst B. Haas, *Belgium and the Balance of Power*, p.16

⁵⁰ Tsar's sister Anna had married William, Prince of Orange, the heir to the Dutch throne. Of greatest concern to Nicholas, was the fate of the agreement of 1815, by which the Kingdom of the Netherlands agreed to pay a rather large sum to Russia in gratitude for having been liberated from the Napoleonic yoke by the Russian army. Parliamentary Papers (Common), 1831/1832, vol. 26, "Conventions between Great Britain and the Netherlands, 1814 and 1815," p. 349ff.

regarded him as a weak ruler and partly because Britain was rather militarily weak. England's interests necessitated stable relations with France, and when Mole indicated that France wished arrangement of the Belgian matter, the Duke was willing to cooperate.⁵²

Mole took initiative by telling the Prussian ambassador in Paris, Werther, that France would refrain from any intervention in any country on her borders, as long as no other major European state intervened first. By announcing this, France proclaimed that any entry of Prussian troops into Belgium would be followed immediately by the involvement of the French army as well.⁵³ This decision was rejected by the European powers and only the British cabinet expressed conditional agreement. Other powers were more willing to get involved. The Prussians had mobilized at once and were prepared to march into Belgium.

On October 5, 1830 King William I finally made an appeal for help to end the insurrection. The Dutch monarch based his appeal on the Treaty of the Eight Articles, which has made the victorious powers guarantors of his dominions. The French government was the first to take the initiative. It appointed the experienced diplomat Talleyrand as the new ambassador to the Court of St. James. His task was to persuade the British government to call a conference of all the interested powers to resolve the issue.⁵⁴ William's ability to end the revolt was questionable. However even attempting to do so might have caused the French to move in and aid the Belgians and the Orange

⁵¹ Wellesley, *Dispatches*, Wellington to Aberdeen, 31 August 1830, VII, pp. 216-17 in Rooney p. 127.

⁵² Jonathan E. Helmreich, *Belgium and Europe*, p. 14

⁵³ Ernst B. Haas, *Belgium and the Balance of Power*, p. 17.

⁵⁴ *Ibid.* pp. 18-19.

monarch was not in a position to risk a war against France without European support.⁵⁵ In the meantime the fighting continued and a large volunteer force arrived from Wallonia to defend Brussels against the Dutch army. Belgians fought fiercely and defeated the Dutch in a battle that lasted for three days outside the Brussels palace. On September 27 the Dutch withdrew.⁵⁶ The Belgians rather quickly formed a provisional government, which declared independence on October 4, 1830. On November 3, a National Congress was formed by an electorate of 30,000 men and on November 18 the National Congress of Belgium declared its independence.⁵⁷ Belgium's declaration of independence was the starting point for negotiations among the great powers of its future.

VI. THE LONDON CONFERENCE NEGOTIATIONS

The Conference of London⁵⁸ opened on November 4, 1830 and was crucial in determining the future of Belgium. The Great Powers, rather than Belgium and Holland, occupied themselves with establishing the arrangements to “combine the future independence of Belgium with the stipulations of the Treaties, with the interests and security of other Powers, and with the preservation of European equilibrium.”⁵⁹ The great power diplomacy of the Alliance period was characterized by a general sense of community and the belief that the collective needs of all took precedence over the particular interests of individual members. From the beginning, the preservation of the

⁵⁵ Daniel H. Thomas, *The Guarantee of Belgian Independence and Neutrality in European Diplomacy, 1830's-1930's* (1983) p. 15.

⁵⁶ Jonathan E. Helmreich, *Belgium and Europe: A Study in Small Power Diplomacy*, p. 13.

⁵⁷ Juste, *Histoire du Congrès National*, vol. I, pp. 54-55.

⁵⁸ There was much debate regarding the location where the conference should be held. During the month of October 1830, there were three possible locations: The Hague proposed by King William; Paris which was favored by the French government and London which was insisted upon by the Duke of Wellington. It was Talleyrand's and Wellington's insistence on having it in London that prevailed at the end. J.S. Fishman “Diplomacy and Revolution, pp. 62-63.

⁵⁹ John Rooney, Jr., *Revolt in the Netherlands Brussels – 1830*, pp.183-4.

peace was established as the goal of post-Napoleonic diplomacy, and even though their focus and fear was around France, it entailed any other state which may pose a threat to Europe's stability.⁶⁰

The plenipotentiaries of Great Britain, Austria, Prussia, Russia and France declared at its first session that it would not even be possible to reunite the two countries without war.⁶¹ The rivalry at the conference was mainly between England and France and both took the initiative in determining the future of Belgium. It was Lord Palmerston, one of the ablest Foreign Secretaries England ever had and the French Ambassador Prince Talleyrand, the most prominent figure in European diplomacy of that time, who gave Belgium her status among the European nations, naturally to suit their own countries' purposes.⁶² On its first day, the Conference issued the first of its seventy protocols. It ordered the establishment of an armistice and the evacuation by both parties of all areas, which had not formed a part of their respective territories prior to May 30, 1814.⁶³ The first protocol declared the withdrawal of all troops.⁶⁴

A change of British governments did not work in favor of the Dutch as even before Palmerston replaced Wellington, the Belgians made a gain when the conference proposed an armistice based on the borders given Holland by the Treaty of Paris of 1814. The protocol further benefited the Belgians by referring to them not as rebels but as recognized belligerents which significantly promoted their cause in further

⁶⁰ Metternich established a principle which was later implemented and became a dominant way of thinking and that was that the European interest stood on a higher level and always had precedence over the interests of individual states. J. S. Fishman, *Diplomacy and Revolution*, p. 72.

⁶¹ John Rooney, Jr. *Revolt in the Netherlands Brussels – 1830*, p. 183.

⁶² *Ibid.*

⁶³ Ernst B. Haas, *Belgium and the Balance of Power*, p. 20.

⁶⁴ It stated: "The troops of both parties shall withdraw behind the line which before the treaty of May 30, 1814 separated the territory of the Sovereign Ruler and the United Netherlands from the provinces added to his dominions to form the Kingdom of the Netherlands." John Rooney, Jr. *Revolt in the Netherlands Brussels - 1830*, p. 25.

negotiations.⁶⁵ Some of the main problems that arose at the conference were related to the questions of boundaries, the division of the national debt and the navigation of the rivers and canals. The international aspects included a buffer between France and state to the northeast and the problem of the balance of power and general security.⁶⁶ There was a uniform belief among the European Powers that a monarchy rather than a republic would be a preferred form of government for Belgium. A republic could not have been acceptable to Palmerston and would never have been tolerated by the Conservative Powers. Some politicians went as far as claiming that if Belgium proclaimed itself a republic, it would start a new revolution.⁶⁷

Russia, Austria and Prussia were opposed to Belgian independence. The simultaneous outbreak of revolution in Poland prevented a Russian-Austrian-Prussian military intervention in support of William I against the rebellious Provinces. However, Lord Palmerston's new government wholeheartedly supported recognition. It was precisely the Franco-British coalition that imposed a reversal on the London Conference affording Belgium its official independence in January 1831.⁶⁸ The initiative and formal motion which initiated the process of recognition was introduced by Lord Palmerston and seconded by Prince Talleyrand on December 18, 1830.⁶⁹

⁶⁵ Jonathan E. Helmreich, *Belgium and Europe*, p. 15.

⁶⁶ *Ibid.* p. 20

⁶⁷ Emile Cammaerts, *The Keystone of Europe*, p. 15

⁶⁸ *Ibid.* p. 23.

⁶⁹ The text of the proposal indicated "In having provided by the treaties of 1814 and 1815, for the union of Belgium and Holland, the powers...intended to create a just balance of power in Europe and to assure the maintenance of general peace. The events of the last four months have unfortunately demonstrated that 'this perfect amalgamation' had not been obtained and will be impossible of attainment, so that very objective of the union of Belgium and Holland is destroyed and therefore it is now indispensable that other arrangements to found to accomplish these intentions...United to Holland, and being an integral part of the Kingdom of the Netherlands, Belgium fulfilled its role in the European duties of the Kingdom and the obligations laid upon it by the treaties. Its separation from Holland must not free it from this portion of its duties and obligations. The Conference will occupy itself subsequently with discussing and agreeing on new and proper arrangements to combine the future independence of Belgium with the

As pointed out by one distinguished Belgian international lawyer, the future independence of Belgium was stated in strict terms which had to be abided by: “the preservation of the balance of power; the principle of security of the other powers; and the principle of maintaining the treaties of 1815 which tied Belgium to the security system of the victor powers.”⁷⁰ William strongly protested also against a new disposal by the Powers of Belgian provinces by claiming that it was against the principles of international law for the powers to rescind their decision.⁷¹

The conditions, limitations and qualifications to full national sovereignty, which the Conference pointed to in its seventh protocol, were the main subject of deliberations during the month of January 1831. In two key protocols, the so-called “Bases of Separation” of Belgium from Holland or the Eighteen Articles are defined, and the main points of contention between the two entities were addressed, not to everyone’s satisfaction. First, the Conference prefaced the fixing of the borders and the division of the public debt with another declaration concerning the European obligations of the two nations. It further pointed out to Brussels that any future arrangements would be subordinated to the rights of the Conference members. Finally, the plenipotentiaries made it clear to the Belgian authorities that no new Belgian conquests or territorial aggrandizements were to be made at the expense of Holland.⁷² The plenipotentiaries

stipulations of the treaties, with the security interests of the other powers and with the preservation of the balance of powers” Erst B. Haas, *Belgium and the Balance of Power*, p.22

⁷⁰ Deschamps, op. Cit., 167 in Haas, *Holland, Belgium and the Powers*, p. 7.

⁷¹ William declared: “Having once for all determined the fate of the Belgian provinces, you have not according to international law, the right to rescind your decision: to sever the ties binding Holland and Belgium, is outside the sphere of your competency, the more so as this increase of Dutch territory was granted on certain burdensome conditions...At the expense of several colonies and considerable financial sacrifices. The Conference of London, it is true, met at my request, but this circumstance does not give it the right to give to its intervention an effect, diametrically opposed to the purpose for this it was requested”. Haas, *Holland, Belgium and the Powers*, p. 7.

⁷² Protocol No. 10 Annex B. January 18, 1831 (BFSP, XVIII, 756-758)

also added a condition of neutrality that was to be achieved with Belgian independence.⁷³

One week later, the conference issued another protocol which stated:

“Belgium assumes 16/31 of the total public debt of the former Kingdom of the Netherlands; that while the final debt settlement was worked out by bilateral negotiations, Belgium pay its share of the service charges; that Belgium should enjoy free and unhampered trading privileges with the Dutch colonies.”⁷⁴

The provisional Belgian government rejected the territorial and the financial “Bases of Separation” and refused to ratify these proposals.⁷⁵ London warned that in the event of Belgian failure to accept the separation plan the powers would break off relations with Belgium and refuse to recognize her independence.⁷⁶

The choice of the new King was also a subject of great debate. Lord Palmerston took measures to prevent such a possibility by introducing a proposal according to which no prince of the ruling houses represented at the conference would be eligible for the Belgian throne. After a couple of eliminations, the British Cabinet obtained on June 4, 1831 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.⁷⁷

⁷³ “Belgium, within the limits described above...will be constituted into a perpetually neutral state. The five powers will guarantee it this perpetual neutrality, as well as the integrity and inviolability of its territory, within the limits mentioned. By a just reciprocity, Belgium will be constrained to observe the same neutrality toward all other states, and not to disturb in any way their internal or external tranquility”. Ernst B. Haas, *Belgium and the Balance of Power*, p. 23-25.

⁷⁴ Protocol No. 20 March 17, 1831, Annex A, pp. 785-788.

⁷⁵ Ernst B. Haas, *Belgium and the Balance of Power*, p. 32.

⁷⁶ Protocol No. 22, April 17, 1831, pp. 794-796.

⁷⁷ Alexander Fuehr, *The Neutrality of Belgium*, p. 6

Sponsored by the Conference, Leopold had been engaged in weeks of negotiations with a Belgian deputation in London, the essence of which was to negotiate the acquisition of Luxembourg for the choice of Leopold as king and the acceptance of the remaining articles of the Basis of Separation.⁷⁸ Leopold's intimate adviser, Baron Stockmar, confirmed that the powers were willing to accept this deal since they were desperate by June for some sort of Belgian settlement.⁷⁹ After the Treaty of Eighteen Articles was announced on June 26, 1831, the Belgian National Congress not only speedily elected Leopold King, but on July 12, 1831 accepted the Eighteen Articles.⁸⁰ It seemed that the armistice was finally achieved and that the Europe was on its way to a solution to the Belgium problem. However, King William flatly refused to even consider these terms.⁸¹ On August 2, 1831 Dutch troops invaded Belgium.⁸² Paris, without consulting the conference, reacted by sending an army comprised of 50,000 soldiers into Belgium. To avoid risking an engagement with the French troops, the Dutch commander rapidly withdrew his forces.⁸³

As soon as the armistice had been reestablished the plenipotentiaries returned to finding a final settlement acceptable to both parties. It was becoming apparent that there was no hope that Holland would accept the Eighteen Articles, nor could the status quo be permitted to last indefinitely, as Belgium or Holland would recommence hostilities, particularly over the bitter Luxembourg question. Threatening Holland with a

⁷⁸ Even though the question of sovereign was never a part of formal discussion, as early as 14 December 1830, Palmerston and Talleyrand agreed on their choice of Leopold of Saxe-Coburg, much before the Belgians chose him. J.S. Fishman, *Diplomacy and Revolution*, p. 71.

⁷⁹ Ernst B. Haas, *Belgium and the Balance of Powers*, pp. 33-34.

⁸⁰ *Ibid.* p. 35.

⁸¹ Protocols Nos. 27, 28, 29 July 25, and August 4, 1831

⁸² Simultaneously the whole of Europe continued to be an arena for revolution. The French government was in disagreement with the courts of the Holy Alliance on a number of issues. In Poland a bloody war was already raging, and Italy seemed about to be engaged. Britain was thought to be anxious above all to keep the French out of Belgium.

naval blockade to prevent further hostilities, the powers extended the treaty draft on November 14, 1831 to a definite and irrevocable instrument, to be adhered to not only by the two main parties, but also by the conference powers themselves. Through this means, the final and definite separation of the two countries was to be made binding on all the major powers, who became the guarantors of the arrangement.⁸⁴

This was the famous Treaty of the Twenty-Four Articles⁸⁵, which despite a seven year-delay was destined to be the final arrangement establishing the independence of Belgium, defining the borders and regulating the relations between not only Belgium and Holland but also of Belgium and the rest of Europe.⁸⁶ The second major provision dealt with mutual transit, navigation rights and the partition of debt.⁸⁷ In contrast to their

⁸³ Ernst B. Haas, *Belgium and the Balance of Power*, pp. 36-39.

⁸⁴ Protocol No. 52 November 14, 1831

⁸⁵ The Twenty-Four Articles form Annex A of Protocol 49 deal with the following subjects: Art. I, composition of Belgian territory; Art II, limits of Belgian territory in the Grand Duchy of Luxembourg; Art. III, territorial indemnity to Holland in the province of Limbourg; Art. IV, limits of Dutch territory in the province of Limbourg; Art V. necessity of agreement with Germanic Confederation and Nassau; Art. VI reciprocal renunciation of territory; Art. VII, Belgium to be an independent and perpetually neutral kingdom; Art. VIII, drainage of waters of the two Flanders; Art. IX, navigation of Scheldt and Meuse; Art. X. reciprocal use of canals; Art. XI, use of commercial roads; Art. XII new roads or canals in Belgium; Art. XIII, division of public debt; Art. XIV, Antwerp solely port of commerce; Art., XV, works of public utility to belong to state in which they are situated; Art. XVI, sequestrations in Belgium against political offenders removed; Art. XVII, liberty of transfer of residence; Art. XVIII, right of "option"; Art. XX, nobody to be molested on account of political conduct during the revolution; Art., XXI, pensions and allowances; Art., XXII, claims of Belgians against Dutch private establishments; Art. XXIV, evacuation of territories, etc., assigned to the other state.

⁸⁶The French-speaking section of Luxembourg, roughly three-fifths of the original territory of the Grand-Dutchy, was added to Belgium while the remaining portion was to form a part of the German Bund under the personal rule of the House of Orange. The Belgians were obliged to cede the northern sector of the province of Limburg, containing the important fortresses of Venloo and Maestricht, as compensation for their acquisition of parts of Luxembourg. The question whether this area of Limburg should belong to Holland outright or be ceded to the German Bund and then given to the House of Orange was left undecided by the Conference. The Conference preferred not to leave the exchange of enclaves to the parties, rather it distributed them itself.. Haas p. 40-41

⁸⁷ The control over the Flanders dykes was vested in a joint commission, while all rivers and canals travestyng both countries were thrown open to the shipping of both. Navigation of the Scheldt - a highly important point for both countries since Antwerp could only be reached through the lower Scheldt, while the Dutch were extremely apprehensive about the competition the port of Antwerp might offer to the ports of Amsterdam and Rotterdam - was declared entirely free, with river markings to be handled by a joint commission. Furthermore, Belgian shipping was permitted to use Dutch waters in order to have access to the Rhine. Belgium was given the right to construct either a road or a canal across Dutch territory in the canton of Sittard (near Maestricht) in order to assure freedom of transit with the German territories to the east. In Haas *Belgium and the Balance of Power*, p 42.

earlier position, the plenipotentiaries now ruled that the Belgian share of the joint debt would amount to 8,400,000 florins of total annual charges, with Belgium being freed from any payments pending the creation of the machinery for transferring the money. The remaining fund of the Kingdom of Netherlands was to be divided equitably through a bilateral agreement.⁸⁸ In addition, not only was the territory and the neutrality of Belgium guaranteed, but the financial, transit and miscellaneous articles were placed under the protection of the conference as well. While the Belgian government declared its readiness to ratify almost immediately, The Hague refused. Berlin, Vienna or St. Petersburg seemed just as disinterested and London and Paris did not exchange ratifications with Belgium either.⁸⁹

The fruitless and tiresome negotiations continued during the summer of 1832. Immediately after the French troops were safely pulled out of Belgium, Britain and France reopened negotiations with the Dutch government. Their ultimate aim was the full acceptance of the Twenty-Four Articles by the Hague, but having as a minimum objective the conclusion of some sort of a provisional arrangement, pending the conclusion of a mutually acceptable final treaty. On December 31, 1832, Palmerston and Talleyrand proposed to the Dutch an interim agreement which provided for: “evacuation of all territory still occupied by each party in defiance of the borders drawn by the treaty, opening of navigation on the Meuse and the Scheldt, the granting of amnesties and the exchange of prisoners, the opening of the Sittard trade route to Germany, mutual arms reductions, to be followed by raising the blockade and embargo still in effect against Dutch trade.”⁹⁰

⁸⁸ Haas, *Belgium and the Balance of Power* p. 42

⁸⁹ *Ibid.* p. 43

⁹⁰ Goblet D’Alviella, *Memoires Historiques* (Brussels, 1865), II, pp. 137-138.

Britain and France demanded an unlimited armistice and full Dutch recognition of Belgian neutrality. On March 9, 1833, a treaty was concluded at Berlin in which it was provided: “that the London Conference should be reconstituted after the cessation of all coercion measures; that the Twenty-Four Articles should be the basis of an entirely new negotiations, in which the Belgian and Dutch governments should participate as equals; that the consent of the German Bund to the Luxembourg-Limburg arrangements of the treaty of November 15, 1831 was an essential condition; and the three monarchs agreed that any new arrangement could not put more onerous conditions on Holland than those already agreed to”.⁹¹ The new negotiations would be broken off if a new attempt at coercing Holland was to be made. Finally, the three rulers pledged to assist Holland if her territory were attacked or if Britain and France were to act contrary to these stipulations.⁹²

The Conference reopened in London and during the summer and fall of 1833 attempted to work out a new treaty that would satisfy the wishes of the Dutch in the disputed transit and navigation clauses of the Twenty-Four Articles. The demands of Holland clearly indicated that they had no wish for a final treaty and the negotiations made no progress. Finally, in November of 1833, Palmerston demanded from the new Dutch plenipotentiary, whether the King had taken any measures to obtain the consent of the German Bund to the proposed division of Luxembourg and Limburg. Upon learning that William had not done so, Palmerston declared the conference suspended until The Hague would give evidence of being ready to accept the Twenty-Four Articles, or show some positive desire to negotiate.⁹³ Amazingly, no such signals were

⁹¹ Martens, op.Cit. IV 432-435

⁹² Ibid.

⁹³ Ernst B. Haas, *Belgium and the Balance of Power*, pp. 54-55.

given for the next five years which ensured suspension of the conference over those years.

After reaffirming their opposition to compelling any settlement from the Dutch and any changes in European public law due to revolutionary activity, the three eastern absolute monarchs on September 20, 1833 began a long period of regarding Belgium as a public outcast.⁹⁴ Britain and France, on the other hand, immediately established full diplomatic relations with Brussels. Eastern Europe opted for a different course of action. Russia refused to recognize Leopold I and had no diplomatic relations with Brussels. Berlin and Vienna showed their displeasure with the new state by merely accrediting charges to Leopold. In addition constant friction existed between Belgium and Prussia over border issues, over the uneasy state of affairs in Luxembourg, and over alleged Belgian's involvement in the early Kulturkampf in the Prussian Rhineland, which reached serious proportions in 1838.⁹⁵

The Conference of London determined the future of Belgium. The Great Powers perceived themselves as legally responsible for negotiating an agreement between the Dutch and the Belgians in order to preserve peace and balance of power in Europe, ensure preservation of the principle of security of the other powers and the principle of maintaining the treaties of 1815 which tied Belgium to the security system of the victor powers. There are a number of reasons that contributed to negotiations ending in non-agreement in 1833.

⁹⁴ Ibid. p. 62.

⁹⁵ Ibid.

- **Perceived Power Asymmetry**

One of the reasons is the issue of perceived power asymmetry. In the negotiations theory, perceived asymmetries whatever their bases may be produce different attitudes and strategies in the exercise of power by the strong. The party perceived as the strong tends to adopt the take-it-or-leave-it strategy toward its negotiation partner.⁹⁶ At the London Conference, not all issues pertaining to the Conference were discussed at the Foreign Office. Many crucial matters were discussed and decided in the countryside. Talleyrand spent weekends with Wellington and Aberdeen, the English minister for foreign affairs and after the Whigs came to power, with Palmerson and Grey. In addition Palmerston, Lord Grey, and Prince Leopold spent several days in the country before proposing the Prince Leopold's candidacy of the Belgian throne.⁹⁷ Leopold himself gave a politically important dinner before accepting the Belgian throne and entertained Talleyrand, Palmerston, and the Belgian delegates. This practice indicated the concentration of power in a small circle of leading members of the great powers. It was rather obvious that in London, the central figures of power and decision-makers were Wellington, Palmerston, and Talleyrand, the leaders of the Anglo-French entente.⁹⁸ With this nucleus of influence it was possible for Talleyrand and Palmerston to seize the initiative on select issues and, by an adept sense of timing, dictate both the agenda and the pace of negotiations.⁹⁹ They used their power and influence to force those decisions on the Eastern powers. The power was self-perceived by Talleyrand and Palmerston and used to dominate negotiations in order to fulfill their self-imposed responsibility of maintaining peace in Europe. For them this was a greater

⁹⁶ I. William Zartman and Jeffrey Z. Rubin, *Power & Negotiation*, p. 275.

⁹⁷ Maurice Bourquin, *Histoire de la Sainte-Alliance* (Geneva: Librairie Georg, 1954), pp. 159-160, piece 98, p. 112, Talleyrand to Mme. Adelaide, 13 December 1830.

good far more important than the wishes of individual states, which in this case represented the Dutch and Belgium. It was apparent the Dutch were not involved in those negotiations but were rather only informed of the decisions once they have already been made. This played an instrumental role in King William feeling helpless and powerless. He failed to recognize that he did indeed possess the power however needed to adopt appropriate counter-strategy in order to borrow sources of power and move the great powers into the direction in which he would like the negotiations and outcome to go.¹⁰⁰

- **Mediator's role**

The great power's role with respect to the negotiations is questionable. The conflicting parties call on or rather allow mediators into negotiations because they are seeking a better solution to their conflict than they are able to achieve themselves.¹⁰¹ Mediator's role is to invent outcomes and help move parties towards reaching a jointly acceptable outcome. Furthermore, one of the key goals of mediators is the ability to redefine the issues and expand the possibilities around the contested issues to include items that can be traded against each other.¹⁰² For example, a mediator can initially help the parties reach agreement on matters that are not considered of vital importance and help the parties define the subject of the negotiations in a manner that allows the circumvention of vital issues on which no compromise is possible.¹⁰³ The great powers proceeded to develop a formula for negotiations. Most of the Bases of Separation Agreement, the Eighteen Articles and the subsequent Twenty-Four Articles Agreement

⁹⁸ Ibid.

⁹⁹ Ibid., pp. 112-113.

¹⁰⁰ I. William Zartman & Jeffrey Z. Rubin, *Power & Negotiations*, p. 277.

¹⁰¹ Saadia Touval and I. William Zartman eds. *International Mediation in Theory and Practice*, p. 260.

¹⁰² Ibid. p. 268.

¹⁰³ Ibid. p. 267.

were drafted by the powers without consulting the Dutch or the Belgians. Rather than assuming the role of mediators and facilitators, the great powers were conducting negotiations amongst themselves consulting the two parties in conflict only to present final agreements. In addition, when parties refused to accept as Belgium did with respect to the Bases of Separation agreement, instead of searching for a compromise solution or finding a solution that better matched Belgian interests, the powers immediately issued an ultimatum. The great powers never quite managed to broaden the spectrum of options or possibilities, nor did they try to change parties' perspective and perception of negotiations. In being so adamant about following a strict formula the great powers only decreased the chances of reaching an agreement.

- **Strategic Issues**

Related to the above reason were also the strategic issues which played a significant role in the outcome of negotiations. This is evident in the perception of the outcome of the London Conference. It has been noted that the conference was one of the “notable victories gained by the Concert of Europe in the nineteenth century”¹⁰⁴ However, from the perspective of the two negotiating parties, the events and negotiations were perceived far from successful. For the Dutch the year of 1830 represented the low point in their history as they lost the Southern Netherlands. This shook the nation's confidence and opened questioned their ability to continue their role as a strong nation on the international stage. For the Belgians, the proceedings in London were frustrating and even humiliating experience as they had to abide by the terms of the great powers. They indeed achieved independence however just like the Dutch they were a subject of the wishes and terms of the great powers. The former

Belgian delegate to the London Conference Sylvain Van de Weyer described Belgian independence as a “European transaction”.¹⁰⁵ This was evident in the negotiations during which the great powers only focused on achieving their own objectives, which were strategic in nature and involved maintaining status quo in Europe and preventing major wars from erupting. Hence, their goals stood in the way of the negotiations as they proposed a formula and pressured the two parties to abide by the formula. This caused dissatisfaction and aversion of the parties towards the mediator and in turn eliminated some of the opportunities which could have been pursued if the powers showed more flexibility and concern for the interests of the parties.

- **Lack of Trust**

Another reason for the incomplete result of the negotiations was the lack of trust among the parties and towards the great powers of Europe. Trust as well as credibility in negotiations is imperative in order for each side to feel sure of the other side’s desire to reach a negotiated outcome.¹⁰⁶ The Belgian people did not trust the Dutch King as they perceived him as selfish and single-minded ruler concerned only about maintaining his power. Even though he made promises of equality between the Dutch and the Belgian people, his actions clearly pointed out that he wanted to assimilate the Belgian people into the Dutch culture. On the other hand, King William did not trust the great powers. In his eyes, the powers lost all credibility when they decided to abandon their decisions from 1815. From the beginning he protested against a new disposal by the powers of Belgian provinces and argued that according to the international law the great powers had no right to revert their decision made in Vienna. Throughout negotiations, the

¹⁰⁴ Gordon Craig, “The System of Alliances and the Balance of Power,” *The New Cambridge Modern History*, ed. J.P.T. Bury (Cambridge: Cambridge University Press, 1960), X, Cap. X, p. 247.

¹⁰⁵ S. Van de Weyer, “Histoire des relations exterieures,” p. 317.

powers never attempted to establish trust among negotiating parties. In addition, they never attempted to re-establish their relationship with the Dutch King. In negotiations there are numerous ways in which the mediator or parties can assist in enhancing trust. This can be achieved by improving their capacity to understand the problem, demonstrating a genuine interest in trying to help the two sides reach their objectives, by not using threats or ultimatums, by making concessions and showing the two sides that the negotiations and taking action is in their best interest. The great powers however never managed to establish an environment conducive to enhancing trust among negotiators.

- **Forward vs. Backward Looking Outcomes**

Another reason was King William I himself. Initially he appealed to the great powers to support his fight against the revolution and to ‘rescue’ the kingdom which they established in 1815. He expected the great powers to side with him and assist in ‘mending’ the kingdom back together. When he realized that the goals of the great powers did not coincide with his own he refused to negotiate. Instead of focusing on the benefits he could gain from negotiations, King William was strictly focused on losses compared with his past situation. He was hanging onto a notion of his past-based rights, ignoring the new present-based claims on rights based on feelings of nationality. By looking backwards to the time when he was the ruler of the great kingdom, he was not able to divorce himself from the notion that he would lose the kingdom. He was disappointed to find out that the goals of the great powers were mainly to prevent any revolutions from turning into major wars, even if that meant reverting their earlier decisions. Apparently, William was outraged by this realization to the point that even

¹⁰⁶ I. William Zartman and Maureen R. Berman, *The Practical Negotiator*, pp. 27-41.

after his short military campaign which afforded him more equitable conditions as outlined in the Twenty-Four articles of October 1831, he took no advantage of them. The refusal of this agreement only hurt the Netherlands which was driven into complete diplomatic isolation. In negotiations Forward-Looking Outcomes look for mechanisms to prevent future violence as they seek outcomes that “reach beyond the conflict to opportunities for cooperation and problem solving, and try to prevent the resurgence of the old conflict in a new, later form by resolving its underlying causes”.¹⁰⁷ This is precisely what the new arrangement that entailed Belgium neutrality promised. It was a mechanism that was implemented to prevent future conflicts from occurring in the whole region. However, William’s short sidedness prevented him in seeing the long-term benefits of negotiations and the proposed formula.

- **Mutually Hurting Stalemate and Mutually Enticing Opportunity**

As the negotiations in London progressed it became obvious that there was no Mutually Hurting Stalemate (MHS) nor Mutually Enticing Opportunity (MEO). Mutually Hurting Stalemate (MHS) is a situation in which the parties are locked in a conflict from which they cannot escalate to victory, the deadlock is painful to both of them and they see a way out.¹⁰⁸ The point at which they decide to do something about their situation is upon realizing that that pain would only increase unless something is not done about it. However at the London conference there was never a point at which both parties felt they were ‘hurting’. One of the tasks of the mediator is to balance the parties in the conflict in such a way as to produce the hurting stalemate, if it’s not naturally produced by the circumstances on the ground that leads them to see a mediated

¹⁰⁷ I. William Zartman and Victor Kremenyuk, *Peace versus Justice*, p. 3.

¹⁰⁸ I. William Zartman, “Ripeness: The Hurting Stalemate and Beyond” in Stern & Druckman, eds., *International Conflict Resolution after the Cold War*, p. 228.

solution as the best way out. The key is to do so in a way so that the parties do not perceive the mediators as taking sides but rather as an impartial player.¹⁰⁹ The great powers never made such an attempt. Similarly, there was no Mutually Enticing Opportunity, a concept defined as a scenario and a point in time when both parties perceive an attractive opportunity that pulls them out of a stalemate and eventually leads them to an agreement.

Surprisingly in 1831, William still expected Belgium to revert to him in the future and he did not want to compromise his position by abandoning his sovereign rights over his Southern provinces. This is due to the fact that he did not believe that the powers would betray the arrangement of Vienna, he undermined the credibility and sustainability of the ‘artificial equilibrium’ created in 1830.¹¹⁰ Therefore a combination of the lack of trust in both the powers and their intentions as well as in the viability of the system the powers created caused William to refuse the agreement and wait for a better offer. When that offer never arrived and Belgium established its viability, in March of 1938 William declared his willingness to accept the articles.

The great powers clearly failed to exercise their power over negotiations. Rather than establishing themselves as impartial mediators and moving negotiations towards and agreement, they engaged as a third party in the conflict with their own conditions that were to be achieved by the outcome of the negotiations. They failed to establish trust and equality among the parties and to present themselves as a trustworthy participant in the negotiations. William felt betrayed by them and his perception of their role in the negotiations impeded his decision-making and limited the spectrum of

¹⁰⁹ Ibid., p. 264.

¹¹⁰ E.H. Kossmann, *The Low Countries 1780-1940*, p. 160.

options available to him. He felt that the powers reversed their allegiance from the Netherlands to Belgium and simply refused to cooperate with them.

The great powers showed very little flexibility in their stringent formula as well as minimal regard for the needs of the Dutch. Their efforts were limited to establishing a formula and once the two or one of the parties refused to sign, they extended ultimatums. There was an apparent lack of effort to find out the needs of the parties which impeded the process of negotiations and limited opportunities for an agreement. From the beginning of negotiations the Dutch perceived proposed formula as a loss. What was detrimental for the negotiations is the fact that the powers never attempted to change that perception and establish the framework of negotiations conducive to creating opportunities rather than providing a single inflexible formula which led to a dead end.

VII. POSTSCRIPT

In the period between 1833 and 1838 Belgium enjoyed the advantage of the interim arrangements. Those included full control of all Luxembourg and Limburg, and furthermore no required payments on the Belgian share of the debt. This state of affairs became increasingly bothersome to unyielding William I who in March 1838, suddenly declared his readiness to accept the Twenty-Four Articles, and demanded immediate Belgian evacuation of the territories to be given to Holland.¹¹¹

Now it was time for the Belgians, to protest against the Twenty-Four Articles and to demand their alteration, especially the financial and territorial clauses.¹¹² The

¹¹¹ Previously, he had obtained the consent of the Diet of the German Bund and of the House of Nassau-Orange to the proposed exchange of territory, under which the Bund was to receive Northern Limburg in compensation for the part of Luxembourg ceded to Belgium. Haas, *Holland, Belgium and the Powers*, pp. 59-61.

¹¹² The territorial extent of Belgium was fixed as in the two previous proposals, with the following exceptions: the French-speaking section of Luxembourg, roughly three-fifths of the territory of the

territorial exchanges were mostly to be made based on languages spoken in the territories. The London Conference found itself in full session again. By summer of 1838 the Conference had come to a general agreement that while the Belgian share of the debt with total annual charges of 8,400,000 florins, should be reduced in favor of Belgium, the territorial division must be left unchanged. Naturally, Belgium was outraged. It immediately reverted to the one technique that had worked in the past. Volunteers gathered around the flags, ministries fell, Belgians armed themselves and the demand for war echoed throughout the country. Leopold I openly declared that Belgium would never acquiesce to such an agreement. This opposition to the decisions of London continued during the most of 1838. Finally, on December 6, 1838, the Conference presented Brussels with an ultimatum in which the final terms were stipulated. Belgium was to evacuate the disputed areas and in turn her share of the debt would be reduced to 5,200,000 florins, and she would be freed from having to pay any of the arrears, which had been accumulating since 1831.¹¹³

Initially, France refused to accept and abide by the ultimatum, which encouraged the Belgians to hold out for two more months. However, after the unconditional French agreement reached London, late in January 1839, the government of Leopold I was left with no alternative. The revised Twenty-Four Articles were signed by Belgium in May

Grand-Duchy, was added to Belgium while the remaining portion was to form a part of German Bund under the personal rule of the House of Orange; Belgians were obliged to cede the northern sector of the province of Limburg, containing the important fortresses of Venloo and Maestricht, as compensation for their acquisition of parts of Luxembourg. The question whether this area of Limburg should belong to Holland outright or be ceded to the German Bund and then given to the House of Orange was left undecided by the Conference. The Conference preferred not to leave the exchange of enclaves to the parties of distributed them itself, unlike the earlier procedure.

¹¹³ In making this concession the Conference fell back on one of the earlier protocols in which it has been stated that if subsequent statistical information should show the first debt division to have been unfair, a revision might be made.

and ratified early in June, 1839. The signed agreement was not significantly different from the one proposed in 1831.

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