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# Voting Like Your Betters: The bandwagon effect in the Diet of the Holy Roman Empire

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## Abstract

Scholars agree that a core feature of the political style of the Holy Roman Empire was the focus on consensus, without which policies at the level of the Empire were impossible. The present article demonstrates that the consensus on which decisions of the imperial estates was based tended to be superficial and was often in danger of breaking down. This was because the diet's open and sequential voting procedure allowed the bandwagon effect to distort outcomes. An analysis of the votes cast in the princes' college of the diet of 1555 shows that low-status members of the college regularly imitated the decisions of high-status voters. Reforming the system would have required accepting that the members of the college were equals – an idea no one was prepared to countenance. Hence, superficial and transitory agreements remained a systematic feature of politics at the level of the Empire.

## I. Introduction

On 28 July 1551 Emperor Charles V signed a document that seemed to mark a legislative success at least on par with the imperial *Policey-Ordinances* of 1530 and 1548, or the Criminal Law Code of 1533: the ‘Augsburg Coinage Ordinance’,<sup>1</sup> the law that was to replace the plethora of coinage systems of the Holy Roman Empire with one common currency. Half a year before, the diet of Augsburg had brought a long-drawn out legislative process to a close by asking the emperor to

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<sup>1</sup> For the text see O. Volckart (ed.) *Eine Währung für das Reich: Die Akten der Münztage zu Speyer 1549 und 1557* (Stuttgart, 2017), no. 90, pp. 344-372.

publish the ordinance.<sup>2</sup> In the runup to this, the diet's two higher colleges – the electors' and the princes' college – had agreed on the draft of the law and the cities' college had had its say. By following the diet's request and endorsing the bill, the emperor fulfilled the last constitutional requirements of legislation. Still, it did not even take a year for the ordinance to fail. Important imperial estates refused to make it public among their subjects and to implement it.<sup>3</sup> What had gone wrong?

The question is of wider importance. While the *Policey-ordinances* and the Criminal Law Code are examples of imperial laws that were put into effect reasonably smoothly,<sup>4</sup> what happened to the coinage ordinance of 1551 was by no means unique. There were numerous instances in the history of the Holy Roman Empire where the imperial diet made decisions that at least some of the estates that had been involved in legislation failed to implement, or at least did not implement in full. The combined poll- and property tax, the 'common penny', that the diet granted in 1495 and that was at best partially collected, and the short-lived imperial government created five years later are early cases; the common currency bill that Emperor Charles VI ratified in 1738 is a much later one.<sup>5</sup> Legislation, and more generally any political measure agreed at the level of the Empire, thus was not only the result of a complicated process; it was also often implemented only patchily.

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<sup>2</sup> E. Eltz (ed.) *Deutsche Reichstagsakten unter Kaiser Karl V.: Der Reichstag zu Augsburg 1550/51*, vol. 2 (München, 2005), no. 305, p. 1590.

<sup>3</sup> O. Volckart, 'Power Politics and Princely Debts: Why Germany's Common Currency Failed, 1549-1556,' *The Economic History Review* 70, 3 (2017), pp. 758–78; 'Bimetallism and its Discontents: Cooperation and Coordination Failure in the Empire's Monetary Policies, 1549-59,' *Vierteljahrsschrift für Sozial- und Wirtschaftsgeschichte* 105, 2 (2018), pp. 201-20; 'The Dear Old Holy Roman Realm: How Does it Hold Together? Monetary Policies, Cross-cutting Cleavages and Political Cohesion in the Age of Reformation,' *German History* 38, 4 (2020), pp. 365-86.

<sup>4</sup> G. Schmidt, '„Aushandeln“ oder „Anordnen“: Der komplementäre Reichs-Staat und seine Gesetze im 16. Jahrhundert,' in M. Lanzinner and A. Strohmeyer (eds.), *Der Reichstag 1486-1613: Kommunikation - Wahrnehmung - Öffentlichkeiten* (Göttingen, 2006), pp. 95-116, p. 109; J. Whaley, *Germany and the Holy Roman Empire*, vol. I: From Maximilian I to the Peace of Westphalia 1493-1648 (Oxford, 2012), p. 368.

<sup>5</sup> For the Common Penny see M. Lanzinner, 'Der Gemeine Pfennig, eine richtungweisende Steuerform? Zur Entwicklung des Reichssteuersystems 1422 bis 1608,' in P. Rauscher, A. Serles, and T. Winkelbauer (eds.), *Das "Blut des Staatskörpers". Forschungen zur Finanzgeschichte der Frühen Neuzeit* (München, 2012), pp. 261-318, p. 274, the imperial government: Whaley, *Germany*, vol. 1, p. 34-35, the currency decree of 1738: T. Christmann, *Das Bemühen von Kaiser und Reich um die Vereinheitlichung des Münzwesens: zugleich ein Beitrag zum Rechtssetzungsverfahren im Heiligen Römischen Reich nach dem Westfälischen Frieden* (Berlin, 1988), pp. 141-173.

To some extent this was typical of all early modern polities. Even absolutist France enforced laws not nearly as effectively as Louis XIV's reputation as a strong ruler might suggest, and there is nothing to indicate that the Holy Roman Empire performed worse.<sup>6</sup> Still, its case is particularly interesting because for the last twenty years, the Empire's political effectiveness has been one of the issues research has debated most intensively.<sup>7</sup> Scholars who follow Georg Schmidt see it as a state that, though decentralised, did not in principle differ from other monarchies of the time;<sup>8</sup> others argue that efforts to 'modernise' it in the late fifteenth and sixteenth centuries were at best partially successful and that large areas of dysfunctionality remained.<sup>9</sup> The culturalist interpretations of the Empire fashionable earlier in this century and perhaps best represented by the work of Barbara Stollberg-Rilinger stressed the ceremonial functions of imperial institutions, claiming that they tended to push political decision making into the background.<sup>10</sup> They thus lend a measure of support to the view that as a political body, the Holy Roman Empire was characterised by fundamental inefficiency. Indeed, they sometimes evoke the master narratives of the nineteenth and early twentieth centuries that aimed at justifying the rise of Prussia by using the allegedly moribund Empire as a foil.<sup>11</sup>

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<sup>6</sup> J. Schlumbohm, 'Gesetze, die nicht durchgesetzt werden: ein Strukturmerkmal des frühneuzeitlichen Staates?', *Geschichte und Gesellschaft* 23, 4 (1997), pp. 647-63. For England see J. Hoppit, *Failed legislation, 1660-1800: extracted from the Commons and Lords journals* (London; Rio Grande, Ohio, 1997).

<sup>7</sup> For recent research surveys see Whaley, *Germany*, vol. 1, pp. 5-9; L. Scales and J. Whaley, 'Rewriting the History of the Holy Roman Empire,' *German History* 36, 2 (2018), pp. 331-48 and M. Schnettger, *Kaiser und Reich: Eine Verfassungsgeschichte (1500-1806)* (Stuttgart, 2020), pp. 330-338.

<sup>8</sup> G. Schmidt, *Geschichte des Alten Reiches: Staat und Nation in der Frühen Neuzeit 1495-1806* (München, 1999); 'Das frühneuzeitliche Reich - komplementärer Staat und föderative Nation,' *Historische Zeitschrift* 273, 2 (2001), pp. 371-99; 'The State and Nation of the Germans,' in R.J.W. Evans, M. Schaich, and P.H. Wilson (eds.), *The Holy Roman Empire: 1495-1806* (Oxford, 2011), pp. 43-62; J. Burkhardt, *Deutsche Geschichte in der frühen Neuzeit* (München, 2009).

<sup>9</sup> H. Schilling, 'Reichs-Staat und frühneuzeitliche Nation der Deutschen oder teilmodernisiertes Reichssystem: Überlegungen zu Charakter und Aktualität des Alten Reiches,' *Historische Zeitschrift* 272, 2 (2001), pp. 377-95;

<sup>10</sup> B. Stollberg-Rilinger, 'On the Function of Rituals in the Holy Roman Empire,' in R.J.W. Evans, M. Schaich, and P.H. Wilson (eds.), *The Holy Roman Empire 1495-1806* (Oxford, 2011), pp. 359-73; *Des Kaisers alte Kleider: Verfassungsgeschichte und Symbolsprache des Alten Reiches* (München, 2008).

<sup>11</sup> J. Whaley, 'A New View of Old Ritual? Review of Stollberg-Rilinger, Barbara, Des Kaisers alte Kleider: Verfassungsgeschichte und Symbolsprache im Alten Reich,' *H-German, H-Net Reviews*, September (2009), pp. , p. 3.

What scholars of all persuasions have in common is the stress they place on the participatory and consensual character of political decision making at the level of the Empire.<sup>12</sup> Schmidt, for example, argues that ‘Empire-wide collective and uniform action or activity could be achieved only on a consensual basis’.<sup>13</sup> Wolfgang Reinhard – one of his most outspoken critics – differs more in emphasis than substance: ‘A display of power by the emperor and the Empire could be achieved only on the fragile basis of a more or less voluntary consensus among the estates’.<sup>14</sup> Stollberg-Rilinger, too, stresses the strong orientation towards consensus that characterised politics.<sup>15</sup> She defines the Empire as an association of individuals that aimed at the protection of peace and law and was based on traditions and on the fundamental consensus of its members.<sup>16</sup> Popular surveys of early modern German history that are explicitly trying to establishing a new master narrative go so far as to draw a direct line from this political culture to the one of the present-day Federal Republic.<sup>17</sup>

If consensus was such a fundamental feature of imperial politics, it is all the more important to explain instances when it broke down – instances such as those briefly sketched above. In part, the culturalist approach to the Empire’s politics offers such an explanation. It argues that what gave the Empire substance was the ritual enactment of the respective status of its members and of the links that bound them to each other. When these rituals lost their meaning, when some estates began to ignore them or when princes failed to attend the diets altogether, the polity was bound to disintegrate.<sup>18</sup> Conversely, anything the diet enacted in a ritual and symbolic way could not be undone.<sup>19</sup> There are at least two problems

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<sup>12</sup> Cf. H. Neuhaus, ‘Zur politischen Kultur in der Frühen Neuzeit,’ *Rechtsgeschichte: Zeitschrift des Max-Planck-Instituts für europäische Rechtsgeschichte* 15 (2009), pp. 97-108, p. 98.

<sup>13</sup> Schmidt, “Aushandeln”, p. 100

<sup>14</sup> W. Reinhard, ‘Frühmoderner Staat und deutsches Monstrum: Die Entstehung des modernen Staates und das Alte Reich,’ *Zeitschrift für historische Forschung* 29, 3 (2002), pp. 339-57, p. 352.

<sup>15</sup> Stollberg-Rilinger, *Kleider*, pp. 303-305; cf. *Das Heilige Römische Reich Deutscher Nation: Vom Ende des Mittelalters bis 1806* (München, 2006), p. 120.

<sup>16</sup> *Das Heilige Römische Reich Deutscher Nation: Vom Ende des Mittelalters bis 1806*, p. 116; cf. e.g. Schnettger, *Kaiser und Reich*, p. 41-42.

<sup>17</sup> Burkhardt, *Deutsche Geschichte*, p. 8.

<sup>18</sup> Stollberg-Rilinger, *Kleider*, pp. 112-114.

<sup>19</sup> ‘Rituals’, pp. 362, 369.

with this approach. First, historians stressing the importance of rituals for the effectiveness of the Holy Roman Empire nowhere spell out how exactly having taken part in them is supposed to have bound estates to implementing decisions that went against their interest. And second, even estates involved in a diet's rituals on occasion went back on their commitments. The present article contributes to explaining instances like that.

## II. Bandwagons

The core hypothesis of this article is that in order to explain why some decisions the imperial diet made were not (or only in part) put into practice, it is not sufficient to study the conditions that shaped their implementation 'on the ground'. We must also examine the decision-making process itself. The way the diet reached an agreement on the publication of Charles V's coinage ordinance of 1551 suggests what it is we have to look for. One of the estates opposed to the planned common currency was electoral Saxony, and the elector had accordingly instructed his envoys to reject the project.<sup>20</sup> This is what they did during the first meeting of the electors' college on 7 August 1550. Ten days later (days filled with intensive discussions and some joint meetings with the princes' college) the Saxon delegates had been brought round to the extent that they declared 'if the others thought it necessary, they would willingly promote what was pleasing to the emperor'. From then on, we see them constructively discussing the currency bill alongside the other delegates, asserting on 27 November that they 'did not wish to distance themselves from the majority'.<sup>21</sup> Finally, on 14 February 1551, they put their signatures to the concluding document of the diet that instructed Charles V to publish the currency ordinance.<sup>22</sup>

Two things are striking about this process. First, reaching a consensus evidently did not require agreeing on a compromise. It is important to make this distinction,

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<sup>20</sup> E. Eltz (ed.) *Deutsche Reichstagsakten unter Kaiser Karl V.: Der Reichstag zu Augsburg 1550/51*, vol. 1 (München, 2005), no. 72, pp. 224-225.

<sup>21</sup> ibid., no. 82, pp. 293-294, 303, 435, 549.

<sup>22</sup> Eltz, *Reichstag zu Augsburg 1550/51*, no. 305, p. 1607.

not least because much of the relevant literature seems to conflate the two concepts.<sup>23</sup> Second, the Saxon delegates at the diet not only considered the strengths and weaknesses of the planned bill but other factors, too: ‘what was pleasing to the emperor’ and what the majority thought. This suggests that they fell prey to the lure of a phenomenon that social scientists are discussing under the label ‘bandwagon effect’.

The effect was first analysed in the 1950s when the economist Harvey Leibenstein studied instances where demand for a commodity grew due to the fact that others were also consuming the same commodity. He argued that this bandwagon effect was caused by the desire of people to purchase something ‘in order to get into “the swim of things”; in order to conform with the people they wish to be associated with; in order to be fashionable or stylish; or, in order to appear to be “one of the boys.”’<sup>24</sup> Similar things have been noted in politics, though here there is no consensus on what exactly constitutes a bandwagon effect. Conceptions range from equating it with any influence of the popularity of a candidate on voting behaviour to the result of the desire to end up on the winning side after the election.<sup>25</sup> The present study starts out from Matthew Barnfield’s recent definition of the bandwagon-effect as the result of a ‘change in vote choice ... towards a more popular or an increasingly popular candidate or party, motivated initially by this popularity’.<sup>26</sup> Adapting this concept to early modern conditions when votes were cast not for candidates or parties but for policy proposals leaves its essence unchanged. In effect, we are looking at voting decisions based on extraneous considerations such as popularity, that is, on factors unrelated to answering the question or solving the political problem at hand.

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<sup>23</sup> E.g. Stollberg-Rilinger, *Kleider*, pp. 304-305; *Das Heilige Römische Reich Deutscher Nation: Vom Ende des Mittelalters bis 1806*, p. 70.

<sup>24</sup> H. Leibenstein, ‘Bandwagon, Snob, and Veblen Effects in the Theory of Consumers’ Demand,’ *The Quarterly Journal of Economics* 64, 2 (1950), pp. 183-207, p. 189.

<sup>25</sup> H.F. Dizney and R.W. Roskens, ‘An Investigation of the “Bandwagon Effect” in a College Straw Election,’ *The Journal of Educational Sociology* 36, 3 (1962), pp. 108-14; S. Callander, ‘Bandwagons and Momentum in Sequential Voting,’ *The Review of Economic Studies* 74, 3 (2007), pp. 653-84.

<sup>26</sup> M. Barnfield, ‘Think Twice before Jumping on the Bandwagon: Clarifying Concepts in Research on the Bandwagon Effect,’ *Political Studies Review* 18, 4 (2020), pp. 553-74, p. 554.

Much of the relevant research has focused on the motives that may cause an individual to join a bandwagon, which for reasons discussed in section V is of particular importance in the present context, too. Still, the consequences of the bandwagon effect are equally important, and here, one issue must be kept in mind: Whatever drives people to this kind of behaviour, the implication is always that they abandon their original political aim or preference and support one that already enjoys the support of others. This, in turn, implies that they agree to decisions that may go against what they had considered their own best interests before learning of the views of earlier voters – which is why a consensus that has come about under the influence of the bandwagon effect is superficial, why it tends soon to fall apart, and why the decision itself is at best partly put in practice.

In modern, secret elections, whose outcomes are announced only after all votes have been cast, the bandwagon effect is the consequence of the publication of the results of opinion polls.<sup>27</sup> In the past, it could be caused in a much less roundabout manner. Thus, before 1918 British elections were spread over two or more weeks, with the results of individual constituencies being announced before voters in other constituencies had even begun voting. Here research has found a bandwagon effect in favour of the party that eventually won the election.<sup>28</sup> Like the British electorate of the late nineteenth and early twentieth centuries, the members of the imperial diet in the sixteenth century voted sequentially and in a way that allowed later voters to observe the actions of earlier ones.<sup>29</sup> Here was therefore the perfect environment for the bandwagon effect to play out. How exactly this happened is analysed below, using the diet of Augsburg of 1555 as a case study. Before turning to this we must, however, outline the imperial constitution as far as decision

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<sup>27</sup> C. Marsh, 'Back on the Bandwagon: The Effect of Opinion Polls on Public Opinion,' *British Journal of Political Science* 15, 1 (1985), pp. 51-74; M. Farjam, 'The Bandwagon Effect in an Online Voting Experiment With Real Political Organizations,' *International Journal of Public Opinion Research* (2020), pp. 1-10.

<sup>28</sup> R. Hodgson and J. Maloney, 'Bandwagon Effects in British Elections, 1885-1910,' *Public Choice* 157, 1/2 (2013), pp. 73-90.

<sup>29</sup> Other Central European representative assemblies of the Late Middle Ages and the early modern era followed similar procedures. For the diets of the Hanseatic League see J.L. Schipmann, *Politische Kommunikation in der Hanse (1550-1631): Hansetage und westfälische Städte* (Köln, Weimar, Wien, 2004), pp. 67-73, for those of the Swiss Confederacy A. Würgler, 'Tagsatzungen und Konferenzen,' in G. Kreis (ed.) *Die Geschichte der Schweiz* (Basel, 2014), pp. 133-5.

making at the diets was concerned (section III). In the following section (IV), the evidence on which the analysis is based is introduced. Section V contains the analysis, and section VI concludes by summarising the main findings and pointing out how they address the question this article sets out to answer.

### **III. The imperial diet: procedures and decision making**

The procedures followed by the diet of the Holy Roman Empire were constantly evolving and never authoritatively laid down in writing. However, there were a number of stable features, and it is these that are of interest in the present context. First, like in all other early modern representative assemblies, the attendants sorted themselves into several groups that discussed the issues at hand separately before trying to reach a more general consensus.<sup>30</sup> In the imperial diet these were the colleges mentioned above: the electors' college, the one of the princes and that formed by the imperial cities. For the diet to pass a bill, the two higher colleges had to agree with each other. In this regard they were of equal weight, but as the electors' college had only a handful of members (six up to the Thirty Years War, seven thereafter), each elector had a much larger influence than any of the up to 280 members of the princes' council (in practice there was no occasion when all were present). As for the cities' college, the two others argued that it merely had a *votum consultativum*. They were prepared to let its members have their say but felt in no way bound by it. It was only in the Peace of Westphalia that the cities gained formal recognition as a college of equal standing.<sup>31</sup>

A second constant was that the colleges structured the decision-making process in a way that reflected the position of each participant in the Empire's feudal hierarchy. A report compiled by a member of the chancellery of the elector of Mainz in about 1570 explains how this worked.<sup>32</sup> After describing the fundamental

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<sup>30</sup> W.P. Blockmans, 'A Typology of Representative Institutions in Late Medieval Europe,' *Journal of Medieval History* 4 (1978), pp. 189-215, p. 195.

<sup>31</sup> Schnettger, *Kaiser und Reich*, pp. 34-43.

<sup>32</sup> K. Rauch (ed.) *Traktat über den Reichstag: Eine offiziöse Darstellung aus der Kurmainzischen Kanzlei* (Weimar, 1905); for the date and authorship see pp. 28-33; cf. H. Neuhaus, 'Der Streit um den richtigen Platz: Ein Beitrag zu reichsständischen Verfahrensformen in der Frühen Neuzeit,'

division of the princes' college between spiritual and temporal members who sat on different benches, the author explained that in former times it had always been the archbishop of Salzburg who chaired the meetings, set the agenda and drew up the concepts of communications directed at the two other colleges. 'However, for a long time now ... Salzburg and Austria have taken turns in the order of session and talking and managed things *alternatis vicibus*'.<sup>33</sup> It was these two princes – or their delegates – who asked the members of the college for their votes. Importantly, they did so in the order of rank (*Session*) of the attendants. Occasionally this so-called 'polling' (*Umfrage*) procedure broke down into open disputes where the delegates directly and repeatedly responded to the views voiced by other speakers.<sup>34</sup> In most cases, however, Austria or Salzburg managed the meetings well and allowed each estate to speak only once. The general principle was to alternate between spiritual and temporal members, but as attendance was voluntary and the number and character of participants varied from one meeting to the next this was not always possible. The estates found the polling procedure highly advantageous, with the delegate of the bishop of Eichstätt maintaining on one occasion that it allowed 'one estate to join another or to inform and guide him'.<sup>35</sup> In other words, it allowed the bandwagon effect to play out in an observable manner.

Disputes about the *Session* (ranking) were frequent. While earlier research regarded them as one of the most disturbing and dysfunctional features of the imperial diet, modern scholars appreciate their practical and constitutional relevance.<sup>36</sup> Studies based on the culturalist approach to the Empire's history sometimes give the impression that one of the primary functions of the diet was to

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in B. Stollberg-Rilinger (ed.) *Vormoderne politische Verfahren* (Berlin, 2001), pp. 281-301, pp. 282-283.

<sup>33</sup> Rauch, *Traktat*, p. 65.

<sup>34</sup> For example on 18 June 1555. R. Aulinger, E. Eltz, and U. Machoczek (eds.), *Deutsche Reichstagsakten unter Kaiser Karl V.: Der Reichstag zu Augsburg 1555*, vol. 2 (München, 2009), no. 145, pp. 1412-1414.

<sup>35</sup> *ibid.*, no. 145, p. 1289.

<sup>36</sup> A. Luttenberger, 'Zeremonial- und Sessionskonflikte in der kommunikativen Praxis der Reichstage im 16. Jahrhundert,' in T. Neu, M. Sikora, and T. Weller (eds.), *Zelebrieren und Verhandeln: Zur Praxis ständischer Institutionen im frühneuzeitlichen Europa* (Münster, 2009), pp. 233-52, p. 234.

provide an arena where the attendants could quarrel about their ranking. However, in fact there were ways to deal with such clashes that allowed the colleges to go about their business in a constructive way.<sup>37</sup> One dispute, for example, was between Austria and Bavaria; this was resolved in an elegant manner: Austria received a place on the spiritual bench despite being a temporal estate.<sup>38</sup> At the bottom end of the hierarchy were the ‘common estates’ that is, the prelates and the counts and barons. Unlike the higher ranking princes, they did not hold individual votes. Instead, at the diet of Augsburg the prelates had only one joint vote, while the minutes listed either one vote for the counts or two (in which case they made a distinction between the Swabian counts and those from the Wetterau district in modern Hesse). This probably depended on which of the delegates of the counts happened to be present. A typical ranking would be (spiritual estates in italics): *Salzburg – Bavaria – Austria – Württemberg – Würzburg – Pfalz-Simmern – the master of the Teutonic Order – Braunschweig – Bamberg – Brandenburg-Küstrin – Eichstätt – Jülich-Cleves-Berg – Speyer – Hesse – Strasbourg – Baden-Durlach – Constance – Baden-Baden – Augsburg – Anhalt – Regensburg – Passau – Naumburg – Fulda – Kempten – the prelates – the counts*.<sup>39</sup> We need to bear in mind, though, that this was to some degree variable, without changes from one meeting to the next necessarily causing disputes that left any traces in the sources.

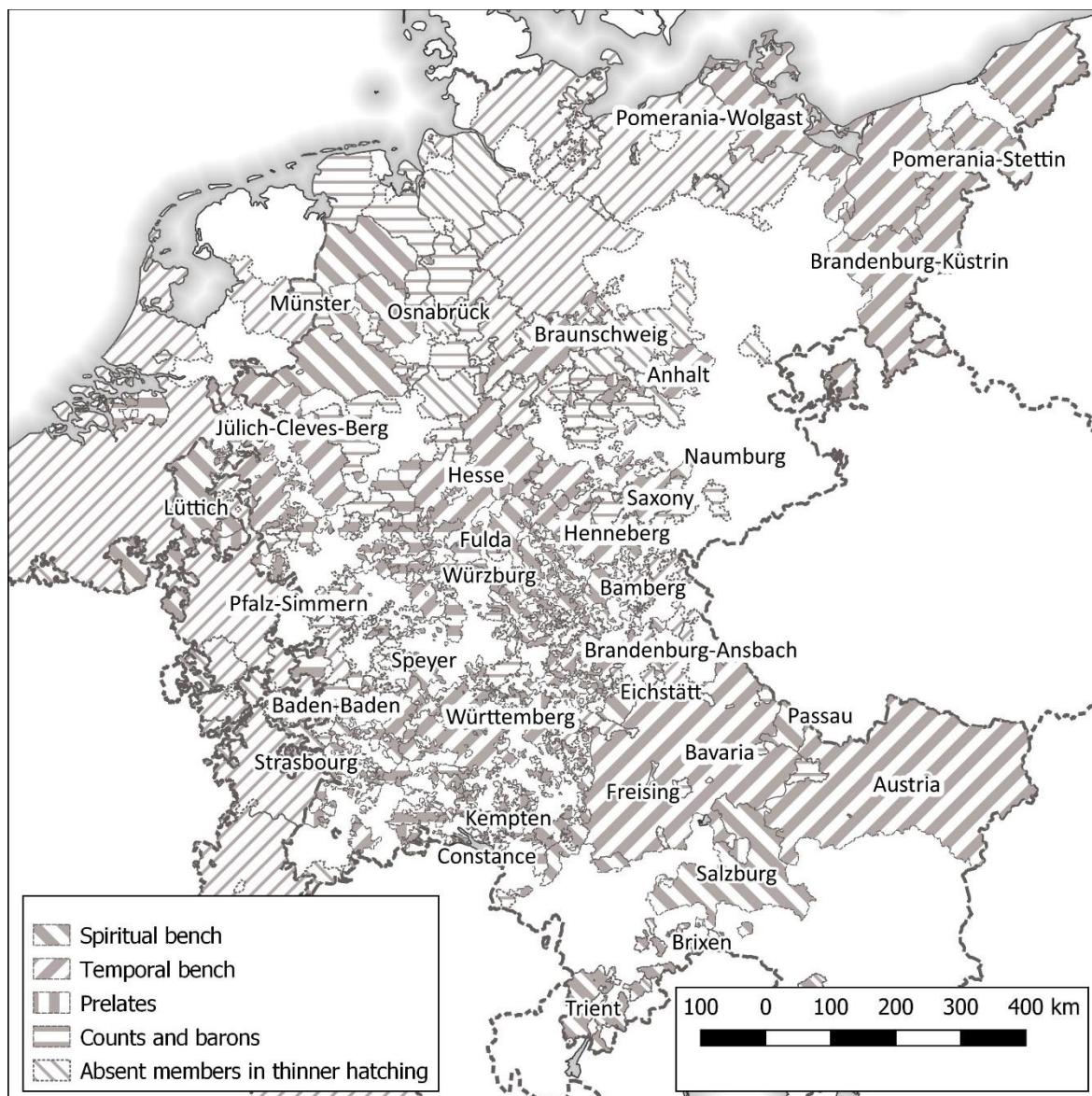
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<sup>37</sup> ibid., pp. 235-236; T.F. Hartmann, *Die Reichstage unter Karl V.: Verfahren und Verfahrensentwicklung 1521-1555* (Göttingen, 2017), p. 259; cf. B. Stollberg-Rilinger, ‘Zeremoniell als politisches Verfahren: Rangordnung und Rangstreit als Strukturmerkmale des frühneuzeitlichen Reichstags,’ in J. Kunisch (ed.) *Neue Studien zur frühneuzeitlichen Reichsgeschichte* (Berlin, 1987), pp. 91-132, p. 107; *Kleider*, pp. 41-46.

<sup>38</sup> J.J. Moser, *Teutsches Staats-Recht*, vol. 36: Darinnen von der Rang-Ordnung unter denen Reichs-Fürsten ... gehandelt wird (Leipzig, Ebersdorf, 1748), p. 147.

<sup>39</sup> Aulinger, Eltz, and Machoczek, *Reichstag zu Augsburg 1555*, no. 145, pp. 1286-1288.

Figure 1: The Princes' college at the diet of Augsburg 1555



By the mid-sixteenth century it was generally accepted that within the colleges decisions should be based on the majority of the votes. Scholars have paid much attention to how this principle emerged and to the consequences it had especially in the context of the Reformation.<sup>40</sup> In fact, until a workable solution was found in

<sup>40</sup> K. Schlaich, 'Maioritas - protestatio - itio in partes - corpus Evangelicorum: Das Verfahren im Reichstag des Heiligen Römischen Reichs Deutscher Nation nach der Reformation,' *Zeitschrift der Savigny-Stiftung für Rechtsgeschichte: Kanonistische Abteilung* 63 (1977), pp. 264-99; H.-J. Becker, 'Protestatio, Protest: Funktion und Funktionswandel eines rechtlichen Instruments,' *Zeitschrift für Historische Forschung* 5, 4 (1978), pp. 385-412; K. Schlaich, 'Die Mehrheitsabstimmung im Reichstag zwischen 1495 und 1613,' *Zeitschrift für Historische Forschung* 10, 3 (1983), pp. 299-340; W. Schulze, 'Majority Decision in the Imperial Diets of the Sixteenth and Seventeenth Centuries,' *Journal of Modern History* 58 (1986), pp. S46-S63.

the Peace of Westphalia, it was in relation to religious matters that the procedure was challenged most often and most successfully. Thus, during the negotiations leading up to the Religious Peace at the diet of Augsburg in 1555, the delegates of the dukes of Saxony stated that in this matter a compromise was impossible: One party had to give or nothing would come of the peace – ‘in which case his masters would in no way allow themselves to be outvoted where religion was concerned’.<sup>41</sup> Still, finding a majority in temporal matters was not always easy either. The polling procedure did not require the members of the college merely to vote ‘yea’ or ‘nay’; rather, it gave them the chance to voice their opinions, to make suggestions and countersuggestions (to which later voters then could react) or even to go entirely off tangent.<sup>42</sup> Thus, when Wilhelm von Waldburg, who spoke in Austria’s name, summarised the results of the polling that took place on the afternoon of March 30, 1555, he pointed out that he and the other Austrian councillors had listened to diverse opinions: Some members had joined Salzburg’s position; others held that agreeing was impossible and that the electors’ college should be notified of the conflicting points of view; a third faction favoured searching for a compromise – ‘and that was the opinion he and his colleagues considered the majority view’.<sup>43</sup> The limitations of the source make it hard to tell if Waldburg was right. It is to this issue that we must turn next.

#### IV. The source

The best-documented and most detailed accounts of the negotiations are those of the electors’ college. However, this was also by far the smallest college – too small for a systematic analysis of voting patterns. From the Cities’ college, we have detailed minutes from 1556 onward. This College was much larger than that of the electors but the minutes of its deliberations show that its discussions were often less formal than the report on the diet’s procedures compiled by the chancellery of the elector of Mainz in about 1570 claimed. At the diet of

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<sup>41</sup> Aulinger, Eltz, and Machoczek, *Reichstag zu Augsburg 1555*, no. 145, p. 1352.

<sup>42</sup> Cf. Hartmann, *Reichstage*, p. 214.

<sup>43</sup> Aulinger, Eltz, and Machoczek, *Reichstag zu Augsburg 1555*, no. 145, p. 1356.

Regensburg of 1556-57, for example, Regensburg chaired the college. During the meeting on 18 November 1556, its representative opened the discussion. Then the delegates of Augsburg, Nuremberg, Ulm, Regensburg (again), Strasbourg, Augsburg (again), Nuremberg (again), Ulm (again) and Rothenburg ob der Tauber spoke. Regensburg concluded.<sup>44</sup> The proceedings resembled less an orderly sequential polling than an open discussion where everybody could raise his hand and be called up to voice his opinion.

This leaves us with the princes' college. The earliest reasonably detailed and comprehensive polling minutes are from the diet of Augsburg of 1555. They were kept by Ulrich Zasius, one of the key councillors of King Ferdinand I, who redacted them following each meeting.<sup>45</sup> The diet was probably the most important one that took place between 1495, when the institution evolved out of courtly assemblies and meetings of the electors and the drawn-out reform process of the imperial constitution began,<sup>46</sup> and 1663, when the last diet assembled and remained in session until the end of the Empire in 1806.<sup>47</sup> In 1555, King Ferdinand (who presided in the absence of his brother Emperor Charles V) and the imperial estates had to deal with an extraordinarily complex situation. Decades of mounting religious discord had come to a head in 1552 when an alliance of Protestant princes rebelled, attacked the emperor and forced him to flee across the Alps. Ferdinand and the 'war princes' quickly managed to negotiate a provisional settlement, but Charles V was not prepared to give up his aim of religious unity. The diet that was to formalise the settlement and to pass it into imperial law could begin only once

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<sup>44</sup> J. Leeb (ed.) *Reichsversammlungen 1556-1662: Der Reichstag zu Regensburg 1556/57*, vol. 1 (München, 2013), no. 234, pp. 575-577.

<sup>45</sup> Aulinger, Eltz, and Machoczek, *Reichstag zu Augsburg 1555*, no. 145, pp. 1272-1536. For Zasius see W. Goetz, 'Zasius, Johann Ulrich,' in Historische Commission bei der Königlichen Akademie der Wissenschaften (ed.) *Allgemeine Deutsche Biographie* (Leipzig, 1898), pp. 706-8.; C. Pflüger, 'Vertreulich communiciren und handlen: Die kommissarisch entsandten Räte König Ferdinands als königliche Autoritätsträger,' in A. Baumann, et al. (eds.), *Reichspersonal: Funktionsträger für Kaiser und Reich* (Köln, Weimar, Wien, 2003), pp. 291-334, p. 303.

<sup>46</sup> H. Angermeier, 'Der Wormser Reichstag 1495: Ein europäisches Ereignis,' *Historische Zeitschrift* 261, 3 (1995), pp. 739-68.

<sup>47</sup> Cf. M. Heckel, 'Der Augsburger Religionsfriede: Sein Sinnwandel vom provisorischen Notstands-Instrument zum sakrosankten Reichsfundamentalgesetz religiöser Freiheit und Gleichheit,' *JuristenZeitung* 60, 20 (2005), pp. 961-70; A. Kohnle, '41. Augsburger Religionsfrieden 1555,' in I. Dingel, et al. (eds.), *Handbuch Frieden im Europa der Frühen Neuzeit / Handbook of Peace in Early Modern Europe* (München, 2020), pp. 837-56.

it had become clear that the emperor's last attempt to shore up his position by military means had failed.

In Augsburg in 1555, the imperial estates therefore had not only to find a *modus vivendi* for Catholics and Protestants; they had also to deal with the fallout of years of political unrest, most seriously with the activities of Margrave Albert Alcibiades of Brandenburg-Kulmbach. Alcibiades had first joined the 'war princes' and then changed sides. After a bloody defeat in North Germany, and when a league of Franconian estates began to conquer and occupy his castles around Bayreuth, he fled to France from where he was fomenting more trouble, trying to muster mercenaries to regain his possessions. Next to religious concord, internal peace and law enforcement were therefore at the top of the agenda of the diet. The assembly ended with the conclusion of the Religious Peace of Augsburg that addressed and to a large extent solved all these problems. Over time, the Peace began to be considered one of the fundamental laws of the Empire and part of its constitution; it helped keeping the polity afloat until the early nineteenth century.

The following excerpt from Zasius's minutes of one of the meetings of the princes' college (the one of 22 June) gives an example of how the sequential polling procedure functioned (only the German passages have been translated):

'*In consilio principum.*

Salzburg presides and proposes to discuss the internal peace ordinance and the news about the mustering of mercenaries that his royal majesty brought.

Salzburg: Internal peace *placet* because of the muster.  
Bavaria: *Constitutio placet*. Mustering: This must be considered carefully.  
Austria: *Ut scitur.*  
Palatinate: Has concerns about several paragraphs of the internal peace ordinance. Wants for the present to add nothing to their memorandum and to wait for that of the electors. Muster *ut Bavaria*.

Master of the Teutonic Order: *Idem.*

Saxony: Has several concerns about the internal peace; but as they have learnt from Austria that the consultations have ended, *placet* what is being planned.

Bamberg: Internal peace cannot be improved. Muster: Have informed his royal majesty of what they learnt. Recently also learnt that 6000 horse have come together. But the fire can still be put out if one acts well.

Braunschweig: Finds little to change in the internal peace ordinance except some few improvements. ...'

and so on via Worms, 'Margrave Hans' (John of Brandenburg-Küstrin), Würzburg etc. down to the prelates and the counts of the Wetterau district in Hesse and Swabia.<sup>48</sup>

The problems of the source are immediately apparent. Two stand out: First, Salzburg suggested that two distinct issues should be discussed in one go, and second, Zasius's notes were so sketchy that it is often hard to make out the positions of the delegates. In particular where Austria was concerned, his '*ut scitur*' was typical – after all, he kept the notes for his own use and for that of other Austrian delegates, who were familiar with their own points of view and arguments. Still, the attendants often seem to have restricted their contributions to short remarks, with the '*idem*' of the master of the Teutonic Order being characteristic. On other occasions, Zasius made very brief entries such as '*ut Austria*', '*ut Austria in all points*', '*placet ut Bavaria*', '*concordat cum Württemberg*'. Concerning the sects he is happy with Salzburg's position' or something of that kind.<sup>49</sup>

In the context of the analysis below, the issues on which the members of the princes' college were voting are of secondary interest. What matters is determining whether an estate jumped on a bandwagon by joining a preceding voter. This is a question that the minutes allow answering provided we treat polls like the one quoted above (where two distinct issues were discussed) as not one but two rounds of voting.

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<sup>48</sup> Aulinger, Eltz, and Machoczek, *Reichstag zu Augsburg 1555*, no. 145, pp. 1417-1418.

<sup>49</sup> ibid., no. 145, pp. 1349, 1387-1388.

## V. Analysis

While it is likely that the procedural rules of the princes' college allowed the bandwagon effect to play out, proving it is challenging. After all, the members of the college did not necessarily reveal their political preferences when they announced their voting decisions.<sup>50</sup> Among their motives for voting like someone higher up in the ranking, we can expect that they may have

- a) had intended to vote in that way all along,
- b) been genuinely convinced by an argument put forward by an earlier voter,
- c) voted strategically in order to achieve a result they considered sub-optimal but that would prevent an even worse outcome,
- d) voted in order to curry favour with a higher-ranking member of the college or to avoid antagonizing that member,
- e) voted to find themselves on the winning side at the end of the round of polling.

Only in cases a) and b) did the voter reveal what his preferred response to the issue at hand was. By contrast, in cases c), d) and e) voting decisions involved extraneous considerations, that is, motives not related to answering the question Austria or Salzburg had put to the discussion. Occasionally, the delegates were frank enough to mention other such motives (for example, the envoy of the bishop of Regensburg pointed out that in religious matters he would have to vote like Salzburg because the archbishop of Salzburg was his master's immediate superior).<sup>51</sup> Normally, however, Zasius's minutes do not allow distinguishing between cases where an estate's voting decision reflected his pre-poll preferences and where it did not. That is why we cannot separate answering the question of whether a bandwagon existed from analysing what may have caused it – both issues are intertwined.

One potential solution to the problem might be to compare the written instructions which the advisers of the members of the college received from their home governments with their voting decisions. We have the instructions of three of the

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<sup>50</sup> Cf. Barnfield, 'Bandwagon', p. 557

<sup>51</sup> Aulinger, Eltz, and Machoczek, *Reichstag zu Augsburg 1555*, no. 145, p. 1278.

45 estates represented in the college during the diet of 1555.<sup>52</sup> The documents were prepared in advance of the diet; they therefore addressed several questions which in the event the college either did not discuss at all or touched only briefly. Envoys at imperial assemblies could of course request further and more detailed instructions from their governments, and we know of occasions when they did so. However, given the poor infrastructure of the time it is no surprise to learn of cases where the answer never arrived before the assembly broke up.<sup>53</sup> During the negotiations in Augsburg in 1555, some delegates moreover claimed that they had received no instructions at all that went beyond a general injunction to act in the interest of the welfare of the German nation,<sup>54</sup> while others appealed to their colleagues' flexibility: Strasbourg, for example, stated that 'he was not of the opinion that every one of them should merely follow his instructions, for this would not serve to overcome their differences; rather, they should strive to find common ground'.<sup>55</sup> The upshot is that, normally, the envoys and councillors who sat in the princes' college had to make up their minds on the spot.

Since comparing instructions and voting decisions is fruitless, we turn to a regression analysis that establishes links between the diverse characteristics of the estates and their votes. If we find characteristics that are unrelated to the political issues at hand but still had a systematic influence on voting, we can be sure of the effect of extraneous motives. If we then can trace some of these motives to the popularity (or similar features) of the member of the college whose decision the voter imitated, the analysis strongly suggests that what we are observing is indeed the bandwagon effect.

The principle is straightforward. Zasius's minutes tell us how the members of the princes' college voted in 44 rounds of polling, two of which addressed two distinct questions at once. All in all, 1023 votes were cast during the diet. For each of these,

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<sup>52</sup> ibid., 1., no. 136, pp. 574-576, no. 136a, p. 576, no. 137, pp. 578-579, no. 137a, pp. 579-581, no. 138, pp. 582-609, no. 139, pp. 609-615, no. 142, pp. 629-641.

<sup>53</sup> Cf. Volckart, *Währung*, no. 5, pp. 26-27.

<sup>54</sup> Aulinger, Eltz, and Machoczek, *Reichstag zu Augsburg 1555*, no. 145, pp. 1277-1278.

<sup>55</sup> ibid., no. 145, pp. 1409.

we can determine the share of earlier voters who voted in the same way. This is the ‘bandwagon value’. Thus, in the poll on 6 March 1555, Salzburg presided and asked whether the college should first discuss the religious peace, as the electors suggested. Salzburg’s own vote was ‘no’; the maintenance of internal peace and law should be discussed first. Württemberg on place two agreed (bandwagon value 1.00). Austria followed on place three and voted in favour of calling a committee to discuss the religious peace (bandwagon value 0.00). Bavaria was next and joined Austria, that is, it voted like one out of three earlier voters (bandwagon value 0.33). Two more estates followed, each with ideas of their own, until it was the turn of the master of the Teutonic Order who again voted in the same way as Austria, that is, as two out of six earlier voters had done (bandwagon value 0.33). After several more votes were cast, the last estate present (Strasbourg, on place 15) voted like Austria, too. By then, 6 out of the 14 earlier voters had done the same, which drove the bandwagon value up to 0.43.<sup>56</sup> In this way, we can determine the value we must explain for each of the more than 1000 votes cast.<sup>57</sup>

Which independent, explanatory variables can we use for that purpose? As the number of potential answers to the questions the princes’ college discussed was not infinite, it was the more likely that a member would vote like a higher-ranking estate, the lower his position was in the *Session* (ranking). It is therefore essential to control for each estate’s rank, which varied across polls depending on whether Austria or Salzburg chaired the meeting and according to the number and character of the attendants. The economic prosperity of an estate’s territory, which was closely related to its political power, may also have played a role, with more powerful estates possibly less inclined to imitate the voting decisions of earlier voters. GDP estimates exist for Germany as a whole, but not for the lands of individual estates.<sup>58</sup> However, there are data that can be used to approximate prosperity. Thus, the ‘Roman Month’ payments listed in the imperial register and intended for the defence of the Empire were expected to reflect economic

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<sup>56</sup> ibid., no. 145, pp. 1282.

<sup>57</sup> See the appendix for a mathematical definition of the bandwagon value.

<sup>58</sup> U. Pfister, ‘Economic Growth in Germany, 1500–1850’ (paper presented at the Contribution to the Quantifying of Long Run Economic Development Conference Venice, 22–24 March 2011, 2011).

conditions. This was made explicit during their renegotiation in the 1540s, with the document concluding the diet of Regensburg in 1541 stating that the contributions of some estates should be reduced ‘because of their impoverishment’ whereas others, ‘whose wealth has obviously increased’, should pay more.<sup>59</sup> Here, the payments laid down in the updated imperial register of 1545 can be used.<sup>60</sup> Presumably the ‘*Kammerzieler*’-payments used to maintain the imperial chamber court and defined in 1521 reflected the estates’ prosperity, too.<sup>61</sup> Revenue data have been preserved unevenly and are in any case hard to compare in the absence of a common currency.<sup>62</sup> However, occasionally Italian diplomats who visited Germany sent home lists of the revenues of the imperial estates. One such list was compiled by Alois Mocenigo, a Venetian who spent the years 1546 to 1548 at the imperial court and had access to King Ferdinand’s chancellery.<sup>63</sup> Many of the values he listed (in gold florins) were based on guesswork, but however accurate they may be, his information has the advantage of being consistent. Not surprisingly, an estate’s Roman Month- and *Kammerzieler*-payments and its revenues were correlated with each other.<sup>64</sup> The issue is addressed through a principal component analysis, a statistical technique used for data reduction that allows extracting the common factor underlying the three variables.<sup>65</sup> This common factor (*Wealth*) is then used in the regression analysis.

It is also possible to control for whether an estate had a temporal or spiritual ruler (this is a dummy-variable that takes the value of 1 if the estate was temporal and else is 0) and whether it had adopted the Reformation (again a dummy-variable,

<sup>59</sup> A. Luttenberger (ed.) *Deutsche Reichstagsakten unter Kaiser Karl V.: Der Reichstag zu Regensburg 1541* (München, 2018), no. 941, p. 3620.

<sup>60</sup> R. Aulinger (ed.) *Deutsche Reichstagsakten unter Kaiser Karl V.: Der Reichstag zu Worms 1545*, vol. 2 (München, 2003), no. 113b, pp. 1084-1098.

<sup>61</sup> A. Wrede (ed.) *Deutsche Reichstagsakten unter Kaiser Karl V.*, vol. 2 (Gotha, 1896), no. 56, pp. 424-442.

<sup>62</sup> M. Lanzinner, *Friedenssicherung und politische Einheit des Reiches unter Kaiser Maximilian II. 1564 - 1576* (Göttingen, 1993), pp. 173-178.

<sup>63</sup> C. Zwierlein, ‘Deutsche und Italienische Staatsbeschreibungskunst: Die Einkünfte aller Reichsstände, ca. 1547/48 nach einer unbekannten Quelle,’ *Zeitschrift für Historische Forschung* 39, 4 (2012), pp. 593-660, pp. 609-610, 624.

<sup>64</sup> See Table 4 (Appendix).

<sup>65</sup> Cf. I. Jolliffe and J. Cadima, ‘Principal Component Analysis: A Review and Recent Developments,’ *Philosophical Transactions of the Royal Society A* 374 (2016), pp. 1-16.

1 if an estate was Protestant, 0 if not). Moreover, while all estates whose voting decisions are analysed were members of the princes' college, their social backgrounds differed in ways that cut across the *Session* (ranking) order (in contrast to what is sometimes claimed,<sup>66</sup> social status and political rank *were* separable). There were scions of the higher nobility – that is, major princes, including bishops like George of Lüttich, who was an illegitimate son of Emperor Maximilian I –, those whom we can call the middle nobility, that is, counts and barons, some of whom, for example Cardinal Otto von Waldburg, the bishop of Augsburg, reached high positions in the Church –, and members of the lower nobility such as Archbishop Michael von Kuenburg of Salzburg. Some bishops, for instance Christoph Metzler (Constance) had a bourgeois background. In short, the opportunities for personal advancement the Church offered allow us defining dummy-variables that capture the social status of the members of the princes' college.<sup>67</sup> Conceivably, low-status members had a higher propensity for imitating votes cast by earlier voters whose status was higher. Table 1 summarises the descriptive statistics of the data.

Table 1: Descriptive statistics: Individual variables

	Observations	Mean	Std. Dev.	Minimum	Maximum
Attendants per poll	1,023	23.30	5.87	4	36
<i>Kammerzieler</i>	38	274.61	206.84	60	900
Roman Month	37	859.89	786.92	72	3,600
Revenues	36	79,222.22	93,189.86	10,000	400,000
Temporal estate	45	0.42	0.50	0	1
Protestant estate	45	0.24	0.43	0	1
Low nobility	45	0.29	0.46	0	1
Middle nobility	45	0.20	0.40	0	1
High nobility	45	0.36	0.48	0	1

The data are structured like a panel, that is, we have observations for up to 45 estates over altogether 46 rounds of polling. The panel is unbalanced, though, as the composition of the princes' college changed from one poll to the next, with only a few estates attending all meetings. To be sure, on a number of occasions Austria

<sup>66</sup> Stollberg-Rilinger, *Kleider*, p. 302.

<sup>67</sup> Cf. R. Holbach, 'Sozialer Aufstieg in der Hochkirche,' in G. Schulz (ed.) *Sozialer Aufstieg: Funktionseliten im Spätmittelalter und in der Frühen Neuzeit* (München, 2002), pp. 337-56.

and Salzburg did not enforce the rule that each estate should speak only once per round. However, this concerns only eleven out of the more than 1000 votes – so few that dropping these cases is acceptable. If we do so, the combination of the IDs of each poll and each estate uniquely identifies all remaining observations. Many more are dropped because we do not have Roman Month, *Kammerzieler* and revenue data for all estates present at the meetings of the princes' college.

In order to gain a first impression of which factors merit closer attention, the analysis uses a fixed-effects fractional probit model (appropriate when the dependent variable is a fraction (it lies between 0 and 1) and the number of cross-sections (here: estates) is about the same as that of the time periods (that is, the polls).<sup>68</sup> Table 2, column 1 reports the results.

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<sup>68</sup> Cf. L.E. Papke and J.M. Wooldridge, 'Panel Data Methods for Fractional Response Variables with an Application to Test Pass Rates,' *Journal of Econometrics* 145, 1 (2008), pp. 121-33.

Table 2: The bandwagon effect

VARIABLES	(1) Fractional probit bandwagon	(2) Fractional probit bandwagon	(3) Panel logit bandwagon-dummy
Rank ( <i>Session</i> )	0.0933 (0.0998)		
Rank ( <i>Session</i> ) gap		-0.4205*** (0.0844)	-0.987** (0.449)
Wealth	-0.1265* (0.0692)		
Wealth gap		0.7744*** (0.0681)	2.562*** (0.392)
Common ancestors		-0.0381 (0.1089)	-0.504 (0.866)
Distance between places of residence		0.1140* (0.0457)	0.282 (0.268)
Temporal estate	-0.5018 (0.4229)		
Both estates temporal		-0.1965 (0.4791)	2.482 (1.901)
Protestant estate	0.8603 (0.2956)		
Both estates protestant		-0.0087 (0.1030)	-0.0716 (0.639)
Low nobility	1.5371*** (0.1420)		
Low voting like high nobility		0.2500** (0.0727)	1.703*** (0.470)
Low voting like middle nobility		-0.0906 (0.1399)	-12.05 (2,222)
Middle nobility	1.3419*** (0.1459)		
Middle voting like high nobility		0.2437 (0.2144)	29.18 (2,212)
Middle voting like low nobility		-0.1206 (0.2305)	12.99 (2,024)
High nobility	1.5898*** (0.2960)		
High voting like low mobility		-0.3657 (0.4769)	0.118 (1.853)
High voting like middle nobility		-0.3391 (0.4592)	-11.82 (2,001)
Constant	-2.1915*** (0.3300)	-1.2074*** (0.2804)	
Fixed effects	Yes	Yes	Yes
Observations	825	559	529
Number of estates			28
Pseudo R <sup>2</sup>	0.0290	0.1442	

When controlling for other influences, the rank in the *Session* that a member of the princes' college held did not have any significant influence on his propensity to imitate earlier voters. By contrast, how wealthy an estate was played an

important role. As the *Wealth*-coefficient indicates, members of the princes' college were the less inclined to vote like someone higher up in the *Session*, the higher their Roman Month and *Kammerzieler* payments were and the more revenues they received. The implication is that economically weaker estates were less independent-minded, which is clear evidence in support of the hypothesis that their decisions were systematically influenced by considerations unrelated to the issue Austria or Salzburg had put to the vote. However, other factors were even more important. Nothing influenced voting decisions as much as the personal status of the members of the college, that is, their family background in the higher, middle or lower nobility.<sup>69</sup> The analysis holds no clue as to why this factor was so important, and it is too early to speculate about potential causes. What is clear is that it requires closer attention. Still, it has already become obvious that when Austria or Salzburg conducted a poll, certain members of the princes' college were systematically influenced by extraneous considerations, that is, by motives that had nothing to do with the issue they and their colleagues had to decide.

We can explore this further by looking at the relations between each voter (or the prince in whose name he acted) and the earliest voter on whose decision he modelled his own vote. In this way it is possible to examine whether the gap between the ranks a voter and his model held in the *Session* and that between their wealth (derived through the principal component analysis) affected voting decisions. It is also possible to look at whether being related played a role (this can be approximated by counting the number of common ancestors, going back four generations, that is, roughly to the late fourteenth century). In a similar way, we can examine the influence of the distance between the usual places of residence of the voter and his model (testing whether neighbours tended to imitate each other) and the effect of both estates being temporal or having adopted the Reformation. Finally, it is possible to define dummy-variables that capture whether estates of diverse social backgrounds adapted their decisions to those whose status was higher or lower (low voting like high or middle nobility, middle voting like high or low nobility etc.).

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<sup>69</sup> The reference category are members of the college who came from bourgeois families.

**Table 3: Descriptive statistics: Pairwise variables**

	Observations	Mean	Std. Dev.	Minimum	Maximum
Rank gap	736	10.29	7.14	1	35
Roman Month gap	600	-1,463.79	1,177.07	-3528	1930
<i>Kammerzieler</i> gap	622	-347.60	294.66	-840	510
Revenue gap	591	-153,206.40	-153,206.40	-390,000	332,000
Common ancestors	684	1.26	2.66	0	14
Both princes temporal	735	0.36	0.48	0	1
Both princes Protestant	1,012	0.07	0.26	0	1
Distance between residences	684	350.69	180.45	32.04	827.36
Low voting like high nobility	1012	0.19	0.38	0	1
Low voting like middle nobility	1012	0.01	0.08	0	1
Middle voting like high nobility	1012	0.08	0.29	0	1
Middle voting like low nobility	1012	0.01	0.13	0	1
High voting like low nobility	1012	0.05	0.21	0	1
High voting like middle nobility	1012	0.01	0.07	0	1

Again, the analysis uses a fixed effects fractional probit model. Table 2, column 2, summarises its output.

One further aspect can be examined. It was not only electoral Saxony in the elector's college that stressed the influence of the majority view on its own voting decisions. In the princes' college, Jülich-Cleves-Berg declared on March 6 that 'he was not displeased to vote *ut* majority'. Similarly, Brandenburg-Küstrin announced on March 30 that he was prepared to support the majority while Würzburg stated he 'did not want to distance himself from the majority'. On June 15 Merseburg and Naumburg pledged their support for the majority view, as did the prelates and counts.<sup>70</sup> In short, the estates regularly took into account how the majority of their colleagues voted. To examine the effect of this motive, we can define a new dependent variable: a dummy that is 1 if the share of earlier estates voting in the same way as the voter of interest is 50 per cent or larger, and else is 0. This analysis employs a fixed-effects panel logit model (Table 2, column 3).

The results lend strong support to the hypothesis that extraneous motives affected the decisions of the estates. Interestingly, the gap between the ranks of a voter and his model was far more important than his rank taken on its own. As will

<sup>70</sup> Aulinger, Eltz, and Machoczek, *Reichstag zu Augsburg 1555*, no. 145, pp. 1282, 1346, 1410.

become clear in a moment, this is an important result that needs to be seen in the context of the influence of the voter's personal status or family background. The *Wealth gap* played the expected role: the larger it was, the more likely was a member of the college to imitate the decision of an earlier voter. By contrast, whether two members were related was irrelevant – a finding which suggests that inner-family disputes were as common as familial harmony. The distance between the places of residence influenced decisions; in fact, the members of the college tended to observe how their neighbours voted and then did the opposite (though this was no longer relevant once a bandwagon had gained so much momentum that a majority had been formed). It is tempting to interpret this finding as evidence of the lack of trust among the estates in the period before the conclusion of the Religious Peace of Augsburg. Strikingly, common characteristics such as Protestantism or being temporal princes played no role at all. Had they done so, it would have been likely that shared interests influenced the decisions of the members of the college, that is, that they considered the questions to which they had to find answers while keeping in mind their own aims and preferences. That this was not the case strongly suggests that many members of the college systematically failed to consider the issues at hand at their own merit. Rather, they were swayed by factors such as how much more revenues other princes received, by how far away they lived, and by their personal status or family background.

The analysis indicates that having a lower status than the members of the Empire's princely dynasties was among the most important systematic factors that influenced voting. Regardless of their position in the *Session*, their religious affiliation or their spiritual or temporal character, members of the college who belonged to knightly families were c. 25 per cent more likely to imitate the decisions of earlier voters than others. Their propensity to join a majority, whose formation a high-status prince had triggered, was remarkably strong, too. While the analysis itself does not suggest what caused this effect, it is likely that it was a consequence of informal institutions – constraints on behaviour enforced in an

informal way and often internalised<sup>71</sup> – that demanded deference to one's betters. The finding that the gap between the ranks of a voter and his model played a larger role than his rank taken by itself supports this interpretation; after all a larger social distance demanded a higher degree of deference. German society as a whole was fundamentally unequal, with each person's place in society defined by specific rights and privileges. Inequality permeated existence from essential issues down to everyday details such as the way people addressed each other. Thus, a sixteenth-century letter writing textbook listed 49 graded forms of address for spiritual personages, from cardinal to common priest, and 180 for temporal persons from emperor down to bailiff and cellarer (counting German recipients only). 142 of these forms of address applied to imperial estates.<sup>72</sup> Moreover, any communication directed at someone higher up in the status order had to be peppered with 'submissive', 'most submissive' (if the social distance was more than one rank) and similar expressions of deference. No wonder Fynes Moryson from Cadeby in Lincolnshire, who travelled the Empire in the 1590s and was used to a less graded society, found the Germans 'ever tedious in their stiles or titles'.<sup>73</sup>

Evidently this inequality spilled over into the imperial diet where it distorted the decisions made by the princes' college. There, members whose individual status was low allowed the duty to show deference to their betters to shape how they cast their votes. Understandably they often rued their decisions once they had left the diet.

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<sup>71</sup> E.g. D.C. North, 'Institutions,' *Journal of Economic Perspectives* 5, 1 (1991), pp. 97-122; W. Schulze, 'Die ständische Gesellschaft des 16./17. Jahrhunderts als Problem von Statik und Dynamik,' in W. Schulze (ed.) *Ständische Gesellschaft und soziale Mobilität* (München, 1988), pp. 1-17.

<sup>72</sup> J.P. Zwengel, *New Groß Formular vnd vollkommlich Cantzlei Buch: von den besten vnd auszerlesenen Formularien aller deren Schrifften, so in ... Cantzleyen, auch sonst in den Amtten ... fürfallender geschäfft halben, bräuchlich seindt* (Frankfurt, 1568), fols. XIII-XXX.

<sup>73</sup> F. Moryson, *An Itinerary Containing His Ten Yeeres Travell through the Twelve Dominions of Germany, Bohmer-land, Sweitzerland, Netherland, Denmarke, Poland, Italy, Turkey, France, England, Scotland & Ireland*, vol. 1 (Glasgow, 1617/1907), p. 46.

## **VI. Conclusion**

The open and sequential voting system practiced at the imperial diets and other assemblies allowed each estate or delegate to observe how higher-ranking members voted and to take this information into account when making his own decision. Despite institutional peculiarities – votes were not necessarily cast on clearly defined alternative options – imperial assemblies therefore offered the perfect environment for the bandwagon effect to play out. The above analysis of the polls conducted in the princes' college of the diet of Augsburg of 1555 finds that among the most important determinants of the decision to imitate an earlier voter was the personal status of the member of the college as opposed to his rank in the *Session* order. What was relevant here was the fact that the estates represented at the diet were no more than the tip of an iceberg – the apex of a fundamentally unequal society where everyone, regardless which rung of the social ladder he had reached, owed deference to all those on the higher rungs. How popular (in the modern political sense of the word) earlier voters were is something the analysis cannot determine. However, functionally deference (and its flipside, the institutionalised respect high-status members of the college enjoyed) was the equivalent of popularity. It gave rise to the bandwagon effect in the same way as popularity does in modern elections.

Such conditions had far-reaching implications not only for which decisions the members of the college made, but also for the chances that these decisions would be implemented. Estates who cast their votes under the influence of factors such as the deference owed to their superiors were likely to realise some time later (that is, once the influence exerted by high-status members of the college was gone) that they had helped making decisions which went against their own best interests. This, by turn, increased the chance that they would back out of their commitments and refuse to implement what the diet had decided. Such an outcome was all the more likely as members of the college whose personal status was low – for instance princes of the Church such as Bishop Melchior Zobel von Giebelstadt of Würzburg – were not necessarily less powerful than high-status members like e.g. the margraves of Baden.

In short, the analysis supports the hypothesis that the consensus reached with the help of the princes' college's sequential voting procedure was often superficial (influenced by the bandwagon effect) and transitory (likely to fall apart once the diet had dispersed). The fate of Charles V's coinage ordinance of 1551 is a prime example of what could happen to a law based on such an agreement. After all, the imperial diet had asked the emperor to publish the ordinance, so a consensus had been reached. However, one of the core features of the bill was that it favoured some estates at the expense of others who found themselves in a minority position.<sup>74</sup> The consensus of the diet was evidently not based on a compromise, it was clearly superficial, and it broke down within months of the publication of the ordinance. Note that the analysis above does not imply that the bandwagon effect was the only factor that might cause such a breakdown of consensus. In fact, many estates who failed to implement the coinage ordinance of 1551 had other good reasons, too (e.g. the political turmoil caused by the rebellion of the 'war princes').<sup>75</sup> However, the bandwagon effect demonstrably contributed to the ordinance's lack of acceptance, and given the results of the above analysis it is likely that it contributed to similar problems on other occasions, also.

Emperors who focused on compromise could mitigate but not solve the problem. Ferdinand I, for example, did agree a coinage ordinance in 1559 that was based on a genuine compromise and was widely and successfully implemented even in parts of the Empire that traditionally had formed its political periphery.<sup>76</sup> However, addressing the tendency of the decisions of the diet to be distorted by the bandwagon effect would have required a fundamental reform of how the diet worked – a reform that would have had to replace the sequential polling system with a system of simultaneous voting. That, in turn, would have required accepting the idea that the estates represented in each of the diet's three colleges were equal, and this is something no one was prepared to countenance. After all,

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<sup>74</sup> Volckart, 'Politics'.

<sup>75</sup> 'Bimetallism'; 'The Dear Old Holy Roman Realm'.

<sup>76</sup> M. North, 'The Reception of Imperial Monetary Reforms in 16th-century Northern Germany,' in R. Zaoral (ed.) *Money and Finance in Central Europe During the Later Middle Ages* (London, 2016), pp. 32-41.

by extension it would have implied accepting that all members of German society were equal. In short, the system was impossible to reform.

What light does this shed on the character of the Holy Roman Empire? It certainly was not nearly as dysfunctional as traditional Prussian-German historiography made it out to be. At one level, it might even be said that the diet's sequential voting system helped political decision making by facilitating the formation of majorities. At another level, however, there is no denying that weaknesses existed – weaknesses analysed above, whose roots reached deep into the structure of German society. If historians draw a line from the consensual and participatory character of the Empire's political culture to that of modern Germany, they can equally well point to a likely long-term consequence of the attention early modern political actors paid to titles and deference:<sup>77</sup> Feudal ranks have disappeared, but the German respect for academic titles – a trait that has driven several modern politicians to committing acts of plagiarism – arguably reflects attitudes similar to those of members of the sixteenth-century princes' college who jumped on a bandwagon.

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<sup>77</sup> Cf. J. Whaley, *Germany and the Holy Roman Empire*, vol. II: The Peace of Westphalia to the Dissolution of the Reich 1648-1806 (Oxford, 2012), p. 650.

## Appendix

### The definition of the bandwagon-value:

Formally, the share of earlier members of the princes' college voting in the same way as the voter of interest is defined as

$$S_n(A) = \frac{\sum_{i=1}^{P-1} 1\{v_i=A\}}{P-1},$$

with  $P$  being voter  $v_i$ 's position in the ranking and  $A$  the answer with which the voter agrees.

Table 4: Correlation of Session-ranking, Roman Month payments, Kammerzieler payments and revenues

	Voting rank (Session)	Roman Month 1545	Kammerzieler 1521	Revenues 1547-1548
Voting rank (Session)	1.00			
Roman Month 1545	-0.53	1.00		
Kammerzieler 152	-0.48	0.91	1.00	
Revenues 1547-1548	-0.36	0.90	0.79	1.00