Early modern state formation or *gute Polizey*? The good order of the community

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**ABSTRACT**

This review article focuses on how *gute Polizey* helps us understand the organisation of early modern communities – and their governments. The practice of *gute Polizey* – or good order of the community – became visible through legislation (normative texts), while many contemporary academics and lawyers wrote theoretical texts about it. The field is well-known within German research, but it seems hardly known within the Anglophone world due to a preoccupation with state-building/formation. This article discusses the mainstream interpretations of why governments created more and more legislation: increased control, implementation and communalism – and the resulting negotiated vision.

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State formation – or state-building as some prefer – is a broad topic that seems to enjoy constant attention. A top-down approach focuses on how a government imposes its policy and ideas on the inhabitants in an often “absolutist” fashion while trying to wage war simultaneously. Alternatively, a bottom-up approach shows that through petitions, discontents and revolts “the people” influenced (the direction of) state formation. The topic gained much attention in the Anglophone world thanks to the Tilly thesis (“states make war and war makes states”). The tendency to write in English and reach a larger audience (often rightly so!) has led to the adoption of a vocabulary that may not be (entirely) applicable to non-Anglophone countries. Often languages specific to a region are more nuanced and appropriate, but when translated, opting for a more general term often prevails over (unwanted) lengthy descriptions.

State-building or state formation might be an acceptable way of phrasing early modern developments within the Anglophone world and English language; however, one should be very critical about (1) the implications of the term “state”, and (2) the implicit, teleological and premeditated direction “forward” towards modernity that state-building and formation suggests. Concerning the former: the term “state” is a relatively modern term to indicate a country, while – in the early modern period – “state” (derived from “status”) was meant to refer to the state of affairs. Several historians remark that dynastic ambitions prevailed while waging war or making peace and that borders coincided with dynastic possessions. Therefore, it was not an independent, legal entity as the modern word “state” implies but a dominion of the prince at action. As, for example, John Morrill rightly points out: dynastic interests dominated the decision-making process in the early modern period. Using the abstract, modern term “state” leads to needless confusion and implicit assumptions regarding its tasks and duties. Talking about, for example, principalities, duchies, and counties, allows for a better understanding of the complex relationships among the dynasties. Concerning the latter, with the implicitly assumed “route to modernity” risks, examples showing resistance against the princely usurpation of power are overlooked or downplayed, as they do not fit the prevailing view.

If we were to leave the theories of state-building or state formation aside (for a moment, or maybe longer) and consider that there might be something better suited for the pre-Revolution period, it will open up opportunities to study 1) the
socio-political relationship between rulers and ruled without a presumed direction; 2) the socio-economic, contemporary idea(l) of the “society of orders” as Roland Mousnier proposed; 3) the political-institutional/legal historical concept of gute Polizey – which is largely unknown within Anglophone academia. This review article focuses on the third topic.

What is gute Polizey? gute Polizey concentrates on what contemporaries deemed to be the “good order of the community”. The (broad) concept finds its origin in the Πολιτικά (Politiká) of Aristotle, where it referred to “the things concerning the polis”. Medieval translations of this work – especially in the 1260s by William of Moerbeke – introduced Aristotle’s ideas within the European vernacular. This review article features nine studies on or related to gute Polizey. While the main focus is – given the journal’s title – the seventeenth century, some of the works discussed here cover the entire early modern period; they concentrate on Western Europe. By looking at early modern “legislation” (normative texts), studies on gute Polizey may offer a different outlook on the organisation of governments and communities.

Is there a translation of the term Polizey other than the description “good order of the community”? The German term gute Polizey is available in French – bonne Police – and Latin bona politia. The English vocabulary does not contain a translation of the term. Moreover, other than the previous description, translations often fall short. If translated as “good policing”, it focused on interests with a limited scope (not serious crime or significant political issues), while it often included economic measurements. Moreover, policing would suggest the involvement of police officers, a function that hardly existed at the time. Another translation could be “good governance”; however, this term covers a vast scope ranging from proactive policy-making, foreign politics, and justice. These issues were (often) not included in what the early modern people would have understood to be Polizey. Andrea Iseli, therefore, as mentioned above, suggests it is a synonym for the “good order of a community”. As such, it must have been a combination of what can be described as politics, policy and police. Thus, to explain it more elaborately:

- the process of determining what was a potential problem that needed to be acted upon;
- the decisions as to how to address and solve the issues at hand;
- the people that needed to fulfil a role in ensuring that the rules were upheld, and a penalty (a fine, or punishment).

This research theme frequently features within the German language area but is far less known elsewhere. That is not to say it does not exist elsewhere, but the research is too scarce and scattered in other parts of Europe or elsewhere. The causes of unfamiliarity with the theme seem to be three related issues. First, no proper translation of the term exists – thus, a somewhat lengthy description is required; this is primarily caused by a different kind of legal organisation in the Anglophone world based on case and common law. Secondly, several countries pride themselves on being “bourgeois states”; a focus on what nineteenth-century historians could have described as a focus on politics and the absolutist, sovereign state does not fit the long-prevailing historiography of several countries and politics/political science. As such, writing about it challenges the dominant view; thus, getting the study published can be challenging and tedious,
resulting in the topic remaining largely unnoticed while the overriding conception remains unchallenged. However, this dominant view may distract from exploring different pathways. Thirdly, gute Policey is primarily interpreted as legal history; at the same time, the corresponding institutions are part of political-institutional research, and the legislation topics are often used within social-economic research. Various overviews are required – focusing on thematic, political-institutional or legal traditions – but literature on the three is hardly ever combined or integrated due to fragmentation over various (sub-)disciplines.

Thus, Policey is an inclusive concept that touches upon virtually every aspect of what non-legal specialists describe as everyday public life. In other words, gute Policey does not often address issues related to religion unless it enters the public sphere: for example working or going to a tavern on Sundays (the Sabbath) would be a violation of the public order, especially if this would be when a service was held in the church. In hindsight, especially when compiling overviews of what could have been seen as gute Policey, the topics that should or could be included diverge as modern-day academics may have different interpretations.

Given these everyday topics, Policey is often used with the adjective gute (good or well). Joining these words together in a translation does not immediately lead to understanding what it means. Here a complex philosophically loaded question enters the scene: what makes Policey “good”, who determines this and (how) did this change over time? Wolfgang Wüst distinguishes between two types of Policey-ordinances: during the 16th and 17th centuries, the tone of the content responding to misbehaviour and abuses was more defensive-reactive, while during the 18th century, the content was more proactive in its regulating.10

Central to this review article is the question: “how can studying gute Policey help us understand the organisation of early modern communities – and their governments?” To address this question, we have to look at the recent studies within the existing historiography. Over time, historians have developed various divergent interpretations of gute Policey. The overview in this article is structured accordingly. These interpretations are (1) an autocratic top-down approach; (2) implementation; (3) communalism bottom-up; (4) a combination of #2 and #3: a negotiated vision. In each of these sections, the recently published literature is contextualised with the major literature of the past decades.

1. Social discipline or increased control?

In his 1962 inaugural lecture, Gerhard Oestreich spoke about social discipline (Sozialdisziplinierung) as political action against economic and social abuses, a term he published more about in 1969. According to Oestreich, the political (re)actions were deliberately aimed at shaping society and were a fundamental characteristic of the early modern period that could be studied through the increased number of governmental regulations (in all shapes and forms) that covered all aspects of daily life. Not only were these rules (laws, ordinances, mandates) proclaimed, but they were also frequently repeated to ensure awareness of the inhabitants. According to Oestreich, the rules responsible for them eventually led to a “disciplining”, thus, education of the inhabitants and guidance on what was perceived as appropriate behaviour. With this, he reacted against Max Weber’s theory that routines of institutions had introduced power discipline
as a result of absolutism. Oestreich’s argued that police ordinances (gute Polizey) were linked to a gradual modernisation, or civilisation process, of the modern state.

This view was not shared by everyone. Hans Maier was much more conservative, as he pointed out that legislation was initially created to cover new aspects of urban life, where sumptuous lifestyles threatened morality. In 1974 Oestreich agreed with Maier that initially, police emerged to respond to the waning powers of the church during the sixteenth and early seventeenth century. This phase he preferred to call “social regulation”, to contrast the post-Westphalian-Peace-phase which he regarded as “social disciplining”. Scholars such as Winfried Schulze and Marc Raeff did follow in Oestreich’s footsteps and linked social discipline to Norbert Elias’s civilisation processes. Mührmann-Lund points out that Robert Muchembled took the argument even further by linking the process to criminalisation processes, dividing society according to acceptable and unacceptable behaviour and refined manners, a view shared by Michel Foucault. Foucault considered “the police” (particularly in the sense of a police force) a way of increasing political control over the population. This interpretation of the organisation of society, through Polizey, has proven to be very dominant, especially in Germany. Since the 1990s, gute Polizey has been presented as an alternative, more nuanced interpretation of the organisation of societies, challenging the social disciplining model.

At the then Max-Planck-Institute for European Legal History (now MPI for Legal History and Legal Theory), Michael Stolleis and Karl Härter developed a project: Gute Polizey und Polizeywissenschaft, which resulted in an overview of Policeyordnungen der Frühen Neuzeit. In this “director’s project”, many researchers set up the Repertorium with an overview of sources per location, date and topics. In addition to this source overview, many dissertations and habilitations followed. Within the context of the Max-Planck-Institute, the fifteenth century is often pointed to as the starting point for gute Polizey. That this is a challenge is already evident from the overview of the Repertorium as several areas list ordinances that are published even earlier. Thomas Simon offered a longitudinal study on the topic through his habilitations study: “Gute Polizey”. Ordnungsleitbilder und Zielvorstellungen politischen Handelns in der Frühen Neuzeit (2004).

Simon starts his study with the middle ages, discussing how a prince had “Justitia” to correct and punish wrongdoing, but not to suppress the inhabitants. Throughout this period, principles and concepts of “good government” were gradually formulated and embedded within the literature. Simon continues that during the sixteenth century, princes defined their powers – using religion to expand their sphere of influence. Moreover, he argues that religion served politics from the (early) seventeenth century onwards. This massive monograph is written against the background of a search for increased control, which, according to Simon, is reflected in the increased number of police ordinances that were produced. The monograph is primarily based upon the literature of what could, in hindsight, be interpreted as “political theory”, which, according to the author, heavily influenced the political decisions of early modern governments. What does become apparent is that what was deemed “good” changed over time and, as such, is a challenging term. While Simon focuses on the political theory and suggests that it significantly influenced political practice, he does not show this practical aspect. It thus leaves room to debate the actual impact.
1.1. **Overviews and sources**

A 1990s project of Michael Stolleis and Karl Härter focused on creating a *Repertorium* digitally and in printed edition. The published series consists of twelve volumes covering one or multiple jurisdictions. Important to the series is the rather strict categorisation of the *matters* the police ordinances dealt with. In the first volume of the series – *Deutsches Reich und geistliche Kurfürstentümer (Kurmainz, Kurköln, Kurtrier)* – Karl Härter and Michael Stolleis (the series’ editors) discuss the hierarchical structure of the *Materien* (categories) and other metadata (such as jurisdiction, date, type of ordinances, the religion of the ruler and the territory).¹⁷ Each of the volumes within the series adheres to this structure. Moreover, the series’ underlying structure is recently being transformed into an online accessible database.¹⁸

The twelfth volume (12.1 and 12.2), published in 2017, focuses on the Kingdom of Sweden, the Duchy of Pomerania and the Duchy of Mecklenburg.¹⁹ Each of the territories comes with a historical overview and embedding of the police ordinances that have been added as metadata in the subsequent section. Pär Fröhner points out in his (Swedish) introduction that studying police ordinances was – and is – not a popular field of research as it is closely linked to *politics* and the *sovereign state*, while, since the 19th century, there has been a strong tendency to focus on bourgeois society in Sweden. The local autonomy was valued highly, and studying *Policey* could interfere with this dominant approach. Except for a few researchers, the term “politis” or “politi” remains almost entirely unknown in the modern Swedish language, while in early modern times it was used to signify the *internal* (good) *order*, including legislation. Fröhner points that much of what used to be *politi* had ties with what is now seen as economics, but it also had a strong *coercive* aspect. Furthermore, he notes that during the long seventeenth century (1600–1718) – the period of the *Great Power* – *politi* referred to practical *politics* to create order and not solely to statecraft and politics.²⁰ Here the connection between politics and economy, as practical politics, becomes apparent as the volume shows many regulations focusing on debts, excesses at feasts, regulations on clothing, food and drink, and prohibition of vagrancy and begging.²¹ While the extensive list of 1,706 police ordinances covering 1521–1808 might seem extensive, the Swedish Diet themselves remarked in 1668 that much of the rules they adopted four years earlier seemed to be but a paper reality.²² Moreover, compared to Pomerania (2,140) and Mecklenburg (1,494), the number of texts seems somewhat low – especially when looking at some of the other volumes of the Repertorium. The extensive use of print might cause differences in the numbers, edited volumes of texts from the 18th and 19th centuries rather than the original handwritten texts, as was the case in, for example, Berne, Switzerland (4,932 texts). Given that the much narrower term “police” became generally accepted from the 19th century onwards,²³ it could have impacted the compilation of the volumes much of the work is based on.

Rainer Schwieger contributes Mecklenburg to the volume (12.2), which is the area that now covers Schleswig-Holstein, Niedersachsen, and Brandenburg. Situated north of the Holy Roman Empire, the relatively stable territory harboured several Hanseatic cities. While the Duchy fell apart several times, the *Landstände* (=estates) united themselves in 1523, leading to much commitment and indivisibility of the *Landstände* and their representation within, at some point, two politically independent Mecklenburg states.
They tended to congregate together, except for the early 18th century when the tensions between the dukes that ruled different parts of Mecklenburg were too tense. While there were two separate states, the court and district court proclaimed laws in the name of both dukes based on different (regional) laws. Jörg Zapnik’s contribution focused on the Pomeranian Duchy (volume 12.2). In his introduction to the ordinances, he explains the political history of the two Pomeranian states: Pomerania-Stettin and Pomerania-Wolgast. In 1625 the two were united by Bogislaw XIV. In 1648 the land was again divided between Sweden and Brandenburg. Another work from Zapnik is a volume on the cities in Pomerania. In this particular volume, Zapnik explains little of the context – except for the usual “manual” on how to read the provided elements per ordinances. As a Hilfsmittel (resource), its purpose is mainly to make it easier to find the sources mentioned. These sources are, in most cases, not previously defined in depth in archival or library catalogues. Zapnik fills a void here by adding the rather well-used categorisation of the Repertorium mentioned above der Policeyordnungen on a local level, allowing interested researchers to narrow their search based on these matters or geographic locations. Contrary to the Kingdom of Sweden, many handwritten ordinances are used in the Repertorium on Pomerania and Mecklenburg.

While surveys of sources provide an objective overview, the choice of principalities and imperial cities could hint toward a particular perception. In the case of the Repertorium, an inclination towards strong centrally-organised governments – either an individual prince or a small group within a city council – is perceptible. While it may be an unintentional side-effect of the chosen areas, it is possible to interpret the situation as that these governments needed not to negotiate and would be out to strengthen their position. As a result, social disciplining, civilising processes and absolutism are still often associated with gute Policey. While the project of Härter and Stolleis focused on principalities and imperial cities, Wüst strongly focused on the Imperial Circles (Reichskreisen). His extensive research has resulted in eight volumes, resulting in full-text transcriptions of the Imperial Circles’ Policey-ordnungen (ordinances). As such, handwritten material and ordinances containing less obvious titles are included, material that would not be so easily found in the VD16 and the Deutschen Digitalen Bibliothek that provide scans of the originals. As mentioned above, the Repertorium only contains metadata on the Policey-ordnungen that were found.

In the introduction of several of his volumes, Wüst mentions Sozialsdisziplinierung (social disciplining) as a - by some researchers perceived - potentially underlying current for the ordinances to be published. Interestingly, Wüst pointed out in 2003 that the Herrschaftsintensivierung (strengthening/intensification of power) culminating in the seventeenth and eighteenth centuries should be further examined. Simon’s habilitation – published a year later - indicated that, at least within legal theory, the intensification of power did take place. In his 2019 Die “Gute” Policey. Gesellschaftsideale der Frühmoderne? Eine süddeutsche Bilanz, Wüst provides a comprehensive overview of his earlier published volumes. This volume is functionally illustrated – and thus appealing to a larger audience. It also provides two annexes: one chronological listing per century and per volume in which texts are covered, one thematic per volume, listing whether rules concerned the temporal or spiritual powers (and which), or – from volume VI onwards – which topics are covered. The comprehensive book focuses on the context of the sources or “epoch of the Policey”, and the richness of the sources.
Consequently, he shifts his focus to the local Policey and the “gute” Policey of the nobility’s culture to finally turn to a selection of themes and research fields – such as the digitalisation mentioned above of sources. Indeed, these volumes are – essentially – references to sources, not necessarily pointing towards any theory.

1.2. Legislation in practice and interpretations

One of the topics discussed by Wüst is legislation as border crossers. This topic is interesting in relation to the work of Luca Scholz, Borders and Freedom of Movement in the Holy Roman Empire. Wüst discusses the norms in the context of crossing time – earlier rules were repeated; and crossing borders – copying rules from elsewhere. The latter could be seen as legislative or normative transfer or even plagiarism. The ordinances could function as an inspiration of sorts and be copied from villages to other towns and from the Reich to principalities. While this focus on the presence of ordinances, either inspired by earlier texts or those published across borders, the work by Luca Scholz looks at borders as examples of jurisdictions in practice. He bases himself on Bavaria, Saxony, and the Eastern Alpine region. Borders were not (just) lines drawn on maps, but in the people’s perception at the time, they seemed to have been zones.

Scholz’s main argument is that borders were not lines, but his examples are based on single-point locations instead of zones: safe-conducts. These documents tell the reader – then and now – where boundaries of jurisdictions were and where the exchange between escorts from different rulers took place – thus, the agreed place where one jurisdiction ended and where another one began. Reasons to control movements could be fiscal and economically motivated, promoting or restricting trade flows, protecting industries, and collecting tariffs. Interestingly, it did not single out “commerce” (trade) as, at that time, the term was interpreted much more broadly, pointing to all human interaction. Allowing a traveller to pass through lands safely was a matter of prestige but – perhaps even more – of control, while this was not something that could be taken for granted.

According to Scholz, rulers “developed a gradual monopolisation of the legitimate means of movement” but this monopoly was not easily established. Well into the 18th century, there were many ordinances re-issued on the topic of movement and travel. He shows that the control of mobility did not necessarily occur at the principality’s borders but at toll stations on roads and rivers. These locations were strategically chosen at locations that allowed no other routes to pass and could be used to discriminate and delay journeys purposely. Scholz mentions that it took until well into the 18th century for border controls to start taking place on the territories’ outskirts. While maps show what cartographers and rulers envisioned as the principality, Scholz’s explanation provides a practical understanding of how people experienced borders and boundaries while on the road. Their perceptions may not have been the same as the rulers, and indeed, contested visions among rulers could exist. Despite potentially divergent visions, restrictions on movement were also aimed at stabilisation of territories: beggars, vagrants and Jews were often singled out as dangerous and prohibited from entering a territory.

Indeed, texts concerning this topic frequently appear in the Repertorium der Policeyordnungen. According to Scholz, however, vagrants benefitted from falsifying passports and living near borders. In general, the legitimacy of passports could be discussed horizontally (between territorial powers) and vertically (Empire and
The perception of borders as zones may have been shared amongst all layers of society. However, while acting upon requests by merchants and other travellers, princes and institutions had the means and position to either provide or withhold the safe-conducts and passports. Wüst’s and Scholz’s studies meet the fluidity of the perception of borders and jurisdictions: they seemed adaptable and justifiable to needs and perceptions of safety. Scholz’s study showed that princes – or governmental institutions at various levels in general – had quite some power to provide or withhold the possibility to travel through their lands.

Returning to Thomas Simon and the influence his academic work has had on other scholars, we must briefly look at the Festschrift für Thomas Simon zum 65. Geburtstag: Land, Policey, Verfassung (2020). This volume displays a wide array of contributions that reflect the broad interest of the book’s recipient: human rights, the importance of comparative law, social contract, Hungarian and Serbian Law and, of course, early modern Policey and legal history/ philosophy.

Josef Pauser and Martin Schennach use a 1523 example of slander and frivolity to illustrate how in Bolzano, Tirol Christian morality was enforced. The city was very active in creating regulations – and in the statutes of 1437, at least 100 related topics can already be found. As a reaction to the increasingly complex issues that arose in society, the authors claim that the city of Bolzano’s number of publications rose to deal with these affairs. Drinking, gambling and living together without marriage were among the issues that the city needed to deal with, to prevent God’s wrath for a sinful life. Michael Stolleis contributes a chapter on migration to Magdeburg. The principalities of the Lower-Rhine area and the Pfalz faced religious turbulence (again) in the 1680s as, for example, Philipp Wilhelm of Pfalz-Neuburg was rigorously implementing Catholicism. As a result Walloon and Dutch (former-) protestant refugees fled the area, and many ended up in Magdeburg, which, like the city of Mannheim, was located at a river and active in trades. With the new prince-electors rule, from the 1690s onwards, religious freedom was guaranteed again, but only a few refugees returned. Karl Härter’s contribution illustrates the increased need for legislation and action when the population faced pests eating their crops in late seventeenth- and eighteenth-century Prussia. Fighting these unwanted, harmful animals required farmers and townspeople to participate in the killing of, for example, sparrows. Gabriele Schneider studies the combatting of poverty and begging in the late seventeenth and early eighteenth century, especially under the rule of Charles VI. Charles VI was responsible for around 60 legal texts on the poor and begging. Whether these rules were somewhat “absolutist” is challenging to say, according to Schneider. The rules stipulated that “domestic poor” (innändischen Armen) needed to be treated well and helped when and where possible, preferably to work; foreign poor were to be kept out of Vienna and Lower Austria. With these rules and policies, Charles VI continued the politics of his predecessors.

These examples provided in the Festschrift illustrate that an increasing number of norms were published and answered complex issues that arose within society. With that, they illustrate Simon’s claim that there was an increased need for control – but not in the sense of social disciplining as Oestreich would have claimed.

Other practical examples of legislation are provided by Giorgio Riello and Ulinka Rublack, who compiled a volume with eighteen chapters on sumptuary laws in The Right to Dress. Legal regulations to limit personal expenditure on clothes are presented through
historical examples from around the world for the period c. 1200–1800. Topics addressed through the contributions concern: production, consumption, festivities, ritual(s), embroidery and, most crucially in this context, the normativity and resistance against it. What is deemed “normal” and thus sets the norm varies across cultures and groups within society, but across time too; thus, it becomes difficult to generalise any conclusions. However, in conjunction with one of Wüst’s dedicated topics, it seems that many of the restrictions were aimed more at the expenditure by women. Wüst indicates that thrift or frugality seemed to be female virtues in Swabia. During the late medieval and early modern period, women were not as often addressed when it concerned the household economy but their virtues in keeping the house clean. However, issues concerning excessive eating and drinking – during festivities – and luxurious clothing were also addressed in the ordinances. In Swabia, the “Sorgfalt, Sparsam-, Sauber-, Sittsam- und Schicklichkeit […]” (Engl: care, thrift, cleanliness, modesty and decency) seemed undisputed housewifely virtues from the 15th to the 19th centuries.

Luxurious clothing, the main focus of Riello and Rublack’s volume, often seemed to be seen as offensive. An unjustifiable amount of money was spent on clothes, and, as such, it was deemed immoral. Husbands and fathers could have to answer in court for their wives’ or daughters’ outfits; even children could be summoned for wearing their hair in too sumptuous a fashion. Eva I. Andersson shows that if women were penalised, they were also subjected to punishments meant to shame them, on top of fines or confiscation. Strikingly enough, it was often the wearing of and not the possession of these clothes that was addressed as the problem.

Andersson’s piece on Swedish Sumptuary Law points out that researchers such as Bo Ek found four motives within the early modern sumptuary statutes: upholding differences between the estates (16th century), religious and fiscal motives (17th century), and during the 18th century: “improvement of the economy and balance of trade.” In the Low Countries, similar developments can be found, from prohibiting citizens from dressing like noblemen (livery) to restricting the obvious Catholic religious habits. This was not a novelty as the city of Kampen already restricted overly stylish veils in the fourteenth and fifteenth centuries, something observed in other parts of the Holy Roman Empire at that time.

In his chapter on Swiss Cities, André Holenstein endorses the observations stated by Andersson of underlying motives for publishing sumptuary laws. In the various cities – e.g., Geneva and Berne – religious motives of piety played a significant role until well into the seventeenth century. They only became the jurisdiction of the Reformation Chambers, which were seen as experts overseeing the sumptuary laws. Motivated by beliefs and the construction of Swiss identity, Holenstein claims that the rules were initially used to critique the lifestyle of the nobility. The urban elites often had to answer for their luxurious lifestyle, often when going to church. The rationale of the Swiss republics was that excessive expenditure would lead to a visible inequality between its inhabitants, which could possibly undermine the republics’ economy and corrupt the citizens’ virtue. Only during the eighteenth century did luxury become appreciated and seen as beneficial to the Swiss local economies and population. The idea that fashion could make visual the inequality amongst inhabitants was a concern already expressed by Michel de Montaigne (1533–1592). Nevertheless, Rublack remarks that Montaigne’s contemporaries were charmed by fashionable products and urbanisation was a driving
force behind even more social distinction. People like Giovanni Botero developed ideas that prosperity supported a reason of state. Moreover, “[t]he cause of public welfare (chose publicque = res publica) was referred to repeatedly in sixteenth-century sumptuary laws.”

In Italian cities, fines and financial burdens were necessary to fill a budgetary gap and the coffers, thus resulting in a re-issuance of legislation from the fifteenth century onwards. Fines and other financial requests could strengthen the governments’ status and power; while diminishing that of opponents. In Padua, legislators were zealous in implementing and upholding sumptuary rules from the seventeenth century onwards. For example, luxurious footwear was not appreciated and could lead to fines or prosecution after anonymous accusations, as the wearer did not obey the law that specified the permitted fabric or length.

While most of the above examples of both the sumptuary laws and movements tend to focus on (imperial) cities and small territories, Maria Hayward’s contribution on Scottish and English laws shows that these were not limited to such small territories but the entire jurisdiction of the king and all of his inhabitants. With that, the British situation seems to differ largely from the European mainland. In texts published in Scotland, Hayward finds references to “costly” and a “display of pride” but not the word luxury. The English were more concerned about the distinction between social classes, and used the legislation to keep the boundaries between the social groups clear. In the Swedish context, sumptuary laws applied to the entire country too; however, texts directed at the various estates appeared here. Andersson stresses the symbolic value of clothes and thus the perceived threat foreign fabrics could pose to morale and the country’s and individuals’ finances. Additionally, imitation products were seen in the same vein: they were a threat, as they could blur the possibility of recognising someone’s status. Indeed, depriving one of the visual marks of power during the fourteenth century was a way of curtailing political opposition and preventing changes. The Spanish, too, tried to limit overindulgence and luxury – according to Amanda Wunder – which could, for example, be related to the colour and type of fabric. These rules were meant to distinguish between social and religious groups (the Catholic Church was excepted). King Philip IV passed legislation (1657) to protect the Spanish economy by banning the import of textiles and clothes created elsewhere. Francisco Bethencourt shows the same protectionism and identification mechanisms for social groups for Portugal and its Empire. As the government firmly believed the survival of their empire depended on the elites, they allowed local elites in their colonies to dress similarly as in Portugal. Limitations regarding appearances were mainly meant to restrict citizens and peasants. Adam Clulow focuses on the sumptuary codes in Dutch Batavia, where the Dutch East India Company (VOC) ruled. Complicated situations arose as the VOC officials were mere office-holders, but they met with royal ceremonies as the local population equated the position of Governor-General with that of a prince. There was much tension as the display and ceremony were extremely important for those holding a powerful position and trying to negotiate anything, while the Dutch sumptuary laws tried to curtail excessive displays simultaneously. While the Dutch were restrained from dressing excessively, in the Spanish Americas, wearing European clothes was seen as a sign of a transformation of the local society towards the colonisers. In the Americas and the Colonial Caribbean, symbolic sumptuary laws were passed against enslaved people and
people of colour regarding what they could wear, as the mentioned fabrics were never found on their bodies. The sumptuary legislation was used here to correct what could be perceived as problematic behaviour – both for the (formerly) enslaved and when passing religiously-motivated restrictions on clothes for those of European origin.

The publication of sumptuary laws and thus extending control over certain aspects of life was not a typical European or colonial activity. The volume The Right to Dress provides five examples outside the European sphere of influence: the Ottoman Empire, Russia, China, Japan, and Benin and Dahomey. These non-European examples show that in these areas, it was also considered essential to distinguish between social, political or religious groups. Interestingly, the Japanese government limited sumptuous consumption because it believed there was a limit to the amount of wealth that could be distributed. In all areas as mentioned above, the governments issued ordinances, and they seemed concerned about the community and how sumptuary behaviour would affect life if they did not intervene.

2. Implementation and normalisation

Where Oestreich mentioned that the absolutist administration was an inefficient system, Foucault only showed interest in the social discourse and was not interested in the social effects of non-enforcement of rules. Stolleis and Härter followed this idea of ineffectiveness, according to their introduction to the first volume of the Repertorium and the 1996 Policey der Frühen Neuzeit. If the implementation of a norm was not entirely effective, they still considered the potential influence of public opinion to be an element of success.

Oestreich and Foucault opened to door to critiquing their approach, as they had not studied “the people” or the reception of the implemented rules. A similar critique could be offered to Stolleis/Härter as communication involves not only the sending of information, but the recipients’ side should be considered as well. From the 1970s onwards, “history from below” gained attention, studying the interaction between commoners and governments. According to Achim Landwehr, the implementation is not suitable for studying the impact of police regulations, and he proposes to study the far more complex interplay. According to Mührmann-Lund, Landwehr did believe that the “commanding rhetoric and ceremonial reading of the ordinances in church, at the market, or in the squares accompanied by the beating of drums did have some effect”. Landwehr’s dissertation focused on Leonberg (Württemberg). Using examples from this region, Landwehr shows that there were tensions between the norm-givers, the norm-mediators (Vermittlern) and those addressed by the norms. He explains that this interaction is not a top-down process in which the norm-giver has intermediates/mediators who impose rules on those addressed. Instead, according to Landwehr, they all interacted. This interaction could lead to tensions, adaptations and instrumentalised use of norms.

In his work on criminal justice, Härter shows that peer pressure played a significant role in coercing fellow inhabitants to behave in an accepted manner. Over time, the horizontal “social control” transformed into a task of the political order. Härter considers social discipline to be a process and not an outcome; therefore, frequent publications of police regulations were a technique to establish social control and discipline used within an oral-symbolic culture. Interestingly, Härter has frequently
shown that problematic behaviour, as indicated in court cases, often spiked before legislation against the offence was passed. Härter, thus describes a process from peer pressure to formal top-down legislation, thus a form of multinormativity (multiple origins and types of sources functioning as legal norms) where social norms preceded the formal legislation.

A.H.M. Kerkhoff offers another type of implementation, namely that of multiple institutions that must work on the same issue. His study of plague control in the Low Countries offers a perspective on the role of governmental institutions in the period 1550–1805. His *Per Imperatief Plakkaat* discusses the locality of the measurements taken against the frequently recurring plague. While late-medieval Italian city-states had understood that quarantine, isolation and travel restrictions could prevent the spread of diseases, the economic developments and autonomy of individual cities made Dutch governments hesitant to take action against the spreading of the plague. Moreover, it was not only the fear of missing out on economic aspects that was strengthened by Protestantism: illnesses were a punishment of God and needed to be accepted as such. The plague of 1664–1665 was so severe that the States-General did take central measures through placards. This radical change in interpretation was not well-received by theologians, who interpreted it as weakening faith. This interpretation seems to fit the earlier statements by Thomas Simon that religion started to serve legislation during the seventeenth century.

Kerkhoff sketches a slow but steady transition from God-fearing devotion – and denial of the need for human actions – towards international cooperation and pragmatism. Even though placards needed to be repeated to sternly remind the inhabitants of potential health threats, the plague was phased out by 1743. Parallels can be drawn from the harsh policy described by Karl Härter in the seventeenth century. As mentioned above, his contribution concerned pests. With examples from hamsters, sparrows, caterpillars and grasshoppers, Härter shows that the aim was to protect wine and fruit production as pests were perceived as harmful to the economy and cultural importance of these activities. Moreover, these pests were often regarded as a punishment from God. Härter does show that the main actions were not taken until the late seventeenth century or the early eighteenth century, while measures against predators such as the wolf and bear were taken much more actively.

3. **Communalism and “state-building” from below**

In his monograph, Mührmann-Lund provides a sharp analysis that many historians seem to have a deep-rooted idea that medieval and early-modern societies were disorderly and needed the state to impose more acceptable (aka modern-like) order. He points to Elias’s theory of a civilisation process and the notion of social discipline, which both resonate well with researchers. Indeed, the idea of “state-building” or state formation, which either suggests a premeditated path towards modernity or a (necessary) monopolisation of power within the state, fits into this disorganised-to-organised pattern. Several historians have challenged this understanding of history – Mührmann-Lund mentions Martin Dinges, Gerd Schwerhoff, Günther Lottes and Henrich Schmidt – as they consider the earlier organisation to be different, with a strong(er) church discipline and therefore not necessarily weaker than the modern-day organisation.
Peter Blickle and Andrea Iseli may be the most well-known researchers counteracting the disorganised-to-organised pattern. Blickle considered *gute Policey* to be a mere continuation of the earlier governmental structure, based on the demands of the commoners who wanted to formalise their norms. He coined this form of self-government as “communialism”, which fitted with the “state-building from below” ideas. In other words, Blickle focused on the community (*Gemeinschaft*) rather than on the feudal rule of absolutism (*Herrschaft*). The needs voiced within the community were vital to the creation of early police ordinances. Like Hans Maier, Blickle points out that police ordinances did not aim to transform society until the 18th century. The ordinances seemed to stress the business-as-usual aspect and preserve the society-as-is. While the role of the church and the role of the estates weakened over the course of the sixteenth century, Blickle and Maier argue that the inhabitants requested a substitute for these powers. Substituting for the waning powers of the church and the nobility legitimised the prince’s powers.

Several studies have followed in the footsteps of Maier and Blickle, and this section mentions three authors that offer concrete studies to illustrate the approach as mentioned earlier. Firstly, Andrea Iseli published *“Bonne Policey”: Frühneuzeitliches Verständnis von der guten Ordnung eines Staates in Frankreich* (2003). This is one of the few studies on France bridging German and French historiography and institutional instruments of power (legislation). Her long-term analysis (16th–18th century) focuses on theoretical studies, religious ideas on order and political thinking of many known (e.g., Nicolas Delamare) and unknown authors. Using case studies from Marseille and Lyon, Iseli describes the role of the intendants and the court within “police”. She concludes that while privileges were defended (both individual and municipal), there was little development in the role of police and, thus, little social disciplining to be achieved. However, *gute Policey* and “public good” were closely related, which, Iseli explains, is related to informing the public about the rules. Iseli’s contribution to the research on *gute Policey* did not stop after this dissertation. She may be better known for her handbook *Gute Policey. Öffentliche Ordnung in der Frühen Neuzeit*. This pocketbook provides an overview of various themes – daily life, economic affairs, public space – and how these were treated within *gute Policey*. Furthermore, it also provides an overview of the theories on *gute Policey*, what was deemed “normal” at the time and how interpretations differed, and who provided the norms. Unfortunately, this very concise and rich work is not available in other languages than German. Secondly, Toomas Kotkas’ study on the Kingdom of Sweden (2014) is an important stepping stone for research. While most studies focus on relatively small areas (principalities or city-states), this is a rare example of a study that focuses on a largely rural kingdom with vast territory to govern. Studying 1,236 royal ordinances – on 1,429 different topics – in the period 1523 to 1718, Kotkas concludes that most of the texts were motivated by petitions and grievances of the inhabitants. By the last part of the seventeenth century, the king seemed motivated to attempt to change society. Whether this did lead to autocratic social discipline remains the question, Iseli showed in her French cases that Louis XIV’s French royal police ordinances did not change the system much. Upholding the social order through organising the necessities of daily life seemed to be the main motive of police throughout these studied areas. André Holenstein, as a third author within the Maier-Blickle tradition, also illustrates that *Policey* in the margraviate of Baden-Durlach (Rötteln, Sausenberg and Badenweiler; Hackberg) was motivated by public welfare, and left
room to petition the margrave to change his policy. Persuading and negotiating were not only something between the subjects and the margrave but also between those in office (either at a level of the margraviate or the local level (“Dorfvögte”)) and their prince. Through their petitions, the inhabitants could request an exemption to the rule, which, in turn, allowed the ruler to gain information about daily life and keep this in mind for future legislation.

4. Negotiated vision

Iseli (2009) concludes that gute Policey is not explained through a schema of top-down commands and submissive obedience (“oberakespearem Befehl und untertänigem Gehorsam”). Both the ruler and the subjects had their perception of gute Policey, and they had to communicate their expectations and negotiate to obtain a result they could all be pleased with. However, it is essential to be aware that by stressing the communicative process or the Gemeinschaftsprojekt (community project), Iseli warns that there could be an implicit expectation that the authorities controlled the process of communication. She, therefore, stresses that it is important to look at everyday and political-administrative practice. With that, Iseli largely succeeds in bridging between the implementation and the communalism points of view.

Within this negotiated vision, we can locate some of the most recent publications. Jørgen Mührmann-Lund’s monograph Borgerligt Regimente Politiforvaltningen i Købstæderne og på landet under den Danske Enevalde (2019) clearly fits within this approach. While the topic is not unknown to Denmark – a whole volume of the Repertorium is devoted to Denmark – it is (still) rather unpopular due to a similar discussion as Frohnert described for Sweden: it is associated with absolutism. Mührmann-Lund focuses on three locations within the (Lutheran) bishopric of Aalborg: the city of Aalborg, the town Søby and manorial rule in Børglum-Jerslev. His study starts in 1522 but mainly covers the second half of the seventeenth and eighteenth centuries. The royal decree of 1682 – establishing a royal police force – is often seen from the top-down perspective described above. However, within Borgerligt Regimente, it is convincingly argued that the local government of Aalborg maintained quite some autonomy to organise good order similar to what is earlier described: to stimulate trade, prosperity, uphold the Sabbath and organise a clean public space; while at the same time prevent crime, begging and immoral lifestyles. Both Søby and Børglum-Jerslev had a strong focus on the economy and trade. What becomes evident is that interests implemented from above – especially regarding these economic activities – met with the local interests from below.

Given the monograph described above, it is not surprising that Mührmann-Lund participated in the group of researchers brought together by Knut Dørum, Mats Hallenberg and Kimmo Katajala to discuss the role of commoners in what they called “the state building process”. While the terminology and its use have implications, as critiqued above, it is essential to look at the research beyond the terms. The workshops organised by Dørum, Hallenberg and Katajala brought together Nordic researchers to understand political and social relations within the context of state-building by focusing on four important themes: Nordic perspective, state-building from below, early modern kingdoms, realms and states and historical agency. While Dørum,
Hallenberg and Katajala argue that powerful states would have been the result of a top-down process, their analysis focuses on the local people’s counterforce or agency. While the authors acknowledge that the inhabitants did not label their actions in terms of “state building”, they do argue that the intensive, interactive process between the people and the state shaped politics.\textsuperscript{101} While regulations may have been used to discipline potentially disruptive activities, such as contention, petitions by the people resulted in what the authors would like to call “collective action and political agency”.\textsuperscript{102} Michael Braddick focuses on this agency by stating that state formation is a “[...] way of understanding agency”.\textsuperscript{103} The unconscious element of the formation leaves room for legitimate responses to societal challenges. As power and thus legitimate action is institutionalised, a routine is developed and agreed upon. It forms a consolidation of powers and thus leads to autonomy, regulating the role of social interests and creating routine procedures.\textsuperscript{104} Drawing on Michael Mann, Braddick argues that the interesting object of study is not the state but political power and its sociology, thus making the division between state formation and state building less important.

While the title explicitly states Bringing the people back in, it is not explicit in why the authors think there is a need for such a publication. However, recalling Frohnert’s remark about the sovereign state, this edited volume seems to be part of a movement in the opposite direction: showing the influence and involvement of the people in politics. The editors explain in their introduction to the volume that they believe that the interaction between the people and the state shaped politics. This interaction could result from legal and illegal conflicts or be organised in various ways and between various “representatives” or groups, as shown in the volume, such as virtually invisible participants in society, like soldiers’ women (not necessarily wives) and peasant-soldiers. The women gained a voice through the scarce court records found – they claimed to establish an alternative type of household while otherwise being considered to be prostitutes,\textsuperscript{105} while delaying and obstructive activities of peasants forced into the army are positioned as fuel for a military revolution and change. Peasants under threat of foreign occupation in Ostgötland decided to negotiate their position with the Russians, and the recognition that resulted from these negotiations empowered them.\textsuperscript{106} Sari Nauman explains that it also made them have to answer to the Swedish king as they were potentially revolting against his (failing) rule. Revolts and rebellion were – within a Swedish context – a sensitive issue due to sixteenth-century resistances against the (failing) princely rule. Magne Njåstad observes a general tendency to trust supplications, grievances and requests on paper, and while this may, at first, be explained as a government failure, it was also a step towards solving issues.\textsuperscript{107}

As in his monograph, Jørgen Mührmann–Lund shows that the position of the guilds – answering to the king’s government (thus positioned below) or ruling a city (thus positioned above) – makes it challenging to apply the editors’ ideas to Danish cities. He introduces the implementation ideas (Landwehr) and competing institutions to the Nordic context.\textsuperscript{108} In the Danish colonial context, such an in-between position became obvious, too, as those moving to the colonies were neither elites nor did they represent “the people”.\textsuperscript{109} The Norwegian nobility also found themselves in a peculiar position (late 18\textsuperscript{th} century) as they were subjected to the Danish crown but at the same time belonged to the Norwegian elites.\textsuperscript{110}
Household examples provided by Nina Javette Koefoed show the highly challenging position of families in their community.¹¹¹ Failing to raise god-fearing children properly could result in the community and church pressing for the (grown-up) child to be placed in an institution to improve his or her life. The Lutheran religion played a significant role in Nordic countries, leading to compelling examples such as religious communities finding themselves with conflicting personal interests and political divisions. Some of the early eighteenth-century examples that show the bottom-up involvement of the people are either because of a peace treaty (Turku, 1743) that divided the parish of Mäntyharju, church lands sold in Norway (early eighteenth century), or because the local elections – and thus influence – of church officials in Kokemäki/Kumo allowed peasants to exert influence.¹¹²

The popular contention played a significant role in shaping society and negotiating what the people believed to be for the good of the community. This underlying notion may – in the long run – have contributed to shaping governments and “states” (in the modern sense), but at the time itself, the term “state-building” (as a deliberate action) or state formation was not a notion the people (could have) aimed for. The examples clearly show that there was no linear process within the development of the (modern) state.

Other examples of interaction between the people and government are found in The Right to Dress. Here, Bruno Blondé and Isis Sturtewagen not only show which rules were implemented in the Low Countries but also discuss how merchants tried to influence the publications against velvet and silk cloth.¹¹³ These merchants were troubled by the potential effects of laws that could threaten their businesses. Such insecurity could lead to petitioning and requests for clarifications. Similarly, Catherine Kovesi shows that earlier in the sixteenth century, wearing precious stones, embroidery, gold and silver cloth or ornaments was forbidden. In an extensive law of 1565, other articles of the same law addressed consumption at festivals and specified social groups.¹¹⁴ Restrictions also applied to mourning – who could be draped in mourning clothes – and providing food and gifts at baptisms.¹¹⁵ In protest against this law, two petitions were filed. The guilds, of various kinds, argued that allowing these goods would be profitable for the guilds and prosperity.¹¹⁶

5. Conclusions

Central to this article was the question: how can studying gute Policey help us understand the organisation of early modern communities, and their governments? From the various contributions discussed, it may become clear that the focus of gute Policey was to protect the inhabitants and the society. Through maintaining good order, governments protected their own position at the same time. While researchers often seek for change and development, it seems gute Policey was more about continuity – or a slow and gradual change – in government policy until the 18th century. This is in sharp contrast to several theories about the historical developments of societies – such as state-building/-formation, civilisation, and social discipline – that (seem) to have an implicit bias toward the past being disorganised, disorderly and uncivilised. These theories have cast their shadow over the research on gute Policey, which suffers from these assumptions.

It does need to be stressed that laws are static texts. They are the solidified result of an – in the eyes of most political historians – interesting process of negotiations, requests
and thus, communication. This process is studied within the research “from below” or in the combined approach. Interestingly, the studies “from above” seem to tend to focus on the laws as a starting point. It should go without saying that repertory and source editions are of great value to researchers as they reveal much about contemporary norms and values. They can provide a point of reference for those studying court verdicts and, through that, can inform researchers about possible effects of policy as well. Comparing laws on the same topics can show changes within the texts and, in a way, possible changing perceptions.

The study of Gute Policey suffers, as noted above, from both a tainted image and a terminological problem: it is still closely associated with authoritarianism or absolutism, and the topic goes unnoticed because there are few studies written in English. Nonetheless, the studies discussed here leave the impression that – at least for a large part of mainland Europe and even their overseas dominions – gute Policey formed an intrinsic part of governmental organisation and political thought. Consequently, we enter the sphere of the “chicken and the egg” regarding the publications and understanding of languages by researchers (leaving aside that some of the books discussed here should be translated into English). What becomes evident from the publications discussed here is that as soon as a practical topic is discussed, it is possible to compare approaches, sources or solutions. Sumptuary laws worldwide show differences – from banning to accepting economic merits – while The Right to Dress also shows that the people influenced politics and policy by arguing and petitions. Likewise, different strategies co-existed when dealing with infectious diseases and pests, or the regulations for crossing borders. The practical aspect of these topics allows for comparisons with other territories but does not lead to aggregation or reference to gute Policey.

Indeed, whatever legislation was created, the question of why it benefited the community would have played a significant role in the policymakers’ minds. Whether their ideas were fuelled by an understanding of prosperity and welfare or safety and security may have differed over time and according to the topic in question. It would be good if research and researchers would keep this overarching theme in mind and relate their research to it, as it may provide a much more comprehensive understanding of early modern societies than other grand theories currently seem able to.

6. Epilogue: gute Policey in other centuries

The studies discussed in this review article should have provided ample examples of the vastness of source-related topics and various possible interpretations within given contexts. While researchers are often primarily interested in the content of the laws, the context of the development of legislation can be crucial to a proper understanding. Various other studies on different centuries or providing a broad theoretical overview have been published in the past decade. Given that these fall outside the scope of this review article, they are briefly mentioned here:

- Marco Cicchini’s 2012 monograph on La police de la République. L’ordre public à Genève au XVIIIe siècle. Though written quite a bit earlier, it is one of the few studies on the transition from early modern gute Policey to constructing a new public order during the 18th century. Cicchini studies this within the context of the city-state of
Geneva, which was often seen as a model state due to its well-organised administration.

- Marco Cicchini and Vincent Denis’s 2019 edited volume *Le Nœud gordien. Police et justice: des Lumières à l’État libéral* (1750–1850). Various contributions focus on how police and justice are becoming more and more separate institutions. Encounters between the office-holders of the various institutions are studied based upon competition and conflict, convergences, and collaboration. The geographical focus lies with Europe and North America.

- Saskia Limbach’s 2021 *Government Use of Print in the Holy Roman Empire in the Sixteenth Century*. This study focuses on the printing of ordinances in the Imperial City of Cologne and the principality of Baden-Württemberg during the sixteenth century.

- Robert von Friedeburg’s 2016 *Luther’s Legacy. The Thirty Years War and the Modern Notion of “State” in the Empire, 1530s to 1790s* or his more elaborate German edition (2021) *Luthers Vermächtnis. Der Dreißigjährige Krieg und das modern Verständnis vom “Staat” im Alten Reich, 1530er bis 1790er Jahre*. These recent works by my former supervisor study the changes within political thought and how these were used in German debates. He substantiates a claim that bureaucracies arose to support (fragile) dynasties and, through that, protect the rule of law, subjects, their welfare and prosperity.

- Wim Decock (ed.), 2021, *Konfliktlösung in der Frühen Neuzeit. Handbuch zur Geschichte der Konfliktlösung in Europa (HGKE, volume 3)*. This comprehensive volume provides 50 chapters on topics related to conflict-solving with an overview of pitfalls in current research, and literature overviews per topic. As discussed above, the interaction between governments and people could lead to conflicts; therefore, this book offers a great introduction to many related topics and fields.

- Source-editions are frequently issued by the Foundation/ Collection of Swiss Law Sources (SSRQ – Sammlung Schweizerischer Rechtsquellen). The SSRQ publishes not only in print but in XML/TEI too. Their (retro)digitalisation efforts can be found on their website: [https://www.ssrq-sds-fds.ch/projekte/ssrq-online/](https://www.ssrq-sds-fds.ch/projekte/ssrq-online/). Though they are not explicitly mentioning their link to *gute Policey*, many of their publications contain ordinances, mandates and legislation that fall within this category.

**Notes**

1. Tilly, “Reflections on the History of European State-Making,” 42.
2. Morrill, “Dynasties, Realms, People and State Formation, 1500-1720”; Morrill, “Uneasy Lies the Head That Wears a Crown.”
3. von Friedeburg, “State Forms and State Systems in Modern Europe”; von Friedeburg, *Self-Defence and Religious Strife*, 16; Kaspersen and Strandsbjerg, *Does War Make States?*
4. For example: Morrill, “Dynasties, Realms, People and State Formation, 1500-1720.”
5. See e.g.: Romein, “Introduction.”
6. Iseli, *Gute Policey Öffentliche Ordnung in der Frühen Neuzeit*, 8.
7. Iseli, 8.
8. Huxley-Binns and Martin, *Unlocking the English Legal System*. 
9. Mührmann-Lund, Borgerligt regimente Politiforvaltningen i købstaderne og på landet under den danske enevælde; Härter, Zapnik, and Frohnert, Repertorium der Policeyordnungen der Frühen Neuzeit/Band 12, 21–22.
10. Wüst, Die "gute" Policey Gesellschaftsideale der Frühmoderne?, 91.
11. Maier, Die Ältere Deutsche Staats- Und Verwaltungslehre, 50–115.
12. See for instance: Mührmann-Lund, Borgerligt regimente Politiforvaltningen i købstaderne og på landet under den danske enevælde, 34.
13. Mührmann-Lund, 36–39.
14. Pauser and Schennach, “zu abstelling der laster und leichtfertigkhait’. Eine Bozner Policeyordnung von 1523,” 236–37.
15. Simon, Gute Policey, 9–21.
16. Simon, 254–64; 488–92.
17. Härter, Repertorium der Policeyordnungen der Frühen Neuzeit (#1). Deutsches Reich und geistliche Kurfürstentümer (Kurmainz, Kurköln, Kurtrier).
18. Policeyordnungen der Frühen Neuzeit, hg. v. Karl Härter u. Michael Stolleis, Online-Ausgabe [https://policey.lhlt.mpg.de [13-07-2022].
19. Härter, Zapnik, and Frohnert, Repertorium der Policeyordnungen der Frühen Neuzeit/Band 12.
20. Härter, Zapnik, and Frohnert, V1. p28.
21. Härter, Zapnik, and Frohnert, V1: p. 35.
22. Härter, Zapnik, and Frohnert, V1: p. 38.
23. Härter, Zapnik, and Frohnert, V1, 23.
24. Zapnik, Repertorium der Policeyordnungen der pommerschen Städte.
25. Wüst, Die "gute" Policey im Reichskreis, 2001; Wüst, Die "gute" Policey im Reichskreis, 2003; Wüst, Die "gute" Policey im Reichskreis, 2004; Wüst and Beck, Die "gute" Policey im Reichskreis: Normensetzung und Ordnungspolitik auf dem Lande; ein Quellenwerk. Band 4. Die lokale Policey Normensetzung und Ordnungspolitik auf dem Lande. Ein Quellenwerk; Wüst and Estel, Die "gute" Policey im Reichskreis: Normensetzung und Ordnungspolitik auf dem Lande; ein Quellenwerk. Band 6: Policeyordnungen in den fränkischen Hochstiften Bamberg, Eichstätt und Würzburg. Ein Quellenwerk; Wüst, Heller, and Abe, Die "gute" Policey im Reichskreis: Zur frühmodernen Normensetzung in den Kernregionen des Alten Reiches, Band 7: Policeyordnungen in den fränkischen Reichsstädten Nürnberg, Rothenburg o.d. Tauber, Schweinfurt, Weißenburg und (Bad) Windsheim. Ein Quellenwerk; Wüst and Heller, Die "gute" Policey im Reichskreis: Zur frühmodernen Normensetzung in den Kernregionen des Alten Reiches. Band 8: Policeyordnungen zur fränkischen Adelskultur; Hindelang, Riedl, and Wüst, Die "gute" Policey im Reichskreis.
26. Wüst, Die "gute" Policey Gesellschaftsideale der Frühmoderne?, 106–7.
27. Wüst, Die "gute" Policey im Frühmoderne?, 68.
28. Wüst, Die "gute" Policey Gesellschaftsideale, 169–182.
29. Wüst, 183–203.
30. Wüst, Die "gute" Policey Gesellschaftsideale der Frühmoderne?, 83–96.
31. Scholz, Borders and Freedom of Movement in the Holy Roman Empire, 14, 234.
32. Scholz, 207.
33. Scholz, 50, 64, 85.
34. Scholz, 11, 230.
35. Scholz, 138.
36. Scholz, 19.
37. Scholz, 109.
38. Scholz, 25.
39. Scholz, 141.
40. Pauser and Schennach, “zu abstelling der laster und leichtfertigkhait’. Eine Bozner Policeyordnung von 1523.”
41. Stolleis, "Migrationen: Wallonen und Pfälzer nach Magdeburg.”
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