

# The king's most eloquent campaigner...

## Emile de Laveleye, Leopold II and the creation of the Congo Free State

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### 1. INTRODUCTION

In the *Belle Époque*, colonial thought took new forms, and a second wave of European colonisation swept over Africa. King Leopold II of Belgium (1835-1909, r. 1865-1909) became active in Congo in 1876. His ambition to develop a so-called "philanthropic" project materialised in a process of state formation, but this was overshadowed by intrigues and tensions resulting from the territorial race between Western powers and Leopold's own men in the field. Only a decade after this race began, at the Berlin Congress in 1884-1885, was a final settlement adopted in the form of the Congo Free State, of which the king of the Belgians became the almost unassailable sovereign.

In the last quarter of the nineteenth century tensions between liberal and conservative forms of government influenced intellectual life everywhere in Europe and gave rise to strong debate between advocates of free trade and supporters of colonialism. The old idea that Leopold II was an isolated thinker and doer who earned himself a place among the powers that took Africa entirely by his own efforts has been refuted by a new generation of historians. Vincent Viaene (2008) reconstructed in detail the formation and evolution of a Belgian *parti colonial* that operated next to and sometimes independently of the king. My own research has explained how, in developing his colonial doctrine since the early 1860s, Leopold II was inspired by many intellectuals who wanted to strengthen Belgian trade and industry through a policy of economic expansion outside Europe (Vandersmissen, 2008a; 2009a; 2009b). I have shown how – as a crown prince – Leopold developed an efficient system of information gathering on colonial issues. He methodically constructed a personal set of opinions on how colonies should be organised. His travels to North Africa and the Middle East (Egypt, the Holy Land, Syria and Cyprus in 1854-1855; Algeria and Egypt in 1862-

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1863), the Balkans and Turkey (Romania, Istanbul and Athens in 1860), and Asia (Ceylon, India and China in 1864-1865) actually were systematic study through direct observation. Over the years he improved his interviewing techniques when talking with specialists and highly placed officials who could inform him about political and economic developments in regions with "colonial potential". In Brussels, he built up a documentary network, organised with the help of his secretary Adrien Goffinet (1812-1886) and constantly enriched with new data by a "study circle" of brilliant men such as Henri-Alexis Brialmont (1821-1903) and Jules Lejeune (1828-1911). After his accession to the throne in 1865, Leopold II changed tactics from classic information gathering to a more active manipulation of people and institutions that could help him realise his expansionist dreams. Scholars, politicians, businessmen, journalists, diplomats, learned societies,... – all became entangled in the king's web (Vandersmissen, 2009a). As Hannes Vanhauwaert has shown quite correctly, the king developed a Machiavellian system of influencing, using and misusing a long series of advisors who were crucial for reaching his goals within a given context. Leopold II attracted people to himself and integrated them into his inner circle through use of much flattery, but when they had become useless or disobedient – for example, Emile Banning (1836-1898) in the early 1890s with regard to the situation in Congo – he dropped them instantly and removed them from their privileged positions (Vanhauwaert, 2005).

It has become clear from recent studies that Leopold II always used the capacities of intellectuals in a systematic way. The first time this actually evolved into a series of serious actions was in the early 1870s, when he focused his attention on scholars who were active in the field of economic geography. In 1875, through interaction with the "geographical movement", Leopold's attention shifted from East Asia to Central Africa (Vandersmissen, 2009a). With the International Geographical Conference that took place in Brussels in 1876, the geographical network became a cornerstone of Leopold's colonial construction (see also *La Conférence de géographie*, 1976). It proved to be an ally for his new venture in many ways. The geographical societies of London, Paris and Berlin offered a platform for the "civilising project" to be realised in Africa by welcoming favourable "humanitarian arguments" in their discussions, lectures and journals. The geographical societies of Antwerp and Brussels, founded shortly after the Conference, were real propaganda machines for the Leopoldian enterprise.

The exercise in diplomatic and political "arm wrestling" between 1876 and 1885 leading to the creation of the Congo Free State has already been investigated at length, in particular under the impulse of Jean Stengers, but

historians paid almost no attention to the intellectual networks that weighed on the process of state formation after the Brussels Conference of 1876.<sup>2</sup> In this article I analyse an example of such an intellectual network through a case study about the relationship between Leopold II and the Belgian liberal-minded political economist Emile de Laveleye (1822-1892), an influential opinion maker who had the ability to disseminate his publications and ideas on an international scale.<sup>3</sup> To help him realise his African enterprise, the king sought aid from lawyers and intellectuals active in the field of political economy. I advance the thesis that the king used de Laveleye's sharp pen in his favour and thus had access to de Laveleye's contacts in the world of politics and journalism, as well as to a group of leading thinkers on international law.

De Laveleye and his colleagues joined Leopold II in his reflections about the most suitable political, economic and social structures for the new state under construction in Central Africa. Based on an analysis of publications and records preserved in Ghent<sup>4</sup> and Brussels,<sup>5</sup> this article tries to answer a set of specific questions. First, what were Emile de Laveleye's ideas about expansionism and colonisation? Second, how and why did Leopold II, de Laveleye and his network of academic friends and colleagues become interrelated? Third, what opinions did the academic network have on the Congolese question? And finally, how did this network leave its mark on the features of the Congo Free State after 1885? The general objective of this article is to offer a better understanding of the Leopoldian system of deploying influential people to implement a sophisticated strategy whose goal was to create a successful overseas possession under the king's personal rule, in the face of potential opposition from other great powers. Furthermore,

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<sup>2</sup> Jean Stengers (1922-2002), professor of history at the Université Libre de Bruxelles, collected some important studies in: *Le Centenaire de l'État indépendant du Congo. Recueil d'études – Bijdragen over de honderdste verjaring van de Onafhankelijke Kongostaat*, Brussels, 1988.

<sup>3</sup> This essay is the result of a comprehensive investigation in preparation of a paper for the Colloquium "Transcending Boundaries in Europe in the Period of the Belle Époque: Organising Knowledge, Mobilising Networks, and Effecting Social Change", on 20 and 21 May 2010 at the Mundaneum in Mons, Belgium. My short presentation was entitled "How King Leopold II used Emile de Laveleye's intellectual network for the benefit of his African project". I thank Prof. dr. William Boyd Rayward and Stéphanie Manfroid for organising this inspiring exchange of ideas, as well as Prof. dr. Andrew Fitzmaurice, Associate Professor at the Department of History of Sydney University, for his detailed comments and relevant suggestions with regard to Sir Travers Twiss.

<sup>4</sup> Ghent University, Central Library (GUCL), Ms 3640.

<sup>5</sup> The Archives of the Royal Palace (ARP) in Brussels, especially the Documents about Belgian Expansionism (DBE).

it seeks to shed new light on the ways in which scholarly networks linked to Leopold II contributed to a scientific legitimisation of colonisation.

## 2. OPINIONS ABOUT COLONISATION BEFORE 1876

Belgian society disapproved of colonisation projects, certainly in the third quarter of the nineteenth century. Economic liberalism was in its heyday. Its concepts were translated in political terms by governments dominated by members of the Liberal Party (Rogier II, 1847-1852; de Brouckère, 1852-1855; Rogier III, 1857-1867; Frère-Orban, 1868-1870; Frère-Orban-Van Humbeeck, 1878-1884). These men had a natural aversion to colonisation, which was understood to be a process by which a state gained possession of overseas territories. It generally implied an occupation by emigrants who ruled and exploited the land for the benefit of the "metropolis". Not only politicians but also businessmen based their rejection of colonisation projects on "rational arguments" inspired by the work of economists such as the Frenchman Jean-Baptiste Say (1767-1832), the Englishman John Stuart Mill (1806-1873), or the Belgians Gustave de Molinari (1819-1912) and Charles Le Hardy de Beaulieu (1814-1894) (Stengers, 1965). They shared the conviction that economic prosperity on a global scale could only be realised by stimulating free enterprise and limiting government initiative. As Jan-Frederik Abbeloos (2008, 109) stated in a recent article,

"The laissez-faire theory was never put into full political practice, but with regard to the promotion of exports, trade barriers were brought down between 1857 and 1870. Belgium's technological leadership in woollen and iron industries allowed the state to remain one of the less protected European economies throughout the rest of the 19<sup>th</sup> and early 20<sup>th</sup> centuries".<sup>6</sup>

The development of Belgian industry in the second half of the nineteenth century created the need to find new outlets for Belgian trade. For many firms, continuing their almost unlimited profit-making became problematic. Competition was fierce, and poverty among the labourers rose. Commerce had been mainly focussed on markets in neighbouring countries, but now interest grew in launching operations in Central and Eastern Europe as well as in populous regions in Latin America and the Far East. Liberal decision-makers agreed that – for a country such as Belgium – promoting a more

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<sup>6</sup> About the abolition of protectionism see also Willequet (1965a; 1965b)

active presence of Belgian firms in foreign markets, breaking down trade monopolies and implementing and consolidating genuine free trade on a global scale were much better instruments to safeguard the future of the country's trade and industry than colonisation. Although it was tempting to consider the emigration of the poorest elements of society, the majority of the Belgian elite shared the view of the economists that colonies were expensive, could lead to military conflicts and were often poorly managed. Attempts to establish colonies of Belgian emigrants overseas – for example, in Guatemala (Santo Tomas) and West Africa (Rio Nuñez) – were rare, and all ended in disaster. Consequently, plans for large-scale state-controlled or state-supported colonisation of overseas territories were not popular in government circles (Everaert & De Wilde, 1992; Ansiaux, 2006; Vandersmissen, 2009a).

Another important argument Belgian politicians used to repudiate any colonial initiative was the fact that Belgium's neutrality status was part of the Constitution and could not be changed in an instant. Nor was it considered wise to change this status. Indeed, Belgium's neutrality was perceived as a guarantee for survival as an independent state. The signatories of the Treaty of London (1831) were obliged to intervene if Belgium were to be attacked or invaded by a foreign power. And the threat of such an attack was not merely theoretical. If Emperor Napoleon III (1808-1873, r. 1852-1870) were to execute his deepest desires, a military confrontation with France would be imminent. Colonial projects were a risk because they could lead to confrontations with other countries and, hence, to questions about Belgium's neutrality status (Coolsaet, 1998; Vandersmissen, 2009a).

But between 1870 and 1880 the liberal model began to crack. More and more countries had conservative governments. Classic liberal ideas were no longer sacred. Protectionism was again discussed as a viable economic strategy, even in Britain. In France – primarily a result of the 1874 publication of *De la colonisation chez les peuples modernes* by the French economist Paul Leroy-Beaulieu (1843-1916) – some circles were open to an economic argument in favour of colonies. In Leroy-Beaulieu's view, a new form of colonisation, focused on capital rather than on people, was necessary. In his imperialistic thought, French capital should be invested overseas, where it could earn a much higher return. If necessary, these returns should be guaranteed by rendering recalcitrant regimes subject to France. Thus, a limited, selective emigration, organised by the state and supported by the military, was considered appropriate (Vandersmissen, 2009a).

According to the British historian Eric Hobsbawm, the years before and after 1875 saw the shift from *The Age of Capital* towards *The Age of Empire*. In economic terms, he argues, one could see the start of a new era in which

there was no longer a place for unlimited domination by competitive private firms. The absence of government intervention in economic life, so characteristic of the previous decade, was redressed; public authorities began to intervene more directly in the economy, supported by or in co-operation with major industrial corporations such as cartels or trusts. All this transpired against the background of the Second Industrial Revolution. The development of chemical industries stimulated the demand for raw materials and new markets. Population growth spurred new forms of mass production in the Western world. In the words of Hobsbawm, the post-liberal era

"was one of international competition between rival national industrial economies [...]; a competition sharpened by the difficulties which firms within each of these economies now discovered, during the period of depression, in making adequate profits. Competition thus led towards economic concentration, market control and manipulation. [...] The world entered the period of imperialism, in the broad sense of the word (which includes the changes in the structure of economic organisation, e.g. 'monopoly-capitalism') but also in the narrower sense of the word: a new integration of the 'underdeveloped' countries as dependencies into a world economy dominated by the 'developed' countries" (Hobsbawm, 2003, 354-356).

De Laveleye's ideas are almost always situated exclusively in the liberal corner of economic thought (Stengers, 1965). The following pages view them against the background of a changing world economy in which the protagonists began to rely on new strategies. This allows us to avoid a static appreciation of de Laveleye's heritage and leads us to a profound understanding of his intellectual itinerary, certainly when confronted with the opinions and desires of a king who felt himself at ease with the new imperialistic current of the time.

### 3. SCIENCE AND THE LEGITIMISATION OF COLONISATION

The relationship between science and colonisation comprises many facets and disciplines. In anthropology, ethnography and the biological sciences, for example, interesting cases illustrate how science legitimised the colonial enterprise. In his book about the Africa Museum in Tervuren and the role this institution played in the history of anthropology between 1882 and 1925, Maarten Couttenier stressed how important it was for scholars linked to the Museum and the *Société d'Anthropologie de Bruxelles* to articulate a typical Belgian "construction" of the "other", a view that inspired an entire set of

attitudes which were essential for the development of a paternalistic policy towards the people of Central Africa (Couttenier, 2005). The impulse given by ethnographers to the so-called "invention of a Belgian colonial science" has also been highlighted in the more sociologically oriented studies of Marc Poncelet (2008). Both authors examined the development of colonial ethnography against the background of the expanding ideas of social Darwinism and the developing ideology of racism. In the last decades of the nineteenth century, systematic comparisons between prehistoric humans and newly discovered "tribes" in Africa inspired physical anthropologists to classify people on a continuum ranging from "primitive" to "superior". As elsewhere in the Western world, the Belgian ruling classes readily adopted this classification, along with all its consequences in terms of colonial governance. In her book about the history of National Parks in Congo, Patricia Van Schuylenbergh – a pioneer with regard to the study of nature conservation in the colonial era – reveals how zoologists contributed to the formation of the colonial apparatus (Van Schuylenbergh, 2006). Sciences such as agronomy and geology uncritically legitimised the appropriation of territories and left their own marks in the African soil. Their contributions to the development of commercial plantation agriculture in the Congo Basin and to the construction of huge mining complexes in Katanga not only changed the landscape but also disrupted traditional labour relations.

All these forms of scientific legitimisation came about during the early phases of Leopoldian rule in Africa. But in the preceding period, especially geographical thought influenced the development of a colonial "doctrine" (Vandersmissen, 2009a; 2009b). Several authors explained in general terms the relationship between geography and imperialism (Godlewska & Smith, 1994; Lejeune, 1993; Livingstone, 1992). Their studies describe how everywhere in the Western world in the second half of the nineteenth century geographical societies became places where wealthy members of the urban elite carefully considered ambitious commercial projects in overseas territories. Some were realised and determined global economic relations in the twentieth century, for example the Suez Canal and the Panama Canal. An original study such as Felix Driver's book *Geography Militant* sheds new light on the complex practice of geographical exploration, which was often undertaken at the initiative of geographical societies, and brings the various social, logistical and cultural aspects together in the new concept of "exploration culture" (Driver, 2001). In an earlier article, Driver described geography as an "aid to statecraft" and described knowledge gathered by geographical societies as "a tool of empire, enabling both the acquisition of territory and the exploitation of resources" (Driver, 1992). In this sense his insights fit in with those of

Anne Godlewska, Gerhard Sandner, Mechtild Rössler and Lucio Lambi (Godlewska & Smith, 1994), who found close associations between the production of geographical knowledge and nineteenth- and twentieth-century militarism, from the Napoleonic expeditions in Egypt and the French conquest of Algeria to the imperialistic initiatives of the German "Reich" and Mussolini's Italy. A series of studies about the history of the geographical societies of Paris (Lejeune, 1993; Heffernan, 1994), London (Bridges, 1963; Bridges, 1981; Cameron, 1980; Bederman, 1989) and Berlin (Bader, 1978) confirms the close connection between geography and the legitimisation of colonisation. After 1876, most geographical societies became vectors for the enforcement of "national" enterprises in Africa. The Belgian societies of Antwerp and Brussels, both founded in 1876, were no exception.

Around 1870, the scholarly discipline of international law entered the arena as a science that would "foster the respect of people and nations for common principles upon which to guide their mutual relationships" (Bandeira Galindo, 2005, 543). Martti Koskenniemi (2001) identifies the foundation of the *Institut de droit international* as a key moment because it re-inaugurated international legal thought. But the "international spirit" of the founders emerged at a time of imperialist expansion into the rest of the world (Bandeira Galindo, 2005, 544) and could not hold back expansionism at all. Paradoxically, international law was only used to justify imperialistic initiatives. Seen as the result of intellectual efforts that surpassed national competition between European powers, its principles would be exported outside of Europe and forced upon non-European communities in the name of civilisation. The fact that our protagonist Emile de Laveleye was both an active member of the Belgian geographical movement (Vandersmissen, 2009a) and a co-founder of the *Institut de droit international* makes his views about colonisation as well as his particular relationship with King Leopold II very interesting.

#### 4. EMILE DE LAVELEYE – AN INTELLECTUAL OF EUROPEAN RENOWN

In his day, Emile de Laveleye was considered an important thinker. It comes as no surprise that many historians and biographers – Stengers (1955); Lambert (1968); Dumoulin (1979; 1982); Dumoulin & Coppens (1981); Van Velthoven (1992); Vuijsteke (1997); Goblet d'Alviella<sup>7</sup> – have tried to sketch

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<sup>7</sup> Goblet d'Alviella (E.), *Emile de Laveleye. Sa vie et son œuvre*, Paris-Brussels, 1895.



his academic life. Born on 5 April 1822 into a prominent and wealthy bourgeois family in Bruges, he never really had to worry about money. He lived off his investments and could fully devote himself to intellectual work. After his early education at the Athenaeum in Bruges and the Collège Stanislas in Paris, he enrolled as a law student at the University of Louvain. He was expelled after two years of study, probably because of his contacts with the Parisian philosopher François Huet (1814-1869), who was then teaching at Ghent University. Huet wanted to infuse the liberal-socialist ideas of the time with an authentic "Christian Faith", an ideology he would later express in his book *Le règne social du christianisme*, published in 1853 (Coppens, 1972; Cunliffe & Erreygers, 1999).

Hence it is not surprising that Emile de Laveleye almost immediately moved to Ghent to continue his studies. In 1846 he would obtain a doctorate in law from Ghent University. He participated actively in the discussions that animated the study circle around Huet. Stimulated by Professor Henri Moke (1803-1862), also a member of the "Société Huet", de Laveleye became interested in history. It is in this period of his life and due to Huet's influence that Emile de Laveleye became focused on socio-economic problems.

Although he did not show much enthusiasm for the legal profession, de Laveleye went to the Bar after graduating. By the end of the 1850s his career took a new turn when he began to publish columns and scholarly work. Soon his contributions were published in leading European periodicals and newspapers such as *Revue des Deux Mondes*, *The Pall Mall Gazette*, *The Athenaeum*, *The Fortnightly Review*, etc. He became a regular writer for *Revue de Belgique*. De Laveleye wrote about a wide range of topics in the fields of politics, economics and religion. As a consequence, he was offered a chair in political economy at the University of Liège in 1863. He interspersed his teaching duties with long journeys across Europe, especially in Italy and the Balkans, which led to a lifelong fascination with the nationality problem (Ignatova & Basmadjian, 2001; Vuijlsteke, 2002). De Laveleye continued to publish voluminously and corresponded with dozens of intellectuals from all over the world. His network expanded rapidly and included many British, French and Italian politicians, scholars and opinion makers, from Herbert Spencer (1820-1903), William Ewert Gladstone (1809-1898), John Morley (1838-1923), to Numa Denys Fustel de Coulanges (1830-1889), Jules Fabvre (1809-1880) and Jules Simon (1814-1896), to Ruggiero Bonghi (1826-1895), Ubaldino Peruzzi (1822-1891), Pascuale Stanislao Mancini (1817-1888) and Marco Minghetti (1818-1886).<sup>8</sup> As a Liberal Protestant he both reacted

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<sup>8</sup>. A more extensive overview can be found in studies published by Michel Dumoulin (1979) and Alec Vuijlsteke (1997; 2002), but we still need a more systematic analysis of de

against the institution of the Catholic Church and was inclined towards "Kathedersozialismus" (Socialism of the Chair). He fought against alcohol abuse and prostitution and defended the rights of women. On the economic front he published mainly on property, agronomy and bimetallism.

## 5. FIRST CONTACTS WITH LEOPOLD II

It is not known exactly when Emile de Laveleye first came in direct contact with Leopold II. For decades, the family of his wife Marie-Esther Prisse (1826-1907) had strong ties with the Belgian Court. Baron Albert Prisse (1788-1856), de Laveleye's father-in-law, had been a high-ranking military officer before he accepted the office of War Minister (1846-1847) in the Cabinet led by Barthélemy-Théodore de Theux de Meylandt (1794-1874). He was also head of the Military House of King Leopold I (1790-1865, r. 1831-1865). For some time he acted as governor of the Royal Princes, responsible for the education of the young Leopold, his sister Charlotte and his brother Philippe. Albert Prisse ended his career as head of the Military House of the Duke of Brabant.<sup>9</sup> He was certainly well positioned to facilitate de Laveleye's entrance to the Court in Brussels.

From several pieces of correspondence we learn that de Laveleye was frequently received in audience by the king at the end of the 1860s, when he already enjoyed an international reputation for his scholarly work. It seems that the king wanted to take advantage of de Laveleye's economic expertise in pursuit of the expansionistic projects he was formulating around that time. In a letter to his mother, written in 1868, Emile de Laveleye alluded to these conversations with the king:

"The King summoned me again to talk about various things: the general development of our trade, foreign relations; a thousand compliments for my work. We talked accompanied by thunder and lightning. He was perfectly kind..."<sup>10</sup>

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Laveleye's correspondence before we really understand the network's composition, evolution and functioning and, above all, its impact as a whole on the intellectual, political, economic and social issues of the time.

<sup>9</sup> Goblet d'Alviella (E.), "Prisse, Albert-Florent-Joseph", *Biographie Nationale*, XVIII, 1905, col. 258-270.

<sup>10</sup> Originally in French: "Le roi m'a fait appeler de nouveau pour causer de différentes choses: développement général de notre commerce, relations extérieures; mille compliments pour mes travaux. Nous avons causé avec accompagnement de tonnerre et d'éclairs. Il a été

Based on data supplied by August Roeykens, we can assume that around the same time, the king asked de Laveleye to gather information on commercial initiatives that could strengthen the Belgian economy. A reference in a letter from a Belgian envoy in Lisbon to the Ministry of Foreign Affairs in Brussels, dated 23 June 1869, states that de Laveleye had arrived in Lisbon "to obtain information relating to the formation of a corporation for the exploitation of coffee culture in the Portuguese colonies",<sup>11</sup> likely the Portuguese colony of Mozambique. Indeed, in the following years Leopold II applied himself to the creation of a *Compagnie africaine orientale*, intended to specialise in coffee culture. Negotiations with the Portuguese government were called off in 1873, as the Portuguese did not want to abandon their rights of sovereignty. Furthermore, they were not convinced that they could count on a good representation in the company's Board of Administrators (Roeykens, 1958, 30).

Emile de Laveleye was frequently consulted by the Royal Palace in this period, often using Jules Devaux (1828-1886), head of the King's Cabinet, as intermediary. Some letters, also dating from 1869, show that the Royal Palace appealed to de Laveleye's excellent contacts with the British press. He was asked to put pressure on sympathetic newspapers to make them publish articles that supported Belgian interests in various international issues, including the negotiations between the Cabinet led by Walthère Frère-Orban (1812-1896) and the French government about a possible takeover of the Belgian *Compagnie des chemins de fer liégeois-luxembourgeois* by the French *Compagnie de l'Est*. The confidential tone of the correspondence between Devaux and de Laveleye indicates that their cooperation was of long standing.<sup>12</sup>

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d'une amabilité parfaite..." de Laveleye (E.), *Lettres intimes, Préface d'Ernest Mahaim*, Paris, 1927, p. 239.

<sup>11</sup> Originally in French: "pour se procurer des renseignements relativement à la formation d'une société pour l'exploitation de la culture du café dans les colonies portugaises". Archives of the Ministry of Foreign Affairs (AMFA), Political Correspondence, Legation of Portugal, vol. XII, 1869-1870, document 49, letter dated 23 June 1869, published in Roeykens (1956a, 14). See also Roeykens (1958, 30).

<sup>12</sup> Cf. the correspondence between J. Devaux and E. de Laveleye published in: *Lettres adressées à Emile de Laveleye présentées par Marcel Bots* (1992, 94-125), in particular J. Devaux to E. de Laveleye, Brussels, 25 March [1869], and J. Devaux to E. de Laveleye, s.l., [1869].

## 6. DE LAVELEYE'S ATTITUDE TOWARDS ECONOMIC EXPANSION AND COLONISATION

Many sources support the fact that around 1869 Emile de Laveleye was intensively studying the issue of economic expansion and colonisation. For example, he explained in one of his contributions in *Revue de Belgique* that he had travelled to the Netherlands, England, Spain and Portugal to investigate the phenomenon of colonisation in greater detail.<sup>13</sup> He corresponded about colonisation with the famous British liberal philosopher and economist John Stuart Mill (1806-1873), wanting to know Stuart Mill's opinion about the usefulness of colonies as markets for Belgian products.<sup>14</sup> In a letter dated 3 August 1869, Stuart Mill gave the standard reply of most liberal thinkers of the time: colonies were useless, except in some very exceptional cases. For Belgium, these special circumstances did not exist at all.<sup>15</sup>

There is no trace of de Laveleye's response, but Stuart Mill's letter dated 9 September 1869 suggests that the Belgian scholar agreed and found the arguments put forward by the partisans of Belgian colonies extremely weak. Stuart Mill himself added that founding colonies in order to assure the export of Belgian industrial products presupposed the installation of exclusive privileges for the metropolis, a notion he rejected completely. The only possible advantage Stuart Mill could see was that, if the colonised territory itself bathed in a spirit of patriotism, Belgium could probably count on its support if Belgium herself were threatened by a military superpower. But because developing a "new province" would take years of work and investment, this potential advantage was purely theoretical.<sup>16</sup>

It is interesting to view de Laveleye's study program against the background of concepts that would be developed within the *Société belge de Géographie*, a geographical society that originated in the summer of 1869

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<sup>13</sup> de Laveleye (E.), "Lettres inédites de Stuart Mill", *Revue de Belgique*, 15 January 1885, included in: de Laveleye (E.), *Essais et études, Troisième série, 1883-1892*, Ghent-Paris, 1897, pp. 106-125.

<sup>14</sup> de Laveleye (E.), *Essais et études, Troisième série, 1883-1892*, Ghent-Paris, 1897, pp. 112-115; for a critical edition of the correspondence with John Stuart Mill, see: *Lettres adressées à Emile de Laveleye présentées par Marcel Bots* (1992, 150-159).

<sup>15</sup> GUCL, Ms 3640, J. Stuart Mill to E. de Laveleye, Blackheath Park, Kent, 3 August 1869: "[...] je partage l'opinion générale des économistes sur l'inutilité des colonies, sauf peut-être quelques circonstances spéciales qui n'existent pas, à ma connaissance, pour la Belgique. Si on prétend qu'il en existe, j'aurai bien envie de les connaître".

<sup>16</sup> GUCL, Ms 3640, J. Stuart Mill to E. de Laveleye, Avignon, 9 September 1869.

from the mind of Charles-Xavier Saintelette (1825-1898).<sup>17</sup> This lawyer lived and worked in Mons but, as an influential member of the Belgian Liberal Party, his voice was also heard in national politics. Proponents of economic expansionism could certainly be found in his circle. Correspondence preserved at the *Musée royal de Mariemont* shows that Emile de Laveleye was initially well disposed towards Saintelette's geographic project, which also enjoyed discreet support from Leopold II. The geographical society's primary concern was to educate citizens, politicians and businessmen about the needs of Belgian trade and industry and emphasise the importance of commercial geography. When the society planned to set up branches in various Belgian cities, including Liège, it almost automatically turned to de Laveleye, who willingly provided organisational advice.<sup>18</sup>

Since de Laveleye was a versatile writer who published long and short articles in almost every major foreign journal or newspaper, he was well placed to give Saintelette valuable advice about the society's planned journal. It was never an easy task to launch a journal, he noted; all too often workers lost the courage to continue. He also warned about limiting the journal's scope to matters of concern only to Belgium. According to de Laveleye, the only way to make a journal about commercial geography profitable was to graft it onto the *Recueil consulaire*, which shared a number of objectives with Saintelette's proposed journal. De Laveleye further considered it important that the Belgian geographical society pay one or two explorers to submit travel accounts on a regular basis and also purchase good stories from foreign authors. Finally, the commercial objective had to be made clear from the very beginning if the society wanted to receive aid from industrial circles.<sup>19</sup> But Saintelette was a stubborn man. He ignored de Laveleye's advice and focused narrowly on local quarrels. The journal was a failure; only the first issue of the first volume was published. Although he shared some ideological perspectives with Saintelette, de Laveleye was one of the first to throw in the towel.<sup>20</sup> He left the Liège branch of the society because he was no longer convinced of its professional attitude. He believed that there was no prospect of ambitious initiatives (Vandersmissen, 2008b; 2009a).

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<sup>17</sup>. Not to be confused with the eponymous *Société (royale) belge de Géographie*, which was founded in 1876. The brief existence of Saintelette's society can be situated in the years 1869-1873.

<sup>18</sup>. Musée royal de Mariemont (MRM), Library, Société belge de Géographie (SBG) 5276, E. de Laveleye to C.-X. Saintelette, s.l., s.d.

<sup>19</sup>. MRM SBG 5212, E. de Laveleye to C.-X. Saintelette, Liège, 19 July 1869.

<sup>20</sup>. MRM SBG 5308, V. Dwelshauvers-Dery to C.-X. Saintelette, Herstal, 25 August 1871.

For the moment, neither his studies on expansionism and colonisation nor his royal assignment could turn Emile de Laveleye away from classical liberal views. In 1873 he published his famous book *Des causes actuelles de guerre en Europe et de l'arbitrage*. In one chapter he elaborates on wars that were fought for the acquisition of colonies. France, England, Spain and the Netherlands had been mixed up in long and bloody wars for control of colonial possessions. This shows, he argued, that colonies were both sources of worry for the metropolis and causes of severe impairment. He opposed the view (shared by Leopold II) that colonies were lucrative for the "motherland" by showing that almost all colonies, with the exception of Java, operated at a financial loss. Colonial issues also caused serious disputes between political parties, which led to political instability at home. Most parliamentarians were not familiar with the colonial theme and were too ignorant to make wise decisions. In his opinion, colonisation was an anachronism at a time when the ideas of freedom and equality were spreading all over the world. De Laveleye could draw only one conclusion:

"[...] now every forward-looking state will refuse the acquisition of colonies, and, if it [already] owns them, it will seek to emancipate them, so as not to be held liable".<sup>21</sup>

De Laveleye's aversion to colonies did not imply that he opposed an expansionist policy in favour of Belgian trade and industry. He acknowledged that the Belgian economy was too dependent on neighbouring countries and on Central Europe. Like Charles-Xavier Saintelette, he was convinced that Belgian industry must try to sell its products on more markets, preferably on a global scale. But the rules of free trade had to be respected everywhere. It is therefore paradoxical that de Laveleye ended up in the camp of the defenders of Leopold's Congo project. Further investigation is necessary.

## 7. AFRICA AND INTERNATIONALISM AROUND 1876

In the summer of 1876, Emile de Laveleye accepted Leopold's invitation to join the Belgian delegation that would attend the International Geographical

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<sup>21</sup> Originally in French: "désormais tout État clairvoyant refusera d'acquérir des colonies, et, s'il en possède, cherchera à les émanciper, de façon à ne plus avoir sa responsabilité engagée". de Laveleye (E.), *Des causes actuelles de guerre en Europe et de l'arbitrage*, Brussels-Paris, 1873, see especially: "Chapitre IX. Des guerres pour des colonies", pp. 53-58.

Conference later that year at the Royal Palace in Brussels. This might be a surprise, given his criticism of colonisation. Some biographers postulate that "his view was obfuscated by his civilising optimism" (Dumoulin & Coppens, 1981, 460). Of course de Laveleye – like so many of his contemporaries – believed in the civilising mission of the *Association internationale africaine*, which would be established at the Conference in order to suppress slave trade, but there was more to it.

De Laveleye combined his liberal views with political pragmatism. After the enthusiastic reports on the economic potential of Central Africa, following the return of explorers such as Henry Morton Stanley (1841-1904) and Verney Lovett Cameron (1844-1894), he knew only too well that no-one could turn back the clock. The "pristine" interior of Africa would become the scene of a struggle between states for control over natural resources. In their overseas possessions, colonial powers such as Portugal and France enacted practices that filled a liberal like de Laveleye with disgust, both because of humanitarian abuses and because of the economic dislocation caused by colonial monopolies. De Laveleye was alarmed by the fact that precisely these countries were the first to claim the Congo Basin.

He found a viable alternative in the "international formula" put forward by Leopold II with regard to the penetration and political organisation of Central Africa. The king had developed this formula because of the lack of government support for his expansionist ideas. His ministers constantly used Belgium's neutrality as an argument against engaging in overseas activities. The "international formula" already appeared in the 1860s when Leopold designed some projects in East Asia (Vandewoude, 1965b). It was also partly inspired by the international mobilisation of capital by Ferdinand de Lesseps (1805-1894) for the construction of the Suez Canal (Vandersmissen, 2009a). The formula did not aim to achieve international cooperation based on equality among states. Instead, it aimed to bring together wealthy partners across borders in support of the king's project. By 1876, Leopold II had integrated this form of internationalism in his expansionist doctrine in a credible way, partly because he had linked its economic core to the ideal of civilisation which he had learned about through contacts with British philanthropists.

One could say that Emile de Laveleye was rather naïve. His writings were more theoretical than practical. But his pragmatism did make sense within the liberal framework that was so important to him. In accordance with the spirit of the time, and under the threat of an occupation of Central Africa by real colonial powers, de Laveleye preferred to help the king flesh out the international aspect of his enterprise. And de Laveleye was not the only one who saw things in this way. The fact that his liberal friends Eugène Goblet

d'Alviella (1846-1925), Auguste Couvreur (1827-1894) and Charles-Xavier Saintelette also joined the effort proves that this political pragmatism was widespread. The old argument that the presence of these liberal personalities in the Belgian Committee of the *Association internationale africaine* can only be explained by the fact that the king sought a balance between Catholics and free-thinkers (Roeykens, 1956b, 64-69) must be disregarded as too restrictive.

Emile de Laveleye would probably not agree that his commitment to Leopold's *Association* from 1876 onwards was at odds with his dismissive attitude towards colonies. In an article published in 1885, he enumerated once again the disadvantages of colonies. This time he did not spare the so-called "model colony" of Java. In that Dutch possession, "profits" had finally turned into "losses". He explained his position as follows:

"What I have written has no application to our African Association. I had the honour of being one of its founding members, and often I have defended it in the press at home and abroad. It is indeed an international and a humanitarian work in the most significant sense. Its purpose is not to promote the exclusive interest of one people by means of monopolies and privileges, but to open an entire continent to the civilising action of Europe, without preference and without exclusion [...]".<sup>22</sup>

In the preparatory phase of the Brussels Conference, de Laveleye had been unable to formulate opinions. Due to his frequent travelling, he missed many meetings. But after the Conference, he would emerge as a fervent supporter of Leopold's enterprise, primarily by using his media contacts and writing extremely positive contributions about the Conference. He particularly stressed the "noble intentions" of the international organisation that had resulted from the Conference. The power and clarity of de Laveleye's ideas, as well as the renown and influence of the impressive communications network to which he had access for distributing his writings among a wide audience throughout the West, were essential at this stage for creating a positive image of Leopold's project.

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<sup>22</sup> Originally in French: "Ce que je viens d'écrire ne s'applique nullement à notre Association africaine. J'ai eu l'honneur d'être l'un de ses membres fondateurs, et souvent je l'ai défendue dans la presse chez nous et à l'étranger. Elle est, en effet, une œuvre internationale et humanitaire dans la plus haute acceptation du mot. Son but n'est pas de favoriser l'intérêt exclusif d'un seul peuple, par la voie des monopoles et des privilèges, mais d'ouvrir tout un continent à l'action civilisatrice de l'Europe entière, sans préférence et sans exclusion [...]" de Laveleye (E.), "Lettres inédites de Stuart Mill", *Revue de Belgique*, 15 January 1885, included in: de Laveleye (E.), *Essais et études, Troisième série, 1883-1892*, Ghent-Paris, 1897, p. 115.



In 1877, de Laveleye published a long article entitled "L'Afrique centrale et la Conférence géographique de Bruxelles" in *Revue des Deux Mondes*.<sup>23</sup> It also was issued that same year by Mucquardt in Brussels as a monograph.<sup>24</sup> De Laveleye emphatically expressed the view that Central Africa had to be developed economically. He made it clear that in terms of mineral and agricultural resources he valued the region higher than British India. It was as if he had discovered the cornucopia:

"The hundredth part of the efforts required for the conquest of India would be sufficient to found here an empire that is larger, more productive, less costly to administer and less susceptible to competition from abroad. The virgin soil of Central Africa is otherwise fertile than that of Hindustan, already impoverished by thousands of years of exhausting culture. Regularly and more extensively fertilised by the equinoctial rains, it is never exposed to such droughts that periodically produce those cruel famines in the provinces of the vast English colony. As an agricultural worker the Negro is much more vigorous than the Hindu, and everywhere where there is a little security, the population is increasing rapidly and hands abound. Across the region of the Great Lakes villages are plenty; their lands are cultivated with great care; those who make them productive are better fed than the rural [population] in Europe. Here could be opened an outlet for the products of our industry vaster than that of India and Australia combined".<sup>25</sup>

De Laveleye's language of greed resembles that of most supporters of economic expansionism of his time. What really counted was the presence of an enormous African labour force which was – according to our scholar – strong and well-fed. But although he explicitly expressed his expansionist belief, he

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<sup>23</sup>. de Laveleye (E.), "L'Afrique centrale et la Conférence géographique de Bruxelles", *Revue des Deux Mondes*, XLVII<sup>e</sup> année, 3<sup>e</sup> période, tome XX, 1877, pp. 584-606.

<sup>24</sup>. de Laveleye (E.), *L'Afrique centrale et la Conférence géographique de Bruxelles*, Brussels, 1877, 87 p.

<sup>25</sup>. Originally in French: "La centième partie des efforts qu'a coûtés la conquête de l'Inde suffirait pour fonder ici un empire plus grand, plus productif, moins coûteux à administrer et moins exposé aux compétitions de l'étranger. La terre vierge de l'Afrique centrale est autrement féconde que celle de l'Hindoustan, déjà appauvrie par des milliers d'années de culture épuisante. Régulièrement et bien plus abondamment fertilisée par les pluies équinoxiales, elle n'est jamais exposée à ces sécheresses qui produisent périodiquement de si cruelles famines dans les provinces de la grande colonie anglaise. Le nègre est un travailleur agricole bien plus vigoureux que l'Hindou, et, partout où règne un peu de sécurité, la population se multiplie rapidement et les bras abondent. Dans toute la région des grands lacs, les villages se touchent; leurs terres sont cultivées avec grand soin, et ceux qui les font valoir sont mieux nourris que les ruraux de l'Europe. Il s'ouvrirait donc ici pour les produits de nos manufactures un débouché plus vaste que celui de l'Inde et de l'Australie réunies". de Laveleye (E.), "L'Afrique centrale et la Conférence géographique de Bruxelles", *Revue des Deux Mondes*, XLVII<sup>e</sup> année, 3<sup>e</sup> période, tome XX, 1877, pp. 604-605.

remained – in his own view – an anti-colonial who expected salvation from Leopold's "internationalism". Indeed, he suggested immediately:

"[...] it is not a matter of winning Central Africa by force, in favour of a single state, but of bringing this vast region in the mainstream of civilisation by peace and trade for the benefit of all mankind".<sup>26</sup>

## 8. THE NEUTRALITY OF THE CONGO

Between 1876 and 1885, there was a lot of action in the field. Henry Morton Stanley played a key role, entering King Leopold's service after he returned from his successful downstream exploration of the Congo. Once again Leopold II received confirmation that the Congo River could become the great commercial artery of which he had dreamed for so long. The stations his men started to build, despite many disputes with the local population, would become his "bases of operations". Thanks to the efforts of Stanley – a man who inspired more confidence than Cameron – he had proof that the western entrance to Central Africa through the mouth of the Congo was not necessarily an insurmountable obstacle. As expected, the action in Africa had transformed early international enthusiasm into fierce competition among European countries. France and Portugal were outraged by the way in which the *Association internationale africaine*, as well as the successors of that organisation – the *Comité d'Études du Haut-Congo* and the *Association internationale du Congo* – shamelessly brought the banks of the River Congo under their own flag – a golden five-pointed star symbolising the "light" of civilisation that would shine in the African "darkness".

The king could hardly disguise his ultimate goal: creation of a new state in the heart of Africa. Pierre Savorgnan de Brazza (1852-1905), for his part, no longer founded posts for the French Committee of the *Association* but planted wherever he could the tricolour and concluded treaties with indigenous leaders on behalf of the French government. What was happening now was entirely contrary to the spirit of the Brussels Conference, as well as to the rights of sovereignty claimed by Portugal. In their opposition to Leopold II and Stanley, the Portuguese had called in the Geographical Society of Lisbon.

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<sup>26</sup> Originally in French: "[...] il s'agit non pas de conquérir l'Afrique centrale par la force, au profit d'un seul état, mais de faire entrer cette immense région dans le grand courant de la civilisation, par la paix et le commerce, au profit de l'humanité tout entière". de Laveleye (E.), "L'Afrique centrale et la Conférence géographique de Bruxelles", *Revue des Deux Mondes*, XLVII<sup>e</sup> année, 3<sup>e</sup> période, tome XX, 1877, p. 605.

In a memorandum based upon research in the old State Archives, the Society provided Portuguese politicians and diplomats with the intellectual ammunition they needed to start a fight with Leopold. Between 1882 and the Berlin Congress, the king's staff members in Brussels invested much time and effort in combating the idea that Leopold II was driven by greed and worked only for his own account. They bombarded domestic and foreign media with argumentation supported by a variety of printed material. Emile de Laveleye's knowledge and contact list now came in handy. His views on the neutrality of the Congo would appeal to a wide circle of intellectuals.

On 15 December 1882, de Laveleye published a first plea for granting a neutral status to the Congo Basin. The article was entitled "Les Français, les Anglais et le Comité international sur le Congo" and appeared in *Revue de Belgique*. De Laveleye scrupulously analysed the growing tensions between Stanley and representatives of various colonial powers in Central Africa, with a focus on the French under the leadership of de Brazza. The author challenged the view – now widespread, with help from the French press – that Stanley mistreated the indigenous population. Connecting humanism to "profit for all", he mustered pacifist arguments to support Leopold's internationalism. He opened a personal attack on the French explorer:

"If explorers of other nations imitate the example of M. de Brazza, we will soon, on the banks of the Congo, have English, German, Portuguese, Italian and Dutch territories with their own borders, forts, canons, soldiers, rivalries, and perhaps, one day, their own hostilities. Is it not yet enough to see how the banks of our rivers in Europe are everywhere on both sides littered with terrifying arms? Should we reproduce this pitiful situation in the middle of Africa? Would it not have been better, as the promoters of the Association or the Committee wanted, to merge the strengths of these nationalities in one international and humanitarian work for the benefit of all?"<sup>27</sup>

At the end of his article, de Laveleye put forward two proposals that he believed would overcome the deadlock. The first was purely economic. The

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<sup>27</sup>. Originally in French: "Si les explorateurs des autres nations imitent l'exemple de M. de Brazza, nous aurons bientôt, sur les bords du Congo, des territoires anglais, allemands, portugais, italiens et hollandais, avec leurs frontières, leurs forts, leurs canons, leurs soldats, leurs rivalités et, peut-être un jour, leurs hostilités. N'est-ce pas déjà de voir nos fleuves d'Europe hérissés partout, des deux côtés, d'armements formidables? Faut-il reproduire cette situation lamentable jusqu'au milieu de l'Afrique? N'aurait-il pas mieux valu, comme l'ont voulu les promoteurs de l'Association ou du Comité, fusionner les forces de ces nationalités diverses en une œuvre internationale et humanitaire travaillant au profit de tous". de Laveleye (E.), "Les Français, les Anglais et le Comité international sur le Congo en 1882", *Revue de Belgique*, 15 December 1882, also in: de Laveleye (E.), *Essais et études, Deuxième série, 1875-1882*, Ghent-Paris, 1895, pp. 362-383.

limited navigability of the Lower Congo hindered access to the Upper Congo, a region with huge economic potential. De Laveleye was one of the first publicists to openly advocate the construction of a railroad to the Upper Congo. He placed the project in an internationalist framework in the hope of pulling back together divergent forces. Working together was the message, because the high cost of such a rail link could never be born by one state alone. He posed the rhetorical question:

"[...] why each state could not grant an interest warrant proportionate to its wealth or to its budget and foreign trade combined?".<sup>28</sup>

De Laveleye's second proposal had an even bigger impact, as the debates at the Conference in Munich later that year would prove. He called for the complete neutralisation of the Congo River, analogous with the Danube, where an international commission regulated navigation.<sup>29</sup> By publishing an English version of his article in the *Contemporary Review* of May 1883, he managed to add pro-Leopoldian arguments to the Congo debate in Britain (cf. infra).

In 1883, de Laveleye published a rather short paper on the neutrality issue in *Revue de droit international et de législation comparée*, entitled "La neutralité du Congo". He repeated his proposal to "neutralise" the Congo River with the help of an international commission, but – instigated by the Royal Palace – he extended the principle to territorial circumscriptions. He considered it important to grant neutral status also to the stations founded along the Congo River. Thus he wanted to safeguard the posts of Leopold's *Association* against claims of colonial powers that were also active in Central Africa. France was particularly targeted. Since the 1882 Makoko Treaty it had aggressively claimed sovereignty rights on the banks of the Congo River (Brunschwig, 1965; 1972). Especially in the Niadi-Kwilu region, the French were continuously in conflict with Leopold's representatives (Lederer, 1988). It is therefore striking that de Laveleye reported support for his proposal not only in Germany and England but also in France. He liked to quote none other than Ferdinand de Lesseps – a key figure on the French side:

"Having offered to M. de Lesseps the first article in which I expressed the idea of neutralising the Congo, he was willing to acknowledge me as follows: 'I read your

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<sup>28</sup> Originally in French: "[...] pourquoi chaque État ne pourrait-il pas accorder une garantie d'intérêt proportionnée à sa richesse ou à son budget et à son commerce extérieur combinés?" de Laveleye (E.), *Essais et études, Deuxième série, 1875-1882*, Ghent-Paris, 1895, p. 382.

<sup>29</sup> de Laveleye (E.), *Essais et études, Deuxième série, 1875-1882*, Ghent-Paris, 1895, p. 382.

review with great interest. The idea of the neutralisation of the Congo seems excellent".<sup>30</sup>

This proposal immediately brought another contentious issue to the surface: the juridical status of the posts established by the *Association* and, by extension, the status of the *Association* itself. Emile de Laveleye tried to clear the way for Leopold in the field of international law, in that he introduced arguments that the *Association* could soon use to claim sovereignty rights for posts or territories in Central Africa. De Laveleye strongly contested the argument of several French opinion makers that the *Association* was a purely private organisation that could never enter on an equal footing in political negotiations or conclude treaties with independent states. In history he found a number of examples of international companies (Borneo, North America, etc.) which not only had obtained international recognition of their property rights but also had been given full rights similar to sovereignty. The concessions which the *Association* had secured from indigenous leaders were, in his view, entirely legitimate transfers of sovereignty.<sup>31</sup>

It is important to emphasise that de Laveleye's act should not be regarded as something purely personal or isolated. He wrote his article after extensive correspondence on the matter with the Royal Palace in Brussels. Moreover, it is noteworthy that for specific arguments he referred to the contents of an anonymous open letter addressed by a "member of the International African Association" to the *Courrier des États-Unis* (May 1883). Documents filed in the Archives of the Royal Palace show that the anonymous author of this piece is none other than Count Eugène Goblet d'Alviella, de Laveleye's friend who was a Belgian delegate at the Brussels Conference and later a member of the *Association*. A professor of the history of religions at the University of Brussels and a prominent freemason – he would become Grand Master of the Grand Orient of Belgium in 1884 – Goblet d'Alviella was held in high esteem by the Belgian elite for both his intellectual and spiritual work (Dierkens, 1996). These documents make clear that the external communication about tensions with de Brazza was part of a complex but firmly orchestrated campaign. The nerve centre was situated around the king's desk in Brussels. Goblet d'Alviella's article in *Courrier des États-Unis* was a response to

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<sup>30</sup>. Originally in French: "Ayant offert à M. de Lesseps le premier travail où j'émettais l'idée de neutraliser le Congo, il voulut bien m'en accuser réception dans les termes suivants: 'J'ai lu votre étude avec le plus vif intérêt. L'idée de la neutralisation du Congo me paraît excellente.'" de Laveleye (E.), "La neutralité du Congo", *Revue de droit international et de législation comparée*, XV, 1883, p. 255.

<sup>31</sup>. de Laveleye (E.), "La neutralité du Congo", *Revue de droit international et de législation comparée*, XV, 1883, p. 260.

another article in the aforementioned newspaper which had been fairly negative about Leopold II. Entitled "L'Angleterre et M. de Brazza", it contained the allegation that the *Association*, unlike France, could never claim sovereignty rights. As eloquent as de Laveleye, Goblet d'Alviella reached for his pen at the king's direct request and wrote a piece in which he defended the *Association*. Before publishing it, he asked Leopold II for his approval.<sup>32</sup> In his letter to the Director of the *Courrier des États-Unis*, Goblet d'Alviella denied all previously published arguments and referred to the fact that the African "chiefs" were free to dispose of their land. When they awarded a concession it meant that they relinquished their rights. The very existence of these conventions or concessions implied the recognition of sovereignty. In a short note, the king proposed several corrections to Goblet d'Alviella's original text, but eventually he must have been very pleased with the result.<sup>33</sup> After all, in a letter dated 29 April 1883 and addressed to the king, the count proposed a wider circulation of his letter. A translation was necessary because the newspaper for which the letter had been intended reached a small audience. For Goblet d'Alviella the king's intentions were crystal clear:

"It is true that, if I understand the intentions of Your Majesty, this letter is primarily addressed to Paris, via New York".<sup>34</sup>

Goblet d'Alviella and de Laveleye worked as an intellectual team in the king's service. The arguments spread by the count through a publication with a relatively small circulation were strengthened as they were copied almost verbatim in de Laveleye's articles – which in turn were distributed on a global scale. It is in this period that de Laveleye became a real and sometimes rather uncritical "campaigner" for the king's cause. If asked about his motivations, he would certainly argue that he was driven by a concern for peace and economic prosperity, but it is nonetheless striking that he continued to believe that his concept of political pragmatism, developed around the "international formula" launched in Brussels in 1876, could be maintained in the early 1880s. In some sense he was too much a "theorist" to understand fully the practical and worldly implications of Leopold's ambitious politics on the field. Perhaps somewhat confused by the attention and flattering messages

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<sup>32</sup> ARP DBE, number 1, document 55, E. Goblet d'Alviella to King Leopold II, Brussels, 27 April 1883, original, including a long appendix: "Projet de lettre au Courrier des États-Unis", 14 pages.

<sup>33</sup> ARP DBE, number 1, document 56, King Leopold II to E. Goblet d'Alviella, s.l., 28 April 1883, minute.

<sup>34</sup> ARP DBE, number 1, document 57, E. Goblet d'Alviella to King Leopold II, Brussels, 29 April 1883, original.

sent to him by the king's manipulating administration, he had been cleverly absorbed into Leopold's propaganda machine, as is testified by his activities in Britain.

## 9. CONNECTIONS WITH BRITISH MEDIA AND POLITICS

Correspondence between Jules Devaux and Emile de Laveleye shows how the scholar became involved by the king's immediate entourage in spin operations that surrounded negotiations on a new treaty between Portugal and Britain in the years 1882-1884. If by such a treaty Britain recognised Portuguese claims on the Congo, Leopold's ambitions in Africa would be dismantled instantly (Anstey, 1962; Cooney, 1968). De Laveleye's friends and correspondents in Britain were influential people: politicians, diplomats, journalists, philanthropists, scholars, etc. With his publications on the neutrality of the Congo and through his British connections, de Laveleye immediately started to provide services to the king.

On 28 January 1883, the head of the king's Cabinet said to de Laveleye that he had read with great interest in *Revue de Belgique* "your excellent article on the Congo" (i.e., "Les Français, les Anglais et le Comité international sur le Congo" from 15 December 1882). Devaux elaborated on de Laveleye's proposal:

"The complete neutrality you are proposing is a desideratum which would be great to achieve. Unfortunately, the claims which have arisen and taken shape in France do no longer allow us to count on it. One will not bring France to the point of renouncing [the idea] that it shall have its own possessions. For want of this beautiful ideal, we would still be very happy to arrive at a neutralisation of our roads and stations. That's what occupies us now".<sup>35</sup>

What strikes the eye is that the Royal Palace pushed de Laveleye to a more realistic position. In his next article about the neutrality issue, published later

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<sup>35</sup>. Originally in French: "La neutralité complète que vous proposez est un desideratum qu'il serait superbe d'atteindre. Malheureusement les prétentions qui ont surgi et pris corps en France ne permettent plus guère d'y compter. On n'amènera plus [la] France à renoncer à avoir des possessions à elle. À défaut de ce beau idéal, nous serions encore fort heureux d'arriver à faire neutraliser nos routes et nos stations. C'est à quoi nous travaillons". GUCL, Ms 3640, J. Devaux to E. de Laveleye, Brussels, 28 January [1883]. For a critical edition, see: *Lettres adressées à Emile de Laveleye présentées par Marcel Bots* (1992, 114-115). See also: ARP DBE, number 1, document 3, J. Devaux to E. de Laveleye, Brussels, 28 January 1883, minute.

that year in *Revue de droit international et de législation comparée*, the scholar copied almost literally Devaux's words on the neutralisation of stations and communication links.

The realisation of that particular article was de Laveleye's response to a suggestion about the neutralisation formulated by Devaux in his letter dated 28 January 1883:

"It would be quite a thing if you could defend it [= the neutralisation] in one of the major newspapers of Paris other than *Le Temps*. I except *Le Temps* because we have our entry there, this between us, and we expect, when time will come, to launch it against the Portuguese. This moment will arrive when Brazza has left; and this will be soon. As long as he is in Paris we can do nothing; he countermines against everything we try with the French press. It is after his departure, and only then, that one should start the small campaign in favour of the neutralisation of which I spoke earlier – if you find a way".<sup>36</sup>

The journalist of *Le Temps* who was on the king's payroll was a certain Hément (Bontinck, 1971, 44-45; Stengers, 1989, 48). We lack the necessary data to determine whether or not Emile de Laveleye influenced the French press, but it is certain that in February 1883 the Royal Palace sent letters defending Stanley's reputation to French newspapers, including *Le Figaro* and *Journal des Débats*. It is also certain that in the early months of 1883 de Laveleye enhanced "the small campaign in favour of the neutralisation" in Britain.

De Laveleye's excellent contacts with Lord Edmond Fitzmaurice (1846-1935), who held the office of Parliamentary Under-Secretary of State for Foreign Affairs between 1883 and 1885 under the government of William Gladstone (1809-1898), proved to be very useful to the Royal Palace. De Laveleye revealed himself as a mediator between the Royal Palace and Fitzmaurice. Confidential information went back and forth through his mailbox. At the end of January, Fitzmaurice wrote that he was pleased with the article on the Congo he had received from de Laveleye and had sent a

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<sup>36</sup> Originally in French: "Vous feriez une fameuse chose si vous pouviez la défendre dans un des grands journaux de Paris, autre que le Tems [*sic*]. J'excepte le Tems [*sic*] parce que nous y avons nos entrées, ceci entre nous, et que nous comptons quand le moment sera venu, le lancer sur les Portugais. Ce moment sera là quand Brazza sera parti; ce qui est prochain. Tant qu'il est à Paris, il n'y a pas de moyen; il contremine contre tout ce que nous essayons avec la presse française. C'est après son départ, et seulement alors, qu'il faudrait commencer la petite campagne en faveur de la neutralisation dont je vous parle plus haut – si vous en trouvez le moyen". GUCL, Ms 3640, J. Devaux to E. de Laveleye, Brussels, 28 January [1883]. For a critical edition, see: *Lettres adressées à Emile de Laveleye présentées par Marcel Bots* (1992, 114-115). See also: ARP DBE, number 1, document 3, J. Devaux to E. de Laveleye, Brussels, 28 January 1883, minute.



copy to Lord Granville (1815-1891), the Secretary of State for Foreign Affairs. Fitzmaurice agreed with de Laveleye that there was a threat that new military tensions could be exported to Africa, and he offered his help to improve the situation.<sup>37</sup> De Laveleye immediately informed the Royal Palace in Brussels about the unique opportunity to directly influence a key person in the decision-making process. On 1 February 1883, Devaux asked the professor to write the Under-Secretary a clear message: Leopold II expected from the British government a negotiated treaty with Portugal that would include a clause on the recognition of freedom and neutrality of the roads and stations of the *Association*. Devaux's words unveiled the king's fears in a most explicit way:

"To do otherwise would come down to a transfer of our possessions to Portugal with one stroke of a pen. This would dispossess us in a most unjustifiable and brutal manner".<sup>38</sup>

De Laveleye sent Devaux's letters to London, and on 6 February Fitzmaurice answered confidentially that Brussels did not have to fear that negotiations with Portugal would have negative consequences:

"[...] it has never been the intention of the Queen's Government to undermine the work started by Belgium in West Africa [*sic*]. We only want to ensure all explorers the fullest freedom in these distant lands".<sup>39</sup>

Devaux had the uneasy feeling that Fitzmaurice kept him dangling. He was not entirely convinced that the British appreciated the presence of the *Association* on the banks of the Congo River. "We start to compete with them on all markets, even on theirs [...]".<sup>40</sup>

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<sup>37</sup>. GUCL, Ms 3640, E. Fitzmaurice to E. de Laveleye. [London], 27 January 1883.

<sup>38</sup>. Originally in French: "Agir autrement serait transférer d'un trait de plume nos propriétés au Portugal. Ce serait nous déposséder de la manière la plus injustifiable et la plus brutale". GUCL, Ms 3640, J. Devaux to E. de Laveleye, S.I., 1 February [1883]. For a critical edition: *Lettres adressées à Emile de Laveleye présentées par Marcel Bots* (1992, 116).

<sup>39</sup>. Originally in French: "[...] il n'est point entré dans l'intention du Gouv't de la Reine de porter atteinte à l'œuvre qu'a entreprise la Belgique dans l'Afrique occidentale. Tout ce que nous voulons faire c'est de garantir à tous les explorateurs la liberté la plus complète dans ces pays lointains". GUCL, Ms 3640, E. Fitzmaurice to E. de Laveleye, [London], 6 February 1883.

<sup>40</sup>. Originally in French: "Nous commençons à leur faire sur tous les marchés, même sur les leurs, une concurrence [...]" GUCL, Ms 3640, J. Devaux to E. de Laveleye, s.l., s.d., [February 1883]; for a critical edition: *Lettres adressées à Emile de Laveleye présentées par Marcel Bots* (1992, 118).

Negotiations were at an early stage and ultimately would drag on for months. Pressure on Fitzmaurice alone did not speed up the king's case. Leopold II set up a much broader campaign in which de Laveleye was just one of many players. Around the same time, the Scottish businessman William Mackinnon (1823-1893) and the consultant in African affairs at the Foreign Office John Kirk (1832-1922) came into action by order of the Royal Palace. They constantly exchanged letters on whom they might influence in Britain. At the end of January 1883, they were both received in audience by the king to discuss their work. In fact, the mission given to Mackinnon and Kirk was very similar to Laveleye's: provoke opposition against a British recognition of Portuguese claims on the Congo Estuary through the forthcoming Anglo-Portuguese treaty, both in British government circles and among members of the British Parliament.<sup>41</sup> William Mackinnon contacted numerous officials and had meetings with radical-minded members of the British government such as Charles Dilke (1843-1911) and Joseph Chamberlain (1836-1914).<sup>42</sup> Through Lord Kinnaird (1814-1887) he tried to influence Gladstone. Francis Knollys (1837-1927), Private Secretary to the Prince of Wales, got involved in the campaign, and Leopold himself wrote a letter to "Cousin Bertie" requesting intervention in his favour (Forbes Munro, 2003, 359-362). Through banker Léon Lambert (1851-1919), pressure was exerted on the London-based branch of the Rothschild banking family.<sup>43</sup> The Royal Palace also played on the strong anti-Portuguese feelings in the British anti-slavery movement.<sup>44</sup> The liberal businessmen of Manchester were mobilised,<sup>45</sup> and Leopold II wrote to Queen Victoria.<sup>46</sup> De Laveleye was active among a slightly lower echelon: the parliamentarians. He personally knew the Liberal MP Jacob Bright (1821-1899), who on 3 March 1883 submitted a resolution in the House of Commons condemning the upcoming treaty.<sup>47</sup> De Laveleye

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<sup>41</sup>. This becomes clear from the memorandum given to W. Mackinnon but destined for Lord Kinnaird, s.l., 3 February 1883, copy in ARP DBE, number 1, document 6.

<sup>42</sup>. ARP DBE, number 1, document 12, W. Mackinnon to J. Devaux, London, 12 February 1883, original.

<sup>43</sup>. ARP DBE, number 1, document 13, memorandum given to L. Lambert for the Rothschilds (from London), 15 February 1883, minute.

<sup>44</sup>. ARP DBE, number 1, document 15, E. Law to J. Devaux, 19 February 1883. This letter informed J. Devaux about a conversation between E. Law and William Forster, at that moment a leader of the "anti-slavery party".

<sup>45</sup>. ARP DBE, number 1, document 17, J. Greindl to (J. Devaux?), Lisbon, 5 March 1883.

<sup>46</sup>. ARP DBE, number 1, document 16, J. Kirk to J. Devaux, Sevenoaks, Kent, 20 February 1883.

<sup>47</sup>. ARP DBE, number 1, document 18, "La Mouche du Coche" (E. de Laveleye) to J. Devaux, Liège, 9 March (1883), original.

corresponded with Bright and gave him his work on the "neutrality". Bright was pleased by this gesture but did not have to be convinced. He answered:

"Thank you for your paper on the Congo. I have read it with much interest to entirely share your view on the general question. [...] We are making every effort to prevent our government from making the treaty with Portugal and hope we may succeed. [...]"<sup>48</sup>

An appendix to a letter dated 14 April 1883, addressed by William Mackinnon to Jules Devaux, contained a memo from which it emerges that the other members of Leopold's campaigning team had wholeheartedly adopted the ideas of internationalisation and neutralisation. MacKinnon suggested creating an international commission "for securing the free navigation of the Congo", composed of representatives from Britain, France, Germany, Italy, the United States, the Netherlands and Portugal. He already saw the king in the role of first president.<sup>49</sup> On 16 April 1883, Jules Devaux asked John Kirk if he thought such a commission would be viable. In the same letter, Jules Devaux expressed the following view on Kirk's contribution to the neutrality issue:

"All what you have already done for the great cause to which the King devotes himself make His Majesty believe that you might perhaps some day or other find an opportunity of starting in the proper quarter the idea of acknowledging the neutrality of our stations. Should you think that His Majesty has any think [*sic*] to do in that line, pray, be so kind as to mention it. He will always be glad to follow your good advices".<sup>50</sup>

In a memo from April 1883, the influential Secretary General at the Department of Foreign Affairs, August Lambermont (1809-1905), who had also been a trustworthy advisor to the king in African affairs since 1875 (Walraet, 1951; Willequet, 1971), wrote that Count Rilvas, the Minister Plenipotentiary of Portugal in Brussels, had paid a visit to the Belgian Minister of Foreign Affairs to talk with him on the Congo. Lambermont had spoken with him about the possibility of organising a new international conference along the lines of the meeting on the Danube, in order to install the appropriate regime in Congo. The Portuguese Minister was not against, but this was his personal

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<sup>48</sup>. ARP DBE, number 1, document 32, J. Bright to E. de Laveleye, London, 15 March 1883, copy.

<sup>49</sup>. ARP DBE, number 1, document 49, W. Mackinnon to J. Devaux, London, 14 April 1883, original, annex: memo, 9 April 1883, copy.

<sup>50</sup>. ARP DBE, number 1, document 50, J. Devaux to J. Kirk, Brussels, 16 April 1883, minute.

position.<sup>51</sup> All these documents show how comprehensive and widespread the campaign about the neutrality issue had become. The Anglo-Portuguese treaty set the whole diplomatic world in motion.

Most people knew what role a man of stature such as de Laveleye could play in the discussion. In the spring of 1883, the scholar received confidential information from all sides. Via John Savile Lumley (1818-1896), Minister Plenipotentiary of Britain in Brussels, Jules Devaux had temporarily obtained the complete set of confidential correspondence of the Foreign Office about Congo (he had to give it back to Savile Lumley after his return from Rome). Devaux had Savile Lumley's permission to contact Emile de Laveleye and give him access to the documents. All this happened with the agreement of Lord Granville, because it was known that de Laveleye was preparing a new article.<sup>52</sup> De Laveleye was allowed to use the correspondence as a source for his writings, but he could not quote from it. The scholar was indeed writing his second text on the neutrality, and by publishing it in *Revue de droit international et de législation comparée* he drew a prestigious international organisation into the discussion.

## 10. THE *INSTITUT DE DROIT INTERNATIONAL* AND CONGO

That organisation was the *Institut de droit international*. The Institute was founded on 8 September 1873 in the City Hall of Ghent by a group of lawyers who wanted to advance international law. According to the statutes, it was "an exclusively learned society, without any official nature". Its purpose was:

"To promote the progress of international law by striving to formulate the general principles of the subject, in such a way as to correspond to the legal conscience of the world, by lending its cooperation in any serious endeavour for the gradual and progressive codification of international law, by seeking official endorsement of the

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<sup>51</sup> ARP DBE, number 1, document 52, note by A. Lambermont, April 1883.

<sup>52</sup> GUCL, Ms 3640, J. Devaux to E. de Laveleye, 13 May [1883], for a critical edition see: *Lettres adressées à Emile de Laveleye présentées par Marcel Bots* (1992, 119). J. Stengers quotes a letter from J. Savile Lumley to Lord Granville, dated 6 May 1883: "I propose [...] to let Mr. Emile de Laveleye know, through Devaux, that if he wants materials for the article he is now writing on the Congo, he can be supplied with them". On 27 May 1883 he wrote again: "Before leaving Brussels I asked Devaux to write to Mr. Laveleye and tell him that if he wanted materials for the article he was writing on the Congo, they could be supplied to him" (Stengers, 1955, col. 494).

principles recognised as in harmony with the needs of modern societies, by contributing, within the limits of its competence, either to the maintenance of peace, or to the observance of the laws of war, by studying the difficulties which may arise in the interpretation and application of the law, and where necessary issuing reasoned legal opinions in doubtful or controversial cases, by affording its cooperation, through publications, public teaching and all other means, in ensuring that those principles of justice and humanity which should govern the mutual relations of peoples shall prevail".<sup>53</sup>

The driving forces behind the organisation were the Belgian Gustave Rolin-Jaequemyns (1835-1902), a famous jurist who at the end of his career would be appointed by Leopold II as a member of the High Council of the Congo Free State (Koskenniemi, 2004), and the Swiss Gustave Moynier (1826-1910), who in 1863 had been a co-founder of the International Committee of the Red Cross (Durand, 1996). Emile de Laveleye was one of the eleven founding members of the Institute. In 1883 he held the office of vice-president.

On 5 September 1878, at the fourth meeting of the Institute in Paris, Moynier had directed the members' attention to the need for international protection of navigation on the Congo.<sup>54</sup> But it was the publication of de Laveleye's article "La neutralité du Congo" in the Institute's journal in June 1883 that really opened the debate among experts.<sup>55</sup> De Laveleye kept the king informed about the response to his publication. In August 1883 he reported, not without some pride, to Jules Devaux:

"The idea of neutralising the Congo has been successful. It was approved by a specialised and distinguished German jurist Gessner (in the *Gegenwart*), taken up by Moynier, and accepted by Sir Travers Twiss (see the attached communication)".<sup>56</sup>

De Laveleye was referring to the article "Zur Neutralisierung des Congo", which Ludwig Gessner (1828-1890) had published on 28 July 1883 in *Die Gegenwart*, but more important is the fact that two prominent members of the *Institut de droit international* came into action. On 1 July 1883, Gustave Moynier had addressed a circular to all members of the Institute in which he drew attention to de Laveleye's ideas on neutralisation. He shared the fear

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<sup>53</sup>. The statutes adopted in 1873 can be consulted online:  
[http://www.idi-iil.org/idiE/navig\\_statutes.html](http://www.idi-iil.org/idiE/navig_statutes.html)

<sup>54</sup>. *Annuaire de l'Institut de droit international*, III-IVe années, tome I, 1880, p. 155.

<sup>55</sup>. About this issue, see also Fitzmaurice (2009, 137-160; forthcoming).

<sup>56</sup>. Originally in French: "L'idée de neutraliser le Congo a eu du succès. Elle a été approuvée par un juriste allemand spécial et distingué Gessner (dans le *Gegenwart*), reprise par Moynier et acceptée par Sir Travers Twiss (voyez la communication ci-jointe)". ARP DBE, number 2, document 32, E. de Laveleye to J. Devaux, Argenteau, 16 August 1883, original.

that a military conflict in Central Africa might be near. Diplomats hesitated to take the necessary steps. He saw an opportunity to exploit the Institute's impartiality in this case and to realise at the same time one of its main objectives: enhancement of peace. The Institute had to examine the issue and formulate advice to the governments of the leading powers. The members were invited, in preparation of the next meeting which was to take place early September in Munich, to reflect on the case.<sup>57</sup> The specialist in international law Sir Travers Twiss (1809-1897) (*The Dictionary of National Biography*, 1322-1325) had reacted immediately by putting his personal vision, dated 24 July 1883, on paper. It is this text which de Laveleye would bring to the attention of the Royal Palace in Brussels three weeks later.

It would lead me too far to give a detailed analysis of Twiss' texts from this period. After all, he wrote four articles about Congo before and after the Munich session.<sup>58</sup> I would like to refer to the already cited studies by Andrew Fitzmaurice (2009; forthcoming). Yet it is interesting to sketch the broad outlines of Twiss' argumentation. De Laveleye was a little too hasty when he wrote that Twiss had accepted the neutrality proposal. The opposite was true. Twiss argued that neutrality would lead to anarchy, because in such circumstances no one could exert authority by force of arms in this still very troubled region of Central Africa. But Twiss remained an internationalist and provided arguments in favour of the recognition of the sovereignty rights claimed by Leopold's *Association*. This is not really surprising; some researchers believe that Twiss was on the king's payroll (Thomson, 1933; Koskenniemi, 2001; Fitzmaurice, 2009; forthcoming).<sup>59</sup> Twiss was very creative. He even found medieval examples of private organisations which had enforced sovereignty rights, such as the Order of the Knights of Malta. With regard to the Lower Congo, Twiss pleaded for the establishment of an international commission which would regulate navigation on the stream. For the Middle and Upper Congo he proposed that the major powers would sign a

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<sup>57</sup>. "Lettre-circulaire de M. Moynier à messieurs les membres et associés de l'Institut de droit international", published in: *Annuaire de l'Institut de droit international*, VII, 1883-1885, pp. 238-242.

<sup>58</sup>. Twiss (T.), "La libre navigation du Congo", *Revue de droit international et de législation comparée*, XV, 1883, pp. 437-442; Twiss (T.), "La libre navigation du Congo. Deuxième article" *Revue de droit international et de législation comparée*, XV, 1883, pp. 547-563; Twiss (T.), "An International Protectorate of the Congo River", *Law Magazine and Review*, CCL, 1883, pp. 1-20; Twiss (T.), *An International Protectorate of the Congo River*, London, Pwntress & Co., 1883.

<sup>59</sup>. A claim for which to my knowledge no archival evidence exists.

"protocol of disinterestedness" as a preliminary to an international accord.<sup>60</sup> He took the example of the Triple Treaty of London of 6 July 1827, when Russia, France and Great Britain entered into an alliance to bring about the independence of Greece. In anticipation of a definitive settlement of political difficulties, such a protocol could allay all apprehension about a coming struggle among the European nationalities on African soil.<sup>61</sup>

In a letter dated 16 August 1883, de Laveleye asked the Royal Palace if this "protocol" would suffice for the king. He wanted to be kept informed in a discreet manner about Leopold's appreciations of Twiss' text.<sup>62</sup> The answer followed soon.<sup>63</sup> The king was delighted by the idea of "internationalising" the Lower Congo. He also liked the "protocol", but he considered the chances very small that France would also agree. Leopold II preferred that the specialist in international law express his views in favour of a neutralisation of "free stations and indigenous stations". He thought this would give no offence, not even to France, because the French possession would then have "small neutrals" as neighbours. De Laveleye was informed that the Middle Congo was now almost entirely in the hands of the *Association*; the Upper Congo had been under its control for a long time. He must have understood by now that the king had ignored his pragmatic views and was fully implicated in an imperialistic operation. The Royal Palace made clear that the issue of sovereignty rights had become crucial by this time:

"It would be very nice to stimulate the decision that the stations which received from indigenous sovereign Chiefs the concession of a part of their sovereignty are in turn small sovereignties, whether they have been founded by a European state, by an Association or by an individual. – But this would require an occasion and a set of circumstances which without any doubt will not arise".<sup>64</sup>

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<sup>60</sup>. In French: "protocole de désintéressement". *Annuaire de l'Institut de droit international*, VII, 1883-1885, p. 249.

<sup>61</sup>. The meaning given to the proposed protocol is explained in Twiss (T.), "An International Protectorate of the Congo River", *Law Magazine and Review*, CCL, 1883, pp. 18-19.

<sup>62</sup>. ARP DBE, number 2, document 32, E. de Laveleye to J. Devaux, Argenteau, 16 August 1883, original: "Mais sous quelle forme présenter cette neutralité? La déclaration de désintéressement proposée par Twiss, suffirait-elle au Roi? Si vous pouviez me faire connaître quelle est la manière de voir de S.M. à ce sujet, cela nous serait très utile. Bien entendu, il n'en serait fait aucune mention".

<sup>63</sup>. GUCL, Ms 3640, J. Devaux to E. de Laveleye, Brussels, 20 August 1883, original, for a critical edition see: *Lettres adressées à Emile de Laveleye présentées par Marcel Bots* (1992, 121-122); ARP DBE, number 2, document 33, J. Devaux to E. de Laveleye, s.l., 20 August 1883, minute.

<sup>64</sup>. GUCL, Ms 3640, J. Devaux to E. de Laveleye, Brussels, 20 August 1883, original, for a critical edition see: *Lettres adressées à Emile de Laveleye présentées par Marcel Bots* (1992,

The Berlin Congress was indeed still in the future. But in any case, de Laveleye must have understood by this answer that he was certainly not expected to oppose the purport of Twiss' argument. Again, de Laveleye would remain a faithful servant.

When just two weeks later the lawyers settled down in Munich for a new meeting of the *Institut de droit international*, the Congo issue had been added to the agenda by Gustave Moynier. The Swiss presented a comprehensive treatise. He argued that neither the term "neutralisation" used by de Laveleye nor the term "internationalisation" used by Twiss really indicated what should be the heart of the matter: the freedom of navigation and trade on the Congo and its tributaries. He wanted to come to an international convention which should guarantee this freedom. His text contained a detailed proposal on this subject.<sup>65</sup>

Emile de Laveleye could not be present in Munich, but he had sent a letter which was read aloud. He now took the U-turn prepared by Twiss and supported by the Royal Palace. He announced that in his view the main goal was to achieve a kind of agreement or convention which dealt primarily with commercial competition and would not arouse hostilities. He underlined:

"I agree, for my part, completely to the idea, recommended by Sir Travers Twiss, of a protocol of disinterestedness".<sup>66</sup>

After a first exchange of opinions it was decided to install a commission – composed of Gustave Moynier, Sir Travers Twiss, the Frenchman Louis Renault (1843-1918), the German Heinrich Marquardsen (1826-1896) and the Belgian Egide Arntz (1812-1884) – which would reflect further on the matter (Koskenniemi, 2001). A few days later, Arntz drew the following conclusion:

"The Institute for International Law expresses the wish that the principle of freedom of navigation for all nations is applied to the Congo and its tributaries, and that all

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121-122); ARP DBE, number 2, document 33, J. Devaux to E. de Laveleye, s.l., 20 August 1883, minute. Originally in French: "Il serait très beau de faire décider que les Stations qui ont reçu de Chefs souverains indigènes la concession d'une partie de leur souveraineté sont à leur tour de petites souverainetés, qu'elles aient été fondées par un État européen, par une Association ou par un particulier. – Mais il faudrait pour cela une occasion et un ensemble de circonstances qui ne se présenteront sans doute pas".

<sup>65</sup>. "Mémoire lu à l'Institut de droit international, à Munich, le 4 septembre 1883, par M. Moynier", in: *Annuaire de l'Institut de droit international*, VII, 1883-1885, pp. 250-274.

<sup>66</sup>. Originally in French: "Je me rallie, pour ma part, complètement à l'idée, recommandée par sir Travers Twiss, d'un protocole de désintéressement". See: *Annuaire de l'Institut de droit international*, VII, 1883-1885, pp. 274-275.



the powers agree on action to prevent conflicts between civilised nations in equatorial Africa. The Institute assigns its Board to convey this wish to the various powers, together with, but only for information, the treatise which was submitted by one of its members, M. Moynier, at the meeting of 4 September 1883".<sup>67</sup>

The resolution was adopted by the other members without much discussion. Although it was not a formal declaration of support for the *Association*, Leopold II saw the statement in favour of free trade and peace as an important step towards the recognition of his "international formula".<sup>68</sup> Now that a strong group of independent scholars had taken position against the interests of France and Portugal, perhaps public opinion in Europe was going to shift to the king's side. But whether the diplomatic negotiations would really be affected by it remained an open question.

#### 11. DEVELOPMENTS BETWEEN THE MUNICH CONFERENCE AND THE ANGLO-PORTUGUESE TREATY (26 FEBRUARY 1884)

Negotiations between London and Lisbon about the treaty continued. From September to November 1883, Jules Devaux remained in the British capital, continuing the efforts begun by de Laveleye. Leopold II had sent the head of his Cabinet across the Channel with the explicit order to work on British politicians.<sup>69</sup> On 11 October 1883, Devaux met with Fitzmaurice at the Foreign Office. He got the impression that the British expected from the

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<sup>67</sup>. Originally in French: "L'institut de droit international exprime le vœu que le principe de la liberté de navigation, pour toutes les nations, soit appliqué au fleuve du Congo et à ses affluents, et que toutes les puissances s'entendent sur des mesures propres à prévenir les conflits entre nations civilisées dans l'Afrique équatoriale. L'Institut charge son bureau de transmettre ce vœu aux diverses puissances, en y joignant, mais seulement à titre d'information, le mémoire qui lui a été présenté par l'un de ses membres, M. Moynier, dans la séance du 4 septembre 1883". See: *Annuaire de l'Institut de droit international*, VII, 1883-1885, p. 278.

<sup>68</sup>. The fact that Leopold II approved and valued the Institute's efforts in 1883 can be deduced from the fact that two years later, on 7 September 1885, when the Institute held its annual meeting in Brussels and Leopold II was finally recognised as Sovereign of the Congo Free State, he received a delegation of the members in audience and warmly welcomed the laudatory address that was read aloud by the Institute's president. After this formal moment, the king took time to thank each of the present members individually for their efforts. See: "Texte d'une adresse à S.M. Léopold II, Roi des Belges, Souverain de l'État indépendant du Congo", in: *Annuaire de l'Institut de droit international*, VIII, 1885-1886, pp. 17-19.

<sup>69</sup>. See: *Lettres adressées à Emile de Laveleye présentées par Marcel Bots* (1992, 123).

Portuguese a clear limitation of their sphere of influence in the interior of Central Africa. But the bad feeling remained.<sup>70</sup>

In the last months of 1883 as well as in early 1884, Leopold's people took several diplomatic steps in Lisbon, especially after the Portuguese had taken note of the resolution of the *Institut de droit international*. The Portuguese government opted for confrontation with the law experts. On 23 October 1883, the Portuguese Ministry of Foreign Affairs sent a memo about the claim on the Congo Estuary to all its agents abroad. They had to forward it to the major powers. The memo sharply criticised the Munich resolution and spoke of "a disregard of Portugal's rights". It contained an extensive discussion about old diplomatic agreements which proved that several governments had recognised Portuguese sovereignty in Congo. It also disputed the implicit assumption of the *Institut de droit international* that Portugal was an opponent of free trade on the Congo River.<sup>71</sup> Through the services of the Belgian Minister Plenipotentiary in Lisbon, Jules Greindl (1835-1917) – an advisor of the king with regard to his private "colonial" initiatives in, for example, the Philippines (1874-1875) who had, for a short time, even been Secretary General of the *Association internationale africaine* (Cambier, 1952; Greindl, 1962) – and the Belgian Minister of Foreign Affairs, Walthère Frère-Orban Leopold II was immediately granted inspection of the diplomatic correspondence. Despite the harsh tone, Greindl read hopeful things in the statement: finally the Portuguese admitted that their territorial claims were restricted to the coastal area and should not form an obstacle to free navigation on the Congo River. He also suspected that they favoured a liberal regime on the Congo, i.e., without any privileges. But it was still very annoying that the Portuguese Minister gave no indication of how far inland the Portuguese claims reached.<sup>72</sup>

In Brussels, there were growing concerns about the legal status of the posts of the *Association*. Leopold's advisors started to analyse important works on international law in search for relevant passages on the legal independence of a state. The work of the Swiss jurist Johann Kaspar Bluntschli (1808-1881) offered some useful data.<sup>73</sup> The king commissioned Egide Arntz, professor of international law at the University of Brussels, to investigate particular

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<sup>70</sup> ARP DBE, number 44, document 1, J. Devaux to King Leopold II, London, 11 October 1883.

<sup>71</sup> ARP DBE, number 2, document 35, translation of a memo of the Portuguese Ministry of Foreign Affairs addressed to all its agents abroad with regard to the Portuguese claims on the Congo Estuary, Lisbon, 23 October 1883, copy.

<sup>72</sup> ARP DBE, number 2, document 38, J. Greindl to W. Frère-Orban, Lisbon, 26 October 1883, copy.

<sup>73</sup> ARP DBE, number 2, document 37, extracts from books on international law.

problems.<sup>74</sup> Arntz had to rebut Portuguese criticism on concessions given by indigenous leaders to Leopold's men in Congo. Portugal called these concessions "a clear violation of fundamental and indisputable principles of international law". Leopold II had not yet forgotten Sir Travers Twiss' views and wove them into the instructions he gave to his staff.<sup>75</sup> Arntz wrote two extensive articles that were then thrown into the diplomatic battle. The first, entitled "Le gouvernement portugais et l'Institut de droit international", defended the Institute's resolution against the Portuguese attack.<sup>76</sup> The second, entitled *De la cession des droits de souveraineté par des chefs de tribus sauvages* and completed on 15 December 1883, explained the issue in detail.<sup>77</sup> In fact, it was a complicated argumentation with references to various historical facts, treaties and cases, but the conclusion was very simple and, of course, completely in line with Leopold's wishes. Indeed, the author concluded:

"I, the undersigned, am of the opinion that the independent chiefs of savage tribes may validly grant to private individuals the totality or a part of their states with the sovereign rights which belong to them according to traditional customs of the country".<sup>78</sup>

It was all to no avail. When the Anglo-Portuguese treaty was finally signed on 26 February 1884, it contained, to the horror of Leopold II and powers such as France and Germany, the British recognition of the Portuguese claim on the Congo Estuary in exchange for British control of navigation on the

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<sup>74</sup>. Short biographical notices are published in: *Annuaire de l'Institut de droit international*, III-IVe années, 1879-1880, tome II, p. 1; Walraet (1948, col. 33-37).

<sup>75</sup>. ARP DBE, number 2, document 43, note by King Leopold II in relation to the treaties concluded by Committee for Studies of Upper Congo with indigenous "Chiefs", December 1883, minute and copy.

<sup>76</sup>. Arntz (E.), "Le gouvernement portugais et l'Institut de droit international", *Revue de droit international et de législation comparée*, XV, 1883, pp. 537-546.

<sup>77</sup>. The article was published in 1884 in the form of a brochure: Arntz (E.), *De la cession des droits de souveraineté par des chefs de tribus sauvages*, Bruxelles, 1884, 22 p. It appears that Arntz's publication was translated into English in a report addressed by Senator John Tyler Morgan of Alabama, a member of the Committee of Foreign Affairs, to the US Senate on 26 March 1884. On the basis of Arntz's juridical investigation and a document sent in by Henry Shelton Sanford, Minister Plenipotentiary of the United States in Brussels, Morgan concluded that his country should recognise the flag of the *Association internationale du Congo*. This recognition actually took place on 22 April 1884. See: Walraet (1948, col. 36).

<sup>78</sup>. Originally in French: "Je soussigné suis d'avis que les chefs indépendants de tribus sauvages peuvent valablement concéder à de simples particuliers la totalité ou une partie de leurs États avec les droits souverains qui leur appartiennent conformément aux coutumes traditionnelles du pays". Arntz (E.), *De la cession des droits de souveraineté par des chefs de tribus sauvages*, Bruxelles, 1884, p. 22.

Congo. Devaux's anxious forebodings had proven to be correct. Months of intensive talks with Granville, Dilke, Fitzmaurice and many other British politicians had ended in disaster. The British minimised the consequences of their deal, but Devaux reported to de Laveleye:

"Still I think we will be lost and rolled by the treaty. Ld Granville seems not so *gnädig* [auspicious] in this affair".<sup>79</sup>

Although the campaign in Britain had failed, the Royal Palace would soon receive good tidings. In the following months, a new Alliance was formed. France and Germany were so outraged that Britain and Portugal had to abandon the treaty on 26 June 1884. Only a major Conference on the Congo could offer a solution. Berlin beckoned in the distance (Reeves, 1909).

De Laveleye was no longer involved in this complex diplomatic game. He had played his role as a key networker in Britain, but now he was temporarily sidelined by the king. The scholar was not disgraced, but he was no longer useful in the given situation, and as we have seen earlier, the king shifted his alliances depending on the needs of the moment. It is quite possible that de Laveleye might have been considered to be too much a "theorist" with somewhat unrealistic ideals, while the king now needed an unscrupulous advocate who could develop arguments that would turn his territorial claims into real possessions. De Laveleye was not such a man, but Twiss was.

Twiss joined the British delegation at the Berlin Conference in 1884-1885. As Andrew Fitzmaurice states, he managed to work there for two opposing sides in the negotiations, advising the British government officials on the Congo but also unofficially informing Leopold II's diplomats.<sup>80</sup> In retrospect, several observers saw a direct line between the legal writings of de Laveleye, Twiss, Moynier, Arntz and the passage on free trade along the Congo River in the Act of Berlin. Indeed, the Act's first chapter was entitled "Declaration Relative to Freedom of Trade in the Basin of the Congo, its Mouths and Circumjacent Regions, with other Provisions Connected Therewith". In broad lines, all the articles about the freedom of trade reflected the Institute's original resolution of 1883. An International Navigation Commission was planned,<sup>81</sup> but the "international formula" for a joint government of the Congo Basin was far away.<sup>82</sup> Sovereignty of Congo would fall completely into the hands of Leopold II.

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<sup>79</sup>. GUCL, Ms 3640, J. Devaux to E. de Laveleye, s.l., 10 March [1884].

<sup>80</sup>. This episode is explained in the articles written by A. Fitzmaurice (2009; forthcoming).

<sup>81</sup>. For the French text of the Act, see Ziegler (1986, 27-44).

<sup>82</sup>. In Berlin, the Powers also agreed on the settlement of free trade and navigation on the River Niger. Undoubtedly this question was central to the partition of Africa. It would be

## 12. LAST EFFORTS IN FAVOUR OF LEOPOLD'S ENTERPRISE IN CONGO

Although de Laveleye no longer was a player in matters of high politics, the king continued to use his address book and writings. De Laveleye arranged meetings between the king and British journalists on African affairs. For example, in March and April 1884, Emile de Laveleye corresponded with William Thomas Stead (1849-1912), the editor-in-chief of *The Pall Mall Gazette*. This evening newspaper did not always publish positive contributions on Leopold's business in Africa, but de Laveleye had a good relationship with Stead, who always published his articles. It is clear that Stead had exerted a negative impact on Leopold's plan to use the services of the famous British general Charles George Gordon (1833-1885) for the benefit of his *Association internationale du Congo*. Although the king had Gordon's promise to become the leader of his men along the Congo, an article by Stead dated 9 January 1884 forced the British government to put "Chinese Gordon" at the head of the Sudanese Campaign.<sup>83</sup> For the king, this failure was hard to digest. In relation to this case, de Laveleye arranged for Stead an audience with the king.<sup>84</sup> The exact contents of the conversation remain unknown, but Stead's wry commentary leads me to the conclusion that Leopold II took the opportunity to give him a proper dressing-down:

"I had an hour and a quarter's talk with your King, whom I don't like very much. It was a very stiff time. He cannot forgive me for having taken Gordon away from the Congo, and we more than once had a very sharp tussle".<sup>85</sup>

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interesting to investigate to what extent the discussion on the Niger influenced the one about the neutralisation of the Congo. Unfortunately the current state of research does not allow us to make definitive conclusions. An analysis of new sources is needed. Surprisingly, the Niger was not on the agenda of the *Institut de droit international*, the issue of the Congo alone dominated the discussions.

<sup>83</sup>. Stead (W.T.), "Chinese Gordon for the Soudan", *The Pall Mall Gazette*, 9 January 1884: "[...] His engagement on the Congo could surely be postponed. No one can deny the urgent need in the midst of that hideous welter of confusion for the presence of such a man, with a born genius for command, an unexampled capacity in organising 'ever-victorious armies,' and a perfect knowledge of the Soudan and its people. Why not send him out with *carte blanche* to do the best that can be done? [...]".

<sup>84</sup>. GUCL, Ms 3640, W.T. Stead to E. de Laveleye, London, 26 March 1884; telegram from W.T. Stead to E. de Laveleye, London, 28 March 1884; telegram from J. Devaux to E. de Laveleye, Brussels, 29 March 1884. Several letters are dated April 1884.

<sup>85</sup>. GUCL, Ms 3640, W.T. Stead to E. de Laveleye, London, 31 March 1884.

De Laveleye also invited philanthropic organisations to make positive statements about Leopold's African enterprise. On 19 July 1884, de Laveleye addressed a letter to Count Paul-Edmond de Borchgrave d'Altena (1827-1901), the king's secretary and confidant of all his secret arrangements with regard to Africa (Comeliau, 1955), in which he wrote about another network that could offer services to the Royal Palace. The London-based Peace Association was a powerful and sympathetic organisation. De Laveleye pointed out to the count that it had influential MPs in its ranks. The vice-presidents were highly regarded people, such as the Lords Westminster, Derby, Bristol, Ebury and Roberts, as well up to three Anglican bishops.<sup>86</sup> In his answer dated 22 July 1884, Count de Borchgrave d'Altena asked de Laveleye to encourage the Peace Association to formulate a wish ("quelque voeu") in favour of the foundation of a Congo Free State. De Laveleye was free to organise this case as he pleased. Meanwhile, the United States had recognised the flag of the *Association internationale du Congo*. De Borchgrave d'Altena forwarded the most recent documents relating to this recognition to the scholar, hoping that this would give more weight to the file. De Laveleye did not go to Berlin, but the Royal Palace constantly kept him informed of the negotiations. The royal advisors sent him new information about the regions claimed by the king so that his knowledge would be up to date if he were in a position to exert influence on the talks.<sup>87</sup>

At the end of 1884, de Laveleye was again involved in the debate about Congo. He took the liberty of writing a letter to the king in which he underlined the necessity of constructing a railway in Congo. He had launched this idea in a recent article published in the Belgian newspaper *L'Indépendance*. In this article de Laveleye focused on the international aspects of his plan, in particular the very likely opposition from France. Again the king could use his network, for example his excellent contacts with Ferdinand de Lesseps, with whom he had already spoken about the project:

"The Congo railway is essential for the future of the African project, as I tried to demonstrate in an article in *L'Indépendance*. It can only be done with an international warrant. It is said that this project has been supported in Berlin by Germany, the United States and Belgium, but strongly opposed by France. The way to obtain the support of France would be, perhaps, to place at the head of the Congo Railway Society Mr de Lesseps. I have had a long conversation with him recently in Liège, and he did not seem to reject the idea in an absolute manner. He would

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<sup>86</sup>. ARP DBE, number 37, document 1, E. de Laveleye to P. de Borchgrave, Argentauprès Liège, 19 July 1884, original.

<sup>87</sup>. ARP DBE, number 37, document 2, (P. de Borchgrave) to E. de Laveleye, s.l., 22 July 1884, minute.

probably persuade Mr Ferry and the [public] opinion. If His Majesty would make him the proposal, he may accept it".<sup>88</sup>

De Laveleye's advice could not persuade the king, however. Leopold II was convinced that the *Association* should construct the railway without help from abroad, and he wasted no more words on the issue.<sup>89</sup> There is no doubt that Leopold II had little confidence in a demarche by the French. Certainly in an economically sensitive project such as the construction and operation of a railway, the king wanted to retain final control. Handing over the project to a successful French businessman was far too risky. Again it seems that we should attribute some degree of naiveté to de Laveleye, as he did not fully grasp the monopolistic intentions of the king. He was not aware that his "international" project only looked nice on paper but, when turned into reality, would become unpractical and highly undesirable to the king.

Another remarkable and noteworthy fact is that in the summer of 1885 de Laveleye got involved in plans for the organisation of a French lottery which was to raise money for Congo. The idea was that the French State would give the *Association* permission for such an initiative as compensation for the "sacrifice" which Leopold II had made with regard to France, i.e., the fact that he had relinquished his rights to the fertile soils of Kwilu without any remuneration. Leopold's advisors hoped this "indirect compensation" would make a lot of money. De Laveleye was consulted on this matter by Eugène Beyens (1816-1898), the Belgian Minister Plenipotentiary in Paris. As an economist he could certainly give useful advice. De Laveleye wanted to travel to Paris for negotiations with all the stakeholders, but the project was eventually cancelled due to strong opposition in France.<sup>90</sup>

Nonetheless, de Laveleye continued to write about Congo. On 15 May 1885, when the Congo Free State had become a fact, he published an article

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<sup>88</sup>. Originally in French: "Le chemin de fer du Congo est indispensable à l'avenir de l'œuvre africaine, comme j'ai essayé de le démontrer dans un article de *L'Indépendance*. Il ne peut se faire qu'avec une garantie internationale. Ce projet a été, dit-on, appuyé à Berlin par l'Allemagne, les États-Unis et la Belgique, mais vivement combattu par la France. Le moyen d'obtenir l'adhésion de la France serait, peut-être, de placer à la tête de la Société du chemin de fer du Congo Mr de Lesseps. J'en ai longuement causé avec lui récemment à Liège et il ne semblait pas rejeter l'idée d'une façon absolue. Il ramènerait probablement Mr Ferry et l'opinion. Si Sa Majesté pouvait lui en faire la proposition peut-être accepterait-il". ARP DBE, number 37, document 3, E. de Laveleye to P. de Borchgrave, with a memo from E. de Laveleye to King Leopold II, Saint Nicolas, 30 December 1884, original.

<sup>89</sup>. ARP DBE, number 37, document 4, P. de Borchgrave to E. de Laveleye, 5 January 1885, minute.

<sup>90</sup>. ARP DBE, number 206, documents 11, 12, 13 and 14, in particular document 11: memo handed over to E. de Laveleye (at Ostend), 30 August 1885.

in *Revue de Belgique* entitled "Les conditions économiques du Congo". He regretted that Congo had lost the international character for which he had so long advocated but prided himself on having provided the basis of the free-trade regime on the Congo River. He made an in-depth analysis of the economic situation in Central Africa, mainly relying on data supplied by British missionaries. He resumed his old proposal: the administration of the Congo Free State had to make sure the Lower Congo would be connected to the Upper Congo by a railway. It was the only way to have access to the enormous resources in Congo's interior and to guarantee the sale of Belgian products on local markets.<sup>91</sup>

In the summer of 1889, de Laveleye sent a new article to the Royal Palace.<sup>92</sup> Just the fact that he had to seek the king's attention reveals that he no longer belonged to the king's inner circle of advisors. The article was an opinion piece published in the liberal newspaper *La Gazette* on the construction of a railway in the Lower Congo. The text must be interpreted against the background of the ongoing public debate about the granting of a loan by the Belgian State to a railway company in charge of the construction of a rail link between Matadi and Stanley Pool. The House of Representatives had to decide on the issue. With his article, de Laveleye wanted to once again express his support for the king. Moreover, he found the proposed loan much too low and argued that Belgian politicians should boost their country's trade and industry. The king was flattering in his response, describing the article as "magisterial".<sup>93</sup> Additional people were captivated by this "masterpiece" of expansionistic thought as well. Adolphe Greiner (1842-1915), Director-General of the steel giant Cockerill, praised the clarity of its language and the precision of its arguments. Then Greiner seized the opportunity to give de Laveleye the most recent information about the construction of new steamers for the Congo.<sup>94</sup>

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<sup>91</sup> de Laveleye (E.), "Les conditions économiques du Congo", *Revue de Belgique*, 15 May 1885, also published in: de Laveleye (E.), *Essais et études, Troisième série, 1883-1892*, Ghent-Paris, 1897, pp. 126-140.

<sup>92</sup> de Laveleye (E.), "Encore le chemin de fer du Congo", *La Gazette*, 9 July 1889. de Laveleye had already published a first piece on the subject on 15 April 1889 (entitled "Le Congo"). It had caused resentment among liberal politicians such as Walthère Frère-Orban. See: GUCL, Ms 3640, W. Frère-Orban to E. de Laveleye, 15 April 1889 and 24 April 1889, with a critical edition in *Lettres adressées à Emile de Laveleye présentées par Marcel Bots* (1992, 135-137). See also ARP DBE, number 322, articles by E. de Laveleye.

<sup>93</sup> ARP DBE, number 37, document 8, (P. de Borchgrave d'Altena) to E. de Laveleye, Brussels, 18 July 1889, minute.

<sup>94</sup> GUCL, Ms 3640, A. Greiner to E. de Laveleye, Seraing, 9 July 1889.



De Laveleye would publish one final contribution on Congo. In January 1891 an article about the partition of Africa appeared in *The Forum*. Soon afterwards, on 15 March 1891, a French version was published in *Revue de Belgique*, entitled "Le partage de l'Afrique en 1891". The author discussed the competition between the Western powers and pointed to the need for continued application of the principles of international law. He expressed his joy about the fact that the Western powers had assembled in Brussels in 1890 for a new Conference at which they had adopted a convention which included severe measures against slave trade. He was also very much in favour of actions that would suppress the importation of alcoholic beverages.<sup>95</sup>

Emile de Laveleye died on 2 January 1892 in Doyon par Havelange. He was sixty-nine years old. Shortly before his death, on 31 December 1891, Leopold II had granted him the title of baron in recognition of his services (Dumoulin & Coppens, 1981). De Laveleye's son received a condolence message from the Royal Palace which assured him that the king shared in the family's grief.<sup>96</sup> Later that year, Leopold II would certainly be much pleased by the fact that the Belgian government paid the scholar a last honour, posthumously awarding him the five-yearly State Prize for Social Sciences (period 1887-1891).<sup>97</sup>

### 13. CONCLUSION

In a eulogy of de Laveleye's virtues, delivered at the University of Naples, the famous Italian economist Alberto Errera (1841-1894) said: "La sua fama era veramente mondiale".<sup>98</sup> Indeed, de Laveleye was a personality with global appeal, and his networks spanned the globe. His work was much more focused on the world than on Belgium. In his constant efforts to cross real and imaginary boundaries, he found his soul-mate in Leopold II. Because Leopold II lacked support in Belgium and consequently had to seek partnerships in the rest of the world, the networks de Laveleye opened to him were of great importance. Not only were they highly diverse but they also opened

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<sup>95</sup> de Laveleye (E.), "Le partage de l'Afrique en 1891", *Revue de Belgique*, 15 March 1891, also published in: de Laveleye (E.), *Essais et études, Troisième série, 1883-1892*, Ghent-Paris, 1897, pp. 223-339.

<sup>96</sup> GUCL, Ms 3640, P. de Borchgrave d'Altena to E. de Laveleye's son, Brussels, 6 January 1892.

<sup>97</sup> GUCL, Ms 3640, certificate.

<sup>98</sup> Quoted in: Goblet d'Alviella (E.), *Emile de Laveleye. Sa vie et son œuvre*, Paris-Brussels, 1895, p. vi.

doors to big names in the world of media and politics. This contribution demonstrates that de Laveleye's network in Britain was essential for the organisation of a media campaign and for the development of a policy of political influence, in particular in the period preceding the Berlin Congress. But de Laveleye's contacts in France also proved their usefulness for the king's actions.

Of crucial importance were de Laveleye's views on the "neutrality of the Congo" as well as his work for the *Institut de droit international* that mobilised indirectly some of the greatest minds in international law, such as Sir Travers Twiss and Egede Arntz. The interaction which occurred is remarkable, because it allowed Leopold II to transform his own ways of reasoning, in particular about the "international formula" for the exploitation of Congo, in a controlled form to a more authoritative set of practical standards which remained in accordance with some of the newly designed principles of international law – what in 1885 was outlined in the famous passage about free trade in the Berlin Act. Nevertheless, it is also clear that Leopold II gave only as much support for de Laveleye's arguments as he needed; he never really committed himself to neutrality, internationalism or free trade.

Moreover, this case reveals how even bright intellectuals such as de Laveleye showed signs of naïveté in light of Leopold's grand projects. Between 1876 and 1885, liberal thinkers such as de Laveleye, Goblet d'Alviella and Saintelette expressed political pragmatism in their preference for Leopold's international mobilisation for the spread of civilisation and a supposedly peaceful expansion of trade and industry over the known excesses committed by the classic colonial powers. Only on a theoretical level would the liberal-minded de Laveleye remain faithful to his anti-colonial ideas, but, paradoxically, his interventions on behalf of the king's policy contributed to the enforcement of his monopolistic strategy. De Laveleye thought that his political pragmatism – embodied in concepts of "neutrality" and "internationalism" – really made some sense on the political chessboard, but it did so only on paper. In fact, de Laveleye's "scientific" discourse legitimised in more than one way Leopold's materialistic goals and means behind the banner of neutrality and pacifism. De Laveleye may have thought that he himself did not endorse the competition between nations for the possession of the Congo Basin, but in fact he did, as he continued to work closely together with Leopold II long after the moment he must have realised that the king had quite cunningly integrated his ideas into a policy that was ultimately focusing on the realisation of a personal rule over Congo.

Again we see a confirmation of the cynical method used by Leopold: advisors belonged to the inner circle when complying with the king's main

strategy and as long as their insights were really useful. When their voices became dissonant in the official discourse or when their knowledge and networks had become obsolete to resolve the questions of the day, they were neglected. De Laveleye was not an exception. His contributions were welcome as long as they legitimised Leopold's enterprise. Before the Berlin Congress, the "international" aspect of the operation was a practical one, and de Laveleye justified it from his position as a leading scholar in the field of political economy. After 1885, Leopold II was a sovereign who no longer had to hide his greedy ambitions. Therefore, de Laveleye's writings about an "international formula" for a railway in Congo were of no direct use, and a now more overtly monopolistic Leopold II could easily ignore them without losing his esteem for the aging man who had once campaigned so faithfully and eloquently for his cause.

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#### ABBREVIATIONS

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AMFA	Archives of the Ministry of Foreign Affairs
ARP	Archives of the Royal Palace
DBE	Documents about Belgian Expansionism
GUCL	Ghent University – Central Library
MRM SBG	Musée royal de Mariemont – Société belge de Géographie

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## **De welsprekende campagnevoerder van de koning... Emile de Laveleye, Leopold II en de stichting van de Onafhankelijke Congostaat**

JAN VANDERSMISSEN

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### SAMENVATTING

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De belle époque zag de herleving van de koloniale gedachte in nieuwe vormen. Een tweede Europese kolonisatiegolf overspoelde Afrika. Koning Leopold II ontplooipte zijn activiteiten in Congo vanaf 1876. Daar zouden



zijn inspanningen voor een zogenaamde "filantropische" onderneming vlug uitmondten in een staatsvormingsproces dat werd overschaduwd door intriges en spanningen die het gevolg waren van een koloniale wedren tussen westerse grootmachten. Pas een decennium later, op het Congres van Berlijn in 1885, werd een definitieve regeling aangenomen.

Overall in Europa werd stevig gedebatteerd tussen liberale en conservatieve bestuurswijzen. Het spanningsveld domineerde ook het intellectuele leven. Verdedigers van kolonisatie en aanhangers van vrijhandel stonden lijnrecht tegenover elkaar. Voor de ontwikkeling van zijn koloniale doctrine werd Leopold II geïnspireerd door intellectuelen die het economische expansionisme steunden. De meesten waren aanvankelijk actief op het terrein van de economische geografie.

Dit onderzoek toont waarom en hoe de koning ook steun ging zoeken in andere academische kringen, en hoe hij Emile de Laveleye (1822-1892), één van Europa's meest vooraanstaande politieke economen, betrok in zijn zoektocht naar het meest geschikte economische, sociale en politieke model voor een toekomstige staat in Midden-Afrika.

Via een analyse van de Laveleyes boeken, artikelen en pamfletten komt het paradoxale beeld naar voor van een liberale denker die gekant was tegen kolonisatie en imperialisme, maar die zich tegelijk, in de periode 1875-1885, ontpopte tot een vurig aanhanger van de politiek van Leopold II in Afrika. De Laveleye werd zelfs een belangrijke adviseur en stelde zijn intellectueel netwerk in dienst van het Paleis.

Deze bijdrage volgt in detail hoe, in het complexe en voortdurend evoluerende debat over Congo, twee ogenschijnlijk tegengestelde persoonlijkheden elkaar aantrokken. De focus ligt op het belang van de Laveleyes pleidooien voor een "neutrale en international formule", welke Leopold II in conflict zou brengen met Portugal en Frankrijk.

Het onderzoek toont aan dat de Laveleye in de jaren voorafgaand aan het Congres van Berlijn betrokken geraakte in een zorgvuldig georkestreerde Europese mediacampagne ter ondersteuning van Leopolds ondernemingen. Zijn contacten met specialisten in internationaal recht droegen bij tot de discussie over Congo's juridische status. Vooral onder invloed van Sir Travers Twiss en de adviezen van het *Institut de Droit international*, waarvan de Laveleye medeoprichter was, kon het project van Leopold II een internationale en intellectuele voedingsbodem aanspreken.

Aldus kon Leopold II zijn eigen denkpatronen transformeren tot een meer gezaghebbend geheel van praktische standaarden die zouden worden gedeeld door een intellectuele elite.

## **L'éloquent propagandiste du Roi... Emile de Laveleye, Léopold II et la fondation de l'État indépendant du Congo**

JAN VANDERSMISSEN

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### RÉSUMÉ

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La "Belle Époque" a vu la renaissance de l'idée coloniale sous de nouvelles formes. L'Afrique est inondée par une seconde vague de colonisation. Le roi Léopold II déploie ses activités au Congo à partir de 1876. C'est là que ses efforts en vue d'une entreprise soi-disant philanthropique débouchent rapidement sur le processus de formation d'un État, éclipsé par les tensions et les intrigues qui sont les conséquences d'une compétition coloniale entre les grandes puissances occidentales. À peine une décennie plus tard, au Congrès de Berlin de 1885, un accord définitif sur le Congo est adopté.

Partout en Europe, le débat entre libéraux et conservateurs fait rage et domine la vie intellectuelle. Les défenseurs de la colonisation et les partisans du libre-échange s'opposent diamétralement. Pour le développement de sa doctrine coloniale, Léopold II s'est inspiré des intellectuels qui appuyaient l'expansion économique. La plupart d'entre eux étaient principalement actifs dans le domaine de la géographie économique.

Cette recherche montre pourquoi et comment le roi est également allé chercher du soutien dans d'autres cercles académiques et comment il a impliqué Emile de Laveleye (1822-1892), un des plus brillants spécialistes européens de politique économique, dans sa quête du modèle économique, social et politique convenant le mieux à son futur état en Afrique centrale.

À travers les livres, articles et pamphlets d'Emile de Laveleye, se dessine l'image paradoxale d'un penseur libéral qui s'est opposé à la colonisation et à l'impérialisme, mais qui, en même temps, entre 1875 et 1885, s'est transformé en ardent partisan de la politique africaine de Léopold II. de Laveleye est même devenu un important conseiller du roi et a mis son réseau d'intellectuels à la disposition du Palais.

Cette contribution suit en détail comment, dans le débat complexe et en constante évolution sur le Congo, deux personnalités apparemment opposées se sont rejointes. L'accent est mis sur l'importance des plaidoyers d'Emile de Laveleye en faveur d'une "formule neutre et internationale" qui allait

cependant placer Léopold II dans une situation conflictuelle par rapport au Portugal et à la France.

La recherche montre que de Laveleye, dans les années précédant le Congrès de Berlin, était lui-même impliqué dans une campagne médiatique, soigneusement orchestrée à travers toute l'Europe, pour soutenir les entreprises de Léopold II. Ses contacts avec des spécialistes de droit international ont contribué à la discussion sur le statut juridique du Congo. C'est surtout sous l'influence de Sir Travers Twiss et de l'Institut de droit International, dont de Laveleye était un des co-fondateurs, que le projet de Léopold II put trouver un terrain propice sur le plan international et intellectuel.

Ainsi Léopold II put transformer ses propres projets en un ensemble davantage appuyé par des autorités et qui allait pouvoir être partagé par une élite intellectuelle.