

I. The Electoral Congress of Frankfurt: Historiographical Stakes and Historical Context (dia. 2)

The Electoral Congress of Frankfurt is a relatively overlooked event in the history of the Atlantic Revolutions. Convened following the death of Joseph II, Holy Roman Emperor, on 20 February 1790, it was part of the long tradition of Germanic imperial elections and, unsurprisingly, led to the election of Leopold II.

Generally, the literature summarises the event as an election without debate¹. The situation is even more fragmented concerning the Liège Revolution's place in these negotiations. Historiography typically considered this revolutionary movement, confined solely to the Imperial and Episcopal Principality of Liège, as a mere replica of the French Revolution. Consequently, early Belgian unionist historians consigned it to oblivion, wishing to avoid any impact on the nascent kingdom's hard-won unity².

Nevertheless, the congress sought to shape the constitutional destiny of present-day Belgium. It demonstrates the Holy Roman Empire's (in)capacity to adapt to the principles of the Atlantic Revolutions. However, to understand the stakes of the Congress and the role played by the Liège Revolution, we must first recall some contextual elements.

(Dia 3) On 18 August 1789, a revolution erupted in the Principality of Liège. It profoundly impacted the region of present-day Belgium, much like the French Revolution and the first Belgian Revolution. The movement, initiated by the high nobility and a segment of the Third Estate, aimed at restoring ancient Liège liberties, which were believed to have been suppressed by the Prince-Bishops since the late 17th century³.

Unlike its counterparts, the Liège Revolution did not overturn the political and constitutional system of the principality from which it originated. On the contrary, it preserved the old power structures, such as the estates and the Prince-Bishop, even while seeking to redistribute powers more effectively among them and to abolish political or economic privileges among different segments of the population.

Immediately, the revolutionary movement forced the Prince-Bishop, César-Constantin de Hoensbroeck, to appeal to the Electors to support him in eradicating the Revolution. They initiated proceedings before the Imperial Chamber in Wetzlar, the Holy Roman Empire's supreme court, to secure the condemnation of the Revolution and the establishment of an Imperial military execution⁴.

(Dia 4) By the end of 1789, the Imperial Chamber authorised the Westphalian Circle to invade the principality. It was led by three directors: the Elector of Cologne, the Elector Palatine, and the King of Prussia. At this time, the conflict between Prussia and Austria, known in historiography as the "Austro-Prussian Dualism," suggested that the Elector of Brandenburg would not follow the Imperial Chamber's orders. On the contrary, Prussian diplomats had supported the Revolution's ideals, symbolising constitutional renewal within the Holy Roman Empire⁵.

¹ See WHALEY J., *Germany and the Holy Roman Empire*, Vol. II, Oxford, Oxford University Press, 2012.

² See RAXHON Ph., *La Révolution liégeoise de 1789 vue par les historiens belges*, Bruxelles, Université libre de Bruxelles, 1989.

³ Unless otherwise stated, information on the history of the Liège Revolution comes from HARSIN P., *La Révolution liégeoise de 1789*, Bruxelles, La Renaissance du Livre, 1954 ; DEMOULIN B., KUPPER J.-L., *Histoire de la principauté de Liège de l'an mille à la Révolution*, Toulouse, Privat, 2002.

⁴ On Imperial public law, see OESTMANN P., « The Law of the Holy Roman Empire of the German Nation », in PIHLAJAMÄKI H., DUBBER M.D. et GODFREY M., *The Oxford Handbook of European Legal History*, Oxford University Press, 2018, p. 732-760.

⁵ Unless otherwise stated, information on Prussian intervention comes from WÜLLER H., *Systemkrise als Handlungschance : Christian Wilhelm von Dohm und die Lütticher Revolution von 1789*, Berlin, Duncker & Humblot, 2004.

(Dia 5) It is thus understandable why, in December 1789, Prussia refused to comply with Wetzlar's injunctions. It even decided to intervene unilaterally in the Principality of Liège. His strategy pursued a dual objective.

Firstly, the King sought to destabilise Austria in the Low Countries. By allowing the Liège Revolution to persist, he hoped to give the first Belgian Revolution a chance.

Secondly, the sovereign intended to transform the Liège Revolution into a constitutional laboratory for a forthcoming reform of Imperial law. By allowing the Liègeois time to organise their country and prepare a regenerated constitution, Frederick William II aimed to demonstrate to the princes that another constitutional future for the Holy Roman Empire was possible.

Nevertheless, this protection suffered from the inherent upheavals within the Liège movement itself. Divided between radicals and moderates, the movement shifted under the impetus of Francophiles, who proposed abandoning the project of constitutional restoration in favour of a National Assembly, of the dethronement of the Prince-Bishop, and of a complete separation from the Empire.

In parallel, the ratification, in July 1790, of the Convention of Reichenbach marked the culmination of the diplomatic warming between Austria and Prussia. This text stipulated that Leopold II could intervene to suppress the revolution in the Low Countries without Prussian opposition.

Faced with this diplomatic reversal and the extreme demands of the Liègeois, Frederick William II could not indefinitely maintain his protection. Finding a compromise on the future of the Liège Revolution thus became a necessity.

II. The Electoral Congress of Frankfurt: Between Compromise and Failure

(Dia 6) The opportunity presented itself in August 1790. The Elector of Mainz, Archchancellor of the Empire, convened an electoral congress in Frankfurt for the official election of Leopold II. This would allow the Electors to informally discuss imperial affairs⁶.

The future of the revolutionary demands in Liège became the primary subject. While no prince favoured the idea of a separation or a Liège National Assembly, they did not all agree on the validity of the moderate demands. These can be summarised into two main categories.

(Dia 7) Firstly, the Liègeois sought to re-establish the balance between the Prince-Bishop and the country's three estates. Since the Middle Ages, these two institutions had jointly regulated the law, taxes, and major affairs of the principality. In practice, since the late 17th century, the Prince-Bishop had seized political power, notably through several ordinances reorganising the body of deputies. The moderate revolutionaries therefore called for the repeal of these texts and the reformation of a deputation elected according to the old rules.

Secondly, the Revolution hoped to diminish the political and economic privileges of the privileged orders, starting with the clergy. For some, like Hoensbroeck, these demands were like those of the French Revolution. For others, like Prussia, they were legally founded and could serve as a springboard for a profound reform of the Empire.

(Dia 8) From the opening of the congress, Mainz pledged not to establish an imperial commission in Liège and to favour the drafting of a new constitution that would conform to the wishes of the prince, the Empire, and the revolutionaries, but only if the Revolution submitted unconditionally to the Empire. This constitution would result from a compromise among the Electors, where the Liègeois, both revolutionaries and loyalists, would have no place⁷.

⁶ For imperial elections, see STOLLBERG-RILINGER B., *Les vieux habits de l'empereur : une histoire culturelle des institutions du Saint-Empire à l'époque moderne*, Paris, Éditions de la Maison des sciences de l'homme, 2013.

⁷ *Lettre de Zwiervlein à Hoensbroeck, datée de Francfort du 28 août 1790*, AEvL, fonds Daris – 1^{re} série DL XV, fol. 1.

The Prince-Bishop was the first to denounce the proposal. How could a constitution, drafted in a short time by Electors with divergent opinions, be viable in the long term⁸? Furthermore, the revolutionaries voted to send representatives to Frankfurt despite Berlin's opposition. These representatives were to obtain from the congress that all decisions enacted since 1789, namely the reform of elections and the dethronement of the Prince-Bishop, be integrated into the compromise⁹.

(Dia 9) The first Prussian document outlined three measures. Firstly, the repeal of ordinances reorganising the Estates. Secondly, the implementation of a census-based electoral system. Finally, the retention of deputies elected in 1790 until the convening of new elections. However, the Prince-Bishop could appoint commissioners to supervise electoral operations. Those who had lost their municipal offices before the Revolution of 18 August 1789 could reclaim them. As for revolutionary reforms, the Prince-Bishop would have to decide whether to promulgate them or refer them to the Imperial Chamber for review¹⁰. The ecclesiastical Electors rejected the project.

On 26 September, under pressure from Prussia, the Liège deputies proposed their submission to the Empire without, however, acknowledging the Revolution's illegality. Faced with this affront, the Electors secretly decided on a new constitutional compromise.

(Dia 10) The content of these proposals comprised nine points. Firstly, the estates had to submit completely to the Empire. Secondly, the Electors asked Hoensbroeck to grant an unconditional amnesty to the revolutionaries. Thirdly, provided the first two points were fulfilled, the Electors would suspend the execution. Fourthly, the Electors mandated commissioners to verify the submission and disarmament of the revolutionary armies. Fifthly, the commissioners were to restore the regime as it existed before the Revolution, but they could also organise new elections or establish a provisional regency. Sixthly, the Prince-Bishop was to return to Liège to cooperate in redressing grievances against the country's constitution. Seventhly, the princely directors would each send 4,000 soldiers into the principality. Eighthly, all costs related to the execution would be borne by the estates. Ninthly, the commissioners were to mediate conflicts remaining between the prince and the estates and allow for the promulgation of a new constitution¹¹.

This first Frankfurt compromise was intended as a preliminary to the re-establishment of perpetual public peace. The Electors had evaded the constitutional question by referring it to a limited commission which would negotiate the reforms. In the background, the first compromise signalled the Prince-Bishop's triumph. Enjoying the support of the ecclesiastical Electors, he was assured of not having to concede anything to the revolutionaries.

Furthermore, the Frankfurt compromise demonstrated that the Electors had indeed deviated from imperial sentences in favour of a political resolution and through a congress devoid of judicial authority. Thus, it was the very structure of Imperial law that this approach shook, which can be seen as a small victory for Prussia.

(Dia 11) Once known in Liège, the first compromise unleashed revolutionary passions. For the most radical, the text was an insult to the Revolution's achievements, while the more moderate feared the Prince-Bishop's obstruction of future reforms. Consequently, the deputies unanimously rejected the text.

However, the moderates of 1789 hoped to renegotiate the compromise, which had the merit of opening the door to constitutional reforms. They accepted Hoensbroeck's return but wished the

⁸ *Id.*, fol. 2; *Lettre de Ghysels à Hoensbroeck, datée d'Aix-la-Chapelle du 29 août 1790*, AEvL, fonds Daris – 1^{re} série DL XXXI, fol. 1-2.

⁹ « Lettre de Hoffman à Chestret, datée de Francfort du 5 septembre 1790 », in *Papiers de Jean-Rémi de Chestret... op. cit.*, p. 199-198.

¹⁰ BORGNET A., *op. cit.*, p. 388.

¹¹ *Compromis décidé par les cours électorales lors du congrès de Francfort, Francfort, 12 septembre 1790*, AEL, états 4000, fol. 1-2.

Electors would encourage him to relinquish his title in favour of a more tolerant Prince-Bishop. They also approved the creation of a constitutional commission, provided Prussia took the lead.

On 9 October, the electoral congress reopened negotiations. Berlin drafted the Liège counterproposal. Prussia called on the Electors to guarantee the right to freely elect Liège deputies and thus to repeal the Prince-Bishop's ordinances. In exchange, the Revolution would formally approve the first compromise through unconditional submission to the Empire. The clergy's privileges would remain temporarily intact¹². Here again, the Liège radicals rejected the proposal¹³.

On 15 October, the Electors gathered one last time to discuss a possible third compromise that would approve the moderates' demands. The Princes, except Prussia, opposed it. Two solutions were therefore available to the Liégeois. Firstly, they acknowledged the rejection and resumed the war. The break with the Empire would be almost total and it was unlikely that Berlin would follow the Revolution down this path. Secondly, the representatives approved the compromise but also signalled the Revolution's failure.

The moderates present in Frankfurt provisionally signed the first compromise and returned to Liège hoping to have it ratified by the rest of the deputies. Here again, the radicals triumphed, leaving Prussia no choice but to withdraw from Liège. On 1 November 1790, the congress was dissolved.

Hoensbroeck made a triumphant return to his country at the beginning of 1791 with the help of Austrian army. The prince, far from applying the Electors' proposals, proceeded with constitutional reforms that ensured him extensive political power.

III. In Conclusion: The Electoral Congress of Frankfurt, a Failure?

(Dia 12) To conclude this overview of the constitutional stakes of the Electoral Congress of Frankfurt, we must immediately underscore that it was the scene of a complex attempt at compromise in the face of a major revolutionary crisis on the western borders of the Holy Roman Empire.

Its central question was whether the Holy Roman Empire could adapt to the principles of the Atlantic Revolutions. In this sense, it was the stage for divergences of opinion among the principal Germanic princes. Initially, the Electors proposed a vague compromise that ensured the triumph of the Prince-Bishop and the ruling elites. However, this proposal was unanimously rejected in Liège.

Despite an attempt to reopen negotiations and grant the Liégeois the right to elect deputies, the insurmountable differences between the Liège radicals and the Prince-Bishop led to a stalemate. The congress failed to find a negotiated solution, and Prussia's withdrawal from the Liège affair sealed the Revolution's fate.

This failure was, however, indicative of a political and legal upheaval. The Imperial Chamber of Wetzlar had been supplanted by an electoral congress devoid of judicial authority, and the Emperor, even when officially elected, left the responsibility of finding a solution to the Electors.

This weakening of Imperial law went hand in hand with the openly displayed demands of the Liège Revolution for a definitive separation from the Germanic body. While the failure of Frankfurt ultimately led to the triumphant return of the Prince-Bishop, it demonstrated the Holy Roman Empire's inability to adapt.

¹² This is printed following the *projet d'arrangement qui a été proposé... op. cit.*, fol. 2-3. *Procès-verbal de la séance des états relatif au projet d'arrangement présenté par M. Dohm, daté de Liège du mois d'octobre 1790*, AEL, états 4003, fol. 2-3.

¹³ *Id.*, fol. 1-2.