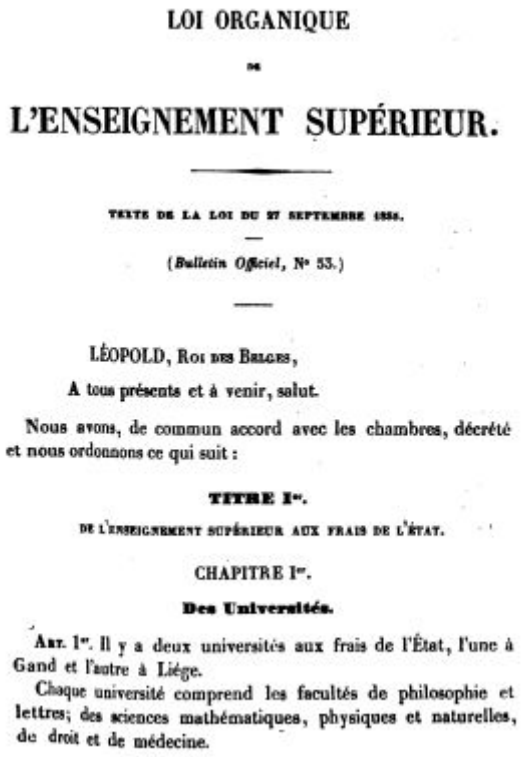
The Belgian academic landscape before the First World War

Téléchargé depuis **Faculties on the front line for right** le 12/11/2026
https://expo-grande-guerre-biu-cujas.univ-paris1.fr/en/the-belgian-academic-landscape-before-the-first-world-war/



LOI ORGANIQUE

DE

L'ENSEIGNEMENT SUPÉRIEUR.

TEXTE DE LA LOI DU 27 SEPTEMBRE 1835.

(*Bulletin Officiel*, N° 53.)

LÉOPOLD, Roi des Belges,

A tous présents et à venir, salut.

Nous avons, de commun accord avec les chambres, décrété et nous ordonnons ce qui suit :

TITRE Ier.

DE L'ENSEIGNEMENT SUPÉRIEUR AUX FRAIS DE L'ÉTAT.

CHAPITRE Ier.

Des Universités.

ART. 1er. Il y a deux universités aux frais de l'État, l'une à Gand et l'autre à Liége.

Chaque université comprend les facultés de philosophie et lettres; des sciences mathématiques, physiques et naturelles, de droit et de médecine.

The Belgian academic landscape as it had developed from the first law on higher education of September 27, 1835 is the result of a historic connection as well as a parliamentary consensus on freedom of education, geographical decentralization and structural centralization.

The history of higher education in Belgium in the contemporary era began at the turn of the 19th century, when the “Belgian” space annexed to the Republic, a bundle departments, saw in 1797 the closure of the former University of Leuven. It was a

casualty of the abolition of universities by the decision of the National Convention of September 15th, 1793. After a period of apparent vacancy, higher education in the “combined” departments was subject to Napoleonic reforms. The Act of Ventôse 22, XII (March 13, 1804) organized legal education in Belgium. A school and then a faculty of law was founded in Brussels in 1806. It remained operational until 1817, after the fall of the Empire. The former “Belgian” departments recently tied to the Low Countries formed the United Kingdom of the Netherlands. The reconstruction of higher education, drawn up by the Act of September 25, 1816 had led to the establishment of three new State universities in the southern provinces. Thus, in 1817, the universities of Ghent, Liège and Leuven were created. Brussels lost its university. Why? Brussels was very close to Leuven, and it was a matter of ensuring a balance with the North, where universities were established in medium-sized cities (Leiden, Utrecht, Groningen). There were also fears of students’ political engagement.

After having been one of the main demands of Belgian academics, who were hostile to the State monopoly exercised during the Dutch regime, complete freedom of education was enshrined in the Constitution, which was promulgated in February 1831. The first years were marked by the question of the State taking over the universities inherited from the Dutch period. Several projects were discussed, including the project of a single great state university for the whole of Belgium. This project was intercepted by the local authorities. It was quickly abandoned following the founding, in November 1834, of two new free universities beyond the control of the state. The first of these universities came from the Catholic network and was established in Mechelen. The second was liberal and established in the capital, Brussels. These private initiatives, although conform with the Constitution, force the State to review the organization of higher education. The law of September 27, 1835 abolished the State University of Leuven and authorized the transfer of the Catholic University to the premises of the former university, which had been closed in 1797. The Belgian academic landscape now consisted of four universities: two state universities located in Ghent and Liège and two free universities located in Brussels and Leuven. It did not undergo any major changes until the First World War.

The history of the legislative organization of higher education revolved around an insoluble contradiction which consisted in organizing the freedom of education while not renouncing the establishment of a form of state monopoly on the collation of degrees.

From this point of view, the 1835 Act was a first milestone. It completely reorganized the system of collation of diplomas in order to maintain the state monopoly on the granting of degrees that gave access to the liberal professions. The government's solution was to establish an independent panel of examiners. This panel consisted of a central panel meeting biannually in Brussels and composed of members appointed by Parliament and the government. The appointment procedure, however, caused considerable tension among professors. On the one hand, they considered that the new legislation excluded their ability to conduct the assessments, the climax of their teaching. On the other hand, the involvement of the executive and legislative branches in the selection of jurors led to conflicts of a political nature in the evaluation operations. The central jury was replaced in 1849 by the so-called "combined" or "mixed" jury, because it brought together the faculty of one of the two State universities with one of the free universities. Placed in a position of mutual control, the teaching staff was regularly exposed to conflict situations. After many decades of disagreement, a solution was found in 1876 with the free collation of degrees (law of May 20, 1876). Teachers were now allowed to evaluate the students themselves and universities to issue diplomas. The 1876 Act was a decisive step towards freedom of education. Nevertheless, the issuing of degrees first remained subjected to the control of a diploma approval commission. It was eventually abolished in 1890.

The establishment of two free universities alongside the State institutions resulted, in organizational terms, in the coexistence of three university systems, two of which completely outside the control of the State: the system of State universities, the system in operation at the Catholic University of Leuven and the system in operation at the Free University of Brussels.

The State universities — the State University of Ghent and the State University of Liège — were integrated in a strict system with little autonomy regarding the government. The faculties consisted of "civil teachers". The daily management was entrusted to a rector and an inspection administrator, both chosen from the academic body and appointed by the government. While the rector was responsible for internal discipline, the inspection administrator was meant to guarantee relations between the administration and the academic body. These structures hardly evolved until the First World War.

The Catholic University of Leuven, as a project led by the episcopate, was totally submitted to it. The bishops, through the episcopal council sitting in Mechelen,

intervened directly in all aspects of university life, mainly on the appointment of professors and the control of their teaching. They delegated day-to-day management to a clergyman, most often a university professor in the School of Theology or Humanities: the “Magnificent Rector”. The powers of the board of education were reduced. The rector oversaw the progress of education and especially academic discipline, but these tasks mainly involved the execution of decisions taken by bishops during their councils. It relied on a pyramidal and rudimentary administrative apparatus to carry out its task. The internal structures of the university remained virtually unchanged until the last third of the 20th century.

The contrast with the other free university, the Free University of Brussels, is important. The management fell to a board of directors chaired by the Mayor of Brussels and composed of members initially co-opted among the main subscribers and founders of the university. This type of organization was clearly unique in Europe and similar to the practices of some American universities. The members of the Board of Directors were for the most part active personalities in private or public business circles, and stemming from the ranks of liberal professions in Brussels or surrounding towns. Unlike the other three universities, the internal structures of the Free University of Brussels underwent many changes during the 19th century. It is worth mentioning that an original feature of its organization was the rapid opening of decision-making processes, as early as 1837, towards the academic body, each faculty having sent a delegate to the board of directors. This form of democratization in the decision-making process contrasted with other universities. It did, however, create a space for dissenting opinions and would contribute to the 1894 split, which would give rise to the new university.

The system of higher education as organized in Belgium on the eve of the Great War was characterized by its lack of unity. The specific modes of organization and governance of the four universities had led to significant variations in funding sources and modalities, student and faculty recruitment pools, appointment modalities, faculty statuses, and the formation of divergent university cultures. Considered as an “untraceable” or “hazy” space, “Belgian” higher education was the subject of many comments. It is therefore not surprising that the historiography of universities agreed on the absence of a definition to qualify the Belgian higher education model. One of the characteristic and original features of the Belgian university system remained its international openness through the reception of students or the recruitment of foreign

professors, as well as exchange programs for its best students. The permeability of universities to social and political issues was another of its characteristics. Nevertheless, on the eve of the First World War, a number of factors stemming from the liberalization of the issuing of diplomas provided the starting point for a process of bringing universities closer together. In keeping with the Humboldian model which combined activities related to the production of knowledge with that of the dissemination of knowledge, universities are no longer only a place dedicated to teaching, but they are establishing themselves permanently as a place of fundamental and experimental research. The consolidation of their position in the Belgian institutional landscape was coupled with an evolution in their legal status. Universities gradually acquired the possibility of building up their own heritage without recourse to external structures, as early as 1911 for free universities and during the Interwar period for State universities. During the 20th century, this turning point brought universities closer together in their organization.

On the eve of the war, over 1,500 students were distributed among the four law schools in Leuven, Ghent, Liège and Brussels. The triennial report on the state of higher education drawn up by the ministry in charge of public education gives a table of student numbers for the year 1913-1914: 680 are in Leuven, 490 in Liège, then come Brussels and Ghent, with 203 and 197 students respectively. Among these students, very few were women. Although the doors of the university had opened to them since the 1880s — except at the Catholic University of Leuven, which opened its doors to them only in the early 1920s — only a handful of women studied in law schools. Marie Popelin, who graduated in 1888, was not allowed to take an attorney’s oath. As they were denied access to the profession of lawyer, the interest of obtaining a law degree seems limited. In Brussels, for example, only one female student was enrolled in law school on the eve of the war. The war and its aftermath eventually overcame such resistance. Since access to the profession of lawyer was the subject of the Law of April 7, 1922, female students were encouraged to cross the doors of law schools.

Maxime Jottrand,Centre d’histoire du droit et d’anthropologie juridique (Université libre de Bruxelles)

Bibliography

Bardez Renaud, Bertrams Kennet, « Les universités », dans Patricia van den Eeckhout, Guy Vanthemsche (ed.), *Sources pour l'étude de la Belgique contemporaine, 19e?21e siècle*, Bruxelles, Commission royale d'histoire, 2017, p. 750?768.

Dhondt Pieter, *Un double compromis : enjeux et débats relatifs à l'enseignement universitaire en Belgique au xixe–xxe siècle*, Gand, Academia Press, 2011.

Verstegen Raf, « L'enseignement du droit en Belgique. Évolution de la législation aux xixe et xxe siècles », dans Fred Stevens et Dirk van den Auweele (ed.), *Houd voet bij stuk : Xenia Iuris Historiae G. van Dievoet Oblata*, Louvain, K.U. Leuven Faculteit der Rechtsgeleerdheid Afdeling Romeins Recht en Rechtsgeschiedenis, 1990, p. 149?192.