

## The Leuven Faculty of Law: Professors in War

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On the eve of the war, in 1914, the Leuven Faculty of Law had fifteen tenured professors, and two professors emeriti. Some of these professors has another profession on top of teaching. They were, for some of them, active in the Catholic Party, and the cumulation with a political mandate, at the local or national level, or with a ministerial position was quite common. The war affected their activities in several ways.

The start of the war and the events of August 1914 particularly brutally affected the city of Leuven, and the university even more. On August 2, 1914, Germany sent an ultimatum to the Belgian government. Less than forty-eight hours later, the first houses were set on fire near the German border. On August 5, the Belgian military general staff was established in Leuven. As early as July 30, Bishop Deploige, the president of the Institute of Philosophy, having anticipated the entry into war, transformed the premises he was in charge of into a hospital. Alongside Bishop Deploige — who taught natural law — there were several professors from the Faculty of Law. On the register of stretcher-bearers, can be found the names of Maurice Defourny and Léon Dupriez. The first taught political economy. The latter was in charge of the Roman law course; he also taught comparative public law. At the hospital's accounting office was Alfred Nerincx, who was in charge of the criminal law course. Teachers sat next to students.

Under the pressure of the German invasion, the general staff left Leuven for Antwerp on August 18. The next day, German troops invaded the city. A few days later, on August 25, in the early evening, following the failure of the Belgian counterattack, violence broke out. Shootings could be heard all over the city. By way of retaliation, in the face of what they thought was the action of irregulars, the Germans set fire to several points in the city, including the University Halls, [where the library was located](#) where the university archives were kept. They ransacked the city. Leuven was utterly plundered. Civilians were massacred. The Dupriez family experienced the brutality of German soldiers. Léon Dupriez would later give a precise testimony, so that it could be recorded. German soldiers rushed to his house, the largest on the street, to loot it. With his wife and children, he was dragged out of his home. They were held at gunpoint while other soldiers rushed inside. Dupriez was wounded by a bayonet blow. The violence of the German army particularly affected Édouard Descamps's family — his in-laws, specifically. Senator, former Minister of Arts and Science — and as such responsible for education, he was in charge of the administrative law course, and he also taught the law of nations. His father-and brother-in-law were dragged out of their mansion and executed. The fires would continue until August 30. On Thursday 27<sup>th</sup>, at 8am, the entire civilian population was expelled, as the city was going to be bombed. At Saint Thomas Hospital, Bishop Deploige refused to leave. Nerincx was asked to temporarily assume the function of burgomaster [Belgian term referring to the first magistrate of a city]. He would be surrounded by a committee of notables. A proclamation to residents was posted on September 1<sup>st</sup>. That same day, the Committee held its first meeting at City Hall.

The sack of Leuven and the summary executions perpetrated by the troops of the Empire provoked strong reactions, both in Europe and in the United States. German professors retaliated with the ["Manifesto of 93"](#) which denied any war crimes. A group of Leuven figures, including Descamps and

Nerincx, unsuccessfully requested an investigation. In December 1914, a Central Committee for Disaster Relief in the two cantons of Leuven was created, presided by Nerincx. On February 1<sup>st</sup>, 1915, Mayor Léon Colins, who had joined the city, asked Nerincx to continue his mission as auxiliary burgomaster for all matters relating to relations with the Germans.

Leuven was reorganized and life resumed under an occupation regime. Some teachers returned, such as Émile Vliebergh. He was notably responsible for the criminal law and criminal procedural law courses, which were taught in Dutch. These courses were intended to allow students to conform to the law on the use of languages in judicial matters, which made the use of Dutch mandatory before the criminal courts of the Flemish provinces. Teaching wasn't his only job, either. President of the *Caisses du crédit rural* fund, he also became a director of the Belgian Relief Fund for Economic Works for the Victims of the War. It was in this capacity that he supported, in September 1915, the "« Appel en faveur du peuple belge aux Institutions Philanthropiques, aux Comités de Secours, aux Œuvres de Bienfaisance, à la Presse et à tous les Donateurs généreux [Appeal in favor of the Belgian people to Philanthropic Institutions, Relief Committees, Charities, the Press and all generous Donors]". In February 1916, he helped found the "*Werk der Lectuur voor Krijgsgevangenen* [Reading Charity for Prisoners of War]" in Leuven, the purpose of which was to collect and buy books and magazines and send them to Germany. Very committed to the Flemish cause, Vliebergh had been president of the *Davidfonds* [a Flemish Catholic cultural organization] since 1911. This did not prevent him from fighting activism and expressing his opposition to the creation of "[Von Bissing University](#)" in Ghent. He also expressed the same opposition to Flanders' desire for administrative autonomy. In an address to German Chancellor Bethmann-Hollweg, following his meeting with a delegation of members of the Council of Flanders on March 10, 1917, 70 Belgian personalities, including Vlierbergh, expressed their contempt for the " infamies activistes [activist vileness]". In January 1918, he signed a protest address to the German governor-general: the Council of Flanders, a few days earlier, had just proclaimed the independence of Flanders. Vlieberg's journey can be compared to Alfred Schicks's, even if they did not share the same ideas on the Flemish matter. Schicks too was teaching criminal law and criminal procedural law in Dutch as early as the 1890s. He was also the author of the first book on criminal law published in Dutch. On the eve of the war's outbreak, he was responsible for teaching tax law and notarial law, but he also remained in occupied territory and reacted, like Vliebergh, against the creation of "Von Bissing University". Under the title " La question flamande [The Flemish Matter]", he wrote several contributions in *Âme Belge*.

Their journeys were quite different. While Nerincx remained in Leuven, where he eventually assumed the functions of burgomaster, and others returned, such as Vlierbergh, many left the city. The German atrocities had left a mark in every mind, and it was clear that the university would not reopen. Like so many others, the professors of the Faculty of Law moved away, took refuge where they could, sheltered their families. Edouard Descamps preferred to leave. His family mansion, in the former Collège of Arras, was occupied by the Germans. He moved to Beloeil, his hometown in Hainaut. This was also the case with Léon Mabilie. Professor at the Faculty of Law, where he taught civil law, he had also been member of Parliament and burgomaster of Roelux — also in Hainaut — for over ten years. He was used to going back and forth. He settled there to never come back. He intended to assume his duties as burgomaster and, in the exercise of his political mandate, he manifested his patriotic commitment. He stood out on several occasions, [whether to oppose German requisitions or to oppose the deportations](#) that hit his fellow citizens as a result of the organization of compulsory labor. The same was true of Joseph Van Biervliet. In charge of the course on judicial law, also associated with Mabilie in the teaching of civil law, he had also been exercising, since 1898, the functions of secretary of the university. He too remained in Belgium. He

too became involved. He took up the pen against activism aiming to promote Flemish autonomy. This was the case with Charles Terlinden. He joined the military jury, and then the king's prosecutor's office in Brussels.

There were those who stayed in Leuven. There were those who moved away but remained in the country, in occupied territory. Finally, there were those who found refuge abroad. This was the case of Léon Dupriez, Jean Corbiau, Simon Deploige — Bishop Deploige — or Jules Van den Heuvel. Dupriez fled with his family to Brussels, where he found refuge with his wife's family. Then, like many others, they took the path of Great Britain. He taught at Cambridge, where a *Belgian university* had been formed, welcoming refugee students and professors. He still gave a series of lectures in London, within the School of Political Science. Eventually, he went to the United States. Invited to teach at Harvard as a *visiting professor*, he taught political science, first in French, then in English. He too, beyond the Atlantic, demonstrated his patriotic commitment. Dupriez became one of the best propagandists of the Belgian cause. He lectured in major American cities, wrote articles in newspapers, like the *New York Times* and the *Boston Herald*. His wife, Marie Verriest, also undertook, in February 1916, a series of conferences on the fate of Belgium in different places. Then, in December 1916, the Dupriez family launched a denunciation movement aimed at the deportations of workers organized by the Occupier. In February 1917, Marie Verriest gave lectures aimed to spread awareness in the American population of the crimes committed by the Germans in Belgium, to encourage Americans to protest more energetically.

Jean Corbiau moved to England and stayed there. In early November 1914, he was announced for unofficial courses at Cambridge. He then seems to have settled in Oxford, where his wife died, in September 1915. Apart from his teaching activities, Corbiau participated in many patriotic initiatives. As a result, education was now only very incidental to his refugee activities. He became vice-president of the Economic Committee, which was created in London in July 1915, and aimed at studying Belgium's reconstruction. At Oxford, he participated in conferences organized by the Belgian University Extension. Committed against the excesses of Flemish activism, Corbiau was among the signatories of " L'appel des universitaires belges [The Call of Belgian Academics]" in early August 1915. Addressed to all the organs of the Belgian press, they were asked " de renoncer à la publication de tout article qui serait de nature à réveiller l'antagonisme des langues et à compromettre la discipline et la concorde nationale [to renounce the publication of any article that would be likely to reawaken the antagonism of languages and compromise discipline and national concord]". In September 1916, he was appointed Chairman of Commission No.3 of the four Recruitment and Appeal Commissions for Belgians aged 18 to 40 who now sat in London. As an extension of these functions, he was an alternate civilian member of the Suspension Court, which was also established in London. He finally left England in March 1918, to join the government, then set up in Sainte-Adresse, near Le Havre in France. He was hired by the Ministry of National Reconstruction. Starting in June 1918, in the Ministry of Economic Affairs, he was responsible for repairing war damage.

Deploige, the president of the Institute of Philosophy, left Leuven at the beginning of December 1914. After a detour through Le Havre, he went to Rome. He was tasked with informing the Pope of the situation in Belgium. The Belgian government, like the University of Leuven, did not fail to notice how tepid the reaction of the Holy See to the University Hall fire had been. Still, Deploige's meeting with the Pope apparently bore fruit. In January 1915, in his consistorial address, Pope Benedict XV condemned " toutes les atteintes au droit, en quelques pays qu'elles aient été commises [all breaches of law, in whatever country they may have been committed]". He specifically mentioned " le cher peuple belge [the

dear Belgian people]". Bishop Deploige left Rome in July 1915. He went through Le Havre to Paray-le-Monial. At the Sacré-Cœur Basilica, he dropped off a Belgian flag blessed by the Pope. After a period of rest in Lourdes, he moved to Spain. There too, it was a matter of raising awareness and convincing Catholic intellectuals, who were generally in favor of the central empires. After six months of campaigning, he eventually brought back the manifesto *A Belgica*. With 500 signatures, it unreservedly condemned [Germany's attack on Belgium](#). These diplomatic steps, intended to raise awareness among powers not involved in the conflict as well as public opinion, were not Deploige's only action. He was also active in assisting soldiers. In Lourdes, where he stayed during 1917, he revived the Belgian Soldier's Home. More than 40,000 soldiers were able to find some rest in Lourdes during their permissions. His action would soon be imitated. An English home was created there in 1918, as well as a Polish home and an American home.

As for Jules Van den Heuvel, he distinguished himself by an important political curriculum vitae. Alongside his academic activities — he taught public law — Van den Heuvel was Minister of Justice for a long while. His services earned him the title of Minister of State in 1907. He attended, in this capacity, the Council of the Crown which met around the king on August 2 and 3, 1914 to decide, the Germans having demanded free passage of their troops to France, the response to be made to the German ultimatum. He then followed the government to Antwerp, then to Le Havre (Sainte-Adresse). The *Moniteur belge* — the official Belgian organ — of March 11, 1915 announced his appointment as Extraordinary Envoy and Plenipotentiary Minister on a special mission to Pope Benedict XV.

We must also mention the figure of Edmond Carton de Wiart, who took over Van den Heuvel's course — public finances — when the latter took the helm of the Ministry of Justice. Former secretary of Leopold II, until 1910, then appointed at the head of the most important financial institution in Belgium, the *Société Générale de Belgique*, he saw his career in high finance interrupted by the war. On August 2, 1914, he enlisted as a private in the 2<sup>nd</sup> Rifle Regiment. He was sent to Antwerp. He then joined the government in Le Havre. He was sent to London to represent the Belgian government at the *Commission for Relief in Belgium*, which had just been set up by Herbert Hoover. [Then, he went to the United States with Paul Hymans and Émile Vandervelde to seek help](#). He returned in 1915, alongside Alois Van de Vyvere, then Minister of Finance.

Finally, among the professors of the Faculty of Law who were refugees abroad, one last case must be distinguished. Dupriez or Corbiau's "patriotic" fervor was forced by events, and deployed in addition to their teaching activities, or after them. As for Van den Heuvel, while he had indeed been in charge of a ministerial portfolio, and while he had the quality of Minister of State, his conduct was not dictated by political obligations. Neither was Carton de Wiart's course. It was not quite the same for those who, while being part of the faculty of the law school, assumed national political functions at the time of the entry into the war. Such was the case with Prosper Poulet. Poulet, besides his academic career, was also involved in the Catholic Party. Member of Parliament since 1908, he joined Broqueville's government as Minister of Science and Arts. On July 31, 1914, on the eve of the war, he strongly supported the general mobilization order that the King had just submitted to the Council of Ministers. In the days following German invasion, on August 17, he followed the government, which took refuge in Antwerp. He stayed there until early October. The government left Antwerp. He sailed for Ostend. Then, a few days later, he departed for Le Havre. Poulet, who was also, as holder of the Science portfolio, in charge of teaching, would make several trips between Le Havre — Sainte-Adresse — and the Netherlands, where there were many Belgians refugees, then to England. He carried out inspection tours of educational facilities for

Belgian refugees. The war had a lasting effect on the training of executives and professions meant to meet social and State needs. The organization of university exams eventually became necessary. In August 1918, a central jury was constituted by Poulet in the Netherlands, responsible for preparatory tests for applications in philosophy and letters, as well as those for notary studies. In October 1918, he set up a central jury in Utrecht for the conferral of the degree of Doctor of law.

The involvement of the Faculty of law's members in the war thus took different paths. In different capacities, and depending on their profile and sensitivity, most of them did not remain inactive. Many of them have shown, to varying degrees, a patriotic commitment. However, this commitment was limited. Their age kept them away from the front and armed combat. Edmond Carton de Wiart enlisted as a private on August 2, 1914, but he soon returned to Antwerp and then Le Havre to carry out missions in which his experience could be more useful. One can also mention Charles Terlinden, who fought in Melle, near Ghent, in September 1914, but his armed engagement remained short-lived.

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The activity initiated during the Occupation most often continued after the Armistice. Patriotic commitment was generally extended in the organs that were created after the war with a view to national reconstruction and the repositioning of Belgium in the concert of nations. This would be the case for a large part of those who were professors at the time of the entry into the war.

Nerinx served as auxiliary burgomaster until December 30, 1918. On November 14, 1918, he was part of the personalities who had remained in the country during the war who were received in Ghent by King Albert I. Nerinx was no longer active as burgomaster. He went to the United States and took over, in March 1919, the direction of the *Belgian Official Pictorial Service (B.O.P.S.)*, an organization which was in charge of image propaganda, created in the spring of 1918 by Major Osterrieth, head of the Belgian military mission in Washington. Nerinx was also hired by the Americans for a lecture tour in favor of the *Victory Loan*, which occupied him until the summer of 1919. In May 1919, he anonymously published a pamphlet in which he set out Belgium's claims to the Netherlands. But the American public was not interested in this territorial issue. Gradually, the representation of Belgium as a martyr disappeared from consciences. *Poor little Belgium* was already a thing of the past.

Mabille, whose ideas were very progressive, joined the Bureau of the Belgisch Volksbond, also known as the Belgian Democratic League. The Democratic League stood out, in the context of the social and political upheavals of the Interwar period, as the king had just imposed universal suffrage, demanding that the right to vote be open to both men and women.

Descamps presided over the Assembly of National Associations for the League of Nations, which gathered in Brussels in December 1919. In the context of the new international configuration imposed after the war, his work, to which the war had given a new topicality, in particular his *Neutralité de la Belgique [Neutrality of Belgium]*, published in 1902, was to be useful in the elaboration of a new international status for Belgium.

Called by de Broqueville to join the exiled government in Le Havre, Dupriez left the United States in early 1918. He became secretary of the Third War Committee in the new Ministry of National Reconstitution, created on January 1<sup>st</sup>, 1918. In October 1918, following the abolition of the Ministry of

National Reconstruction, he became president of the Commission for the Study of the Reform on the Constitution. A few weeks later, at the end of December 1918, he joined the Prime Minister's Office and the Special Commission charged with studying the reforms to be introduced into the Senate's organization, which was set up in June 1919. It was requested in view of the revision of the Constitution that would soon be proposed.

After his mission as Extraordinary Envoy and Plenipotentiary Minister on a mission to the Pope, Van den Heuvel, a Catholic, was part of the Belgian delegation that went to Versailles. All three parties in the government were represented. Van den Heuvel for the Catholic Party, Paul Hymans, Minister of Foreign Affairs, for the Liberal Party and Émile Vandervelde, Minister of Justice, for the Belgian Workers' Party (future Socialist Party). He was appointed a delegate to the War Damage Reparations Commission. Through him, Terlinden also joined the Belgian delegation to the Peace Conference. Like Carton de Wiart, who participated as a financial delegate, before presenting his resignation, disagreeing with the policy of the Belgian plenipotentiaries on the matter of reparations.

Prosper Poulet, sensitive to the Flemish cause, was able to become aware of the Flemish soldiers' situation. In Leuven, in the spring of 1919, he gave two speeches which were published under the title *La question flamande [The Flemish Matter]*. He writes that " le développement normal des populations de langue flamande est lié essentiellement à la reconnaissance effective de leurs droits linguistiques [the normal development of Flemish-speaking populations was essentially linked to the effective recognition of their linguistic rights]". In May 1921, he gave a speech at the Flemish Catholic Council in Hasselt, Limburg, on *le développement normal des populations de langue flamande est lié essentiellement à la reconnaissance effective de leurs droits linguistiques [The Flemish Matter two years after the armistice]*. Poulet recognized the urgency of satisfying Flemish grievances. Continuing his political career, Poulet was briefly Speaker of the House of Representatives in 1918-1919. After having been a minister on several occasions between 1911 and 1925, he was briefly Prime Minister in 1925-1926.

If Poulet was committed to the Flemish cause, this was not the case with Schicks, far from it. The one who very explicitly stood up for national unity, who had shown very clear opposition to the opening of the "Von Bissing University" in Ghent, was the victim, in March 1919, of a bomb attack. A few days later, a Patriotic Action Committee was created.

Schicks became its president. The purpose of this committee was to fight against unpatriotic elements, teachers and students, who under the cover of flamingantism endangered national unity. A royal decree of April 22, 1919 gave him the presidency of the War Damage Tribunal, which was established in Leuven. There was more. On August 8, 1919, a royal decree appointed him a member of the inter-ministerial commission responsible for preparing the gradual adaptation of the circles of Eupen and Malmédy, which were detached from Germany and reunited with Belgium under the [Treaty of Versailles](#), to the Belgian legal regime. In August 1919, the Ligue d'Union Nationale was founded in Leuven.

Schicks was a member of the committee. He was a candidate for the Chamber for the district of Leuven during the elections of November 16, 1919 on the list of the National Union. Opposed to the Flemishization of the University of Ghent, a project again presented after the war, he became, in November 1922, one of the vice-presidents of the National League for the Defence of Ghent University and Linguistic Freedom.

On January 21, 1919, like in other universities, after four years of forced unemployment, the Alma Mater in Leuven resumed its classes. Students found their way back to the university and its law school. The program of the academic year 1918-1919 was not much different from the one before the war period. At the Faculty of Law, Professor Vliebergh was admitted as professor emeritus. Three appointments of lecturers strengthened the faculty. Louis Braffort was appointed for criminal law in French, while G. Sap was appointed for the course of political economy in Flemish, and Émile Van Dievoet for the courses of criminal law and criminal procedural law in Flemish. The appointments of Braffort and Van Dievoet would have a great influence on the future development of the faculty. Braffort was responsible for the creation of the School of Criminal Sciences in 1929 and Van Dievoet played an important role in the gradual introduction of Dutch courses in the faculty, in addition to his political activities.

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