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Article Title: The Devil's Altar? Crime and the Early Modern Public House

Year of publication: 2005

Link to published version: [http://dx.doi.org/\\_10.1111/j.1478-0542.071](http://dx.doi.org/_10.1111/j.1478-0542.071)

Publisher statement: The definitive version is available at [www.blackwell-synergy.com](http://www.blackwell-synergy.com)

[Abstract:]

## The Devil's Altar? Crime and the Early Modern Public House

*Beat Kümin*

Was the early modern public house really such a dangerous place, as Puritan preachers (and many historians) suggested? This article discusses offences by publicans and patrons. It argues that the evidence for crime needs to be carefully contextualized and that taverns could stabilize as well as threaten the social order.

[Main text:]

## The Devil's Altar? Crime and the Early Modern Public House

### *Beat Kümin*

Researching the history of popular institutions dedicated to food, drink and sociability has obvious attractions. However, their image is not exactly impeccable. Given the level of violence associated with certain pubs in our 'civilised' society, it is tempting to assume that tavern life must have been rowdier still in the 'dark days' of the pre-industrial period. As frequent depictions of dancing, fighting and carousing peasants in early modern woodcuts illustrate, such suspicions may not be wholly unfounded. Indeed, Martin Luther – himself not adverse to the odd drink or two – branded the pub as the 'devil's altar', while French historian Robert Muchembled speaks of a 'mass school for crime'.<sup>1</sup>

A range of sources like statutes, court rolls, artworks and travellers' reports allow us to peek into early modern taverns and confirm that both publicans and patrons committed numerous offences. Yet the society of the time was by no means permissive. There may have been no modern police force (not to speak of CCTV), but plenty of factors helped to keep the population in check. Manorial lords watched over rural tenants, municipal councils supervised life in the towns, higher courts dealt with more serious offences and everybody was subject to the moral directives of the mighty Church. Furthermore, people policed themselves on the basis of shared values. Men and women who broke social norms, e.g. through adultery or deviant sexual behaviour, risked the 'rough music' of angry neighbours.

Nevertheless, humans being humans, not all was well in public houses. Starting with publicans, there were innumerable trading laws that could be broken. Adulterating drinks was perhaps the most serious concern, and as early as 1264 the city statutes of Thun (Swiss Confederation) warned innkeepers that those who mixed wine with water would be executed like murderers!<sup>2</sup> At a time when travelling was quite an adventure, visitors approached inns with a degree of apprehension: what kind of conditions would they encounter and could their host be trusted? Such anxieties gave rise to sensationalist tracts like *The bloody inkeeper, or Sad and barbarous news from*

*Glocester-shire* (1675), reporting that several corpses had been buried in the garden of the landlord of Putley. Heinous crime in secluded wine cellars similarly inspired artists like William Hogarth. Such fears, of course, were usually unfounded and we are much more likely to find proceedings for infringements of petty licensing laws. At times of unrest, however, publicans often exploited their contacts and resources to become popular leaders, as in the case of Tyrolean national hero Andreas Hofer, keeper of the *Sand* inn at Passeier, who was executed in 1810 for his part in the rising against foreign occupation.

Moving to the patrons, inebriety, vomiting, brawling and illicit sexual relations were clearly the most common alcohol-fuelled offences.<sup>3</sup> Church courts tried a never-ending series of such cases to prevent divine wrath. In reformed Bern (Swiss Confederation), for instance, dancing was banned as sinful throughout the early modern period, yet people took little notice. At Neuenegg, a village on the border with the Catholic canton of Fribourg, the latter's more liberal sociability proved irresistible. Games and dances staged by the *Custom House* inn at Sensebrücke (conveniently located just across the river from Neuenegg), attracted no fewer than forty-five women during kermis in 1752 alone, all of which were duly fined by the local consistory.<sup>4</sup> By far the most important cause of tavern-related crime, however, were attacks on personal honour. There was nothing worse than to be called a 'whore' (as a woman) or 'thief' (as a man) in front of an audience and any such insult demanded instant satisfaction. If none materialised, verbal exchanges ensued and – if necessary – physical violence, ranging from (ubiquitous) punching right up to (very rare) fatal stabbings. Such conflicts tended to spread to bystanders, provoking the sort of colourful village brawls depicted in the paintings of Adriaen Brouwer.

Were early modern pubs really a 'mass school for crime'? Statistics are notoriously hard to produce for this period, but a rough calculation for the Neuenegg consistory suggests annual averages of 1-3 pub-related crimes per 100 inhabitants (1650s) and in other case studies about a quarter of violent crime had some tavern connection. This is considerable, yet two caveats should be kept in mind: first, a large proportion of recorded offences would no longer attract official attention (e.g. swearing, blasphemy, fornication) and – according to modern crime statistics – men who frequent pubs are still much more likely to experience violence than those who do not. Paradoxically,

furthermore, while a lot of brawling did occur in the early modern tavern, the very same institutions also helped to stabilize social relations. This is the 'positive' conclusion put forward by Ann Tlusty in her recent case study of the Imperial Free City of Augsburg.<sup>5</sup> Public houses allowed early modern people to hear news, hold court, strike business deals and celebrate rites of passage, while keeping an eye on visiting strangers. Whether the tavern appears as the 'devil's altar' or rather as a pillar of the establishment, is thus very much a matter of perspective.

#### Endnotes:

1. Luther cited in A. Römer, 'Luther und die Trinksitten', *Die Alkoholfrage* 13 (1917), p. 101; R. Muchembled, *Popular Culture and Elite Culture in France* (Baton Rouge, 1985), p. 119.
2. *Fontes Rerum Bernensium* (10 vols, Bern, 1883-1956), vol. 2, p. 603.
3. For the latter cf. A. Lynn Martin, *Alcohol, Sex and Gender in Late Medieval and Early Modern Europe* (Basingstoke, 2001)
4. Gemeindecarchiv Neuenegg, Chorgerichts-Manuale, vol. 1.3 (1752).
5. B. Ann Tlusty, *Bacchus and Civic Order: The Culture of Drink in Early Modern Germany* (Charlottesville, 2001).

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##### a) primary sources

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##### b) secondary literature

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Muchembled, R., *Popular Culture and Elite Culture in France* (Baton Rouge, 1985)

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[An earlier version of this article appeared in *Warwick the Magazine* Issue 3 (Autumn 2003)]

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