

# Games of chance as the source of revolutions: back to the Spa Games Case (1785-1787)

Lecture given on the occasion of the XXV Annual Colloquium of ADEFFI (Dublin, 20-21/10/2023)

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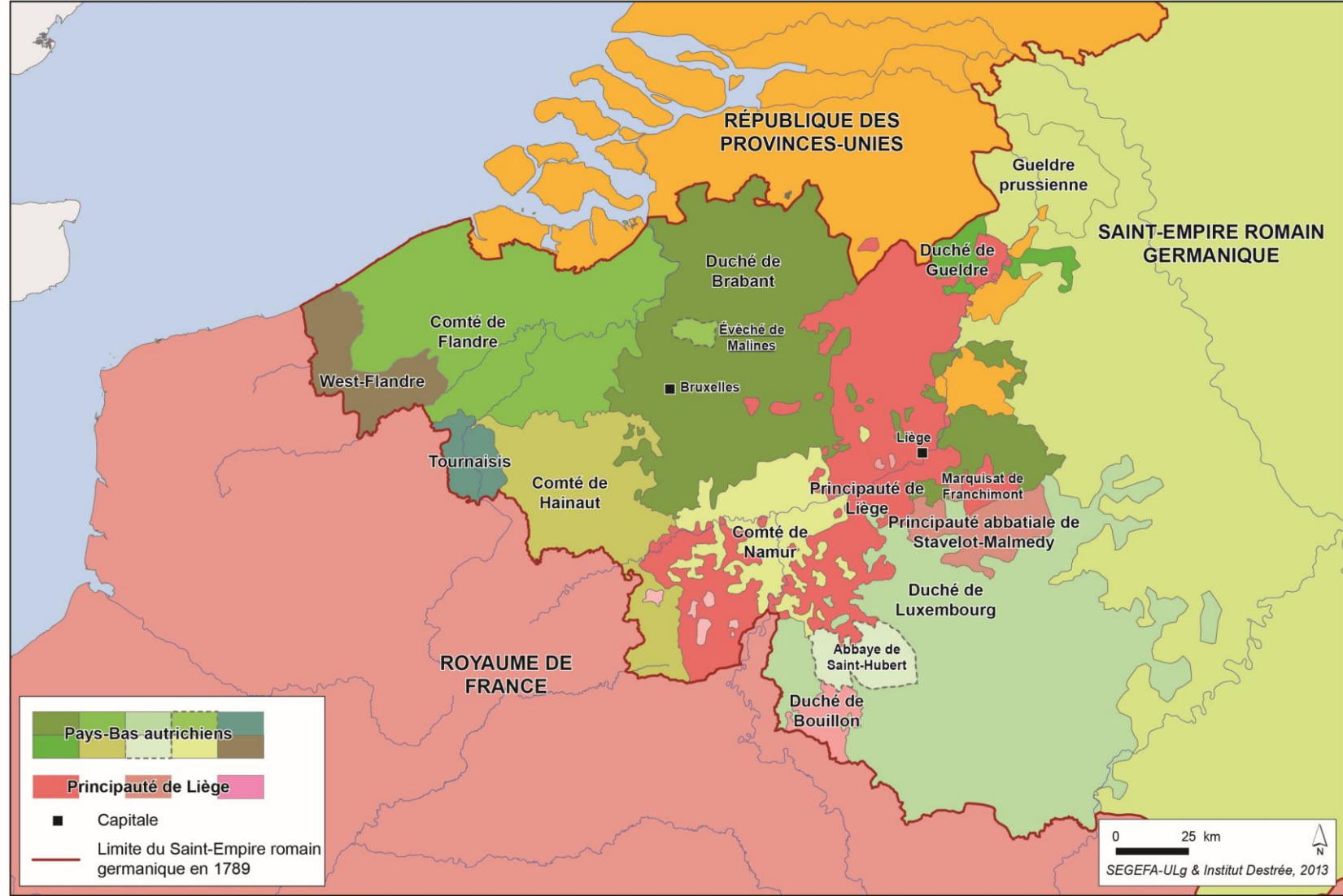
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Principauté de Liège et Pays-Bas autrichiens à la veille des révolutions de 1789

# Preliminary reflections

- The Principality of Liège is a state at the crossroads of European interests ;
- Complex political system where spiritual power and temporal power intersect ;
- the Liège Revolution presented itself as the source of an institutional renaissance ;
- For a long time, the Liège Revolution was seen as one of the many ramifications of the French Revolution.



Atlas de la Wallonie, de la préhistoire à nos jours





## Plan

- 1) The internal stakes of the spadoise protest for the principality of Liège
- 2) The opportunity of the Case for Foreign Powers
- 3) The conclusion of the Case

## 1) The internal stakes of the spadoise protest for the principality of Liège (I)

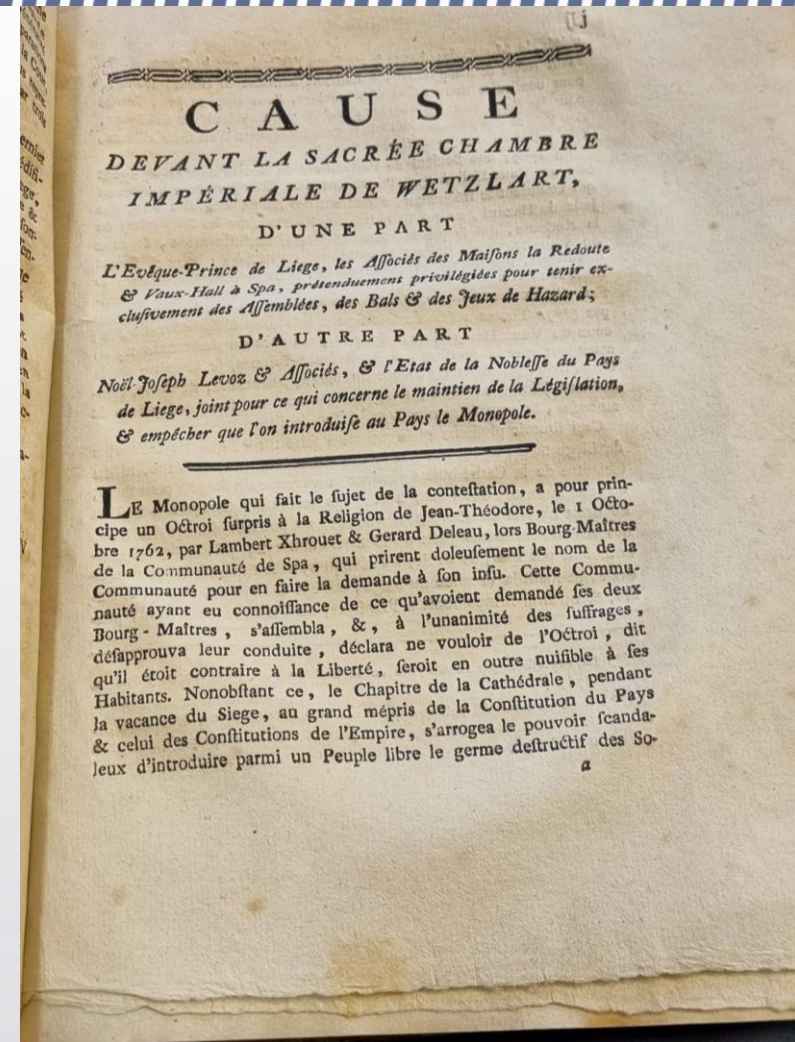
- Spa was a spa town prized by diplomats and hosted various casinos where money circulates without any real control by the authorities
- Regulations by a police order on October 1, 1762, by Prince Bishop John Theodore of Bavaria
- By enacting the privilege in a police order, the prince-bishop circumvented the law that legislation should be discussed with the three bodies of the state (high nobility, thirds and clergy)



Gravure de la Ville de Spa réalisée par Matthäus MERIAN, 1647.

## 1) The internal stakes of the spadoise protest for the principality of Liège (II)

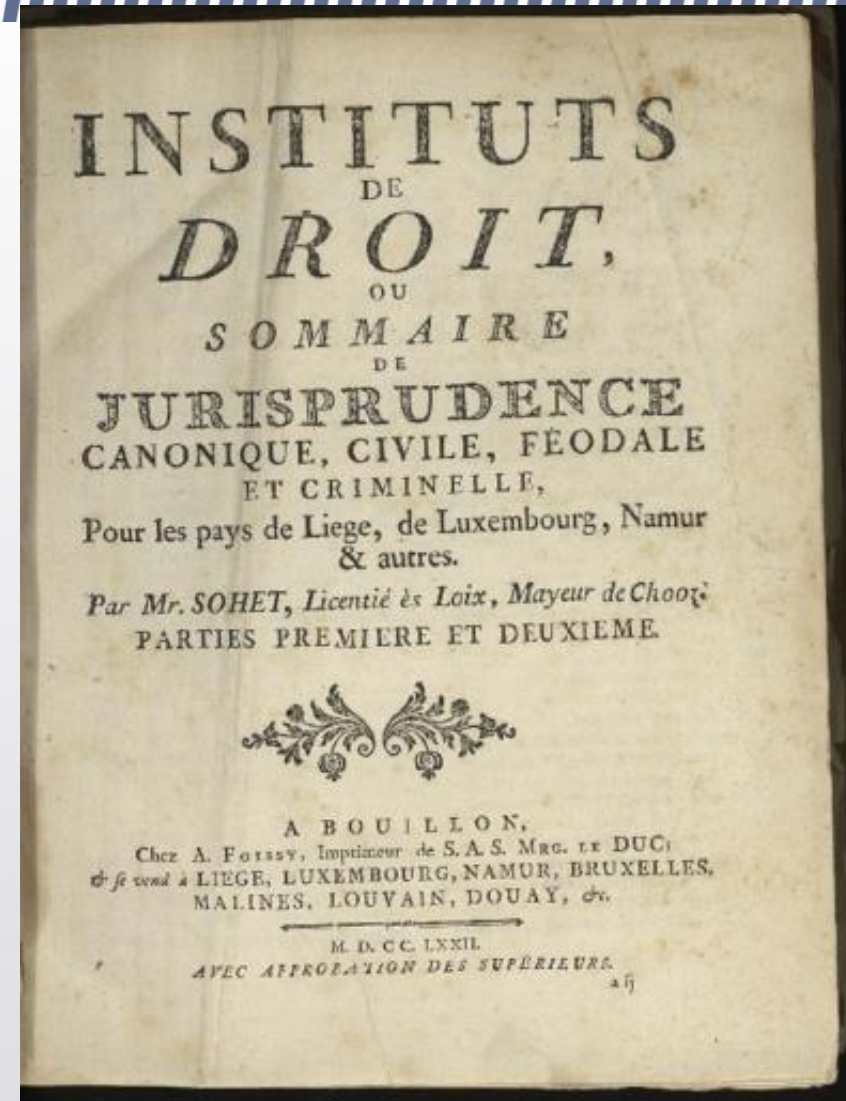
- In 1785, Joseph-Noël Levoz opened a new casino without the consent of the Prince Bishop's Privy Council
- Levoz challenged the prohibition and invoked the unconstitutionality of the order
- The first issue of the case is the division of powers between Heads of State and medieval assemblies
- A strengthening of the three orders would invariably harm the prince who would find himself paralysed by bowel conflicts



Cause portée devant la Sacrée Chambre impériale..., ULiège, R1833-C, 1787, fol. 1 v.,

## 1) The internal stakes of the spadoise protest for the principality of Liège (III)

- The constitutional argument is the second issue in the case
- The Principality had no formalised constitutional text
- Liège law was a complex mixture of customary law, Roman law and canon law
- The juriconsults of Liège hardly define the constitution and regularly relate to the practice of law rather than to general principles.

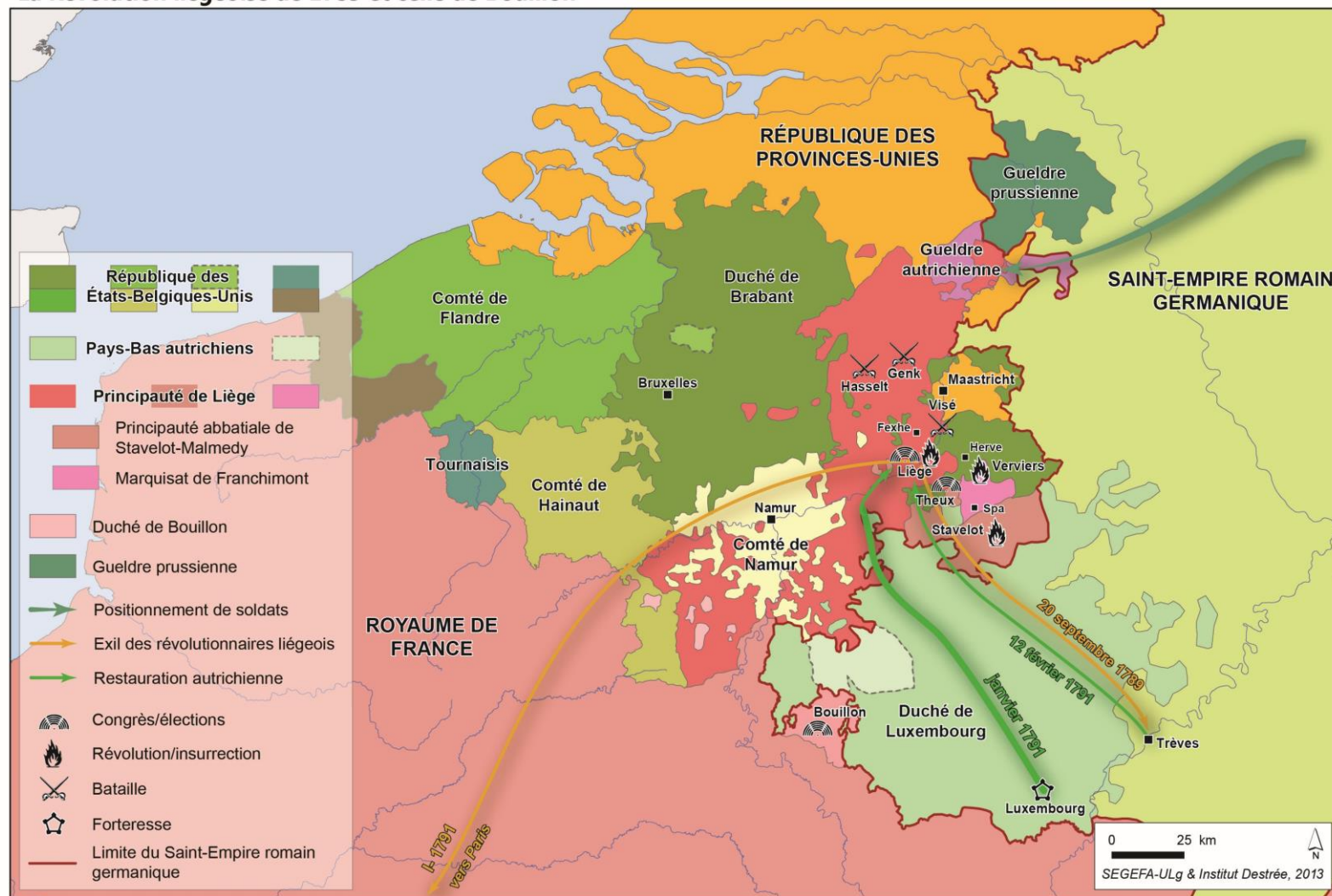


Sohet, *Instituts de droit*, Bouillon, Foissy, 1772.

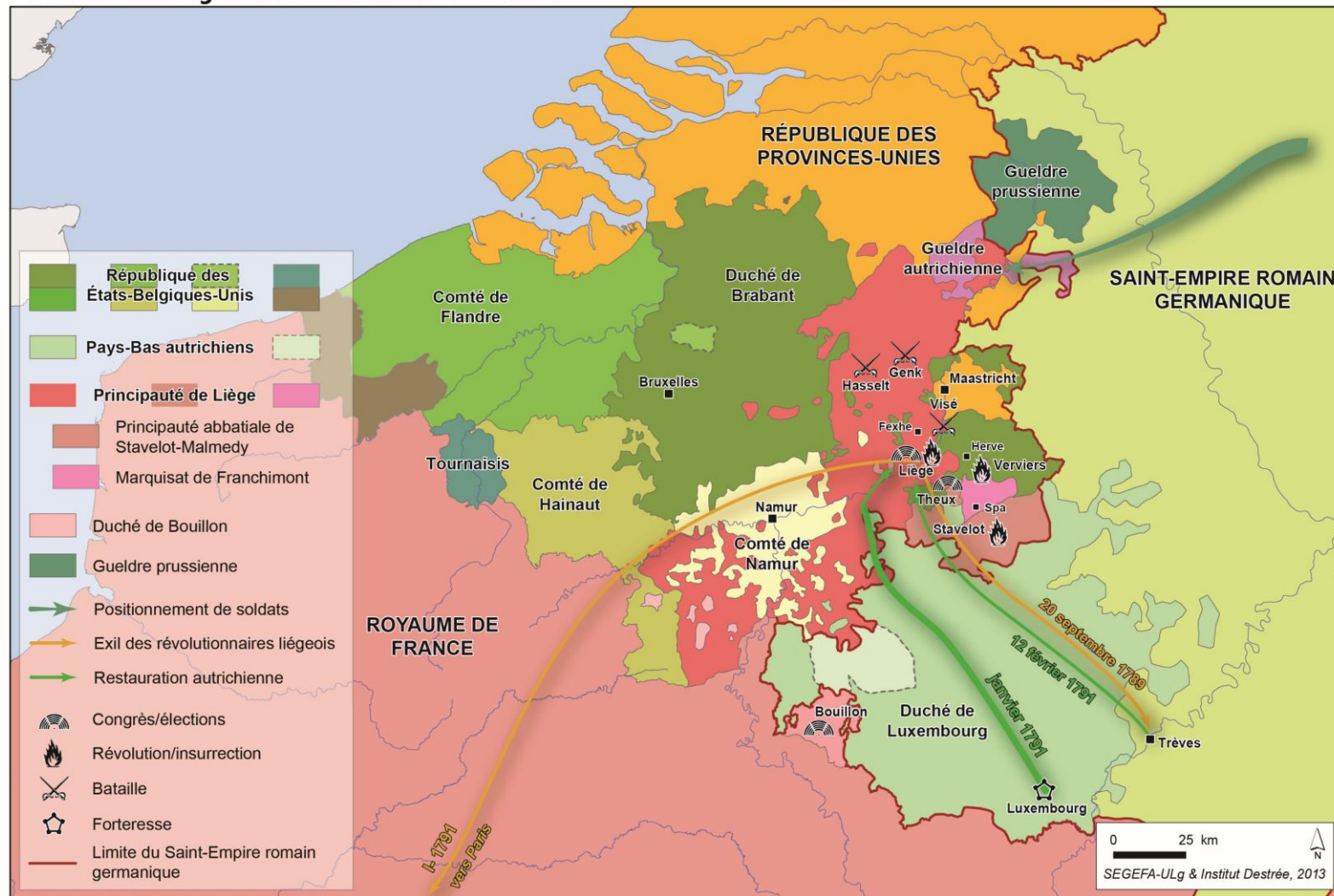
## 2) The opportunity of the Case for Foreign Powers (I)

- An important commercial place, the principality was allied with France since 1772 while remaining vassal of the Holy Roman Empire
- The challenge in the Austrian Low Countries against Joseph II's reforms worried the Emperor who feared a contagion in Liège and the Empire
- Austria interfered with the case through the Imperial Chamber of Wetzlar

La Révolution liégeoise de 1789 et celle de Bouillon



## La Révolution liégeoise de 1789 et celle de Bouillon



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## 1) The opportunity of the Case for Foreign Powers (II)

- The Imperial Chamber was seised as an appellate court by Levoz in 1786
- Imperial judges had to guarantee the perpetual peace of the Empire while sanctioning violations of imperial Roman law by the states
- Aware of the illegality of the Liège police order, the judges made the security of the Empire prevail
- The Emperor deployed the army in 1790



## 2) The opportunity of the Case for Foreign Powers (III)

- France tried to preserve its position of superiority over the Liège government by not condemning Levoz's arguments
- Liège appeared to be the French entry point into the Empire to harm imperial institutions and the Habsburgs
- France was, moreover, already fighting England by using Liège as a hub for the arms trade to the Americas

« La situation géographique de l'État de Liège, sa constitution politique et les liaisons que l'industrie active de ses habitants a établi avec plusieurs provinces du Royaume, ont depuis longtemps déterminé la France à embrasser [...] une union aussi étroite que les circonstances [...] l'ont permis ».


*Mémoire pour servir d'instructions au S. Sabatier de Cabre allant résider en qualité de Ministre plénipotentiaire du Roy auprès du Prince Évêque de Liège, Archives du Ministère des Affaires étrangères, Correspondance politique, vol. 65, fol. 6.*

- The third issue of the case, specific to the major powers, is the economic and military balance of the Netherlands, both Austrian possession, an economic zone competing with France and an area coveted by London.



### 3) The conclusion of the Case

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Thanks you for listening !

Questions ?

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