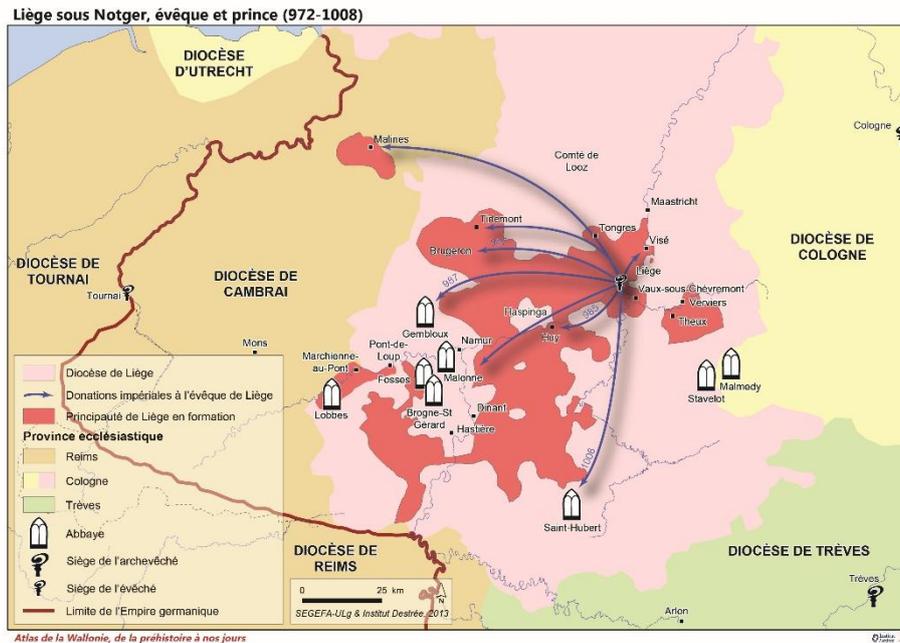


### I. *Origins of the Principality of Liège: A Constitutional, Institutional, and Geographical Overview*

In the 10th century, Otto III, Emperor of the Holy Roman Empire, granted the County of Hu to Notger, the Bishop of Tongres-Maastricht-Liège. Through this donation, the emperor established an autonomous polity: the Imperial and Ecclesiastical Principality of Liège. Initially limited to a few lordships, this territory was not to be confused with the Diocese of Liège, a spiritual jurisdiction that extended far beyond the principality's borders.



“Map of the Principality of Liège at the time of its foundation”, in *Atlas historique de la Wallonie* [Online] <https://connaitrelawallonie.wallonie.be/fr/histoire-et-symboles/histoire/atlas-historique/liege-sous-notger-evêque-et-prince-972-1008#pid=1> (accessed on 5 March 2025).

The Principality of Liège was one of the most enduring and tangible creations of the Imperial Church system within the Holy Roman Empire. Otto III's grant of the county was a calculated reward, as it allowed him to secure the bishop's loyalty while providing him with the means to become a powerful "territorial prince" in a region of the Empire that remained vulnerable to the secular ambitions of the Carolingians from the western Frankish kingdom<sup>1</sup>.

Until the 12th century, major territorial lords, including the German emperors, granted lands to the Church of Liège, significantly expanding its wealth. Simultaneously, the enlargement of both the diocesan and princely estates led to violent conflicts between the bishop, who served as both the head of state and the Church of Liège, and the powerful elites of the princely bishopric. Throughout the Middle Ages, these tensions resulted in numerous disputes involving nobility, which frequently escalated, leading to recurrent episodes of civil war.

From these conflicts emerged several legal texts, known as "Paix" (Peaces), which regulated the political and institutional life of the principality. The first of these, the Peace of Fexhe, was established in 1316 as an agreement between Prince-Bishop Adolph de La Marck, the nobility, and the population. It introduced several key

<sup>1</sup> KUPPER J.-L., *Liège et l'Église impériale aux XIe-XIIe siècles*, Liège, Presses Universitaires de Liège, 1981, p. 422.

principles that would form the foundation of Liège's public law until the dissolution of the principality in 1795.

First, the Peace of Fexhe guaranteed certain liberties to the commoners residing within the principality. These included the right of every Liégeois to be tried before their ordinary and natural judge, the requirement to take an oath before assuming public office, and the prohibition of revising urban charters without the common consent of the affected city.

Second, the Peace of Fexhe established an institution representing all the estates of the land: the Estates of the Land of Liège. They were divided into three orders. The first estate represented the clergy, the second estate represented the nobility, and the third estate represented the *Bonnes Villes*—cities granted special privileges by the prince-bishop. By the late 18th century, there were twenty-three *Bonnes Villes*, each of which sent two deputies to the Estates. The Peace of Fexhe did not specify the internal functioning of each order, nor did it precisely define the nature of their representation. These aspects were gradually clarified over the following centuries.

The Peace of Fexhe also established, alongside the Estates, a fundamental principle of Liège public law: the *Sens du Pays*. According to this principle, customs and laws could not be altered without the common agreement of the prince-bishop and the three orders. Similarly, no international treaty could take effect without the ratification of the Estates. In theory, any interpretation of customary law, the introduction of new taxes, or the passage of legislation required the convocation of the three orders in "Journées d'États" (State Assemblies). Deputies would gather in Liège alongside representatives of the prince-bishop—or even the prince-bishop himself—to deliberate on an agenda set by the prince. Each order then voted separately to accept or reject the proposals. A measure could only be approved if all three orders reached a unanimous decision. In practice, the rejection of a proposal by even one of the three orders amounted to its total rejection. If the result was favorable, the prince-bishop was required to issue an executory mandate, formally sanctioning the decision and giving it legal force. However, as with many theoretical frameworks, the practical functioning of this system evolved over time in response to shifting power dynamics and the changing political landscape of the principality<sup>2</sup>.

Preserved in Saint-Lambert Cathedral in Liège, the seat of the powerful chapter of the same name, the Peace of Fexhe faced criticism from the moment it came into effect. Some viewed it as a scandalous limitation of the prince's powers and an affront to the authority of the Church of Liège, while others defended it as a necessary compromise to ensure public peace. In practice, by the late 18th century, many of the provisions established in 1316 had lost their force. However, certain key principles—such as the *Sens du Pays* and the guarantee of Liège's liberties—remained firmly rooted in the minds of jurists and legislators.

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<sup>2</sup> MASSON CH., «La paix de Fexhe, de sa rédaction à la fin de la principauté de Liège», in *Bulletin de la Commission royale des anciennes lois et ordonnances de Belgique*, Bruxelles, Commission royale des anciennes lois et ordonnances de Belgique, t. XLVII, (2006), p. 185-194.

Moreover, the Peace of Fexhe did not prevent the continuation of internal conflicts until the end of the Burgundian period. Throughout the Middle Ages, princes, lords, and the population engaged in negotiations to clarify or even grant new rights and obligations. Many of these agreements had fallen into disuse by the 18th century, to the extent that late-century legislators no longer referenced them. However, alongside the Peace of Fexhe, one set of agreements remained in use: the Paix des XXII.

The Paix des XXII refers to a series of peace agreements negotiated between 1343 and 1420, with each new peace serving as an amendment to the previous one. Five Paix des XXII were signed during this period. These agreements clarified the judicial powers of the prince-bishop and reinforced the acquired rights of the population by condemning abuses of authority and violations of the principles established in the Peace of Fexhe.

Most importantly, the Paix des XXII established a new tribunal, the "Tribunal des XXII," which judged those responsible for violations, excluding the prince-bishop. Composed of twenty-two judges appointed by the Estates, this tribunal remained a central institution in the Liège judicial system until the French Revolution. Due to its composition, it also became a center of power, where the judgment of violators of the Peace of Fexhe took on a political dimension<sup>3</sup>.

Of course, Peaces were not the only source of Liège public law. Other sources included customary law, regulatory sources stemming from the authority of the prince-bishop, and the princely capitulations. In the case of customary law, three distinct customs governed the principality:

1. The Custom of Liège, the most important and most widely applied.
2. The Custom of Looz, specific to the County of Looz.
3. The Custom of Bouillon, which applied to the Duchy of Bouillon, a territory whose possession by the bishops of Liège was always the subject of disputes<sup>4</sup>.

It is difficult to compare these three customs, primarily because the Sens du Pays never definitively validated the Custom of Liège. However, in the 17th century, Pierre de Méan, a Liège juriconsult, was commissioned to compile and submit it to the Estates. His *Recueil des points marqués*, later commented upon by his descendant Charles de Méan, served as one of the most solid foundations of the Custom of Liège until the end of the 18th century. Nevertheless, nothing was firmly established. In the 1780s, Dominique-François de Sohet, another Liège juriconsult, drafted his *Instituts de droit*, which attempted to synthesize Liège law. His work was also considered fundamental, despite being published just a few years before 1789.

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<sup>3</sup> Voy. BOUCHAT PH., *Le tribunal des XXIIe au XVIIIe siècle*, Courtrai, UGA, 1986.

<sup>4</sup> Sur Bouillon et Liège, voy. PONCELET E., « Les droits souverains de la principauté de Liège sur le duché de Bouillon », in *Bulletin de la Commission royale d'histoire*, vol. 108 (1943), p. 127-267.

A judicial institution known as the Souveraine Justice des Échevins de Liège or the Court of Aldermen preserved the Custom of Liège. Of medieval origin, the institution was referred to as the "Guardian of the Custom" and acted as both a civil and criminal tribunal. Through the process of "record", it established the valid interpretation of the custom according to its own judgments. It remains difficult to pinpoint the exact reasons that allowed Souveraine Justice to attain such prominence. Nonetheless, even in the 18th century, the Aldermen had become one of the main authorities. Through the "rencharge", they reviewed the decisions made by lower courts.

The power of the Aldermen must, however, be viewed in context, especially in the 18th century. After the Imperial Diet of Worms (1495) and the establishment of the Imperial Chamber Court (*Reichskammergericht*), the supreme court of the Holy Roman Empire, the decisions made by the Aldermen could be appealed to the Empire through a procedure that evolved over the centuries. In 1518, Erard de la Marck, prince-bishop of Liège, obtained from the emperor a *privilegium de non appellando* and founded a fourth superior court, the Ordinary Council. Active since 1531, the Ordinary Council was now able to review the sentences issued by the Aldermen. This system remained in effect until the end of the 18th century<sup>5</sup>.

It is not possible to delve into the details of all the judicial institutions of Liège, as the judicial landscape of the principality was marked by its fragmentation, even at the end of the early modern era. The Tribunal des XXII and Souveraine Justice were the most important courts by the late 18th century. In fact, when the French Revolution broke out, the people of Liège prioritized the reform of these two institutions. Together, they played a significant role in creating customary norms, and even in judging the law itself, thereby shaping the normative framework of the principality.

We must also mention the existence of the Officiality, also known as the Spiritual Court, which has been attested since the end of the 13th century. As an ecclesiastical principality, Liège, like many ecclesiastical territories in Europe, was endowed with a religious court. This court exercised its authority over the extent of the diocese, while the secular jurisdictions were only competent within the principality itself. Led by an official, typically a canon of Saint-Lambert Cathedral, the Officiality saw its powers grow over the centuries. Constrained by the peace agreements, the prince's power could not extend through secular justice, while the bishop's prerogatives, defined by canon law, were tied to this religious tribunal. As a result, successive prince-bishops granted the Officiality an increasingly expansive jurisdiction until the end of the 18th century.

While initially only able to judge clerics, the Officiality, from the 14th century, began to hear criminal cases between laypeople and later dealt with civil cases, particularly those related to possessory actions involving inheritance, rents, or illegal dispossession of property. These criminal and civil jurisdictions coexisted with the

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<sup>5</sup> MAQUET J., « Échevins de Liège », in DEMOULIN B., DUBOIS S., KUPPER J.-L., *Les institutions publiques de la principauté de Liège (980-1795)*, Bruxelles, Archives générales du Royaume, 2012, p. 364-395.

spiritual jurisdiction. In contrast to other spiritual courts across Europe, the Liège Officiality retained all its powers until the French Revolution, making it a powerful tribunal.

The Officiality's strength lay in the nature of the institution, which, being of ecclesiastical origin, was not subject to secular appeal procedures. A higher ecclesiastical jurisdiction, namely the court of the archbishop-elect of Cologne, the ecclesiastical superior of the Bishopric of Liège, followed by the apostolic nuncio in Cologne, and ultimately the Holy See, was required to review its judgments. It was only in 1707 and again in 1710 that the emperor confirmed the secular nature of the institution when it dealt with lay affairs. As a result, imperial courts could review its sentences, except in criminal cases, where a third privilege, dated 1721, made any appeal virtually impossible<sup>6</sup>.

The ambiguity surrounding the jurisdiction of the Officiality and the competition between the Souveraine Justice, the Tribunal des XXII, the Ordinary Council, and the Spiritual Court fueled a violent debate among different layers of Liège society. Even in the 18th century, determining which court to approach was very difficult for people, and the choice largely depended on the reputation of the tribunal. For example, the Officiality was considered more lenient than the Souveraine Justice. On the other hand, the Tribunal des XXII, primarily tasked with judging violations of the peaces, freedoms, and privileges, clashed with the Ordinary Council, which handled violations against imperial privileges. This judicial cacophony and the numerous lawsuits brought to the imperial level contributed to the increasing complexity of the customary law of Liège.

In the second case, the sources stemming from the authority of the prince-bishop, we find what was referred to as ordinances, edicts, mandates, or regulations, with these terms being equivalent in Liège's legal vocabulary. In his capacity as prince, the Bishop of Liège held the power of general police, which was used for the daily administration of the territory and the maintenance of public order. While he could not legislate without the consent of the estates, the general police power was not subject to the complex procedure of the Sens du pays. Thus, especially in the 17th and 18th centuries, the princes made use of their regulatory powers to enact reforms and legislate without the involvement of the estates. These powers were exercised through a Privy Council, a kind of central government of the principality, mostly composed of canons from the cathedral.

The competencies of the Privy Council were never truly defined. Some texts at the beginning of the 17th century attempted to outline its scope, but it is evident that the Council held numerous powers. Under the Peace of Fexhe, the Privy Council could not exercise any contentious jurisdiction. However, it could intervene in the revision of sentences issued by the Ordinary Council or the Officiality in its civil jurisdiction. The Privy Council also acted as an arbiter in jurisdictional conflicts. Additionally, it

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<sup>6</sup> JEURIS F., « Officialité », in DEMOULIN B., DUBOIS S., KUPPER J.-L., *Les institutions publiques de la principauté de Liège (980-1795)*, Bruxelles, Archives générales du Royaume, 2012, p. 474-510.

served as an administrative court, ruling on the taxation of local communities under its supervision and revising the sentences of urban courts concerning commoners' rights. These powers stemmed from the prince's prerogatives, as the master of all justice and law, with the Privy Council being the embodiment of these powers.

The Privy Council indeed held significant legislative powers. It was responsible for drafting decrees before they were validated by the prince's sanction. The chancellor and the secretary of the Council were required to countersign the prince's acts for them to have legal force. By this act, the chancellor assumed responsibility for the princely acts, which could lead to legal consequences, including a trial before the Tribunal des XXII if any violations were found. The Privy Council was also tasked with drafting and promulgating executory mandates, necessary to validate decisions passed after the unanimous approval of the estates. This process further strengthened its central role in the political and legal landscape of the principality. Finally, the Privy Council also exercised police authority. This meant it was responsible for the regulation of activities throughout the territory and had the right to conduct investigations<sup>7</sup>.

Finally, the third case, the princely capitulations, was the manifestation of the fragile balance of power between the prince-bishop and the chapter of Saint-Lambert Cathedral. A practice widespread in the Empire and, more specifically, in ecclesiastical territories, the capitulation was a document, divided into a certain number of articles, sworn by the newly elected prince-bishop before the chapter of the cathedral, in the presence of the authorities of the principality, particularly the canons of Saint-Lambert. The content of the capitulations evolved significantly over the centuries, but by the end of the 18th century, the content of the sworn articles remained stable.

Overall, the prince-bishop promised to respect the peace agreements, especially the Peace of Fexhe, not to abuse his power, to maintain the integrity of the episcopal see, and to preserve the balance of the estates. These capitulations, along with the peace agreements, formed one of the constitutional pillars of the Principality of Liège. They were drafted by the chapter of Saint-Lambert Cathedral, which sought to assert its power over the other authorities of the country and over the prince himself.

Since the Middle Ages, the chapter of the cathedral claimed to exercise sovereignty alongside the prince-bishop whom they had elected. This led to an intense dispute between the canons and the prince-bishop. This conflict was never fully resolved, and even during the French Revolution, the prince and the chapter were still debating the right to govern the principality. Nevertheless, the princely capitulation was a powerful argument in the hands of the chapter. While some princes refused to swear the capitulation, the vast majority chose to undergo the process.

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<sup>7</sup> Voy. SIMON C., *À l'ombre du pouvoir des Prince-évêques : les officiers du bord de Meuse*, Mémoire présenté en vue de l'obtention du grade de master en Histoire, inédit, ULiège, année académique 2016-2017.

The chapter was thus consulted by the Privy Council in matters of importance and could counter a decision made by the prince-bishop by voting unfavorably during the “Journées d’État”. The primary order, representing the clergy, was composed solely of canons of Saint-Lambert, who had forbidden all other clerics from sitting in the institutions. The chancellor of the Private Council and half of its advisors were also canons. One can easily imagine the significant influence of the cathedral on the institutional apparatus of Liège.

In practice, the adherence to the capitulations was often dependent on the balance of power between the prince-bishop and the cathedral. By the end of the 18th century, the princes increasingly relied on the chapter to approve reforms that went against the interests of the third estate and the nobility. As a result, the chapter gained influence, while the princes attempted to maintain the balance of power by periodically reaffirming their authority through their regulatory powers.

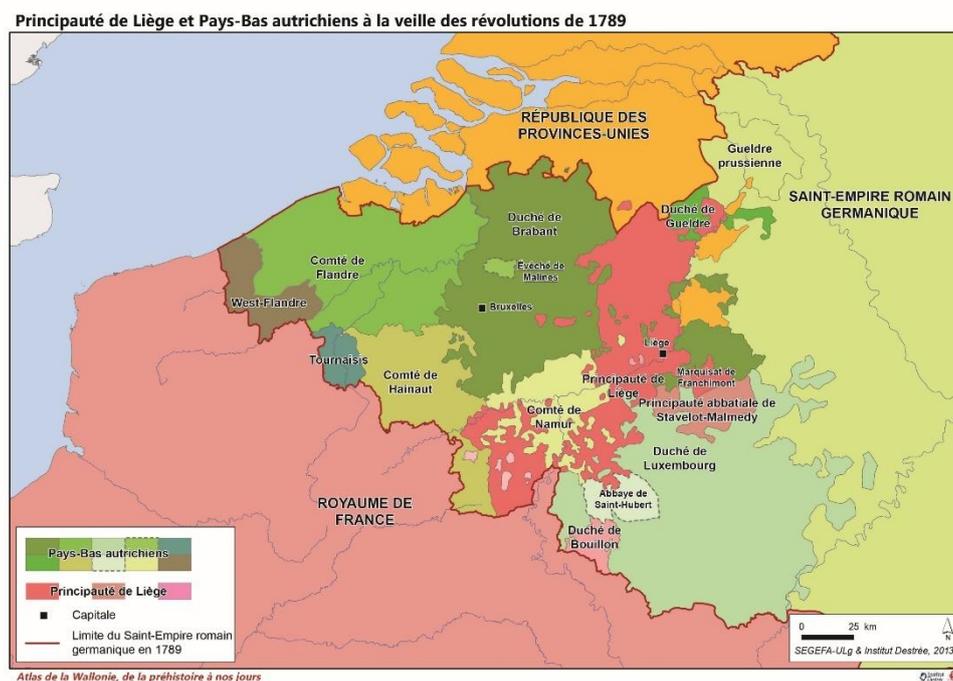
This brief overview of the constitutional and geographical frameworks of the principality is far from exhaustive. We should also delve into the numerous institutions within the cities that governed the daily life, sometimes clashing directly with the Privy Council or the courts. One could also explore the municipal regulations of Maximilian-Henry of Bavaria (1684), which, in the very unstable context of Louis XIV’s wars, dismantled the corporatist electoral system of the City of Liège, allowing the prince-bishop to guide the elections of the mayors and councilors of the City through sixteen chambers, the members of which were largely chosen by the Privy Council. This regulation would gradually extend to all the Bonnes Villes of the principality, although it was legally still restricted to the capital alone.

Let us conclude this introduction with one last important observation. As an Imperial principality, Liège was subject to imperial law, a foundation of the Liège constitutional system. Extremely complex, it governed many aspects of Liège’s institutions and politics. The two highest courts, the Imperial Chamber Court and the Aulic Council, were regularly involved in Liège disputes, and their judgments could profoundly alter the power dynamics within the principality.

As a prince of the Empire, the prince-bishop was invested with his Liège fief by the emperor and exercised his prerogatives as a vassal of the Holy Roman Empire. He was thus a member of the Imperial Diet, a member of the Imperial Circle of Westphalia, and, in this capacity, contributed both fiscally and militarily to imperial affairs. This dimension, despite doctrinal controversies surrounding the powers of the emperor and the place of imperial law at the end of the 18th century, remained fundamental during the Revolution.

## II. *Liège in the 18th Century: A Strategic and Complex Principality*

In the 18th century, the territory of the Principality of Liège was fixed. However, modifications occurred in the second half of the century, driven by Frederick II, the young King of Prussia, and Louis XV. Unlike most of the great European powers of the time, particularly France, the territory of Liège exhibited several inconsistencies. In fact, it adhered to a medieval logic, being divided into multiple enclaves. This complex structure made it more difficult to establish a centralized government and, by extension, to ensure the uniform execution of decisions made by the central institutions.



“Map of the Principality of Liège and the Austrian Netherlands on the eve of the revolutions of 1789”, in *Atlas historique de la Wallonie*, [Online] <https://connaitrelawallonie.wallonie.be/fr/histoire-et-symboles/histoire/atlas-historique/principaute-de-liege-et-pays-bas-autrichiens-la> (accessed on 6 march 2025).

Furthermore, three major powers surrounded the Principality of Liège: the Austrian Low Countries, the Dutch Republic, and France. From its landlocked position, the principality derived numerous benefits. Its stretch made it a privileged corridor for trade between France, the Dutch Republic and the rest of the Empire, with Liège’s customs standing out due to their lower fees compared to their Austrian counterparts. Several covered roads also crossed the principality, which could be used for the movement of large armies. Finally, the principality was renowned for its weapon and iron product factories, which competed with industries in France and Great Britain<sup>8</sup>.

Major European powers quickly developed diplomatic relations with Liège, which, since the 15th century, had been a neutral polity recognized as such by both the emperor of the Holy Roman Empire and the king of France. While it was required to fulfill its vassalic obligations, particularly in the case of an imperial war, the principality officially remained apart from such conflicts. This position allowed it to

<sup>8</sup> Voy. VANDERHAEGEN O., *La diplomatie belgo-liégeoise à l'épreuve : étude sur les relations entre les Pays-Bas autrichiens et la Principauté de Liège au XVIII<sup>e</sup> siècle*, Bruxelles, Éditions de l'ULB, 2003.

sell gunpowder to the British and rifles to the Americans during the American Revolution.

In the 18th century, France was the principal ally of the principality. Louis XV reopened a permanent embassy in the City of Liège in 1729, after it had been closed by Louis XIV a few years earlier. Indeed, the Prince-Bishops of Liège were also Archbishops-Electors of Cologne during the second half of the 17th century. It was therefore deemed more efficient to consolidate all diplomatic missions in the embassy in Bonn.

Officially, Louis XV reopened the representation because Liège was the center of a large network of counterfeiters, some of whom were connected to the Privy Council. Unofficially, France aimed, continuing its post-Westphalian diplomatic strategy, to maintain favorable allies throughout the Empire to prevent an alliance behind the Habsburgs and, potentially, the creation of a major power on its eastern border<sup>9</sup>. Charles-Gravier de Vergennes, France's foreign minister from 1774 until his death in 1787, was one of the main architects of this system<sup>10</sup>.

Thus, in the second half of the 18th century, France sent only plenipotentiary ministers to negotiate with the prince-bishop, the chapter, and the estates. It was common for these ministers to be accompanied by a secretary and other diplomatic agents who worked to expand French influence across the territory. However, in 1763, the chapter, against the unanimous advice of the courts of Versailles and Vienna, elected Charles-Nicolas d'Oultremont, a nobleman from Liège, as prince-bishop. The canons sought to reaffirm their power over the great powers, but this decision led to a temporary rupture in diplomatic relations with France. It was only in 1769, when Versailles and Liège negotiated a significant commercial and territorial agreement, the "Traité des Limites," those relations resumed. The election of François-Charles de Velbrück, a pro-French prince, in 1772, solidified French predominance in Liège.

From that moment on, the new prince granted the ratification of the 1772 treaty, which allowed for free transit through Givet and restructured the Franco-Liège border to France's advantage. The power of Versailles, which had a very strong faction within the estates and the chapter—many canons receiving French pensions or titles—only began to wane after the death of Velbrück in 1784<sup>11</sup>.

The second power to take a close interest in Liège's affairs was the Austrian Low Countries and, by extension, Austria. Liège was a commercial competitor to Brussels, and the rapprochement between the principality and France was displeasing to both the governments of Brussels and Vienna. Maria Theresa negotiated a commercial and territorial agreement during the 1760s alongside the Franco-Liège discussions. Her objective was to counter the significant commercial advantages that Liège was

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<sup>9</sup> Voy. BELY L., *Les relations internationales en Europe*, 4<sup>e</sup> édition, Paris, PUF, 2013 [1992] ; DEMOULIN B., *Recueil des instructions aux ambassadeurs et ministres plénipotentiaires de France... Liège*, Paris, ministère des Affaires étrangères, 1998.

<sup>10</sup> Voy. MONTFERRAND B., *Vergennes : La gloire de Louis XVI*, Paris, Tallandier, 2017.

<sup>11</sup> Voy. LECLÈRE A., « François-Charles de Velbrück et la diplomatie : la souveraineté princière à l'épreuve de la France », in *Revue d'Histoire Liégeoise*, n° 2 (2022), p. 54-126.

willing to grant to France. The ratification of the Treaty of 1772 accelerated this process.

But Maria Theresa demanded absolute control over the Meuse River through the retrocession of all the Liège banks, including those ceded by France in 1772. Versailles, strongly opposed to this central clause of the agreement, threw its full weight behind the opposition within the estates, who were tasked with ratifying the convention. Unlike France, Austria did not have a diplomat in Liège until 1786. Brussels, which urged its Viennese superior to appoint an agent capable of counterbalancing France, succeeded in getting the appointment of a chargé d'affaires, Sacré Bastin, whose role was limited to information gathering and observation. Kaunitz, Chancellor of the Austrian Court and State, regarded the principality, at least until the Revolution, as an imperial vassal. Therefore, it was not necessary to appoint a permanent diplomat to Liège, as the occasional missions of imperial commissioners responsible for overseeing episcopal elections and directing the affairs of the Westphalian Circle were sufficient.

Bastin never held the same influence as his French counterparts. Underfunded, poorly regarded, and ill-informed, the chargé d'affaires struggled to build an austrophile faction within the cathedral chapter. Arriving quite late compared to the French diplomat, he was unable to sway the pro-French tendency. His success only became apparent later, during the first restoration of the prince-bishop in 1791.

The Dutch Republic also appointed a plenipotentiary minister around 1780. Henri Van der Hoop exerted little influence on the Liège government. In fact, by 1787-1788, the diplomat had teamed up with the recently appointed Prussian plenipotentiary minister, Adam de Senfft de Pilsach. The latter's role was to neutralize possible French reactions in the event of a Prussian invasion of Poland. Until then, Berlin had not maintained any serious diplomatic relations with Liège.

Finally, William A. Miles, agent of William Pitt at the Liège court, served as an unofficial representative of Great Britain. He was not officially accredited and had formed close ties with the authorities in the City of Liège, particularly Jacques-Joseph Fabry, the prince's chief of police, to monitor the Liège manufactures. Like Berlin, London did not maintain any serious diplomatic relations with Liège.

These multiple influences had an impact on the evolution of Liège's law, particularly public law. France and the Low Countries, through the parties formed within the estates and the cathedral chapter, either supported or opposed certain reforms or negotiations. In 1780, a violent conflict broke out between the nobility and the prince-bishop regarding a special tax reserved for the noble estate, the *taxe noble*. This dispute led to a plethora of trials before the Imperial Chamber Court and the Aulic Council. The stakes of this quarrel went far beyond taxation. It represented a power grab by the prince who had directly intervened in the prerogatives of the noble estate. The balance of power could be irreparably altered by the outcomes of the ongoing trials. As such, both Versailles and Vienna attempted to arm the opposition or support the prince.

However, the frameworks outlined earlier remained valid in the 18th century. Many reforms had clarified the functioning of certain institutions and their composition. No peace had been promulgated since 1487, and the princely capitulations were drafted according to a stable pattern after 1763. Only justice and its jurisdictional conflicts remained an apparently insoluble mess. The multiple attempts at reform failed in the face of the political interests of the estates and the prince-bishop.

Above all, like elsewhere in Europe and North America, a major questioning of the constitutional principles that had governed the Liège state since the Middle Ages took place at the end of the century. From the election of François-Charles de Velbrück in 1772, disputes—such as the noble tax we mentioned—challenged the authority of the prince, the established representation, the functioning of justice, and the rights and freedoms of the Liégeois. Taking a step back, we can see that all political bodies in Liège were at odds on intensely current issues, such as the nature of national representation, the separation of powers, and equality among citizens. The almost frenzied succession of political crises between 1774 and 1789 attests to the exhaustion of an order system, marked by political paralysis. The old grievances—against the 1684 regulation, inequality before the law and taxes, or the right to sit in the estates—reappeared on the public stage.

A situation in which European powers took part. The opposition, galvanized by French diplomats, turned against the prince and Austria, becoming the main group challenging the immense privileges of the cathedral and the bishop. The small Holland-Prussian party, emboldened by Austria's overreach in the Austro-Turkish War of 1788, positioned itself as a defender of free elections and the separation of powers. Finally, the Austro-Brussels party, concerned with preserving the Liège legal order and the vassalic link with the Empire, sought to curb the reformist ambitions.

The break occurred on August 18, 1789. Inspired by the French events, unofficially supported by Prussia, a group of Liège commoners stormed the City Hall of Liège, the seat of municipal power imposed by the prince-bishop under the 1684 regulation. On the same day, an armed crowd went to the prince-bishop's summer palace and brought him to Liège so that, before the crowd, he would repeal all the tyrannical laws. The end of the 1684 regulation, the end of the clergy's fiscal privileges, an emergency meeting of the three estates and the reform of the constitution... the entire Liège system was overthrown.

At least in theory, because on August 26, 1789, the prince-bishop fled in Trier, where, placing himself under the protection of the Empire, he demanded the immediate neutralization of the rebels. The imperial court demanded an imperial execution, by which its sentences would be enforced using force. However, Prussia, motivated by an extension of its influence in the Austrian Netherlands, came to the aid of the Revolution at the end of 1789. This led to numerous negotiations, which culminated in January 1791 with the restoration of the prince-bishop and the temporary end of the Liège Revolution.

### III. *The Belgo-Liège Convention of 1780: An Illustration of Liège's Dynamics*

The 26th of August, 1780, marked a significant moment when François-Charles de Velbrück and Maria-Theresa of Austria signed a commercial and territorial convention in Brussels, which was the result of two decades of negotiations. The Prince-Bishop's representative, Barthélémy-Joseph Dotrengé, a former official in the service of the Habsburgs, had been appointed that same year as the Prince's intimate advisor in Brussels, despite protests from the estates, who questioned his loyalty. Georges-Adam de Starhemberg, Austria's plenipotentiary minister in Brussels, represented Maria-Theresa but reported to the Austrian chancellor, Kaunitz.

This convention was meant to be the Austro-Brussels counterpart to the Franco-Liège Treaty signed on 24 May 1772. In parallel with the August 1780 ratification, the Prince-Bishop was in open conflict with the noble estate over the *Taxe noble*. The prince had decided, by ordinance, that the revenues from this tax, which were reserved for the noble estate to enable its autonomy against the Privy Council, should be transferred to the state's budget and no longer be given to the noble deputies. Using his police powers, the prince had not convened the *Sens du pays* or the noble estate, considering that the ordinance altered a tax that should have been voted on by the estates, which triggered multiple lawsuits in Liège and in the Empire.

Beyond the financial aspect, the second estate criticized the unconstitutionality of the police powers, which broke from the framework for distribution established by the Peace of Fexhe. Influenced by the broader ideas of the late 18th century, the dispute evolved into an intense debate about the princely powers, the rights of the deputation, and the need for a better separation of powers.

It was up to the estates to ratify international treaties unanimously for them to come into effect. In August 1780, the noble estate hoped to force the prince to back down on the *Taxe noble* by conditioning its vote. However, the noble estate was isolated. The third estate, a consequence of the 1684 regulations, was aligned with the prince, while the cathedral chapter was at odds with the laymen, who contested its political primacy.

Moreover, the nobles were outraged by Article Seven which stipulated that the principality would cede all the banks of the Meuse to the Low Countries so that they could have exclusive control over river navigation. However, neither Kaunitz nor Starhemberg were willing to remove this condition, as it was primarily aimed at undermining France's river trade, with France having previously ceded some of the riverbanks to the principality in exchange for a guarantee of free transit.

Thus, the second estate demanded the removal of Article Seven in favor of a future negotiation that would involve all interested parties. They urged the Prince-Bishop, against the advice of the cathedral chapter and the third estate, to pressure Brussels in this direction. However, Velbrück, having declared his candidacy for the bishopric of Münster, was in competition with Maximilien of Austria, the son of Maria-Theresa, who was seeking to succeed to the bishopric of Liège. It is clear here that

the Prince-Bishop did not want to displease Vienna by imposing the views of the noble estate, with which he was already in conflict.

The noble estate's negative vote, which was repeated several times between 1780 and 1783, effectively amounted to the rejection of the entire convention. We know that Kaunitz then suggested to the Prince-Bishop that he bypass the estates' opinions by relying solely on the cathedral chapter. The chancellor had amended the text of the convention so that it no longer passed between the Austrian Low Countries, the Prince-Bishop, and the estates of Liège, but instead only between the Low Countries and the Church of Liège.

Velbrück and the cathedral chapter ratified the convention together. However, the intensification of the legal battles surrounding the *Taxe noble* had further antagonized the noble estate against the prince. When the maneuver became known, the nobles took the matter to the Aulic Council, demanding that Joseph II submit the issue to a general Diet. At the same time, invoking the Peace of Fexhe, the noble estate declared the ratification null and void. Unsurprisingly, Joseph II rejected the request, arguing that the convention did not threaten the integrity of the Empire. Velbrück, bolstered by this decision, decided to unilaterally annul the decision of the estates and revoke their right to vote on the convention.

This audacity, surprising even to the Prince-Bishop himself, was also the result of support from France. Vergennes, understanding that Austria was trying to counter Versailles in the Low Countries, supported the noble estate's actions in Liège and the Empire. Diplomats based in the capital urged the canonicals, who were subsidized by France, to undermine the resistance of the chapter. Similarly, Versailles assisted the deputies in preparing their arguments against the Prince-Bishop. More officially, Louis XVI expressed concern over the contents of the convention, believing that it contradicted the spirit of good relations between Liège, France and Austria.

This intense pressure applied on both the Prince and Austria led to the non-execution of the convention. The case had demonstrated to him the considerable power wielded by France and Austria within the institutions, and it had profoundly shaken the traditional interpretation of the Liège Constitution.

#### IV. *Conclusions*

Liège, a small autonomous state within the Holy Roman Empire, a ecclesiastical principality bordered by major European powers and a crossroads for diplomatic influences, has always attracted attention since its foundation. Like many European states, it was built on a constitutional framework shaped by internal conflicts, and by the end of the 18th century, it was still marked by medieval traditions and significant legal pluralism. However, it was not impermeable to the new ideas of the time.

As we've seen, the society on which the institutional system was based faced numerous critiques. The discontentment at the end of the century, sometimes supported and sometimes fought by major powers as they sought to extend their

influence, led to the outbreak of a Revolution in the summer of 1789. Like in France, it sought to overthrow the old structures in favor of greater liberty and equality. However, it failed. The estates, particularly the cathedral chapter, managed to hold their ground, and the Prince-Bishop triumphantly returned to Liège in 1791.

Yet, the Revolution was not a total failure. In 1792, France took control of Liège to re-establish the Revolution, which had become even more radical than in 1789. Temporarily repelled in 1793, France returned in 1794, forcing the prince into exile. On 9 Vendémiaire Year IV, the National Assembly voted for the annexation of Liège to the Republic. Although the former principality was dissolved, the Liège question remained unresolved until at least the rise of Napoleon.