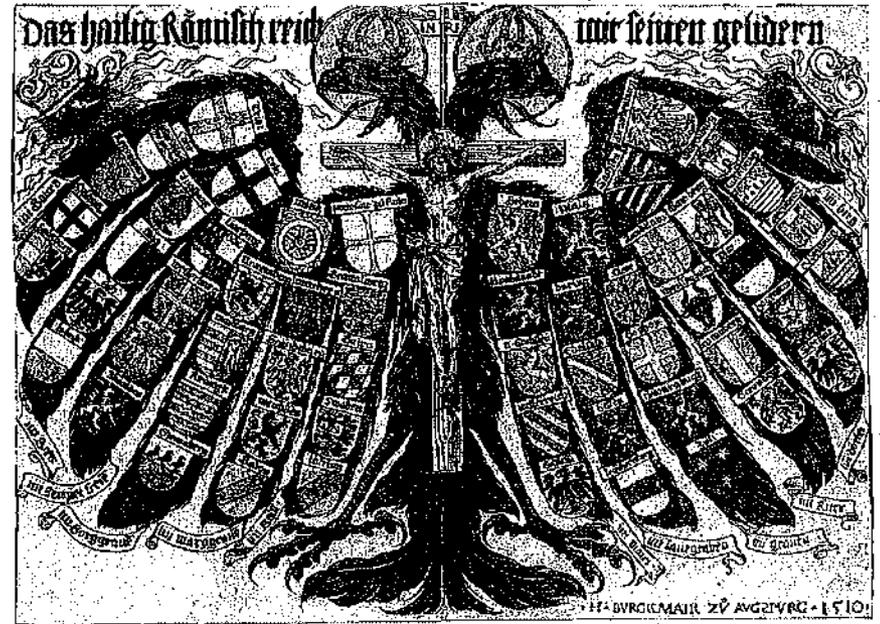


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The Importance of Being Seated

Ceremonial Conflict in Territorial Diets

TIM NEU

“In German, the word ‘parliament’ means ‘talking-shop.’”¹ In suggesting this “translation,” Houston Stewart Chamberlain—racial ideologist and anti-Semite—joined a notorious group of men who despised elected representative assemblies. Later on, not only Hitler, but also Lenin defamed parliaments literally as talking-shops.² However intolerable such invectives sound today, they do contain a grain of etymological truth.

The German loanword *Parlament* and its cognates in the other European languages stem from the Old French verb *parler*, which literally means “to talk.” In etymological terms, then, parliaments are primarily places of oratory and discourse. In pre-modern times, the word was used to denote two specific institutions, the English Parliament and the French *parlements*. Only since the late eighteenth century has the term been generalized to denote political representation. Accordingly, “parliament” became synonymous with “representation of the people.”³ Following this example, Anglophone researchers often refer to early modern representative assemblies as parliaments—notwithstanding the fundamental differences between pre-modern and present-day concepts of representation.⁴ The implicitly modernist connotations of “parliament,” moreover, tend to focus research on the instrumental aspects of “talk,” namely deliberation and voting.⁵

While it is legitimate to analyze the diets of the Holy Roman Empire in this way, we must not overlook a constitutive element of diets at both the imperial and territorial level: their ceremonial shaping. Solemnities gave rise to incessant conflicts, especially at the *Reichstag*.⁶ Ceremony also formed the framework of the deliberations at most territorial assemblies (*Landtagen*).⁷ From a strictly “modernist” perspective, these ceremonial aspects always appear as unimportant or even detrimental to the “real” purpose of the assemblies. And yet early modern contemporaries understood that territorial diets were not constituted

by parliamentary debate alone. In 1768, a legal dissertation argued that, "the territorial estates are landowners holding vote and session in territorial diets."⁸ In the legal formula *votum ac sessio*, the term *sessio* described a certain position in the ceremonial order. This "place," in the literal sense, was the necessary condition for participating in deliberations and for casting a vote. If this ceremonial dimension is reincorporated into parliamentary history, we regain a topic of great importance to the estates and can extend our understanding of early modern diets.⁹

The Institutional Moment: Corporations as Actors in the Empire and its Territories

Why, one might ask, should one concentrate on the institutional culture of the territorial diets if one is interested in reassessing the political culture of the empire? The first answer is that perhaps no other territorial institution was more literally "part" of the empire than the estates—except, of course, the prince himself, who was by definition a member of the imperial diet. By the seventeenth century, if not before, these territorial corporations had been integrated into imperial law. With this development, princes pushed to codify the territorial estates' duties and obligations, in order to raise imperial taxes more effectively and to fund military forces under princely control.¹⁰ Initially, therefore, the incorporation of territorial estates into imperial law was favorable to princes and their interests. In the longer term, however, incorporation functioned as an extraterritorial legal guarantee for the estates' continued existence—an argument that the estates' lawyers quickly learned to make.¹¹ In addition, the territorial estates were also subjects playing an active role in the empire and its institutions. For example, territorial estates frequently sued their princes at the imperial courts of law.¹² Analyzing the territorial estates, then, can contribute to a better understanding of how the empire actually functioned.

A second answer is that an examination of provincial diets and their ceremonial order can expose the empire's underlying institutional architecture. A cornerstone of any polity's structure is formed—in analytical terms—by the existence and significance of "corporate actors."¹³ At all levels of the empire, certain key concepts governed relationships among the various elements of the polity and the whole. One of these distinguished between personal and corporate embodiments of the polity, a distinction captured in the ubiquitous terminological pair "*Kaiser und Reich*."¹⁴ But what went for the empire also held for the principalities, most of which were structured likewise around a dualism between the territorial prince (*Landesherr*) and the provincial estates (*Landstände*), which gathered in assembly at the territorial diet.¹⁵ And, in fact, this parallelism was no accident, because the imperial diet that acquired insti-

tutional form in the decades after 1495 could serve as a model for the concurrent institutional development of representative bodies at the territorial level.¹⁶ Later on, the territorial estates were conceptualized in terms of their imperial counterparts.¹⁷ Because of these analogies, the actions taken by the estates in any particular principality can tell us a great deal about the possibilities and limitations that corporate actors faced in the empire in general.

Turning to ceremony: after two decades of renewed interest in the subject, there can be no doubt that rituals and ceremonies were vital to the early modern commonwealths as means to constitute and express the socio-political order.¹⁸ And the same holds for concrete decision-making: most institutions relied on a ceremonial order to get things done. We know a great deal about how and through what symbolic means individuals could make their rank visible *within* the diet.¹⁹ But what if the assembly itself and its status as a corporate actor were dragged into a serious conflict over ceremony?²⁰

The following essay examines one such conflict, which emerged in the Landgraviate of Hessen-Kassel in 1704.²¹ The Hessian diet's two *curiae* seriously disagreed on whether or not the second chamber's director had the right to sit while present in the first chamber. In this case, the "importance of being seated" can be explained through the most obvious function of ceremony—that of expressing rank. When the right to sit was claimed for all members of the second *curia* in 1709, the conflict intensified and produced additional sources, revealing the different functions of ceremony in relation to the specific conditions of corporate action. Examination of this conflict will demonstrate that ceremony not only expressed socio-political hierarchy, but also structured the decision-making process and constituted the chambers as autonomous corporations.

Conventus publicus: the Institutional Structure of the Diet in Hessen-Kassel

As in most of the empire's territories, the estates of Hessen-Kassel were thought to represent the land and all of the people who lived in it.²² In a dissertation published in 1752, the jurist Johann Wilhelm Fech asserted that, "the territorial estates represent the people, when they come together for considering the common weal."²³ To be sure, this was hardly an impartial definition. Fech's dissertation had been supervised by Johann Georg Estor, who had participated at several territorial diets as a delegate on behalf of the University of Marburg. But it is also true that ever since Wilhelm VI concluded a fundamental treaty with the territorial nobility in 1655, the Landgraves of Hessen-Kassel had pledged to communicate with the estates "in matters concerning land and people."²⁴

What were the specific corporate actors that constituted the diet?²⁵ Originally, there were diets for the whole of Hessen, but these came to an end in the

early seventeenth century with the final division of the Landgraviate into two principalities, one centered in Kassel and the other in Darmstadt.²⁶ In their place, the diets that had been particular to each of the two halves of the Landgraviate, called *Landkommunikationstage*, evolved into general diets for the two Hessian territories.²⁷ The diet of Hessen-Kassel consisted of two *curiae*. The first chamber was for the "prelates and knights" (*Prälaten und Ritterschaft*). The only real prelate was the commander of the Teutonic Order's Hessian Province. The remaining "prelates" were delegates from three worldly institutions that were the legal successors of secularized monasteries and had inherited their right to sit in the first chamber. These were, in descending order of rank, the chief directors of the noble convents Kaufungen and Wetter, the chief director of the four Hessian Hospitals, and the representatives of the University of Marburg. With the noteworthy exception of the university delegates, all of these "prelates" were nobles and the vast majority of them also belonged to the class of knights, the other part of the first chamber. The titular president of the knights, the hereditary marshal (*Erbmarschall*) of Hessen, presided over both the noble *curia* and the diet as a whole. Under normal circumstances, his counterpart in the second chamber was the mayor of Kassel, whose city held the directorship by customary right. This *curia*, called the *Landschaft*, comprised the forty privileged territorial cities.²⁸

Günter Hollenberg distinguished three types of assemblies. Originally, all prelates, nobles, and two delegates from each town were summoned, but "full" diets such as this were not held after 1666. The second type was much smaller in size: in a "narrow diet," representation was based on the division of the territory into five districts (*Strombezirke*).²⁹ Under this system, the nobility of each district elected two delegates and the towns another two. In contrast, all of the prelates were still summoned to this so-called "narrow" diet. A third form emerged in the eighteenth century, when attendance was reduced again to a maximum of three prelates, one noble, and one communal delegate for every district.³⁰ In addition to the full-fledged diets summoned by the prince, the estates had the right to hold so called *Deputationstage*. Organized by the hereditary marshal with permission of the Landgrave, these meetings discussed the "private" matters of the estates.³¹ Through all of these varieties and changes, however, two essential structures remained unaffected. First, each of the two *curiae* saw itself as an autonomous *corpus*, an independent legal person. Second, the noble chamber insisted on its own superior rank and precedence.³² This preeminence would come under serious challenge in the early eighteenth century.

"Custom" or "Innovation"? Ceremony and Symbolizing Rank

It all began with the diet of 1704.³³ The inaugural ceremonies started on 3 April. That morning, all of the delegates assembled at the landgrave's palace in Kassel and took up position in two rows separating nobles and commoners. There, they awaited the prince, who, accompanied by his court and officials, finally appeared and sat down on his throne. The princely proposition was read out and the hereditary marshal of Hessen responded in the name of the estates with a short address.³⁴ Afterward, all of the delegates were permitted to kiss the prince's hand. With that, the inaugural solemnities were at an end.³⁵

The next day, the first chamber was told that the monthly contribution had to be raised by 12,000 *Reichsthaler* to meet the unspecified financial requests that were contained in the *Proposition*. Afterward, the knights sent for the municipal delegates, who appeared and were told about the demanded amount. Up to this point, everything conformed—from the knights' perspective—to the traditional procedure. But then a rupture occurred. Instead of commenting on the financial matters at stake, several communal delegates "turned up ... and claimed on behalf of all cities that whenever something should be proposed to them by the hereditary marshal, a chair should be provided for Mayor [Henrich Christoph] Ehinger, as was customary in the past, because he held the directorship among them."³⁶

The commoners, in short, demanded a seat for the mayor of Kassel. Two reasons were given for this ceremonial change: the mayor's status as director of the second chamber and the precedent of custom. But the knights rejected the claim and told the cities "that such was not found in any protocol."³⁷ This explanation is typical of the prevailing customary law that made legal claims conditional upon their constant exercise.³⁸ The nobles acknowledged that the director's status justified some sort of priority over the other commoners. But the manner in which this abstract priority could be visualized in ceremonial practice should, they argued, be determined by custom.

But the cities insisted. In the afternoon, they demanded the seating once more, but this time only "*honoris gratia*," i.e., honorary and not thanks to a legal title.³⁹ In addition, they presented an extract from the protocol of a diet held in 1700 to prove that it was customary for the director to sit in the nobles' presence. Again the knights refused the request. They considered the protocol insufficient because its date was wrong. It is noteworthy that the first chamber did not refuse the claim itself, but only the evidence the urban delegates submitted, while offering not to dispute the mayor's privilege if the custom could be proven. Accordingly, the delegates of the cities appeared for a third time and produced a calendar of 1700 trying to support their protocol's dating, again without success.

Meanwhile, the deliberation about the financial matters was pushed completely into the background. From the beginning of the ceremonial conflict, the knights had demanded to return to this "main issue," as they called it.⁴⁰ But the second chamber was only willing to discuss the prince's financial requests if the knights consented to further investigations into the ceremonial case. Before the diet was finished, the cities delivered a humble petition to the landgrave, Karl. This move bore fruit: Karl decided in favor of the cities and instructed the hereditary marshal to provide a seat for the mayor of Kassel every time he was called into the nobles' room.⁴¹

Before turning to the role ceremony played in this conflict, it has to be explained why the prince decided the case the way he did. Perhaps he intended to use the conflict as a means to achieve purposes having nothing to do with ceremony at all. But the sources provide no evidence for such an assumption; quite to the contrary, the landgrave seems to have resolved the conflict without respect to any possible advantage to his own position: Karl granted the contested seat "because ... the petitioning mayor and council, by virtue of the enclosed testimony, have the custom on their side."⁴² It is important to note that all three political forces, the prince as well as the two chambers, completely agreed on what was decisive in a ceremonial conflict, and that was custom.⁴³ What was controversial was the means by which the nature of customary usage should be ascertained. Initially, the cities presented evidence that was discredited by the knights on good grounds. In their petition to the landgrave, however, they tried another type of evidence—the attestation mentioned in the resolution. In it, Councilor Justin Motz testified that in 1688—when he was executive mayor of Kassel—he "was provided a chair at meetings and talks with prelates and knights every time."⁴⁴ It was this eyewitness account that eventually won the case for the cities.

The whole affair illustrates the centrality of custom to the manner in which early modern political actors—individual and corporate alike—framed situations and conceptualized conflicts. And because this category seemed so "natural" and self-sufficient, it was far less likely to be deployed strategically. That is not to say that princes could not use arguments referring to custom as pretext. In this particular case, however, it is plausible to conclude that the prince impartially resolved the conflict.⁴⁵ That returns us to the diet of 1704 and to what the two chambers tried to achieve through ceremonial change.

At the beginning of the diet, the conflict over the ceremonial session had blocked deliberation of the prince's request for taxes. As a matter of fact, ceremonial acts played an important role in early modern societies.⁴⁶ In a polity based on face-to-face interaction and customary law, one's position in the socio-political order had to be constantly expressed in visible signs. By means of such symbolizations, rank became perceptible and effective. Under such conditions, neither imperial nor territorial diets could suspend the imperative of ex-

pressing rank. As Ronald Asch pointed out recently, territorial diets functioned as "places where the overall structure of order and authority found its symbolic expression."⁴⁷ Both aspects are precisely summarized in the phrase *votum ac sessio*. The delegates of the cities wanted a visible sign: to sit in the presence of the also-sitting nobles would symbolize the institutional dignity and preeminence of their director and their chamber. To gain this, the cities were willing to block the entire decision-making process—despite "His Serene Highness's extreme disapproval," as the first chamber had admonished them.⁴⁸ To be sure, this maneuver was in no sense dysfunctional or detrimental because the expression of hierarchy was one of the diet's vital purposes.⁴⁹ But the symbolization of rank was not the only function of ceremony.

The Knights' Tale, or Three Functions of Ceremony

The next assembly took place five years later. It was a *Deputationstag* and, accordingly, the cities' minutes referred to it as a "private conference" between the two *curiae*.⁵⁰ The occasion for this meeting was the upcoming marriage between a Hessian princess and a prince of Orange. To meet the extraordinary expense that the proper nuptial festivities would entail, the landgrave had asked the estates to grant a subsidy of 40,000 *Gulden*.⁵¹

In January 1709, the two *curiae* convened in Treysa, halfway between the Hessian capitals, Kassel and Marburg. A few days before, the landgrave had repeated his decision to grant the mayor of Kassel the contested seat whenever the civic delegates were to be called into the first chamber.⁵² And because the *Proposition* was always read aloud in the presence of all of the delegates, the issue had to be addressed right at the beginning. A servant was sent to the commoners, who told them in the name of the knights, "that they would end the dispute that had arisen previously over the seating and if the civic delegates would like to appear before them the mayor of Kassel will receive a chair."⁵³ The response was nothing less than shocking for the knights, as their protocol tells: "The delegates of the cities thereupon gave the answer that this would not be necessary at the moment, because at such 'narrow' conferences all of them had the right to sit at the prelates and knights' table."⁵⁴ The minutes of the cities are even more plainspoken, noting that the urban delegation had the right to be seated "at this private conference as a fellow estate (*Mitstand*)."⁵⁵ In the view of the nobles, these were "irresponsible new pretensions."⁵⁶ Not only did all civic delegates now demand to be seated, they also claimed a right to sit *together with the knights* at one and the same table. What happened next resembled the sequence of events at the preceding diet in 1704. First, the cities reduced their claim and proposed that they should all be seated, but at a separate table. Again, the knights rejected this as "nonsense."⁵⁷ Protestations from both sides

followed, but in the end, the *Proposition* was delivered in the form favored by the knights—with the mayor of Kassel sitting on a separate chair and the other municipal delegates standing. As in 1704, however, the cities did not let the matter rest. Hoping to duplicate the success of their earlier strategy, the cities again delivered a petition to the landgrave, in which they once more put forward the customary usage as the sole argument to support their claims.⁵⁸ This time, however, the prelates and knights delivered their own letter of complaint to the Privy Council.

In contrast to the cities' petition, the knights' petition contains arguments that are full of information about the functions of ceremonial acts. So far in this essay, I have described the most obvious function of ceremony—that of expressing and constituting rank. This symbolic function can be separated analytically from the instrumental function of reaching a decision. In 1704, the cities had deployed the symbolic function to block deliberation of a request for tax monies.⁵⁹ The knights referred to the socially expressive aspects of ceremony when they complained that the cities' "never-customary wishes infer a parity and confusion among the chambers against the privileges and liberties."⁶⁰ In this case, the knights insisted on the symbolic difference between standing and sitting, because they perceived that there was a challenge to the hierarchy of rank between the two chambers. In this instance, *sessio* and *votum* served different purposes: *sessio* expressed rank-order, while *votum* pertained to decision-making.

But ceremony had more functions than this. In particular, the nobles suspected that, in addition to the parity of rank, the cities were demanding ceremonial changes in order to obtain the "*jus suffragandi simultaneum*"—the right to vote simultaneously, in plenary session, with the knights.⁶¹ In the end, the right to sit would give the second chamber a means to introduce simultaneous and joint voting. In the knights' view, that would have changed the traditional procedure dramatically, "because it is well-known that at all territorial diets and public congresses the cities took their votes separately."⁶² In this line of argumentation, *sessio* and *votum* were closely intertwined because the cities tried to influence the voting procedure through ceremonial change—or so the knights insinuated. As Barbara Stollberg-Rilinger has shown, this was possible because "the order of seating that was a ceremonial, visible, and symbolic procedure can be considered as a functional equivalent to an abstract technical procedure."⁶³ To put it briefly: ceremony functioned as a sort of standing, procedural order for the diet. Deliberating and voting were possible only because the diet was structured by solemnities.⁶⁴ This can be called the instrumental function of ceremony. From the knights' point of view, the cities were striving for a procedural advantage and tried to realize it through ceremonial change.⁶⁵

Ultimately, though, the nobles' anxieties about sitting with commoners at one and the same table were prompted neither by parity of rank nor by proce-

dural advantage. Serious though they were, the nobles thought of these threats as "mere" consequences resulting from a more fundamental change. Specifically, the nobles charged that what really motivated the civic delegates was their desire "to form one corpus with prelates and knights."⁶⁶ The first chamber feared nothing less than the loss of its status as an independent corporation. This function of ceremony is different from its symbolic and instrumental ones. The status of the noble *curia* was based almost entirely on custom; maintaining its preeminence required the constant and visible reiteration of that aristocratic superiority through ceremonial acts. Ceremony therefore functioned not only as the standing procedural order, but also as the very "embodiment" of the diet as a whole and of both chambers, respectively. For this reason, I would like to call this the constitutive function of ceremony. This label is not meant to connote "constitutions" in the conventional sense; rather, it stresses the idea that ceremony made the chamber present as a *corpus* in the literal sense. For individual actors, there is normally no need to be made present *as* bodies, because they obviously *have* bodies. But corporate actors lack "real," physical bodies and, for that reason, must be embodied through acts of representation. Not without reason was it said that corporate actors came into existence by a *fictio iuris*.⁶⁷ But in the Hessian case, neither the diet nor its two chambers possessed a common purse, staff, seal, or archive, and they therefore had virtually no material symbol of their status as a corporation.⁶⁸ Nevertheless, they could be powerful institutions because their institutional "being" found its constitutive expression in the ceremonial arrangements.⁶⁹

These three functions of ceremony help explain why the conflict broke out when it did. Why did it erupt in 1704 and not in the decades before or after? As we have seen, one and the same issue—the seating of the second chamber's director—was interpreted as a matter of customary right by the cities and as an "innovation" by the knights. Although they deployed it differently, both corporate actors relied on the same categorical distinction between "custom" and "innovation" to frame the situation: both chambers claimed that, before 1704, a clear and customary ceremonial order had existed; each chamber claimed that the other had attempted to alter unlawfully an old practice. If one adopts the view that there had indeed been an undisputed ceremonial order before 1704, then the institutional structure of the diet cannot have been the source of conflict. Instead, this view would compel us to search for factors beyond the diet—factors such as general political animosities or conflicting economic interests. The problem with this approach is that there are no signs of external conflicts that originated, intensified, or culminated in the years before 1704; even the principal conflict over the exemption of the knights from the monthly contribution was only latent at that time.⁷⁰

Factors arising *within* the diet, by contrast, offer a more satisfactory explanation. To see how, it is important to bear in mind that a full-fledged ceremonial

system that fulfilled all three functions was not an inherent feature of representative institutions, but the product of a long-term process of institutionalization. In that process, according to Arnold Gehlen, more and more elements of a given institutional arrangement acquire "autonomous value" (*Selbstwert*); that is, they transform from simple expedients valuable for their utility into procedural norms.⁷¹ The role of ceremony in territorial diets is a perfect example of increasing institutionalization: in the sixteenth century, for instance, the Hessian diets were typically brief affairs—normally just one or two days. No one objected if the prince summoned only one of the estates; and we hear of virtually no solemnities apart from the inauguration.⁷² As in many other principalities, these were ad hoc assemblies without a developed ceremonial order.⁷³ Over the course of the seventeenth century, however, the diet's ceremonial order became institutionalized. A territorial settlement in 1655, for example, codified the diet's bicameral structure.⁷⁴ As institutionalization accelerated, more and more instrumental arrangements were "ceremonialized" and became charged with meaning and value. Until then, questions of ceremonial order had been settled ad hoc, according to each diet's specific circumstances. It is therefore unlikely that a uniform practice developed before the mid seventeenth century. Later on, when seating arrangements started to fulfill ceremonial functions, the very *disorder* of earlier practices created potential for conflict. Both *curiae* could find advantageous "precedents" in the past and attempt to redefine them as procedural norms that carried the legal weight of "ancient custom."

By 1700, the "importance of being seated" was paramount: fifty years of institutionalization (since 1655) had produced so much tension that it was only a question of time until an actual conflict erupted. There are other signs supporting this interpretation: in 1722, the estates of Hessen-Darmstadt became embroiled in an almost identical quarrel.⁷⁵ The estates were a tinderbox, but as yet there was no spark—until Mayor Henrich Christoph Ehinger asked to be seated. The new delegate from Kassel had already caused a stir by attempting to address the landgrave directly—an undisputed privilege of the hereditary marshal.⁷⁶ Ehinger's demand for a seat one day later added fuel to the fire. Thus, an utterly contingent factor—the personal impetuosity of the capital's mayor—was enough to release tensions that had been welling up for decades.

Conclusion: Diets as *lieux de mémoire* for Modern Parliamentary Government?

As polities, the empire and its territories were characterized by the presence of corporate actors—the imperial and the provincial estates, respectively—whose predominant sites of activity were the diets. Between the Peace of Westphalia and the empire's end, most diets developed or adopted elaborate systems of

ceremony. Because of this connection, the analysis of conflicts over ceremony can shed light on its political functions and on the changing conditions of corporate action.

Early modern diets should be understood as institutions characterized both by ceremonial shaping and by decision-making in ways that closely intertwined *sessio* and *votum*.⁷⁷ For the diet of the Landgraviate of Hessen-Kassel, it is possible to distinguish three functions of ceremony: it constituted the diet and the chambers as independent institutions; it symbolized the socio-political rank order; and it structured the instrumental procedures of deliberation and voting. Ceremony was no trivial matter, but rather one of the diet's fundamental, structuring principles.

For corporate actors, the constitutive function was of utmost importance, because they were compelled to represent their fictitious, "mystical" bodies with visible signs and symbols. Ceremony was an appropriate means to this end and in Hessen-Kassel, the diet's two *curiae* heavily relied on ceremonial arrangements to symbolize their status as corporations. Of course, this function could also be fulfilled by other means, such as buildings, written constitutions, or signatures.⁷⁸ But solemnities remained the primary mode of corporate representation. The estates' insistence on adhering to proper ceremonial forms, and their readiness to do battle over perceived violations of custom, was therefore rational and necessary.

On the other hand, such full-fledged systems of ceremony were also the product of long-lasting institutionalization processes. Originally, questions of seating and procedure were resolved ad hoc, according to the circumstances. Later, as seating arrangements became charged with meaning, the earlier disorganization inevitably led to conflicts over which procedure had *really* been customary.

Paradoxically, the end of this story brings us back to the perspective of critics of parliamentary institutions, such as Houston Stewart Chamberlain. Ultimately, it took the intervention of a prince, Elector Wilhelm I (the former Landgrave Wilhelm IX),⁷⁹ to change the institutional structure of the diet fundamentally: in 1815, he ordered "that at meetings of all chambers the members of the diet should take their seats at one table."⁸⁰ Wilhelm's leveling intervention banished forever "the importance of being seated." In his memoirs, this same Wilhelm referred to the estates' delegates as "troublemakers," and his absolutistic decision obviously did not aim at strengthening the "parliamentary" aspects of the assembly.⁸¹ Left to their own devices, the estates would in all likelihood have clung to their "customary" ways. In their reliance on ceremony, the majority of territorial diets remained pre-modern in character. The procedural hallmark of modern representative bodies is that they transfer the constituting and instrumental functions to non-ceremonial constitutions and written standing orders. The fact that in most cases, early modern estates were

not able to break away from the imperatives of symbolizing rank should raise some doubts about claiming these territorial diets for the history of modern parliamentary government.⁸²

Notes

1. Houston Stewart Chamberlain, *Demokratie und Freiheit* (Munich, 1917), 74; on Chamberlain, see Geoffrey G. Field, *Evangelist of Race. The Germanic Vision of Houston Stewart Chamberlain* (New York, 1981).
2. Adolf Hitler, *Mein Kampf. Zwei Bände in einem Band* (Munich, 1934), 57. Vladimir I. Lenin, *Staat und Revolution. Die Lehre des Marxismus vom Staat und die Aufgaben des Proletariats in der Revolution*, in Lenin, *Ausgewählte Werke*, vol. 2 (Berlin, 1951), 158–253, here 192.
3. See Hans Boldt, "Parlament, parlamentarische Regierung, Parlamentarismus," in *Geschichtliche Grundbegriffe. Historisches Lexikon zur politisch-sozialen Sprache in Deutschland*, eds. Otto Brunner, Werner Conze, and Reinhart Koselleck, vol. 4 (Stuttgart, 1978), 649–676.
4. See Francis L. Carsten, *Princes and Parliaments in Germany. From the 15th to the 18th Century* (Oxford and London, 1959), and recently Michael A.R. Graves, *The Parliaments of Early Modern Europe* (Harlow, 2001); see Barbara Stollberg-Rilinger, "Ständische Repräsentation—Kontinuität oder Kontinuitätsfiktion?" in *Zeitschrift für Neuere Rechtsgeschichte* 28 (2006): 279–298.
5. See Peter Blickle, "Politische Landschaften in Oberschwaben. Bäuerliche und bürgerliche Repräsentation im Rahmen des frühen europäischen Parlamentarismus," in *Landschaften und Landstände in Oberschwaben. Bäuerliche und bürgerliche Repräsentation im Rahmen des frühen europäischen Parlamentarismus*, ed. P. Blickle (Tübingen, 2000), 11–32. See also Kersten Krüger, *Die landständische Verfassung* (Munich, 2003), 1.
6. See Albrecht P. Luttenberger, "Pracht und Ehre. Gesellschaftliche Repräsentation und Zeremoniell auf dem Reichstag," in *Alltag im 16. Jahrhundert. Studien zu Lebensformen in mitteleuropäischen Städten*, ed. Alfred Kohler (Munich, 1987), 290–326; Barbara Stollberg-Rilinger, "Zeremoniell als politisches Verfahren. Rangordnung und Rangstreit als Strukturmerkmale des frühneuzeitlichen Reichstags," in *Neue Studien zur frühneuzeitlichen Reichsgeschichte*, ed. Johannes Kunisch (Berlin, 1997), 91–132.
7. See Ulf Brünning, "Wege landständischer Entscheidungsfindung. Das Verfahren auf den Landtagen des rheinischen Erzstifts zur Zeit Clemens Augusts," in *Im Wechselspiel der Kräfte. Politische Entwicklungen des 17. und 18. Jahrhunderts in Kurköln*, ed. Frank G. Zehnder (Cologne, 1999), 161–184; and Tim Neu, "Zeremonielle Verfahren. Zur Funktionalität vormoderner politisch-administrativer Prozesse am Beispiel des Landtags im Fürstbistum Münster," in *Im Schatten der Macht. Kommunikationskulturen in Politik und Verwaltung 1600–1950*, eds. Stefan Haas and Mark Hengerer (Frankfurt a.M., 2007), 23–50.
8. Johann August Reichardt and Michael de Huttern, *De statibus provincialibus eorumque variis iuribus*, vol. 1 (Jena, 1768), 4. See also Johann Jacob Moser, *Von der Teutschen Reichs-Stände Landen, deren Landständen, Unterthanen, Landes-Freyheiten, Beschwerden, Schulden und Zusammenkünften* (Frankfurt a.M. and Leipzig, 1769), 322.
9. For territorial diets see the contributions in the special issue "Politisch-soziale Praxis und symbolische Kultur der landständischen Verfassungen im westfälischen Raum," in *Westfälische Forschungen* 53 (2003): 1–240, especially the ones by Stollberg-Rilinger, Luebke, and Brakensiek. Regarding the imperial diet see Barbara Stollberg-Rilinger, "Die Symbolik der Reichstage. Überlegungen zu einer Perspektivenumkehr," in *Der Reichstag 1486–1613. Kommunikation, Wahrnehmung, Öffentlichkeit*, eds. Maximilian Lanzinner and Arno Strohmeyer (Göttingen, 2006), 77–93.
10. See Ronald G. Asch, "Estates and Princes after 1648: The Consequences of the Thirty Years' War," in *German History* 6 (1988): 113–132, here 125–127.
11. See, for instance, [Georg Adolf Caroc], *Begründete Deduction von Land-Ständen, derselben Befugnissen, Pflichten und Nutzen, absonderlich in denen Landen des Reichs Teutscher Nation* (n.p., 1718).
12. See, for instance, Gabriele Haug-Moritz, "Die Behandlung des württembergischen Ständekonflikts unter Herzog Carl Eugen durch den Reichshofrat (1763/64–1768/70)," in *Die politische Funktion des Reichskammergerichts*, ed. Bernhard Diestelkamp (Cologne, 1993), 105–133.
13. See James S. Coleman, *Foundations of Social Theory* (Cambridge, MA, 1990), 325–530.
14. See Friedrich Hermann Schubert, *Die deutschen Reichstage in der Staatslehre der frühen Neuzeit* (Göttingen, 1960); and Peter Moraw, "Versuch über die Entstehung des Reichstags," in *Politische Ordnungen und soziale Kräfte im Alten Reich*, ed. Hermann Weber (Wiesbaden, 1980), 1–36.
15. For a list of principalities with territorial estates see Krüger, *Die Landständische Verfassung*, 18–26. For greater detail, see Moser, *Von der Teutschen Reichs-Stände Landen*, 346–485.
16. See Volker Press, "Formen des Ständewesens in den deutschen Territorialstaaten des 16. und 17. Jahrhunderts," in *Ständetum und Staatsbildung in Brandenburg-Preussen. Ergebnisse einer internationalen Fachtagung*, ed. Peter Baumgart (Berlin and New York, 1983), 280–318, here 295.
17. See Heinrich Binn and Ludolf Hugo, *De Statu Regionum Germaniae, Et Regimine Principum Summae Imperii Reip. Aemulo, Nec Non De Usu Autoritate Iuris Civilis Privati, Quam In Hac Parte Iuris Publici Obtinet, Disputatio Inauguralis* (Helmstedt, 1661), ch. 4, § 12. See also Barbara Stollberg-Rilinger, *Vormünder des Volkes? Konzepte landständischer Repräsentation in der Spätphase des Alten Reiches* (Berlin, 1999), 28–45 and 56–76.
18. See the seminal contributions: Robert Darnton, "A Bourgeois Puts His World in Order: The City as a Text," in Darnton, *The Great Cat-Massacre and Other Episodes in French Cultural History* (New York, 1984), 107–143; Hedda Ragotzky and Horst Wenzel, eds., *Höfische Repräsentation. Das Zeremoniell und die Zeichen* (Tübingen, 1990); Jörg J. Berns and Thomas Rahm, eds., *Zeremoniell als höfische Ästhetik in Spätmittelalter und früher Neuzeit* (Tübingen, 1995); and Edward Muir, *Ritual in Early Modern Europe*, 2nd ed. (Cambridge, 1997), 252–293.
19. See Stollberg-Rilinger, "Zeremoniell als politisches Verfahren"; and Luttenberger, "Pracht und Ehre."
20. See, for instance, André Krischer, who analyzes the imperial cities' struggle for ceremonial equality at the imperial diet. Krischer, *Reichsstädte in der Fürstengesellschaft. Politischer Zeichengebrauch in der frühen Neuzeit* (Darmstadt, 2006), 44–80.

21. On Hessen-Kassel in general, see Charles W. Ingrao, *The Hessian Mercenary State: Ideas, Institutions, and Reform under Frederick II. 1760–1785* (Cambridge, 1987); and Hans Philipp, *Die Landgrafschaft Hessen-Kassel 1648–1806* (Marburg, 2007).
22. See the classical account in Otto Brunner, *Land and Lordship: Structures of Governance in Medieval Austria*, trans. and intro. by H. Kaminsky and J. Van Horn Melton (Philadelphia, 1992); and Hasso Hofmann, *Repräsentation. Studien zur Wort- und Begriffsgeschichte von der Antike bis ins 19. Jahrhundert*, 4th ed. (Berlin, 2003). For Hessen-Kassel see Günter Hollenberg, "Die Repräsentation von Land und Leuten in Hessen," in *Reformation und Landes Herrschaft*, ed. Inge Auerbach (Marburg, 2005), 31–38.
23. Johann Georg Estor and Johann Wilhelm Fech, *De Comitibus et Ordinibus Hassiae praesertim Cassellanae provincialibus opusculum* (Frankfurt/Main, 1752), 4.
24. "Vergleich Landgraf Wilhelms VI. mit der Ritterschaft, Kassel 1655 Okt. 2," in *Hessen-Kasselische Landtagsabschiede 1649–1798*, ed. Günter Hollenberg (Marburg, 1989), 56–66, here 59. See Armand Maruhn, "Duale Staatsbildung contra ständisches Landesbewusstsein. 1655 als Epochenjahr der hessischen Landesgeschichte," in *Zeitschrift des Vereins für Hessische Geschichte und Landeskunde* 109 (2004): 71–94.
25. On the Hessian landständische Verfassung in general see Hollenberg, "Einleitung," in Hollenberg, *Hessen-Kasselische Landtagsabschiede*, xiii–lxix; Conrad Wilhelm Ledderhose, *Von der landschaftlichen Verfassung der Hessen-Casselischen Lande*, in *Ledderhose, Kleine Schriften*, vol. 1 (Marburg, 1787), 1–176. The institutional sketches in Carsten, *Princes and Parliaments*, 149–190, and Ingrao, *Mercenary State*, 37–43, contain some mistakes. See Hollenberg, "Einleitung," xxi.
26. See Ledderhose, *Von der landschaftlichen Verfassung*, 66–68; and Hollenberg, "Einleitung," xxii.
27. On the estates of Hessen-Kassel in the second half of the seventeenth and in the eighteenth century, see Andreas Würigler, "Desideria und Landesordnungen. Kommunal- und landständischer Einfluß auf die fürstliche Gesetzgebung in Hessen-Kassel 1650–1800," in *Gemeinde und Staat im alten Europa*, ed. Peter Blickle (Munich, 1998), 149–207; Günter Hollenberg, "Die hessen-kasselischen Landstände im 18. Jahrhundert," in *Hessisches Jahrbuch für Landesgeschichte* 38 (1988): 1–22; Karl E. Demandt, "Die Hessischen Landstände nach dem 30jährigen Krieg," in *Ständische Vertretungen in Europa im 17. und 18. Jahrhundert*, ed. Dietrich Gerhard (Göttingen, 1974), 162–182.
28. After the cession of Treffurt to Electoral Saxony in 1736, thirty-nine corporate members remained.
29. See Gunter Thies, *Territorialstaat und Landesverteidigung. Das Landesdefensionswerk in Hessen-Kassel unter Landgraf Moritz (1592–1627)* (Darmstadt, 1973).
30. The reality was far more complex than this general overview. For details, see Hollenberg, "Einleitung," xxix–xxx; and Ledderhose, *Von der landschaftlichen Verfassung*, 19–47.
31. See Hollenberg, "Einleitung," xlvi; Ledderhose, *Von der landschaftlichen Verfassung*, 111–114.
32. This corporate identity had developed since the 1620s; see Robert von Friedeburg, "Widerstandsrecht und Landespatritismus. Territorialstaatsbildung und Patriotienpflichten in den Auseinandersetzungen der niederhessischen Stände mit Landgräfin Amelie Elisabeth und Landgraf Wilhelm VI. von Hessen-Kassel 1647–1653," in *Wissen, Gewissen und Wissenschaft im Widerstandsrecht (16.–18. Jh.)*, eds. Angela De Benedictis and Karl-Heinz Lingens (Frankfurt a.M., 2003), 267–327, here 319–324.
33. See Hollenberg, *Hessen-Kasselische Landtagsabschiede*, 203–211.
34. For the functions of parliamentary oratory see Jörg Feuchter and Johannes Helmuth, eds., *Politische Redekultur in der Vormoderne. Die Oratorik europäischer Parlamente in Spätmittelalter und Früher Neuzeit* (Frankfurt a.M., 2008); and Peter Mack, *Elizabethan Rhetoric. Theory and Practice* (Cambridge, 2002), 215–252.
35. Hessisches Staatsarchiv Marburg (hereafter HStAM), 304 Stift Kaufungen, no. 541, fols. 19r–29v, "Ritterschaftl. Protocollum bey dem Landt-Communications tage ao 1704" (hereafter "Ritterschaftl. Protocollum"), the inauguration ceremony fol. 19r, 3 April 1704.
36. HStAM, "Ritterschaftl. Protocollum," fol. 21v, 4 April 1704.
37. HStAM, "Ritterschaftl. Protocollum," fol. 22r, 4 April 1704.
38. See Thomas Simon, "Geltung. Der Weg von der Gewohnheit zur Positivität des Rechts," in *Rechtsgeschichte* 7 (2005): 100–137.
39. HStAM, "Ritterschaftl. Protocollum," fol. 22r, 4 April 1704. See Milos Vec, "Juristische Normen des Anstands. Zur Ausdifferenzierung und Konvergenz von Recht und Sitte bei Christian Thomasius," in *Rechtssymbolik und Wertevermittlung*, ed. Reiner Schulze (Berlin, 2004), 69–100.
40. HStAM, "Ritterschaftl. Protocollum," fol. 23r, 4 April 1704.
41. HStAM, "Ritterschaftl. Protocollum," fol. 29v, 12 April 1704. See Andreas Würigler, "Voices From Among the 'Silent Masses': Humble Petitions and Social Conflicts in Early Modern Central Europe," in *International Review of Social History* 46: 9 (2001): 11–34.
42. HStAM, 73 Hessische Landstände, no. 222, fols. 9r–9v, "Cop[ia] fürst[lich] g[nädig]ster resolution vor die Statt Cassell wegen Stuhlsetzens undt Session bey denen Landtagen" (hereafter "Resolution"), 31 December 1708. In the archive of the Privy Council, one also finds a file regarding the conflict, but it contains only two copies of the cited resolution and the cities' plea for it. See HStAM, 5 Geheimer Rat, no. 14674 "Anspruch der Stadt Kassel auf Stuhlsetzung an den Landtagen."
43. See, in general, Hermann Krause, "Gewohnheitsrecht," in *Handwörterbuch zur deutschen Rechtsgeschichte*, eds. Adalbert Erler and Ekkehard Kaufmann, vol. 1 (Berlin, 1971), 1675–1684. On custom as the vital argument in conflicts regarding ceremony and rank, see Maren Bleckmann, "Suppliken zu Rangkonflikten an den Herzog von Braunschweig-Wolfenbüttel im 17. und 18. Jahrhundert," in *Formen der politischen Kommunikation in Europa vom 15. bis 18. Jahrhundert. Bitten, Beschwerden, Briefe*, eds. Cecilia Nubola and Andreas Würigler (Berlin, 2004), 95–115, here 114; and Barbara Stollberg-Rilinger, "Rang vor Gericht. Zur Verrechtlichung sozialer Rangkonflikte in der frühen Neuzeit," in *Zeitschrift für historische Forschung* 28 (2001): 385–418, here 413.
44. HStAM, 73 Hessische Landstände, no. 304, fols. 9r–10v, "Attestatum vom H[erz]n Rath Moorzen wegen des stuhl setzens," 10 April 1704, here fol. 9r.
45. The same conclusion concerning another territory in Bleckmann, "Suppliken," 111.
46. See Karl-Siegbert Rehberg, "Institutionen als symbolische Ordnungen. Leitfragen und Grundkategorien zur Theorie und Analyse institutioneller Mechanismen," in *Die Eigenart der Institutionen. Zum Profil politischer Institutionentheorie*, ed. Gerhard Göhler (Baden-Baden, 1994), 47–84; Barbara Stollberg-Rilinger, "Symbolische Kommunikation in der Vormoderne. Begriffe—Thesen—Forschungsperspektiven," in *Zeitschrift für Historische Forschung* 31 (2004): 489–527.

47. Ronald G. Asch, "Noble Corporations and Provincial Diets in the Ecclesiastical Principalities of the Holy Roman Empire ca. 1648–1802," in *Realities of Representation: State Building in Early Modern Europe and European America*, ed. Maija Jansson (New York, 2007), 93–111, here 94.
48. HStAM, "Ritterschaftl. Protocollum," fol. 23r, 4 April 1704.
49. See Barbara Stollberg-Rilinger, "Herstellung und Darstellung politischer Einheit: Instrumentelle und symbolische Dimensionen politischer Repräsentation im 18. Jahrhundert," in *Die Sinnlichkeit der Macht. Herrschaft und Repräsentation seit der Frühen Neuzeit*, eds. Jan Andres, Alexa Geisthövel, and Matthias Schwengelbeck (Frankfurt/Main, 2005), 73–92, here 90; and Axel Gotthard, *Das Alte Reich. 1495–1806* (Darmstadt, 2003), 23. For the Middle Ages see Thomas N. Bisson, "Celebration and Persuasion: Reflections on the Cultural Evolution of Medieval Consultation," in *Legislative Studies Quarterly* 7 (1982): 181–204; 183.
50. HStAM, 73 Hessische Landstände, no. 222, fols. 1r–5r, "Protocollum bey der den 9 t: Jan: gehaltenen Conferentz zu Treysa" (hereafter "Protocollum"), here fol. 1v and passim, 9 January 1709.
51. See Hollenberg, *Hessen-Kasselische Landtagsabschiede 1649–1798*, 211–216.
52. HStAM, "Resolution." The mayor and council of Kassel requested the repetition: see their letter to the landgrave in HStAM, 5 Geheimer Rat, no. 14674, fol. 2r/v and fol. 7 r/v.
53. HStAM, "Protocollum," fols. 1r–1v, 9 January 1709.
54. HStAM, 73 Hessische Landstände, no. 76, fols. 65r–73r, "Actum Treysa in der Stadt Rath Stube" (hereafter "Actum"), here fol. 65r, 9 January 1709.
55. HStAM, "Protocollum," fols. 1v, 9 January 1709.
56. HStAM, "Actum," fol. 66r, 9 January 1709.
57. HStAM, "Actum," fol. 67r, 9 January 1709.
58. HStAM, 73 Hessische Landstände, no. 222, fols. 19r–20v, "Memorial und Relation," 14 January 1709.
59. A similar case from the Prince-Bishopric of Münster is in Neu, "Zeremonielle Verfahren," 44–49.
60. HStAM, 73 Hessische Landstände, no. 76, fols. 143r–145v, "Copia Schreibens ahn die hochfürstlichen H[erren] geheimbde R[ä]the zu Caßell von dem H[errn] Erb-Marschall per Staffetta de dato Treiß d 11. t Jan: 1709 abgeschickt" (hereafter "Copia Schreibens"), here fol. 144r.
61. HStAM, "Copia Schreibens," fol. 144r.
62. HStAM, "Copia Schreibens," fol. 144r.
63. Stollberg-Rilinger, "Zeremoniell als politisches Verfahren," 117.
64. The jurists writing on the territorial estates and their diets in many cases identified the ceremonial and the procedural order. For instance, the chapter dealing—from a modern perspective—with the standing orders in Johann Theodorus von Fließenhäusser, *De Comitibus Provincialibus. Das ist gründlicher Bericht von Land-Tägen* (n.p., 1692), 14–22, is entitled "On the territorial diets in particular and their solemnities."
65. Another means of using the ceremonial/procedural order instrumentally is demonstrated by David M. Luebke in "Ceremony and Dissent: Religion, Procedural Conflicts, and the 'Fiction of Consensus' in Seventeenth-Century Germany," included in this volume. Luebke convincingly shows that procedural conflict could function as a code to discuss very delicate matters in an indirect way.
66. HStAM, "Copia Schreibens," fol. 143v.
67. On the close connection between the concepts "representation" and "fiction" see Edmund S. Morgan, "Government by Fiction: The Idea of Representation," in *The Yale Review* 72 (1983): 321–339.
68. See Ledderhose, *Von der landschaftlichen Verfassung*, 114; Hollenberg, "Einleitung," xlvii.
69. The reliance on visible, normative solemnities and procedures is typical of the so-called "corpus" representation. See Hasso Hofmann, "Der spätmittelalterliche Rechtsbegriff der Repräsentation in Reich und Kirche," in Ragotzky and Wenzel, *Höfische Repräsentation*, 17–42, here 27. See also Christoph Besold, *De Jure Universitatum*, in idem, *Juridico-Politicae Dissertationes. De Jure Rerum, (2) Familiarum, (3) Collegiorum, (4) Academicarum (5) aliarumque Universitatum, (6) ac item Territoriorum* (Strasbourg, 1624), 224–264, here 242.
70. See Hollenberg, "Einleitung," xxxii.
71. See Arnold Gehlen, *Urmensch und Spätkultur. Philosophische Ergebnisse und Aussagen*, 6th edn. (Frankfurt a.M., 2004), 15, and also Karl-Siegbert Rehberg, "Eine Grundlagentheorie der Institutionen: Arnold Gehlen. Mit systematischen Schlussfolgerungen für eine kritische Institutionentheorie," in *Die Rationalität politischer Institutionen. Interdisziplinäre Perspektiven*, eds. Gerhard Göhler, Kurt Lenk, and Rainer Schmalzbruns (Baden-Baden, 1990), 115–144; Peter L. Berger and Thomas Luckmann, *The Social Construction of Reality: A Treatise in the Sociology of Knowledge* (Garden City, NY, 1967).
72. See the table in Günter Hollenberg, ed., *Hessische Landtagsabschiede 1526–1603* (Marburg, 1994), 401–402; and Hans Siebeck, *Die landständische Verfassung Hessens im sechzehnten Jahrhundert* (Kassel, 1914), 61–84.
73. See Günter Hollenberg, "Einleitung," in Hollenberg, *Hessische Landtagsabschiede 1526–1603*, 1–59, here 37, describing very different procedures of voting. See also Gabriele Haug-Moritz, "Reichstag, schmalkaldische Bundestage, ernestinische Land- und Ausschusstage der 1530er Jahre als ständische Institutionen. Eine vergleichende Betrachtung," in *Zelebrieren und Verhandeln. Zur Praxis ständischer Institutionen im frühneuzeitlichen Europa*, eds. Tim Neu, Michael Sikora, and Thomas Weller (Münster, 2009) 37–60.
74. See Armand Maruhn, *Necessitäres Regiment und fundamentalgesetzlicher Ausgleich. Der hessische Ständekonflikt 1646–1655* (Darmstadt, 2004), 86–96.
75. See Hessisches Staatsarchiv Darmstadt, F 27 Herrschaft Riedesel zu Eisenbach, A Sarntarchiv, no. 64/53: "Korrespondenz mit Landgraf Ernst Ludwig von Hessen-Darmstadt über die Forderung der Landschaft auf Sitzen in der Ritterstube und Berufung durch einen Cavalier bei Abhaltung von Landtagen."
76. See HStAM, "Ritterschaftl. Protocollum," fols. 21v, 4 April 1704, and Hollenberg, *Hessen-Kasselische Landtagsabschiede*, 212.
77. See Stollberg-Rilinger, "Herstellung und Darstellung politischer Einheit," 90; and Tim Neu, "Landtag," in *Enzyklopädie der Neuzeit*, ed. Friedrich Jaeger, vol. 7 (Stuttgart and Weimar, 2008), 564–566.
78. See David M. Luebke, "Signatures and Political Culture in Eighteenth-Century Germany," in *The Journal of Modern History* 76 (2004): 497–530.
79. See Ludolf Pelizaeus, *Der Aufstieg Württembergs und Hessens zur Kurwürde 1692–1803* (Frankfurt a.M., 2000), 301–494.

80. HStAM, 7 a Oberhofmarschallsamt 1 Gef. 212, no. 2, "Oberhofmarschallamts-Protokoll das Ceremoniel bei dem engeren Landtag im Jahr 1815 betreffend," 26 February 1815. The emphasis is on "fundamentally," because one minor change was introduced in 1764: during long plenary conferences between the two chambers, all civic delegates were allowed to sit. But the ceremonial separation was maintained, because they had to sit behind the seats of the nobles. See Ledderhose, *Von der landschaftlichen Verfassung*, 95–96; and Hollenberg, "Einleitung," 212–213.
81. Rainer von Hessen, ed., "Wir Wilhelm von Gottes Gnaden." *Die Lebenserinnerungen Kurfürst Wilhelms I. von Hessen. 1743–1821* (Frankfurt/Main, 1996), 415.
82. Also stressing the aspect of discontinuity are Barbara Stollberg-Rilinger, "Ständische Repräsentation," 293, and Mathias Mesenhöller, "Entwicklungspotentiale und -grenzen des Adelsparlamentarismus am Beispiel des polnischen Lehnsherzogtums / russischen Gouvernements Kurland," in *Aufbrüche in die Moderne. Frühparlamentarismus zwischen ständischer Ordnung und monarchischem Konstitutionalismus 1750–1850. Schlesien—Deutschland—Mitteleuropa*, ed. Roland Gehrke (Cologne, 2005), 317–332.