In May 1600 the Augsburg council imprisoned the weaver Marx Gropp for adultery and poor housekeeping (Übelhausen). During the trial, people from Gropp’s neighborhood, including the neighborhood captain (Gassenhauptmann), and members of his guild presented a supplication in his favor. They defended him by referring to his wife’s “spiteful complaints” (gehässig anclagen) and explained that although they did not know the actual accusations, they had heard that Gropp’s former maidservant was also imprisoned. Then they begged for his release from prison, where he had already spent fifteen days. In case Gropp had actually done anything that deserved punishment—and they hoped this was not true—they asked for the council’s mercy. In spite of their efforts, the defendant was convicted of his crimes in a trial lasting nearly three weeks. On May 20, 1600, Gropp was punished with a fine and made to swear an oath to live well with his wife.

The story of this case is related here only briefly; our focus will be the position of the neighborhood and its role of social control in the urban context. As is usual in such cases, the perspective comes from the courts. As a first approach to the subject, we can learn a lot from this short example. First and foremost, the neighborhood appears as a formal institution between the urban government and the population, which provides an independent statement on the case. As we know from other examples, neighborhood intervention played a certain role in the reconciliation of the accused and his wife as expressed in his oath and in the chances for the convicted to become reintegrated into the community. In this context the neighborhood is also an informal means of social control. In having a hand in allowing Gropp the chance to return to his old social network, neighbors exert a certain power over him, obliging him to behave in accordance with the norms of the community.

I will analyze the neighborhood as a tool of social control in the early modern city from two different perspectives. The neighborhood was an instrument of urban or state authorities, as well as a local community of subjects with their own interests, norms, and values. Thus, the neighborhood in the urban con-
text is to be interpreted both from the formal point of view, as an institution, and from the informal perspective, as a group of urban inhabitants that is not clearly defined. Moreover, the neighborhood was often part of the organizational structure in early modern cities. Thus, its position in this structure has to be analyzed. Social control in this context is formal, based on the instructions, regulations, and surveillances of the authorities. However, the neighborhood was also a sociological phenomenon, defined by “spatial proximity and permanent or temporary cohabitation.” Out of this perspective social control is informal. Exercise of control is not only the result of state legislation but also the interests of the cohabitants of a street or lane. Thus the values and norms not only of the state or the administration but also—and perhaps primarily—of the fellow lodgers or the surrounding society played a vital role in the day-to-day life of neighborhoods.

Central to this article are the following questions: In what ways and to what extent could urban neighborhoods exert social control on their cohabitants, and how did this control change during the early modern period? Due to the state of research, we have to concentrate on certain examples of early modern cities. Primary attention will be given here to the example of sixteenth-century Augsburg.

Although historians up to now have shown little specific interest in urban neighborhoods, their organization, or their daily life, we do have a number of interesting case studies for the early modern period. Most deal with social and political life in neighborhoods in a general way or with neighborhood conflicts, but they do give us an idea about some specific developments in formal as well as in informal aspects of social control in this area. There have been no long-term or comparative studies, which would allow more general views on the subject. Research on individual cities (or parts of a city) in certain periods exists, but there is not even a single analysis on an individual city for the entire early modern period. Thus, we must glean our knowledge about long-term trends by comparing studies that usually have very different methodological approaches. Of particular value for our subject are the overviews of research on urban neighborhoods by Lis and Soly and by Roodenburg. Nevertheless, we all walk on very thin ice if we compare sixteenth-century Dutch cities with eighteenth-century London or Paris, or even with sixteenth-century Augsburg. Simple comparisons of this kind cannot lead to satisfying results, for there are too many factors influencing the development of neighborhood life.

Some light on the subject of social control in the context of urban neighborhoods is also shed by work in the history of crime and of attitudes. Two fields of research with interesting results for our subject out of numerous others are the history of public houses and gender history. The study of social control by neighborhoods can be done for the most part only through sources produced by the authorities or the criminal justice system. Therefore, a broad picture of functioning neigh-
borhood relations, and their positive influence or successful disciplining efforts, must be reconstructed indirectly. Nevertheless, it is possible to identify a wide variety of areas in which social control took place, ranging from consent and cooperation within the whole society to conflict between authorities and subjects.6

Very impressive studies also exist on church discipline in the urban context. We can learn a lot from these authors. Unfortunately, they concentrate primarily on the Calvinist denomination; we still have little information about church discipline in Lutheran or Catholic cities and towns.7 Given the present state of research, any overview of social control in urban neighborhoods during the early modern period will remain a very rough sketch.

There are studies of neighborhood relations by sociologists. Although sociological analysis of urban neighborhoods is primarily inspired by an interest in defining future social policy, they often deal with historical perspectives to explain long-term dimensions. Nevertheless, “most do little more than offer clichés” in describing this perspective, because they remain in a simple “traditional-modern dichotomy.”8 But the interests and approaches of historians dealing with neighborhoods are often inspired by sociological questions, especially where they are connected with issues of informal relations between citizens in close living conditions.

In order to describe urban neighborhoods within the context of social control in the early modern period, it is necessary to take the main developments of early modern state building into consideration. The so-called process of modernization in historical research includes a wide spectrum of developments, from the extension of state institutions and their competence to disciplining ordinances that penetrated into many aspects of the daily life of all subjects. This catchphrase covers the concepts of social disciplining, confessionalization, civilization, and emancipation, but also the rise in state-controlled legal institutions (Verrechtlichung).9 The problematic aspects of these concepts have been discussed for some time; we will need to continue to keep them in mind in the following pages.

Neighborhoods were very much dependent on the development of state or urban institutions. Thus, this development corresponded with many factors of the relationship between state legislation and urban society. Several researchers, and not only those dealing with neighborhoods, have suggested as a hypothesis that the more the modern state exerted power over its subjects, the more informal and nonstate institutions lost their importance for social control. The question that follows from this hypothesis is: To what extent was the position of urban neighborhoods affected by this phenomenon? Not only was modernization not a linear development but also—and this is true even in research on modern societies—the community never lost its importance for its residents (perspective from the bottom). The more the approach of the so-called infrajudiciary is explored, the more a simple model of modernization must be doubted, in our context as well as elsewhere.10
Neighborhoods As Formal Institutions of Social Control

The neighborhood as a formal institution within the urban administrative structure can be defined for our purposes more precisely, using the example of sixteenth-century Augsburg, an Imperial city in south Germany. In Augsburg sources, the subordinates of a neighborhood captain called themselves a “neighborhood” and normally consisted of the inhabitants of about ten to fifteen houses. These individuals, who were primarily artisans and laborers, also served as officials with responsibilities in the military and administrative areas. Neighborhood captains had to register inhabitants, weapons, grain reserves, or special taxes. In the court records they were mentioned together with their neighborhoods as institutions of nonjudicial mediation in conflicts or at the first signs of offenses against order within their administrative district. The neighborhood in this sense becomes the institutionalization of social control. The duties of these neighborhoods will now be described in more detail.

First and foremost, citizens and other inhabitants had a general duty to pacify and to admonish in any case of conflict within their community. This was especially true in cases of blasphemers, squanderers of household goods, heads of household who were regularly drunken and abused their families, or similar offenders. The role of the neighbor was to draw the attention of these individuals to their misdemeanor and to give a friendly admonition in order to bring them back to accepted moral standards. Only in cases in which the individual failed to understand the personal or communal warning, or where a repetition of the offenses occurred, were the courts informed. Before a misdemeanor escalated to a punishable act, the fellow citizens had the obligation to find a satisfactory solution. In this way, the community, more specifically the neighborhood, was directly involved in social control by serving as an extra- or nonjudicial mediation committee. In these mediations and admonitions, the above mentioned neighborhood captains in Augsburg played a crucial role.

The following example of an innkeeper from Augsburg in 1552 shows clearly how such a procedure worked in practice. Zimprecht Grens was accused by his neighbors of housing “loose” women, of giving married and unmarried men access to them, and of entertaining guests beyond the regular closing time, thereby disturbing the general peace. After first trying verbal confrontations, the neighbors called in the neighborhood captain, who admonished Grens but could not impose sanctions. After all attempts at mediation between the parties failed, fifteen neighbors—that is, the entire neighborhood—inform the city council, which immediately arrested Grens.

Second, it was the duty of all inhabitants to stop violent confrontations with the command that peace should be established (*Friedbieten*). In other words, eyewitnesses were expected to intervene in any case of violent behavior or confrontation, and to command that the participants stop what they were doing and make peace.
with one another. Of course, the bystanders, the visitors to an inn or the neighbors of a brutal husband, were also supposed to enforce this peace on the quarreling parties. The command to make peace was exercised in the name of the mayor and became, therefore, of official importance, especially if the conflict could not be settled. To further support this, special punishments were given to those who ignored the bidding of peace by their fellow citizens.

The duty to admonish in cases of misdemeanors or to intervene in violent confrontations produced a gray area of involvement that could endanger or draw the mediator into the incident. An example of such circumstances is that of the wife of Andreas Widenman, a citizen of Nördlingen, who was nearly killed by her neighbor in 1584 when she tried to calm the drunken and furious man. The understandable inclination to avoid any involvement in such quarrels was countered by the threat of harsh penalties for noncompliance. Conversely, the duty often also served as an excuse for participants who claimed that they only became involved in a confrontation after they had commanded peace and thus could be excused of guilt.

Third, citizens and the other dwellers of the city of Augsburg as well as those of other cities had the duty to inform authorities about offenses and violations of discipline ordinances as well as of the criminal law. This duty was observed so completely that one cannot discern much of a difference between the authorities and the subjects in their understanding of norms. This can be shown through the protocols of the lower criminal courts (Strafherren, Einunger, etc.). Besides the normal accusations and denunciations, people often made remarks that show how completely obliged they felt to bring further evidence forward in specific cases. Especially in cases involving sexual crimes, we get the impression of a nearly oppressive system of spying, suspicion, rumors, surveillance, and marginalization, which brought countless hints, accusations (true or false), or even concrete evidence to the attention of the authorities. In most cases victims were innkeepers who ran their houses more liberally than allowed, or women who lived alone because of the frequent absences of their husbands or because they were unmarried or widows. Often a short visit by a man to such a single woman, even during the day, was enough to inspire the fancy of the neighbors, and their suspicions of impropriety could ultimately result in the woman being brought to prison, put in irons, and examined by two councilors.

The incentive for bringing information or making an accusation to the mayor or the lower courts was further encouraged by a financial reward. The informer or denunciator (often called informant, or Kundschafter) received a fixed sum that was related to the degree of the judgment. This, of course, caused a lot of suspicion and false accusations, often leading to the punishment of the informant himself. In many cases, neighborhood networks became extremely poisoned as a result of these actions, with accusation and counteraccusations producing an extended period of insults, investigations, and trials.
Finally, neighbors had the duty to appear at trial as witnesses of the crime or offense itself, as well as serving as character witnesses. In 1519, the Augsburg city council commanded such testimonies from neighbors for all the so-called St. Gall’s people. Every year at St. Gall’s day until 1536, a specific court day was held for prostitutes or other women or men accused of sexual offenses to be sentenced. If proved guilty, they were expelled from the city for at least a year. The mandate specifically stated, “if somebody is accused for exile, the neighbors shall be questioned about the habits of the accused. After this inquiry, everything shall be done, as is right.”

As the above duties of urban dwellers show, in order to enforce the state aims of peacekeeping, security, and discipline as protection for the community against the potential rage of God (which could be brought on by the sinful and wicked lives of the subjects), early modern authorities needed a surveillance instrument close to the people. Using a combination of persuasion, financial incentives, and the threat of punishment, the magistrates succeeded in making the town dwellers serve as instruments in the implementation and enforcement of their policy. This communal control in combination with quite efficient criminal courts and police created a system of discipline that expanded its efficiency in most cases through the cooperation between authorities and subjects. Conversely, where this cooperation did not work, we can assume some kind of opposition against legal provisions.

The institutions most similar to the Augsburg neighborhoods were those in Dutch cities. There are a number of interesting studies of these neighborhood communities (gebuurten), including Delft, Haarlem, Leiden, Rotterdam, The Hague, and Utrecht. These communities were founded in the late Middle Ages by the people themselves who were living together on a street and originally organized informally for mutual help. Roodenburg explains their origins from the same roots as those of guilds and confraternities, with an ideal of sociability (Vergemeinschaftungsideal), resting on basic values (harmony, concord, peace, and reconciliation). The author does not want to draw a picture of pure harmony in late Medieval society but interprets these ideals as reactions to internal disruption.

Dutch neighborhoods also had a formal structure similar to the neighborhoods in Augsburg, but with more staff. People living in a gebuurte, like the members of a guild, elected a dean and captains (hoofdmannen) and also had an informal judicature. These principals often had a secretary, and sometimes even an advocate. All neighborhoods had a servant who ensured the mutual rights of the inhabitants and served as mediators in case of conflicts. Between the fifteenth and the eighteenth centuries, clear changes in the responsibilities of the neighborhood officers and in the urban institutional structure can be recognized. During the early modern period the geburten increasingly came under the supervision of the city government, with an accompanying shift in the definition of their func-
tions. The deans and captains became responsible for registering strangers or monitoring the local poor.18

For the Dutch cities also, a decline in participation in local government can be supposed. We know that in The Hague, the heads of poor families were excluded from the election of the deans and captains and that in Leiden rich and poor increasingly failed to cooperate with each other.19 Aside from this marginalization of poor inhabitants, in Leiden the neighbors lost their right to elect their deans in 1593. The inhabitants of the neighborhood were allowed only to nominate three candidates, with the city court then making the final selection.20 The development of the responsibilities and tasks of the deans in the southern Netherlands in the better analyzed example of Ghent seems in general to be very similar to the Dutch cities, although Lis and Soly suggest that in this city, local autonomy was preserved much longer than elsewhere in Western Europe.21

In contrast to our Augsburg example, the principals in The Hague and in Leiden had the right to sentence their neighbors to a broad variety of fines.22 They were also tasked with intervening informally in local conflicts and pacifying the participants before escalation. At the end of the sixteenth century, ordinances required that quarrelsome neighbors explain their problems first to the principals of their neighborhood before going to the city court. As we know from other early modern cities, most of these quarrels were conflicts of honor and the task of the principals was to preserve peace within the neighborhood. Thus, the captains were also called “peacemakers.” In case of verbal injuries, citizens could revoke their insults in front of the principals. A seventeenth-century contemporary described the scene: “then they shake hands, and are made friends.”23 It is possible that such settlements could also be made in front of Augsburg neighborhood captains, but we know of them only as they took place in front of the representatives of the city council.

One could interpret these changes as a development from the self-regulated local community within a city on the basis of the neighborhood to instrumental elected neighborhood representatives. This is also a step in the process of Verrechtlichung or increased legalism in many fields of early modern life, which is very much connected with the professionalization of civic administrative and juridical systems.

In comparison with what we know thus far about developments in other European cities, local autonomy in Paris was most restricted, at least in the eighteenth century. In Paris earlier than in other cities, “an extensive and professional police force was created.”24 In the French capital, the neighborhood (le voisinage) was never a clearly defined space with its own formally recorded rights and duties. In the first half of the sixteenth century, the city was divided into sixteen quarters, which were governed by local dignitaries elected by their elite citizens. During the following two centuries, the withdrawal of a significant number of members of the elite classes from community life changed the character of the quarters.
“With each successive withdrawal, with the spread of what were becoming mainstream values, and through other changes that were taking place simultaneously, the community itself was changing.” One example of the loss of local autonomy is the change in the city militia, which was maintained by the citizens of the quarters until the middle of the eighteenth century, when it was replaced by a police force. According to David Garrioch, the centralization of the administration, and the reduction of local autonomy and the responsibilities of the local elites, also “significantly reduced the importance of the quarter as a social and psychological entity.”

Moreover, Martin Dinges has shown that at least since 1760, conflicts of honor underwent a process of decreasing judicial jurisdiction (Entrechtlichung) in Paris. The number of such quarrels declined in the courts, and instead quarrels were treated by the police. The author recognizes in this institutional change the reason for an increase in juridically unregulated violence. The background of this phenomenon, according to Dinges, is that in Paris the class most interested in defending its own position by protecting its honor, the middle class, was no longer interested in provocative honor quarrels, which were dealt with in higher courts. Quarrels of honor still existed but were increasingly ignored by the leading politicians of justice. Social control in this area was now treated primarily by the police and handled less and less between neighbors themselves. What Dinges describes cannot be interpreted as a backward-oriented development in the period before the rise in legal procedures took place, but rather as a symptom of modern class society. Conflicts of honor to defend one’s position in society were a declining model of the ancien régime, which no longer interested the courts in most cases.

Informal Social Control by Urban Neighborhoods

The definition of “neighborhood,” stressing the informal use of the category, which Bernd Roeck has designated as a “soft” category and described as “generally marked by spatial proximity and permanent or temporary cohabitation,” comes close to Max Weber’s definition and that of other sociologists and anthropologists. Scholars in these disciplines have reflected about interpersonal cooperation, tension, conflict, special codes of behavior, and so forth in towns and cities. The concepts of these community studies were adapted by historians. For our purposes we could say that the neighborhood is not only a formal framework for institutionalized social control but also a source of conflicts within the community, which in turn lead to the need for control measures by the authorities or the society itself. These conflicts can result from the violation of one norm, but also from the tension between different norms, for example between socially accepted or even required behaviors and contradicting laws enacted by an authority.
The formal institution of a neighborhood originally was created by the neighbors themselves—at least we know this from the Dutch cities. Drawing on Karl-Sigismund Kramer, Roodenburg is convinced this institution rested on the corporative values of concord, brotherhood, and friendship. These values led to a process of horizontal social control that was enforced by fellow citizens. Even if the formal social control exercised and initiated by the city authorities (or by state institutions) became more and more important in the early modern period, control on the horizontal level never lost its importance.

This was true also for eighteenth-century London or Paris. The tremendous mobility of the population and its enormous increase in number, combined with a segregation of the elites, has led to the hypothesis that the instruments of social control within the community lost their function in favor of centralized institutions, especially a modern police body. But modern research shows that the socially more homogeneous neighborhoods developed new forms of autonomous informal social control, parallel to the security institutions of the authorities.

Examples of areas in which we can see neighborhoods as enforcers of social control include: interest conflicts arising from the narrow living conditions in cities, for example in connection with the building of houses or the use of wells; sexual infractions, such as adultery or procuring; intolerable living circumstances for wives and children with violent husbands and fathers; physical injuries in the alleys; and so on. Poor housekeeping, in Augsburg sources generally described as “bad housekeeping” (Übelhausen), caused neighbors to intervene personally and, in the case of failure, to press neighborhood captains or finally the council to restore Christian family life in their environment. Not only a sense of civic duty to act in the name of the authorities but also piety and moral and religious convictions, or less altruistic motives such as envy, economic advantage, or other aspects of personal relationships, led neighbors to act to control each other.

Where the peace of the community or the security of its inhabitants was threatened, cooperation often occurred between the population and the authorities. There was a broad spectrum of legal, self-motivated neighborhood interventions in urban society to exert social control. In the vast majority of these cases, individuals within a neighborhood pressed the urban authorities to intervene because their personal living space was disturbed or their property or even person or family was endangered. This was the case in many examples where a neighbor challenged the head of a household for fighting outside his house, complained about fights leading to the stabbings of journeymen, or opposed the violence of drunken men in the streets. The number of trials, particularly those concerned with acts of violence and offenses against property, increased enormously in Augsburg during the sixteenth century. At the same time, trials of resistance and attacks against the urban authorities declined significantly.
hypothesis derived from these facts could be: The great increase in population in that century and the connected demographic, economic, and social crisis led to a great loss of security. This sense of insecurity—probably in conjunction with successes in the disciplining process—increasingly linked the interests of authorities and subjects at the beginning of the modern period.32

Especially under the perspective of informal or horizontal social control between members of a community, the substantial criticism against the concept of social discipline (Sozialdisziplinierung) in its narrow interpretation that has arisen in recent years is substantial. Since this theory was postulated, many authors have shown that there was a great deficit in the execution of disciplining measures by the authorities. On the other hand, there was a broad variety of horizontal mechanisms of social control at all levels of early modern society. A decisive link that confronted individuals with the norms and values of their vicinity was the neighborhood. Very often neighbors called for the help of the authorities, especially when their competence in effecting conciliation was exhausted. In this context, scholars have also found examples of critical surveillance of the authorities by their own subjects.33 These results demonstrate an interaction between vertical and horizontal social control; more, they show that a clear distinction between the two areas is not realistic in an early modern town or city.

One opponent of the concept of social discipline and a prominent advocate of the contrary concept of negotiation (Aushandeln) of norms is Martin Dinges. It is not necessary here to discuss the pros and cons of this concept in detail. What is important for us is that he exemplifies his approach with Paris neighborhoods in the eighteenth century. In his 1994 study Der Maurermeister und die Finanzrichter, he objects to the notion that there was a general decline in regulation by autonomous face-to-face societies in favor of legal norms that did away with the validity of autonomous regulation. For this to be true, either two equal norms must have existed in the population and in the judicial system, or two competing norms. Dinges advocates the integration of investigations into social control in modern societies into historical research. One finding of these sociological works is that countercurrent processes of increasing and decreasing regulation (Verrechtlichung and Entrechtlichung) exist permanently in any society. He thus believes that a pure dichotomy between “community” and “society” is not a useful model. The advantage of the concept of social control is that the perspective is not fixed on state institutions. The question for Dinges is: To what potential sanctions do the respective actors have access? This approach is especially useful for the analysis of notions of conflicts of honor in early modern societies. In the context of his research, Dinges examines neighborhood and police on equal terms, and he is interested in the mutual influence of the population and the judicial system. This concept is fundamentally different from sociologist Max Weber’s approach to Verrechtlichung.34

If norms are interpreted as the result of a process of negotiation within a society, the society itself takes on much greater importance than in a pure concept
of social disciplining. Drawing on the sociologist Helge Peters, Dinges interprets social control as the “totality of measures that aim to prevent or restrict deviant behavior by a member of a society.” Social control in this sense is a dependent variable, conditioned by social realities. The forms in this context are gossip, admonition, insult, quarrel of honor, action, and denunciation. The author’s hypothesis is therefore that justice is only a special case of social control in a continuum of possible reactions to deviance. In his specific example people had a choice between a quarrel of honor or an accusation before the commissaire. Possible reactions to any kind of offense ranged from informal to formal, at times functioning in a kind of staged model.

The study of Dinges is central to our topic. Loss, or the fear of loss, of honor can be understood as a result of social control within societies, and also within neighborhoods. By means of the “social capital” of honor—as defined by Pierre Bourdieu—men were kept within the networks of their community and either succeeded or were marginalized from their social environment. Conflicts of honor were normally one of the largest categories of legal proceedings in early modern societies. During the sixteenth century, legal proceedings caused by accusations of defamation increased dramatically. And damage to one’s reputation was the most common reason for complaints to the commissaire in eighteenth-century Paris.

The continuum of possibilities for resolving conflicts of honor was not limited to informal settlements and secular courts. Ecclesiastical courts also dealt with the problem, as historians working on church discipline have noted. Particularly, works on Calvinist consistories and their role within a parish show that many aspects of their tasks overlapped with those of state or urban courts. As Roodenburg has shown for Amsterdam, the consistory played a crucial role in secular conflict management. According to Roodenburg, in Amsterdam, “church discipline was part of a spectrum of legal pluralism.” Within this spectrum consistories concentrated not only on church discipline, but also on the security of peace within the city. Ministers and elders exerted discipline more effectively than other courts, because they were in close contact with neighbors, and asked them about the behavior of delinquents, and so forth. People lived under “mutual control, [and] the constant anxiety about their ‘honor’ and ‘respectability’” was their primary concern. Within this duty of the consistory, the exertion of church discipline “was primarily exemplary.” It was not the goal of the institution to bring all misdemeanors to court; rather, De occultis Ecclesia non judicat was the maxim. Although the consistory was not severe in Amsterdam, the city became more disciplined through the work of the ministers and elders. What is interesting in this context is that after 1680 the Amsterdam consistory concentrated mainly on marriage or other special ecclesiastical subjects.

The Calvinist seniorat in its territory or town was responsible for the entire religious and moral life of the community. Thus, informal quarrels of honor also
came to their courts. Sentences were only ecclesiastical, but there must have been effective cooperation between church and secular authorities. The competence to intervene in primarily secular offenses came from the Ten Commandments. For example, envy, hatred, and defamation were interpreted as offenses against the Sixth Commandment. That in Amsterdam the consistory concentrated more and more on purely ecclesiastical cases at the end of the seventeenth century may be explained by an increasingly thematic separation of secular and ecclesiastical courts in Calvinist regions.

There could be two explanations for the huge number of proceedings in this area. First, as is quite often held by historians of crime, one can determine an increasing use of the courts by the “common man” for this purpose. Second, in modifying considerations of Paul Münch a bit, there could be a loss of competence in conflict resolution within neighborhoods. While the first idea is based on the explanation that people turned to the courts voluntarily in such cases, the second stresses that early modern authorities destroyed or undermined the ability of neighborhoods to deal with many of the problems of community life, which were now regulated by the modern institutions of social or church discipline—in Münch’s case study, by the Calvinist seniorat. Michael Frank has suggested that during the second half of the seventeenth and the eighteenth centuries, only the secular courts had an adequate model of resolution for conflicts of honor. This was the chance for the early modern state to exert itself at the local level.

As a result of his methodological approach, Martin Dinges shows that the concept of Verechtlichung was not just a one-dimensional process of steadily increasing responsibility of the courts for more and more areas of social life. In eighteenth-century Paris, conflicts of honor were of high public interest. Men of the middle classes and of middle age were the primary actors, but women can also be found in the statistics of court activity more than in all other crimes of violence. Accusations before the commissaire were an important means of social control within the urban neighborhood, but they often had a long prehistory and show a planned use of the judicial system. Insults remained an important form of conflict regulation within the community, combined with a high demand for regulation by the police or the courts. As the courts increasingly retreated from these cases at the end of the ancien régime, the neighborhoods themselves once again had to settle these conflicts. For Dinges this is a good example of Entrechtlichung.

A number of studies in the last couple of years have stressed the importance of honor in verbal and nonverbal conflicts between neighbors. It is now clear that these conflicts were not only emotional outbursts of verbal injuries or even physical violence occurring without reflection; in many cases, they demonstrate control in the exercise of verbal and nonverbal attacks against the opponent, which allowed both parties to de-escalate the conflict at any phase. The primary aim
was to preserve or to restore the honor of a person or of his house.\textsuperscript{42} In keeping with the logic of safeguarding one’s honor, insults only came to court when they were spoken publicly, for example when they were heard by neighbors.\textsuperscript{43} These conflicts of honor within urban neighborhoods can also be interpreted within the broader concept of the infrajudiciary. Extrajudicial conflict settlements, of little interest for the history of law, belong to the early modern social system as much as do the courts of the early modern state with their pretension of a monopoly on justice. Research in the reality of neighborhood conflicts has demonstrated the consistent importance of this means.\textsuperscript{44} What Dinges has shown in the example of neighborhood conflicts in Paris is the changing use of the courts within the development of social and state interests.

At the same time, these conflicts and their ritual aspects are the results of horizontal control, or even disciplining. Life in early modern society required keeping one’s reputation alive. And this reputation was defined largely by fellow citizens, or even more so, by neighbors. Their code of honor was the standard on which behavior had to be based. Thus they exerted social control on their neighbors very effectively. One’s honor provided an essential credit for difficult situations in life or, as Bourdieu put it, it was a form of social capital. It could be accumulated in the family, in the guild, or in the neighborhood. People who had a good reputation on their street could trust their neighbors to act as character witnesses if they were falsely accused. This was not only an advantage at the courts but enhanced social and economic status as members of the community as well.\textsuperscript{45}

Reputation—or the capital of honor—in the neighborhood could be of essential importance for the economic existence of a citizen. Sources from sixteenth-century trials in Augsburg show an impressive influence of neighborhood testimonies and character references. Criminals of all sorts who hoped for the chance to be reintegrated into their old environment depended in many cases on their social capital. Intercessions were necessary in order to get a pardon, especially for those who had been exiled, as proof to the municipal council that the accused would be accepted within his or her old social network. Besides the family, guild members, friends, and often neighborhoods provided character testimony for the delinquent. One cannot underestimate this tool, because normally the length of the exile of a citizen was not fixed. Only if the city council had the impression that there was a good chance for reintegration could the exiled person hope to get permission to return. Together with the families, neighbors often pressed the authorities more than once in favor of their friends. In contrast, someone who was pardoned by the council could hardly hope to find peace or work without facing restrictions by the guild or other difficulties if his neighborhood and fellow craftsmen did not agree with the authorities’ decision. The early modern judicial system was based not only on the cooperation of offender, victim, and tribunal. To a great extent, the delinquent’s chances of resocialization and rehabilitation were influenced by, or even dependent upon, his social background.\textsuperscript{46}
The fundamental importance of neighborhood testimonies can also be found in eighteenth-century Paris. Dinges stressed that established and well-integrated persons had the best chances of accumulating and defending their capital of honor. Such people were much more successful during conflicts in mobilizing allies who would agree to give positive declarations or testimonies to the commissaire or in front of a tribunal.47

The examples of Augsburg and Paris show some clear similarities, even though we have no detailed comparison of the influence of neighborhoods on court sentences. What is obvious is the element of social control that neighbors could exercise, even in legal transactions, throughout the entire early modern period. Their common memory was a factor in court decisions. In this context, Dinges coined the term “neighborhood public sphere.”48

But in certain cases, the influence of neighbors could go even further, especially in difficult political or social situations. Supplications became more important if the urban council feared unrest within the city in relation to the sentence of a suspect. There were numerous cases in which punishments were not as severe as usual because of political considerations. This was especially true in times of religious unrest in the biconfessional city of Augsburg.49 My example is also from Augsburg in 1596. The weaver Georg Kappel had written anonymous lampoons against the city council, the Augsburg merchants, and the principals of the weavers’ guild.50 During his trial, pleas were written from his family, his guild, and diverse neighborhoods. The arguments not only reflected the normal respectful formulations but also presented the clear message that Kappel was not wrong in his descriptions. The jurist who provided an expert opinion on the case took these pleas into serious consideration and used them to support his suggestion for a punishment. The argument was that if the council sentenced Kappel to death, a lot of people would oppose the decision, and the political situation could become dangerous. The council respected the suggestion and expelled the weaver from the city to fight against the Turks. The pleas in this case represented a threat to the council and had to be respected to a certain extent, although without losing authority in the city.

A spectacular institution of horizontal social control that was explicitly based on a norm system that differed from that of the secular and ecclesiastical courts was the charivari. The phenomenon, which was well-known all over Europe and a feature of towns as well as villages, belongs to a broad range of possible means of drawing public attention to misrule, misdeeds, or socially unacceptable behavior. Charivari can be seen as “an attempt to bring community pressure to bear on someone in order to make them redress a grievance.”51 The word has been in use since the high Middle Ages, very often in connection with sexual misbehavior and second marriages, “especially when there was a gross disparity in age between the bride and groom.”52 Nevertheless, charivaris are connected...
with a much broader spectrum of socially unacceptable behavior. Natalie Zemon Davis differentiates between charivaris in villages and towns. “The city charivari was used to mark other affronts to the sense of order or justice of the neighborhood.” She cites sources from Dijon and Amiens where the phenomenon occurred in the context of theft, murder, seduction, bizarre marriage, or the selling of false wax. Garrioch shows that traditional charivaris in Paris vanished after the mid-eighteenth century, partly because the authorities fought against it, and partly because the demographic development within the city meant that it no longer made sense. At the same time, Garrioch sees a “spread of the ‘political charivari.’” He explains that the “disappearance or transformation of collective sanctions like the ‘charivari’ deprived the community of important mechanisms of self-regulation.” Davis gives examples of charivaris in French cities that in the sixteenth and seventeenth centuries had already “turned against the political authorities.” In that sense social control in the urban context was also social criticism, which was directed against the officials.

In the context of our question of social control within urban neighborhoods, the charivaris can be interpreted as an independent instrument of the subjects to enforce their own norms on their fellow citizens. In France, charivaris most often occurred when the norms that were violated were not those of the authorities, but the moral convictions and social interests of the subjects. Although traditional charivari came to an end in eighteenth-century Paris, it was a popular counterpart of social control to that of the state throughout the early modern period.

Horizontal social control was often perceived as repressive. The great number of denunciations and accusations in the above description of the duties of citizens in sixteenth-century Augsburg was characteristic. One can assume that this often produced a difficult climate of distrust among neighbors. And in fact, many statements even in court protocols confirm this. The situation presumably was worse in eighteenth-century Paris with its much greater population and dense living conditions. Garrioch describes an atmosphere of permanent vigilance and observation. Permanent fear of theft, threat to one’s person, and endangerment of the social order through the violation of norms was an everyday experience. There are examples of resistance against such permanent control. In the narrow living circumstances in the big cities especially, tenants tried to avoid the surveillance of their day-to-day lives and opposed interference with their freedom to come and go from their own flats whenever they chose. Paris tenants lived under the pressure of this long before the concierges began to appear at the end of the eighteenth century. It is possible that these conditions were perceived more harshly in the century that marked the beginning of the privatization of life. But there are also hints that resistance against a too-strict control of movement already existed in the sixteenth century.
Conclusion

From the late Middle Ages to the eighteenth century, competences of neighborhoods in European cities increasingly moved from self-regulation to appointed duties. The external control of urban or state authorities increased from the sixteenth century. But beyond this general development, we have identified examples that are highly varied. In Paris the small entity of a neighborhood never had institutional importance for social control within the city but was only “the social context which was foremost in people’s consciousness.” On the other side of the spectrum, Ghent presumably belonged to those cities in western Europe that preserved their local autonomy in a much better way than most others.

The development of the influence of social control by urban neighborhoods cannot be explained by institutional tasks alone. The perspective on the horizontal (informal) aspects of social control, and the interaction between the two approaches, gives an important insight into how early modern urban societies functioned. Neighbors had a great interest of their own in controlling their fellow citizens. Values and norms of the population were not always identical with those of the authorities. Thus, we can see a broad variety of reactions including cooperation, resistance, and demand between the two levels. Citizens called in the authorities whenever it was necessary and where the authorities had jurisdiction. But they kept away from formal institutions whenever it was useful for them. Thus, they turned to judicial instruments or police forces to protect life, honor, and property on the one hand and employed extrajudicial conflict settlements up to the level of charivaris on the other hand.

Research on these phenomena in the urban context is not broad enough to draw a clear picture of the development of interaction between vertical and horizontal social control, but a short sketch is possible: We can identify from the sixteenth century onward an increasing demand for professional conflict settlement by the courts. This developed parallel to the massive production of laws and ordinances by the state. At least in the seventeenth century, neighborhoods in most cities were integrated into the formal structure of the administrative and juridical body. Thus, they were supervised by the authorities. Nevertheless, there were aspects of social control in which the authorities no longer had any interest, or which they gave up on enforcing. This process is explained by Dinges in terms of Entrechtlichung. Parallel to these aspects, which were undergoing a permanent process of interaction between inhabitants and city authorities, there were always a great number of norm conflicts within the population that were of little or no interest for the authorities. These were completely subject to informal types of social control. These cases sometimes came to the regular courts indirectly, when the population used illegal means to enforce their own norms, for example with insults or even with charivaris.
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1. Specifically, Gropp appears in the records as a “Barchentkarter.”
2. Stadtarchiv Augsburg, Reichsstadt, Strafbuch des Rates 1596–1605, fol. 107r; Stadtarchiv Augsburg, Reichsstadt, Urgichten 1600b Nr. 185 (Marx Gropp).
4. For a more general overview of institutions, society, and mentality of sixteenth century Augsburg, see Gottlieb et al., eds., *Geschichte*; Roeck, *Eine Stadt in Krieg und Frieden*.
9. For example see several contributions in Boškovska Leimgruber, ed., *Die Frühe Neuzeit in der Geschichtswissenschaft*.
11. For the the Augsburg example, see Hoffmann, “Nachbarschaften als Akteure und Instrumente,” 187–202. On early modern Augsburg neighborhoods, see also Roeck, “Neighborhoods and the Public.”
12. Stadtarchiv Augsburg, Reichsstadt, Urgichten 1552 Nr. 24 (Zimprecht and Apolonia Greens, 16/22.8.1552).
14. For the Augsburg judicial system, see Hoffmann, “Strukturen und Quellen.”
15. Ibid., “75.
16. For this see the overviews of Roodenburg, “Freundschaft, Brüderlichkeit und Einigkeit”; Lis and Soly, “Neighborhood Social Change.”
30. Boulton, Neighborhood and Society; Garrioch, Neighborhood and Community in Paris; Dingels, Der Maurermeister; see also Lis and Soly, “Neighborhood Social Change.”
31. Hoffmann, “Nachbarschaften als Akteure und Instrumente.”
32. Hoffmann, “Bürgersicherheit und Herrschaftssicherung.”
33. Especially for urban examples see Boulton, Neighborhood and Society; Dingels, Der Maurermeister; Schwerhoff, Köln im Kreuzzügerhö; Hoffmann, “Bürgersicherheit und Herrschaftssicherung”; Bleckmann, Nachbarschaftskonflikte in einer Stadt, 90, 199, 200.
35. Dingels, Der Maurermeister, 174f.
36. See the research review of Schreiner and Schwerhoff, eds., “Verletzte Ehre,” 1–28; see also Backmann et al., eds., Ehrkonzepte. Especially for the urban context, Dingels, “Die Ehre als Thema der Stadtgeschichte.”
40. Frank, “Ehre und Gewalt im Dorf.”
42. Compare Walz, “Agonale Kommunikation.”
43. Garrioch, Neighborhood and Community in Paris, 40.
44. Loetz, L’infrajudiciaire.
47. Dingels, Der Maurermeister, 420.
50. Stadtarchiv Augsburg, Reichsstadt, Urgichten 1596a Nr. 168 (Georg Kappel, January 1596).
53. Davis, Society and Culture, 117.
55. Davis, Society and Culture, 117, 119, passim.
57. See Stadtarchiv Augsburg, Reichsstadt, Urgichten.
60. Ibid., 31.