

Geistlicher Staat und Altes Reich: Frühneuzeitliche Herrschaftsformen, Administration und Hofhaltung im Augsburger Fürstbistum. By Wolfgang Wüst. Studien zur bayerischen Verfassungs- und Sozialgeschichte, volume 19. Munich: Kommission für Bayerische Landesgeschichte, 2001. Pp. lxii + 930.

Die "gute" Policey im Reichskreis: Zur frühmodernen Normensetzung in den Kernregionen des Alten Reiches. Volume 1: Die "gute" Policey im Schwäbischen Reichskreis, unter besonderer Berücksichtigung Bayerisch-Schwabens. By Wolfgang Wüst. Berlin: Akademie-Verlag, 2001. Pp. 604.

The importance of ecclesiastical principalities of the Holy Roman Empire for the religious and political history of modern Europe is well known, but their structure is still largely unexplored. At least that is the impression one gains from Wolfgang Wüst's analysis in *Geistlicher Staat und Altes Reich*. The Professor für Landesgeschichte at the University of Erlangen (and former director of the city archive of Augsburg) manages to reconstruct—almost resurrect—the prince-bishopric from the sources, and he evokes the image of an immensely complex political configuration. After an effective introduction discussing the typology of ecclesiastical states—which are secular states ruled by a bishop or abbot (or abbess)—and some practical and theoretical problems implied by this combination, followed by a systematic treatment of the existing stereotypes (backwardness, and so forth), the five chapters of this Augsburg *Habilitationsschrift* roughly deal with (1) the statehood of an ecclesiastical territory within the Holy Roman Empire; (2) the role of the cathedral chapter, of towns, and of the law; (3) bureaucracy and administration; (4) the prince-bishops and their court; and (5) their economic and social policy. An appendix (pp. 745–930) offers lists of offices in 1600, 1750, and 1800 and lists of the bishops' councilors, officers, employees, and servants from 1517 to 1803 in addition to an index of places and officials mentioned in the text or the lists. (The index does not include modern authors or subjects, however.) The subject of this study reaches well beyond the history of a state and includes sections on peasant uprisings (pp. 321–35), court festivities (pp. 610–50), and poverty and vagrancy (pp. 673–705)—the latter examined as both social and financial problems.

The closer Wüst sticks to his sources, the stronger his discussion of their meaning becomes. The reader benefits from his intimate knowledge of the subject, his curiosity about the unexpected, and his sense for structurally important details, although there is a danger of getting drowned in an ocean of facts. Clearly, this will be a standard work on the prince-bishopric of Augsburg, a medium-size territory with roughly one hundred thousand inhabitants. And since this territory was a hothouse of the Counter-Reformation even before the Council of Trent, closely interacting with the imperial city of Augsburg—a center of early capitalism and a venue of numerous imperial diets, the city of the *Confessio Augustana* and the Religious Peace of 1555—Wüst's publication can claim importance well beyond the history of the region, or *Landesgeschichte*. Wüst points to the complexities of early modern political structures, and historians in many areas (religious, political, intellectual, economic, social, micro, and macro) will have to take these complexities into account. It will remain the task of others, however, to fill the theoretical gaps left by the author and to determine how these findings relate to the international literature—as, for instance, Marc Forster's fine publications on early modern statehood and confessionalization in the prince-bishoprics of Speyer and Constance, which are neither mentioned nor quoted in this volume.

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The study of early modern legislating and internal policy and the policing of the German territorial states (*Policey*) has turned into a subject of growing importance since it was put on the agenda by a group of scholars (chiefly, Michael Stolleis and Karl Härter) at the Max Planck Institut für Europäische Rechtsgeschichte in Frankfurt am Main and began receiving financial support from the Deutsche Forschungsgemeinschaft around 1990. In contrast to centralized nation-states, hundreds of territories within the microcosm of the Holy Roman Empire generated their own laws. Their sheer number has thus far prevented comparative studies: catalogs (published in 1996, 1998, and 1999) point to roughly forty-eight hundred *Policey* laws in the Palatinate, thirty-seven hundred in Brandenburg-Prussia, and thirty-four hundred in Bavaria, to mention just three examples. These large numbers also limit the efficacy of the Frankfurt project. Wüst carries his own interest in regional peculiarities further by editing central pieces of early modern civil law (*Policey-Ordnungen*) issued by authorities of the Swabian Circle of the Holy Roman Empire in volume 1 of *Die "gute" Policey im Reichskreise*. This volume offers twenty-two comprehensive law codes (some containing more than one hundred paragraphs) produced by four types of legislators: (1) imperial cities such as Augsburg, Kempten, and Lindau; (2) ecclesiastical states such as the prince-bishopric of Augsburg, the important prince-abbey of Kempten, or lesser imperial abbeys such as Edelstetten, Elchingen, Ursberg, and Wettenhausen; (3) secular territories such as the Duchy of Württemberg, the Margraviate Burgau, the earldoms of Königsegg-Rothenfels, Fugger-Babenhausen, Fugger-Kirchheim, and Oettingen-Oettingen, and an imperial knight's land; and (4) the Swabian Circle as the political body of the imperial estates of Swabia. A critical commentary is lacking, but a lengthy introduction (pp. 13–71), a glossary (pp. 587–600), and an index provide guidance to the reader.

The imperial city of Augsburg alone issued roughly five thousand laws in the early modern period, more than the Palatinate, and figures here with just two ordinances, the *Policey-Ordnungen* of 1537 and 1621. It would be easy to cast doubts on the criteria of selection or the presentation of texts without context. However, the abundance of details, particularly of the lesser-known *Policey-Ordnungen*, silences objections: nice examples of cursing in a paragraph against blasphemy, parameters of measuring wounds in order to impose appropriate sanctions, and so forth, give a sense of the kinds of material researchers have previously neglected in trial records.

This volume is supposed to be the first of a series treating the ten administrative subdivisions (*Reichskreise*) of the Holy Roman Empire. Volume 2, on the Franconian Circle, will also be edited by Wüst. The introduction refers to concepts such as "social disciplining" and "confessionalization," without pushing the discussions any further. This project of editing regional codifications of civil law goes far beyond an earlier attempt by Gustav Klemens Schmelzeisen and will serve as a fundament of future evaluations of early modern legal developments, or—to put it more impressively—of a history of the rule of law.