

## CIVIC DEFENSE AND THE RIGHT TO BEAR ARMS IN THE EARLY MODERN GERMAN CITY

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### ABSTRACT

*This paper explores the relationship between the right to bear arms and notions of masculine identity in early modern German cities. Existing literature on weapons and defense systems is reexamined from a socio-cultural historical standpoint. Previously unexploited archival sources, including unpublished ordinances, court and criminal records, and civic protocols, are analyzed with attention to early modern mentalités. The examination reveals both a practical and a symbolic connection between weapons and male public life. Recognition of this connection is a useful addition to current debates on the relationship between violence and the right to bear arms.*

*Key words: civic government, system of local security, Germany, modern age*

## LA DIFESA CIVICA E IL DIRITTO PER IL POSSESSO DI ARMI NELLE CITTÀ TEDESCHE AGLI INIZI DELL'EPOCA MODERNA

### SINTESI

*Il presente articolo analizza la relazione esistente tra il diritto a possedere le armi e la nozione dell'identità maschile all'interno delle città tedesche degli inizi dell'epoca moderna. La letteratura esistente riguardo le armi e i sistemi di difesa viene riesaminata secondo la prospettiva storico socioculturale. Fonti d'archivio precedentemente ignorate, tra cui ordinanze non pubblicate, registri criminali e di tribunali, e protocolli civici, vengono ora esaminati nel rispetto della mentalités degli inizi dell'epoca moderna. Tale analisi rivela una connessione sia pratica che simbolica tra le armi e la vita pubblica maschile. L'identificazione di un simile legame costituisce un contributo utile all'attuale discussione sulla relazione tra la violenza e il diritto a possedere le armi.*

*Parole chiave: governo civile, sistema di sicurezza locale, Germania, età moderna*

## I.

Although military history has a long tradition, it is only recently that the subject has won the attention of early modern social historians. Recent works have examined such diverse topics as the life of soldiers and camp followers, the social structures that underlie military hierarchies, relations between soldiers and civilians, and cultural images of soldiers as expressed in early modern literature and art.<sup>1</sup> The soldier as a flamboyant symbol of early modern notions of masculinity, particularly as reflected in clothing and weaponry, is a well-known paradigm (Baumann, 1994, 40; Rogge, 1996; Wolters, 1991). Dressed in brightly-colored fashions accented with imposing ruffles, slits, feathers, and flowing ribbons concentrated at the crotch, soldiers are described in both popular literature and court records as the first to draw a sword in any tavern brawl and last to leave the table in any drinking bout (Burschel, 1994, 136; Rogge, 1996; Wolters, 1991).

Most of the works addressing the social history of the military, however, have focused on the professional soldier, the mercenary who traveled with his regiment or wandered from town to town between assignments. Studies of civic defense systems, which had both civilian and professional military components, tend to be institutional in their approach, locating the organization and function of local defense and police organs as an intermediary step between feudal service to a liege and the modern concept of a standing national army. This concept developed together with the process of nationalization attending the rise of absolutism.<sup>2</sup>

A more culturally-oriented approach to the civic defense system reveals a distinct form of defense mentality that cannot be seen as simply a "phase" bridging earlier and later periods. I would like to examine the relationship of townsmen to defense during this period as a unique aspect of the corporate nature of the early modern city. The association of the weapon with the masculine identity of its owner was tied to notions of citizenship, which in turn was based on the assumption that male citizens were also householders. Thus both the right and the duty to bear arms were inseparable from the duties of proper householding.

My examination is based primarily on the defense system of the merchant city of Augsburg, with a population ranging between about 20,000 and 40,000 between 1500 and 1700. I will first outline briefly the system of defense that was in place during the sixteenth and seventeenth centuries, which has been well-researched from an organizational standpoint by German scholars (see especially Rogge, 1996; Kraus, 1980; Roeck, 1989). Following this, I will use examples from the Augsburg archives

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1 For an overview of recent scholarship on German military history see Wilson, 2001.

2 According to Ute Frevert, the introduction of universal conscription in Germany during the nineteenth century aided the growth of nationalism and the process of social leveling, as well as solidifying gender boundaries by universalizing the function of men as warriors (Frevert, 1996).

– primarily records of arrest and interrogation, council decrees and protocols, and military records – to show how participation in this network of defense mechanisms helped to define the social and gender identity of early modern German townsmen. Protection of the city, like payment of taxes, was a norm that was imposed upon all male citizens regardless of status, uniting them in the interest of the "common good" (Rogge, 1996, 7; Kraus, 1980, 74).

## II.

Although professional military troops might be utilized during periods of serious conflict,<sup>3</sup> civic defense of the early modern town depended largely upon its residents (Kraus, 1980, 74). The ability and willingness to take part in local defense organizations was a prerequisite for citizenship ("Bürgerrecht"). In Augsburg, as in other German towns, the oath of citizenship required of all male citizens on a yearly basis included a promise to maintain appropriate weapons and armor (Kraus, 1980, 75; Schwark, 1990, 60-61). Failure to follow up on this promise then became a serious crime, as it could be punished as a breach of oath (StAA, RGR 20).<sup>4</sup>

Under normal conditions, the city was protected by a network of both professional and civilian guards. Medieval towns depended almost entirely upon civilian guards, but by the sixteenth century, larger cities employed full-time guards to man the city gates and patrol the streets by day. The night watches, however, which required greater numbers of personnel, were still performed by civilians. Additional civilian guards were also assigned to day shifts when the city had reason to fear imminent danger (Kraus, 1980, 77). Furthermore, the responsibility of the male citizen to support local security extended beyond official guard duties, for ordinary citizens had the right and duty at all times to interfere with fights, disarm disorderly persons, and challenge suspicious activities. Force could be applied if the challenged party failed to respond (SuStBA I; StAA L2).

As in other early modern German cities, both day and night guards in Augsburg were organized in sections or quarters, each under the supervision of a full-time officer known as the "Quarter captain" ("Viertelhauptmann"). City gates and guard towers were manned by professional guards (StAA, OS 20, 431, 417, 444; StAA, S 16, 58; 66). Each household was responsible for providing one man for guard duty. Theoretically, the household corresponded to the citizen, for marriage and an independent income were requirements for citizenship, although householding widows in this case were also bound to provide for guard duty. Ordinances stated clearly that no exemptions based on status were to be allowed – the duties of citizenship applied to

3 Swiss mercenaries were hired, for example, in time of war (Rogge, 1996, 30).

4 In the early 16<sup>th</sup> c., failure to comply with the weapons requirements was punished with payment of 200 stoves for construction of the city wall (Haemmerle, 1947).

nobles and doctors as well as to servants and alms recipients, as long as they were "young and healthy men".<sup>5</sup> If householding widows were impoverished enough to be dependent on alms, then two widow's households provided one guard between them. Those householders unable or unwilling to serve themselves could send a representative, who might be another family member or a paid servant; the only requirement was that all guards be honorable, "upright men and not immature youths,"<sup>6</sup> and that they appear for duty armed and sober. Although householding widows shared the requirement to provide night watchmen, women were forbidden from any direct involvement in defense. Ordinances repeatedly warned that women and children were to remain inside their houses and off the streets during civic emergencies. The same rule applied to non-residents, who were to remain in the inns and stay out of the way of defense actions (StAA, OS 10, 237; 243). Quarter captains were responsible for keeping track of the households in their quarters and ensuring that appropriate representatives appeared for duty. Only those who were ill were exempt from either serving or providing a guard for duty.

The duties of both professional and civilian guards can be roughly divided into three areas – police functions, military defense functions, and special duties in the case of civic emergencies such as fires and storms. Police functions included patrolling the streets and detaining and questioning suspicious or disorderly persons, performing visitations of taverns (especially those from which emitted "unseemly offensive shouting"<sup>7</sup>), and intervening in brawls and other altercations (StAA, S ad 36/9; OS 10, 235; O 1537). In defense of the city, guards were charged with being alert for signs of attack and sounding necessary alarms. During peacetime, however, the authorities expressed greater concern with keeping out potentially disorderly elements such as vagrants, beggars, and idle journeymen than with military attacks. Although the threat posed by such persons was economic rather than military, it was a threat nonetheless, and here "police" and "defense" functions cannot be clearly delineated. All such suspicious strangers were to be repulsed at the gates or, if found within the city, expelled (StAA, OS 20, 431; 433). Finally, the council instructed city guards with being alert for signs of smoke, impending storms, or other disasters (StAA, S 16, 58; 66; OS 3, 123).

Obviously, effective defense of the city required a supply of properly maintained weapons, and this was also a responsibility assigned to householders. Members of the civilian guard were ordered in 1533 and again in 1542 to appear with a breastplate, helmet, and a "good halberd" ("gute Hellebarte") or a pike, the purchase and maintenance of which was their own responsibility (StAA, OS 3, 122; OS 20, 416). An ordinance of 1560 added the additional requirement of a side arm (StAA, OS 20, 417).

5 "jung vnd gesandt manns person[en]" (StAA, OS 20, 444).

6 "Rechtgeschaffenn mannspersonen vnd nit jung vngewachsenn leut" (StAA, Schätze 16, 66).

7 "vngbürllich ergerlich geschray" (StAA, S ad 36/9; O 1537).

Subsequent ordinances were less specific, normally requiring only "breastplate and weapon" ("Harnisch vnd Wehr") (SuStBA 1, SuStBA 3). By 1684, the word "breastplate" had disappeared from the ordinances, while the addition of "appropriate ammunition" ("gehörige Munition") suggests the introduction of firearms for at least a portion of the community (StAA, OS 10, 241). Ordinances throughout this period were consistent in addressing the problem of convincing Augsburg's citizens to hold on to their weapons; as a relatively valuable commodity that most men regularly carried on their person, swords and daggers made handy markers for gambling and drinking debts.<sup>8</sup> The council thus warned repeatedly that selling, pawning, or gambling away weapons could lead to corrective action.

In order to assess their defense capabilities, city authorities periodically ordered that a census be taken of all households, recording the number of "weapons-capable" (waffenfähige) men residing in each and noting whether or not they had military experience – and eventually, how many and what sorts of weapons they possessed. These muster lists exist for Augsburg beginning in the fifteenth century, but do not begin to record weapons until the seventeenth. Inventories were limited to those weapons considered appropriate for military duty; side arms, halberds, long swords, and firearms. Breastplates were also listed, but as suggested by the ordinances already noted, armor was by the seventeenth century beginning to disappear from the inventories of ordinary citizens, appearing in the possession of only 7.5% of the households (Kraus 1980, 84-85). On the other hand, some of Augsburg's better-off citizens maintained impressive personal arsenals, with individual households in possession of 50 or more weapons.<sup>9</sup>

### III.

The primary interest of city authorities in assessing weapons reserves and requiring their citizens to maintain weapons was undoubtedly defense. Yet even in this seemingly rational and unusually bureaucratic city (Roeck, 1989, 101-102, 834-836, 880-885), weapons represented more than merely tools of defense. In all power relationships between men, military or civilian, weapons can serve as an identifying sign. This fact is underscored by reactions to the refusal of pacifist groups, such as Anabaptists, to carry them. Anabaptist Martin Schäd, interrogated in Augsburg in 1528, expressed this notion when asked how members of his faith recognized one another, replying that "the brothers should leave their weapons behind so that one could know them by it."<sup>10</sup> Here, the purpose of going without a weapon was less a pacifist belief

8 This was a common occurrence and is mentioned repeatedly in court records of cases involving drinking incidents (Tlusty, 2001, 193).

9 One household was recorded as in possession of 300 muskets ("Büchsen") (Kraus, 1980, 85).

10 Apparently, Anabaptists in Augsburg did not actually follow this practice ("dann die bruder die wöre

system than a means of establishing communal identity. In another case, Anabaptist Hans Jacob was arrested and interrogated for breaking his oath of citizenship in 1546 by refusing to carry a weapon, wear a breastplate, or perform guard duty. Jacob's obstinance did not appear to the authorities as a harmless form of pacifism, but as a subversive attempt to challenge authority and a renouncement of his civic identity (Clasen, 1972, 180-81).

For professional soldiers, weapons could equal status, or even financial health, for the assignment of a pay status could depend on the type of weapon each soldier brought with him at the time of entry into service. In some cases, soldiers could be signed in at a higher pay scale simply by borrowing more expensive weapons (Burschel, 1994, 122). For civic guards, appropriate armaments were important symbols of their right to represent authority. Not only were guards required to be properly armed, but ordinances also restricted certain weapons and types of armor to guards only. Naturally, this was partly for reasons of security – men not on duty were also forbidden from walking about with weapons drawn, or using a loosened sheath that would allow for a particularly quick draw (StAA, EW 1561). But the weapons carried by city guards also served to make them easily identifiable as representatives of the council. One person charged with refusing to cooperate with the city guards claimed that he had no way of knowing that the guards represented authority, "as they had neither breastplate nor pole arm on them."<sup>11</sup> In other cases, guards justified armed intervention in brawls by noting that taking up arms in response to a noisy incident was "proper" behavior<sup>12</sup> for representatives of the council ("unsere Herren Diener").

A well-armed citizenship, then, was a potent symbol of civic power. At the same time, the association of manhood with weapons was a potential source of disorder. Of course, most early modern townsmen carried weapons whether or not they were on guard duty. Professional soldiers in particular were likely to carry swords on or off duty, and were especially likely to draw them when fights broke out over drinks or cards in the city's taverns. But ordinary craftsmen often resorted to cruder tools to defend their honor. According to the official language of local ordinances, not only swords and daggers, but bread knives and javelins were also defined as legal weapons as long as they remained sheathed. Craftsmen could also carry tools of their trade, such as hammers and saws, although these could be redefined as "dangerous instruments" ("gefährliche Instrumente") and thus illegal if they were used in a fight or in another manner that appeared threatening. In fact, even a beer mug, if employed in a brawl, fell into this category (StAA EW 1482).

Violence was not necessary, however, to cross the line between appropriate and

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hinder sich solten legen, damit man sy bei demselben kendet, aber es sei nit beschoen"), but identified themselves only by exchanging the greeting "peace" ("frid"): (StAA, L 1).

11 "dann sie auch weder harnisch, noch lange wehr gehabt" (StAA, U 1).

12 "wie sich gebürt" (StAA, M 197 1).

inappropriate use of weapons. Men who walked the streets with drawn weapons, or weapons that were by definition "dangerous instruments" or otherwise considered suspicious could expect corrective action. Pikes and halberds, for example, were legal only for those on guard duty. Other illegal weapons included picks, axes, chair legs, wooden or iron clubs, pitchforks, maces and loaded firearms. Persons carrying such weapons themselves became suspicious, and subject to arrest and interrogation (SuStBA 2; StAA S ad 36/3). Thus the type of weapon carried by civilians could also become an identifying symbol.

In order to restrict outbreaks of violence in this armed environment, civic authorities attempted to retain exclusive power over the adjudication of fights. In the case of disagreements confined to an exchange of insults, for example, the council demanded that a public retraction be made and documented in the mayor's office, creating a public record. The council members knew that such a retraction was necessary to restore the honor of the offended party in the eyes of his peers, and that failure to obtain satisfaction in such cases could only lead to further altercations.<sup>13</sup> Once the retraction had been recorded, a renewal of hostilities would then fall into the category of breaking an arranged peace ("Friedbruch"), a more serious offense resulting in a fine. Physical fights between male citizens were also discouraged by the levying of fines.<sup>14</sup>

Since preventing fights altogether was an unrealistic goal, however, the council's primary concern was to contain disagreements somewhere short of the point at which personal injury would occur. The authorities thus differentiated between a bloodless scuffle ("kleiner Frevel") and a bloody fight ("Blutfrevel") (StAA PZS; Fischer, 1920-42, v. 2, 1758). Any fight that resulted in the shedding of blood carried a double fine. Whether or not weapons were involved, and especially who drew first, could become important issues in such cases in determining who was the more guilty party. Even higher fines were collected for fights resulting in serious injuries; fights with representatives of the council's police force (such as bailiffs or city guards while on duty); or brawls occurring in spaces representing civic authority, for example the areas in front of the courthouse or around the city gates. Where serious personal injury or death did result, the offender paid in addition to the fine a monetary award to the injured party or the family of the deceased, in the form of a formal settlement arbitrated by the council. This "blood money" was recorded by the council and bound the recipient not to seek revenge (StAA, PZS 1540-44, 1590-94).

13 For a model of the association of male honor with "public display" in the Mediterranean world, see Gilmore, 1987; on the necessity of the public view for the working out of honor disputes in early modern France, see Dinges, 1991.

14 All of the "fines" to which I will refer began in the early sixteenth century as time spent in the tower, and were commuted to monetary fines after mid-century. Women were fined at  $\frac{1}{4}$  to  $\frac{1}{2}$  the rate of men for physical fights (StAA, PZS, 1590-94; Roper, 1994, 40).

These regulations reflect the authorities' hopes of limiting violence in the interest of civic order. At the same time, however, it is clear that the norms governing civic leaders in making their decisions did not preclude resort to violence in certain situations. In fact, the expectations of the authorities rarely deviated from the code of honorable masculine behavior adhered to by the populace at large. This fact is apparent in the decisions reached by the court in cases involving armed duels. The issue at stake in these cases was not so much who was the first to resort to physical violence or to draw a weapon, but whether the use of a weapon was justified – and here, defense of honor could be considered as viable an argument as defense of life or limb. Despite the fact that all forms of dueling or brawling were forbidden by ordinance, the authorities often showed great interest in precisely what insults were used, and whether accepted standards of honor had been observed, especially if the fight involved weapons. Their concern with adherence to traditional norms is particularly well-illustrated in the investigation of an unusual duel that took place in 1657. The problem in this case was that the participants were unequally armed; one, Georg Mair, was on foot with a sword, while the other, Stefan Beurle, was mounted with pistols. The council was so concerned with the honor implications of this unprecedented event that they spent months investigating the case, even though neither of the duelists was seriously injured. At issue in the incident, for example, were the questions of whether Mair had insulted Beurle by saying that he was better suited to carry a broom stick ("Besenstiel") than a sword ("Degen"); whether Beurle didn't have the right to choose his weapons because Mair had issued the challenge; and whether Mair had attacked Beurle with the flat or the sharp side of his blade. Included in the documents attending this case is a letter of advice solicited from a college of legal experts (Collegium Advocatorum), who cited Carpzov and other standard legal codes to determine that Mair had provoked Beurle into firing at him, thus mitigating Beurle's guilt (StAA, U2). Neither the fact that the duel itself was illegal to begin with, nor the direct violation of ordinances against using firearms within the city walls seemed relevant either to the investigation or to the decision of the council in determining punishment.

This case and many others like it point to general agreement on where the lines were drawn between appropriate and inappropriate use of weapons. The male citizens of German Free Cities during the early modern period had both the right and the responsibility of bearing arms, and this implied the right to use them when the situation called for it. But the right to bear arms was a privilege earned only by living up to other expectations of adult manhood. And manhood itself was a position not only of privilege, but also of responsibility. Along with defending their community, men were expected to be capable of defending "goods, wife, and children," as well as living an orderly life, earning a viable living, and maintaining an orderly household. Male citizens, as household patriarchs or House Fathers ("Hausväter"), represented



their household in the community and represented the city council in their role as civic defenders. Those who were incapable of effectively managing a household, then, could also not be trusted as representatives of government, and when men failed to live up to these demands, their right to bear arms could be revoked (Tlusty, 2001, 118-19). The weapon in this context became a sign both of individual manhood, and of a man's political role as representative of the city. Chronic drunkards, wife-beaters, and financially irresponsible men, who were considered incapable of running an orderly household, could be banned from carrying weapons entirely, effectively stripping them of their defense role and, symbolically, part of their identity as men and as citizens. Weapons bans were also imposed on participants in political uprisings or attacks on authority, such as the insurrections accompanying the Peasants' Revolt of 1524-25. In some cases, the ban was accompanied by a ritual surrender of arms and armor to the appropriate authorities (HStAS, U 1-7; StAA, SB 94, 145, 160; StAA, U3).

Banning a man from carrying weapons was an honor-related punishment with its roots in ancient Germanic law, originally applied in conjunction with the loss of all political rights (His, 1928, 93-94). Although early modern weapon bans usually did not go that far and were often temporary, such a ban nonetheless carried the taint of shame and implied a loss of male power. A weapons ban might apply to all weapons, only to weapons over a certain length, or even limit the offender to knives with broken tips, a disarming of the tool that functioned as a kind of symbolic impotence.<sup>15</sup> The weapons ban was not merely a means of disciplining the populace imposed from above, for taking away a man's weapon was an act that could occur spontaneously as a means of attacking his honor. Such an incident took place in 1595, when a group of guards attacked a soldier suspected of desertion and stripped him of his weapon by force (StAA, U4).

Just as men who failed to live up to their role as citizens were banned from carrying a weapon, those who failed to maintain a weapon could be banned from participating in other traditionally male realms. Men who failed to purchase and maintain appropriate weapons could be forbidden to practice their craft, or even put out of the city and thus removed from their household, until they made the required purchase (SuStBA 3). Those who were able to show that their failure to maintain a weapon resulted from poverty were banned from visiting taverns or otherwise drinking socially until they could manage the purchase. The tavern ban, like the weapons ban, was a symbolic punishment that served not only to curtail expenses, but also to underscore a man's failure to behave responsibly by denying him participation in male society. To drink socially, one had to be a man – and to be a man, one had to display the proper equipment.

<sup>15</sup> Hundreds of weapons bans appear in StAA, SB 1537-1651, *passim*; for a few examples among many from other areas of Germany see also StAN U 1533-1550, 128v, 130v; HStAS U 4, U8-10.

There is no doubt that a certain tension existed between the need for an armed populace for civic defense, and the authorities' attempts to maintain a monopoly on violence. When questions regarding the use of weapons in violent incidents arose, however, the right to bear arms, and to use them in defense of honor, person, or property, generally took precedence over the restrictions recorded in ordinances and other prescriptive sources. The exception occurred where men failed to live up to other expectations of male citizenship – weapons were taken away from disorderly householders, takers of alms, bankrupt merchants (StAA, SG), and those who turned their weapons against their own government. The right to bear arms was thus less dependent on responsible use of the weapons themselves, than on the symbolic association of weapons with male public life.

#### IV.

During the course of the seventeenth century and especially the Thirty Years' War, the civilian guards were gradually replaced by a standing army of professional soldiers. Craftsmen during this period of extreme stress petitioned regularly for relief from the burdens of night watches and exceptional daytime guard duty, which they claimed interfered with their ability to practice their crafts, undermining their households and the war effort as well. They were scarcely able to feed their hungry families even without the added burden of guard duty, they claimed, and were also unable to keep up with the demands of soldiers for boots, horseshoes, bread, and other products necessary to wage war (StAA M 194). Requirements for civilian guard duty were relaxed during the period following the war, and by the time civilian duties were reinstated towards the end of the seventeenth century, ordinances governing guards began to show the marks of a professional military corps. Weapons by this time were becoming increasingly standardized, and eventually became a matter of issue by the council, although maintenance remained a personal responsibility. In 1675, the requirement for civilian duty included signing permanently into a civilian militia corps ("Bürgerkompanie"), a cornerstone for the later development of universal conscription (Kraus, 1980, 77). In the century that followed, tighter restrictions were placed on the types of weapons that could be carried by the general populace. Carrying a sword, for example, eventually became a symbol of elite or professional military status and was forbidden to persons of lower rank (StAA, PW).

In early modern Germany, men in general and soldiers in particular had a personal identification with their weapon, an extension of their masculine identity that was to some extent lost with the growth of the professional standing army and standardization of weapons. A man's weapon and the defense role it represented was a distinguishing sign that defined his status as a responsible, adult, male citizen. Early modern urban authorities utilized a military strategy that appealed to the prevailing

system of ethics, calling upon local householders to serve in defense of property and goods, wife and child. Male identity was bound to this layered image of protector of household and city, and representative of civic authority (Foerster, 1994, 33). It was necessary for this intensely personal form of masculine identity with the civic corporation to decline in order for the foundation for a more general national identity to be laid.

## DRUŽINA, SKUPNOST IN PRAVICA DO NOŠENJA OROŽJA V NOVOVEŠKEM NEMŠKEM MESTU

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### POVZETEK

*Civilna vlada v Nemčiji po reformaciji je temeljila na podobi patriarhalne discipline in nadzora, pri čemer je mestni svet igral vlogo mestnih "očetov". Za njihovo vizijo urejene, disciplinane skupnosti je bil potreben sistem lokalne varnosti. Mnoge mestne stražarje, vratarje, nočne čuvaje in biriče so zaposlovali z namenom, da služijo vojaškim funkcijam (varovanje mesta pred zunanjimi sovražniki) in hkrati delujejo kot policijska sila (nadzorovanje razuzdanih in sumljivih oseb v mestu). Poleg tega je bilo od vseh meščanov moškega spola pričakovati, da bodo v določenih obdobjih služili kot civilni nočni čuvaji.*

*Da bi moške lahko šteli mesto, so morali biti kajpak oboroženi. Oborožena moška populacija je pomenila civilno silo tako na praktični kot simbolični ravni. Hkrati so si civilne oblasti prizadevale ohraniti izključno oblast nad nasiljem, še posebej nad problemom krvnega maščevanja, in sicer s sitemom glob in kazni za pretepanje, dvobojevanje in neustrezno rabo orožja. Globe so bile najvišje za tiste, ki so se pretepali na mestih, ki so ponazarjala civilno oblast (na primer pred sodiščem ali v bližini mestnih vrat), kadar je bilo to v nasprotju s predtem razglašenim mirom, ali kadar je bilo v pretepih uporabljeno orožje.*

*Obramba skupnosti je torej morala ostati metodična. Povezano s to zahtevo je bilo pričakovanje, da bodo meščani moškega spola vzdrževali urejeno gopodinjstvo. Poleg tega, da so branili svoje "blago, ženo in otroke", so morali živeti urejeno življenje in družini zagotavljati vsakdanji kruh. Kronični pijanci, pretepači svojih žena in finančno neodgovorni moški, ki naj bi bili nespobni vzdrževati urejeno gospodinjstvo, so lahko pričakovali, da jim bo v celoti prepovedano nositi orožje in da jim bo s tem odvzeta tudi njihova obrambna vloga (in s tem del njihove moške identitete). Po drugi strani je bilo tistim, ki so bili prerevni, da bi si kupili lasno orožje,*

*prepovedano družabno popivanje, kar je bil tudi simbol odrasle moškosti, dokler niso imeli dovolj denarja za nakup helebarde in prsnega oklepa. Nošenje orožja je bilo torej pravica, odgovornost in simbol zanesljivega meščana.*

*Ključne besede: civilna vlada, sistem lokalne varnosti, Nemčija, Novi vek*

#### SOURCES AND REFERENCES

- HStAS – Hauptstaatsarchiv Stuttgart.  
 HStAS U1 – A44 Urpheden, 94 (1525).  
 HStAS U2 – A44 Urpheden 843 (1525).  
 HStAS U3 – A44 Urpheden 858 (1525).  
 HStAS U4 – A44 Urpheden 1118 (1534).  
 HStAS U5 – A44 Urpheden 1756 (1525).  
 HStAS U6 – A44 Urpheden 846 (1559).  
 HStAS U7 – A44 Urpheden 1938 (1520).  
 HStAS U8 – A44 Urpheden 1226 (1534).  
 HStAS U9 – A44 Urpheden 1598 (1537).  
 HStAS U10 – A44 Urpheden 2333 (1570).  
 StAA – Stadtarchiv Augsburg.  
 StAA EW 1482 – Evangelisches Wesensarchiv, Extractus Herren Stuben Protocolli 1663.  
 StAA EW 1561 – Evangelisches Wesensarchiv, Tom 1, Verruf [...] tragung erbotner Gwöhr 1525.  
 StAA L1 – Litalia, 1528.  
 StAA L2 – Litalia, 1530.  
 StAA M 194 – Militaria 194.  
 StAA M 197 1 – Militaria 197, Tom 1, Jörg Hopper, June 1559.  
 StAA O 1537 – Ordnungen, Zucht und Policey Ordnung 1537.  
 StAA OS K 3 – Ordnungen und Statuten, Karton 3, 122 Scharwächtereid 1533.  
 StAA OS K 10 – Ordnungen und Statuten, Karton 10, 235, Nachtwach 1542; 241. Wachtordnung 1684; 243 Ober- und Underhauptleüt Ordnung 1593; 237, 1552.  
 StAA OS K 20 – Ordnungen und Statuten, Karton 20, 416, Ordnung 1542; 431 Thorwart Ordnung, 1600; 417, Ordnung der Nachtwach, 1560; 432 Instruktion 1600; 433 Instruktion 1659; 444, Ordnung der Nachtwach, 1540.  
 StAA PW – Polizeiwesen, Kleiderordnung u. Degentragen, 1548-1766  
 StAA PZS – Protokolle der Zucht- und Strafherren.  
 StAA RGR 20 – Reichsstadt, Geheime Ratsbücher Nr. 20 Jun-Dec 1546, fol. 32r.  
 StAA S 16 – Schätze, Eine Sammlung Städtischer Verordnungen und Erlasse.  
 StAA S ad 36/3 – Schätze, Zucht- vnnnd Policey Ordnung 1553.

- StAA S ad 36/9 – Schätze, Zuchtordnung 1580.  
 StAA SB 94 – Strafbücher, Nr. 94 (1509-1526).  
 StAA SG – Stadtgerichtsakten, Generalia, Falliten, 1732 (Heinzelmann), 1734 (Dekret), 1746 (Brentano).  
 StAA U1 – Urgichten June 1548, Schleich.  
 StAA U2 – Urgichten 14 July 1657–12 April 1658, Beurle.  
 StAA U3 – Urgichten 1524, Nussfelder.  
 StAA U4 – Urgichten Sep. 1595, Bendl and Wetzenman.  
 StAN U – Stadtarchiv Nördlingen, Urfehdbuch.  
 SuStBA – Staats- und Stadtbibliothek Augsburg.  
 SuStBA 1 – 4° COD.AUG.132 3,1.  
 SuStBA 2 – 4° COD.AUG.40/2 Jan 29 1525.  
 SuStBA 3 – 2° COD.AUG.10 83, 28 Sep 1542.
- Baumann, R. (1994):** Landsknechte: Ihre Geschichte und Kultur vom späten Mittelalter bis zum Dreißigjährigen Krieg. Munich.  
**Burschel, P. (1994):** Söldner im Nordwestdeutschland des 16. und 17. Jahrhunderts. Göttingen.  
**Clasen, C.-P. (1972):** Anabaptism: A Social History, 1525-1618. Switzerland, Austria, Moravia, and South and Central Germany. Ithaca.  
**Dinges, M. (1991):** 'Weiblichkeit' in 'Männlichkeitsritualen'? Zu weiblichen Taktiken im Ehrenhandel in Paris im 18. Jahrhundert. In: Francia, 18/2. Munich, 71-98.  
**Fischer, H. (1920-42):** Schwäbisches Wörterbuch, 6 vols. Tübingen, 2.  
**Foerster, R. G. (1994):** Die Wehrpflicht. Munich.  
**Frevert, U. (1996):** Soldaten, Staatsbürger – Überlegungen zur historischen Konstruktion von Männlichkeit. In: Thomas K. (ed.): Männergeschichte-Geschlechtergeschichte: Männlichkeit im Wandel der Moderne. Frankfurt/Main, 69-87.  
**Gilmore, D. (ed.) (1987):** Honor and Shame and the Unity of the Mediterranean. Washington, D.C.  
**Haemmerle, A. (1947-48):** Ein unbekannter Incunabeleinblattdruck des Erhard Ratdolt in Augsburg (mit 1 Facsimile). In: Haemmerle, A. (ed.): Vierteljahreshefte zur Kunst und Geschichte Augsburgs, Kriegsausgabe, Privatdruck 4 Jahrgang. Augsburg, 3-12.  
**His, R. (1928):** Deutsches Strafrecht bis zur Karolina. Munich.  
**Kraus, J. (1980):** Das Militärwesen der Reichsstadt Augsburg 1548 bis 1806. Augsburg.  
**Roeck, B. (1989):** Eine Stadt in Krieg und Frieden. Göttingen.  
**Rogge, J. (1996):** Für den Gemeinen Nutzen: Politisches Handeln und Politikverständnis von Rat und Bürgerschaft in Augsburg im Spätmittelalter. Tübingen.

- Roper, L. (1994):** *Oedipus and the Devil: Witchcraft, Sexuality, and Religion in Early Modern Europe.* London.
- Schwark, T. (1990):** *Lübeck's Stadtmilitär im 17. und 18. Jahrhundert. Untersuchungen zur Socialgeschichte einer reichsstädtischen Berufsgruppe.* Lübeck.
- Thusty, B. A. (2001):** *Bacchus and Civic Order: The Culture of Drink in Early Modern Germany.* Charlottesville, VA.
- Wilson, P. H. (2001):** Review Article: War in Early Modern German History. In: *German History* 19/3. Oxford, 419-438.
- Wolters, G. (1991):** *Die Verpackung des männlichen Geschlechts. Eine illustrierte Kulturgeschichte der Hose.* Marburg.