

Brief statement of facts in support of the claim to the left bank of the river Scheldt and the southern part of the Province of Limburg, now brought by Belgium before the Peace Conference in Paris.

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Belgium only claims the return of small but important territory, wrenched from her in 1839, as a consequence of Treaties of Neutrality intended to protect Belgium, but the futility of which was demonstrated in 1914, when Germany called them "mere scraps of paper."

The treaties of 1839 were imposed by the Great Powers of Europe on Belgium, after her revolution against Holland, when the Dutch troops had inflicted a partial defeat on the weakly organized Belgian patriots.

Belgium was compelled to give up the eastern part of her own province of Limburg to Holland: hence the name of "Dutch" Limburg, under which that territory is still known at present.

Belgium was also forced to recognize the sovereignty of Holland over the mouths of the river Scheldt and its southern bank, which formerly had been part of the Belgian provinces of Flanders: hence the name of Dutch or Zeeland-Flanders, by which that territory is still called today.

The weakening of Belgium's position in consequence of these arrangements was to be compensated for, in the opinion of the great European Powers, by the institution of Belgium's perpetual neutrality, which they undertook to guarantee.

The War of 1914, which started by the appalling violation of that neutrality by one of its principal guarantors, has destroyed the whole system of 1839 and makes it imperative that these treaties be reconsidered by the Conference of Paris, where the Great Powers are now readjusting the mutual relations of all European States in the interests of peace, justice and fair play.

The claims of Belgium in reference to these questions have just been presented to the Conference, and the French Foreign Minister, M. Stephen Pichon, has read to the Conference the report of the commission which examined the subject and whose conclusions were wholly favorable to the Belgian Claims.

1. The Scheldt Question.

By the treaty of Munster in 1648, the mouths of the River Scheldt and the canals and waters generally, flowing into them from Antwerp, Ghent and Bruges, were delivered over to the sovereignty of the Dutch Republic and closed by them against the southern provinces depending at that time from the Austrian Empire, but which were to become, in the course of a couple of centuries, the independent Kingdom of Belgium. The avowed aim of the Dutch, by securing the privileges recorded in Article 14 of the Treaty of 1648, was to kill the competition of the Belgian ports of Antwerp, principally, and incidentally of Ghent and Bruges, and to favor exclusively their own ports of Amsterdam and Rotterdam. They succeeded but too well and a long period of gloom and ruin was cast over these northern provinces of Belgium who needed, as an absolute condition of prosperity, free access to the sea by the river Scheldt and freedom to discharge into that river the overflow of water which constantly flooded their low-lying lands. That unfortunate situation lasted nearly a couple of centuries.

In 1792 the French Republic, after having conquered the Belgian provinces from the Austrian Empire, immediately decreed the freedom of commerce on the Scheldt and the Meuse, the principal rivers flowing from Belgium to the sea through Holland, "because the hindrances heretofore established on these rivers are contrary to the fundamental

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Plaws of human intercourse." Antwerp then revived and attained a considerable degree of prosperity during the time that both Holland and Belgium were subject to Napoleon I. That situation was maintained by the treaty of Vienna, in 1814, which gave the Belgian provinces bodily over to the new Kingdom of the Netherlands and set over it a German Prince, the Grand Duke of Nassau, who became King Wilhelm I of Holland.

However, the new Dutch King treated his southern provinces in such a way that the Belgian revolution of 1830 was inevitably brought about and resulted in the separation of Belgium from Holland. Immediately upon the outbreak of that revolution, the King of Holland proceeded again to close the mouth of the Scheldt so as to deprive Antwerp of access to the sea.

The Conference of London in 1831 ordered him to desist, but he only complied in a half hearted way and under protest, and his officials went on putting all kinds of spokes in the wheels of the agreement. The Dutch Government was, however, finally compelled, in 1831, to admit the fact that even Belgian war vessels could sail on the river in order to reach Antwerp; but in 1914 it came back to its old position, claimed undivided control of the river and interned the ships on which some of the Antwerp garrison tried to escape from Antwerp to Ostend, after the way overland had been effectually blocked by the German Army.

The Belgian delegates at the Conference of London in 1830-31 had claimed the restoration of Belgium, such as it existed previous to the iniquitous treaty of 1648, and such as its frontier towards Holland had been established by the treaty of 1795 between the French Republic and the Dutch Provinces. This treaty had restored to Belgium (then under French rule) the whole left bank of the Scheldt and the province of Limburg on both sides of the river Meuse. It had been, for that part of the country, an anticipated application of the principles of President Wilson, as stated in 1919. The Dutch Government however, mainly with the support of the King of Prussia, succeeded in inducing the Powers to discard the claim of Belgium; and, notwithstanding the fact that the Belgian revolution had broken out in the entire territory south of the Scheldt, the Conference of London, disregarding the wishes of the populations, assigned to Holland the strip of Belgian territory running along the left bank of the river, almost from Antwerp clear to the coast.

The Dutch Government then established toll dues for the navigation of the river from the sea to Antwerp, and these dues were so detrimental to the latter port that in 1863 Belgium had to redeem them by paying to Holland an indemnity of nearly \$7,000,000, half of which was contributed by the foreign countries whose ships largely made use of the river in order to reach Antwerp. Endless trouble, however, still arises from the way in which the officials of the Dutch Government, inevitably in favor of Rotterdam as against the Belgian ports of Antwerp and Ghent, carry out the agreements concluded for the maintenance, at Belgian expense, of the channel in the muddy river and of the small harbor of Terneuzen, which is the outlet of the ship canal from Ghent to the sea, through Dutch territory.

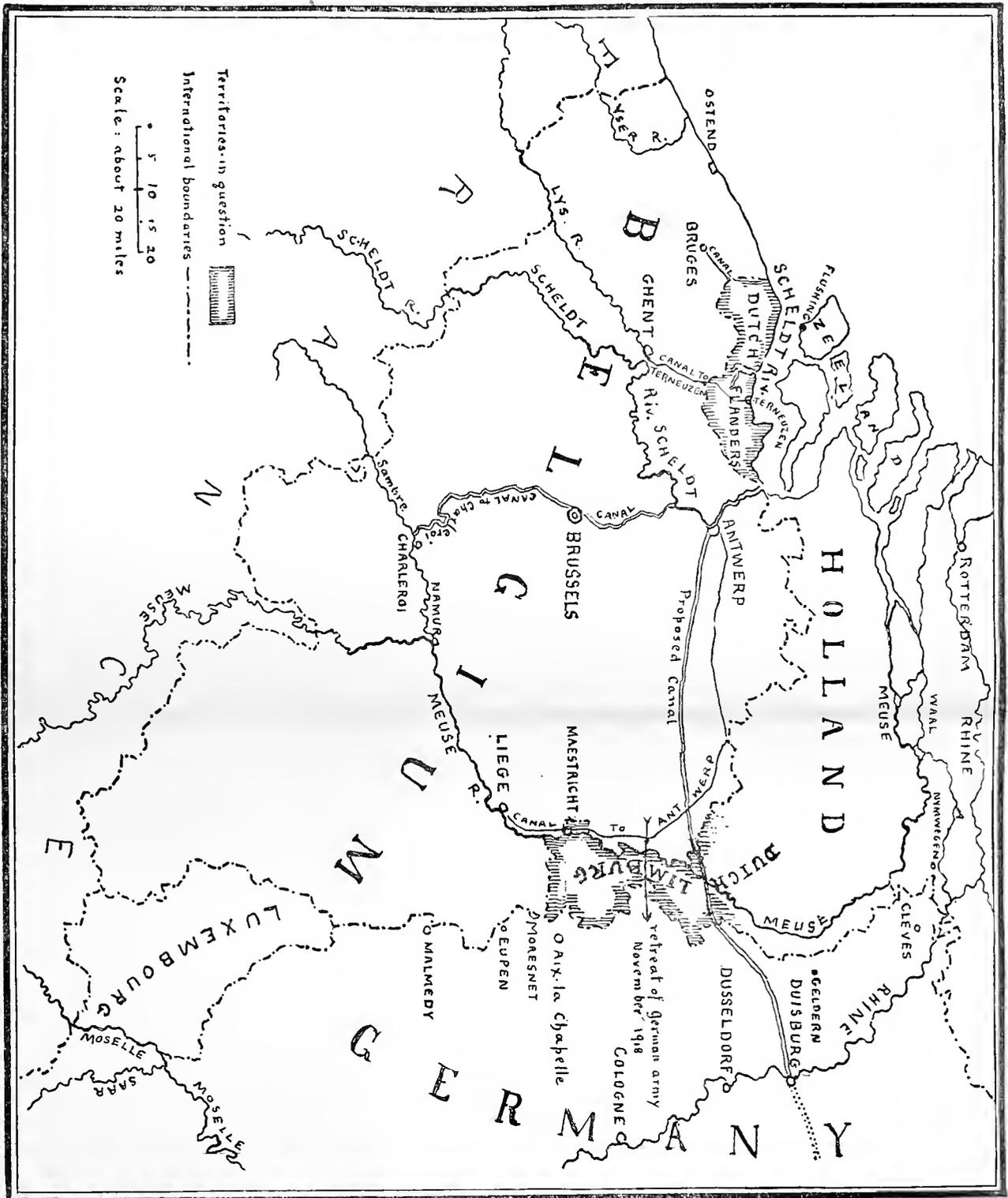
Abundant evidence of this is at present laid before the Conference in Paris but is too complicated a matter to be expounded in this brief summary. The contention of Belgium is that both for the safe guard of its military security in the north and for its economical development it must have absolute control of the southern half of the river Scheldt which implies possession of its left bank.

The experiences of 1914 have made clear that unless Antwerp can, even in time of war, maintain its free access to the sea, unhampered by the quibbles of a neutral neighbor, the position of Antwerp is rendered indefensible for any length of time. It can be almost entirely surrounded by land, while it is cut off from any military assistance whatever by its normal way of access from the sea. The peril is made all the more acute by the fact that Antwerp is the only seaport available in Belgium for big ships such as army and ammunition transports. The harbors on the flat coast of Flanders are small and cannot, by the nature of the land and the sea, furnish anything like

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itude has always and naturally, of course, been inspired by the idea of restoring the port of Rotterdam exclusively. Belgium's claim is dictated by its anxiety for Antwerp's

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sufficient bases to take the place of Antwerp.

From the economical point of view, it is an absolute necessity that Belgium obtains the right to manage without let or hindrance, as a sovereign and independent power, the whole water system not only of the channel of the Scheldt river from Antwerp to the sea, but also of the low-lying lands of northern Flanders and of the ship canal from the port of Ghent to the Scheldt at Terneuzen. Quite recently a prominent Dutch jurist, Prof. Van Eysinga, has indeed acknowledged that the only country concerned in the navigability of the river Scheldt is Belgium. The keys to Antwerp are at present in foreign hands. Belgium claims them back on the strength of principles of international law, today universally proclaimed, but never before respected in the case under consideration.

II. The Limburg Question.

Here again the difficulty arises, partly at least, out of the iniquitous instrument of 1648. The treaty of Munster gave to the Netherlands the city of Maestricht, whereas the balance of Limburg remained attached to the Belgian provinces. In 1713 the Netherlands obtained a few more sections of Limburg, but both these new acquisitions and the city of Maestricht were reincorporated to the Belgian provinces, where they belonged, under Napoleon I.

In 1815, however, the whole territory, according to the treaty of Vienna, was delivered over, along with the Belgian provinces, to the newly established Kingdom of the Netherlands, but was always considered as part of the Belgian provinces. When Belgium revolted against the obstinate misrule of King Wilhelm I of Holland, the whole of Limburg and, for that matter, the whole of Luxemburg, sided with the Belgian provinces. Their deputies in the Netherlands Parliament had always sat on the Belgian or Southern benches of that Assembly, and naturally felt the same grievances against the autocrat who favored his northern Dutch subjects more than his Belgian southern people.

However, the influence of his particular friend, the King of Prussia, was brought to bear on the London Conference after the 1830 revolution, and one half of both Limburg and Luxemburg, over and against the furious protests of the populations of these countries, were given to the King of Holland, in order to compensate him for the loss of his Duchy of Nassau, which Prussia had taken from him.

The possession of the southern part of Dutch Limburg in the hands of Holland practically lays the northeastern frontier of Belgium open to all attacks, because the Dutch Government recognizes the impossibility to defend Limburg against an invader coming from the East. That part of the province is so narrow, (in one place it forms a small neck hardly five miles wide, between Belgium and Germany) that an army defending Maestricht would be in perpetual danger of being instantly cut off from the rest of Holland. It is this fact which prevented Holland from providing for the security of that part of her territory in 1914, and practically compelled her, in November, 1919, to let a whole German army escape through Limburg into Germany, with baggage, cattle and plunder carried from Belgium. A glance at the enclosed map shows what an unnatural situation was imposed on Belgium and how imperative it is to reconsider that arrangement.

From the economical point of view, it is absolutely necessary for the port of Antwerp to gain an easy and direct access to the enormous coalfields of Westphalia in Western Germany, and that can only be achieved by digging a large ship canal on level ground from Antwerp to Duisburg, clear across the territory which is now Dutch Limburg.

Belgium's contention on this point is based not only on the direct importance of Antwerp for Belgium itself, but on the international importance which attaches to the full development of a great international port such as Antwerp; whereas Holland's attitude has always and naturally, of course, been inspired by the idea of fostering the port of Rotterdam exclusively. Belgium's claim is dictated by its anxiety for Antwerp's

future, in which it sees not Rotterdam's rival, (Antwerp's prosperity need detract nothing from Rotterdam's own advantages,) but an economic factor quite as important for the welfare of the whole of Western Europe as it is for Belgium itself. The nature of most of Antwerp's export trade, which is predominantly supplied by the heaviest merchandise, makes it absolutely necessary to communicate as far as possible inland through large canals supplying for that kind of goods cheap rates which no railroad can afford to give.

III. The Proposed Arrangement.

Belgium does not want to grab territory from Holland. It only craves a reconsideration of the iniquitous arrangements of 1648 to 1839, in the light of modern principles. Of course, it understands that nothing is to be claimed from Holland without offering her at the same time ample compensation.

It is pointed out, in this regard; that for the same reasons that Belgium considers itself entitled to the left bank of the Scheldt and to the southern part of Limburg, it maintains that Holland is fully entitled to claim from Germany a couple of provinces which are really Dutch territory, and largely inhabited by Dutch-speaking people, namely, Ostfriesland and Cleef. She would find there not only ample compensation from the economic point of view, but an accretion of security for her own territory from the strategic point of view. The southern part of these territories especially would provide Holland with a rich industrial region and abundant coalfields, and its possession would protect big Dutch cities, as Nymegen, for instance, which is only about one mile from the frontier and completely undefended against any attacks from the East.

The desire is expressed in Belgium, in case these necessary arrangements go through, to show due respect to the people occupying the areas which must needs change hands if the principles of 1918 are allowed to govern the situation: none of the inhabitants of the territory claimed by Belgium, as a matter both of justice and necessity, must be made to change their allegiance to Holland, and some combination may easily be devised to allow them to retain not only their nationality, but even some form of local self government suitable to their novel condition, until they themselves acknowledge the benefit which the new situation confers upon them and express the desire to become Belgian citizens.

IV. A Few Sidelights on Local Opinion.

The Dutch newspaper, "Volkswil" (The People's Will) of Hulst, in Dutch Flanders, actually stated, as far back as 1911, that "the honest way out of the difficulty would be to give that territory back to Belgium so as to make it a living province instead of a neglected far away corner of Holland, but that at that time at least, for obvious reasons, neither the Belgian Government could raise the question nor would the Dutch Government do it."

Early in 1914, the same newspaper claimed that the treaty of Munster had been an "Ethincal crime against both Belgian Flanders and Southern Zeeland, and that the whole future of Holland is conditioned by the restoration of Southern Zeeland to its Belgian cradle, because the present regime in that part of the country is one of oppression both in the economical and political sense."

No wonder, therefore, that official pressure succeeds in calling forth a number of addresses on loyalty to the Queen of the Netherlands! In Limburg, where only 38% of the population could be got to sign such documents the papers must acknowledge that there is no real popular love for Holland, and the Governor of the Province has recently brought about the removal of officers of the Dutch army because they had declined to join the movement.