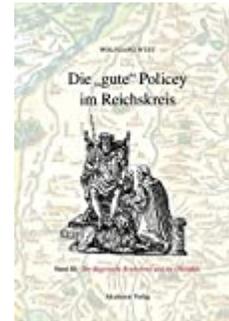


**Wolfgang Wüst.** *Die gute Policey im Reichskreis, Bd. 3: Der Bayerische Reichskreis und die Oberpfalz: Zur frühmodernen Normensetzung in den Kernregionen des Alten Reiches.* Berlin: Akademie Verlag, 2004. 880 S. EUR 94.80 (paper), ISBN 978-3-05-003769-1.



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## Beggars and Brewers: Police Ordinances in Early Modern Bavaria

With this impressive work, Wolfgang Wüst (Universität Erlangen-Nürnberg) provides an extensive collection of police ordinances from Bavaria and the Oberpfalz from the sixteenth, seventeenth and eighteenth centuries. By transcribing these legal codes—issued by a variety of secular and ecclesiastical authorities in Bavaria and the Upper Palatinate—this valuable volume elucidates the development of disciplinary regulation in this region of Germany during the early modern period. The third volume in an ambitious series that attempts to chronicle the development of “gute Policey” in early modern Germany, the work has as a central focus regional differences in the application of regulatory politics during this period. The wide range of primary sources included in this volume is a testament not only to the regional diversity within the Holy Roman Empire in the early modern period, but also to the variety of political powers within Bavaria, including territorial rulers, civic magistrates and ecclesiastical authorities.

An indispensable introduction is provided at the start of the volume, explaining the development of police ordinances within the region from the late Middle Ages to the

eighteenth century. Wüst’s treatment of this material focuses on the tension between change and continuity in the development of these law codes. While the central concerns of these police ordinances remained relatively stable during this period, Wüst cites the growing influence of Imperial Police Ordinances (*Reichspoliceyordnungen*) after 1530. In addition to situating Bavaria’s police ordinances in their historical context, Wüst also addresses their historiographical context, analyzing them in light of several important scholarly paradigms. Accentuating the complex interaction between confession, community and disciplinary initiatives among Protestants and Catholics alike, Wüst situates the development of early modern police ordinances within the influential confessionalization model. Wüst argues that the social discipline model is also useful in understanding the development of early modern police ordinances, highlighting the role of mandates relating to cleanliness and hygiene in state-sponsored disciplinary efforts. He also examines the development of police ordinances in light of early modern state formation (*Herrschaftsintensivierung*), considering the impact of disciplinary legislation at the level of both the territorial state and the local

community. Finally, Wüst ends with an interesting discussion of the dissemination of police ordinances.

After a brief overview of the history of police ordinances in the region, Wüst provides careful transcriptions of twenty-five representative disciplinary codes from a wide range of Bavarian polities. The first set of police ordinances that he includes are those issued by city-states and market-towns, including the police ordinances issued by Regensburg in 1681 and 1689—ordinances that demonstrate the increasingly comprehensive and intrusive nature of this legislation. Another interesting document in this section is a disciplinary code issued in Munich in 1781 that concerns the activities of servants and day laborers, attempting to regulate their behavior on the job as well as on the streets and in the taverns. The next document in this series is a police ordinance issued in Donauwörth in 1791 that illustrates the longstanding campaign to stamp out vagrancy in early modern Europe. The final piece of legislation in this section is a 1457 *Marktordnung* from Trostberg, a rudimentary set of ordinances that provides an interesting contrast to the more fully developed codes that precede it.

The next series of police ordinances is comprised of those issued in ecclesiastical states. These ordinances, including a pair from the archdiocese of Salzburg (1524, 1526) and a trio from Berchtesgaden (1618, 1691, 1765), serve to demonstrate the continuity in early modern regulatory legislation. Dealing with a wide array of behaviors, ranging from disorderly conduct to purchasing firewood, these codes are strikingly similar to each other and to those issued by secular authorities. Among the most interesting in the collection is a 1536 *Gerichtsordnung* from Passau that includes detailed procedures for carrying out investigations, shedding light on early mod-

ern jurisprudence—particularly the role of denunciation in criminal prosecution.

The police ordinances issued by secular territorial states comprise the next selection of primary documents. The most important examples of this legislation are the Bavarian disciplinary codes of 1533, 1542 and 1552. The latter, known as the “Bairischen Landttsordnung,” represents the most fully articulated sixteenth-century police ordinance in the collection, with provisions governing beggars, brewers and butchers. The 1616 Bavarian police ordinance, the *Codex Maximilianeus*, is even more exhaustive, revealing the authorities’ attempt to regulate even the most mundane aspects of their subjects’ lives. The final documents in the collection, a pair of *Reichstagsordnungen* of 1641 and 1663, permit an interesting comparison between imperial police ordinances and those issued by territorial rulers and civic magistrates.

The primary sources transcribed in this volume provide researchers access to a wide range of important examples of early modern police legislation. This collection should be of interest to scholars working on early modern legal history or social control efforts, allowing them to chart the development of disciplinary legislation and to compare the regulations issued by a variety of secular and ecclesiastical authorities. The work is well edited and includes valuable transcription notes, a bibliography of secondary sources on police ordinances and an exhaustive subject index. The editor has even included a useful glossary of terms specific to the ordinances included in the collection. Given the importance of the primary sources it contains and the outstanding quality of its presentation, *Die “gute” Policey im Bayerischen Reichskreis und in der Oberpfalz* would make a valuable addition to any research library.

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