The Frictions of Privilege

The function of town council in Arboga during the late Age of Liberty

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Abstract: This study looks at the function of the Arboga magistracy during the late Age of Liberty. The goal is to explain how the magistracy fits into local society and the national political system of the Swedish realm. This has been done by examining the magistracy protocols during the year of 1770, analyzing the issues and participants of the town council meetings. The first quarter is studied in detail to create a baseline to compare the rest of the year to. It is shown that the magistracy had a multi-role function adapting to the local context and the demands of higher authorities i.e. the state. By taking care of the frictions of local society and forcing the burghers to participate in that process, the magistracy created legitimacy both for itself and the state. It is shown that the councilmen had local incentives to join the state integration process. It is also concluded that the magistracy was not negotiating their position within the state, but were recruited by the state to become active participants, creating a win-win situation.

Key words: Early modern towns, Arboga, magistracy, town council, state integration, legitimation, empowering interactions, frictions, sociopolitical structuration.
The Town Polity

The Urban Polity; Previous Research

The Early Modern Town – and Arboga

Introduction

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Introduction

In representative democracy, there is a distinct difference between the high-born ideals of liberty and equality and the social practice of politics. Politics, like sausages, is of the nature that is best from afar – you do not want to know how either is made.¹ On the other hand, the boring, and often dirty, politics pierces straight at the heart of the political system. The daily proceedings of local city council on a Monday afternoon is probably more representative of the political vigor of society, than the ballots cast on Election Day. But what happens if we apply this insight to the historical era of the Swedish Age of Liberty?

Much has been said and written about the “Election Day” counterpart of the Swedish diet, but the rainy Monday afternoon squabbles in provincial urban centres have been largely ignored. The scholarly mouths of researchers are not exactly watered by the repetitiveness of town council² in a stagnating urban community. At the same time, it might be said that the drudge of the magistracy captures many of the central themes of early modern research: state integration, social space, elite identity, ancien régime ideology, judicial development et cetera. Town council was arguably a compressed microcosm of early modern Sweden, severed from the rest of the country by town fences and town privileges. Due to their relative isolation, towns are useful vessels for exploring many of the nuances within these themes, as well as how they interact with each other e.g. what is the relationship between social space and state integration? – In what way does the judicial body of a town court fill a political function?

The main purpose of this thesis is to seek an understanding of the function of the magistracy during the late Swedish Age of Liberty. As will be explained in the next few chapters, there is good reason for asking questions leading to a synthesis of the town polity, as represented by the magistracy of small town Arboga.

The Early Modern Town – and Arboga

The paradox of the history of urban environments is that it can be said to be, concurrently, one of the most and least researched fields of history. There is an abundance of books overviewing the history of towns of Sweden, in credit to a group of enthusiastic, mostly leisure time historians. As David Goldfield has noticed, these urban histories follow a set structure: Geography, demography and growth patterns.³ In view of their descriptive style, they fill a clear

¹ As the alert reader might have noticed, it is a paraphrase of a quote falsely attributed to Otto von Bismarck.
² I am using “magistracy” and “town council” interchangeably, meaning the same thing.
role as statistical tools, or as basic overviews, but they offer little understanding of the towns
themselves as political, social and economic arenas. It is in that attribute – as demarcated spheres – that
the provincial towns form an interesting possibility for research.

Admittedly, there is no such thing as an isolated object of study in history – claiming that
would be reducing the importance of context. But the provincial towns form the closest thing to
a microcosm of early modern society. The towns’ populations had contacts and relationships on
both regional and national levels, but the town itself formed a social arena of its own, based on
its own rules and norms. This aspect has, for example, been made use of by Gudrun Andersson
in her study of Arboga elite culture.4 By having a fixed amount of people, forced to interact with
each other, it is a fairly straightforward task to single out elites within that geographical unit. But
in order to be able to utilize this quality fully, we must also understand the town polity. By doing
that we might also be able to nuance our perception to what extent towns can be treated as
microcosms, and to what extent it should be avoided. This wider understanding of the town
polity has not been given quite the attention it deserves.

It might seem like I am overselling the town environment as an object of study, but I must
persevere. It is true that the towns only represented around 10% of the total population of the
Swedish realm, and if you exclude the capitol of Stockholm, that figure might reach as low as 6-
7%.5 But just as the king and court, the noblemen and the priests had an extraordinary position in
early modern society, in spite of their numerical modesty, which justifies their over-representation
in research. Their minority experiences teaches us more _per capita_ about early modern society –
nota bene not early modern _experience_ – than the great majority of farming households do. Given
that the monarchy, the aristocracy and the clergy were special due to their direct connection to
the rule and power of early modern society, what quality in town milieus justifies the claim that
they should be viewed in a similar fashion?

The primary reason is that towns and cities were geographical units with intensified social,
economic and political life. People living in towns had, on average, more economic relations –
both in numbers and frequency – than people living on the countryside, due to the work
specialization and division of labour.6 As a golden rule of township: The larger the town, the
more specialization, diversity and money, and the less livestock.7 That is not to say that early
modern towns were not agrarian – they were – but that in addition to its agrarian structure, its
general economic structure was more complex.8 Neither do I claim that the towns were _more_

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5 Fällström, Mäntyla 1982, p. 178; also in line with greater Europe: Hohenberg, Hollen Lees 1995, p 84.
6 de Vries 1984, p. 12.
7 Lilja 2000, p. 238–240.
important than the countryside, but only that given their heightened amount and intensity of interpersonal relationships, it is easier to see and study the rules and framework for early modern relationships – social, economic and political.

At the same time, it must be said that this environment differed from the rest of society. As Eberhard Isenmann has claimed, early modern towns were “socially segmented, legally fragmented, corporately organized” which

led to certain forms of association and ways of exercising power within the city, to the development of communal administrations and courts and an extremely regulated city life, which was characterized on the one hand by love of peace, by sobriety, moderation, rationality, reckoning and restrictive economic-social norms of sustenance (Nahrungsprinzip), but also, on the other hand, by a belligerent attitude, unbridled pursuit of profit, irrational consumption, aristocratic lifestyles, cultural diversity, and a mixture of these various elements.9

Isenmann is not the only one who thinks the cities and towns symbolized something unique. Ann Katherine Isaacs and Maarten Prak claims the merchant cities were based on economic enterprise in a competitive exchange, in opposition to the dynastic states surrounding them, which were based on warfare, regulation and coercion.10 It is easy to oppose many of these claims, both in terms of uniqueness – the countryside shared many of these aspects – and in terms of actuality e.g. emulation of aristocracy is doubtful at best,11 and the towns were often the most regulated spaces. Few would disagree, though, with the claim that the towns had a greater tendency in that direction. Given the homogenous ideal of early modern Sweden, exemplified by the Small Catechism of Luther, the monarchy, the strong state and the inner passport control,12 it is potentially illuminating to see how towns, with their dynamic nature, operated and were allowed to operate. The traditional independence of town remained at least until the 1830s, but was that independence affected by the state?13

The question remains why I have chosen Arboga for this study. Readers familiar with Swedish historiography will probably raise their eye brows and think “Yet another study on Arboga?”14 But this is precisely why I have chosen Arboga. By utilizing the research of others, I can limit myself to looking at one particular aspect of Arboga, which encompassed the others. Also, by learning more about how a specific town worked, we are able to establish a point of comparison for novel studies on other Swedish towns.

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12 For the last point, see Lövgren 2000.
13 Herlitz 1924, p. 63–64.
14 As will be seen in the background chapter of this master’s thesis.
Arboga has another major advantage compared to many other towns. In Sven Lilja’s study *Tjuvehål och stolta städer*, he creates a model for towns in Sweden during the early modern period. He divides all towns into several categories based upon their functions and complexity. In this sense, Arboga is a “simple market town” and an “agrarian merchant town”, the most basic – and common – of towns. In comparison, the town of Uppsala had a additional function as a center for ecclesiastical matters the university, as well as being a garrison town; a study of Uppsala would be complicated by these matters spilling over into the simple town life. Arboga is not only a very bland town in its function and character, but it also extremely average population wise. If you exclude the demographic outlier of Stockholm, Arboga is with it’s around 1500 inhabitants in 1770, quite comfortably placed close to the average population of Swedish towns. I am aware that this division in quality and quantity is at its core a fiction, but it is a useful fiction. Utilizing it helps us isolate a town milieu from many complicating factors. Arboga can more easily be compared to Uppsala, with its several functions and almost 4000 inhabitants, or Gränna, with its single function and 400 inhabitants, than these two towns can be compared to each other.

**The Urban Polity; Previous Research**

In the previous chapter I discussed the early modern towns in general and why I chose Arboga in particular. In this chapter, I will rationalize the choice to look at the political institution of the magistracy in the late Swedish Age of Liberty. First I will give an overview of the state of research of early modern towns, and then why I have chosen the angle of local politics. This will be followed by an overview of the state of research of state formation, of which the magistracy is part. These two fields of research reflect two sides of the magistracy: The local and the national relationships. On one hand, there is the town environment itself and its effect upon the magistracy and on the other there is the magistracy’s position within the national political structure. The magistracy binds together – if you will – two areas of research into one.

**Town Research**

The lack of, in particular, qualitative-method studies of small-towns – such as this thesis – has been noticed by other researchers, and by offering a brief overview of the previous research, it

will be possible to stake the boundaries of that gap. The existing research on Swedish towns can broadly be divided into three areas: 1) The social networks of townspeople,\textsuperscript{19} 2) the participatory printing press culture, the public sphere and the Swedish Diet,\textsuperscript{20} and 3) the conflicts between the state and the towns during the advent of the fiscal-military state.\textsuperscript{21}

The first research area, is geared towards the strategies of individuals and families within towns. It should be noted that I have looked for the \textit{function} of the magistracy as an institution. I do not mean the function \textit{for somebody}, but the function \textit{within a social, economic and political system}. The relationship of town council to the local and national level is therefore a more relevant question than what the individual actors sought to achieve – and what strategies they used – by becoming members of the town council or by participating in its proceedings. As such, the research area concerning social networks is de-emphasized. The second and third research areas on the other hand, are particularly relevant. These in combination present an interesting take on the establishment, and possibly the dissolution, of the early modern town polity.

According to Patrik Winton, there was a change in the political culture of the Diet in the late Age of Liberty. In the earlier period, kinship and friendship was most central, but from the 1750s, the politicians acted more radically for social change.\textsuperscript{22} This is the main reason why I have chosen to place my study in 1770, during King Adolf Fredrik’s last year on the throne, and one of the last years during the Age of Liberty itself. If no radical change can be seen in Arboga, it is probably safe to assume that the political culture was not radically different in the previous fifty years – and probably further back than that. Winton further claims that in Sweden, the politicians were more radical than the general public, with the opposite being true in Great Britain.\textsuperscript{23} The difference in political culture between Great Britain and Sweden is likely due to the difference in printing culture. The Swedish printing culture was, in essence, but a decade old by the end of the Age of Liberty, minimizing the opportunities for public discourse.\textsuperscript{24} The change on national level is worth bearing in mind, but it is unlikely that we see an active democratic culture in Arboga.

The research area concerning the conflicts between town and state is the one closest to this thesis, as it is most geared towards local politics. It has traditionally been more interested in potential conflicts than the town polity itself. For example, Lars Ericson Wolke, Anders Olsson and Karl Bergman have all been interested in the state’s strategy to bureaucratize and incorporate the town within the national political structure, and especially how the towns \textit{resisted} this

\textsuperscript{20} See Sennefelt 2011; Simonsen 2001; Skuncke 2003; Winton 2006.
\textsuperscript{21} See Ericsson 1982; Lindström 1991.
\textsuperscript{22} Winton 2006, p. 26–27, 306.
\textsuperscript{23} Winton 2006, p. 318.
\textsuperscript{24} Zaret 2000.
development. Both Ericson Wolke and Olsson put great emphasis on the early seventeenth-century efforts to control the towns through royal appointments of mayors.\textsuperscript{25} Although the towns remained part of the national politico-economic structure, the central control of towns grew less direct in the eighteenth century.\textsuperscript{26}

These studies often presuppose conflict between the local and national levels. That approach risk underestimating the harmony of interests that sometimes existed between different levels, as well as downplays the conflicts within the local context. In Dag Lindström’s study on the development of guilds from the high Middle Ages to the early modern period, there is a more nuanced perspective. He looks at how the guilds were incorporated into the political system by being granted special privileges as well as having mandatory overseers in local town councilmen partaking in the guild meetings. These town officials had to give their consent as well as partake in the jurisdiction of the guilds. Through a basically feudal-patriarchal relationship, the state offered the guilds protection against unwanted competition, in return for loyalty i.e. influence and help in tax collection. The state had much to gain from supporting the guilds. Without modern national credit systems or bureaucratic registration of individuals, collecting taxes becomes difficult. By gaining the support of the guilds through upholding their special interests with the use of force, specifically prosecuting unauthorized artisans on the countryside, the state got hold of the guilds organizations as semi-official tax collectors.\textsuperscript{27} The lost autonomy was compensated by strengthened protection from competition, indicating a harmony of interests.

Anne-Marie Fällström and Ilkka Mäntylä has pointed out that even though the royally appointed mayors of the seventeenth century might lead to conflict, it could just as well be a neutral candidate transcending local fractional politics.\textsuperscript{28} This is not to say that Wolcke Ericson, Olsson and Bergman are wrong, but these conflicts were more accentuated in the seventeenth century when the reforms and political control were instituted. In the case of Arboga during the seventeenth century, Carl-Fredrik Corin has studied several conflicts between the state officials and the townspeople, but as Gudrun Andersson has noted, these conflicts were mostly prevalent when the royally appointed mayors were myopic individuals interested only in their careers.\textsuperscript{29} This is not surprising: As long as the mayors fought for the rights of Arboga against competing towns and merchants, instead of merely trying to impress their superiors who were looking for tranquility and peace, they were accepted by the burghers. By presupposing conflict, you can

\textsuperscript{26} Lilja 2000, p. 374–375.
\textsuperscript{27} Lindström 1991, p. 79, 94–96, 114–134, 199, 233, 237–241; this development is an European trend, see for example: Root 1994, p. 113–114, 176.
\textsuperscript{28} Fällström, Mäntylä 1982, p. 189.
\textsuperscript{29} Corin 1978; Andersson 2009, p. 59–64.
easily fall into the trap of interpreting absence of conflict as evidence that either side - town or state - has won,\textsuperscript{30} instead of the far more likely explanation that the state and the towns had developed terms on which they both benefitted.

Other than these fields of research, the contributions to the history of towns - especially with a qualitative-method approach - are remarkably few and far between. Karl Bergman's study on the naval town of Karlskrona also looks at the communication, the public and bureaucratization, claiming that Karlskrona magistracy saw a professionalization between 1680 – 1720.\textsuperscript{31} Such a professionalization has also been observed by Dag Lindström, through the use of a quantitative-method. He notes that the number of issues handled by the magistracy increased by a staggering amount, but that it would be over-reaching to call it a transition from local mediators of traditional town life to administrative staff of modern politics.\textsuperscript{32} As will be seen in the analysis section, that transition is not only over-reaching, but it is also a false dichotomy.

One study whose outset was promising in regards to the topic of this thesis, is Gunnar Carlsson's study of Enköping during the Age of Liberty. He states early that his aim is to find the "character of the political apparatus and the function of the town", much the same as I aim to do.\textsuperscript{33} He turns against the - in his words - traditional, consensus-seeking, state romantic research tradition which he exemplifies with Nils Herlitz.\textsuperscript{34} He claims that the towns were full of conflicts, but he falls into the same mode of analysis as the ones who emphasize the conflict between state and towns: He looks for conflicts between delineated social groups, specifically between the burghers and the magistracy, claiming that the magistracy \textit{is} part of the state as "lower functionaries of the power apparatus".\textsuperscript{35} As he notes, the town of Enköping might be unique in this regard, as it is both small and lacking in wealthy burghers of different professions.\textsuperscript{36} In the end he does not quite explain neither character of the political apparatus or function of the town.

The study probably closest to my own is Annika Sandén's dissertation on the welfare strategies of the town of Linköping. She sets out to analyze how and why church and town polity organized welfare for the destitute, which means that she also discusses the magistracy and political environment itself. Her result is that the operations were characterized by the needs of the local arena, and that it is part of a local political culture and administration which predates the bureaucratization of the towns. The main goals were maintaining order and harmony within local

\textsuperscript{30} Bergman 2012, p. 31; Olsson 1995, p. 43–47.
\textsuperscript{31} Bergman 2012, p. 53–78.
\textsuperscript{32} Lindström 2003, p. 27.
\textsuperscript{33} Carlsson 1977, p. 9.
\textsuperscript{34} Carlsson 1977, p. 145–147.
\textsuperscript{35} Carlsson 1977, p. 136.
\textsuperscript{36} Carlsson 1977, p. 169.
society, by creating economic security in a time when material wealth was scarce and maintaining honour through conflict mediation.  

Overall, there is a distinct lack of qualitative-method studies on the political arena of small towns in-between early state formation and later printing press culture; especially studies with the aim of giving a more complete picture of the local polity, both as a whole and its different compartments. This master’s thesis is part of an answer to the call for such studies. Especially in view of the cultural turn, it is striking that we are beginning to know more about how local political power was manifested, than we know about what that power was actually based upon, how far it stretched, and what it was used for. At the end of my analysis chapter, after the main research questions have been answered, I will pose a follow-up question with the explicit goal of showing how the political practice can be related to cultural expressions of power.

In response to the limitations of the master’s thesis format, I have chosen to limit the study in time and space, looking only at one town during one year, namely Arboga in 1770. My focus is on the specific actions and relationships that can be observed and construed from the magistracy records, and what that means for the function of the magistracy as a social, political, and economic institution within the local sphere and within the state integration process.

The Judicial Development

The magistracy was not merely an administrative unit, but a judicial one as well. It had the main responsibility for upholding order and executing the law within town limits. Some trends within judicial research relevant to the towns should therefore be mentioned, but not without reservation: this study is not a study of the magistracy as a judicial unit. It is one of its functions, but it is not the defining function in this study. The reasons for this are twofold: Given that my study is narrowed down to the magistracy in particular and its subordinate judicial body, the kämnärsrätt, is excluded, it would be difficult to talk about the criminality within Arboga in general terms: Only crime deemed – often without explanation – important enough for the magistracy is evident in the material. Also, because of my chronological restrictions, it is nearly impossible to talk about judicial change or development. The self-imposed restrictions mean that I can relate many of my findings to earlier research on criminality and the judicial system, but that I cannot make it one of my chief questions to investigate.

The concluding view of the research is that there is a transition in court cases during the early modern period from criminal cases, often involving violence, to civil cases, concerning economic matters.\textsuperscript{40} The development took place first in Stockholm, and the lagging behind in the rest of the country, but by 1770 it should be roughly the same.\textsuperscript{41} Dag Lindström and Eva Österberg claims that the judicial institutions developed from a system of “Communalistic justice by negotiation” where the cases were put forward by private persons involved in the alleged crimes, to a system of “State-controlled expert justice”, where crime became a wrong committed against society itself and prosecuted by professionals. It changed from a focus on compensation and reconciliation, to judge and punish; from proximity and accessibility to anonymity and distance.\textsuperscript{42}

The hypothesis of a tendency to greater bureaucratization and depersonalization has been strengthened by studies specifically interested in the judicial bodies of the towns. Annika Sandén claims that restoration of honour was one of the most central functions of the magistracy court in her study on early seventeenth-century Linköping.\textsuperscript{43} In his study on the magistracy court and kämnärsrätt in late seventeenth century Karlstad, Dag Lindström has claimed that the court system grew more bureaucratic, with a higher amount of civil cases.\textsuperscript{44} He also points out that the magistracy is hard to characterize definitely, since a potpourri of national laws, ordinances, decrees, and local traditions created rather unique administrative cultures within towns.\textsuperscript{45}

The Formation and Integration of States

Connected to the judicial development, is the state formation and state integration processes. The bureaucratization and professionalization of the law happened within the context of state formation.\textsuperscript{46} As most researchers agree, the process of state formation was instigated hundreds of years before 1770, but that does not mean that it happened overnight. In fact, the process of state formation quickly turned into a process of state integration, continuously working throughout the early modern period. However, as my study is limited to only one year, it will not be possible to study the longue durée of state development – nor is it desirable. Instead, by studying the actions and relationships in an organization that was clearly integrated rather than formed, it will inform us of how state integration worked. It will obviously not give a complete answer, but it will help guard against some overly-assertive descriptions of the process.

\textsuperscript{40} Sogner 2000, p. 271—275; also Ågren 1988; and Lindström 2003, p. 16.
\textsuperscript{41} Lindström, Österberg 1988, p. 153.
\textsuperscript{42} Sogner, Österberg 2000, p. 19.
\textsuperscript{43} Sandén 2005, p. 129; see also Sogner, Österberg 2000, p. 273—274.
\textsuperscript{44} Lindström 2003, p. 8—9, 13—14, 16; it is also true in the English case, see Braddick 2000, p. 174.
\textsuperscript{45} Lindström 2003, p. 3.
\textsuperscript{46} Andersson 1998a, p. 7.
Wolfgang Reinhard has given a brief overview of many of the international schools of state formation research. They range from economic explanations, connected to modes of production, such as Perry Anderson’s marxist analysis, Barrington Moore’s agricultural explanation, and Immanuel Wallerstein’s world system theory. W. H. McNeill has explained the rise of the absolutist state as institutional frameworks created as necessary preconditions for raising and maintaining armies. Paul Kennedy has emphasized the great power system, while Stein Rokkan has tried for a multifactorial approach.\(^{47}\) In short, there is some disagreement.

What has interested most researchers since these theories were proclaimed, is less the why of state formation, but rather who instigated and propelled it? Wolfgang Reinhard himself claims that there was a triangular process, where ruling classes – defined as “holders of economic power” – has to handle a context of “locals promoting growth of state power for ‘common good’”, by creating a administering meso-level with its own internal logic of growth and expansion.\(^{48}\) Much can be said about the concepts and definitions he uses, like whether the ruling classes are the holders of economic power or rather holders of political power used to control the economy – or if the locals can be said to have promoted state growth.

Someone with far greater inclination to clearly point out the driving force of state formation, is Charles Tilly. He has claimed that:

> If protection rackets represent organized crime at its smoothest, then war making and state making – quintessential protection rackets with the advantage of legitimacy – qualify as our largest examples of organized crime.\(^{49}\)

His essential point is – even though he qualifies it by saying that government authority does not solely rest on the threat of violence – that this explanation is closer to the truth than its chief alternative: the idea of a social contract. In Tilly’s view, the state was built top-down, through and for the use of violence, but with occasional resistance from the subjects.\(^{50}\) In other words: “war made the state, and the state made war.”\(^{51}\) The concept of legitimacy is perplexingly missing in Tilly’s analysis. As can be seen in the quote, he acknowledges its existence, but does not delve more into it, other than claiming that some organizations were legitimate and some were not.

In the other corner, you will find much research on the Holy Roman Empire during the early modern period, especially in German historiography. That school, if you will, is much more focused on how the local level interacted with the state and steered its development. Concepts

\(^{48}\) Reinhard 1996, p. 6–14.  
\(^{49}\) Tilly 1985, p. 169.  
\(^{50}\) Tilly 1985, p. 172, 183.  
\(^{51}\) Tilly 1975, p. 42.
such as negotiation, communication, interaction, and persuasion are central.\textsuperscript{52} It is perhaps not surprising that those researchers who study regions with an unclear political apparatus downplay the importance of war-making for early modern state formation. This is not necessarily due to ignorance, but disinterest. It has been more interesting to many how all of the independent towns and small fiefdoms were integrated into a state structure, than what drove state formation itself. For example, Peter Blickle et al. claims that local actors only participated in some of the decisions; “high politics” were left to the rulers, whereas issues close to the local level, like prices, wages, taxation, laws and such gave room for subject influence.\textsuperscript{53} By focusing on the issues outside of “high politics”, the top-down, military-fiscal aspect tends to diminish. It should be said that a study of the magistracy of Arboga, will necessarily be focused on its counter-part, the “low politics”, but as we will see, that does not erase the state and national elites from the equation.

Mats Hallenberg and Johan Holm have identified the same division in Swedish historiography. They have criticized the over-emphasis on the fiscal-military aspect of state formation, but also warned against excluding the overarching state formation perspective in local level research.\textsuperscript{54} They have therefore set out to create a promising synthesis of the development of the Swedish state, bridging the top-down and bottom-up perspectives. This is one of the main objectives of this thesis, as the magistracy naturally existed within both a local context as well as being a part of the national political system. To what extent the institution of the magistracy was run top-down or bottom-up, is very much one of the key questions towards finding the function of the magistracy.

In their article Organization, Legitimation, Participation, Hallenberg, Holm and Dan Johansson have summarized some of their main theoretical starting-points. Through the use of the theories of David Beetham (which I will explain and use later on), they have identified “three dimensions of state formation”, namely:

\begin{quote}
The organization of the state as a way to use limited resources in a rational way, the legitimation of rulers in terms of beliefs and values current in society, and the participation of the subjects in state activities.\textsuperscript{55}
\end{quote}

They are correct in identifying these aspects of state formation, but the division itself is to some extent arbitrary. Can you, for example, separate participation from legitimation if active participation was an ideal? The issue springs up when they discuss the “bargaining process” between the local and national level, and how this created legitimacy; surely, a bargaining process

\begin{itemize}
\item \textsuperscript{52} See Kümin 2009; Asch, Freist 2005.
\item \textsuperscript{53} Blickle, Ellis, Österberg 1997, p. 150–153.
\item \textsuperscript{54} Hallenberg, Holm, 2010, p. 2.
\item \textsuperscript{55} Hallenberg, Holm, Johansson 2008, p. 247.
\end{itemize}
necessitates participation. It is hardly surprising that there is some conceptual ambiguity to the project, as it is still under construction. At times, concepts such as “participation”, “negotiation”, “consent”, and “influence” are freely inter-mixed. The terms are related, but not identical. Their claim that “state building activities of the elite and pro-active strategies of subjects were actually entwined” is, as we will see, spot on also in the case of Arboga.\footnote{Hallenberg, Holm, Johansson, 2008, p. 250.}

The concept of entwinement of interests and strategies is not new in the historiography of state formation. Jan Glete has claimed that the fiscal-military state was “based on successful integration of interests between rulers and various groups in society, an integration that made that society willing – or less reluctant – to pay for centralized and permanent armed forces”. By including elites in the central state activities, transaction costs were significantly reduced.\footnote{Glete 2002, p. 214–215.} In the words of Hallenberg et al. the state managed to utilize \textit{inherited resources} i.e. the knowledge and experience, of the elites.\footnote{Hallenberg, Holm, Johansson 2008, p. 250.} Given that Glete focused on powerful elites, such as the high nobility, it is perhaps more fruitful to look at research on local elites and state integration.

In England, Michael Braddick claims that state formation was steered by issues of class, gender, age and beliefs about the patriarchal basis of social order, grounded in the individuals who constituted the administration of the state.\footnote{Braddick 2000, p. 165.} To put it bluntly: By giving power to local elites, you also empowered their beliefs and interests, which were often based on other terms than the “resource extraction and organization building” that Glete put in the centre.\footnote{Glete 2002, p. 214–215.} In fact, he goes as far as to say that the state itself is not central, but only \textit{more extensive} than the locality.\footnote{Braddick 1996, p. 92–111.} The state, in that view, is the sum of its local parts. There is no sign of any top-down views in that assertion.

Speaking of empowerment, the Suisse historian André Holenstein has coined the term \textit{empowering interaction}, to mean relationships and political ties favouring both sides, especially in a state integration context. He astutely observes that a zero-sum game of power often has been assumed. The idea, which he rejects, is that the increase in power in one instance must necessarily mean the decrease in power in another. Naturally, researchers inspired by that idea also grew interested in the prevalence of resistance, since historical agents would want to protect their power from usurpers.\footnote{Holenstein 2009, p. 17–18, 25–26.} But the state did not “stand above and outside society acting upon it, but was closely engaged with it”.\footnote{Holenstein 2009, p. 25.} Local officeholder had somewhat of a double character, acting “within a larger web of social relations and expectations”, both as representatives of authority on
the spot and as representatives of local community against central authority.\textsuperscript{64} Taking this view into account, the state was not only formed with war-making and resource extraction in mind, but also within a context where local actors could channel the authority of the state into a path that suited them.

This further goes to show how the tendency to attribute the main thrust of state-making either upon Agent A or Agent B. The concept of empowering interactions illustrates that state formation and integration was governed, many times, by a win-win-logic. The local elites received authoritatively sanctioned support from the state, in return for their loyalty. As a result, “their interests became invested with [the state’s] legitimacy and power”.\textsuperscript{65} Steve Hindle, reinforced this point, by showing that “[t]he most distinctive cultural characteristic of the English polity […] was the extent to which the interests of local ruling groups intersected with the centralized policies of church and state”.\textsuperscript{66} In his view, the English state was formed in a continuous dialogue of challenge and affirmation.

There is some reason to think that the towns are ideal to test the idea of empowering interactions, as they were, in many ways, centres of interaction between state and economy.\textsuperscript{67} One of the reasons why the state authorities actively tried to integrate the towns into the state structure was to make it easier to gather resources and steer economic venture.\textsuperscript{68} By giving town artisans exclusive privileges, the state could steer and supervise production. For example, this was made us of when ordering military uniforms,\textsuperscript{69} and the state could thereby reduce transaction costs. According to Peter Clark, the towns were not arenas for political change, and they were acting with limited resources, both organizationally and economically. The state wanted to incorporate town polities, because gathering local elites into one delineated, homogenous and static unit would make them easily influenced in a favourable direction, be it for collecting taxes or surveying opposition.\textsuperscript{70}

\section*{Research Question Defined}

Through the use of key concepts such as state integration, legitimacy, sociopolitical structuration, and societal and systemic frictions, I am investigating the magistracy of Arboga during one year in session, through the use of the official magistracy protocols. I hope to accomplish the task that

\textsuperscript{64} Holenstein 2009, p. 21–25.
\textsuperscript{65} Holenstein 2009, p. 25–26.
\textsuperscript{67} Clark 2009, p. 144.
\textsuperscript{68} Lilja 2000, p. 272–273.
\textsuperscript{69} Norman 2013.
\textsuperscript{70} Clark 2009, p. 205–206.
Dag Lindström has staked out, to find general conclusions by studying specific practices qualitatively; or “what the council actually did”. My main research questions are:

- What types of issues were handled by the magistracy of Arboga in 1770?
- How were different types of issues handled by the magistracy?
- Who were the participants of the magistracy sessions of Arboga in 1770?
- What roles did the magistracy fill in interaction with these participants?

By answering these four questions, I will answer the larger, more important question of the function of the magistracy within local society, and as a consequence its function in eighteenth-century society as a whole, especially in view of the continuous state integration process. I would like to clarify that these research questions are tools for reaching the main question of the function of the magistracy; I am not looking at burghership issues or debt conflicts specifically, but by looking at these issues as compartments within a greater unit, I seek to find a synthesized explanation for the magistracy in Arboga.

The Socioeconomic Culture of Towns

The Ideology

Above the entrance to the court room in Arboga, where the magistracy held their meetings, is a stone inscription in Latin, donated to the town hall in honour of seventeenth century mayor Hans Barckhusen, by his son. It states: “Si curiam curas, multas tibi parit curia curas. Vixit secure, cui non est curia curae. Hunc lapidem posuit consulis filius Joh. Henr. Barckhusen Consulaus XIX. 1690”. This roughly translates to ”The one who cares much about the court, will be bothered by many cares. The safest one, is the one to which the court is of no concern”, followed by the donation information. The spirit of the stone inscription captures the mentality of early modern European towns. There should be peace and law, and the rights of the inhabitants should remain unchallenged. There should be loyalty towards the city, its privileges and prosperity, and everyone should act in accordance with the common good i.e. the regulation and order of the town. The ideal town inhabitant is the one who never shows up in court, since that means that no one has any grudge against him, and he does not disturb the civility of the town by seeking redress for

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71 Lindström 2003, p. 4.
72 The son also became a mayor of Arboga.
73 Andersson 2009, p. 50–51.
The ideal society was an ordered, regulated, patriotic environment where no one objected to status quo; in other words, an ideal for the well-to-do.

Annika Sandén has pointed out that in early seventeenth century Linköping, order and balance seemed to be the overshadowing aims for local institutions. The town milieu was an organic unit, where people were supposed to live in peaceful concord, and provide for themselves in a responsible manner. It was a community where people lived in close dependency of one another. The material resources were limited, and without friendly relations with your neighbors, you risked more than your temper. Conflicts, cruel gossip, and crime threatened this order.

The ideology of order and harmony was represented in the law. In the law code of 1734, it is said that only burghers were allowed to do crafts or retail – and only have one profession at one time – and no one, except for fishermen or meat producers, were allowed to sell their goods on the countryside. If farmers wanted to sell their produce, it had to be taken to the nearest town where it could be sold in the harbour or in the town squares – but nowhere else. To be allowed to trade abroad, you had to be lucky enough to have been granted burghership as a merchant, in one of around ten Swedish towns with that particular privilege. These laws were not concerned with both town and countryside, and the relationship between them, but it was the first national law of Sweden encompassing every region of the country – therefore it was the first law code that could comprehensively deal with the issue.

The Burghers

The basic political structure of the towns was the same in the entire German-speaking world, and given the Swedish-German cultural proximity, it is hardly surprising that the Swedish case resembles the German. As Thomas Brady Jr has claimed, beyond the “variations in terminology and relative completeness of development, the self-governing cities […] tended to develop four distinct political formations: the council, the guild, the commune, and the civil service.” All urban polities were built around councils, usually with a smaller council (which is the study object of this thesis), and a larger council (similar to the Aldermen institution) “which often possessed ill-defined jurisdictions and met at the smaller body’s call”. These bodies presided over a civil service of salaried professionals. The guilds were originally economic, religious and social

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75 It seemed suitable to use the pronouns him and he when discussing ideals of eighteenth century towns.
76 Sandén 2005, p. 218.
77 Sandén 2005, p. 218.
associations but either became or – as in Sweden – were made political institutions.\textsuperscript{80} The commune was an assembly of citizens, a common council (in Sweden \textit{allmän rådstuga}), where the burghers a couple of times a year would come together and decide on important communal matters. This local institutionalization and codification of politico-economic rules and boundaries, forms one of the strongest counter-arguments against the top-down explanation of state formation and integration.\textsuperscript{81}

But what and who were the burghers? The burghers were a group of townspeople with the privilege to do business, sales or crafts in connection to the town where they had been granted burghership. Some groups not covered by those categories, such as fishermen, restaurateurs, manufacturers, skippers\textsuperscript{82} and seamen, would sometimes be granted burghership depending on time and town.\textsuperscript{83} The burghers were one of four estates with representation in the Swedish Diet, and they were also allowed to elect – albeit not freely – the magistrates. They were, quite simply, the group around which the towns were built and maintained. The special privileges of the burghers were not without controversy, and the chamber of commerce tried at numerous times to abolish them, since the aristocracy wanted to take part in the – sometimes – lucrative trade. The closest to a loosening of the burghers control over commerce was the manufacturing law of 1749, where proto-industrial ventures had special protection and were subject to a separate court called the \textit{ballrätt}, presided over by town council members.\textsuperscript{84}

The burghers were not in a majority position in towns, and as Sven Lilja claimed, the classic image of the eighteenth century town as a place of industrious burghers is nothing but a fiction. Although vastly outnumbered by a larger ‘proletarian’ group, early modern towns were, in his words, politically and economically dominated by a capital controlling and administering elite. Upper classes, officials, merchants, manufacturers, and artisans only represented around 25\% of the population of many towns, whereas employees, journeymen, stall clerks, and servants made up around 40\% of the male population (with the rest being married women, maids, children, widows, poor et cetera).\textsuperscript{85}

In exchange for aforementioned privileges, the burghers had some responsibilities. They not only had to pay the taxes, excises, tolls and fees, but were also forced to swear loyalty to King, county governor, magistracy, their fellow citizens and the law.\textsuperscript{86} One of the more cynical tasks they were charged with was keeping the army and navy – if a port town – with men. Additionally,

\textsuperscript{80} Brady Jr. 1997, p. 227; Lindström 1991, p. 79.
\textsuperscript{82} Skeppare.
\textsuperscript{83} Petersson 1972, p. 69.
\textsuperscript{84} Lindberg 2001, p. 28–42.
\textsuperscript{85} Lilja 2000, p. 236.
\textsuperscript{86} Fällström, Mäntylä 1982, p. 249–250.
they were supposed to make sure no one entered or left the town without declaring their intentions to proper authorities.\textsuperscript{87} No one was allowed to travel without being able to show the passport documents proving that they had been granted permission to do so – and the local authorities had the mandate to oust unwanted individuals.\textsuperscript{88} People caught without the necessary documents, and without justified reasons for lacking them, should either be enlisted in the navy or be taken as labourers for half pay.\textsuperscript{89}

To become a burgher, you had to be accepted by the magistracy – yes, the magistracy had to accept the burghers who would later elect new magistrates. The resolutions of the appeal of the towns of 1723 and 1734 emphasizes that burghers should be able to provide for themselves and be of good use for the towns. Thanks to two earlier resolutions of 1734 and 1756, both artisan and merchant guilds had the right to partake in the decision on whether new burghers should be accepted. The magistracy was not forced to heed the advice of these groups, but there were rarely any incentives to go against the powerful interest groups of the towns. As long as the applicants would pay their taxes and act peacefully, the basic demands of town council was met. If someone had been rejected unfairly, they could appeal to the county governor. This had a high success rate, but since it was expensive and often could take years, during which time the applicants would have to provide for themselves in other ways, this option was rarely used. This is probably the chief explanation for the high success rate of appeals: Only people in already privileged positions could afford it. Burghers, whose business or craft were failing, were liable to lose their privilege and thereby risked being drafted.\textsuperscript{90} It is no exaggeration to say that the history of the Swedish early modern town, is that of a constant stream of central regulations – confusing, unclear and often ignored or abused, and thereby followed unevenly at different times and places.

The Guilds

It is essentially impossible to understand either burghership or town polities, without having a basic understanding of the guild system. As seen in the previous paragraph, guilds had special protections and rights, and were subsequently central to the economic system of the eighteenth century towns of Sweden. Their roots were that of social clubs and associations, designed to protect and look after its members. Over time they created internal rules, and soon after gained political support. Basically, the guilds turned into legally protected cartels, forced upon the

\textsuperscript{87} Fällström, Mäntylä 1982, p. 194, 249–250.
\textsuperscript{88} Andersson 2000; Fällström, Mäntylä 1982, p. 194.
\textsuperscript{89} 1739 års legohjonsstadga, p. 259–260.
\textsuperscript{90} Fällström, Mäntylä 1982, p. 249–260.
subjects by the state authorities, controlling purchases, quality, wages and prices for the guild members. In *The Arrangements for the Artisan Guilds of Sweden and Finlands, the 27th of June 1720*, it is mandated that every profession within a town with at least three master artisans present, must form a guild; if there were less than three master artisans, the craftsmen had to join a guild in another town. It was also decided how the guilds organization, membership, training and master appointments should work. Sometimes the state allowed exceptions to the guild privileges: to noblemen hiring personal craftsmen, to some socknar without a town nearby, or when they decided to hire their own full-time counter-parts for government projects.

The magistracy was delegated the task to uphold the guild system. Each meeting of a guild was presided over by a magistrate, an alderman and an assessor. They took part in the jurisdiction and gave their assent for decisions made. The positions of guild overseer were valued differently, based on the stability and economic importance of the guilds. In Arboga, the connection to the iron trade made the ironsmith, goldsmith and skipper guilds desirable, along with traditional craft guilds such as tailors, woodworkers and cobblers.

The relationship between the magistracy and the guilds was essentially a patriarchal and feudal relationship, where the guilds surrendered autonomy in return for protection from unwarranted competition. The state wanted political control and taxes – which was hard to acquire without a national credit system or bureaucratic control throughout society; gaining the loyalty of pre-existing associations was instrumental to the rise of the early modern state.

Adam Smith famously portrayed the guilds as “a conspiracy against the public”, but his condemnation has received its critics in the last decade. S.R. Epstein and Maarten Prak claim that the guilds helped innovation in the early modern economy through the training of human capital, and that the inter-guild conflicts have been vastly exaggerated by historians. Instead, they were institutions who often co-operated and negotiated with other actors. What a market institution would look like that never negotiated with suppliers, customers or other guilds, remains unanswered in the book.

Epstein and Prak admits that the guilds had incentives to resist capital intensive and labour saving innovations, as the “craft guilds organised mainly small-scale, independent producers with high levels of skill and low levels of capital”. In a dubious line of reasoning, Ulrich Pfister has

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91 Söderlund 1949, p. 120; Lindström 1991, p. 79.
92 Fällström, Mäntylä 1982, p. 194; 1720 års skråordning, I–X.
93 Boëthius 1943, p. 48–49.
97 Epstein, Prak 2010, p. 7–12.
counter-argued that the guilds did not resist innovations that did not save labour and need capital comparing the reception of clock-making with the resistance to looms. In other words, innovations were welcomed with open arms as long as it did not force the guilds to change or if they were dominated by wealthy master craftsmen ready to become capitalists instead.

Sheilagh Ogilvie has warned against idealization of guilds, as they excluded many social groups – women in particular – from the economy, and were both a cause and supporter of the patriarchal and hierarchical societal structure of the early modern period. She also notes the penetrating correlation between societies “that saw an earlier breakdown of the social networks by which male rent-seeking groups prevented women from doing certain kinds of work, also […] produced more output than those where guilds and communities continued to prevented women from doing many jobs well into the nineteenth century”. This correlates broadly to geography, in that the further west in northern Europe, the earlier the guilds lost influence. She has also claimed that the guilds lacked pareto efficiency; the function of the guilds was to skew relative distribution of wealth.

Even though the guilds had secondary functions as social and religious institutions, the primary raison d’être was economic. All guilds sought monopoly: excluding entrants, fixing artificially high selling prices and low purchasing prices, controlling supply, and imposing costs on competitors. Even though it might be argued that the enforcement of guilds privilege was arbitrary and uneven, the risk of punishment imposed artificial transaction costs on competitors. The reason for their survival was that they benefitted rulers’ and guilded merchants’ redistributional policies, and were instrumental to the functioning of an undeveloped taxation system. This explanation should be supplemented with the ideological importance of guilds. In line with town ideology, discussed in the beginning of this chapter, the guilds brought order and systematization to town environment. It was not in spite of, but because of their anti-market approach that they were supported by the communities.

It has been suggested that the breakdown of the society of corporations, above described, was prompted by the emergence of competing social institutions, such as orders and secret societies,

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99 Pfister 2010, p. 46–47.
101 Pareto efficiency is a state of economic allocation of resources in which it is impossible to make any one better off without making at least one individual worse off. By not being pareto efficient, it is possible to improve allocation for some without worsening the situation for others.
102 Ogilvie 2011, p. 2.
103 Ogilvie 2011, p. 7–8, 89–93.
104 Ogilvie 2011, p. 188–190.
but given that the system was active well until the guilds were abolished in 1846, it is probably only a part-explanation.\textsuperscript{105}

The Town of Arboga

A Town of Iron and Water…

If early modern Arboga would be summed up in two words it would be iron and water. Ever since the iron quarries of Nora and Linde were opened in the 13\textsuperscript{th} century, Arboga had fortified its position as one of the premier iron transit towns of Sweden.\textsuperscript{106} Its main advantage – and reason for its position – was its position. Arboga lay as close to the iron quarries that you could possibly sail on the Arboga River. The town was part of a complex iron trade network, as the iron was moved from the mines to iron mills, to burghers in Stockholm working for foreign firms. They would see to it that the iron reached British manufacturers, where it would be turned into finished products, and thus Arboga was connected to the transatlantic trade.\textsuperscript{107} The Arboga merchants were just intermediaries in this global link, making sure the iron was transported on horse carts to Arboga, where it would be loaded on ships and sailed to Stockholm.\textsuperscript{108}

In 1605, 4411 \textit{skeppund} bar iron and 543 \textit{låster osmund} iron passed the iron scales of Arboga – a fourth of which was shipped during the ten days of the St Peter’s market in early July. Although the weight system was unreliable prior to 1688 – due to local weight standards – we can get an approximate in modern measurement terminology: 4411 \textit{skeppund} bar iron represents around 599 896 kg; 543 \textit{låster osmund} iron was – according to the definition of 1726 – around 1 329 000 kg. In 1726, around 28 000 \textit{skeppund} bar iron, or 3 808 000 kg, passed the iron scales at Arboga (the osmund iron had grown insignificant).\textsuperscript{109} To put that further into perspective, that is more than 2,5 times the production of the two largest iron mills of Uppland – Löffsta and Österby – put together.\textsuperscript{110} No wonder iron scale official was a sought-after position!\textsuperscript{111}

When Arboga in 1614 was granted status as an \textit{uppsstad} with monopoly on the trade with Nora and Linde,\textsuperscript{112} and therefore integrated into a state-led economic system, it was merely an acknowledgement of pre-existing trading relationships between Arboga and the iron quarries of

\textsuperscript{106} Bergquist 1963.
\textsuperscript{107} Rydén 2010.
\textsuperscript{108} Stadin 1993, p. 16.
\textsuperscript{110} Magnusson 2002, p. 140.
\textsuperscript{111} Bergquist 1963.
\textsuperscript{112} A town with the right to domestic trade and shipping.
But this was just as much a blessing as it was a curse. By getting their domestic rights secured, they lost their international trading rights to Stockholm. What was previously an option – selling to capitol merchants – became the standard model. Soon, the domestic privileges would be threatened as well.

In a series of setbacks, the Arboga merchants started to lose ground: Nora and Linde got town privileges in 1643, ending the Arboga monopoly in the region, and forced many Arboga merchants to apply for burghership there instead. The channel to Hjälmaren was built in the early seventeenth century, giving Arboga unwelcome competition from the soon-to-be larger town of Örebro. The Stockholm merchants also started to circumvent Arboga and trade directly with Bergslagen. The Arboga merchants were furious and plied for the state to stop these infringements on their rights. Even though the rulers were sympathetic to their plights, they kept themselves largely passive. As Carl-Fredrik Corin quite aptly put it: “In the choice of revitalizing a trade doctrine, which at best would benefit some uppstad interests, and to tolerate circumstances, which were undoubtedly illegal but on the whole had been advantageous for the iron industry – the answer was self-evident”.

In 1734, the coup de grâce was delivered, and Arboga officially lost its monopoly. By then, the Arboga merchants had been reduced to ship-owners and commissioners, functioning as mere transporters of iron. The town remained, however, the second busiest port in the Mälar valley, after Västerås. Overall, the town of Arboga remained in a bit of a status quo during the rest of the century: demographically, economically and socially. As Gudrun Andersson points out, the macro-economic development and role of Arboga stood largely outside of the Arboga burghers control. The town foundation policy of Storoomaktstiden, lost monopoly rights in Bergslagen, and the building of Hjälmare channel, all contributed to bring about a general stagnation of Arboga, as it stabilized at around 1500 inhabitants. It is no wonder that the next economic boom of Arboga would come at the advent of the railroads.

... and of Smiths and Skippers

Given the proximity to the iron quarries, it comes to no surprise that Arboga had a strong tradition of metalworking. Cobblers and tailors were also prominent craftsman groups, but in

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113 The name of the main iron mine and quarry area of central Sweden; Corin 1978, p. 112.
114 Corin 1978, p. 144–157
116 Bergström 1895, X. Frihetstiden.
117 Stadin 1979, p. 119–120.
119 Andersson Palm 2000; Andersson 2009, p. 23.
120 Andersson 2009, p. 28–29.
general Arboga was quite economically diverse compared to urban communities of similar size.\textsuperscript{121} The most important and lucrative business was, of course, shipping.

The shipping business was heavily controlled by the shipping guild. From 1684, the number of ships in Arboga was \textit{limited to 24 with a maximum tonnage of 500 skeppund or 68 000 kg}. Each of these 24 ships were assigned a number, and when the iron arrived by horse cart, the iron was distributed to each ship in order.\textsuperscript{122} This was not just a recommendation; when the weigher Anders Ahlbom had acquired a new ship in 1688, which was larger than his previous one, the other ship-owners tried to fine him and force him to sell the ship. In the end, the magistracy decided that he could keep the ship, but not load it to its maximum tonnage. During the seventeenth-century, the ships were often owned by the skippers themselves, but as time went by, more and more of them fell into the hands of capitalist ship-owners. Although you \textit{de jure} could only own one ship, these capitalist ship-owners often had seats in the magistracy and used this position to nullify the regulations, to their advantage; for example in the mid-eighteenth century, the mayor Anders Tenggren, the councilmen Hans Ljung, Eric Westén and Johan Rospigg owned at least three each – and all of them were among the wealthiest in Arboga.\textsuperscript{123}

This pattern – the connection between wealth and political power – held true for the magistracy in Arboga during early modern period, although the time-consuming nature of politics had its drawbacks, as many councilmen in the iron trade saw their wealth stagnant or reduced while in power. Deputy Mayor and town secretary Carl Ahlgren and councilman Johan Cleophas are two examples of that from 1770.\textsuperscript{124}

The Town Polity

The Basis of the Town Polity

The political structure of Swedish towns, from Stockholm to the small towns, can be viewed as a simple hierarchy. At the top sat, of course, the King, Council and Diet. Beneath them were the county governor or \textit{landshövding}, in charge of making sure that the towns and \textit{socknar} followed the laws and decrees, at the same time as they represented the smaller communities against the state. The highest political office of the towns was the mayor, as chair of town council. He even held a position in the official rank of military and civil offices, where he was placed at 38 on the same

\begin{footnotes}
\item[121] Andersson 2009, p. 24.
\item[124] Landberg 2006, p. 33; Andersson 2009, p. 90–93.
\end{footnotes}
spot as *bergmästare* and *häradshövding*. In Stockholm, the mayor held position 18 and the councilmen position 36. Beneath the mayor were the councilmen and town secretary, as ordinary members of town council. The council was in charge of the town officials. The main representatives of the burghers against the magistracy were the Aldermen, who served as counsellors and tax officials. The burghers themselves would be summoned and convene on special occasions, often to elect their representatives. At the bottom, without direct political representation were the great majority of non-burghers of the town.

The basic system was that the burghers were allowed, in variegated degree, to elect the Aldermen, the town council and the town officials, who often held extraordinary powers to impose their will on the burghers. On this lay a superstructure of the previously mentioned national and regional political institutions, which had, in variegated degrees, the right to steer and control the electoral system and interpret the votes cast by the burghers.

The legal foundation for the Swedish town politics of the early modern period was the *Charter on town administration* from 1619. The purpose of the charter was that Gustav II Adolf and Axel Oxenstierna wanted to establish state supervision and control over town administration; even though it can be claimed to be radical, it should be noted that Gustav II Adolf wanted to go further. The charter was never signed by the King, but it was still perceived to be law of the land, and the town privileges of Arboga of 1620 were based directly on it.

The charter of 1619 stipulated that the towns should be incorporated into the state body through different political offices, and the county governor in particular. During the seventeenth century, he was supposed to oversee and approve the local town elections. He was to make sure that “good and meek men” became mayors and town secretaries, and had the power to veto elected councilmen. It also established the Aldermen as a replacement of common council, in charge of issues concerning or brought forward by the common man. Lastly, it made clear that the towns had the right to collect several taxes: port fees, plot fees, inheritance taxes, ship taxes, land rents, town property rents, alcohol taxes, burghership fees, scale fees, excise and baking oven fees, and that the towns should pay for and organize road maintenance, school building maintenance, destitute care, fire protection, haulage and boat travel services, and inn-keeping. They were also in charge of the different courts of the town (magistracy court, *kämnärsrätten*, *ballrätt* and *accisrätt*), auctions, guild supervision, bankruptcies and probate administration and state taxation.

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126 Lindberg 1937, p. 8–9, 16; Corin 1978, p. 91–92.  
**Mayor, Town Council and Aldermen**

The roots of the magistracy reach as far back as the medieval town councils. It came to be both a court within a national judicial system, as well as an administrative unit responsible for the geographical unit of the town. According to the charter of 1619, the role of the magistracy was to “see to it that the well-being, welfare and growth of the town, to protect the good order and polity, as well as uphold the law”.\(^{129}\) As the legislation was less than lucid and oftentimes contradictory and confusing, it opened up space for local variety. But mostly the magistrates were heads of administration, court, guild supervisors and responsible for roads, buildings, and basic utilities of the towns.\(^{130}\) Still, the magistracy was held in high regard, and it remained the foremost channel for burgher influence.\(^{131}\)

In Arboga, in the period between 1650 and 1770, there were usually ten councilmen, one mayor, and a town secretary. The average councilman held his position for 17 years. Their pay was competitive, but not excessive: 500 daler silver coins for the mayor, 80 daler silver coins for the councilmen, and 250 daler silver coins for the town secretary.\(^{132}\) This was relatively high for a small town, and the wages in other towns could vary between 200 and 1350 daler silver coins for the mayor – with the highest numbers only possible in Stockholm and Gothenburg – and 20 to 650 for councilmen. They would often receive commissions when in presiding over guild meetings or probate errands, and when fines were collected. It was not unusual for the magistrates were allotted some town property, which together with some of the wages could act as pensions for them and their families. In Örebro, the mayor even received one of the previously mentioned ship numbers.\(^ {133}\)

The council would in the seventeenth century meet a few times a month to go through the most important cases, but the work burden increased massively during *stormaktstiden*. They law code of 1734 stipulates that the town councils must meet at eight a clock in the morning on Monday, Wednesday and Saturday.\(^ {134}\) There was in other words not only a need for greater organization and systematization, but a push towards it as well.

The Aldermen were appointed the same way as the magistracy in special common councils. In most towns, they were 24 men, with one half chosen from the merchants and the other from the artisans. It was common that the burghers elected several candidates, which the magistracy chose

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134 1734 års lag, RB cap. V–VI.
from. That way, the magistracy could demand a larger list of possible names to increase their influence over the final result. Being an alderman could be a middle-of-the-road option for wealthy merchants without the time to take a position within the magistrate, but wanted direct political influence. One such famous individual was Niclas Sahlgren – one of the Swedish East India Company founders – in Gothenburg. The burghers could appeal to the county governor if they felt wronged. The division of responsibility between magistracy, Aldermen and common council, opened up for some power struggles, but in general the magistracy had the greatest possibilities to get their way.135

During the age of liberty, the common council usually appointed the higher officials, such as the stadsfiskal – the town prosecutor – whilst the magistracy appointed all lesser officials, such as fire services or caretakers. From 1739, everyone had to apply publicly if they wanted to be eligible for official positions; the adherence to this law can only be characterized as flexible. One long-lived tradition was that official positions were given away or inherited, without either magistracy or common council having a say in the matter. This was officially outlawed both in 1723 and 1741, but as we will see in the analysis section: traditions do not die without a fight.136

The Courts

At all times, two magistrates presided over the kämnärsrätt, and got 80 daler silver coins in return for the trouble, doubling their councilman salary. This also carried the honorary title syndicus.137 The kämnärsrätt was responsible for “all small and lesser issues”, and later on most violent crime and property crime, like theft, to lessen the workload for the magistracy. The law code of 1734 states that the kämnärsrätt was tasked with all conflicts and crimes, which did not belong to other courts. It was, in other words, a kind of left-over court. The magistracy court was responsible for the more important cases concerning “life and honour”, as well as being the first court of appeal for kämnärsrätten. It also handled contracts, mortgages, title deeds, wills, bankruptcies and other matters of economic nature.138

From the mid seventeenth century, the stadsfiskal had developed into a professional town prosecutor. As such he made sure that the economic laws were adhered to and that the order of the town was protected. He was chosen by the common council, but was directly subordinate to and approved by the Chancellor of Justice in Stockholm, to which he reported each quarter.139

This made him in a sense similar to the county governor, as he had two different but not necessarily separate loyalties.

Individuals, groups or sometimes whole towns could appeal to a higher instance in a wide variety of cases and causes: allowance to start a manufacture, buying an estate, legal protection, punishment of economic infringements, and the privilege to be excused tolls and tariffs, and other exceptions to legal practice. First you had to turn to the county governor who would forward your appeal to higher authorities. In theory it was forbidden to ignore the county governor as intermediary and go directly to the source – the King in council – but this seems to have been widely ignored. It was also possible to take your appeals to the Diet.\textsuperscript{140}

To show disrespect to the court was a serious offence. Hitting a councilman or mayor was punishable by death. To reproach the court, or criticize verdicts would lead to heavy fines. As the boundaries between the court and administration aspects of the magistracy were fluid, some town councils – such as the one in eighteenth century Enköping – took advantage of the legislation to outlaw, fine and even enlist critics of their administrative actions.\textsuperscript{141}

\textbf{How to vote…}

The skepticism towards mob rule took its form in how the common council was organized. The idea in the seventeenth century was that the burghers should not arrange political meetings except for when they elected councilmen, the mayor, aldermen or town officials, which in most towns was in connection with Walpurgis Night. This also meant that no political campaigning or influencing was allowed outside of these official common councils.\textsuperscript{142} In practice, this was not the case, as common council survived in nearly every town in Sweden, despite the actions to repress it. After the turmoil of the 1740s, the efforts were renewed.\textsuperscript{143} In a circulatory letter from the King in council from 1752, there was an apprehension that parts of the burghers were “foregoing their duties as burghers, while meddling in town rule and the defense of supposed rights”. The ones who disturbed the harmony of a town should be purged as “a useless limb”. The wording suggests that the attacks were not leveled against fierce agitators, but opposition in general.\textsuperscript{144} These restrictions, like so much else, were reversed in 1766.\textsuperscript{145}

\begin{itemize}
\item \textsuperscript{140} Fällström, Mäntylä 1982, p. 261–268.
\item \textsuperscript{141} Carlsson 1977, p. 48; Fällström, Mäntylä 1982, p. 191.
\item \textsuperscript{142} Fällström, Mäntylä 1982, p. 197–198.
\item \textsuperscript{143} Fällström, Mäntylä 1982, p. 194.
\item \textsuperscript{144} ”en del av borgerskapet i somliga städer åsidosätter sin borgerliga hantering, medelst det de blandar sig i Stadens styrelse, och förmenta rättigheters försvar”, Carlsson 1977, p. 51.
\item \textsuperscript{145} Fällström, Mäntylä 1982, p. 195.
\end{itemize}
The Swedish towns had many different voting systems, but from 1743 there was – in theory and law, but not always in practice – a sanctioned system for determining votes. Just as in the elections to the Diet – to which each town got to send one or two representatives – the votes were graduated based on state tax rates: The higher taxed, the more votes each person had. From the beginning, the votes were secret, but as the votes after 1743 was determined by tax rates it was easy to backtrack the votes cast to see who voted for whom, and from 1755 it was made transparent.\footnote{Fällström, Mäntylä 1982, p. 197–201.}

…and whom to elect

Maria Cavallin has made use of, and studied, the Weberian notion of modern bureaucracy in relationship with the Swedish bureaucratic ideals. The traditional bureaucrat was a father to the subject, finding his authority in King and God. The modern bureaucrat was the neutral and meritocratic civil servant. These are, of course, only ideal types, and in reality you will find a many hybrid forms. She has found that the ideal type of the modern bureaucrat was most apparent in the pamphleteering public.\footnote{Cavallin 2003, p. 231–235, 254–255.} It is also this Weberian change that has interested earlier researchers most about the magistracy.\footnote{See Ericson Wolke 1987.}

Even though the ideology of the modern bureaucrat was most prevalent in the enlightenment inspired anti-establishment circles, it is certain that the state also wanted to professionalize the local institutions. From the early-mid seventeenth century, the \textit{k:\x=req-2\char`äm\x=req-2\char`äj} appointed town mayors with understanding of the law;\footnote{The King in council.} from the late seventeenth century, the magistracy and the burghers were to elect a suitable candidate, which would have to be accepted by the county governor, and the brought to the King for final approval. The election of magistrates took place the same way. No candidate was allowed to have been convicted or even suspected of a crime.\footnote{Fällström, Mäntylä 1982, p. 186.}

In the resolution upon the concerns of the towns of 1720, it was stated that the towns had free election rights of mayor and council, but since it was not further explained, it was often left to the interpretation of burghers, magistracies and county governors in a political tug of war.\footnote{Fällström, Mäntylä 1982, p. 197–201.} In the town of Enköping, the magistracy and the county governor could work together to neutralize the capital-weak burghership.\footnote{Fällström, Mäntylä 1982, p. 197–201.} If the burghership had allied with either county governor or

\footnote{Carlsson 1977, p. 145–147.}
magistracy, they could probably outmaneuver the remaining part. In that sense, the trinity signified a balance of power within local politics. This is not to say that this dynamic was active in every town – or even most.

The most common system was that the burghers elected three candidates, which the county governor would rank, and then submit to the King in council. Between 1756 and 1766, candidates had to be ordered based on their merits, meaning their experience both in time served in other positions, if they had held similar service and if they had been put forward as candidates in previous elections. In accordance with the early modern tradition of ambiguous law making, it was never stated how these factors should be weighed or by whom. At different times between 1760-1766, the county governor lost the right to rank the candidates, or even attend the elections, and the merit system was abolished – first for elections of mayor and later of civil servants – because the confidence of the voters was the “foremost basis of the persons being selected as candidates”\(^{154}\). This serves as a reminder to historians to be careful when using concepts like modern as this case illustrates a clear conflict between the modern notions of meritocracy and democracy.

Although the central authorities strived to professionalize the magistracy, Jan Sundin shows that long into the early modern period some councilmen in Uppsala could not read the acts which formed the basis of the cases they presided over.\(^ {155}\). This illustrates the necessity for the central authorities to have a minimum standard of professionalism amongst the magistrates, because if they could not read the resolutions, laws and edicts, they would instead base their decisions on tradition or other potentially competing premises.

Birgitta Ericsson claims that the magistracy of the eighteenth century fits relatively well into the Weberian scheme. Recruitment and terms of service were institutionalized, workload was systematically shared among the magistrates, and they received wages for their work.\(^ {156}\). I am hesitant to agree whole-heartedly, since for example the wages were paid for by the burghers, rather than the organization itself. It would therefore be impossible to stay neutral to the burghers – as the ideal civil servants would – as they were necessarily dependent on and connected to them. As the magistrates were often chosen from the wealthier strata, which means that their power is likely based just as much on their economic and social roles as their political position.\(^ {157}\) The ideal modern bureaucrat was – again – someone you did not have a non-professional relationship with.

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\(^ {155}\) Sundin 1992, p. 52.

\(^ {156}\) Ericsson 1982, p. 374–375.

\(^ {157}\) Andersson 2009, p. 40.
In general, there was a weakening of central authority over towns during the age of liberty, but it never disappeared entirely. Even when the top-down influence was weakened, the towns remained part of a national economic and political system, and their mandate for local system reform was limited.

**Source Material and Methodology**

My main source material is the magistracy protocols of Arboga town council in 1770. These are, in theory, a reflection of two separate functions of the magistracy: the judicial and the administrative duties of the magistracy. These aspects are in practice impossible to fully distinguish from each other. In fact, as Karl Bergman has pointed out, these two functions do not necessarily have to be separated in a study, as they were dealt with the same way by the town council.\(^{158}\)

The magistracy protocols were written by the town secretary and deputy mayor Eric Almark. Each issue and meeting of the year is noted separately in the material. In total, there were 117 meetings and 637 issues during 1770. As many issues contained several different aspects, their numbers are slightly understated. The material does not offer a full picture of what the councilmen did, since they had responsibilities outside of town council, as guild overseers or judges at the *kämnärsrätt*. It would be fruitful to look at source material from every institution of which the magistrates took part, but as that would be too large a task for a single master’s thesis, this thesis is focused solely on town council itself.

Town council was an institution where few issues and developments are *fully* treated and dealt with; studying the magistracy protocols gives clues on many things, but few final answers. You will not, for example, be able to give a full picture of the judicial system on town level by looking solely at the town council, nor will you be able to get a full view of intermediary state institutions in general. That is why the questions asked of the material are necessarily broad and directly related to town council itself.

Previous research on the town council has often been statistical in nature, focusing on the number of times an accurately described, specific type of issue is handled by the magistracy.\(^ {159}\) This works fairly well to chart the workload of the magistracy, but it is not well-suited to compare different issues by *importance* or *meaning*. For example, if you looked at the workload of physicians and teachers, you might be hard pressed not to think that administrative work is their primary

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\(^{158}\) Bergman 2008, p 628.

\(^{159}\) See Lindström 2003, p. 16–22; Sandén 2005, p. 82–83.
function. It is only through a qualitative-method analysis of the issues individually and in juxtaposition with other issues to determine importance, that an understanding can be reached of the function of the magistracy. By doing this, you can understand the magistracy’s functions both in terms of what they did and why they did it.

The material is consequently read thoroughly, and then categorized chronologically. Each quarter of the year is then discussed separately – with a few exceptions. The quarterly division of the material is motivated by reader accessibility, with the aim of creating a few evenly sized subchapters. One of the significant gains from dividing the material chronologically is that I want to find the regular and ordinary conduct of the magistracy. If I had divided the source material into more abstract subchapters, there would be a clear risk that more interesting occurrences and issues took the front seat. In particular, the meetings of the Aldermen, the visits of the county governor, the Walpurgis electoral meetings, or the St Peter’s market risk dominating the lesser events, which take up far more of the magistrates’ time and focus each day. These special events are still relevant – especially in relations to the participant question – but they carry the risk of drowning the routine issues.

The first quarter deserves special attention, as it is not only used for analysis, but also for establishing a method and finding out what key theoretical concepts are necessary for understanding the material. The main problem I face methodologically and theoretically is that my aim is comprehensive and my material is multi-faceted. Hypothetically, every detail of the magistracy protocol is important, as every action, issue and relationship is relevant for the function of the magistracy. But as noting each and every nuance of the material would mean that I would basically have to copy the material word by word, it is detrimental to the overall task and exposition. How do you screen such a material?

One solution would be creating analytical concepts to analyze the material, but that would mean that my preconceived notions might – in a direct way – affect what is and is not relevant for the synopsis. So how should it be done? Bruno Latour offers some guidance, when discussing actor-network theory – but it is just as applicable in this case. He has argued that groups and relationships are formed real-time as people act, or in his words “actors are always engaged in the business of mapping the ‘social context’ in which they are placed.” If social scientists define social aggregates in advance, they risk missing when and how these social aggregates evolve and change.160 Just as the actors in Latour’s reasoning, the issues of the magistracy can be regarded as units continuously engaged in mapping a context. The lesson is that the function of the magistracy is not set in stone, but happens as the magistracy functions i.e. as the sessions of the town council

proceed. In light of this, I need to find a way to organize the material so that I can study the sessions as they happened, but still be able to exclude source text not to over-burden the thesis, only sacrificing non-crucial information.

This is why the first quarter is most important for the method and theory of this master’s thesis. A study of the first quarter, with the intention to find preliminary answers to the research questions and common themes within the material, can be used as a baseline for analyzing the rest of the material. By finding the typical and atypical themes within the first quarter, I can compare it to the other quarters. What differs in the second quarter? What stays the same in quarter three? Are there any examples in quarter four that serve to highlight particular themes? The hope is that this method will also give the thesis some transparency in order to avoid both conscious and unconscious cherry-picking.

The chronological division is not quite enough for reader accessibility. The material is further divided into several, broad subcategories: important legal cases, bankruptcies and debts, remarkable cases, auctions, finances, taxation, ownership of land and commons, appointments, collective undertakings, burguery errands and poverty funds. To repeat: their function is not as analytical tools, but to avoid overwhelming the reader with large amounts of straggling details. Of course, every category used to understand a material is analytical in essence, but I have tried to keep a low level of abstraction in these subcategories.

Some special cases involving certain people are handled within their own subcategory. That is because some cases often dragged out over several meetings and often months, concerning several different issues. For example, the case of customs inspector Abraham Anander involved debt charges, possible corruption charges, auctions, involvement of higher authorities and public notices among other things. By keeping them together, as they were probably perceived at the time, you gain a better understanding of what the magistracy did. They did not handle just a case of debt, but they handled The Anander Case. Another gain from handling these cases as a unit is that the circumstance and context is much easier to keep track of, helping us avoid over-emphasising or de-emphasising components of the cases.\footnote{For a discussion on how to handle the problem quantitatively by dividing the one issue into several, see Andersson 1998a, p. 66–69; by contrast, Sandén 2005 and Lindström 2003 chose to count every issue as one, see Sandén 2005, p. 80–82; Lindström 2003, p. 16–22.}
First Quarter Baseline: Analysis

This, the first analytical chapter, and the most instrumental of them all, will start with a presentation of the issues handled by the magistracy. Then I will provide a theoretical discussion about societal and systemic frictions, instrumental to understand the answers of research question one and two. After that, I will answer how these different types of issues were handled. Next I will discuss the participants of these meetings, and what significance they had for the character of the proceedings, namely the roles which town council filled. All of the subchapters will be related to the concept of frictions, the theory of state integration, which will lead into a discussion about the role of legitimation.

At eight o’clock they gathered to uphold the law…

This section has been divided into six subchapters. Four of those subchapters are focused on cases which took up a disproportionately large amount of the twenty-nine meetings and one hundred and thirty-three issues handled during the first quarter, thus have been separated from the rest. These were the estate issues of usher Thelin, the merchant Johan Wretman’s conflict with his deceased wife’s relatives, the customs inspector Anander’s incoherent records, and the activities of Johan Schultz the baker. They have been kept apart from the other categories as they form a sequence of events too large and complex not to keep separate. This should not be understood as these special cases being reported in complete, since they often had a history spanning years in time. The difference between these cases and the other issues noted in this section, is that these cases provide more and richer fragments of the discernible individual stories hidden in the source material. Put together, they also form the absolute majority of judicial issues handled by the magistracy during the first quarter.

The remaining two subchapters are focused on the bankruptcy and debt issues, as well as other judicial issues, such as theft and violence. They are often only mentioned once or twice during the quarter, meaning that keeping each of these issues under separate headlines would only prove distracting.

Bankruptcy and Debts

The largest court caste category is, by far, the bankruptcies and debts. Not counting the special cases, issues concerning bankruptcy and debt were still handled every third meeting. It could
range between a command from the King that *källarmästare* Broms should appear at skipper Lindström’s bankruptcy, to distraints, to ending of surety, to the explanation and fulfillment of promissory notes and settling of debts. \(^{163}\)

On the 21\(^{st}\) of February, the merchant Anders Norman Hansson appeared in court to swear an oath on his pupil Jacob Filcher’s account, that the innkeeper Olof Malmberg from Järnboås owed him 423 *daler* and 7\(\frac{1}{2}\) *öre* copper coins. He had to swear, with his right hand on the bible, on God and his Holy Gospel, that the debt was real and the case driven in good faith. The magistracy would then provide a copy from the protocol which could be sent to the hundred court of Nora. \(^{164}\) This function of the magistracy, as the institution where oaths were made and guaranteed, was also visible when battalion priest Jacob Strang swore that he had had part in a claim against the estate of newly deceased *bordinintendent* Peter Julinschöld. \(^{165}\) It was likewise in the case between the alderman and cordwainer Hallfast and his mother-in-law, the tanner Hjelmer’s widow. The issue had been running for a good seven years, and concerned debts which had been running after the death of Hallfast’s father-in-law and Hjelmer’s husband. She was ordered to swear an oath on the accuracy of the inventory list drawn up after her husband’s demise. The oath is technically outside of the first quarter, but it should be noted that it is identical to the oath sworn by the merchant Norman Hansson above. \(^{167}\)

The magistracy often sought to make the creditors seek compromise — as this was more in line with town ideology of harmony and order — but when this was not possible, they took it upon themselves to decide how to divide the resources from a debtor. Such was the case when the estate resources of tobacco spinner Öhrling was divided among his creditors, which was brought to town council for hearing. \(^{168}\)

One of the noteworthy cases concerning debts and bankruptcies is most interesting because it gives an idea of how long the meetings could be. We know that according to the law code of 1734 the magistracy had to convene at 8 a.m., but we do not know how much time these meetings took. It was the innkeeper Carl Peter Thunström who wanted to rid himself of all his debts in one fell swoop, due to bankruptcy. The meeting had been advertised to the creditors on the court door, in the newspapers, \(^{169}\) and in letters to specific creditors. This was the first issue of the day, and in the middle of the proceedings one of the creditors notified that he had forgotten a

\(^{162}\) A type of innkeeper with specific privilege to sell wine.

\(^{163}\) Gemensamma protokoll (GP) 13\(^{rd}\), 31\(^{st}\) of January, 3\(^{rd}\), 19\(^{th}\), 21\(^{st}\), 24\(^{th}\) of February, 10\(^{th}\), 12\(^{th}\), 16\(^{th}\), 21\(^{st}\), 24\(^{th}\) of March, vol. A1:57, Arboga rådhusrätt och magistrat (ARoM), Landsarkivet i Uppsala (ULA).

\(^{164}\) GP 21\(^{st}\) of February, vol. A1:57, ARoM, ULA.

\(^{165}\) GP 29\(^{th}\) of March, vol. A1:57, ARoM, ULA.

\(^{166}\) Karduansmakare. Fine leather artisans.

\(^{167}\) GP 21\(^{st}\), 28\(^{nd}\) of March, 2\(^{nd}\) of April, vol. A1:57, ARoM, ULA.

\(^{168}\) GP 10\(^{th}\), 12\(^{th}\) of March, vol. A1:57, ARoM, ULA.

\(^{169}\) As there were no newspapers in Arboga, it was likely in Stockholm where some of the creditors lived.
copy of one of his documents, and were given until noon to get it. The magistracy handled three more issues that day, and they were not be able to continue along the schedule without having finished this particular issue. The creditors would have to be allowed to leave – which they pointed out when the forgetful creditor in question turned up late!\textsuperscript{170}

What this tells us are two things: First, that the proceedings of the magistracy took up most of the day and was not a part-time exercise on council days. Secondly, which is a bit more worrisome, is that as there is no evidence of the proceedings actually stopping in the records. It seems like the proceedings were recorded by the town secretary after they had been finished, and therefore must have relied on his memory and notes. This also explains why so many of the issues were readjusted afterwards, if they thought the protocols would be requested by a third party. As issues could be brought up with years between them, this gives the town secretary tremendous power and responsibility. One incorrect note could have devastating consequences for those involved, which also would explain why the town secretary had twice the salary of the ordinary councilmen.

\textit{The usher Petter Thelin}

The usher\textsuperscript{171} Petter Thelin had died in the previous spring, which consequently led to several issues which the magistracy had to take care of.\textsuperscript{172} Although Thelin had deceased almost a year before, the case was still active, giving a sense of the long-winded nature of the town bureaucracy – and the legal and social complexity of death in the early modern period.

It just happened to be one of the first issues handled during the beginning of the year, on Monday, 8\textsuperscript{th} of January 1770. The basic predicament was that the Thelin estate was target of debt claims. The exact nature of these claims was unsure, as the registers and books were still with the town auditors – a problem that would continue to haunt the first quarter.\textsuperscript{173}

One of the main difficulties of the magistracy was to take care of different competing interests when the relevant and necessary documents were lacking or incomplete due to the inefficient bureaucracy. The standard procedure was to organize hearings. Naturally, this happened in the Thelin case. The baker Johan Schultz claimed that some of the declarations made by Petter Thelin’s widow were false. Johan Schultz had, like many others, a debt to collect in the estate. In the end he received what he wanted: A mandate from the magistracy to collect the debt.\textsuperscript{174}

\textsuperscript{170} GP 21\textsuperscript{st}, 26\textsuperscript{nd} of March, vol. A1:57, ARoM, ULA.
\textsuperscript{171} Vaktmästare. A town handyman often charged with arrests or collecting fines and debts.
\textsuperscript{172} Bouppteckningar och arvsskiften (BoU) Petter Thelin 2\textsuperscript{nd} of March 1769, vol. F2:18, ARoM, ULA.
\textsuperscript{173} GP 8\textsuperscript{th} and 13\textsuperscript{th} of January, 3\textsuperscript{rd} and 19\textsuperscript{th} of February, vol. A1:57, ARoM, ULA.
\textsuperscript{174} GP 3\textsuperscript{rd} of March, vol. A1:57, ARoM, ULA; BoU Petter Thelin 2\textsuperscript{nd} of March 1769, vol. F2:18 ARoM, ULA.
With feigned mercy, it was declared that the magistracy wants to help, but could do nothing about the debts of Petter Thelin, neither to state nor private creditors, but that his widow and children should “for as long as possible be able to keep the most necessary bed clothing, a pot and pan for cooking, as well as some simple kitchenware”. Maria Elisabet was to be heard at court regarding Schultz accusations of deceit.

It is noteworthy that Petter Thelin’s widow was not mentioned by her name, Maria Elisabet Lustig, but was instead identified as *Thelins enka*. Why this is might have several explanations, but none conclusive. It might be that the contact between the magistrates and Maria Elisabet was slim, and that they were not sure of the name. It might also be that *enka* was perceived to be all that needed to be said, as it carried more information than the name alone. It both tells you something about her status within society as well as her probable economic circumstances, being a widow of an usher. It might also be a case of a phenomenon Åsa Karlsson Sjögren has discovered, that women as individuals quite often were considered irrelevant unless they represented property. In this case, Maria Elisabet represented the estate, but she was discussed in terms of being a witness. This also goes in line with what Martin Wottle claims that townswomen in general were seen as exceptions to the rule. In one of the entries regarding usher Thelin, Christiana Hemtman, the wife of Johan Ringström the shoemaker, was named when she witnessed in a case about Thelin’s financial claims. It might be that women were named when there was a need for specific identification for the bookkeeping.

**Baker Johan Schultz**

The aforementioned baker, Johan Schultz, was one of the more active – and wealthy – of the Arboga burghers, taking part in numerous cases of different nature. It is clear that he held a position of some influence, or at least felt he had enough influence to try and swing the pendulum his way. For example, he tried to stop standard operating procedure of the *kännärsrätt*, when he applied to the magistracy that the heads of a court case concerning him would not be replaced at the start of this year (1770); in this case, his influence was not enough. He was also the only one of the creditors who appeared in person in the Thelin case. On at least five more

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176 Widow.
177 Karlsson Sjögren 2006, p. 91.
occasions, he came in front of the magistracy in matters concerning debts and bankruptcies, often demanding special attention.

On the third of March, he wanted a contract between him and merchant Eric Wilhelm Kraft to be declared void. On the fifth he came back and instead wanted the contract obligations to be advanced. His case was strong. He had a decree from Riksens Höge Swea Håfrätt on his side, which he used to threaten merchant Kraft. On the tenth, he claimed that Peter Tillberg had lost some leather for shoe-work, which led to Tillberg having to go to Schultz and pay it back in labour. In a bankruptcy case on the twelfth, he requested panträtt lien. That the actions of Schultz could be perceived as strenuous was evident when he came in front of the county-governor meeting on the seventeenth demanding to be paid for a feast he arranged in honour of the King four years previous. The magistracy pointed out that he is not the only one with claims regarding that feast that could not be proven.182

**Merchant Wretman and his wife’s relatives**

One of the larger cases during the quarter was the conflict between the merchant Johan Wretman and the relatives of his deceased wife concerning her will. Whenever it is dealt with, it takes up much space in the source material. This could be explained by the number of people involved, but also by the fact that the cases transcended town limits. That meant that officials in other towns might request the notes for future reference, as was prepared for by note adjustment.183

In this case – where both female plaintiffs and witnesses were named in full – at least ten people stood against merchant Johan Wretman accusing him of illegal conduct when drawing up his deceased wife’s will. In five sessions, spread over two months’ time, the case dragged on. One of the interesting things about the case, was that Wretman seemed to have made use of what Dag Lindström has called “the practice of procrastination”, where actors seemed to delay hearings and court cases to gain some kind of benefit from them.184 In this case, Wretman had the advantage of geography, as the plaintiffs and their deputy, as well as witnesses lived in other towns. Wretman postponed the case until a compromise could be reached.185

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184 Lindström 2005.
Customs inspector Anander

The case concerning customs inspector Abram Anander is by far the largest during the first quarter. It started on the 2nd of February, with a claim which *tullkammaren*\(^{186}\) had registered regarding the estates of customs secretary Westerman. It was discovered that customs inspector Anander had purchased items from the Westerman auction to the sum of 75 *daler* copper coins and four *öre*, and paid for it with the wages of the notary. The magistracy wanted to know whether this money had actually reached the Westerman estate, and how the transaction had been made and by whom. Anander himself claimed that it had reached the estate.\(^{187}\)

This was not the only question mark regarding the bookkeeping of customs inspector Abram Anander. A week or so later, one of Anander’s colleagues, customs inspector Richard Nyberg arrived with the orders of the superintendent of customs\(^{188}\) Axel Kellman. They stated that Anander at three different occasions had had deficiencies in his bookkeeping, and was therefore to be prosecuted and stripped of his office. The town treasurer\(^{189}\) Anders Lithzberg and merchant Isaac Jacobsson Renström decided to guarantee the person of Anander, and as they were “trustworthy and known people”, the magistracy decided not to take action at this time.\(^{190}\) Four days later, customs inspector Ryberg returned and reminded the magistracy that the missing funds must be collected, and that an auction should be held within a week. As the previous auctions at *Gäddegården* had been unsuccessful, he demanded that the auction should instead take place at town hall. Both Anander and the magistracy complied.\(^{191}\) Organizing the auction at town hall would make the issue more official and public, simply by the character of the locality.

Anander, who wanted to hinder the auctions – again as part of the strategy of procrastination – came in and said that he had not realized that the auction would take place at town hall, and that the items might be damaged if moved, and the magistracy decided to hear customs inspector Ryberg once more.\(^{192}\)

The obstructions of Anander seemed successful short-term, as the auction was postponed several times. The magistracy was well aware of his agenda. As they put it he put forward “every type of objection and impediment so that the articles would not reach the auction chamber”. The point of the obstructions was to make it seem like the auction would not take place, and if it

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186 Customs house.
188 Öfverdirecteur.
189 Stadscasseur.
would, it would not have that many articles, so that potential buyers would be discouraged. No buyers meant no auctioned articles, and Anander could possibly keep them until his death.\footnote{"finna hvarjehanda invändningar och hinder, så att persedlarna icke till aucitonskamaren upkomma", GP 24th of February, vol. A1:57, ARoM, ULA.}

Any hope Anander might have had that the issue would not be made public and official was futile, as the protocols were adjusted and sent to the county governor and then brought to common council. The biggest problem was that the bookkeeping of the customs inspector was both an issue for the town and the state. There were competing interests at stake e.g. who had the right to the first funds raised from the auctions? At the same time, Gäddegården, where the previous auctions had taken place unsuccessfully – and Anander’s articles were at – was technically outside of the jurisdiction of the magistracy. This was on the table of the county governor, who gave the town the mandate to proceed with the errand.\footnote{GP 26th, 28th of February, 7th, 21st of March, vol. A1:57, ARoM, ULA.}

This did not stop Anander from acting on his own account, as it seemed like he had sold articles to crown bailiff Hultberg outside of the auction, which therefore had not been registered or controlled by the auction clerks. The issue went as far as investigations of the possibility to put Anander under forced labour or debtors’ prison, in accordance with chapter 45 §2 of Missgjerningsbalken in the law code of 1734. Both councilmen Sven Bornander and Hans Liung disapproved.\footnote{Kronobefallningsman.}

Given these extraordinary circumstances, you would be hard-pressed to guess that customs inspector Abram Anander would be elected councilman within a month.

**Other judicial issues**

Other categories are by their very nature problematic. The goal must always be to minimize their size as they in one way represents a failure in finding appropriate labeling of events. This problem is less apparent here as the categorization is not analytical in itself. It is merely an attempt to avoid short subchapters which might distract from the reading experience. Within this subchapter, I will look at some of the more regular court cases which you expect to find when looking an eighteenth century court.

One of the first issues handled on Saturday the 13th of January 1770, was that the merchant Alexander Ahlbeck and the councilman Sven Bornander had agreed on recompense for a horse. The optimal scenario came true – the two sides had found a voluntary compromise. Therefore it might be asked why it was brought in front of the magistracy at all, especially since councilman Bornander could have told the magistracy off the record. The reason is twofold: Firstly, it forces
them to take the issue to an official political arena, implying that the compromise and reconciliation itself is part the magistracy’s sphere of influence. It is not a conflict concerning only Ahlbeck and Bornander, but the political body of the magistracy as well. Secondly, by registering the conflict with both parts present, there is a state sanctioned common ground for where the conflict is at. If, for example, Ahlbeck would return in two years’ time and renew the conflict, the court records would act as a baseline and it would be evident that Ahlbeck is the one reigniting the conflict.\textsuperscript{197}

One of the main tasks of the magistracy was to make sure that no one overstepped the boundaries of economic privilege. As was the case when the cooper\textsuperscript{198} Lilja appeared in front of the magistracy to reclaim a privilege of packing herring, which he had had since 1768. The privilege had been temporarily withdrawn due to his inability to fulfill the demands of the profession. Now he had hired enough people to manage it, and therefore requested that the magistracy would stop carpenter Sandberg from packing herring. Sandberg was forced to appear and explain himself – even though he technically had only done what was asked of him two years ago – on penalty of eight \textit{daler} silver coins. Once again, in other words, the magistracy wanted issues, and everyone involved, to be brought in front of them for settlement. This time, the rights of Lilja was acknowledged.\textsuperscript{199}

Another of these cases was when notary Holmén reported that bricklayer Lindberg’s wife Maja had sold bread on credit to the boy Nils Lundgren. As Nils’s custodian, Holmén wanted the debt to be written off. As this was not the first time Maja had sold bread without the privilege to do so, her objections that Nils had not been fed enough by his master, Engberg the farrier,\textsuperscript{200} proved ineffectual. The case was left for prosecution by \textit{stadsfiskal} Wetling.\textsuperscript{201} The situation of Nils was not further investigated, as it was only a subplot to the more important issue of whether Maja had sold bread unlawfully. Related to these cases of economic boundaries, was the conflict between the skipper Östman and cordinarian Hallfast about who was responsible for the plank separating their properties, and also whether merchant Ylander from Raumeå could sell birch bark products within town limits.\textsuperscript{202}

The ostentatious issues were few and far between. There were only one incident each of bedding under promise of marriage, fighting, theft, dishonouring speech, and illegal presence within town precincts. The likely reason for this is that these issues were probably handled mostly

\textsuperscript{197} GP 13\textsuperscript{th} of January, vol. A1:57, ARoM, ULA.
\textsuperscript{198} Tunnbindare.
\textsuperscript{199} GP 22\textsuperscript{nd} of January, 10\textsuperscript{th} of February, vol. A1:57, ARoM, ULA.
\textsuperscript{200} Hovslagare.
\textsuperscript{201} GP 29\textsuperscript{th} of January, vol. A1:57, ARoM, ULA.
\textsuperscript{202} GP 16\textsuperscript{th} of March, vol. A1:57, ARoM, ULA.
by the kämnärsrätt. If they were taken to the magistracy, they often involved other towns or had a special element to them. For example, when cobbler’s journeyman Åberg had bedded Cajsa Andersdotter under promise of marriage, the issue was about him travelling to Skara where she lived, to face the charges. When burgher Hans Norman’s widow had been insulted by her son-in-law, merchant Nils Aklund, it was about arranging a restraining order on future behaviour.\textsuperscript{203}

The same held true when the cobbler’s journeyman Nils Lillbom had been in a fight with cordwainer Hallfast’s carriage driver Eric Westerberg. The issue was not about whether the fight had taken place or who was to blame, but an appeal to the county governor about the ruling in the kämnärsrätt.\textsuperscript{204} This shows that the magistracy was only connected to a case when it had gained a certain importance. They were not the day-to-day criminal courts, but the overseers of the larger system.

One of the more curious issues was when baker’s journeyman Flodberg had been arrested for being within town precincts without permission. It turned out that Flodberg had many warrants on his name for allegedly escaping both fire service and army service in Stockholm and Västerås. The information giver was baker Schultz, who Flodberg claimed “hated and persecuted” him.\textsuperscript{205} Flodberg had only come to Arboga to get some important documents in order to apply for burghership as a baker in Sala. As these cases were considered statute-barred,\textsuperscript{206} he was free to leave, since the magistracy knew where to find him.\textsuperscript{207}

The last case – showing how few they actually were – concerned theft. It is surprising that this issue was brought in front of the magistracy, but it had its reasons and consequences. It was the farmhand Anders Persson, who had driven the Prussian merchant Johan Fridrich (sic) Becherer, and stood accused of stealing a purse containing twelve daler silver coins. The act had supposedly taken place somewhere close to Köping, and therefore outside of the Arboga magistracy jurisdiction, but the farmhand had gone to Arboga afterwards and Becherer had pursued him. The farmhand Anders Persson denied the charges, but with a clear threatening tone, the magistracy told him to “look after what could happen to him, and he should therefore satisfy the traveler”\textsuperscript{208} Anders Persson, knowing that imprisonment and heavy fines were on the table, promised to reimburse Becherer, without a verdict.\textsuperscript{209}

With an accused man of low status denying the charges, the threats were a substitution for evidence. If Anders Persson had been steadfast and persevered, he risked having to pay Becherer

\textsuperscript{203} GP 19\textsuperscript{th} of February, 21\textsuperscript{st} of March, vol. A1:57, ARoM, ULA.
\textsuperscript{204} GP 21\textsuperscript{st} of March, vol. A1:57, ARoM, ULA.
\textsuperscript{205} "hat och förföljelse".
\textsuperscript{206} Preskriberad.
\textsuperscript{207} GP 20\textsuperscript{th} of January, vol. A1:57, ARoM, ULA.
\textsuperscript{208} "han borde se sig före, mot det äventyr som honom till äventyrs hända kunde, och tillfredsstilla den resande”
\textsuperscript{209} GP 28\textsuperscript{th} of March, vol. A1:57, ARoM, ULA.
three times the amount he was accused of stealing. He would also be noted as a thief, and if had been sentenced as a thief a second time he risked the whip, and the fourth time hanging. Under those circumstances, without trustworthy rule of law, it is no surprise if innocents would buckle. No sentence would fall, but order and harmony would be restored – for everyone but the farmhand.

...and run the administration of Arboga

The boundary between administrative and judicial matters is – admittedly – to some extent arbitrary, but has been made to the best of my ability in order to create reader accessibility. The basic problem is evident in the first subchapter, Auctions, as each auction was both a pure administrative issue of how the auctions would take place and a judicial issue of solving a debt or possible crime; this can be seen in the conflict in the Anander case where some parties wanted the auction to take place at town hall and Anander himself wanted it to take place at Gäddegården. But each auction as often connected in some way to a bankruptcy or debt, and the complaints about the running of the auction house would today be categorized under public law.

Auctions, finances and auditing

The auction errands were most often about different individuals wanting information from a previously held auction. On the 20th of January, for example, the skipper alderman Björck’s widow and her son-in-law Anders Hultgren wanted to know the price of the articles that had been sold without their knowledge, to which the magistracy responded that councilman Liung would find out. On the 26th of March, the magistracy wanted to know from notary Holmén what the results had been in two recently held auctions. This was how, with small variations, what most auction issues were about.

As Gudrun Andersson has noted, the guild supervision positions could be very desirable. This was not the case with the auction house. The councilmen wanted to avoid that responsibility. This is surprising, as the auction house was usually the responsibility of the mayor, Ernst Papé. The reluctance was not only due to the problems with people such as

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2010 1734 års lag, MB cap. XL; UB cap. 10.
210 Offentlig rätt, in Swedish.
214 Andersson 2009, p. 44–45.
Anander, but also because the bookkeeping was slow, inefficient and unclear – and so was the auditing process.

For the better part of two months, the magistracy reminded and hassled stadsfiskal Wettling and the auditors, for them to finish the auditing process of the town finances and notary Holmén to finish his annual report. Holmén was told to hurry up his work and not mix the auction bookkeeping of different years. In one occasion, they even threatened Holmén with fines and “the most serious of consequences” if it was not finished soon. The problems continued, and on a county governor meeting, the county governor forbade new auctions until the bookkeeping was in order.

The same was true for the auditors, who several times were mentioned as unnecessarily prolonging the auditing process. When it was finally done, the magistracy carefully scrutinized the audit and criticized the auditors – elected officials – on several counts; not only was it late, but also that it was not signed by everyone. Additionally, the magistracy had detailed comments on the contents of the audit.

**Taxation**

Taxation was often mentioned summarily. You would never find the long discussions and reasonings when taxes were collected or decided – they were often the smallest issues text-wise. Such was the case when the monthly taxes on wheat, rye, meat and beer was set. As when the collectors of the fire service and church taxes were heard, and the when the tax arrears were handed in and proclaimed. The exceptions to this rule, was when the aldermen or the county governor were involved, which was when taxes changed. This is only natural, as when these actors were involved, the issue was by virtue of their presence not a routine matter anymore.

When the Aldermen met for the first time of the year, on the 15th of January, they decided how much each seller of beer would pay in taxes. As a side-effect, they also decided who had the privilege to sell beer, and how much. In total, thirteen people were taxed 426 daler copper coins. This was a fairly sizable amount, but it should be noted that they did not have the primary responsibility to serve the Arboga inhabitants beer – that was the duty of källarmåstare Broms, who also had the privilege to serve foreign wine. Among the taxed beer sellers, the highest taxed was baker Johan Schultz – who through his profession had the necessary ingredients to brew the

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218 "de alfvarsamaste utvägar"
222 Restlängd.
beer. Four widows were also granted the privilege, to eke out their means.\textsuperscript{224} The Aldermen also gathered – under taxation oath – to decide the rates for \textit{bevillning} and \textit{båtsmanspengar}.\textsuperscript{225} As the taxation issues were such a large part of the Aldermen meetings, it is likely that it was viewed the same way as the Diet during the seventeenth century, that it might not have the right to be part of every decision, but it had a say in tax matters.

In Arboga, just as in Dag Lindström’s and Gunnar Carlsson’s study of Karlstad and Enköping respectively, the main interest of the county governor was taxes, enlistment and organizational discipline.\textsuperscript{226} Most of his correspondence with the magistracy was about taxation, and that was also the primary purpose of his visit in late March.\textsuperscript{227} He stressed that the burghers who could not pay their tax arrears without delay, were “idle, negligent, and disturbing”,\textsuperscript{228} should be sent to military service. The magistracy responded – protecting its own and the town’s reputation – that these were “reliable people”.\textsuperscript{229} It still forced the magistracy to call the ones who had failed to pay the taxes and were susceptible for enlistment. In the same threatening words used against the theft-accused farmhand Anders Olsson,\textsuperscript{230} town council reminded the summoned of what was at stake if they did not pay their taxes and become “honest Burghers”.\textsuperscript{231}

\textit{Ownership of Land and Commons}

The magistracy was responsible for the common lands of the town – mostly wooded areas – and some lots, which were rented out for life called \textit{herråkerslott}.\textsuperscript{232} Whenever a \textit{herråkerslott} became vacant, the lot had to be transferred to another burgher. During the first quarter, two such issues were up for discussion and negotiation. The first was a conflict between the tin-smith Jonas Berg and his mother-in-law the trumpet player’s widow Elisabeth Werner, about who had the right to a \textit{herråkerslott}. What is perhaps most interesting is that the magistracy coaxed them to find a compromise on their own terms. It was “not befitting for a child and parent if such quarrels continued”, and it would be unbecoming if the magistracy decided on the issue. The persistence proved successful as the pair reconciled.\textsuperscript{233}

\textsuperscript{224} GP 15\textsuperscript{th}, 29\textsuperscript{th} of January, vol. A1:57, ARoM, ULA.
\textsuperscript{225} Bevillning was a provisional war tax that had grown permanent. Båtsmanspengar was paid to be excused from giving up men to the navy; GP 14\textsuperscript{th}, 16\textsuperscript{th} of March, vol. A1:57, ARoM, ULA.
\textsuperscript{227} GP 10\textsuperscript{th} of February, 12\textsuperscript{th}, 17\textsuperscript{th}, 19\textsuperscript{th} of March, vol. A1:57, ARoM, ULA.
\textsuperscript{228} “lättja, vårdlöshet och oskickeligt uppförande”.
\textsuperscript{229} “påliteligt folk”; GP 17\textsuperscript{th} of March, vol. A1:57, ARoM, ULA.
\textsuperscript{230} “undgå det äfventyr dem annars förestår”.
\textsuperscript{231} “rättskaffens Borgare”; GP 24\textsuperscript{th} of March, vol. A1:57, ARoM, ULA.
\textsuperscript{232} The \textit{herråkerslott} was so called \textit{donationsjord}, which had been given to towns from the state.
\textsuperscript{233} “hur litet det anstår, att barn och föräldrar emellan dylike tvister skola fortsättas”; GP 5\textsuperscript{th}, 10\textsuperscript{th}, 21\textsuperscript{st} of March, vol. A1:57, ARoM, ULA.
The second of these issues, was a peculiar case where a *herråkerslott* had been transferred from the burgher Matthias Hörnström to the merchant Thomas Norström before Hörnström died. This led to complaints from other parties interested in the lot. The county governor ruled that the lots could not pass from burgher to burgher directly, but would pass to the magistracy for dispensation when the previous owner dies. Despite this ruling, the magistracy decided that this would only be the standard operating procedure in future cases, and the conveying was deemed lawful.\textsuperscript{234}

These two cases juxtaposed show an interesting contrast. In the first case, the magistracy encouraged the independent negotiations of the stakeholders, but in the second case, the authority of the magistracy had been overstepped by such negotiations. This shows that the magistracy’s position as a power institution was not clear-cut. It did not want full authority, as compromise was more in line with the town ideology of order and harmony. But at the same time, the county governor decided that every transition – and therefore every compromise – would have to pass through town council. The magistracy could leave the decision to the affected parties, as long as it had done so officially.

The wooded areas of the commons became an issue after ranger Lars Ahllund had been attacked by wood thieves. The magistracy turned to the Aldermen, but not to solve the crime of the assault against a town official. In fact, poor Ahllund was later attacked in his own house, and was too afraid to name the assailants, but it never became an issue for town council.\textsuperscript{235} Instead, the magistracy focused on possibly dividing the forested areas of the commons to the burghers. The reasoning was that if everyone owned their own patch of lands, they would better protect it by themselves.\textsuperscript{236} In a rare common council meeting, the magistracy argued even more aggressively in favour of reform, and it was agreed that the magistracy and the Aldermen would prepare the issue until the next Walpurgis electoral council.\textsuperscript{237} Exactly how the towns should divide and employ the lands was in their own hands, albeit the county governor efforts to convince the town of Arboga to embrace ley farming,\textsuperscript{238} as he considered it a superior form of agriculture.\textsuperscript{239}

\textsuperscript{234} GP 22\textsuperscript{nd}, 29\textsuperscript{th} of January, 26\textsuperscript{th} of February, 17\textsuperscript{th}, 28\textsuperscript{th} of March, vol. A1:57, ARoM, ULA.
\textsuperscript{235} GP 28\textsuperscript{th} of March, vol. A1:57, ARoM, ULA.
\textsuperscript{236} GP 29\textsuperscript{th} of January, vol. A1:57, ARoM, ULA.
\textsuperscript{237} GP 28\textsuperscript{th} of February, vol. A1:57, ARoM, ULA.
\textsuperscript{238} Tvesäde.
\textsuperscript{239} GP 17\textsuperscript{th}, 19\textsuperscript{th} of March, vol. A1:57, ARoM, ULA.
**Appointments**

Another major function of the magistracy was to appoint all non-elected officials of the town. The great advantage of a hierarchical, poor society – from the perspective of town council – was that you could always find at least someone who would do menial tasks for cheap. When the position for watchman\(^{240}\) became vacant, a farmhand, a tin-smith’s journeyman and an outsider applied. The farmhand, Anders Österberg, obviously felt that his chances were slim, so he offered to give half a year’s pay to the widow of the former watchman. This might be explained by him lacking the recommendations from well-respected members of the community, which for example the farmhand Nils Andersson Westerman had when he was appointed town carpenter. Österberg’s promise ultimately proved insufficient, as the tin-smith’s journeyman Johan Öhrgren was given the position.\(^{241}\) Gaining such a job did not only mean that you had payment and an acknowledged position within society, the magistracy could also grant you funds for clothes, medicine and funeral costs if need be.\(^{242}\)

Not all positions were considered lowly. When the magistracy appointed extra officials for *kämnäsrätten*, auction assistants or deputy *stadsfiskal*, the applicants were often wealthy burghers, aldermen or people with professional training.\(^{243}\)

**Collective undertakings**

The magistracy organized and carried out many collective undertakings. Most of these were more or less routine, without need for extensive exposition. Most had been delegated to individual councilmen, town officials or *stadsfiskal* Wettling, and therefore only came up to review when town funds were involved. In most cases, this only happened once or twice per quarter.

The nature of the collective undertakings ranged from affirmation of *källarmästare* Broms privilege to import alcoholic beverages toll-free, paying for jail costs, informing the burghers of central rulings and legislation, managing passport issues, inspection and maintenance of commons, and the management the fire hazardous barns and lodges, for the storing of agricultural produce.\(^{244}\) As the magistracy was duty-bound to make sure that there were roads in the proximity of Arboga, every now and then issues concerning road-building or snow-plowing

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\(^{240}\) Brandvakt.

\(^{241}\) GP 21st of February, 5th, 12th of March, vol. A1:57, ARoM, ULA.


\(^{244}\) GP 22nd of January, 3rd, 10th, 14th, 21st of February, 3rd, 17th of March, vol. A1:57, ARoM, ULA.
came up. The drawing of inventory lists and estates also lay in the hands of the magistracy, and as consequence, post-mortem taxation.

Some issues required more detailed attention. As Arboga’s main economic function was the iron transit, it lay in the hands of the magistracy to administer the infrastructure of the harbour. This meant making sure that the loading-docks were in good condition, by prohibiting reckless loading practices and repairing damages. The magistracy was also in charge of making sure that the iron-scale and the storing of iron functioned hassle-free.

The town and church had shared responsibility over the schooling – the clergy was responsible for education, and the town took care of the facilities, a similar division as the hospital. School building repair was an expensive operation, meaning that the magistracy sought the approbation of the Aldermen.

One of the more noteworthy tasks of the magistracy was to organize the official representation of the town, when dignitaries visited Arboga. This included food, wine, lodging, salutes, and carriage service. The importance of showing the town on its best side was further emphasized as councilmen would meet up and greet the county governor in advance, and unnecessarily disturbing him was officially disapproved of.

**Burghership**

During the first quarter, seven people either applied or were suggested for burghership. The main theme of these errands was the assent of the propertied and privileged. The sailor Björklund was granted burghership because he had been accepted as skipper on merchant Ahllöf’s ship. Goldsmith’s journeyman Julin was granted burghership after the goldsmith Åberg had approved him. When girdler’s journeyman Peter Malmström applied for burghership, the immediate response was to ask the town’s girdlers what they thought, and when it was apparent that he was going to marry the daughter of girdler Johan Henric Martens, he was also approved.

Burghership could also be forced upon inhabitants. In the Aldermen meeting on the 14th of March, the Aldermen wanted to give manufacturer Fehrman and bricklayer Tidstrand

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burghership. The reason was that they were already active members of the community, but lacked burghership and therefore did not pay taxes nor vote.\footnote{GP 14\textsuperscript{th} of March, vol. A1:57, ARoM, ULA.}

It was most difficult for mill secretary Eric Fernström to win burghership. The reason was that he applied from outside the system. He was not pre-approved and lacked the contacts which the aforementioned applicants had. He pleaded to the magistracy, and said that he needed to stay in Arboga to care for his ill mother, and he promised that his grain grocery business would not hurt any other business in town. The affected burghers were informed, and two months later they returned dissenting the application.\footnote{GP 29\textsuperscript{th} of January, 26\textsuperscript{th} of March, vol. A1:57, ARoM, ULA.}

\textbf{Poverty funds and relief}

Most of the issues regarding poverty funds and relief were brief. The issues concerned distribution of money to the poverty-stricken – often widows – as well as managing the poor house.\footnote{Brattström 1936, p. 80–81.} The poor house, where up to 24 destitute could receive relief, was built by former mayor Robert Petré in the 1690s. It was funded by a huge donation of 12,000 \textit{daler} copper coins – four times the cost of a second-hand ship – from local magnate Olof Ahllöf in the 1740s.\footnote{Corin 1978, p. 505–506; Stadin 1993, p. 44.}

For example, councilman Johan Cleophas – as head of the poverty funds – distributed 28 \textit{daler} copper coins to each impoverished in the poor house, or when the shoemaker Halvar’s widow was granted funds to pay for her daugher’s funeral or haulier\footnote{Åkare.} Jöns Klingberg’s widow was granted funds to afford his. Even if widows were in clear majority, at least one man, tanner Berggren, was granted nine \textit{daler} copper coins for his meager conditions. The magistracy lent money to the poor, as when the wigmaker Johan Bergman’s widow was given a loan of 50 \textit{daler} copper coins, which would only be reclaimed after her death. As you might have noticed, none of the widows are mentioned by first name in the material. There is one notable exception, in the old maid Margareta, whom was not mentioned by last name.\footnote{GP 24\textsuperscript{th} of March, vol. A1:57, ARoM, ULA.} They are not granted funds as individuals and full name is thus not required, but as widows or maids – the social status qualified the individual as deserving poor and was thus treated as such.\footnote{GP 13\textsuperscript{th}, 20\textsuperscript{th}, 31\textsuperscript{st} of January, 5\textsuperscript{th} of February, 10\textsuperscript{th} of March, vol. A1:57, ARoM, ULA.}
Clauseswitz’ Frictions in Systems and Society

In his 1832 classic, *Vom Kriege*, Prussian military theoretician Carl von Clausewitz (1780 – 1831) expounded on the concept of frictions of war. The basic insight was that there is a clear distinction between the ideal operations and the actual practice of warfare, or in his own words:

> Friction is the only concept that more or less corresponds to the factors that distinguish real war from war on paper. The military machine – the army and everything related to it – is basically very simple and therefore seems easy to manage. But we should bear in mind that none of its components is of one piece: each part is composed of individuals, every one of whom retains his potential of friction.\(^{262}\)

Frictions are the obstacles to the smooth running of warfare, but it could quite easily be translated into a theory of politics. Instead of being the disparity between the ideal and the practice of men trying to kill each other in a rather organized fashion, it could – with some imagination – also mean the difference between the ideal and the practice of society itself.

If the ideal society was the organic unit of harmony under God, the *societal frictions* were everything that could disturb that ideal order e.g. competition, greed, conflict-seeking, spontaneous violence, anarchy. Organization of the local polity and economic system can be viewed in this light. In particular, the guild system, the household model, and efforts to quell political opposition, represented institutionalizations of ideal society itself. The idea was to simply outlaw the potential *societal frictions* – no competing and greedy businesses and no self-serving anarchic behaviour.

This did not untie the knot; it merely repositioned it further along the string – if it was untied at all. This new social, political and economic system created its own frictions. There was a disparity between how these systems worked ideally and how they worked in practice. This could in a similar fashion be called *systemic frictions*. Even though the system was created to handle conflicts, it is undeniable that it also acted as a catalyst for conflict i.e. *systemic frictions*.\(^{263}\) Laws and social customs were increases in complexity, and complexity always creates frictions, as it tends to adapt badly to unitary ideals.

There were a multitude of potential *systemic frictions*: Women who had lost their husbands also lost their main stream of income. Demanding that certain production quantities and standards were met required multiple, possibly competing, actors in the local economy. Society is always more complex than its rules and there were always exceptions. Individuals filling up the social positions would die, and therefore had to be smoothly replaced. The system was not free of costs, which had to be spread without increasing dissent. Et cetera.

\(^{263}\) For an example, concerning political access and land rights, see Hufton 2000, p. 64–67, 361–373.
In order to achieve, or at least strive for, the ideal society, these frictions – *societal* and *systemic* – needed to be taken care of. This is not to say that the magistracy was the primary responder to these issues. In fact, by looking at which party instituted the reforms to handle the societal frictions, you could with greater confidence say whether the state was driven top-down or bottom-up, the impending question of state formation research.

As was discussed in the chapter *The Town Polity*, it is clear that the Swedish state from the seventeenth century tried to enforce a uniform system for Swedish towns, regarding their rights and duties. As the *Charter on town administration* from 1619 and following decrees determined, each town was in charge of organizing court systems within a national judicial body, political institutions, taxation systems, administrations of schools, roads, destitute care, fire protection and guild supervision. This top-down approach was not as clear in the case of Italian city-states, the polity of the City of London, or in many regions of Germany, even if the tendency grew towards the end of the early modern period.\(^{264}\)

These reforms of the state were not organized in a vacuum, as they often were based on non-state predecessors.\(^{265}\) By utilizing pre-existing institutions, such as the magistracy, the state could use the *inherited resources* of the local community i.e. the knowledge and experience of local actors.\(^{266}\) But this is only the *societal* frictions – what about the *systemic* frictions? By leaving to the local political bodies, such as the magistracy, to organize and run the systems mandated by central authority, it also left the *systemic* frictions to them. The simplified scheme would read: the state was in charge of societal frictions and the magistracy of systemic frictions.

The division between societal and systemic frictions can also be used to understand the expansion of the eighteenth century state. At the same time as the state was questioned and pushed back from the lives of its inhabitants by national political bodies,\(^{267}\) it grew exponentially in size.\(^{268}\) This paradox can be disentangled by identifying the different levels of the state through the concept of frictions. By redefining the ideal society, you also change the societal frictions. If the organic aspect of the ideal state is de-emphasized, you consequently perceive it as less of a problem if people print contrarian opinions, and therefore do not have to control the print culture as imposingly. At the same time, this will not deconstruct each and every societal friction. Not caring about dissenting opinions would not make violent crime, tax evasion or illegal trade less of an issue. The systems therefore had to be continuously maintained, and as a result systemic frictions would remain. It is on this level, the handling of systemic frictions, that the


\(^{266}\) Hallenberg, Holm, Johansson 2008, p. 250.

\(^{267}\) Zaret 2000

state could grow even when it was pushed back on other levels. By increasing legislative control, institutional frameworks, bureaucracy, and establishing standard operating procedures, the state expanded. The town magistracies formed crucial elements in this process.

**State-imposed and Magistracy-determined**

As the town polity formed a local subsystem, there are several locality specific systemic frictions. Based on the actions of the individuals within the towns and the local circumstances, frictions appeared. It was the function of the magistracy to handle these systemic frictions.

Among these were frictions regarding economic matters, such as boundaries of privilege and whether someone should be granted burghership. Every new burgher was a potential competitor to others within the same profession, and a relative loss of political power for everyone, as more people would be allowed to vote. This was solved by letting the different guilds recommend, support or oppose candidates. The hardest time was had by those applicants who did not have influential friends within the town. In issues concerning economic infringements, such as the case with cooper Lilja and carpenter Sandberg, the magistracy had to decide what was best for the community. Basically, they handled frictions by trying to avoid upsetting the town inhabitants.

In the bankruptcy and court cases, there was often a standard operating procedure based on the law code of 1734. This lessened the mandate of the magistracy, as they could not deny financial claims if they had support in the law and sufficient proof. However, if no such proof was to be found, or if a case had just been started, the magistracy would often encourage compromise above due process of the law. It was less important that every statute had been followed, than harmony prevailing. This type of encouragement was just one of the tools of the magistracy. They threatened, argued, demanded oaths to be given, and sentenced wrong-doers to fines and jail time – even if the latter was unusual – depending on what type of case it was.

In general, there were routine cases, creation of new routines, and the case-by-case handled issues. The first category – routine cases – was compromised of issues where the magistracy had wiggle-room and was unlikely to be opposed. These cases distinguish themselves in the material as short, containing little information about third parties. Granting a widow money from the poverty funds, appointing a farmhand town carpenter or sending a town official to inspect the commons, were all issues where it was highly unlikely that anyone would have sufficient reason for complaint.

The second category – creation of new routines – had some of the more extensive notations. It was unlikely that the information written down would be requested by people other than the
magistracy itself. One of these cases was when it was decided that the magistrates would take turn
to draw inventory lists and that all commission would be divided equally between the
magistrates. Extensive explanation of how and why the change was made was done in order to
establish a standard operating procedure. Instead of performing the task of drawing up inventory
lists on the basis of tradition, it had to be explained and recorded for it to be made official.

The third category – the case-by-case handled issues – included all court cases such as debts
and bankruptcies, where it was likely that either the involved parties themselves or future court
cases would require the information of the proceedings. These cases were also sensitive, in that
they would often end with a winner and a loser. It was therefore likely that the case would be
brought up again if there was no clear documentation. These were often the cases where the
magistracy did not have the mandate to act dictatorially, but had to navigate between different
interests and law texts.

The Effects of the Participants and the Roles of the Magistracy

Town council was mostly a place for the burghers of Arboga. Considering that the burghers only
represented 10 – 15% of a population of around 1500 people, it is quite startling to see how
few non-burghers were even mentioned: Only one maid, four farmhands and a few labourers.
Only three non-widowed wives were mentioned by name. This is not as surprising as it might
seem, as non-burghers had no say in administrative matters, were unlikely to accrue debts of
neither magnitude nor importance that householders would, and regular crimes were more often
than not brought up in the kämnärsrätt. In Karl Bergman’s study on the kämnärsrätt and
magistracy court in Karlskrona, women were found mostly in the kämnärsrätt. When the
division of responsibilities between the two courts had been established around 1700, it also
meant that town council became an even more exclusive arena than before.

Two groups of non-burghers which actually were mentioned quite often were
apprentices/journeymen, nine times, and widows, nineteen times. This is due to journeymen
being eligible for many official positions and widows either being involved in the financial
proceedings of their deceased husbands, or received money from the poverty funds. The
existence of widows was one of the most eye-catching systemic frictions which the magistracy
had to handle. As women were supposed to be provided for by their husbands and women tend
to live longer than their husbands, every town had a sizable population of widows. In other

271 Bergman 2000, p. 629.
words, many women lived outside of the ideal household structure. Some women, who had married artisans, could remarry their husband’s successor, and a few women who had married merchants could continue their husband’s business, but many were left without provisions. The system created a group of people in need of aid, and the magistracy was the channel for it.

Although most actors in the magistracy meetings were part of an elite group, it would be a mistake to assume that they were treated the same way regardless of circumstances and status. In fact, by studying the language used in the documentation, it is possible to discern the magistracy’s multi-role function within local society and as a unit within the national political system. The rhetoric is more multi-faceted than being only the dry and non-informative language of the administrator or the dutifully informative language of the court in session.

When the auditors had finally finished the audit on 24th of March, the magistracy took the tone of disciplinary institution, emphasizing the how “pressing and important a task” the audit was, and that anyone who manages the town resources and bookkeeping are “duty-bound” to protect these documents and return them on time. When it on the other hand threatened the burgher Nyberg and the farmhand Olsson, it took on the rhetoric of the executioner, an effect no doubt strengthened by the executioner’s sword which always hanged on one of the town council walls.

The three most glaring changes in rhetoric occurred when either the common council, the Aldermen and the county governor was present. Before the meeting of the common council on the 28th of February, the magistracy, the Aldermen and the burghers had gathered in church for service and an “edifying sermon on perjury” held by town chaplain Handgren, before they walked together the 200 meters to town hall. This was the only mention of what had preceded a meeting during the whole quarter. It is likely that this sermon filled the same function as the court sermons that were mandated by law before the hundred courts. On this occasion, the magistracy – who had organized the sermon on the previous meeting – functioned as the guardians of town unity and concord, through forcing the burghers to reflect on the bigger picture and not get carried away by their own selfish motives.

During the Aldermen meeting of 29th of January and the aforementioned common council, the magistracy wanted to divide the commons, and therefore acted as local politicians, painting the most idealizing of pictures of what would happen if the reforms were agreed upon. The

274 Bladh 2003, p. 77.
275 ”angeläget och betydande göromål”.
276 ”åliggande skyldighet”.
277 Bergström 1961, p. 18–19.
279 Dalfelt 2000, p. 22.
commons system represented a constraint upon the burghers and “Nature hates compulsion” and what is forced will either “break through by violence or be suffocated”. By keeping the old system, the infringements upon the commons would keep growing, but if the reforms were made “poverty would be dispelled, comfort would increase, and the town would with Divine providence return to its former wealth”. They certainly did not mince their words and forecasts. Five pages of arguing later, citing precedence, successful cases and dozens of laws, the burghers had agreed that it would be put to the vote at the next Walpurgis electoral council.

The visit of the country governor the 17th of March was the icing on the cake. The meeting notes were started by an accolade to the glory of the county governor.

In front of the noblest gentleman, the County Governor and Knight, the magistracy, the aldermen and all the citizens, showed their most humble of reverence, with as much joy as one can muster over his most merciful presence as illustrious lord. With long and dutiful experience, he has the deepest knowledge of the good of the burghers and society, as well as having left, always and everywhere, convincing trace and witness of the most compassionate clemency of the good and advancement of the country and all subjects, the high grace to which the magistracy, the aldermen and all the burghers could nothing do but trust with joyous confidence, not less in this but on every occasion, and with utmost humility request to be part of its favours.

In view of this, the magistracy could not possibly be described as neutral public officials – they were loyal subjects, and this in a time when the actual powers of the county governor had been decreased so much that he was not even allowed to oversee the elections of the Walpurgis electoral council. But he remained a representative – and symbol – of the state and therefore the King, and as such he was subject to the praises and fealty of the magistracy, Aldermen and burghers.

In these instances, the magistracy showed its multi-role function within the local polity and the political system of the realm. On different occasions in a few months span, town council took on the role as: administrator, court, disciplinary institution, guardians of town unity, local politicians and loyal subjects. In a majority of the cases handled during these three months, it might seem as if the magistracy was some kind of Weberian ideal bureaucrat, but every now and then it was revealed that this was but mimicry. When the state organized a system in response to the societal frictions, it left the systemic frictions to the magistracy, and this meant handling both the demands and requirements of imposing central authority in need of taxes and men, as well as the needs of the multi-faceted and layered local context. Without organizational specialization – a division of the different duties of the magistracy into independent bodies – the magistracy could

280 “Naturen hatar tvång”, ”bryter isg anten med våld igenom eller qväfves”.
281 ”fattigdomen skulle efter hand förjagas, trefnaden ökas, och staden än en gång, med Guds hjelp, återkomma i sitt forna välstånd”.
never fully become neutral public officials. Town council had to adapt to different situations and it needed to take the participants of the town council meetings into account when it decided how to act. It was simply necessary in order to fulfill its duties as protectors of harmony and order, and as representatives of the state itself.

**Town Council and Legitimacy**

An underlying theme so far has been the concept of legitimacy. It has not been delved into, but it is central to understanding the function of the magistracy. The handling of frictions and the state integration process are united by its relationship to legitimation. But what is the meaning of legitimacy? David Beetham has claimed, in opposition to subjective theories of legitimacy i.e. it is legitimate because people think it is legitimate, that a “given power relationship is not legitimate because people believe in its legitimacy, but because it can be justified in terms of their beliefs”.283 This means that if a power agent – an institution or a person – is acting in ways that aligns with the ideals of the governed, it achieves legitimacy. This might be called ideological legitimacy.

The connection between this theory of legitimation and the concept of frictions, as in the disparity between the ideal and actual, is self-evident. The frictions are not merely hinders towards achieving the ideal state, but they are hinderers towards gaining legitimacy.

Of course, there is a normative element to his theory, but it does not have to be so. In this thesis it is used solely in its descriptive-analytical function. The great merit of his theory is that it can explain why specific individual say, the King, might be unpopular at the same time as the organization he is in charge of is considered legitimate. The power relationship has legitimacy, even if the one who happens to be on top might lack popular or elite support.

John Brewer points out that by increasing their legitimacy, the states reduced discontent, and thereby were able to maintain an effective system of taxation.284 It works both ways, because by reducing discontent – arisen from frustration over societal and systemic frictions – the state would gain legitimacy. By contracting a local institution with firm roots within local society – with strong inherited resources – to handle the systemic frictions, the state would get an institution that could legitimate the state on the local arena. In less abstract wording, if the magistracy with local knowledge of your situation is presiding over your conflicts and protects your privileges, it will be far easier to make you pay the taxes.

The concept of ideological legitimacy is far from a comprehensive take upon the phenomenon of legitimacy itself. In a fictional dialogue, Rodney Barker would interject that there are “forms

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283 Beetham 1991, p. 11.
where the obedience does seem even less a matter of deliberate choice of either a rational or normative kind [as Beetham suggests], and more a matter of absence of reflection on alternatives”. There might not be an unconscious acceptance of power for its own sake, but the support is “minimally articulated, and unsupported by any arguments [of shared beliefs or any other kind]”. This form of legitimacy, which he calls *habitual legitimacy*, arises from the monopolistic tendencies of the state, which gives the state an unquestioned character. In this sense, he postulates that it might be the most important form of legitimacy.  

One way in which this habitual legitimacy was brought forward in Arboga, was through forcing the locals into making their disputes subject to the magistracy’s – and thereby the state’s – oversight. In Steve Hindle’s words, the “legitimacy of the state was reinforced by the frequency with which its institutions were employed for the resolution social conflict”. Although this was true for all court cases, two good examples of this was when merchant Ahlbeck and councilman Bornander had agreed upon the payment of a horse and when carpenter Sandberg was forced, upon penalty of fines, to appear in front of the magistracy when cooper Lilja had complained about possible economic infringements. In neither of these cases were it necessary for these people to turn up in court for a ruling to be made, but they were still brought there by the magistracy. This constitutes clear actions to change the habits of the inhabitants in regard of conflict resolution, and thereby strengthening the habitual legitimacy of the magistracy and state.

Even if the purpose of the state was resource extraction and war making, in the words of Charles Tilly, one should avoid emphasizing the homogeneity of this function of the state. The state was also a political body which took active part in the judicial, economic and administrative system of the realm – and in the case of the magistracy by outsourcing these duties. This is not contrary to its function as a resource extracting and war making organization. By performing these additional tasks, it created the necessary legitimacy – ideological and habitual – to make sure that its primary purpose functioned smoothly.

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From Sailing Season to Christmas – Testing the Baseline

Now we have achieved a baseline to compare the remaining nine months of the year to. I will only discuss the issues which strengthen or weaken the baseline hypothesis, and some especially noteworthy occurrences. This means that many of the nuances which could be shown, but are not necessary for the analysis, have been left out. Alas, I must – without seriousness – lament, one cannot provide an entire transcript of the source material.

The 2nd Quarter

With few exceptions, the second quarter was remarkably similar to the first. There are mostly the same types of issues in mostly the same quantities.

The most common category was still the debts and bankruptcies, which in one form or another was brought up at nearly every meeting during the second quarter. The obligation to take these issues in front of the magistracy – even when it was strictly informational – was given by the state in the law code of 1734. It was therefore a central ruling to make these issues part of the state’s sphere of influence. In that sense, they were much the same character as when people were forced to appear in front of the magistracy even when they technically were not needed to make a ruling. One such case was when glove maker Peter Lindberg, town usher Säf’s wife and cornettikan Dahlström applied for the privilege to sell beer, which led town council to demand all beer sellers to leave their response within eight days on penalty of five daler silver coins. The magistracy would either deny the requests of Lindberg and Säf or it would affirm their request; in the first case, they did not need to be summoned as the ruling would not affect them, and in the second, they had already had incentives of their own to object in court. But as the magistracy had responsibility over the community as a whole, it also required the community to take part when asked to do so. Their issues were made the magistracy’s issues, and their participation was taken as their sanction, lending legitimacy – of both kinds – to the magistracy and state.

As can be expected, there were slightly fewer cases regarding taxes, as they were often set in the first months for the rest of the year. Surprisingly, there was a clear decrease in the number of cases concerning poverty funds, but it seems like that can be explained by a complication with

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287 GP 2nd, 4th, 7th, 9th, 11th, 30th of April, 5th, 7th, 9th, 12th, 14th, 16th, 19th, 23rd, 28th of May, 11th, 16th, 23rd of June, vol. A1:57, ARoM, ULA.
288 1734 års lag, RB, cap. VI.
289 Cornett is a type of wind instrument.
291 GP 5th, 12th, 30th of May, vol. A1:57, ARoM, ULA.
the bank regarding the Ahllööf funds. This lack of poverty fund errands also meant that there were fewer women mentioned during the quarter. The ones that were mentioned followed the earlier naming pattern; they were not given full names unless necessary to identify them. The material therefore reflects the identification system of the period, which naturally meant that women were identified in relationship to men. In line with this, when the debt conflict between cordwainer Hallfast and tanner’s widow Hjelmer was finally resolved, she was named “his mother-in-law” in the protocols, making her – previously a central actor – just a context for a case driven by Hallfast. She was defined in relationship to the plaintiff of her case; she was no longer an independent individual – but she was identifiable.

Administrative issues, on the other hand, were of the same order quantitatively and qualitatively. Notary Holmén had once again delayed the bookkeeping, and he was once again threatened with fines. The construction of roads and bridges intruded on private property and encountered sabotage. In other words, they handled the frictions within the administrative system.

The magistracy tried to control the presence of people in Arboga, as they advised bookkeeper Stenborg that he should not seek to become a sailor in Arboga – the magistracy thought it to be improper due to his unlawful sexual relations. Instead he should go to Stockholm, and if he did not heed this advice, he should be wary of the consequence of being drafted – continuing to use threats as a tool. They granted crofter Johan Pehrson residency for a couple of months until he had found somewhere to live. They also kept suspect strangers away from the streets, and helped the military authorities track down drafted inhabitants of the town.

The magistracy did not only protect the town from unwanted elements, but it also tried to protect the order within. Examples of these cases were the fair number of applications for burghership and specific privileges; in all but a few, it was as per usual left to the affected burghers to decide on. The two exceptions to this, truly proved the rule. The first was sword sharpener Peter Bergström who was granted burghership due to his skill and reputation, without being heard by affected parties – as there was none. The second was stall clerk Lars Rospigg

293 GP 4th, 23rd of April, vol. A1:57, ARoM, ULA.
295 GP 23rd of April, 7th of May, vol. A1:57, ARoM, ULA.
298 Torpare.
300 GP 5th, 9th, 12th of May, 23rd of June, vol. A1:57, ARoM, ULA.
301 GP 23rd of April, 7th, 12th, 19th, 30th of May, 27th of June, vol. A1:57, ARoM, ULA.
who was granted burghership as a merchant, following his father’s footsteps, as he had already been serving the town in this aspect for seven years, and was thereby protected by the law.\footnote{GP 9\textsuperscript{th}, 11\textsuperscript{th} of June, vol. A1:57, ARoM, ULA.}

Three non-privilege cases stood out, centered on the magistracy’s concern for the local community. These three specific cases are all examples of how the magistracy could suspend the system’s rules, as long as it was in line with town ideology. That way, the town could act arbitrarily and still maintain the ideological legitimacy of David Beetham. One of the cases concerned shoemaker Hultgren who, because of unpaid debts, were to be put in debtors’ prison in Västerås and needed the necessary travel documents. In concern of his child, the case was postponed until the mother returned from the capitol.\footnote{GP 7\textsuperscript{th} of April, vol. A1:57, ARoM, ULA.} The second was when one of the roads had been built and some of the gravel had been stored on the land of goldsmith Åberg, which he claimed had damaged his produce. The magistracy promised to look into it, and change the routines unless it was considered “necessary” for the good of the town to keep the old ways.\footnote{“allmänt nödig”; GP 26\textsuperscript{th} of May, vol. A1:57, ARoM, ULA.} Lastly, when the debt conflict between cordwainer Hallfast and tanner Hjelmer’s widow led to her swearing an oath that her declarations had been truthful, she said that she would never want to see Hallfast again, which is understandable given how long and bitter the conflict had been, but the magistracy still begged them to become friends – a possibility she denied outright.\footnote{GP 2\textsuperscript{nd} of April, vol. A1:57, ARoM, ULA.} It was a failure for the magistracy, as a resolved conflict that ends with bitterness, has not restored harmony.

The most remarkable case of the quarter was, surprisingly, not the Walpurgis Electoral Council, but the resolution of the Anander case. After the first quarter, the debt and embezzlement case of toll inspector Abram Anander was left somewhat of a cliffhanger. On the 2\textsuperscript{nd} of April, the magistracy received a letter from the Diet in Stockholm which would change all premises. Apparently, toll inspector Abram Anander had been elected councilman three years previously, but had been disapproved of by the King in council, after an objection made by three Arboga burghers. This decision was appealed by Anander, and that appeal was upheld in the proto-democratic spirit of the 1760s, as the burghers “unquestionable right to elect the councilman that had won their confidence” could not be superseded by the will of but three burghers. Anander was to become a councilman.\footnote{“den ostridiga rättighet, att få den till Rådman, hvilken de med så allmänt förtroende där till kallat”; GP 2\textsuperscript{nd} of April, vol. A1:57, ARoM, ULA.} The attentive reader will surely react: “But no one can be elected councilman if they are suspect of a crime?” That is true, and the magistracy
decided to let the county governor and town council decide on the matter, but the arrival of a certain dignitary would change that.

On the 7th of April, in a light version of the accolades to county governor “the noble and esteemed” mayor of Arboga, Ernst Papé, returned home from the Diet. He thanked the councilmen for their “diligence”, and their continued “friendship and trust”, to which the magistrates responded with gratitude over his return in “substantiality” and wished him continued “health and blessing”. From now on, he presided over the town council meetings. It is noteworthy that such greetings were made official through the magistracy protocols – it is more ceremonial than spontaneous. But what of the Anander case? Well, in the meantime, Anander had paid all his debts of 267 daler silver coins and 21 öre.

When the case was brought up again two weeks later as a response to the newly paid debts, mayor Papé argued that as the debts were paid and Anander was never employed by the town, but merely was in charge of the taxes, he could not be charged for a crime, and should therefore immediately be instituted as councilman. Councilman Cleophas objected the loudest, claiming correctly that Anander had obstructed the payments of debts and the auctions every step of the way until the letter from the Diet arrived when he had all of a sudden decided to pay everything, and that Anander had none to blame but himself. He also claimed that the accusations made upon Anander had not been part of the decision basis for the Diet – they had simply not known about it. But mayor Papé managed to convince a hesitating majority, and Anander was instituted as a councilman. As Anander technically had been elected three years earlier, he was seated closer to the mayor than most of the newly elected councilmen of the magistracy.

The resolution of the Anander case was divisive, and it was also one of the few cases where the arguments within the magistracy are visible in the protocols. This is likely due to the controversial nature of the matter, and that it was probable that objections would be made later on. It also shows how the magistracy was forced to handle lack of information – both on the part of themselves and the Diet – and different principles and jurisdictions. This gives the magistracy some room for resistance, but only by exploiting the weaknesses of the system, not as a design feature. That it was a real choice, and not based on tradition, is evident by the fact that the magistracy changed its verdicts between the first and last meetings in April. These different relationships, specific to the magistracy, is also why it is difficult to speak of the magistracy as a professional bureaucracy – its actions, loyalties and conditions are way too context-specific and arbitrary.

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308 “Ädel och Högaktad”, ”oförtrutit [...] hafde besväret i stadens angelägenheter och ämbetsgöromålen”, ”vänskap och förtroende”, ”välstånd”, ”hälsa och välsignelse”; GP 7th of April, vol. A1:57, ARoM, ULA.
The Walpurgis Electoral Council

The Walpurgis Electoral Council, the most important common council of the year, where all
burghers met to decide upon the most pressing issues and elect the town officials, took place on
the 30th of May. It had been prepared for by the magistracy, who had put forth lists of all officials
high and low a week before. The officials were chosen by town council and approved by the
burghers at the electoral council. No elections were held in 1770, as none of the directly elected
positions – such as councilman and mayor – were vacant and no Diet would take place soon.

This made the Electoral Council a rather calm affair. It was dominated by mayor Papé
informing the burghers of all the relevant discussions held and decisions made at the previous
Diet. The mayor shared this responsibility with the magistracy, who several times during the
second quarter handled or communicated letters and decisions made by central authorities, the
most interesting of which was informing the skippers of Arboga of the hazards caused by the
dangerous spring floods – not all central information concerned the law.

Other than this, some hassle was made over some burghers not wanting to hold any official
duties – among these the ever-active baker Johan Schultz – but these objections were hastily and
disinterestedly shot down. The most sensitive issue was probably when lather Ekman thought
that everyone should get access to the church bookkeeping, but the magistracy felt that the
elected auditors, the tolfnän, was enough in combination with the right to apply for access. Even
this went by without much attention. Other than that, they handled road building, taxation of the
rectory, appointed new heads of the road carriers, and the magistracy informed the burghers
of the Anander case. In summary, it was a participatory gathering for the burghers, but it was
far from a democratic convention: The magistracy took the lead in electing the town officials,
which the burghers were expected to accept, and then continued to control the following
discussions somewhat dictatorially, brushing aside objections and appeals.

One issue deserves special attention, and that was the appointment of a group that would
oversee the implementation of a new insurance fund. This yet again signifies the division between
the towns and the state on matters concerning societal and systemic frictions. Inspired by the
precursor in Stockholm, it was decided by the Diet that the system was to be implemented in
every town of the realm. The state identified a societal friction – the dangers of fires – and

310 GP 30th of May, A1:57, ARoM, ULA.
311 GP 2nd, 11th, 23rd, 30th of April, 7th, 9th, 21st, 23rd of May, A1:57, ARoM, ULA.
312 Svarvaren.
313 Prästgården.
314 Åkeri.
315 GP 30th of May, A1:57, ARoM, ULA.
316 GP 11th of April, A1:57, ARoM, ULA.
decided upon a system, whereas the towns were left with implementing the system and designing its finer points, and thereby handling any systemic frictions.

Contrasting this with other issues during the first and second quarter, such as the organization of the Herräkerslott system and the drawing of estates, a general tendency in the administration of Arboga can be observed. Earlier in April, the magistracy decided upon a new system for recompensing snow plowers, based on how many had performed the task and how much they had plowed.⁴¹⁷ In one sense, this might be a feature of a higher level of professionalization, as issues were handled in a less ad hoc and more systematic fashion, but that is but a consequence of the wish to solve other concerns. In the case of the Herräkerslott, it is about bringing authority and jurisdiction to town council; in the case establishing a system for assigning the drawing of estates, it is about maintaining an equal work burden and payment for councilmen; in the case of the snow plowing, it is about reducing the costs. It might be the case that the professional spirit needed these systems to grow and consolidate, but in the case of Arboga, it was not the primary propellant.

The 3rd Quarter

In the seventeenth century, the St Peter’s market in the beginning of July was by far the highlight of the year for Arboga.⁴¹⁸ As the eighteenth century came along, and the iron merchants of Arboga had been reduced to simple middle-men and transporters, the market grew less important. It remained, however, a major festive occasion where people arrived from far and wide to sell their goods. As the market took place in early July, the preparations for it came up in the preceding weeks. For dispositional reasons, I have moved these issues to the third quarter, but bear in mind that they technically belonged to the second.

Organizing the St Peter’s Market was mostly about dividing stall plots, keeping visitors in order and taxing the stall vendors. The magistracy had created a special committee of deputies for dividing stall plots. That did not hinder at least three people from applying directly to the magistracy for special attention, which was denied and referred to the deputies.⁴¹⁹ One of the visitors had arrived selling all sorts of drinks, which källarmästare Hindric Broms objected to. He suspected that the visitor had sold wine, which was the exclusive prerogative of the källarmästare. Naturally, his complaint was assented.³²⁰ The stall plot deputy committee met on the 28th of June,

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³¹⁷ GP 2nd of April
³¹⁸ Corin 1978, p. 131.
and two days later the Aldermen met to organize the stall plot taxes.\textsuperscript{321} To paraphrase Isaac Newton: For every organization there is an equal and opposite taxation.

The third quarter was also in the middle of the sailing season (from April to November), which brought up several issues. The magistracy was in charge of making sure that the iron transit was a smooth operation, as unnecessary delays would lead more iron to be transported through competing towns to the detriment of all of Arboga. In one instance, it was reported that the docking area had been crammed with unloaded pig iron and ships delayed their loading, obstructing the loading process for other skippers. It seems like the complaint was raised against a particular ship, which supposedly only had taken a loading break for the night. Nothing was therefore done about it.\textsuperscript{322} The priorities were not only managing a law-abiding and tax-paying community, but also an effective economic unit.

Debts and bankruptcies proved once again the most dominant issue of a quarter.\textsuperscript{323} One of the debt conflicts directly related to the shipping season, was when \textit{stadsfiskal} Wettling complained that he had not received the revenues from \textit{källarmästare} Broms, for their co-owned sailing yacht \textit{Printz Carl}.\textsuperscript{324} \textit{Källarmästare} Broms responded that he had been forced to pay for the expensive repairs of the ship which Wettling had declined to contribute to. To prove his case, he requested an official examination of the yacht.\textsuperscript{325}

As always, a considerable time was spent on taxation and making sure that the town officials kept their bookkeeping tidy and reported the information without unnecessary delays.\textsuperscript{326} Just as in the previous quarters, some time was spent imposing deadlines on notary Holmén and his auction bookkeeping. The documents were carefully checked for mistakes and turned back for completion.\textsuperscript{327} Similarly, the customs secretary Widman was summoned to hand in both the bookkeeping and taxes collected at the town tolls, which had been unjustifiably delayed. They threatened Widman that if he did not turn the tax money in to the magistracy soon, they would make up for it by confiscating Widman’s property and fire him. The magistracy also brought up information that either he or his wife had been in the business of illegally trading goods, by buying them at the tolls and thereafter taking them to Stockholm for sale. Widman naturally denied these allegations.\textsuperscript{328} The magistracy’s obligations towards the state was not only collecting taxes efficiently, but seeing to it that the local institutions had a well-functioning, non-corrupt

\textsuperscript{321} GP 30\textsuperscript{th} of June, vol. A1:57, ARoM, ULA.
\textsuperscript{322} GP 7\textsuperscript{th} of July, vol. A1:57, ARoM, ULA.
\textsuperscript{323} See for example GP 4\textsuperscript{th}, 7\textsuperscript{th}, 30\textsuperscript{th} of July, 6\textsuperscript{th}, 13\textsuperscript{th}, 25\textsuperscript{th}, 29\textsuperscript{th} of August, 17\textsuperscript{th} of September, vol. A1:57, ARoM, ULA.
\textsuperscript{324} GP 30\textsuperscript{th} of July, vol. A1:57, ARoM, ULA.
\textsuperscript{325} GP 13\textsuperscript{th} of August, 10\textsuperscript{th} of September, vol. A1:57, ARoM, ULA.
\textsuperscript{326} GP 4\textsuperscript{th} of July, 1\textsuperscript{st} of August, 10\textsuperscript{th} of September, vol. A1:57, ARoM, ULA.
\textsuperscript{327} GP 9\textsuperscript{th} of July, 8\textsuperscript{th}, 13\textsuperscript{th}, 25\textsuperscript{th}, 29\textsuperscript{th} of August, 8\textsuperscript{th} of September, vol. A1:57, ARoM, ULA.
\textsuperscript{328} GP 12\textsuperscript{th}, 17\textsuperscript{th} of July, vol. A1:57, ARoM, ULA.
corps of officials. It was important that the offices which the magistracy was responsible for was viewed as neutral and existed *for the town* and not for the betterment of its holders. In this particular case it meant protecting the privileges of the Arboga merchants against the abuse of the authority of the customs secretary.

One unexpected incident was when *wägmästare* Borg suddenly died in late July. Councilman Hans Liung and merchant Lars Spiggøsen Ahllöf, as well as bookkeeper Mårten Tillberg and merchant Salomon Sigfrid all registered their interest in the position. As it was in the middle of the sailing season, there was no time to discuss the matter further and merchant Westén – as responsible for the Borg estate – was given the position until the end of the year, with councilman Liung as acting deputy. Long term, there would be a need for a more permanent solution, which several Arboga merchants had an interest in; no wonder that councilman Moberg, postmaster Tenggren, *källarmästare* Broms and merchant Westén tried to protect their interests by jointly vouching for that Lars Ahllöf. The importance of the position is evident when you consider that the taxes from the iron scales amounted to 2844 *daler* silver coins just for May, June and July.

In addition to the provisory trial appointments of some minor positions, such as town and ship carpenters, the position of iron scale official was not the only major office to be filled. During late July and August, the magistracy organized several test sermons for the seven applicants for the position of council chaplain – and in accordance with local tradition the heirs to the funder of the position had their say in the matter. The magistracy requested that the heirs would accept the decision made in accordance with the will of the King in council, as loyal subjects, which they agreed to.

Burgherships and oaths continued to be prevalent along the same patterns as previous quarters. Interestingly, the same function of trust-bearing institution was filled when the priest Carl Hellberg drew lots over who was going to fill an available room, paid for by the Ahllöf estate. The magistracy had the legitimacy and trust, to guarantee the validity and non-corruption of the drawing of the lots, and by guaranteeing it, they also gained legitimacy and trust. This naturally connects to the habitual legitimacy put forth by Rodney Barker. By bringing the people in front of the magistracy, by bringing their concerns to the magistracy, they made handling their issues a capacity of town council. In view of this, the tradition of asking the guilds

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329 Iron scale official.
and burghers for their inputs on burgher applications was not only a way of avoiding conflicts between the magistracy and the guilds and burghers, but also a way of involving them in the political process, granting legitimacy to the magistracy as a political institution. If they did not participate willingly, they could be ordered to give their input on penalty of fines. It was not only a gift to these propertied groups, but a compulsory exchange: We will protect your privileges, but you will support and participate in our political institution.

The eye-catching cases of the quarter consisted of two eloped apprentices – who were threatened with military service if they did it again – and a skipper’s wife who had been “madly enraged” and needed safeguarding. Two cases mandates special attention. The first was the shomaker’s wife Regina Örjen, who was accused by several burghers of – without permit – selling different items to the wives of said burghers. It ended with the case being brought to the kämnärsrätt and a special sermon warning the inhabitants of Arboga of such wrongdoings. The most interesting aspect of the case, is that it is clear that what angered the burghers the most was that she had helped facilitate their wives shopping. The economic laws forbidding her trade was used in effect to control not only her, but the consumers i.e. their wives, as well. The privileges – and the magistracy’s upholding of the same – would not only hinder competition, but also conspicuous consumption.

The second case concerned the iron labourer Anders Westerberg who had fallen asleep as he was guarding the tower at Djupmyra, as it had caught fire after hit by lightning. Consequently he had failed to give proper warnings. Despite committing a crime through his lack of diligence, he was not punished. This further shows the magistracy’s unwillingness to actually sentence people. They threatened Holmén, the farmhand Olsson and tax evaders, but they avoided handing out punishments. Their main ambition was managing a functioning administration, and if that could be achieved without malicious repercussions, all the better.

Naturally, the quarter also contained several issues concerning the ordinary day-to-day running of a town. They inspected the toll houses and the repairing of town square, and arranged for burgher Nils Westerberg to gather leaves from the commons for livestock fodder. They also stipulated that no one was allowed to release the oxen on pasture without enough men to stop them from damaging the farmlands, and decided that a gate should be built so that the swine could be released outside of town limits.

337 "räkat i svagsint tillstånd och rasert"; GP 9th, 22nd of July, 26th of September, vol. A1:57, ARoM, ULA.
Both the second and the third quarter had fewer occasions when the diversity of town council roles can be seen in the language of the meetings. This does not mean that these roles did not continue, as the rarity are easily explained by the fact that these quarters had no visits of the county governor, and very few Aldermen and common council meetings. In other words, there were fewer occasions when the roles could be activated. This was not the case with the next, and last, quarter of 1770.

The 4th Quarter

Except for the usual cases of debt and bankruptcies, appointments, burghership applications, taxation, protocol adjustments, inspections/repairs, and poverty fund distributions, which you should be familiar with by now, a few cases truly stood out in the fourth and last quarter of the year of 1770. To avoid the risk of writing a chapter as repetitive as the magistracy meetings themselves, I have chosen to focus most of the last chapter on the more unusual cases. But make no mistake: The quarter was still dominated by the routine issues.

Disciplining the town employee corps continued throughout the year. After a year of continuous problems with the auction bookkeeping, notary Holmén was forced to reimburse the town and state for the discrepancies in his bookkeeping, which put him in enormous difficulties. At other times, all the magistracy did was threatening to end the officials’ employment – given that Holmén had been object of such threats for quite some time. When an East India Company sailor had banged on bookbinder Johan Berg’s door and with loud threats awakened the neighborhood, the magistracy had reacted strongly when the town watchmen – supposed to look out for fires and trouble – had not shown up. Hence they were brought to town council scolding them for failing to do their duty. Without possibilities of promotion – a former farmhand and current town watchman would never become iron scale official – many tried to avoid doing extra work and committing themselves.

This was also the case with the haulers, responsible for transporting both materials and people, which led manufacturer Wigström to complain that they were “rather lousy and useless

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The magistracy duly organized an inspection of the haulers’ horses and wagons, finding them substandard and delegated to the Aldermen to have continuous inspections of the hay storage in case anyone was involved in illegal trading. These systemic frictions, where actors critical for the function of the systems fail to act their part, are necessary for the magistracy to handle if it wants to obtain legitimacy. If systems are put in place to handle societal frictions, they will not have their intended effects if the systems are lackluster and inefficient, thereby decreasing ideological legitimacy.

The quarter also held the usual cases of burgher complaints about economic infringements. The skipper Lindström had loaded his ship more than four times the allowed amount – which naturally was set to make it fair and just, rather than effective – and the wigmaker Gillbom complained that wigmaker Bergman’s widow had partnered with a journeyman to illegally make wigs. Some issues were more random and uncontrollable in nature – quite literally. The late autumn saw the river water level rise, likely due to rain, which complicated the lives of the inhabitants of Arboga. The yacht builder Öberg had problems with his building house flooding, so he decided to obstruct the natural water flow of the gutters, creating large pools of filth on the middle of the road – which was of course threatened with fines by the magistracy. The lather Ekman also complained about the problems with water flow from the plot of wigmaker Sieg, which the magistracy decided to inspect to see if anything could be done about it. The systemic frictions were not necessarily man-made, even if the people – naturally – complicated every situation.

Several cases highlighted the fact that town council was not merely an administrative body or judicial institution striving for neutrality, as when councilman Liung’s weak finances and blood relations was weighed against merchant Ahllöf’s possible partiality due to current employment, when electing the iron scale official. It was rather a multi-role organization taking on several different functions and characters at once. Previously, we have seen town council in the roles of administrator, court, guardians of town unity, local politicians, loyal subjects, and disciplinary institution. In the fourth quarter, they added to this the roles of religious and moral guardians, ceremonial officiators, and town patriarchs.
The first role became evident when the town chaplain was appointed. Mayor Papé warned against treating this appointment as a right that had fallen upon town council, but as a duty to “seek the benefit and edification of the Mighty Lord and the congregation”. He did not stop there:

In the name of the Lord we take on this important task as prescribed [by the King], on which many lost sinners' restitution and reformation, the comfort and delection of the weak and distressed, as well as our children and the simple-minded masses growth in the teachings and true Christianity relies, which we could achieve with God's assistance as long as we sought it with true and honest hearts. Our right to elect is no greater than the right of the congregation to a pastor, which they for both his teaching and moral life could love, and to whose wisdom, knowledge and moral care, they could with confident certainty and security submit themselves.\[354\]

Mayor Ernst Papé continued to urge the councilmen to lay aside their self-interest, and led them prayer to God that he would command them as his loyal servants to make a decision which would aid their soon declined “Arboga Zion”. It should be said that mayor Ernst Papé had a propensity for dramatic and moral speeches. When the following year's beer sales tax was set, it followed the same pattern as when it was done in January for the current year, with roughly the same allotment, with one distinct difference: The meeting ended with mayor Papé requested the sellers to “act carefully and responsibly, so that no inappropriate and licentious behaviour would take place”.\[355\] Was the fealty sincere? With absolute certainty it was, but the answer is that it does not matter. Town council treated themselves and – by power of their right to elect some of the clergy – functioned as guardians of the religious and moral integrity of Arboga, no matter their intentions.

In the first extensive Aldermen meeting for almost half a year, on the first of December, the issue of the day was strictly ceremonial. It turned out that recently, Prince Charles (later the XIII) had returned from his travels abroad. This was to be celebrated in Arboga, in connection to the Sunday mass when a prayer – sent from Stockholm – would be read. The cavalry corps was to march in full uniform with banners, and two gun salutes would be discharged. The burghers, the magistracy and the Aldermen would then march together to church with drums and trumpets, singing the psalm “O Gud vi lofve tigh”.\[356\] The ceremonies and festivities were paid for by the town funds – a cost that exceeded the donations from the poverty funds for the entire quarter.\[357\] Although the ceremonies was in honour of the Prince return to Stockholm, it is clear that the festivities was as much for the inhabitants of Arboga themselves – it was a welcome excuse to take part in something extraordinary. Even if the Aldermen took part in the organization of the

\[357\] GP 10th, 12th of December, vol. A1:57, ARoM, ULA.
event, it is clear that the town council – and mayor Papé in particular – took a leading role in the instigation of the events. As such, they were the organizers of ceremonial occasions, bringing together and exhibiting the unity and harmony of Arboga, both for the the rulers and the Arboga inhabitants themselves.

The role of town council is perhaps best captured by juxtaposing the declaration of duties of the *stadsfiskal* and the councilman. Luckily for us, the fourth quarter gives us that opportunity, sadly granted to us by the illness and later death of *stadsfiskal* Wettling. Wettling’s replacement, merchant Lars Rospigg, was told not to disturb anyone without valid cause, but still “with meek seriousness and gentleness observe and urge correction” of illegal and disorderly conduct, making a difference between harmless lapses and premeditated wrongs.\(^{358}\) He was to be a just official, striking a balance between lenience and justice. When councilman Baltzar Rokus was sworn in, on the other hand, he was told to exhibit essentially grander qualities; he was to exercise his position “in honour of God’s name, the sanctity of the Law, and the in the interest and advancement of this Society”. He was also to in need of:

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\text{wisdom and strength from Above […] so that from town hall and Society, all discord and hostilities would forever be avoided, and that peace, love and trust could grow daily, so that both the common, the individual and mutual goals always be happily blessed by the merciful Lord.}^{359}\]

As such, councilman Rokus was burdened with protecting the entirety of the town, as the father was to see to the entirety of the household. In combination with the patriarchal relationship between the magistracy and the guilds – as noted by Dag Lindström – town council was also to act as a patriarch for the community as a whole, further complicating the often conflicting identity and function of the magistracy.\(^{360}\)

### Summary

I started this study by discussing the tedious nature of town hall on rainy Monday afternoons. Even if most days of town council were tedious and tinged with routine – it is no surprise that the first issue handled in 1770 concerned taxes and the last was a debt case – every now and then a juicy meeting stirs the pot. To avoid overemphasizing the unique and spectacular, I chose to divide the material chronologically, and give a full overview, mentioning each issue of the first quarter of the year. By bringing in theories of societal and systemic frictions, ideological and

\(^{358}\) "med all beskedelig alfvarsamhet och saktmodighet anmärker"; GP 15\(^{th}\), 17\(^{th}\) of October, vol. A1:57, ARoM, ULA.

\(^{359}\) GP 5\(^{th}\) of December, vol. A1:57, ARoM, ULA.

\(^{360}\) Lindström 1991, p. 96.
habitual legitimacy, empowering interactions and inherited resources, I was able to systematize the tediousness. This baseline was used as a point of comparison, to be able to sift through the rest of the material and find what was important and what was not, when taking the bigger picture into account.

The issues and cases of the remaining year were essentially consistent with the baseline established through analysis of the first quarter of 1770. The last three quarters of the business year showed remarkable continuity with the first. Issues of the same type came up in roughly the same quantities.

The basic division between state and magistracy corresponded with the difference between societal and systemic frictions. The societal frictions – the difference between the ideal society and the actual society – were based upon the notion of the ordered organic unity living in peaceful concord. The frictions in this case, were everything that stood in the way of this ideal town model. That means everything from basic conflicts between the inhabitants to economic competition. These societal frictions were identified by the state, and the solving of them was often delegated to the magistracy. The institutionalization of the process was instigated by the Charter on town administration from 1619, where it was stated that the magistracy had a responsibility to uphold the law – especially in regards to debts and property – tax the subjects and create an administration in charge of road maintenance, the school building, poverty funds, fire protection, haulage and boat travel services, and inn-keeping.

But the creation and administration of these systems – working out the details – was left to the magistracy to figure out. In simpler words, the state told the magistracy what to do, while the magistracy reserved the right to figure out how to do it. This was not only true of administrative issues, but taxation as well. The state decided what taxes should be paid, whereas the magistracy and burghers took part in deciding how these taxes should be levied. This also meant that the magistracy had to handle the systemic frictions, meaning the difference between the ideal and actual functioning of the systems. This meant upholding and organizing the economic system of privilege – the guilds – which included stopping unlawful selling of wine, controlling that no skipper loaded more onto his ship than was allowed, and making sure that no one without master artisan status made wigs. This also included controlling who had right to the town environment – and who did not – through the granting of burgherships. In Michael Braddick’s view, the advantage of letting local officeholders participate in state administration, was utilizing their ability to fit central policy to local needs – providing a win-win situation for both sides.361

361 Braddick 2000, p. 68–85.
By carrying out this task of creating systems and handling its frictions, the magistracy conveyed legitimacy upon the state. This is evident in two ways during the three last quarters: First, there is the ideological legitimacy put forth by David Beetham, meaning that acts must be justifiable in terms of the beliefs of the subjects. Easily relatable to societal frictions, this aspect of legitimation was gained primarily through upholding the systems created to handle those frictions; for example, by upholding the guild system of individual and group privileges, and thereby suppressing dangerous harmony- and unity-threatening competition.

For the operation of these systems to actually grant ideological legitimacy, they had to function properly, meaning that there must be perceived to be genuine efforts to do away with the societal frictions. That meant stopping corruption, and explains the streamlining of town bureaucracy, as when they threatened customs secretary Widman during the third quarter and the town watchmen during the fourth. If town officials were perceived to be working mainly in their own interests, taking advantage of their newfound powers rather than acting in ways that could be justifiable in terms of the beliefs of the town inhabitants, town council would not gain legitimacy. There were times, on the other hand, when town council could refrain from upholding this system without risking their credibility. The system could be temporarily set aside if it was done in accordance with ideological legitimacy. The system would stand back in favor of society. That happened for example in the Berg-Werner case, when the parties were not immediately tried by the law but were instead urged to find a compromise, or when shoemaker Hultgren was not sent to debtor’s prison as he had to care for his child.

By including the burghers in these systems, the state would also gain the habitual legitimacy put forth by Rodney Barker. By changing the way people acted, making them accept the magistracy and state, they would also gain the legitimacy of habit. This meant moving different issues and conflicts away from the streets and homes, and into the limelight of town hall. Debts was not left as an issue for the debtor, creditor and private debt collectors, but was made an issue of the town polity. Dictatorially as it may sound, the burghers had much to gain from participating. By accepting the jurisdiction of the magistracy, the guild masters – for example – was allowed to accept or object to burghership applicants within their fields. But make no mistake, if they did not participate in this decision willingly, the magistracy did not hesitate to punish their disobedient independence, as seen in the cases of the beer sellers during the second quarter and the leatherworkers during the fourth.

Interestingly, by making the burghers participate and gaining habitual legitimacy, important allies could be made on the local level. On the Aldermen meeting of the 14th of March, it was evident that the Aldermen spent less time protesting the taxes, and more time making sure that
no one exploited the system and managed to avoid taxes. This perfectly illustrates how the state, through including and working together with the towns and its burghership, could make use of the inherited resources on the local level. They had, put bluntly, contracted private tax spies with superior knowledge of the local arena.

Town council remained an institution for and by the burghers. Most non-burgher inhabitants of Arboga who participated in the proceedings were those seeking lower official positions, who received money from the poverty funds, and witnesses or relatives representing an estate. There was no specific rule deciding upon the dominance of the burghers at town council, but it fell naturally this way for a couple of reasons. The burghers were the main property owners, and were therefore more likely to figure in cases concerning debts or bankruptcies – the most common of cases. The burghers also had the political rights to have a say in administrative matters. Finally, the burghers were the ones who were protected by the economic laws and the system itself. In a system where one group has the wealth, political power and support of the law, it is not surprising that this group was dominant in the highest of local political institutions. This was further strengthened as women often were identified in connection to men. They stood in court not as individuals, but as wives, widows and mother-in-laws to current or former burghers. This is not to say that men did not stand in court as bakers, notaries and goldsmiths, but only that town council reinforced the social hierarchy through their naming practices.

This is not to say that the magistracy was a typically democratic institution. In fact, their role as organizers of local administration often meant that they acted disinterestedly towards burgher appeals, as was clear during the Walpurgis Electoral Council. Their job was primarily to create a functioning local administration – listening to the opinions of individual burghers was secondary at best. But running an administration and upholding the law was only two of a multitude of roles which the magistracy took at different occasions of the year.

The first quarter with its many Aldermen meetings, county governor visits, common council meetings and closure of the previous years, also saw the greatest variegation of roles. It was a disciplinary institution towards its officials; it was a guardian of town unity and concord within the burgher community; it was a forum for local politicians, trying to improve and reform the system through well-put argument aimed towards the voters; it was an organization of loyal subjects, submitting to the county governor, Diet and King. During the last quarter, we also saw it as religious and moral guardians, ceremonial officiators, and town patriarchs. Hence, the magistracy’s function transcended the role as a “forum for resolution of social conflicts”.

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362 Lindström, Österberg 2006, p. 156.
It might be compelling to analyze the magistracy in terms of the advent of the modern bureaucrat, but as has been shown in case after case, that was often just a veneer of neutral rhetoric, used in routine cases. It was impossible for the magistracy to become such bureaucrats as it was forced to change role and character, depending upon participants and circumstances. The magistracy therefore managed to keep some of its legacy as independent medieval institution at the same time as it is transformed into an institution of the early modern state of Sweden. This is in line with Dag Lindström’s claim about the magistracy of Karlstad in the late seventeenth century. The magistracy did not change from local conflict solvers to an administrative staff, but instead its roles grew more diversified.\textsuperscript{363}

In summary, the function of the magistracy was to juggle all its roles, provide a functioning judicial and administrative institution, at the same time as it handled demands from both above and below. By doing so, and keeping the lid on societal and systemic frictions, it could create legitimacy for both itself and the state, of which it was indubitably part. That way, it could also function as efficient tax collector, enforcer of the will of the central authorities, and make sure that Arboga, and its harbour in particular, was a well-run economic unit within a national economic system. What I have offered here is not the final answer to the question of the town polity, but my aim was to offer a model for understanding it, which could be used for further research: Did Stockholm share Arboga’s relationship to the state in regard of the division between societal and systemic frictions? Did a town like Gothenburg, with higher administrative specialization see the same multi-role function of the magistracy, or were those roles delegated to other political bodies of the town? What happens to this model when you add a complicating factor, like a university with separate jurisdiction, like in Uppsala?

**Sociopolitical structuration and Empowering interactions**

It would be easy to object that my claims are cynical and farfetched – why would these people care about state legitimacy? That is a valid objection. Many Arboga burghers could with some likelihood expect to live their entire lives in Arboga, having children who would complete the same journey from cradle to grave in one town. This was especially true of the major families – from whom the councilmen were often elected – who had for generations invested heavily in their status within local society.\textsuperscript{364} Why would they care? The answer is that their interests are

\textsuperscript{363} Lindström 2005, p. 27.
\textsuperscript{364} See Andersson 2009.
interconnected with the interests of state in a series of win-win empowering interactions, and they did not need to be conscious of their work legitimating the state.

The way the interests of the councilmen was linked to those of the state, was through the connection between political position, social status, and economic influence. The manner in which they handled issues in town council, would have a direct effect upon their interaction with other inhabitants of the town. In more complex terminology, this can be called sociopolitical structuration.

The concept is inspired by sociologist Anthony Giddens and his structuration theory. His claim is that agency and structure is a duality – two dimensions of the same phenomena. What that means is that the theory does not give primacy to either agents or structure, but emphasizes both. Structures are strengthened or weakened by the actions of agents, whose choices are affected by their constitutions, which in turn is an outcome of the structures; “the structural properties of social systems are both medium and outcome of the practices they recursively organize”. To exemplify: Language (structure) shapes how people (agents) are speaking, and when people speak, they form and change (strengthen/weak) language. The brilliance of the theory is that it connects agency and structure, but disconnects agents and structure. This is what I am making use of to translate the theory into a political theory. It does not matter why agents act the way they do, their actions will regardless strengthen or weaken a structure which will in turn affect them even if it was not intended.

Translated to the case of Arboga, it is possible that the agents acted on local incentives, which would strengthen and legitimate a national political system, which in turn would create new incentives for the agents. The councilmen could pursue local justice and harmony or even promotion opportunities through the magistracy as a political body within a national political system, thereby strengthening the entire system. As they strengthen institutions by acting in accordance with social and political roles I have decided to add the prefix sociopolitical. The theory of structuration has been used with success in the field of social geography, as it offers way of studying how human landscapes are created by knowledgeable actors operating within a specific social context, but also how these actors shape the context.

The social geography of Arboga was not a neutral or homogenous environment, but systematically hierarchical – symbolically and aesthetically. The blocks closest to the center of Arboga – where town hall lied – were in general grander and more expensively built. Taking a walk from the timber cottages, with their turf and bark roofs and small barns of the areas south

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365 Giddens 1984, p. 25.
of the Arboga river, across the bridge towards town square and town hall, you would meet larger stone and brick houses with plastered walls, and tiled roofs, owned by the wealthiest of the Arboga burghers.\textsuperscript{368} Town hall was, in other words, placed in the center of a hierarchical social geographic system. But most important was town hall itself.

Town hall was one of the more magnificent buildings in all of Arboga, drawn by the most prominent architect of Sweden at the time, Carl Hårleman. The bottom floor was used for storage and jail. On the western half of the top floor lay a drawing room which you had to pass to enter town council, and in the eastern half lay the auction chamber (which may have been used as \textit{kämnrärsrätt}).\textsuperscript{369} The town council room had red wallpaper and tablecloth – the colour of power – and green curtains. On the wall hanged swords, axes, banners, maps of Arboga and most interestingly a painting of Pontius Pilate sentencing Jesus – a powerful image meant to instill humility in the councilmen.\textsuperscript{370} The room also contained the town treasury, a cabinet where all the important protocols and documents – including the town privileges of 1620 – were stored.\textsuperscript{371}

The councilmen themselves sat behind a wooden bar, on leather suited seats around a table. In the center stood a beautifully carved special seat, crowned by the Arboga eagle, reserved for the county governor.\textsuperscript{372} Prevalent in all town councils across Sweden, the bar held a symbolic meaning, separating the councilmen from the rest of the room.\textsuperscript{373} In an Aldermen meeting in 1679, the Aldermen refused to step behind the bar to take their seats at the Aldermen benches, as that would mean separating themselves from the rest of the burghers.\textsuperscript{374} Spatial separation meant political and social division.

From behind the railing, the councilmen had access to a silk string with a silver knob, leading outside to a bell in the drawing room.\textsuperscript{375} The councilmen could ring the bell to communicate to the visitors that they could enter the room. That way, the councilmen would not need to step outside the bar to open the doors, and the symbolic integrity of the bar would stay intact. A visiting widow would not meet a councilman at the door, but would enter the room in front of a motionless group of spectators, consisting of some of the most influential people of Arboga. When councilmen answered to the court – as plaintiffs, respondents or witnesses – they had to step outside of the bar and meet the court face to face like everybody else.\textsuperscript{376} This way, social

\textsuperscript{369} Bergström 1961, p. 18–22.
\textsuperscript{370} Corin 1978, p. 497; Bergström 1961, p. 18–19.
\textsuperscript{371} Andersson 2009, p. 54–55.
\textsuperscript{372} Andersson 2009, p. 51–53.
\textsuperscript{373} Bergström 1961, p. 15.
\textsuperscript{374} Corin 1978, p. 497.
\textsuperscript{375} Bergström 1961, p. 22.
\textsuperscript{376} GP 9th of July, 17th of December, vol. A1:57, ARoM, ULA.
position, ceremony and symbolism were heavily connected to the political and judicial process. No wonder the magistracy continued to invest in chairs and clocks for the town council room.377

Playing the game and acting in accordance with this hierarchical structure would, consciously or not, strengthen the structure itself, and influence the relationships between the actors. In the words of Bruno Latour, they were “mapping the ‘social context’ in which they [were] placed”, which would lend the councilmen status outside of town council as well.378 It is likely that this effect is strengthened by a phenomenon that Norbert Elias has identified, in that consumption and display in early modern societies are built into the power structure.379 In other words, the dress and apparel of the participants of the proceedings would immediately reveal your social status. The milieu of town council would accentuate the difference between the relatively wealthy councilmen and the farmhand coming directly from the wooden shack where he sleeps at night. Therefore the councilmen had local incentives to play along in this game of ceremony and symbolism, and thereby strengthening a national political structure. This is just another form of habitual legitimacy granted to the state by the habits of the local actors.

The sociopolitical structuration would also translate into the religious ceremonies which the magistracy orchestrated, such as the common council in late February, where the burghers first took part in a church sermon, before walking to town hall, led by the councilmen.380 It was likewise at the celebrations of the return of Prince Charles, where the councilmen held the front positions at the ceremonies.381

In addition to these social gatherings, the councilmen gained tremendous political and economic power in a society where every economic transaction was subject to political scrutiny – which the magistracy made use of in the decades previous to this study to gain the ownership of the twenty-four ships.382 These were the true empowering interactions. The councilmen would benefit from a strong state which they could use for local influence and ceremonial manifestation, and the state would benefit from a strong magistracy which could keep order in local communities and ensure that taxes were paid. The burghers would also benefit to some extent as an alliance with the magistracy would mean that their economic and social privileges stayed secure. The only losers were – as always – the non-propertied.

In the end, the sociopolitical structuration, where local actors strengthened national political institutions, based on local incentives and roles, is both a result and reason for my research

design. As Sheilagh Ogilvie has claimed, it is better to study “entire institutional frameworks” to find “inherent complementarities causing whole clusters of institutions to be mutually reinforcing”. It was outside of the space of this thesis to study an entire institutional framework, but it was possible to study one of the central nodes of the state integration process as a spider in the web, seeking these inherent complementarities mutually enforcing whole clusters of institutions. By linking this process to a sociopolitical structuration with empowering interactions, it is possible to do without a direct study of the individual strategies of the councilmen. Those strategies were interlinked with the chief interest of this study, the function of the magistracy as an institution in the local arena and within a national political structure.

The State and Town Council sat in the same yacht

Where does this leave us when it comes to the magistracy’s relationship to the state: Was the state integration process, in the case of Arboga in 1770, mostly top-down or bottom-up? The answer is that it was both – and neither. When comparing to, for example, Charles Tilly’s claim that the state was a “quintessential protection racket with the advantage of legitimacy” and certainly not under influence of the “idea of the social contract” it is easy to see that Arboga shows tendencies towards ideas of the social contract and the state being a protection racket. The state was able to make use of the idea of a social contract i.e. to through the magistracy offer services and solving essential societal frictions, and thereby gain the legitimacy – a step Tilly skipped – to be able to tax the subjects without too much resistance.

At the same time it is dubious to be speaking of a “bargaining process”, as there was no room for negotiation. Simply put, the magistracy could not tell the state authorities that, no, they would rather skip paying taxes or respect the privileges of other towns. There was, on the other hand, active participation and influence from the local elites through the magistracy. In fact, this was part of the system design, and it was given to the local elites not as bargaining chip, but as a way of securing their loyalty. Taking these local groups onboard the state integration project, was of great benefit to both sides.

It would be a mistake to assume that every power transfer necessitates a conflict between different power groups – national vs. local or otherwise – when instead there is much evidence for a relative harmony of interests, even among individuals who on the surface had nothing in common. The loser of the alliance between the state and the magistracy of Arboga was not the

mayor Ernst Papé, the baker Johan Schultz, county governor Olof Malmerfeldt or the King himself – the losers were theft-accused farmhand Anders Olsson and destitute usher’s widow Maria Elisabet Lustig.
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