

# Papers and Proceedings of the Third Medieval Workshop in Rijeka

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**PAPERS AND  
PROCEEDINGS OF THE  
THIRD MEDIEVAL  
WORKSHOP IN RIJEKA**

Edited by

**KOSANA JOVANOVIĆ – SUZANA MILJAN**



**FACULTY OF HUMANITIES AND SOCIAL SCIENCES  
UNIVERSITY OF RIJEKA**

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**Rijeka 2018**



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# Preface

Dear Reader,

We present the third volume of our project entitled *Medieval Workshop in Rijeka*. As always, our endeavour brought together two major Croatian institutions – the Department of History of the Faculty of Humanities and Social Sciences in Rijeka, and the Department of Historical Research of the Institute of Historical and Social Sciences of the Croatian Academy of Sciences and Arts. The Third Workshop took place in Rijeka in October 16, 2015, gathering 33 scholars from 7 countries (Romania, Hungary, Bosnia and Herzegovina, Serbia, Slovenia, and the Czech Republic) and many different institutions within Croatia, including colleagues representing their institutions from Split, Zadar, Nin, Rijeka and Zagreb. As always, the workshop's initial idea was to gather researchers at the early stage of their career, whether in the process of researching their doctorate or immediately afterwards. The diverse profile of our participants brought forward diverse topics that were divided into several sessions. Some of these topics are presented in the following pages, with two contributions from the Second Medieval Workshop in Rijeka finding their way into this volume also.

The editors of this volume would like to express their gratitude to the Department of History of the Faculty of Humanities and Social Sciences in Rijeka (Croatia), and the Department of Historical Research of the Institute of Historical and Social Sciences of the Croatian Academy of Sciences and Arts in Zagreb (Croatia). The editors would also like to thank Gerhard Jaritz and Kriszina Arany for their keynote lectures, and Nada Zečević, Ivan Jurković, Damir Karbić, Marija Karbić, Mirjana Matijević Sokol and Lucijana Šešelj, for their chairing of sessions during the workshop. In addition, Marija Karbić and Mirjana Matijević Sokol deserve our utmost gratitude for their work as peer reviewers, as without their suggestions this volume would not carry the same value.

Finally, it ought to be mentioned that this volume was produced as part of the program of the project 'Sources, Manuals and Studies for Croatian History from the Middle Ages to the End of the Long Nineteenth Century' (no. IP-2014-09-6547) of the Croatian Science Foundation.

K.J. – S.M.





## Part 1

# **Royalty, nobility and prelates: hierarchy and geography**



## Márton Rózsa

### **Families behind a plot. The political and social background of the Anemas conspiracy**

Although Alexios I Komnenos established one of the most successful imperial dynasties of the Byzantine Empire, his long reign witnessed numerous conspiracies. Plots and revolts were not unusual in the Byzantine history, yet the rule of Alexios I had its own political and social phenomena causing those insurrections. The conspiracy named after the Anemades was one of the plots against the government of Alexios I. Scholars have several ideas and theories about the motives of this conspiracy: Michael Angold argues that the civil administration supported the plot, while Jean-Claude Cheynet that the Anatolian families were behind the affair.<sup>1</sup> Paul Magdalino has a short remark on this event, noting that the lower position of the Doukai might have caused displeasure in the government.<sup>2</sup> The aim of this study is to show how this conspiracy effected on a specific social stratum, the so-called second-tier elite. In the first place, I intend to analyse the social and political background of the Anemas plot, and in the second, I will attempt to evaluate the influence of the conspiracy on three families of the second-tier elite involved in the affair, the Skleroi, the Xeroi and the Solomontes.

#### **The sources**

We know only two sources, which give accounts on the events of the conspiracy. One of them is Anna Komnene's *Alexiad*, which provides a detailed narrative of the affair.<sup>3</sup> Anna was not just the daughter of Alexios, but an eyewitness of some episodes of the plot. The other source was John Zonaras' *Epitome of Histories*, which gives less attention to

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1 Michael Angold, *The Byzantine Empire, 1025-1204. A Political History* (London: Longman, 1992), 146; Jean-Claude Cheynet, *Pouvoir et contestations à Byzance (963-1210)* (Paris: Publications de la Sorbonne, 1990), 366-367.

2 Paul Magdalino, *The Empire of Manuel I Komnenos, 1143-1180* (Cambridge: Cambridge University Press, 1993), 203. Like Cheynet, Magdalino also connects the Anemas conspiracy with the Diogenes plot.

3 Diether R. Reinsch and Athanasios Kambylis (eds.), *Annae Comnenae Alexias*, 2 vols. (Berlin and New York: De Gruyter, 2001), vol. 1, 370-76, 12.5.1-6.9.

the conspiracy.<sup>4</sup> Zonaras' account ignores several important factors and information that appear in the *Alexiad*. From a wide perspective, Zonaras provides a critical narrative on the reign of Alexios Komnenos making his work a significant counterpoint to Anna's version of her father's emperorship.<sup>5</sup> Nevertheless, the brief description in the *Epitome of Histories* neither shows an alternative to the evidently tendentious account written by Anna Komnene nor it improves our knowledge on the plot with additional information.

The reconstruction of wider social and political background, requires the usage of wider source material, because one can find additional information on the plotters or their families, when more attention is given to the circumstances, the antecedents and the aftermath of the affair. Byzantine lead seals can provide great support to the prosopography of the Anemas conspiracy. Due to the absolute destruction of imperial and other lay archives, only monasteries secured some documents, which give a little addition to our knowledge. The letters of Theophylact of Ohrid helps scholars explore the relations of some notable individuals connected to or even involved in the plot.<sup>6</sup> The advantage of these latter sources is that they were indifferent to the conspiracy and their connection with the affair was only through the mention of relevant individuals.

## The conspiracy

The exact date of the conspiracy is unknown, with scholars only speculating on this problem. Both the *Alexiad* and the *Epitome of Histories*, provide only relative chronology with setting of events in their narratives. Anna Komnene put the account of the plot after a brief description about the beginnings of a new conflict with Bohemund of Taranto and Tankred of Antioch. After the story of the plot, she continued her narrative with the revolt of Gregory Taronites.<sup>7</sup> John Zonaras, before the affair of the Anemades, treats the Cuman expedition led by a certain Pseudo-Diogenes who proclaimed himself Leo or Constantine Diogenes, the son of Romanos IV. Some private affairs of

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4 Moritz Pinder (ed.), *Ioannis Zonarae Annales*, 3 vols. (Bonn: Weber, 1841-1897), vol. 3, 745, 18.24.3-7.

5 Warren Treadgold, *The Middle Byzantine Historians* (Basingstoke: Palgrave Macmillan, 2013), 397-398.

6 Paul Gautier (ed.), *Theophylacti Achridensis epistulae* (Thessaloniki: Association de Recherches Byzantines, 1986).

7 Reinsch and Kambylis, *Alexias*, vol. 1, 359-70, 12.1.1-4.5; 376-78, 12.7.1-4.

the imperial family, the retirement and death of Anna Dalassene, and Isaac sebastokrator, Alexios' elder brother, and the marriage of John II followed the account of the conspiracy.<sup>8</sup> This clearly shows that the two historians chose different narratives.

The chronology in the *Alexiad* and the Zonaras causes a general problem. Both their styles and the genres of their works go hand in hand with the unfamiliarity of chronological order. It characterizes especially the work of Anna Komnene. Analysing Anna's accounts on Alexios' policy toward the heresies, Dion Smythe pointed out that the daughter of the emperor arranged the events according to representational aspects.<sup>9</sup> Also Zonaras' work implies the dominance of thematic order over chronology. It deals with the whole story of the first crusade in one uniform narrative unit, while mentioning contemporary or parallel events in other parts of the text. Yet there is some evidence, which helps scholars to date the conspiracy of the Anemades.

Some events can be placed within a shorter period, in which the plot occurred. Of course, the exact year still remains in obscurity, since the related and dated affairs mark a term of several years. Also, study of these events gives the opportunity of correction of dating. Earlier scholars dated the Anemas conspiracy between 1095 and 1104. Some historians supposed the latter year as the most plausible time for the plot. However, the fact that Isaac Komnenos sebastokrator played an important role in the conspiracy may contradict the theory of such late occurrence.<sup>10</sup> Papachryssanthou stated that the sebastokrator died between 1102 and October of 1104.<sup>11</sup> It means that the conspiracy could not fall later than the aforementioned year. Evidence shows that the plot was certainly preceded by two affairs. The first event was the Cuman attack led by Pseudo-Diogenes, when Michael Anemas was appointed to lead a Byzantine contingent.<sup>12</sup> The second case was the crusade, yet it is a more problematic part of the dating. Although Anna Komnene's narrative is characterized by dubious chronology, it seems unlikely that the conspiracy occurred before Jerusalem befell to the Crusaders. The Anemas plot plays the role of the parallel event of external struggles in

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8 Pinder, *Zonarae Annales*, vol. 3, 744-49, 18.23.26-24.2, 18.24.8-26.

9 Dion Smythe, "Alexios and the Heretics: the account of Anna Komnene's *Alexiad*," in *Alexios I Komnenos. Papers of the second Belfast Byzantine International Colloquium, 14-16 April 1989*, ed. by Margaret Mullett and Dion Smythe (Belfast: Belfast Byzantine Enterprises, 1996), 235-36, 249-50.

10 Anna Komnene mentioned Isaac in her account on the conspiracy. Here the sebastokrator led the interrogation of conspirators. I do not see any point to doubt Anna's information on this part of the events: Reinsch and Kambylis, *Alexias*, vol. 1, 374, 12.6.3.

11 Dénise Papachryssanthou, "La date de la mort du sébastocrator Isaac Comnène, frère d'Alexis Ier, et de quelques événements contemporains," *Revue des études Byzantines* 21 (1963), 250-55.

12 Reinsch and Kambylis, *Alexias*, vol. 1, 287, 10.2.7.

the *Alexiad*. The Crusade as well as Bohemund's policy after 1099 are presented by Anna as threats from foreign forces. If the conspiracy had happened during the first Crusade, Anna would have possibly place its account immediately after the narrative on the campaign. Nevertheless, chronology is not the only problem of the affair.

Alike, it is difficult to estimate the seriousness of the plot. According to the sources, the plotters intended to kill the emperor, but their attempt was unsuccessful as the conspiracy was discovered.<sup>13</sup> The conspirators lost their property and their head got completely shaved.<sup>14</sup> Furthermore, the Anemades were put into a prison built at the wall of Constantinople, while John Solomon, another key figure of the plot was sent to Sozopolis. It is interesting that, after this moderate punishment, some of the plotters regained their positions in the government. The reaction of the regime was not in harmony with the offence of which the involvers were accused, and it raises doubts about the significance of the whole affair and the political background.

## The conspirators

The *Alexiad* gives more information about the social background of the conspiracy. We know a great number of plotters due to the account of Anna Komnene. Also Anna is the only source which mentions that the conspiracy was based on a collaboration of military and civil factions. Zonaras alone mentions Michael Anemas by name, and he also ignores the fact that some civil officials got involved in the affair beside soldiers among the conspirators, too. Anna introduces thirteen plotters, or more due to the plural form of the surname Antiochos. It is interesting that the civil faction seems considerably smaller inside the movement than the military group according to the *Alexiad*.<sup>15</sup> One may presume that this proportion implies the dominance of the army in the plot. Nonetheless, it is uncertain if Anna Komnene presents a full list of conspirators. The overview of the group implies some problems, yet the detailed analysis of social background raises even more questions.

The first conspirators we should focus on are the Anemades, whom the conspiracy is named after. Anna Komnene refers to four of the Anemades, who were brothers, by blood or adoption. Although

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13 Reinsch and Kambylis, *Alexias*, vol. 1, 373-74, 12.6.1-3; Pinder, *Zonarae Annales*, vol. 3, 745, 18.24.3-7.

14 Reinsch and Kambylis, *Alexias*, vol. 1, 374, 12.6.4-5.

15 Reinsch and Kambylis, *Alexias*, vol. 1, 372-373, 12.5.4-5.

Anna listed their full names, only Michael's and Leo's first names remained, and those of the other two siblings are missing.<sup>16</sup> Beyond the conspiracy, there is little evidence of the family despite their illustrious ancestry, since they were the descendants of the emir of Crete, Abd-el-Aziz el Kotorbi, defeated by Nikephoros II Phokas in 960.<sup>17</sup> It is worth noting that some decades after the failed conspiracy, the Anemades evidently attained the first-tier elite, the imperial kin, when John II Komnenos, son of Alexios I, married one of his daughters to an Anemas.<sup>18</sup> Nevertheless, the position of the conspiring members in the government of Alexios I is even more interesting.

The *Epitome of Histories* and the *Alexiad* imply that Michael was the most notable among the Anemas brothers. However, he appears only in Anna Komnene's account on the campaign of Pseudo-Diogenes except of the Anemas conspiracy. As a leader of a military contingent, he received a written command from Alexios I in order to follow the Cuman army of the impostor. Anna usually ignores the official military ranks in her narratives, and she does the same in the case of Michael too.<sup>19</sup> Nevertheless, he is mentioned together with several generals responsible for the defence of the Byzantine territories against the Cumans. Thus he might have held a considerable military office, but never reached any key position of the imperial government. The lack of reference about him indicates he did not exercise a great influence on the Komnenian court.

We have even less evidence about the career of Michael's known brother, Leo. The only historical narrative mentioning Leo Anemas is the *Alexiad*. Anna Komnene names him in her account on the conspiracy, but there is no further reference about him. A metrical seal dated to the eleventh century calls his owner Leo Anemas doux, yet the identification is uncertain. There is no clear proof of close relation between the two individuals, and the long range of the dating gives little help.<sup>20</sup> The typikon of the Theban confraternity also records a

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16 Gautier presumes that Nikolaos Anemas an acquaintance of Theophylact of Ohrid might have been one of the unknown Anemades: Gautier, *Theophylacti Achridensis epistulae*, 39.

17 Johann Thurn (ed.), *Ioannis Scylitzae Synopsis historiarum* (Berlin: De Gruyter, 1973), 249-250, 304-305.

18 Theodoros Prodromos, *Historische Gedichte*, ed. by Wolfram Hörander (Wien: Verlag der Österreichischen Akademie der Wissenschaften, 1974), no. 54, line 123.

19 It is a matter of question whether Anna's phrasing μετὰ τῶν ὑπ' αὐτοὺς τεταγμένων στρατιωτῶν is a literal circumscription of the fact that Michael led a tagma (probably as doux) or it merely indicates his leadership over an undefined unit of soldiers: Reinsch and Kambylis, *Alexias*, vol. 1, 287, 10.2.7.

20 Eric McGeer, "Discordant Verses on Byzantine Metrical Seals," *Studies in Byzantine Sigillography* 4 (1995), 65, no. 6.



certain Leo Anemas among the subscribers.<sup>21</sup> The lack of indication is a great loss, since the plotter's office would provide an important addition to the conditions of the Anemades under the reign of Alexios. If Leo the conspirator had evidently held the position of *doux* at a time, one could have presumed that Michael, the most influencing brother, would have been appointed to a similar rank at least. Similar problem appears in the case of Leo in the *typikon* of the confraternity, which is not dated more precisely than the twelfth century.<sup>22</sup> Thus these interesting details may give only a basis of theories on the conditions of the Anemades.

The damaged text of the *Alexiad* gives no information on the other two Michael's brothers, but there is a candidate for one of them. A certain Nikolaos Anemas, a friend of Theophylact of Ohrid who wrote some letters to him around, was evidently a contemporary of the conspirators. Gautier stresses the possibilities of Nikolaos' identification with one of the unknown plotters. The letters of Theophylact provide little but important information on Nikolaos. According to these texts, Nikolaos was an official in the theme of Bulgaria, yet he was a subordinate of the local *doux*, Constantine Choïrosphaktes around 1093 and 1094. Theophylact humorously claims once that Nikolaos might give a great assistance to the impotent government of Choïrosphaktes.<sup>23</sup> Such statement from an educated man like the archbishop of Bulgaria implies that Nikolaos was an effective and skilled individual. One can see only some fragments of Nikolaos' life, yet evidence shows that in the time of conspiracy he held a less important office than Michael (and perhaps Leo). It is, however, still a question of which positions Michael and Leo were appointed to around the time of the plot. Nonetheless, Anna Komnene's references to some fellows of the Anemades cause more problems.

Constantine Doukas Exazenos is another interesting member of the faction. His participation can attract our attention, since he was a relative of the Doukai, one of the most influential families of the period,

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21 John Nesbitt and John Wiita, "A confraternity of the Comnenian era," *Byzantinische Zeitschrift* 68 (1975), 367, line 155. This type of *typikon* was a charter functioning as liturgical calendar.

22 It is interesting, however, that Leo Anemas signed the *typikon* with the cross, indicating his illiteracy. Illiteracy existed in the Byzantine elite (especially in the lower levels). Nevertheless, it would be unlikely that any of the conspiring Anemades was illiterate, if Gautier was right about the involvement of Nikolaos Anemas in the plot. Nikolaos was a friend of Theophylact of Ohrid, and he was possibly an educated man writing his letters to the latter. There is no point to think that Nikolaos' brothers received significantly differing education. Thus, it seems plausible that the subscriber of the *typikon* and the conspirator were not identical.

23 Gautier, *Theophylacti epistulae*, 239, no. 32, lines 25-28.

on his maternal side according to his name.<sup>24</sup> It is interesting that Anna never refers to Constantine before the conspiracy, while she mentions him concerning several events after the failed plot. This is the opposite of the fate of their fellows who disappear from the following parts of the narrative. I suppose that Constantine Exazenos' involvement in the conspiracy is a more important factor to the study of the political background than the main activity of the Anemades. This problem, however, is discussed in more details later in the following lines.

Niketas Kastamonites was a curious participant of the conspiracy. According to the *Alexiad*, not to mention the *Epitome of Histories*, he played an inferior role in the affair in comparison with his positions before the plot. Several sources testify that Niketas was appointed to some significant offices and positions. Anna Komnene argues that he led the right wing of the imperial army together with Tatikios in the disastrous battle of Distra in 1087.<sup>25</sup> Later, he was charged to command a fleet against Çaka, the Seljuk emir of Smyrna, around 1092.<sup>26</sup> On a lead seal dated to the late eleventh century, Niketas is called *doux*, but it is uncertain which district his office related to.<sup>27</sup> Again, our problem is that we have little evidence about Kastamonites' offices, since Anna Komnene, as usual, forgets to mention them. The question is what was Niketas' official position when he led a fleet in 1092. Alexios I created the office of *megas doux*, the supreme commander of imperial fleet. It immediately became one of the most important and influencing position of the Byzantine government. It is uncertain whether this office existed during Niketas' leadership over the fleet and was he appointed to it or it was established later, possibly due to Alexios' experiences on Kastamonites' decisive defeat against Çaka. It is also ambiguous which position Niketas held in the time of conspiracy. Nevertheless, the sources imply that Niketas was favored by the emperor before the plot.

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24 Basile Skoulatos incorrectly recorded his full name as “Constantin Exazène Doukas”, Basile Skoulatos, *Les personnages byzantins de l’Alexiade. Analyse prosographique et synthèse* (Louvain: Bureau ou Recueil Collège Erasme Louvain-la-Neuve, 1980), 65-66. The paternal lineage was represented by the very last surname in the aristocratic names of the Komnenian and, especially, the Palaiologian period, Jean-Claude Cheynet, “Aristocratic Anthroponymy in Byzantium,” in idem, *The Byzantine Aristocracy and its Military Function* (Aldershot: Ashgate, 2006), no. 3, 12. The *Alexiad* never testifies the name order presented by Skoulatos concerning Constantine. Furthermore, the adoption of maternal name was reasonable in that period when the ancestry on the maternal side overpassed that on the paternal side. Thus, it seems unlikely that a Doukas adopted the name of the less-notable Exazenoï from his mother.

25 Reinsch and Kambylis, *Alexias*, vol. 1, 211, 7.3.6.

26 Reinsch and Kambylis, *Alexias*, vol. 1, 223, 7.8.2.

27 Inscription on the reverse: Κύριε βοήθει τῷ σῷ δούλῳ Νικίτῃ κουροπαλάτῃ καὶ δουκὶ τῷ Κασταμονίτῃ; Alexandra-Kyrie Wassiliou and Werner Seibt, *Die byzantinischen Bleisiegel in Österreich*, vol. 2 (Wien: Verlag der Österreichischen Akademie der Wissenschaften, 2003), 117, n. 580.

Anna mentions some of the conspirators without their first name. The reason of these incomplete references is unknown, since the existing manuscripts of the *Alexiad* do not show any erosion or lacuna in the part of the text listing these individuals unlike at the mentioning of the Anemades. Anna Komnene ignores the Christian names of the Antiochoi, a Kourtikios, a Skleros and a Xeros.<sup>28</sup> Some scholars have tried to identify these conspirators, yet all these theories depend on indirect evidence. Two members of the Antiochos family are supposed to be involved in the conspiracy: Constantine who held the office of *mezas hetairarches*, the head of an imperial guard, in 1094 and Michael, the *primikerios* (leader) of the state treasury guard in the same year.<sup>29</sup> Among the Kourtikioi, Basil is considered the most plausible candidate for the conspirator by Cheynet.<sup>30</sup> However, Kazhdan argues the broken marriage of Constantine Kourtikios and Theodora Komnene, the daughter of Alexios I, possibly caused the disaffection of the Kourtikioi.<sup>31</sup> These identifications clearly show that these families had close connections to the imperial court, yet their position in the political hierarchy in the time of the conspiracy remained in obscurity. Nevertheless, the study leaves the personal aspects here, and analyzes the social and geographical background of the plot from the perspective of the whole conspiring group.<sup>32</sup>

Most of the plotters came from the elite of Asia Minor. The Antiochoi, the Basilakai, the Kastamonitai, the Kourtikioi and the Skleroi possessed great estates in the eastern part of the empire before the invasion of the Seljuks. Cheynet stresses that the disaffection of these Anatolian families on the Komnenian politics toward Asia Minor was a crucial factor in the conspiracy.<sup>33</sup> The loss of the majority of eastern territories caused serious problems among the local landholders. The Komnenoi and their kin, the new leading élite, mostly originated from Asia Minor too, and the imperial policy of land grants and, sometimes, confiscation was a solution to the needs of this group. This restricted and selective activity might have affected a growing tension inside the Byzantine elite. Therefore, it seems plausible that the conspiracy can be connected with the Anatolian origin of some conspirators, as Cheynet

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28 Reinsch and Kambylis, *Alexias*, vol. 1, 372-73, 12.5.4-5.

29 Skoulatos, *Les personnages*, 25-27. Cf. Cheynet, *Pouvoir et contestations*, 100 (refers only to Constantine). Both of the Antiochoi are recorded in the synodical list of Blachernai in 1094: Paul Gautier, "Le synode des Blachernes (fin 1094). Étude prosopographique," *Revue des études byzantines* 29 (1971), 217-218.

30 Cheynet, *Pouvoir et contestations*, 100.

31 Alexander P. Kazhdan, *Armjane v sostave gospodstvjuščego klassa vizantiskoj imperii v XI-XII vv* (Eriwan: Izdatel'stvo AN Armjanskoj SSR, 1975), 16-17.

32 For a more detailed analysis about the Skleroi, the Xeroi and the Solomontes, see below.

33 Cheynet, *Pouvoir et contestations*, 366-367.

argues. However, the geographical background was more complicated than that.

Some of the involved families had considerably less connection to Asia Minor. The Solomontes and the Xeroi belonged to the Constantinopolitan meritocracy, and their main interests were related to the capital and the central government. Thus, their economic and social connections with the eastern provinces were slightly weaker and indirect. Furthermore, there is little evidence to localize the economic and social centre of the Anemades after their assimilation into the Byzantine elite. These cases imply that the geographical aspects might have taken only partial effect on the conspiracy, but were not the key factors of the affair. The main reasons of the plot might have been more related to the structural characteristics of the Komnenian political system.

## The political background

It might have been possible that imperial relatives were also involved in the Anemas conspiracy. Due to the Komnenian political system, the so-called extended family government, in which the emperor depended on his kin, the relatives became the most dangerous rivals of the ruler; although Paul Magdalino argued that Alexios I was still able to control his kin. Peter Frankopan, however, stated that Alexios had serious problems with some of his closest relatives at least during the conspiracy lead by Nikephoros Diogenes around 1094.<sup>34</sup> The situation during the Anemas conspiracy might have been very similar, yet it seems more plausible that the different individuals stayed behind the two plots. Nevertheless, the sources imply which relatives of the emperor might have been involved.

There is some evidence, which indicates that the Doukai, or one of them, supported the Anemas conspiracy. The Doukai were the most influential family after the Komnenoi during the reign of Alexios I. Also most scholars argue that the Doukai were loyal supporters of the new Komnenian regime.<sup>35</sup> Here one should pay attention to the fact that the Doukai had two branches, which were in close relation, but they had their own, and usually different, political interest. One of these branches descended from Constantine X and was represented by his homonymous grandson during the reign of Alexios I. The younger

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34 Peter Frankopan, "Kinship and the Distribution of Power in Komnenian Byzantium," *English Historical Review* 122/495 (2007), 1-34.

35 Paul Magdalino, *Manuel I Komnenos*, 203.

Constantine was the fiancé of Anna Komnene and the heir of Alexios I until his curious involvement in the Diogenes conspiracy and more obscure death shortly after that.<sup>36</sup> The other branch descended from John ceasar, the brother of Constantine X, who played a crucial role in the coup d'état of the Komnenoi in 1081. This branch is considered the most enthusiastic supporter of the Komnenian government due to their close kinship with the emperor through his marriage with Irene Doukaina.<sup>37</sup> Nevertheless, these Doukai had more interesting connections with the Anemas conspiracy that needs further discussion.

There were some events and connections, which imply the involvement of a Doukas. The first factor, which implies the plotter's connection with the Doukai, is the involvement of Constantine Doukas Exazenos whose kinship with the Doukai has been discussed above. It is worth noting that Constantine's cousin, Nikephoros Exazenos Hyaleas, was appointed to the doux of Smyrna by John Doukas megas doux in 1098.<sup>38</sup> This implies that Nikephoros was favoured by the megas doux, and they probably had good relations. Another evidence is the activity of Empress Irene Doukaina, the wife of Alexios I. The empress showed great generosity toward the spouse of the banned John Solomon, whose entire property got confiscated. Irene got John's house after the confiscation, but gave it back to the wife, who remained alone due to her husband's exile.<sup>39</sup> The empress also helped Michael Anemas, the real leader of the plot, when she begged Alexios to stop the blinding of the conspirator. Anna Komnene, however, describes this as a result of her tears and entreaty. It is interesting enough that Anna also calls the conspirators "the good soldiers" whose punishment is a great loss of the emperor.<sup>40</sup> This peculiar and surprisingly sensitive narrative indicates that some conspirators were important to some members of the imperial family, yet the emperor seemingly did not belong to those individuals.

We have to focus now to Irene's most influencing brother, John Doukas. Sources imply an interesting coincidence of the plot and the

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36 Frankopan, "Kinship," 17, 25-26, cf. Demetrios I. Polemis, *The Doukai. A Contribution to Byzantine Prosopography* (London: The Athlone Press, 1968), 63.

37 This branch had a curious connection with Leo Chalcedon who was involved in a serious debate between him and the Komnenian government on the confiscation of church property, Skoulatos. Recently, Péter Bara explored the personal ties between the metropolitan of Chalcedon and the Doukai through the letters of Leo, Péter Bara, "A too dangerous network? Leo of Chalcedon revisited" (paper presented at VIIe édition des Rencontres internationales des doctorants en études byzantines, Paris, October 2, 2015).

38 Reinsch and Kambylis, *Alexias*, vol. 1, 337, 11.5.4. The phrasing of this part implies that the appointment was John Doukas' own decision and not an execution of an imperial order.

39 Reinsch and Kambylis, *Alexias*, vol. 1, 374, 12.6.4. Returning only house to a conspirator's relative seems too selective for an effective representation of the empress' traditional clemency in comparison to the great magnitude of confiscation.

40 Reinsch and Kambylis, *Alexias*, vol. 1, 375, 12.6.6.

decline of his career. John was one of the key figures of the Komnenian court. He played a crucial role in Alexios' campaign against the Turks.<sup>41</sup> His disappearance from the narrative of the *Alexiad* is one of the most interesting phenomenon of the period. His last recorded political achievement was the capture of several important fortified towns in Asia Minor in 1098.<sup>42</sup> His following act we know of was his retirement in 1110 to the Theotokos Euergetes monastery with the monastic name of Antoninos.<sup>43</sup> It is worth noting that John held the title of sebastos until his death, while his elder brother, Michael is called protosebastos in the typikon of the Christ Philanthropos monastery.<sup>44</sup> This latest fact implies that Michael had a more successful career than John, while Anna Komnene pays less attention to Michael's deeds. Anna's focus on his younger uncle's successes is reasonable according to his achievements in the last decade of the eleventh century. Thus, the missing promotion of John to protosebastos is the clear evidence of break in his career. The connection and coincidences with the Anemas conspiracy indicate that he probably supported that movement, if he was not the key figure of that.

One can, however, question why the sources ignored the involvement of John Doukas. Both Anna Komnene and John Zonaras mention the Anemades as the leaders of the conspiracy. Nonetheless, the narrative of Anna Komnene can provide an answer on the problem. Her accounts on other affairs, like the trials of John Italos and Leo of Chalcedon, show that the imperial government publicly insulted notable but powerless individuals. Furthermore, Anna presents the political background of these events with curious references and implications.<sup>45</sup> Of course, the lack of direct evidence allows us to give only theoretical assumptions on the political background of the Anemas conspiracy.

## The conspiracy and the developing second-tier elite

Besides the social and political background of the Anemas conspiracy, it is useful to explore the short and long consequences of the affair. In the previous lines, the text paid more attention to the leading elite, the imperial kin, but now we have to focus on the second-tier elite.

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41 Polemis, *The Doukai*, 66-70.

42 Reinsch and Kambylis, *Alexias*, vol. 1, 336-338, 11.5.2-5.

43 Paul Gautier, "Le typikon de la Théotokos Évergétis," *Revue des études byzantines* 40 (1982), 10-11, 92-93.

44 Matoula Kouroupou and Jean-François Vannier, "Commémoraisons des Comnènes dans le typikon liturgique du monastère du Christ Philanthrope (ms. Panaghia Kamariotissa 29)," *Revue des études byzantines* 63 (2005), 45, line 13.

45 Reinsch and Kambylis, *Alexias*, vol. 1, 165, 5.9.2; 145, 5.2.6; 489, 15.9.2.

The second-tier elite included those bureaucrats who failed to join the imperial kin and flourished in the civil or ecclesiastical administration, or those whose main interests were located in the provinces. This part deals with three involved families: the Skleroi, the Solomontes and the Xeroi. The selection of the families is based on the fact that their history had different conclusions in the twelfth century.

The Skleroi had an old and illustrious ancestry. Originally, they belonged to the Anatolian military aristocracy, but in the eleventh century, they built closer connections with Constantinople in harmony with the social and political tendencies of the period, and they also started to hold civil offices. Their successful career in the eleventh century might have been based on the loyalty of Romanos Skleros to Basil II during the second revolt of his father Bardas.<sup>46</sup> Romanos was also the brother-in-law of Romanos III Argyros that aided the Skleroi in keeping their political influence in the second quarter of the century.<sup>47</sup> Romanos' possible grandson, the homonymous Romanos was able to earn the favour of Constantine IX Monomachos, Isaac I Komnenos and Constantine X Doukas, reaching several important military offices such as that of the *doux* of Antioch, *stratopedarches* of the Orient and the *domestikos* of the Western *scholai*.<sup>48</sup> His reputation under Isaac and Constantine was likely a result of his support for the revolt of Komnenos.<sup>49</sup> The offices of Leo, Constantine and Nikolaos Skleros show that the family partly turned to the civil administration in the generation following Romanos.<sup>50</sup> In the same time, John represented the continuation of their old military tradition as the *strategos* of Peloponnesos who is identified as Ignatios by Vitalien Laurent.<sup>51</sup> Romanos built a close connection to the Doukai, which is an interesting part of the history of his family. Still it indicates nothing about the relation between the Doukai and the Skleroi in the reign of Alexios I. Later, the marriage policy of the Komnenoi and the Komnenian elite

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46 Cf. Catherine Holmes, *Basil II and the governance of Empire (976–1025)* (Oxford: Oxford University Press, 2005), 267-68, 459.

47 Thurn, *Synopsis historiarum*, 376.

48 John Nesbitt, Eric McGeer and Nicolas Oikonomides (eds.), *Catalogue of Byzantine Lead Seals at Dumbarton Oaks and in the Fogg Museum of Art*, vol. 5 (Washington, DC: Dumbarton Oaks Research Library and Collection, 2005), 25-26, no. 9.6; Jean-Claude Cheynet, Cécile Morrisson and Werner Seibt, *Les sceaux byzantins de la Collection Henri Seyrig* (Paris: Bibliothèque Nationale, 1991), 117, no. 159; Werner Seibt, *Die Skleroi. Eine prosopographisch-sigillographische Studie* (Wien: Verlag der Österreichischen Akademie der Wissenschaften, 1976), 82.

49 Thurn, *Synopsis historiarum*, 494-495.

50 Seibt, *Die Skleroi*, 87-97.

51 John Nesbitt and Nicolas Oikonomides, eds, *Catalogue of Byzantine Lead Seals at Dumbarton Oaks and in the Fogg Museum of Art*, vol. 2 (Washington, DC: Dumbarton Oaks Research Library and Collection, 1994), 72, no. 22.28; Vitalien Laurent, *Le corpus de sceaux de l'Empire byzantine*, vol. 5.2 (Paris: Centre Nationale de la Recherche Scientifique, 1965), 260-261, no. 1389.



shows that they had to revive their relations with new marriages. The orientation of the Skleroi towards the civil administration was probably an attempt to strengthen their relations with the head of the empire. It was the traditional way of networking based on the personal ties of the emperor and his servants.<sup>52</sup> It is interesting how this strategy functioned in the new political environment under Alexios I.

It is slightly difficult to reveal the position of the Skleroi in the early Komnenian period. Leo, Constantine and Nikolaos probably continued their careers in the reign of Alexios I, although here it seems better to focus on Michael and Andronikos Skleros. Michael appears in the sources from the time of Alexios I. An imperial prostagma in 1082 calls Michael protoproedros, the judge of Thrace and Macedonia and exisotos, while a lead seal presents him as the judge and exisotos of the West.<sup>53</sup> Furthermore, he is recorded in the list of the Blachernai synod in 1094, bearing the title of kouropalates then.<sup>54</sup> Andronikos is also listed in the aforementioned synodical document as protonobellisimos and the logothetes of the dromos.<sup>55</sup> In 1104, a chrysobull was issued by Alexios I, calling Andronikos Skleros sebastos and the governor of Thrace and Macedonia.<sup>56</sup> Michael and Andronikos held offices similar to those charged by the former generation of the Skleroi. However, the military characteristics of the new regime and the extended family government decreased the influence of the civil bureaucrats. The most interesting moment is Andronikos' governorship in Thrace and Macedonia, which was not in harmony with the prominence of his court title – sebastos. The sebastoi were usually the relatives of the emperor, thus this dignity shows Andronikos' reputation in the imperial court at that time.<sup>57</sup> Since this curious situation occurred

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52 The relationship between the emperor and his servants was the essence of the imperial political culture before the Komnenian period, yet it lost importance against the relevance of kinship later: Leonora Neville, *Authority in Byzantine Provincial Society, 950–1100* (Cambridge: Cambridge University Press, 2004), 14–34.

53 Seibt, *Die Skleroi*, 100–101.

54 Gautier, “Le synode,” 218.

55 Gautier, “Le synode,” 217.

56 Now, Andronikos' surname and office is unreadable on the original parchment due to its partial damage. However, a nineteenth-century copy of this chrysobull written by Theodoretos chartoularios, which provides a more complete but slightly different transcript: Paul Lemerle et al. (eds.), *Actes de Lavra*, 4 vols. (Paris: P. Lethielleux, 1970–1982), vol. 1, 296. Werner Seibt has his doubts about Theodoretos' transcription, yet he accepts the completion of Andronikos' name and office: Seibt, *Die Skleroi*, 97–98. This theory is testified by two seals of Andronikos calling him sebastos and praetor, and the second specimen names the provinces too, Jean-Claude Cheynet and Dimitri Theodoridis, *Sceaux byzantins de la Collection D. Theodoridis: Les sceaux patronymiques* (Paris: ACHCByz, 2010), 197–198, no. 191–192. It is worth noting that Cheynet and Theodoridis have completely different opinions on the reasons of Andronikos' appointment.

57 There is no evidence of kinship between the Skleroi and the emperor or his closest relatives (Seibt, *Die Skleroi*, 98).



around the time of the Anemas conspiracy, the two cases plausibly had close relation.

The involvement of the Skleroi in the Anemas conspiracy is a curious part of their history. The conspiring member of the family was one of those plotters whose first names are missing from the *Alexiad*. Anna gives little attention to Skleros and, therefore, it is hard to identify him and to define his role in the conspiracy. Skleros is, however, mentioned together with civil bureaucrats which indicates he held a position in the civil administration.<sup>58</sup> Paul Gautier identified Skleros the conspirator with Andronikos, yet the French scholar did not notice the latter's governorship around 1104.<sup>59</sup> Andronikos' latest office led Seibt to contradict Gautier's idea and to consider John Skleros as the possible conspirator.<sup>60</sup> Indeed, Andronikos' appointment to Thrace and Macedonia in 1104 followed too early after the presumed date of the Anemas plot, despite of moderate punishment. However, John had to abandon his military career for civil duties according to Seibt's hypothesis.<sup>61</sup> Theoretically, Michael Skleros seems a potential candidate for the conspirator too, but last historical record about him remains the one from 1094. The conspirator's identity is still in obscurity, and it makes the consequences dubious too.

The later career of the Skleroi and its relation to the plot raise some questions. Sources show that younger Michael Skleros' career flourished in the late eleventh and early twelfth centuries. According to a seal, this Michael was a proedros and, probably, the doux of Bodena and Sthlanitza around 1100. In the same period, he was promoted to protoproedros, and reached title nobellisimos in the second or third decades of the twelfth century.<sup>62</sup> After Andronikos and the younger Michael, our evidence does not connect notable dignities or offices to the Skleroi.<sup>63</sup> It is difficult to estimate the influence of the conspiracy on the position of the family according to their known honours and ranks. The curious civil governance of Andronikos sebastos in Macedonia

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58 Reinsch and Kambylis, *Alexias*, vol. 1, 373, 12.5.5.

59 Gautier, "Le synode," 243.

60 Seibt, *Die Skleroi*, 106.

61 This was a possible but rare phenomenon, yet similar possibly happened in the case of another conspirator, Xeros, the retired eparch. Nikephoros Basilakes gives a well-known example of such change.

62 However, Seibt is slightly uncertain about the dating, since he was not able to analyze directly the seals or their photocopies: Seibt, *Die Skleroi*, 103-105.

63 Seibt, *Die Skleroi*, 107-11. Nevertheless, an epitaph in the Codex Marcianus 524 dated to the second half of the twelfth century was written in the memory of Anna Skleraina who married a kastrophylax, Spyridon P. Lampros, "Μαρκιανός κώδιξ 524," *Neos Ellenomnemon* 8 (1911), 154, no. 260, lines 1-2; Seibt, *Die Skleroi*, 108. The epithet likely represents the apogee of Anna's husband, and her marriage with an official of such low rank may imply the moderate reputation of the Skleroi in that period.

and Thrace might have been a direct consequence of his relative's involvement in the plot. He enjoyed the unique favour of Alexios I before the affair, yet, then the emperor might have gently dismissed Andronikos from the crucial positions of the government by appointing him to an office inferior to his dignity. However, Michael's career indicates that the conspiracy did not result in an immediate decline of the Skleroi. Their connection with the plot prevented them from entering the imperial kin and receiving appropriate compensation for their serious losses in Asia Minor.

The Solomontes had an origin different than the Skleroi. They emerged into the civil meritocracy, and remained in the civil administration throughout their known history. The name of the Solomontes appears first time in an altogether afflictive context as Eustathios Romaios in his judiciary treatise, named the *Peira*, mentioned a trial of Himerios Solomon, protospatharios, who abused a daughter of a notable man and declined to marry her later.<sup>64</sup> We have little information about the offices held by the Solomontes before the Komnenian period, yet their court titles imply that their social and political rank slightly increased until the late eleventh century.<sup>65</sup> This tendency of rising did not end after the first Komnenian's accession to the imperial throne.

The Solomontes reached their zenith with the career of John Solomon who served Alexios I until the beginning of the twelfth century. John was protosekretis, epi ton deeseon along with the dignity of protoproedros and the praetor of Peloponnesos and Hellas together with the title of kouropalates.<sup>66</sup> He possibly led the tribunal of the dikaiodotes too.<sup>67</sup> Since all his offices are testified by seals, it is difficult to establish the chronology of his career. Nevertheless, these positions imply that he built a successful career in the civil administration, and enjoyed the favour of Alexios I before the conspiracy.

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64 Ioannes Zepos and Panagiotes Zepos (eds.), *Jus Graecoromanum*, 8 vols. (Aalen: Scientia, 1964), vol. 4, 197-200, 19.4. This affair, however, did not bring end to Hieros' career, since he became imperial notarios and ek prosopou of Mesembria, after then the judge of the hippodrome and mystolektes: Wassiliou and Seibt, *Bleisiegel*, 257, no. 268; Vitalien Laurent, *Le corpus de sceaux de l'Empire byzantine*, vol. 2 (Paris: Centre Nationale de la Recherche Scientifique, 1981), 75, no. 153.

65 The title of Michael protoproedros in the third quarter of eleventh century implies, however, their social and political rank slightly increased: Werner Seibt, *Die byzantinischen Bleisiegel in Österreich*, vol. 1 (Wien: Verlag der Österreichischen Akademie der Wissenschaften, 1978), 299, no. 160; Ivan Jordanov (ed.), *Corpus of Byzantine Seals from Bulgaria*, vol. 2 (Sofia: Bulgarian Academy of Sciences, Archaeological Institute with Museum, 2006), 377-79, no. 666.

66 Seibt, *Die byzantinischen Bleisiegel*, 300, n. 9; Laurent, *Le corpus*, vol. 2, 122, no. 254; Wassiliou and Seibt, *Bleisiegel*, 258, n. 124.

67 Cheynet, Morrisson and Seibt, *Henri Seyrig*, 76-77, no. 95. However, they consider dikaiodotes too moderate position for the conspiring Solomon, and suppose another John Solomon owning this seal.

The conspiracy of the Anemas brothers had serious effects on the career of John Solomon and his family. Anna Komnene describes in details John's activity in this affair, even cites some interesting moments connected with him. She says John was nominated for the imperial throne by the plotters, although she also notes he was exploited, in truth, by the Anemades for his great fortune.<sup>68</sup> Solomon is described by Anna Komnene as an incompetent figure of the movement and a vain individual misled with flattery by the Anemades. However, John's aforementioned dispute with Michael Anemas about his attempt to gain new supporters indicates that he was sensible of his weak position among the conspirators.

After John's fall there is no evidence of any notable by the name of Solomon. It seems possible there was no kinsman who possessed political influence and wealth comparable to those of John. However, Anna Komnene pays attention to the misery of Solomon's wife, implying that she was alone during her husband's imprisonment.<sup>69</sup> Thus one can assume the possibility of a childless marriage. Irrespective of the reality of this idea, the private tragedy of John Solomon meant the immediate decline of his family. While the Skleroi had competent representatives avoiding the conspiracy, the Solomontes probably lost their most notable member (as an active political factor), together with his property.

The Xeroi kept a considerable social rank throughout the eleventh century, holding several functions in civil administration. Cheynet states that the Xeroi owed the imperial favour from the middle of eleventh century, and kept their social and political positions under the Komnenoi without leaving their civil tradition.<sup>70</sup> Before the Komnenian regime, most of the Xeroi were judges of several themes, or those of the Hippodrome or the Velum in Constantinople, but their most illustrious members were probably John the protomystikos and Stephen the judge of the Velum and logothete of the genikon.<sup>71</sup> These offices show that the Xeroi gained significant positions in the government although they did not belong to the leading élite of the empire even before the Komnenoi.

In the reign of Alexios I, the most notable member of the family was the fellow of the Anemades in the conspiracy. He was the former eparch of the City (Constantinople), which shows the imperial favour

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68 Reinsch and Kambylis, *Alexias*, vol. 1, 372, 12.5.4-5.

69 Reinsch and Kambylis, *Alexias*, vol. 1, 374, 12.6.4.

70 Jean-Claude Cheynet, "Les Xéroï, administrateurs de l'Empire," *Studies in Byzantine Sigillography* 11 (2012), 34.

71 Paul Lemerle, Gilbert Dagron and Sima Ćirković (eds.), *Actes de Saint-Pantéléèmon* (Paris: P. Lethielleux, 1982), 58, no. 5, line 8; Cheynet, "Les Xéroï," 18.

of the eparch and his family before the plot. The eparch's identity is, however, uncertain, since Anna Komnene calls him by his family name. He is possibly mentioned in other sources but accounted as the eparch of the City only in the *Alexiad*, and, therefore, any identification with other contemporary Xeroi remains hypothetical. Gautier and Skoulatos identified the eparch with Bardas Xeros protoproedros and hetaireiarches appearing in a prostagma of Alexios I in 1092.<sup>72</sup> Cheynet deems this connection possible, but he has doubt whether the office of hetaireiarches was preliminary to the eparch of Constantinople. Beside Bardas, he refers to Basil Xeros logothetes tou genikou as possibly identical with the eparch too.<sup>73</sup> It is worth noting that, if Gautier's and Skoulatos' theory had been correct, Bardas would not have been the only former hetaireiarches among the conspirators. Constantine Antiochos held the same position shortly after Bardas. Nevertheless, there is too little evidence to determine which member of the Xeroi got involved in the conspiracy. It is more important problem how the plot influenced the career of the family.

It clearly seems that reputation of the Xeroi survived the involvement of their member in the failed conspiracy. Two seals testify that John's titles, the kouropalates and the protonobellisimos, were the highest dignities unrelated to the imperial kin.<sup>74</sup> A certain Michael Xeros is called anagrapheus of Mylasa and Melanoudion in a decree issued by himself in 1128 and interpolated in the charter of Michael Doukas several decades later.<sup>75</sup> The most crucial point of this reference is that he was Sebastos according to this document too, implying their closer relation to the imperial dynasty. Cheynet stresses that the Xeroi were an exception to the tendency that the Komnenian aristocracy included families with long military tradition.<sup>76</sup> The rise of their reputation in the period is implied also by an epitaph in the Codex Marcianus 524, which was written in the memory of Maria Xeraina in the twelfth century. According to the epigram, Maria was a descendant of the Melissenoi on her mother's side.<sup>77</sup> However, the Melissenoi lost some of their influence during the reign of John II (1118-1143), but were still an important family of the elite. These cases indicate that the Xeroi stayed

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72 Zepos and Zepos, *Jus Graecoromanum*, vol. 3, 412-413, no. 40.

73 Cheynet, "Les Xéroï," 20.

74 Cheynet, "Les Xéroï," 23.

75 Franz Miklosich and Joseph Müller (eds.), *Acta et diplomata graeca medii aevi: Sacra et profana*, 6 vols. (Wien: Karl Gerold, 1860-1890), vol. 4, 324-325. Hélène Ahrweiler argued that the confirmation happened in 1143: Hélène Ahrweiler, "L'Histoire et la Géographie de la région de Smyrne entre les deux occupations turques (1081-1317)," *Travaux et mémoires* 1 (1965), 129.

76 Cheynet, *Pouvoir et contestations*, 257.

77 Lampros, "Μαρκιανός," 186, no. 368, lines 6-7.

at the gates of the imperial kin in the twelfth century, if not belonged to the leading élite of the period after the reign Alexios I. It is interesting that there is no evidence of any effect taken by the conspiracy on the career of the Xeroi.

## **Instead of the conclusion**

The Anemas conspiracy was a multifaceted event of the Byzantine history. The moderate punishment implies the insignificance of the affair at first sight, yet the analysis of the events helps the scholars to understand the political and social circumstances of the early Komnenian period. The conspiracy shows that main rivalry appeared inside the imperial kinship at least in the second decade of the reign of Alexios I. However, the second-tier elite was not able to avoid the involvement in these political conflicts. The effects of the plot on the involved families is complex problem. The careers of the three families after the affair indicate that the conspiracy itself gave short term influences on the second-tier élite, and the possibilities of those households for prolonged development depended on their economic and political abilities.

## Arandel Smiljanić

### Titles and ranks of diplomats of the regional lords in Bosnia

There were no fixed terms for the diplomatic representatives of rulers or the regional lords in the medieval period. According to the Cyrillic documents, the most common names for the diplomats in a diplomatic service were *posli*, *poslani(ci)*, *poklisari*, whilst the titles of *sli* and *hodataji* were significantly less common. On the other hand, the Latin sources use different terms for the dignitaries who participated in diplomacy. These are: *oratores*, *ambassiatores* (*ambaxator*, *ambassador*), *legatus* (*ablegatus*), *nuntii*, *agens*. Understandably, a similar diversity was widespread among the titles and ranks of the people who had different missions for their lords.

The most common title held by the diplomats in the time of the regional lords was the title of *knez*, with the note that some holders inherited the title from their fathers according to the landed nobility right. It should be emphasised that these holders also originated from the middle and even lower social strata, who would often acquire the title of *knez* in various diplomatic missions based on their abilities and service to the regional lords. Besides *voivoda*, several titles of *župan* are mentioned in the diplomatic service of the regional lords, *voivoda* being mentioned more frequently at the beginning of the researched period, in the late fourteenth and in early fifteenth century, while the latter appears in the mid-century, during or after the period of the Ottoman conquests.

One of the representatives holding the title of *knez* was Budislav Milšić, who appears in the mission for Radič Sanković at the beginning of September 1401.<sup>1</sup> A dignitary sometimes used by Duke Hrvoje Vukčić in his diplomatic activities was *knez* Raup (Rauf) Dragović.<sup>2</sup> One of those who acquired the title of *knez* because of his abilities was Brailo Tezalović, undoubtedly one of the most important diplomats of the

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1 At the beginning of the letter sent to Sanković on 5 September, the authorities of Dubrovnik wrote: *лист господства ти примисмо по кнезу Будисаву Мишићу и што нам много мудро и почтено говори речи твоје љубве о всем добра разумесмо*. Medo Pucić, *Споменици српски*, vol. 1 (Beograd: Filozofski fakultet u Beogradu, 2007), 34-35.

2 For some time, Dragović was in charge of Slatin commune. He is referred to in this capacity in the March of 1405. More interestingly, one document mentions him as a holder of the title of knight (*miles*). Cf. Dubravko Lovrenović, "Hrvoje Vukčić Hrvatinić i splitska komuna 1403-1413," *Prilozi Instituta za istoriju u Sarajevu* 23 (1987), 39.

medieval Bosnia, who became a *protovestiar* of count Pavle Radenović at the beginning of the 1410s.<sup>3</sup>

Dragić, who also acquired the title of *knez*, was mentioned as a representative of Duke Sandalj in December 1419.<sup>4</sup> Radoslav Obradović, called Ban, who played an important role in the negotiations on ceding a part of Konavli, also held the title of *knez*.<sup>5</sup> Vukašin Zbislajić, who was also recorded to have held the same title, was a member of the common mission of Dukes Sandalj and Radoslav in the city of Dubrovnik mid-February 1423.<sup>6</sup>

In the course of the war for Konavli as well as afterwards, one of the leading diplomats of the Pavlović family was Ivaniš Hrebeljanović, whose name regularly appears with the title of *knez*.<sup>7</sup> Radić Kopijević, who participated in various missions for the Pavlović family for almost four decades, also held the title of *knez*.<sup>8</sup> There were cases when three out of four members of the same mission held the title of *knez*. For example, *knez* Budislav Bogavčić, *knez* Vučihna Radosalić and previously mentioned *knez* Ivaniš Hrebeljanović were recorded to have participated in the mission of Duke Radoslav in Dubrovnik in

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3 Initially, he was a customs officer of Duke Pavle only to progress in the course of his service with time and become a *protovestiar* and later on a leading diplomat of the Pavlović family. Finally, he was given the title of *knez* thanks to a faithful service and his achievements. Sima Ćirković, *Историја средњовековне босанске државе* (Beograd: SKZ, 1964), 221.

4 At the time, accompanied by *krstjan* Divac, he went to Dubrovnik in order to negotiate with Aeksa Pastrović the concession of his town Bijela to Kosača, for which purpose the authorities of Dubrovnik were some kind of witnesses and guarantors. Ljubo Sparavalo, "Бијела кнеза Алексе Паштровића," *ИГ* 1-2 (1981), 75; Đuro Tošić, "Босански "лугајући" витезови Паштровићи," *ИЧ* 58 (2009), 155.

5 It is hard to say what his position at the court of Pastrović was, but he appeared to be trustworthy as he participated in these very important negotiations. Marko Šuica, "Босанска властeosка породица Бановићи," *ИГ* 1-2 (1993), 28.

6 The result of this mission was the happy news of reconciliation between the dukes. On that occasion Radoslav was awarded the nobility in Dubrovnik, and *knez* Vukašin himself participated in the negotiations over ceding the fort of Sokol to the people of Dubrovnik. Ćiro Truhelka, "Testament gosta Radina. Prinos patarenskom pitanju," *GZM* 23 (1911), 357-358; Pejo Ćošković, "Krstjanin Vlatko Tumurlić i njegovo doba (1403-1423)," *Croatia Christiana periodica* 35 (1995), 44.

7 He was a member of Radoslav's mission, which led the final negotiations over a Peace Treaty and thus he was mentioned in the charter of October 25, 1432. He was previously mentioned with *krstjanin* Radin, *diak* Ostoja and *župan* Sanko Bogavčić in the decision of the Senate (*Consilium Rogatorum*) of 23 October. Mihajlo Dinić, *Из Дубровачког архива*, vol. 3 (Beograd: SANU, 1967), 224; *Лексикон српског средњег века*, ed. by Sima Ćirković and Rade Mihaljić (Beograd: Knowledge, 1999) (hereafter *ЛССВ*), 161 (Đorđe Bubalo).

8 When he was first mentioned in 1424, he was just a humble customs officer of Duke Radoslav, but he gradually moved up in rank at his court. As a result, he was entrusted with increasingly complex tasks. Finally, the influence of *knez* Radić, especially his influence on the last members of the Pavlović family, *voivoda* Petar and *knez* Nikola was huge. In a document of 1454, he was even referred to as their court duke. *ЛССВ*, 143 (Rade Mihaljić); Srđan Rudić, *Властела илirског ербовника* (Beograd: Istorijски институт, 2006), 163.



the August 1438.<sup>9</sup> The name of *knez* Radovan Vardić, who participated in various missions for Duke Stephen was commonly reported in the contemporary sources.<sup>10</sup> Vukman Jugović and Ivan Vardić held a significant position in the diplomatic service of Duke Stephen in the 1450s. The title of *knez* often appears alongside their names.<sup>11</sup> The same title was held by Radič Grupković and Radivoj Boganović in the diplomatic service of Duke Vlatko.<sup>12</sup>

Amongst the *župani*, Toliša should be singled out. He used to come to Dubrovnik by the end of summer of 1406 in the capacity of Sandalj's representative to collect the mogoriš tribute.<sup>13</sup> *Župan* Bogeta Rudić is mentioned as a representative of the Kosača family in Dubrovnik by the end of June 1411.<sup>14</sup> Finally, after a longer period during which the title holders in diplomacy were not mentioned, it is only *župan* Sanko Bogavčić who appeared in the role of Duke Radoslav's representative during the First War of Konavle (1430-1432/1433), when he would come to Dubrovnik accompanied by an Ottoman emissary.<sup>15</sup> Later on,

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9 The fourth member of the mission was *krstjanin* Radašin Vukšić. They came for financial purpose, more precisely because of the inheritance money. Another purpose was to take the benefits of the previously invested money. Pavle Karano-Tvrtković, *Србску споменици* (Beograd: Tipografija Knjževstva Srbije, 1840), 219-224.

10 In one of these missions he was reported to have been in the company of famous Radin Butković, in the August of 1441. At the time Butković was still a *starac* in the hierarchy of the Bosnian church. Truhelka, "Testament gosta Radina," 360.

11 At the beginning of February 1445 *knez* Vukman Jugović accompanied by *diak* Radivoj and *starac* Radin took out the profit of Stephen's treasure. Later on, he participated in the negotiations over the cross-border problems at Konavli. Truhelka, "Testament gosta Radina," 360. Kosača used Vardić mainly for the missions in Venice, where he was noted as *sapiens vir Johanne*, and later in 1451 with his full name as *comes Johannes Vardich*. Anto Babić, *Diplomatska služba u srednjovjekovnoj Bosni* (Sarajevo: Međunarodni centar za mir, 1995), 88.

12 They did different missions for their masters. Besides going to Venice and negotiating with its authorities they played an important role in taking out the legacy of Duke Stephen in Dubrovnik. At the end of July 1470, together with knight Đurđe Čemerović, they participated in transporting the remaining part of his father's legacy from Dubrovnik to Novi. Karano-Tvrtković, *Србску споменици*, 303-305; Ćiro Truhelka, *Tursko-slovenski spomenici Dubrovačke arhive* (Sarajevo: Zemaljska štamparija, 1911), 30-31. Previously, in the confirmation of Duke Vlatko of April 15, 1468, when he received a part of his father's inheritance, he pointed out that he had received the money through *knez*. Jevgenij Pavlovič Naumov, "Bosanski i humski vlasteličići," *Godišnjak Društva istoričara Bosne i Hercegovine* 28-30 (1979), 32-33.

13 On 29 June, he was paid off the mogoriš tribute for the two previous years, but he was denied the payment when he came back in the autumn of the same year, due to not having the right authorisation for withdrawing the money. Mihajlo Dinić, "Дубровачки трибути," *Глас СКА* 168 (1935), 220.

14 On June 26, 1411, together with *knez* Vukac Vardić, he took out a part of the treasure of his lords, Duke Sandalj, his wife Katarina and banica Anka. Konstantin Jireček, *Споменици српску* (Beograd: Filozofski fakultet u Beogradu, 2007), 57-59.

15 That Ottoman emissary had previously spent substantial amount of time at the court of the Paštrović family, from where Radoslav had no wish to let him go to Dubrovnik, most probably, because he wanted to exert as much influence on him as possible. Besides, he was certain that he would obtain the information there that was not in his favour. However, his plan was thwarted by Sandalj by sending a representative to Radoslav, who could not but release the Ottoman representative, but decided that *župan* Sanko Bogavčić himself would escort him. Ćiro Truhelka, "Konavoski rat (1430-1433)," *GZM* 29 (1917), 174.



he participated in the final peace negotiations, which took place in Dubrovnik in the second half of October 1432.<sup>16</sup>

Besides the titles of *knez* and *župan* in diplomatic service of the regional lords, *voivoda* is also mentioned, most commonly before of the fall of Bosnia under the Ottoman rule. Thus, duke Radič Ružica is mentioned as a diplomat of Duke Stephen in mid-March 1456.<sup>17</sup> By the end of 1458, Stephen sent to Duke of Milan, Francesco Sforza, a mission, a member of which was *voivoda* Đurađ Ratković.<sup>18</sup> After the death of Duke Stephen, some individuals holding the title of duke are mentioned in the service of his sons. The first of them was *voivoda* Vukašin Sanković, a member of the mission which was sent by Duke Vlatko to Venice in the beginning of 1467.<sup>19</sup> At the same time, *voivoda* Radič Paskačić is recorded in the service of the duke's older son, Vladislav. Radič later took side of Vladislav's brother, Duke Vlatko.<sup>20</sup>

The regional lords also used the service of spiritual guides, i.e. people who belonged to the Bosnian church. The first of them known by name was *krstjanin* Vlatko Tumurlić, who appears as a diplomat in the service of Count Pavle Radenović. His role was particularly important at the time of the war which King Ostoja waged against Dubrovnik; on several occasions, he brought Bosnian peace proposals to the town at the foot of Mountain Srđ.<sup>21</sup> Vlatko also served his son, Radoslav for whom he came to Dubrovnik in March 1421, when the

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16 His name was recorded in the decision of the Senate (*Consilium Rogatorum*) dated 23 October together with other negotiators of Radoslav, *knez* Ivaniš Hrebjeljanović, Radin *krstjanin* and *diak* Ostoja. Dinić, *Из Дубровачког архива* 3, 224.

17 The report composed by the poklisari of Dubrovnik who stayed at the court stated that *voivoda* Radič Ružica had also participated in the negotiations. Dinić, *Из Дубровачког архива* 3, 213.

18 Together with *knez* Đurde Čemerović, Ratković was supposed to negotiate with Sforza. Although the content of the negotiations is little known, the possible subject was the plans against the Ottomans. Vladimir Čorović, *Хисторија Босне* (Banja Luka – Beograd: Glas srpski – Ars libri, 1999), 530.

19 The decision of *Signoria* of January 30, 1467 mentions knight Nikola Testa and *knez* Radič Grupković along with Sanković. On that occasion they obtained the confirmation of the privilege of November 1455, which meant respecting their interests in Radoblja. Vasilije Atanasovski, *Пад Херцеговине* (Beograd: Istorijski institut, 1979), 120, note 38.

20 As Vladislav's representative, he was present at the opening and reading of the duke's last will in December 1466. In the October of 1471 the authorities of Dubrovnik allowed Radič Paskačić, a representative of Duke Vlatko, to be interrogated. Sima Ćirković, "Почтени витез Прибислав Вукојић," *Зборник ФФ у Београду* 10-1 (1968), 262; Atanasovski, *Пад Херцеговине*, 76.

21 His missions of the September and December of 1403 are well known. In the second case the Small Council decided on the award for a *pataren*, a representative of King Ostoja, behind which the identity of Vlatko is hidden. Truhelka, "Krstjanin Vlatko Tumurlić," 50; Ćošković, "Krstjanin Vlatko," 26.

authorities gave him the epithet *magnifico signor*.<sup>22</sup> From time to time Duke Sandalj used the services of Archdeacon Teodor of Shkodër. His role was notable while negotiating the sale of Klis and Ostrovica to the Venetians.<sup>23</sup> Another member of the Bosnian church, Divac *krstjanin* came to Dubrovnik in the end of 1419 as a representative of Duke Sandalj.<sup>24</sup>

Besides the two aforementioned members of the Bosnian church mentioned with the title of *krstjanin*, there were those with the titles of *starac* and *gost*. The first one is Dmtar, *starac* who was mentioned as the representative of Sandalj in Dubrovnik in February 1423.<sup>25</sup> Radašin *krstjanin* was mentioned in the late 1430s in the service of Duke Radoslav.<sup>26</sup> However, the most famous member of the Bosnian church who was a diplomat of the regional lords was certainly Radin Butković, who was initially mentioned as *krstjanin* in the service of Duke Radoslav Pavlović, only to become a *starac* first, and a *gost* later, after having taken the side of Duke Stephen.<sup>27</sup>

The regional lords used to have *protovestiar*s in their service. However, the fact that they were engaged in some missions is much more important for our topic than the titles themselves. A special place among them belongs to Mihailo Kabužić from Dubrovnik, to whom Duke Hrvoje entrusted the most important

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22 He was accompanied by a merchant from Prača, Bogdan Muržić. Their mission was politically and economically significant. Having completed the negotiations, the two of them brought charters from Dubrovnik written in *idiomate slavico* for confirmation. How respected Vlatko was by his lord can be seen in the manner he addressed him on April 7, 1423, in the charter confirming Sandalj's ceding the half of Konavle and the town of Soko. Čošković, "Krstjanin Vlatko," 42, 46.

23 Not only did Theodor appear as the representative of Sandalj, but he also represented his wife Katarina and his mother-in-law banica Anka. The negotiations took place in Zadar. Having completed them successfully, Sandalj had a charter issued in Kluč confirming the sale of these places to the Republic. Dubravko Lovrenović, "Kako je bosanski vojvoda Sandalj Hranić došao u posjed Ostrovica i Skradina," *Radovi Zavoda za povijest* 19 (1986), 235.

24 Divac *krstjanin* spoke before the Small Council and confirmed Sandalj's words written in the letter on the bargain struck between him and *knez* Aleksa Paštrović. Sparavalo, "Бијела," 75; Tomić, *Паупровићу*, 155

25 He would come to Dubrovnik in the mid-February 1423. On that occasion the local authorities issued a charter, in order to withdraw a part of the legacy of Duke Sandalj and his wife Jela. Franz Miklosich, *Monumenta Serbica* (Viennae: Braumüller, 1858), 251, 321-322; Dinić, *Споменици српску* 2, 69, 76-78.

26 Interestingly enough, he was noted as a *kućanin pataren* in the documents from Dubrovnik. *Krstjanin* Radašin Vukšić was mentioned as a representative of Radoslav in the summer 1438 as well as in the autumn 1439. During the first visit he was accompanied by Vukašin Sukačić. Dinić, *Из Дубровачког архива* 3, 226; Truhelka, "Testament gosta Radina," 359.

27 He was frequently recorded in historical sources. For example, he was noted as a *starac* in April 1437, when he would come to Dubrovnik with *knez* Radovan Vardić. Dinić, *Из Дубровачког архива* 3, 224-225. Radin was first mentioned as a *gost* in November 1450 in the instructions to the Dubrovnik representatives. Truhelka, "Testament gosta Radina," 360.

diplomatic affairs.<sup>28</sup> When speaking of *protovestiar*s, the name of Brailo Tezalović is indispensable. As a *protovestiar*, he was given the title of *knez*.<sup>29</sup>

The two Pribislavs who provided their service for the Kosača family are a different case. The first one was Pribislav Pohvalić, a longtime diplomat of vojvoda Sandalj, whilst the other one was Pribislav Vukotić, who was in charge of various missions on behalf and for the needs of herceg Stjepan. Both of them possessed the title of *počteni vitez*, which they probably acquired at a foreign court.<sup>30</sup> Seemingly, it was connected with them receiving a knighthood, which was a common occurrence at the time.<sup>31</sup>

In the mid-July 1429 the citizens of Dubrovnik address Pribislav Pohvalić as *počteni vitez*.<sup>32</sup> Pribislav Pohvalić was also mentioned to have held this title at the time of Duke Stephen, who relied on him particularly at the beginning of his independent activities.<sup>33</sup> How highly respected he was by young Kosača is evident from the news at the beginning of the summer of 1436, when he forgave him a murder which involved his sons. He even appointed Pribislav as his

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28 In early 1413, he led negotiations in Dubrovnik over the status of the duke's palace and his shares in Slano littoral. The following year he travelled to Edirne to ask the Ottomans to help the duke, who was endangered by King Sigismund. How appreciated he was by the Hrvatinić is evident in his interventions to make the Split authorities to accept him in their nobility in early 1412. Jelena Mrgić Radojčić, *Доњи Краји – Крајина срдњовјековне Босне* (Beograd: Filozofski fakultet u Beogradu, 2002), 97.

29 Brailo came from relatively humble social background, but thanks to his abilities and skills, he rapidly worked his way up the social ladder. After being a *protovestiar* at the court of Pavle Radenović (first in August 1411), he was given the title of *knez*. The title of *protovestiar* referred to financial affairs which he was in charge of on behalf of his lord. Ćirković, *Историја Босне*, 221; Pavo Živković, "Diplomska aktivnost Braila Tezalovića," *Prilozi Instituta za istoriju u Sarajevu* 10-2 (1974), 33; Pavo Živković, "Kreditno – trgovačke veze Braila Tezalovića sa Dubrovčanima," *Zgodovinski časopis* 34/3 (1980), 303.

30 Pohvalić is mentioned as a *počteni vitez* by the late 1420s. This was the time when he often travelled to Venice, participating in different missions for his master. Pribislav Vukotić was mentioned as a *počteni vitez* in the document when he came to Dubrovnik to deposit the money in the commune. Pucić, *Споменици српску* 2, 85-87; Babić, *Diplomska služba*, 85; Ćirković, *Историја Босне*, 221.

31 Even more so those representatives, who used to travel to some Italian cities, where it was only possible, were chosen to be knights on a regular basis. Ćirković, *Прибислав Вукотић*, 272.

32 It is very likely that he was given the title of *počteni vitez* in Venice while participating in one of his earlier missions, when he settled the house documentation for Sandalj. Previously, in one of his confirmations, his son Vlatko addressed him as *knez* in the second half of May. By mid-July 1429, when Pribislav arrived in Dubrovnik, he brought 3,000 dukats to Sandalj's treasure, after which he was duly awarded for. Karano-Tvrtković, *Србски споменици*, 177-178; Esad Kurtović, *Veliki vojvoda bosanski Sandalj Hranić Kosača* (Sarajevo: Institut za istoriju, 2009), 293-294, 386.

33 Pucić, *Споменици српску* 2, 92-93; Ćirković, *Прибислав Вукотић*, 271; *ЛССВ*, 83 (Sima Ćirković).

first official or *suo primo ministro*,<sup>34</sup> as was attested by the people of Dubrovnik.

The life of Pribislav Vukotić was very interesting. Besides serving Duke Stephen, he was the *knez* of Foča for some time. In the mid-1450s he became duke's chamberlain, which resulted that the scope of his activities was wider than earlier.<sup>35</sup> He became *počteni vitez* before 1455, but it did not make a great impression on the authorities of Dubrovnik, which changed when he became a duke's chamberlain.<sup>36</sup> Thereafter, he was addressed as a knight regularly having Latin term *dominus* attached to his name.<sup>37</sup> Thus, in a private suit with a person from Dubrovnik in September 1462, he was recorded as *domini Pribissaus*.<sup>38</sup> It is certain that *počteni vitez* and *knez* Pribislav Vukotić was of great help to herceg Vlatko, as he was mentioned several times immediately after the death of Duke Stephen.<sup>39</sup> At the beginning of the 1470s, Pribislav moved to Italy, where, in 1475, he made his testament beginning with the words *Io Lanzilago dicto Pribislavo Vuchotic chavalier de Bosina*.<sup>40</sup>

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34 The murder was committed in May, when Pohvalić was in Venice. Having heard about it, he spent some time in Dubrovnik fearing for his own life. However, Stephen sent a letter inviting him to return, which Pribislav soon did. The situation settled down by the end of June and the authorities of Dubrovnik sent a mission to thank young duke for his treatment of Pohvalić. On this occasion, he was noted as *cancellario dicti vojvode*. Babić, *Diplomska služba*, 86.

35 He is known to have been trading with crimson and textile maintaining personal contacts with people from Italian cities. He was also in charge of the duke's trading affairs, but he also went to diplomatic missions when needed. He was probably given the title of knight in one of these missions at a foreign court. There are records proving his position of the *knez* of Foča in the first months of 1456. Desanka Kovačević Kojić, "O knezovima u gradskim naseljima srednjovjekovne Bosne," *Radovi FF u Sarajevu* 6 (1970-1971), 338.

36 After the presentation of my report, the moderator of the section Dr. Damir Karbić asked me how it was possible that his new title had not affected the attitude of the authorities towards him. On the contrary, it seemed to have had an opposite effect, when they gave him a pejorative nickname Pribisavac. The answer, of course, lies in the fact that they used the nickname in their internal communication, while publicly welcoming him as a diplomatic representative. The negative report to Pribislav was partly due to a recently ended war between duke and the Republic of Dubrovnik.

37 In April 1455, King Alfonso addresses Pribislav as *knez* and *počteni vitez*, who is still called a common merchant by the people of Dubrovnik, giving him an unflattering nickname Pribisavac. He became a chamberlain in the course of 1458, as in one document at the beginning of 1459 he was recorded as: *dominus Pribissaus camerarius et thesaurarius ... domini ducis*. DADu, Div. Not. XLII, 52-53 (22.1.1459); Ćirković, *Пубислав Вукотих*, 263, 269.

38 It was a feud with Marin Cidilović, who was supposed to bear consequences for his debts. Accordingly, on September 30, 1462, he was allowed to come to Dubrovnik *et hoc ad instantiam et preces domini Pribissaus ducalis thesaurarii qui intercessit pro hac fida ut possit calculare certos rationes suos cum dicto Marino*. Ćirković, *Пубислав Вукотих*, 264.

39 On as early as June 5, 1466, he was recorded to have been a member of the mission who brought to Dubrovnik a legacy of the recently deceased duke. The part of the confirmation stating his sound title contains the duke's order that his will and valuables be brought to Dubrovnik by the said chamberlain of his, by *knez* Pribislav. Karano-Tvrtković, *Србски споменици*, 291-294.

40 Obviously, his nobility was not inheritable as the will reads that he leaves his sword, belt and spurs to the son who will become a knight or a doctor. Ćirković, *Пубислав Вукотих*, 261; Babić, *Diplomska služba*, 93; JICCB, 83 (Sima Ćirković).

Đurađ Čemerović, also given the title of *knez* at a foreign court, was in his shadow.<sup>41</sup> Given that he frequently travelled to South Italy for the interests of Duke Stephen, it is likely that he was given this honorary title at his court. Along with his missions in Venice and other Italian cities, his mission as of Duke Vlatko's servant by the end of July 1470, was to withdraw the remaining part of Duke Stephen's legacy and transport it to Novi.<sup>42</sup>

Even less is known about the duke's representative Hrebeljan, who was recorded in a letter as a *cavalliere*, the Italian equivalent to *miles*, or more precisely to knight.<sup>43</sup> It should be, of course, emphasised that it was not only the diplomats of the regional lords who were to become knights. Thus, the representative of Bosnian rulers, Restoje Milohna was first titled *počteni vitez* and *knez* in 1442.<sup>44</sup> Following the death of the duke, *vitez* Nikola Testa takes an important part in the diplomatic service of Duke Vlatko. Nikola is said to have been mentioned holding this title on his missions in Venice.<sup>45</sup> He is at the same time the last knight known by name among the diplomats of the regional lords in Bosnia.

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41 He was a long-time courtier and diplomat of the Kosača family. The records of him date back as late as 1491. He was made knight before 1445, when he was recorded as a *miles* in Venice in one of Kosača's missions. It is possible that he acquired this honorary title in February 1444, when, as a member of the mission of Duke Stephen, he was at the court in Napoli negotiating with King Alfonso of Aragon over establishing senior vassal relations between him and Kosača. He was recorded as a knight in the mission, which the duke had sent to Venice in May 1451. On that occasion he was accompanied by the *knez* Pribislav Vukotić and *knez* Ivan Vardić, their main objective being to prompt the Republic of Venice to wage common war against Dubrovnik. Ljubomir Jovanović, "Ратовање херцага Стјепана с Дубровником 1451-1454," *Годишњица Николе Чуића* 10 (1888), 118; Babić, *Diplomatska služba*, 88; Ćirković, *Прибислав Вукотић*, 271.

42 On that occasion, brothers, Duke Vlatko and Stephen received their father's treasure in full, and confirmed it by signing a document on July 26, 1470. Along with knight Đurde Čemerović, the document includes the names of *knez* Radič Grupković and *knez* Radivoj Bogdanović. Karano-Tvrtković, *Српски споменици*, 303-305; Truhelka, "Tursko-slovenski spomenici," 30-31.

43 The letter in question was a letter of the king Alfonso of Aragon sent to Duke Stephen. Ćirković, *Прибислав Вукотић*, 272.

44 His career started from the lowest standing rank, when he was referred to as a humble office clerk. However, thanks to his skills and abilities, he seized his opportunity in such a way that he eventually acquired a noble title. Pavao Anđelić, "Barones regni и државно вијеће средњовјековне Босне," *Прилози Института за историју у Сарајеву* 11-12 (1975-1976), 42.

45 One such mission is recorded at the beginning of 1467. At the time, knight Nikola Testa, Duke Vukašin Sanković and *knez* Radič Gupković stayed in Venice. Their success was the doge's confirmation by which he acknowledged the right of the Hercegović on his interests in Radobilja, as envisaged by a 1455 privilege. Atanasovski, *Пао Херцеговине*, 120, note 38.

Mišo Petrović

## Politicized religion. The “contested” prelates of Croatia, Dalmatia and Slavonia during the struggle for the throne of the Kingdom of Hungary (1382-1409)

Two major events dominated the period of 1382 to 1409. One was the election of two popes of the Christendom, with seats in Avignon and Rome, which provoked the Western Schism, a period of instability in the Church that did not end until 1417.<sup>1</sup> The second was the death of King Louis the Great in 1382 that led to several decades of almost constant civil war between various pretenders: Louis's daughter Queen Mary and her husband Sigismund on one side, and the Neapolitan branch of the Angevins led by King Ladislas.<sup>2</sup>

The main aim of this text is to present the role of the bishops in the struggle for the throne. How did the authority and the position of the prelates change during the struggle for the throne? Two processes occurred during this period. The first was the appearance of the “contested” prelates, where two or more bishops claimed control over the same diocese, often politically or militarily supported or opposed by various pretenders. The second process was the “politicizing” of religion, where due to the civil war the prelates were occupied more with the secular political duties and less with the purely spiritual ones. The bishop's secular responsibilities started to interfere with his pastoral duties which led to the weakening of the prelate's influence over the population. The secular authorities not only wanted to control the episcopal elections and the church incomes but demanded that the prelates participate in the defence

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1 Phillip Stump, “The Council of Constance (1414-18) and the End of the Schism,” in *A Companion to the Great Western Schism (1378-1417)*, ed. by Joelle Rollo-Koster and Thomas M. Izbicki (Leiden: Brill, 2009), 395-442.

2 The political history of this conflict is well covered in both Croatian and Hungarian historiographies. See: Vjekoslav Klaić, *Povijest Hrvata od najstarijih vremena do svršetka XIX stoljeća*, vol. 2, ed. by Trpimir Macan (Rijeka: Nakladni zavod Matice hrvatske, 1972), 223-400; Dubravko Lovrenović, *Na klizištu povijesti (sveta kruna ugarska i sveta kruna bosanska)* (Zagreb – Sarajevo: Synopsis, 2006); Franjo Rački, “Pokret na slavenskom jugu koncem XIV i početkom XV stoljeća,” *Rad JAZU* 2-4 (1868), 68-160; 65-156; 1-103; Bálint Hóman, *Gli Angioni di Napoli in Ungheria* (Rome: Reale Accademia d'Italia, 1938); Alessandro Cutolo, *Re Ladislao D'Angio-Durazzo*, vol. 1-2 (Milano: Ulrico Hoepli Editore, 1969); Pál Engel, *The Realm of St. Stephen: A History of Medieval Hungary, 895-1526* (London: I.B. Tauris, 2001), 195-208.



of the community by paying taxes and participating in military service.<sup>3</sup>

In this paper I explain that the power struggle for the control of the southern dioceses in the Kingdom of Hungary-Croatia occurred between various political centres. Since most of the conflicts in the succession crisis occurred in the south of the kingdom, my focus is on the roles and loyalties played by the bishops of Croatia, Dalmatia and Slavonia.

### ***Te alto Regum Hungariae de Sanguine ducere originem*<sup>4</sup>**

King Louis of Hungary died in 1382 and was succeeded by his underage daughter Mary while power rested in the hands of Queen-Regent Elizabeth. The unstable political situation, unclear foreign policies and a strong-hand approach of the Palatine Nicholas of Gara (1325-1386) led part of the nobility to become dissatisfied with the queens' reign and revolts broke out during 1383-1384. A peaceful solution was still possible as the unsatisfied barons, led by Bishop Paul of Zagreb (r. 1379-1386), negotiated peace with the palatine and the queens in the course of May 1385 in Požega.<sup>5</sup> It seems that both sides were buying time. The queens and palatine wanted Prince Louis of Orléans (1372-1407), brother of the French King Charles VI (r. 1380-1422), to marry Mary, which was stopped by Mary's first fiancé, Sigismund (1368-1437), who moved to Buda and forcefully married Mary. On the other hand Bishop Paul went to Naples to invite Charles of Durazzo (1345-1386) to claim the throne.<sup>6</sup> Charles accepted the

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3 Angelo Silvestri, *Power, Politics and Episcopal Authority: The Bishops of Cremona and Lincoln in the Middle Ages (1066-1340)* (Newcastle upon Tyne: Cambridge Scholars Publishing, 2015), 1-12; Dominik Waßenhoven, *Religion and Politics in the Middle Ages* (Berlin: De Gruyter, 2013), 11-16; Dominik Waßenhoven, "The power crisis during the Great Schism (1378-1417)," in *Ideas of Power in the Late Middle Ages, 1296-1417*, ed. by Joseph Canning (Cambridge: Cambridge University Press, 2011), 165-190.

4 Supposedly the words of Bishop Paul of Zagreb to Charles of Durazzo, August 1385. György Fejér (ed.), *Codex diplomaticus Hungariae ecclesiasticus ac civilis* (hereafter CDH), vol. X/3 (Buda: Regiae Universitatis Vngaricae 1829), 32-34.

5 Both dated May 16, 1385. Mladen Ančić, *Putanja klatna. Ugarsko-hrvatsko kraljevstvo i Bosna u XIV. stoljeću* (Mostar: Ziral, 1997), 265-266; Tadija Smičiklas et al. (eds.), *Codex diplomaticus regni Croatiae, Dalmatiae et Slavoniae: Diplomatički zbornik Kraljevine Hrvatske, Dalmacije i Slavonije* (hereafter CDC), vol. 16 (Zagreb: HAZU, 1904-2002), 521-522.

6 Charles was sent to Naples by King Louis on the invitation of Roman Pope Urban VI (1378-1389) to oust Queen Joanna of Naples, who sided with the Avignon pope in the Schism. Charles was successful, but the pope turned against him and excommunicated Charles and his family, while Naples was invaded by the forces of Duke Louis I of Anjou, whom Joanna named her successor. He was the brother of King Charles V of France unrelated to Angevins, who constituted a new dynasty with the same name. Barbara Tuchman, *A distant mirror: The calamitous 14<sup>th</sup> century* (London, Macmillan, 1990), 398-415; George Holmes, *Europe: Hierarchy and Revolt, 1320-1450* (London: Fontana Press, 1977), 178.

invitation but at the cost of his life as he was assassinated on the orders of Queen Elizabeth. The rebel league avenged his death by capturing Mary and Elizabeth in 1386 and killing the palatine and those involved in the crime. Paul sent their severed heads to Naples where the throne was taken by Charles's wife Margaret as regent for her underage son Ladislav (1377-1414).<sup>7</sup> Mary's new husband Sigismund took over the control of the kingdom and suppression of the rebellion which consisted of elements of unsatisfied Hungarian barons, the nobility of Dalmatian cities, especially from Zadar, and was backed by the Bosnian King Tvrtko (r. 1377-1391).

Since the rebels raised their banners in favour of the Angevins in Naples, the communication between Naples and the rebels was crucial. Bishop Paul was the main connection with Naples. There were five trips that rebels took to Naples. The first, done by Paul in August 1385, was to invite Charles.<sup>8</sup> The second in February 1387 was to inform the royal court in Naples about the death of Charles and the subsequent events.<sup>9</sup> Despite the fact that the letters were all the time going from one coast to another, it seems that it was still important to deliver a message by messenger as the court in Naples was not informed, even after one year, about the circumstances which led to Charles's death. During the third trip Paul's ship was caught by storm and Paul was taken by the rebels against Ladislav, led by Thomas Sanseverino.<sup>10</sup> Paul had a certain letter from Margaret which the Venetians took.<sup>11</sup> The fourth trip shows Paul's value. He brought messages from the important Hungarian nobles to whom Ladislav sent his messengers, recommended by Paul. The fifth major trip does not mention Paul.<sup>12</sup> All this shows the value of an educated and well-connected prelate, which Paul was. He persuaded<sup>13</sup> Charles to come to Hungary and his good contacts with the Hungarian nobility helped him in maintaining communication between the king in Naples and dissatisfied barons.

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7 Ferdo Šišić, *Vojvoda Hrvoje Vukčić Hrvatinić i njegovo doba* (Zagreb: Matica hrvatska, 1902), 51.

8 Šime Ljubić, *Listine o odnošajih između južnoga Slavenstva i Mletačke Republike* (hereafter *Listine*), vol. 4. (Zagreb: JAZU, 1874), 222.

9 Paulus de Paulo, *Memoriale Pauli de Paulo patritii Iadrensis (1371-1408)* (hereafter *Memoriale*), ed. by Ferdo Šišić (Zagreb: Tisak kraljevske zemaljske tiskare, 1904), February 22, 1387. Confirmed by charter published by Ladislav which narrates that Paul was greeted by the king: Gusztáv Wenzel (ed.), *Magyar diplomáciai emlékek az Anjou-korból*, vol. 3 (Budapest: Magyar Tudományos Akadémia Történelmi Bizottsága, 1876), 626-627.

10 The leader of the rebellion against Ladislav and the vicar of the Regno for the Duke Louis II, the son of Louis I of Anjou. Alessandro Cutolo, *Re Ladislao d'Angiò Durazzo*, vol. 1 (Napoli: Berisio, 1969), 79.

11 *Listine* 4, 261-262: February 10, 1389.

12 Present was John de Grisgono, Zaratian patrician, who accompanied Paul during the fourth trip.

13 In his chronicle Johannes de Thuroczy invented Paul's speech, but Paul still had to be convincing enough to persuade the king.



The major obstacle to the trips was Venice. The *Serenissima* maintained its network of diplomats across the Mediterranean and often informed Sigismund about their findings. They learned about the arrival of Bishop Paul and the planned trip of Charles to Hungary,<sup>14</sup> and about Ladislás's coronation in 1390 by the two cardinals.<sup>15</sup> Officially neutral, Venice maintained control over the Adriatic by controlling the traffic of ships. Although the civil war weakened Hungary, the Venetians realized the danger of connecting the two kingdoms, which Charles temporarily did, and having a king of Hungary whose main focus would be on the Adriatic – the Venetian connection to the world.<sup>16</sup> Sigismund was therefore more favourable than Ladislás.

The Venetian position was best shown with the appearance of Venetian Lorenzo Monaci (1351-1429), first in the mission of Pantaleone Barbo in Hungary (1386-1387) and later as the important link between the Venice and the royal court of Buda (until 1390).<sup>17</sup> Lorenzo organized the Venetian navy that rescued Queen Mary in Novigrad in 1387 and later met her in Senj. His appearance and work shows a changed relationship between the Venice and King Sigismund and Queen Mary. In Senj the queen tasked Lorenzo to write her a history of her reign in which Lorenzo promoted the newly found good relationship between Venice and Hungary. He also outlined the official ideology of Venice by describing the perfect Hungarian ruler – Queen Mary – and positioned it against the bad ruler – King Charles.<sup>18</sup> Lorenzo also dedicated a smaller part to the rebels themselves indicating that Bishop Paul was “the head of all evil,”<sup>19</sup> which would suggest that Mary viewed Paul as the main instigator of the rebellion.

The Venetians were actively trying to stop attempts by the Angevins to help the rebels. Their permanent fear was that Margaret was planning to transfer herself and her son to Dalmatia. Genoa was persuaded not to help Margaret after she contacted them in 1388.<sup>20</sup> After Bishop Paul was taken prisoner by Neapolitan baron Tommaso Sanseverino who led a civil war against Ladislás, the Venetians had ships

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14 *Listine* 4, 222-224: August-September 1385.

15 *Listine* 4, 274: January 1390.

16 Frederic Lane, *Povijest Mletačke republike* (Zagreb: Golden marketing, 2007), 221.

17 On his career see: Šerban Marin, “A Venetian chronicler in Crete: the case of Lorenzo de’ Monaci and his possible Byzantine sources,” in *Italy and Europe’s Eastern Border: 1204-1669*, ed. by Iulian Mihai Damian, Ioan Aurel Pop, Mihailo Popović and Alexandru Simon (Frankfurt am Main: Peter Lang, 2012), 237-240.

18 Ilona Edit Ferenczi, *Poetry of Politics: Lorenzo Monaci’s Carmen (1387): The daughter of Louis I, Queen Mary of Hungary in Venetian Eyes* (Stuttgart: VDM Verlag, 2009), 33-8.

19 *Zagrabiae praesul, caput inceptorque malorum / Tantorum, ad facinus quodcumque paratior ipsis* (Ferenczi, *Poetry*, 35).

20 *Listine* 4, 250; Cutolo, *Re Ladislao I*, 81-82.

patrolling the area; a letter that was taken from Paul, written by Queen Margaret, was sent to Lorenzo to be given to Sigismund. Margaret was probably planning to transfer herself and her son to Dalmatia as the situation in Naples deteriorated after 1386: Margaret and Ladislav abandoned Naples for the safety of Gaeta; parts of the Neapolitan nobility supported Duke Louis II and held parts of the Regno; and Pope Urban VI was marching at Naples with an army. By 1392 Venice was still blocking the attempts by Ladislav to move to Dalmatia.<sup>21</sup>

### ***Cum consensu et auctoritate***

In May 1390 two cardinals sent by Boniface IX crowned Ladislav “King of Hungary, Sicily and Jerusalem.”<sup>22</sup> Boniface was aware of Ladislav’s claims on Hungary, yet Ladislav turned out to be useful and came to Boniface’s aid several times, quelling rebellions in the Papal States.<sup>23</sup> Cardinal Angelo Acciaiuoli, whose family was closely connected with the history of Naples and Florence, became the papal legate and regent in Naples. Together with Queen Margaret he was co-signing the royal charters. Yet, his name is missing from charters granted to the Hungarian rebels in 1391 and 1392.<sup>24</sup> In the charters from June to October 1391, Angelo’s name is listed but he is always referred as absent.<sup>25</sup> In October 1392 his name is completely missing, with the Queen Mother Margaret being the only regent that grants consent.<sup>26</sup> Either Boniface was deliberately avoiding the problem in favour of maintaining good relationships with both Ladislav and Sigismund, or the actual rule rested in the hands of Margaret and Ladislav. Margaret withdrew from her post as regent in July 1393, granting full power over the kingdom to Ladislav.<sup>27</sup>

The coronation marked a shift in the Neapolitan politics toward the rebels as the court became more active. Yet in Dalmatia it was King Tvrtko of Bosnia who claimed the Dalmatian cities. The conquest was

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21 Šišić, *Vojvoda Hrvoje*, 83. Šišić quotes unpublished charter mentioned in the work: Ignaz Aurelius Fessler (ed.), *Geschichte von Ungarn* (Leipzig: Brockhaus, 1869), 258.

22 Hóman, *Gli Angioni*, 491.

23 John Watts, *The Making of Politics: Europe, 1300–1500* (Cambridge: Cambridge University Press, 2009), 294.

24 Previously referred to as the fourth and the fifth trip that the rebels took to Naples.

25 ... *tamquam nomine suo, quam reverendissimi in Christo Patris dni. Angeli tituli S. Laurentii in Damaso presbyteri cardinalis, apost. sedis legati, nostril similitur balii hinc absentis* (Franjo Rački (ed.), “Izvadci iz kraljevskoga osrednjega arkiva u Napulju za jugoslavjensku poviest,” *Arhiv za povjestnicu jugoslavensku* 8 (1868), 28-35).

26 Rački, “Izvadci,” 36-37.

27 Cutolo, *Re Ladislao I*, 148.

followed by the reliance and control through the Church. Archbishop Andrew of Split (1389-1402) went to Tvrtko's court in Sutjeska where he gained confirmations for the Church of Split.<sup>28</sup> After conquest of Knin, Tvrtko tried to directly control the bishop there. The incumbent Paul (1373-1397) escaped and Tvrtko placed his chancellor, Michael, priest from Dubrovnik, as the bishop, yet he did not receive the confirmation by the pope.<sup>29</sup> The change happened with Tvrtko's death in 1391. Although a new king Stephen Dabiša (1391-1395) was crowned the true power was in hands of the key oligarchs, Vuk and Hrvoje Vukčić, whose support Ladislav attempted to obtain by naming them bans in Croatia. Both bans protected the Church as parts of their control over Dalmatia and Croatia. Yet Sigismund was able to effectively crush the rebellion by 1394 drawing Dabiša and his oligarchs to his side and taking Bishop Paul and allies as prisoners.

It seems that Paul was alone amongst the prelates in the active participation in the rebellion as he also pawned his possessions to raise mercenaries.<sup>30</sup> The prelates favoured order and stability, and during this period were increasingly involved in the secular politics as diplomats or royal representatives. Archbishop Hugolin of Split (r. 1349-1388) relied on the queens to force the *comites* of Klis and Bistrica, situated in the archbishop's diocese, to pay tithes to the archbishop.<sup>31</sup> Sigismund appointed the bishop of Senj as royal vicar general in Croatia and Dalmatia.<sup>32</sup> He was backed by Count John of Krk, who participated in the rescue of Queen Mary in 1387, and was regarded as the strong pillar of the Sigismund reign in the south.<sup>33</sup> Count John became ban of the kingdom in 1392.<sup>34</sup> He sent the bishop of Senj to diplomatic missions to Venice trying to obtain help against Zadar, and later bishops of Nin and Krbava as his representatives to Zadar to negotiate peaceful settlement of the conflict.<sup>35</sup> In 1394 King Dabiša of Bosnia sent Michael, a priest from Dubrovnik and chaplain of the king, to Venice.<sup>36</sup> This is

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28 Milko Brković, "Srednjovjekovne isprave bosansko-humskih vladara Splitu," *Starohrvatska prosvjeta* 36 (2009), 375-376.

29 *Michaelis de Ragusio electi episcopi Tniniensis et in hac parte cancellarii nostri* (Brković, "Srednjovjekovne isprave," 372-373). Since he was mentioned in the papal registers as being given the right to administer the diocese, and not the confirmation, it would seem that Tvrtko asked the pope for the consecration: Conrad Eubel (ed.), *Hierarchia Catholica Medii Aevi sive summorum pontificum* (hereafter HC), vol. 1 (Munster: 1913), 486.

30 Šišić, *Vojvoda Hrvoje*, 50.

31 Source published in: Ančić, *Putanja klatna*, 265, dated January 10, 1385.

32 .. *in regnis Dalmatie et Croatiae vicarius generalis*. CDC 17, 166, dated September 20, 1388.

33 Vjekoslav Klaić, *Krčki knezovi Frankapani* (Zagreb: Matica hrvatska, 1901), 183-188.

34 Klaić, *Krčki knezovi*, 184-185.

35 *Memoriale*, November 12, 1393.

36 *Michaelem Dominici, presbyterum Ragusinum capellanum suum* (Listine 4, 323-324).

probably the same Michael that Tvrtko tried to install in Knin earlier, and would indicate that despite the change on the royal throne the loyal prelates could retain their important positions in the court. The Hungarian royal court tried to control the bishopric of Zagreb following the rebellion of Paul. After the death of Charles, Paul was removed from Zagreb and after that every subsequent bishop of Zagreb was appointed by the king's order and with the approval of the pope. As the bishop of Zagreb, the queens appointed their supporter John II Smilo Bohemus (1386-1394), while his successors, John III of Scepus (1395-1397) and Eberhard (1397-1406, 1410-1420), were appointed by King Sigismund. The position of the bishop of Zagreb reflects the best the new politicized function of the prelate as Sigismund would use the bishops of Zagreb to control the utmost southern parts of the kingdom. As these examples show the prelates either acted as the royal representative or worked together with the royal representatives. The bishop of Senj was vicar general, the bishops of Nin and Krbava acted on the behalf of Ban John of Krk, while Bishop John of Zagreb would have royal mandate in 1396 to solve problems in the south, and Bishop Eberhard was appointed co-ban in 1402 and chancellor of the kingdom in 1403.<sup>37</sup>

It seems that this period brought a change in the position and understanding of the prelate. In 1392 Archbishop Andrew of Split started to build a fort. This was something normal for bishop of Zagreb, who led army, controlled nobility in his diocese and had castles under his command, but was somewhat unusual for a Dalmatian prelate, concentrated on urban communities, especially in the time of civil war. This was happening during the Bosnian control of the region, and the Bosnian duke, Ban Vuk, was worried about the true purpose of the fort, yet Andrew persuaded him that it was meant to protect the archbishop's servants against robbers.<sup>38</sup> Actually, as further events show Andrew would use the fort for protection, but also in his conflicts with his commune.

## **Between centralization and revolt**

During the period of 1397-1402 there was an increase in violence against the bishops, their property and their rights.<sup>39</sup> At the hearth of the conflict were the resistance to paying tithes, the control of the

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37 Andrija Lukinović, “Zagrebački biskupi Ivan Smilo i Ivan Šipuški 1388-1397,” *CCP* 14 (1991), 195-199; Andrija Lukinović, “Zagrebački biskup Eberhard,” *CCP* 15/28 (1991), 1-13.

38 CDC 17, 458-60, dated October 10, 1392.

39 Not to mention well documented conflicts in Zagreb during the entire 1390s between the bishop and the citizens over the bishop's attempts to increase his incomes.

episcopal elections and the limitations to the episcopal jurisdiction and immunity of the clergy. The violence would usually erupt either with the refusal to pay the tithes or counter-violence by the tithe collectors. Violence also erupted during the change on the episcopal see: the bishop would be forced to leave so that the conflict within the diocese would be solved, or prelate met the opposition from the diocese after the appointment. For support prelates usually turned either to the royal or papal support with varying degree of results.

The periodization is in no way arbitrary; it relates to Sigismund's return after the defeat at Nicopolis (1396), his attempts to enforce his authority in the south and solve his financial situation by taxing the cities. Sigismund attempted to solve the accumulated problems in the south by supporting the prelates in their conflicts with the communes. In return, Sigismund probably expected that prelates would accept the introduction of a Church tax that Sigismund enforced during this period.<sup>40</sup> His attempts, and especially the new tax, failed in 1402 once the Bosnians and Neapolitans started to overtake the cities following the revolt against Sigismund in Hungary. The new tax probably led some previously loyal Sigismund supporters, like the archbishop of Esztergom, John of Kanizsa, to side with the rebels.

The question of Zadar reveals the problematic relationship between the pope, the king and the commune over the rights and the position of the prelate. In 1397 Sigismund invited ten noblemen from Zadar to investigate them for treason and, after some failed to appear, confiscated their property.<sup>41</sup> The brothers Matafaris – Guido, Louis and Archbishop Peter of Zadar – were among the ones accused. The brothers escaped the city, but Peter was not even in the kingdom. At least from 1396 he was in the Papal States where he was appointed as *reformer et vicerektor in temporalibus generalis* of the March of Ancona with the powers of rector.<sup>42</sup> Peter was the right hand of the papal brother Andrew Tomacelli, rector of the one of the biggest provinces of the Papal States where Andrew was sent to pacify the region on the behalf of his brother Pope Boniface IX.<sup>43</sup> The appointment would suggest that the pope relied

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40 Serđo Dokoza, "Sigismundov porez na Crkvu," *Povijesni prilozi* 41 (2011), 133-142. Since not many sources remained, the tax is nowadays unknown. Due to the sources Dokoza concentrated on Zadar, but Sigismund's order shows that all the prelates were affected by the tax (CDC 17, 502, dated November 19, 1399).

41 For background see: Mladen Ančić, "Od tradicije "sedam pobuna" do dragovoljnih mletačkih podanika: Razvojna putanja Zadra u prvome desetljeću 15. stoljeća," *Povijesni prilozi* 37 (2009), 50-51.

42 Arnold Esch, *Bonifaz IX. und der Kirchenstaat* (Tübingen: Max Niemeyer, 1969), 167, 530. In this position Peter was from July 18, 1396 to August 3, 1398.

43 See also: Peter Partner, *The Lands of St. Peter: The Papal State in the Middle Ages and the Early Renaissance* (Berkeley: University of California Press, 1972), 376.

on Peter, but the archbishop was already well known to the Papal Curia. During the pontificate of Boniface's predecessor, Urban VI, Peter spent almost a year in Rome.<sup>44</sup> Peter spent considerable time outside of his office and did not perform the duties of a consecrated archbishop. It seems that the pope relied on Peter more for his political duties in the Papal States than the spiritual ones in Zadar.

The example of Zadar clearly shows the vacuum of power and the conflict that could erupt during the episcopal vacancy. Peter was forbidden to return, but the commune lacked the spiritual leader<sup>45</sup> so the clergy elected a new archbishop, John IV.<sup>46</sup> John attempted to establish his authority in the city which led him into conflict with his clergy, and Sigismund tried to use this conflict to enforce royal authority over the city.<sup>47</sup> The pope could not recognize John since Peter was still alive and officially the archbishop, but further events show that it was highly unlikely that the pope would ever confirm the cathedral chapter's election. In October 1398 Anthony de Benedicto was appointed to administer the diocese<sup>48</sup> and following Peter's death (March 20, 1400) John was rejected and the pope appointed Luke of Fermo (1400-1420) as the archbishop. The place of Luke's origin is significant. Fermo is situated in the March of Ancona and his appointment could have been due to his connection with the Papal Curia via either Peter or Andrew Tomacelli who spent time in Fermo solving local conflicts.

The prelates during this period relied on higher authorities for support in ruling their diocese. The reliance on the pope mostly came at the beginning of the episcopal office. Both Luke of Fermo in 1400<sup>49</sup> and Andrew of Split in 1390<sup>50</sup> had problems in their dioceses immediately after the appointment by the pope. Although the results in both cases are unknown, at least Andrew would rely more on the help of the king for serious conflicts in the commune, as there are no sources

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44 Noted in *Memoriale*: Peter left on March 15, 1384 and returned on February 25, 1385.

45 During the 1397 Peter is still listed as the archbishop in the royal and city charters. For Zadar, see: CDC 18, 237-238, July 24, 1397; for royal charters: 205, March 4, 1397; 330, March 26, 1398; 363, September 9, 1398.

46 First mentioned CDC 18, 331, April 6, 1398; Daniele Farlati, *Illyricum Sacrum*, vol. V (Venice: Apud Sebastianum Coleti, 1751), 109: quoted the opinion of Valerio Ponte who said that John was installed with the help of King Sigismund. The problem with this interpretation was the fact that Sigismund sided with the clergy and not with, supposedly, his candidate and that the royal charters were still referring to Peter as the archbishop and not John.

47 CDC 18, 421-422, February 2, 1399.

48 Augustine Theiner (ed.), *Vetera monumenta Slavorum meridionalium historiam illustrantia*, vol. 1 (Rome: Typis Vaticanis, 1863), 343, October 15, 1398.

49 Ferdo Šišić (ed.), “Nekoliko isprava s početka 15. stoljeća,” *Starine* 39 (1938), 135-136, January 8, 1401.

50 CDC 17, 265-266, March 1, 1390.

of his further connections with the papal court. But the royal support was only as good as the royal strength. By relying on the royal support Andrew took over bigger responsibilities in Split during the 1390s which were connected with the civil war, the conflict with the secular lords in his diocese over the tithe, and the communal conflicts in Split.

After finding protection with Tvrtko, and later his bans, Andrew probably realized that during the civil war he had to rely on his own forces. As described earlier he built a fort. In the conflicts with the Lord Ivan Nelipčić over the tithe the archbishop's possessions were attacked, but Andrew's reliance on the royal support solved the problem, temporarily.<sup>51</sup> Andrew's territories were targeted by Nelipčić precisely during the time of royal vacuum in the south. The problems with the tithes led Andrew to work on determination of episcopal incomes and tithes in his archdiocese of Split; in 1396 he ordered the bishop of Krbava to create a list of who was paying tithe in Krbava,<sup>52</sup> and in 1397 Andrew obtained the royal confirmation for the list of possessions of the Church of Split.<sup>53</sup> In 1398 a revolt broke out in Split and dissatisfied citizens found shelter in Trogir. The exiled citizens were supported by Nelipčić and Hrvoje Vukčić who were in contact with the pretender Ladislav of Naples. It seems that Andrew's soldiers actively participated in the conflict.<sup>54</sup> Peace between the two communes became possible once Sigismund supported Andrew in 1401 and Sigismund's bans sponsored the peace talks.<sup>55</sup> But the peace was overturned with the revolt against King Sigismund, as the exiled citizens victoriously returned to Split and Andrew was forced to escape the city and seek refuge with Sigismund. The example of Split shows a prelate who understood the change in his position and tried to adapt to the period of civil war by actively improving his own military and political capabilities.

The conflicts over the appointments reveal the division of strength in the kingdom. In Split Archbishop Andrew's predecessor Hugolin was forced to resign in 1388 due to the conflict with the commune. The commune even asked King Sigismund to mediate with the pope and have Hugolin replaced.<sup>56</sup> The papal scribe Anthony of Gualdo registered the Hugolin's note of resignation and also contributed that Andrew of Gualdo, Anthony's relative or compatriot,

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51 The attacks on the archbishop's possessions were occurring during the civil war. After 1394 the conflict ceased and in 1395 the king settled the conflict over the tithe between the archbishop and Nelipčić: Klaić, *Povijest Hrvata* II, 310.

52 Maybe he asked other dioceses to create their own lists, but the sources were not preserved.

53 CDC 18, 230-1, June 29, 1397.

54 ... *quidam familiares domini archiepiscopi* (*Memoriale*, June 28, 1398).

55 Šišić, "Nekoliko isprava," 139-143, February 9-13, 1401.

56 Grga Novak, *Povijest Splita*, vol. 1 (Split: Čakavski sabor, 1978), 279-280.



to be appointed as the archbishop.<sup>57</sup> Like Luke of Zadar and the bishops of Zagreb, the example of Split shows that during this period episcopal office was increasingly obtained due to the connection with either the secular ruler or the pope. But the communes started to express dissatisfaction with being excluded from the election. After Andrew's exile, the commune elected a new archbishop, Marin Cutheis. In an unratified treaty in 1402 with King Stephen Ostoja of Bosnia the commune emphasized the desire not to be forced to accept a foreign prelate and that the candidate they elect be accepted by the king.<sup>58</sup> A clear shift from before is visible. While in 1388 they demanded that Hugolin be removed and better person be appointed; now they demanded the right to appoint the archbishop themselves. Since Split was seized by King Ladislav of Naples the communal choice was rejected and the pope appointed a new archbishop, Peregrinus of Aragonia (1403-1409), on the recommendation by Ladislav.<sup>59</sup>

During this period the pope and the king not only appointed prelates but were also able to replace them. In Zagreb the same person received the support of either the king or the pope at different times. Bishop John procured the bishopric of Zagreb with the help of Sigismund but also lost it in 1397 after a very violent conflict with his commune,<sup>60</sup> which led John to seek shelter in Rome. After the archbishop of Kalocsa died at the Curia, the pope could immediately provide John with a replacement diocese by appointing John as the archbishop.<sup>61</sup>

Bishop Anthony of Šibenik (r. 1395-1402) also relied on the support from Sigismund in his conflict with the commune. In 1397 Anthony obtained a privilege that the communal authorities could neither judge nor tax the bishop's subjects.<sup>62</sup> This problem was present

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57 Pope later explained that Hugolin had valid reasons to resign without specifying them. The pope probably wanted to avoid worsening of the conflict between Hugolin and the commune. CDC 17, 265-6, March 1, 1390.

58 Published in: Brković, “Srednjovjekovne isprave,” 380-384.

59 Ivan Lucić (ed.), *Povijesna svjedočanstva o Trogiru*, vol. 2 (Split: Čakavski sabor, 1979), 840.

60 Imre Bárd presumes that John was removed due to the court struggle between groups of Sigismund supporters. See: Imre Bárd, *Aristocratic Revolts and the Late Medieval Hungarian State A. D. 1382-1408*, unpublished doctoral thesis (Washington: University of Washington, 1978), 47-49. Andrija Lukinović presumed it was because he was involved in the rebellion against the king: Lukinović, “Zagrebački biskupi,” 198. Even after the revolt of February 1397 John enjoyed royal favour as the bishop was appointed *comissarii regii constituntur* for Croatia. This would suggest that the king replaced John due to his mishandling of the conflict in his diocese.

61 Šišić, “Nekoliko isprava,” 154-155, March 28, 1401. On his background see: Peter Labanc, “Die Agnen und Verwandten des Zagreber Bischofs Johannes von der Zips (1394-97),” in *Slovakia and Croatia, Historical Parallels and Connections (until 1780)* (Bratislava: Faculty of Philosophy of Comenius University, 2013), 246-258.

62 Josip Barbarić and Josip Kolanović (ed.), *Šibenski diplomatarij. Diplomatarium Sibenicense* (hereafter ŠD) (Šibenik: Muzej grada Šibenika, 1986), 149, then reissued on May 18, 1400.



in other dioceses: in Trogir in 1403 the commune broke the immunity of the Church by directly taxing the subjects of the bishop of Trogir in attempts to gather more money in the preparation for the arrival of Ladislav of Naples.<sup>63</sup> The commune taxed both the population and the clergy which means that they did not see a difference between secular and spiritual spheres. The results of complaint by the bishop of Trogir are unknown. In Šibenik there was some resistance from the commune regarding some of the tithes that the bishop collected.<sup>64</sup> The problems in Šibenik remained as the decrees were reissued in 1400. Later it was claimed that the bishop's collectors used violence to force the population and that is why conflicts erupted. The conflict was resolved in March 1402 when the synod of the Church of Split gathered and the bishop of Šibenik received some lands as compensation for the tithes.<sup>65</sup> The possibility of peaceful settlement came only after Anthony was transferred to another diocese, while the position of the bishop was taken by the primicerius of the Church of Šibenik, Bogdan Pulise. The commune was dissatisfied with Anthony, and although the pope took Anthony's side, it seems that he transferred Anthony and allowed the elections in the cathedral chapter to avoid further conflicts.<sup>66</sup> Like the events in Split, when in 1412 Venice occupied Šibenik the commune demanded the right to elect their own bishop<sup>67</sup> and which could suggest dissatisfaction of communities with being unable to elect their own prelates.

### *Circa recuperacionem regni Hungarie*

The period of 1402-1403 was a true test for Sigismund as he was imprisoned, dethroned, faced a massive revolt and also invaded from Naples. On the invitation of the rebellious Hungarian nobility Ladislav landed in Zadar in August 1403 and was crowned as king.

Pope Boniface IX – who previously recognized two rulers, Sigismund and Ladislav, as the kings of Hungary – now had to officially support Ladislav. In April 1403 Boniface granted Ladislav the use of tithes from the Neapolitan churches.<sup>68</sup> Angelo Acciaioli was appointed

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63 Ladislav Dobrica (ed.), "Registra medievalia Capitulorum Iadre et Spalati and Liber Bullarum," *Fontes, Izvori za hrvatsku povijest* 20 (2014), 227-229.

64 ŠD, 189, then reissued on May 19, 1400.

65 ŠD, 37-41, March 20, 1402.

66 ŠD, 136-138, December 15, 1402.

67 Josip Barbarić, "Šibenik, šibenska biskupija i šibenski biskupi," in *Sedam stoljeća šibenske biskupije*, ed. by Vilijam Lakić (Šibenik: GK "Juraj Šižgorić," 2001), 108.

68 Cutolo, *Re Ladislao* I, 250-58, April 23, 1403.

*legatus a latere* to escort Ladislav to Dalmatia with a clear task *circa recuperacionem regni Hungarie*<sup>69</sup> making sure that Ladislav obtained the crown. The pope also recognized Rupert as the emperor of Germany in November 1403.<sup>70</sup> This was aimed at combating Sigismund in both Hungary and Germany, as in 1402 Wenceslas appointed Sigismund as the *Reichsvikar* of the Holy Roman Empire.<sup>71</sup> A possible conflict between Ladislav and Sigismund meant conflict between Naples and Hungary and Germany, which therefore made Rupert a desirable ally in the fight against Sigismund.

In Hungary the pope also employed the by then well-established papal tactic of getting undesirable prelates out of the way. Andrew of Split was transferred to the titular church of Samaria (Palestine),<sup>72</sup> while Eberhard of Zagreb was appointed to the titular diocese of Selymbria (near Istanbul), at that time occupied by the Ottomans. Archbishop John of Kalocsa, was moved to Zagreb to oust Sigismund's supporter Eberhard, while Trogir's bishop, Chrysogonus, was appointed archbishop of Kalocsa.<sup>73</sup> Eberhard was, however, not naïve, and refused the papal order, only to be excommunicated forthwith. Although excommunicated, Eberhard remained the bishop of Zagreb. Eberhard was one of the foreigners that Sigismund elevated and protected and who would return the favour during the revolt of 1402-1403. The foreign bishops were more dependent on the king's support, than that of the papacy or local nobility.<sup>74</sup>

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69 Augustinus Theiner (ed.), *Vetera monumenta historica Hungariam Sacram illustrantia*, vol. 2 (Rome: Typis Vaticanis, 1860), 172-174, June 1, 1403. See, also: Esch, *Bonifaz IX*, 398.

70 November 1, 1403, *Lexikon des Mittelalters*, vol. 2 (Stuttgart: J. B. Metzler, 1999), 417.

71 Rupert, Count of Palatine, was elected in 1400 after the electors dethroned Wenceslas IV. On the background and the events depicting the overthrowing of Wenceslas and election of Rupert see: Andreas Büttner, *Der Weg zur Krone: Rituale der Herrschererhebung im spätmittelalterlichen Reich*, vol. 2 (Ostfildern: Jan Thorbecke Verlag, 2012), 447-476. Wenceslas was Sigismund's half-brother, but the two had problematic relationship as they sometimes supported each other and sometimes they fought. The pope at first withheld his recognition but decided to accept Rupert after Sigismund captured Wenceslas and had him proclaim Sigismund as Wenceslas' deputy in the Empire. The conflicts are covered by Jörg Hoensch, *Kaiser Sigismund, Herrscher an der Schwelle zur Neuzeit, 1368-1437* (Munich: Beck, 1996), 94-107. In 1410 Sigismund undermined Wenceslas' attempt to regain the German throne in the elections after Rupert's death by gaining the support of electors for himself. Holmes, *Hierarchy and Revolt*, 108, 197-199.

72 HC, 459-460.

73 Šišić, “Nekoliko isprava,” 206, June 2, 1403.

74 Bárd, *Aristocratic Revolts*, 87.

## *Placitum regium*

Sigismund saw the papal help to Ladislav as an infringement on the authority and rights of the king. He proclaimed the *Decretum* on 6 April 1404 in Pressburg outlining the royal rights (*placitum regium*).<sup>75</sup> Sigismund ordered that no prelate in Hungary may receive papal benefices or any order from the Apostolic See or its representatives without consent from the king. Sigismund accused the Apostolic See of attempting to transfer Sigismund's crown to Ladislav.<sup>76</sup> The king proclaimed himself "the patron and defender of all the churches of the realm,"<sup>77</sup> and used the conflict with the pope and Ladislav to consolidate the authority over all his subjects, both lay and clerical.

Following the *Decretum* of 1404 an interesting contrast in the papal-royal relationship can be seen as Sigismund would either leave bishoprics empty or fill them with people directly loyal to him, while the vacant seats' incomes would be directly transferred to the royal treasury.<sup>78</sup> In Hungary the effects of Sigismund's *Decretum* were the creation of ruling strata out of those who supported Sigismund. These interest groups still maintained a hold over their positions by 1433, controlling the episcopacy and electing prelates in Hungary from within.<sup>79</sup> For instance, when Eberhard died he was succeeded by his nephew John of Alben (1420-33).

In official royal documents the dioceses south of the Drava not controlled by the king were listed as vacant.<sup>80</sup> As we have seen, in the Dalmatian cities and Hungary the episcopal office was increasingly obtained due to the contacts with the royal pretenders. Another process can be observed on the territories under the control of the secular barons. Using the succession crisis and the struggle between

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75 János Bak (ed.), *The Laws of the Medieval Kingdom of Hungary*, vol. 2 (1301-1457) (Salt Lake City: Schlacks, 1992), 29-30.

76 ... *et regni nostri motionum temporibus per bullatos ac alios auctoritate sedis apostolice, quam ad nostri honoris, status et gradus deiectionem, regni nostri et corone in alium translationem* (Bak, *The Laws* 2, 29).

77 Elemér Mályusz et al. (eds.), *Zsigmond-kori Oklevéltár*, vol 2/1 (Budapest: Akadémiai Kiadó, 1956), reg. 4247, November 13, 1405: *Volentes de incomoditatibus et dispendiis ecclesiarum regni nostri, quarum verum gerimus patronatum, regia liberalitate providere.*"

78 Imre Bárd, "The Break of 1404 between the Hungarian Church and Rome," *Ungarn Jahrbuch* 10 (1979), 59-65.

79 Erik Fügedi, "Hungarian Bishops," in Erik Fügedi, *Kings, Bishops, Nobles and Burghers in Medieval Hungary*, ed. by János Bak (London: Variorum, 1986), II, 378.

80 Archbishop seat in Zadar is listed vacant, even though there was Luke of Fermo, Split is listed as occupied by Andrew Gualdo who was exiled from the city in 1402, while Trogir, Skradin, Knin, Nin, Šibenik, Makarska, Hvar and Krkava are listed vacant. Senj was only "vacant" for short time during the conflict between the counts of Krk (the Frankapani) and Sigismund. Šišić, "Nekoliko isprava," 250, April 15, 1405; 262, November 28, 1405; 267, April 22, 1406; 314, November 14, 1408.

Sigismund and the papacy the local lords appropriated the patronage rights to appoint the bishops in Krbava and Senj.<sup>81</sup>

In 1401 the local nobility of Kurjakovići, backed by some clergy, robbed the possessions of the Bishop Nicholas of Krbava. The pope protected Nicholas by transferring him to Vác, appointed Stephen as new bishop,<sup>82</sup> and demanded that Nicholas's possessions be returned to him.<sup>83</sup> Yet neither Stephen, nor his successor from 1406, canon in Zagreb Stephen of Blagaj, from the kindred of the Babonići, came to the diocese. During this period Sigismund's royal charters listed Krbava as empty. Besides the control of the appointments, the episcopal vacancy also meant that the incomes and rights of the prelate went to the secular lord which could be another reason for the control of the diocese. Krbava was controlled by the Kurjakovići who sided with Sigismund, while Ladislav gave the possessions of the Kurjakovići to his Bosnian followers.<sup>84</sup> But the Kurjakovići remained in the possession of the diocese as in 1406 Stephen was translated to the position of bishop of Karpathos, a suffragan of Crete, while Stephen Babonić was also transferred to Karpathos after the death of Stephen in 1408.<sup>85</sup> Both Stephens found themselves ruling a diocese that was under the control of Sigismund, who after 1404 did not accept papal provisions in Hungary, so the pope gave them another diocese.

The power of the counts of Krk was strong enough on their territory to try to block the papal appointees to the dioceses under the count of Krk's authority, which happened in Senj in 1402.<sup>86</sup> Since Count Nicholas of Krk sided with Ladislav in January 1403<sup>87</sup> the pope probably did not resist the Nicholas intrusion to papal prerogatives. Because of Nicholas's support for Ladislav the position of the bishop of Senj was listed as empty in the royal charters. Yet Senj was again listed as occupied once Nicholas reconciled with Sigismund.<sup>88</sup>

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81 Here the process was at its beginning but would further develop during the fifteenth century. See: Borislav Grgin, “Krbavska i Modruška biskupija u kontekstu kasnosrednjovjekovne hrvatske povijesti,” in: *Humanitas et litterae: Zbornik u čast Franje Šanjeka*, ed. by Lovorka Čoralčić and Slavko Slišković (Zagreb: Kršćanska sadašnjost, 1998), 319-330.

82 Šišić, “Nekoliko isprava,” 175-176, July 25, 1401.

83 Šišić, “Nekoliko isprava,” 66-67, December 22, 1402. See, also: Mile Bogović, *Krbavska biskupija u srednjem vijeku* (Zagreb: Kršćanska sadašnjost, 1988), 62-63.

84 Ivan Botica, *Krbavski knezovi u srednjem vijeku*, unpublished doctoral thesis (Zagreb: University of Zagreb, 2011), 178-180.

85 Bogović, *Krbavska biskupija*, 63; Ančić, “Od tradicije,” 63-67.

86 *Bullae Bonifacii IX. P.M.IX. 1396-1404*, Monumenta Vaticana historiam regni Hungariae illustrantia, vol. 4 (Budapest: 1889), 481-484.

87 Klaić, *Povijest Hrvata II*, 353.

88 Klaić presumes that it already happened in late 1403 or early 1404. Klaić, *Povijest Hrvata II*, 380. From 1405 the diocese of Senj is again listed as occupied. Šišić, “Nekoliko isprava,” 262, November 28, 1405.

After Pope Boniface IX died in 1404 King Ladislas attempted to dominate the papacy which pushed Roman Pope Gregory XII (1406-15) to seek help from Sigismund. Feeling pressure from Ladislas both Gregory XII and Pisan Pope John XXIII (1410-15) actively worked with Sigismund on solving the Western Schism.<sup>89</sup> Sigismund therefore did not forcefully promote prelates in Hungary, but first named administrators, and later rewarded people loyal to him with the position of prelates and with the confirmation of one of the aforementioned popes.

A change in the position of the bishop occurred during this period. A prelate with the title of the diocese he did not hold appeared, and as the representative of the king performed important diplomatic missions or administered vacant dioceses. At some point these prelates would be rewarded for their active service. The bishops expelled from their diocese found shelter and service on royal courts. Although the transfer of Bishop John to Zagreb failed in 1403 he became the archbishop of Naples in 1407, while also shortly administering the diocese of Nin following the death of its bishop.<sup>90</sup> Besides managing the diocese of Zagreb and being the ban, Eberhard was appointed as the administrator of Varad and later as the bishop. Archbishop Andrew of Split administered the diocese of Eger and served as the chief diplomat for Sigismund as he had good contacts with the popes in Rome.<sup>91</sup> After Ladislas renounced his claim to Dalmatia and sold it to Venice in 1409, Sigismund was able to restore his authority over Croatia and Dalmatia. In 1412 the king ordered Split to reinstate Andrew as the archbishop, even threatening with military intervention if his order was not obeyed.<sup>92</sup> Since the royal power was now only nominal his actions were unsuccessful and Sigismund decided to reward Andrew by appointing him as the archbishop of Kalocsa in 1413.<sup>93</sup>

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89 István Zombori, Pál Cséfalvay and Maria Antonietta De Angelis, *A Thousand Years of Christianity in Hungary* (Budapest: Hungarian Catholic Episcopal Conference, 2001), 63-69.

90 Andrija Lukinović (ed.), *Povijesni spomenici Zagrebačke biskupije. Monumenta historica episcopatus Zagrabienensis*, vol. 5 (Zagreb: Kršćanska sadašnjost and Arhiv Hrvatske, 1992), 151-152, March 20, 1402; 349-350, July 19, 1410; HC, 197, 360, 538.

91 István Petrovics, "Bishops William of Coppenbach and Valentine of Alsán as diplomats," in *Le Diplomatie des Etats Angevins aux XIIIe et XIVe Siecles*, ed. by István Petrovics and Zoltán Kordé (Rome: Accademia d'Ungheria in Roma, 2010), 308-309.

92 Ladislav Dobrica (ed.), "Registra medievalia Capitulorum Iadre et Spalati and Liber Bullarum," *Fontes. Izvori za hrvatsku povijest* 20 (2014), 247-248, February 14, 1412.

93 Pál Engel, *Magyarország világi archontológiája, 1301-1457*, vol. 1 (Budapest: MTA Történettudományi Intézete, 1986), 84; HC, 197.

## Conclusion

The civil war dictated political actions of the prelates, but how the prelate would respond to the problems depended on the different social and political background of his diocese. Understanding the options available to the prelates, conflicts with their communities and pressures to which they were subjected helps us to better understand the relationship between the late medieval politics and religion. In the cities the prelate was entangled in the politics and the culture of the communal age, while outside of it he had to contend with the competing and often obstructive forces of the rural nobility.

As a consequence of the prolonged civil war the authority and the position of the prelates changed: the episcopal office was no longer for life. This was first marked by the appearance of the “contested” prelates who were actively involved in the civil war, and who would be forced to leave their diocese by the opponents and find shelter with their patron. Secondly, the prelates’ increased interest in the secular political duties, and his conflicts with his communities, led to weakening of the prelate’s authority and influence over the population.

The culmination of years of exercise of papal patronage was not questioned if the king benefited from it, and the pope and the king recognized each other appointments. This division of influence was quickly overturned when the papal and royal power clashed. The pope rewarded friends and obtained income from every appointment while king rewarded his supporters and placed allies on key positions within the kingdom. The popes and rulers expanded their prerogatives when it came to the appointments but the local communities and the political forces began to rebel against that and started to demand the right to appoint their own prelates. In the dioceses with rural nobility this led to the attempts to control the prelate, as the process of patronage rights started to develop with which the nobility legitimized the right to appoint prelates on their territory. The communes became dissatisfied with the prelates appointed from the outside and tried to regain what was seen as part of the communal rights: the ability to elect one’s own secular and spiritual leaders.



## Tomislav Matić

### Future Hungarian prelates at the University of Vienna during the 1430s\*

During the late medieval period, social hierarchy became porous enough for education to become an efficient method of climbing the social ladder. This was above all true for the ecclesiastic circles, because in the fifteenth century elevation of educated clerics to distinguished positions within the Church was encouraged by the papacy.<sup>1</sup> The universities were also generally successful when it came to “lobbying” at the Papal Curia for elevating a good number of university-educated clerics to higher ranks.<sup>2</sup> In the Kingdom of Hungary, most of the mid-fifteenth century prelates possessed at least some degree of university education, and the majority of them gained it at one specific university – the one in Vienna.

After the disturbances caused by the Hussite reform and wars that followed, the University of Prague became unappealing to foreigners, while Vienna became the focal point for Hungarian students.<sup>3</sup>

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1 The concordat between Pope Martin V and the German Nation, made at the Council of Constance, expressly reserved a certain percentage of chapter *stalla* for educated candidates, as well as a number of large parishes. Phillip H. Stump, *The Reforms of the Council of Constance (1414-1418)* (Leiden: Brill, 1994), 95. The educated clerics also had other advantages when it came to career advancement. Jadranka Neralić, *Put do crkvene nadarbine. Rimska kurija i Dalmacija u 15. stoljeću* (Split: Književni krug, 2007), 119, 149, 229.

2 This was done by presenting so-called *rotuli* to the Pope; these were waiting lists of sorts, with the names of candidates deemed worthy of ecclesiastic benefices. Stump, *The Reforms*, 81 and 90.

3 Joseph Ritter von Aschbach, *Geschichte der Wiener Universität in ersten Jahrhunderte ihres Bestehens* (Wien: Verlag der k. k. Universität, 1865), 347-348. When it comes to studies of particular regions of the Kingdom of Hungary, it is worth mentioning that Sándor Tonk’s analysis of Transylvanian students at European universities in the late medieval period reached the conclusion that the University of Vienna, with 1588 Transylvanian students enrolled between the years 1368 and 1520, attracted by far the most students from that region. See Sándor Tonk, *Erdélyiek egyetemjárása a középkorban* (Bucharest: Kriterion könyvkiadó, 1979), 43. Similar conclusions were drawn by Béla Kovács for the Heves county (Béla Kovács, “Studensek, magisterek, doktorok,” *Archivum – A Heves megyei levéltár közleményei* 11 (1983), 9, 32-39), Stanko Andrić for eastern Slavonia and Syrmia (Stanko Andrić, “Studenti iz slavonsko-srijemskog međuriječja na zapadnim sveučilištima u srednjem vijeku (1250.-1550.),” *Croatica Christiana Periodica* 20/37 (1996), 118) and Hrvoje Petrić for parts of medieval Slavonia (Hrvoje Petrić, “Prilog poznavanju intelektualnih gibanja u srednjovjekovnoj Slavoniji kroz veze s europskim sveučilištima s posebnim osvrtom na Križevce i okolici”, *Cris* 4/1 (2002), 29-30; “Studenti na zapadnim sveučilištima kao pokazatelj mobilnosti stanovništva zapadnog dijela srednjovjekovne Slavonije (Na primjeru koprnivničke Podravine do kraja 16. stoljeća)”, *Podravina* 2/4 (2003), 155-156).



Much of its appeal stemmed from it being close to Hungarian lands, but it should not be disregarded that studying in Vienna, when compared to other contemporary universities, was relatively cheap.<sup>4</sup> Besides that, the reforms of King Sigismund and his conflict with the Roman Papacy at the beginning of the fifteenth century made the ecclesiastic benefices in the Kingdom of Hungary mostly unattainable for papal officials, thus opening a wide path towards ecclesiastic advancement to local clerics.<sup>5</sup> If he was willing and capable of gaining some education, a cleric of relatively low birth was now able to, with a little luck, attain a high place within the ecclesiastic hierarchy.<sup>6</sup> The 1430s were significant in this aspect because they represent the pinnacle of Sigismund's era, after which a great decline in the influx of Hungarian students to the University of Vienna would follow, due to dynastic struggles in the Kingdom of Hungary and wars against Emperor Frederick III, which blocked access to Vienna to a good part of aspiring Hungarian students.<sup>7</sup> This paper will focus on the persons who managed to attain the highest positions in the Hungarian ecclesiastic hierarchy after their studies – those of bishops and autonomous provosts, and who were students in Vienna during the 1430s.

The University of Vienna was founded in the image of the University of Paris,<sup>8</sup> and its first distinguished professors were brought in from Paris.<sup>9</sup> Vienna's inner structure closely resembled

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4 Rainer Christoph Schwinges, "Admission," in: *A History of the University in Europe: Vol. 1 – Universities in the Middle Ages*, ed. by Hilde de Ridder-Symoens (Cambridge: Cambridge University Press, 1997), 185.

5 Elemér Mályusz, *Kaiser Sigismund in Ungarn 1387-1437* (Budapest: Akadémiai Kiadó, 1990), 261, 278.

6 It should also be mentioned that the emergence of a proto-bureaucratic machinery, embodied in the late medieval chanceries, also enabled clerics of relatively low birth to climb the social ladder. Mályusz, *Kaiser Sigismund*, 295 and 297; Paul-Joachim Heinig, *Kaiser Friedrich III. (1440-1493): Hof, Regierung und Politik*, vol. 1 (Wien – Cologne – Graz: Böhlau Verlag, 1994), 601.

7 According to Andrić's findings, the number of students from eastern Slavonia and Syrmia at the University of Vienna dropped drastically during the 1440s, only to recover in 1447 (Andrić, "Studenti iz slavonsko-srijemskog međuriječja," 137-138). This is the year when a truce was signed between Frederick III and the Kingdom of Hungary (Pál Engel, *The Realm of St. Stephen* (London – New York: I. B. Tauris Publishers, 2001), 289). Also, the total numbers of Hungarian students enrolled in 1437 (65), 1438 (100) and 1439 (84) should be compared with the numbers enrolled after the outbreak of dynastic struggles – 21 in 1440, 34 in 1441 and 48 in 1442: Anna Tüskés: *Magyarországi diákok a bécsi egyetemen 1365-1526. Students from Hungary at the University of Vienna 1365-1526* (Budapest: Eötvös Loránd Tudományegyetem Levéltár, 2008), 147-163.

8 Rashdall Hastings, *The Universities of Europe in the Middle Ages, Vol. II, Part I: Italy – Spain – France – Germany – Scotland etc.* (Oxford: Clarendon Press, 1895), 240.

9 Michael H. Shank, "Academic Consulting in Fifteenth-Century Vienna: The Case of Astrology," in *Texts and Contexts in Ancient and Medieval Science – Studies on the Occasion of John. E. Murdoch's Seventieth Birthday*, ed. by Edith Sylla and Michael McVaugh (Leiden – New York – Köln: Brill, 1997), 249.

its model's, with its division of students into four student nations. In Vienna those nations were the Austrian, Rhenish, Hungarian and Saxon.<sup>10</sup> There were 4141 students in the Hungarian Nation at the University of Vienna between 1385 and 1450, which is about equal to the Austrian Nation but much less than the Rhenish Nation. It should be noted that the Hungarian Nation did not consist only of students from the Kingdom of Hungary, but also from Bohemia, Poland and other Slavic lands. Generally speaking, members of this nation were quite successful in their studies: for example, at the Faculty of Law, Hungarian students made up a disproportionately large percentage of graduates, and Transylvanians were, as it seems, the most successful students there – two thirds of them made it to graduation.<sup>11</sup> As we shall see, most of the prelates mentioned in this paper studied canon law, probably because it was the most useful to aspiring Hungarian clerics, due to the key role the Church played in their country's legal system.<sup>12</sup>

In the late medieval period, students would usually enrol at the age of 14 or 15, but it was not unusual for much older men to enrol.<sup>13</sup> No previous knowledge or skills were required, except the basics of Latin and numeracy;<sup>14</sup> when it came to Latin, the University of Vienna offered a beginners course of Latin that could have been taken after admission to the University, and it was held at the chapter school of St Stephen's.<sup>15</sup>

When enrolling, he was obligated to pay the admission fee, the height of which depended on his social status. The fee reflected the weekly cost of a student's upkeep, and those who could afford a higher fee were given better treatment. But a student could also enrol as a *pauper*, in which case he would be forgiven the admission fee.<sup>16</sup> Most students would start their studies at the Faculty of Liberal

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10 Franz Gall, "Einleitung," in Franz Gall and Leo Santifaller (eds.), *Quellen zur Geschichte der Universität Wien, I. Abteilung: Die Matrikel der Universität Wien, 1. Band: 1377-1450* (Graz – Köln: Verlag Hermann Böhlhaus, 1956), XVII; Aschbach, *Geschichte der Wiener Universität*, 22, 38.

11 "Einleitung," in Kurt Mühlberger et al. (eds.), *Publikationen des Instituts für Österreichische Geschichtsforschung, VI. Reihe: Quellen zur Geschichte der Universität Wien, 3. Abteilung: Die Matrikel der Wiener Rechtswissenschaftlichen Fakultät, I. Band: 1402-1442* (Wien – München: Böhlau Verlag – Oldenburg Verlag, 2011), XVII-XVIII.

12 György Domokos, "Letture e biblioteche nel Quattrocento in Ungheria," in *Convegno Internazionale di Studi "L'Umanesimo Latino in Ungheria" Istituto Italiano di Cultura, Budapest, 18 aprile 2005*, ed. by Adriano Papo and Gizella Nemeth Papo (Treviso: Fondazione Cassamarca, 2005), 62.

13 Schwinges, "Admission," 182-183.

14 Gordon Leff, "The *Trivium* and the Three Philosophies," in *A History of the University in Europe*, 325.

15 Schwinges, "Admission," 177.

16 *Ibid.*, 185-185. In Vienna, about a quarter of students between 1377 and 1450 were *pauperes* (Gall, *Einleitung*, XXII).

Arts which, besides being a study in its own right, had the important role of preparing students for one of the higher faculties.<sup>17</sup> After two years of following courses, a student would attain the right to take the bachelor's exam.<sup>18</sup> In Vienna, these were held four times per year.<sup>19</sup> If he passed the exam, the candidate would eventually have to make his determination – a ritual which consisted of presiding over a discussion and independently verbalizing a conclusion (“determination”) after it.<sup>20</sup> In Vienna, during the first half of the fifteenth century the names of candidates for bachelors' exams were usually not recorded.<sup>21</sup> However, since a candidate had to have passed the bachelor's exam to make his determination,<sup>22</sup> lists of candidates for determinations are a good indicator of who possessed a bachelor's degree. The master's degree was awarded after the candidate passed the inception, a ritual not unlike a ceremonial final exam.<sup>23</sup> After that there was the obligation of teaching courses for two years, but many of the graduates tended to dodge it.<sup>24</sup> Many of those who honoured it would study at one of the higher faculties parallel to teaching.<sup>25</sup> There was also a step between the bachelor's and master's or doctor's degree – the licentiate. It consisted of proving that a candidate had attended the required courses and passed the required exams, passing the licentiates' exam and determining a discussion. But the licentiate had a much more important role at the higher faculties – especially law – than at the faculty of liberal arts – there it was simply a prerequisite for the master's inception.<sup>26</sup>

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17 Leff, “The *Trivium*,” 308-309.

18 Aschbach, *Geschichte der Wiener Universität*, 96.

19 Ibid, 72.

20 The right of “determining” a question was usually reserved for masters, but bachelors were also given a chance to determine during the course of their studies. Their discussions were usually held during Lent (Leff, *The Trivium*, 326-328).

21 Only the number of students taking the exam was usually recorded; for example: *Et fuerunt admissi 14 scolares ad examen* (Archiv der Universität Wien, Cod. Ph 7, Liber secundus actorum facultatis artium, 1416-1446, 126v); *Et admissi fuerunt 13 scolares ad examen* (127v); *Et admissi fuerunt 22 scolares ad examen* (128r). After that would follow the names of the four elected examiners for each of the four nations. The letter “M” before the person's name meant that they held the title of master, and the nations were listed by numbers, with the Austrian being the first.

22 Olga Weijers, “Les règles d'examen dans les universités médiévales,” in *Philosophy and learning: Universities in the Middle Ages*, ed. by Maarten J.F.M. Hoenen, Jakob Hans Josef Schneider and Georg Wieland (Leiden: Brill, 1995), 208-209.

23 Leff, “The *Trivium*,” 328; Aschbach, *Geschichte der Wiener Universität*, 97.

24 University professors did not insist on enforcing this obligation, since it would also endanger their positions. In Paris it was dropped completely in 1452. Jacques Verger, “Teachers,” in *A History of the University in Europe*, 147.

25 Aschbach, *Geschichte der Wiener Universität*, 68.

26 Verger, “Teachers,” 145-147; Aschbach, *Geschichte der Wiener Universität*, 75.

The University of Vienna separated its academic year into two semesters. The winter semester, and the academic year, would start on St. Colman's Day (October 13), and the summer semester on St. Tiburtius' and Valerian's Day (April 14). Rectors were elected on those days, to a term of one semester.<sup>27</sup> Lectures would start at the beginning of the academic year, but the duration of courses varied from a few weeks to most of the year. About a month before the beginning of the academic year, on September 1, teachers would be assigned to courses and receive the necessary textbooks.<sup>28</sup>

The list of the future Hungarian prelates at the University might begin with Benedict of Zvolen, who would later become the Bishop of Zagreb (1440-1454), although the duration of his reign is disputed.<sup>29</sup> He enrolled in the summer semester of 1423,<sup>30</sup> had his determination in 1426,<sup>31</sup> and inception in 1429.<sup>32</sup> Parallel to his studying at the Faculty of Liberal Arts, he was also studying theology, an unique case among the group studied in this paper.<sup>33</sup> After his inception he started working as a teacher at the Faculty of Liberal Arts, in accordance with the usual graduates' obligation of teaching for two years. He is one of only two future Hungarian prelates mentioned in this paper who honoured this obligation. Benedict was the examiner of the Hungarian Nation at a bachelor's exam in June 1432,<sup>34</sup> and in the academic year 1432/33 he taught a course on Aristotle's *On the Soul*.<sup>35</sup> This was one of Aristotle's lesser writings on natural philosophy, which were usually taught together as *Parva naturalia*, but sometimes also separately.<sup>36</sup> Years later, in 1450, one of Benedict's adversaries,

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27 "Einleitung," X; Aschbach, *Geschichte der Wiener Universität*, 56 and 63.

28 Christoph Flüeler, "Teaching Ethics at the University of Vienna: The Making of a Commentary at the Faculty of Arts (A Case Study)," in *Virtue Ethics in the Middle Ages: Commentaries on Aristotle's Nicomachean Ethics, 1200-1500*, ed. by István P. Bejczy (Leiden: Brill, 2008), 278.

29 Andrija Lukinović, "Biskup Benedikt de Zolio (1440-1454)," in *Zagrebački biskupi i nadbiskupi*, ed. by Franko Mirošević (Zagreb: Školska knjiga, 1995), 189-197. However, the author does not mention Benedict's studies in Vienna, but Anna Tüskés does mention him as a student in Vienna (he is listed under number 1656 in her book): *Magyarországi diákok*, 113.

30 Gall and Santifaller, *Die Matrikel der Universität Wien*, 141.

31 Thomas Maisel and Ingrid Matschinegg (eds.), *Acta Facultatis Artium II: Personen-Nennungen im Zusammenhang mit Prüfung, Graduierung und Verteilung der Vorlesungsthemen (1416 bis 1447)*. "Wiener Artistenregister" 1416 bis 1447 (Wien: Archiv der Universität Wien, 2007), 51.

32 Ibid, 67.

33 Tüskés, *Magyarországi diákok*, 113. He enrolled in the Faculty of Theology in 1426.

34 Ibid, 86.

35 Ibid, 87.

36 Of these writings, *De generatione et corruptione* was most often taught separately (Aschbach, *Geschichte der Wiener Universität*, 91-92). *On the Soul* was quite controversial in the thirteenth century, primarily because of Averroës' commentaries (Leff, *The Trivium*, 322).

John Vitéz of Sredna (who will also be mentioned in the following lines) wrote that Benedict bore the titles of doctor of liberal arts and bachelor of theology.<sup>37</sup> Although the title of master was normally bestowed upon Viennese graduates of liberal arts,<sup>38</sup> the title of doctor was also sometimes used, perhaps with those who actually spent some time teaching, as Benedict did.<sup>39</sup>

Benedict's future competitor for the bishop's see of Zagreb and bishop of Knin and Győr, Demetrius Čupor of Moslavina,<sup>40</sup> enrolled two years later, in the summer of 1425;<sup>41</sup> he was about 14 years old at the time.<sup>42</sup> As was already mentioned, this was the usual age for freshmen to enrol. Demetrius had his determination on New Year's Day 1428,<sup>43</sup> and in the summer of 1429 he enrolled in the Faculty of Law.<sup>44</sup> However, this is where we lose track of him, although he was still claiming to be a student in 1433.<sup>45</sup> Demetrius was bishop of Knin in 1438, but in late 1443 he tried to take over the bishop's see of Zagreb. He was prevented by a military intervention of Benedict of Zvolen and his lay patrons, the counts of Celje, who drove away Demetrius and his supporters within the Chapter of Zagreb in the spring of 1445.<sup>46</sup> Even after Benedict's death Demetrius continued trying to take charge of the Diocese of Zagreb, sometimes even successfully, until he

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37 Iván Boronkai (ed.), *Bibliotheca Scriptorum Medii Recentisque Aevorum, Series nova, Tomus III. Iohannes Vitéz de Zredna. Opera quae supersunt* (Budapest: Akadémiai kiadó, 1980), 150.

38 Although the titles of master and doctor were not used as synonyms, they in practice meant that their holder had the capacity to teach at a university (Verger, "Teachers," 144-145).

39 Aschbach mentions the latter explanation, but disregards it as incorrect, claiming that, unlike in Paris, in Vienna there was no doctor's degree in liberal arts, only master's (Aschbach, *Geschichte der Wiener Universität*, 76). He either ignored or was not aware of the fact that some Viennese graduates did call themselves *artium doctores*, usually those who spent some time teaching. For example, John of Tapolca, provost of Oradea from 1445, called himself that (Magyar Nemzeti Levéltár Országos Levéltára, Diplomatikai Levéltár (MOL DL) 38286, 38287). He taught in Vienna in 1428/1429 (*Acta Facultatis Artium II*, 64). For his career, see Ilona Kristóf, *Egyházi középrég a késő középkori Váradon (1440–1526)* (Pécs: Pécsi Történettudományért, 2014), 103.

40 Tüskés listed him under number 1820 in her register (Tüskés, *Magyarországi diákok*, 119).

41 Gall and Santifaller, *Die Matrikel der Universität Wien*, 151.

42 A document issued by the Pope in 1433 mentioned Demetrius as a 22-year old. Andrija Lukinović (ed.), *Monumenta historica episcopatus Zagrabiensis*, vol. 6 (Zagreb: Kršćanska sadašnjost – Hrvatski državni arhiv, 1994), 365. See also Zrinka Nikolić Jakus, "Obitelj Čupor Moslavački," *Radovi Zavoda za znanstvenoistraživački i umjetnički rad u Bjelovaru* 4 (2001), 272 and 289.

43 *Acta Facultatis Artium II*, 60; Nikolić Jakus, "Obitelj Čupor Moslavački," 289, note 41.

44 *Die Matrikel*, 37.

45 MHEZ 6, 365.

46 Tamas Pálosfalvi, "Cilleiek és Tallóciak: Küzdelem Szlavóniáért (1440-1448)," *Századok* 134 (2000), 70 and 72.

was transferred to Győr in 1466.<sup>47</sup> He remained there until his death, around 1481,<sup>48</sup> although unwillingly.<sup>49</sup>

The third candidate for the bishop's see of Zagreb and the future bishop of Nitra, Thomas Himfi of Döbrönte,<sup>50</sup> enrolled in the summer of 1428,<sup>51</sup> passed the bachelor's exam in early 1430,<sup>52</sup> and had his determination a month later.<sup>53</sup> He enrolled in the Faculty of Law in the same year,<sup>54</sup> but we have no further information of him there. Thomas was later under the patronage of the Hungarian magnate Nicholas of Ilok, and for a while served as his chancellor.<sup>55</sup> In 1454, after the death of Benedict of Zvolen, Thomas was consecrated bishop of Zagreb with the Pope's approval. This prompted some historians to proclaim him legitimate bishop of Zagreb, even though he probably never took possession of the see.<sup>56</sup> In truth, Thomas's position was not exactly legitimate, because he was consecrated without approval of the patrons of the diocese, the Counts of Celje.<sup>57</sup> He was finally moved to Nitra in 1464, after a decade of conflicts, and having made bitter enemies out of both John Vitéz of Sredna, who supported Demetrius Čupor for bishop

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47 Andrija Lukinović, "Biskup Demetrije Čupor (1465-1466)," in *Zagrebački biskupi*, 202-205. Lukinović's treatment of the conflict between Benedict and Demetrius is flawed. Lukinović claimed that Demetrius was created bishop of Zagreb by King Wladislas I of Hungary (Lukinović, *Biskup Benedikt de Zolio*, 191-193), although there is no proof of that. King Wladislas did name an anti-bishop to counter Benedict, but that was Peter Kotrer, not Demetrius Čupor. See Vilmos Fraknoi (ed.), *Oklevéltár a Magyar király kegyuri jog történetéhez* (Budapest: Magyar tudományos akadémia, 1899), 20-21. For a clear and thoroughly researched account of the conflict, see Pálosfalvi's article mentioned in the previous note.

48 Konrad Eubel, *Hierarchia catholica medii aevi*, vol. 2 (Münster: Typis Librariae Regensbergianae, 1914), 167.

49 He was trying to return to Zagreb as late as 1470, even though that see was occupied and uncontested at the time. Stjepan Razum, *Osvaldo Thuz de Szentlaszlo vescovo di Zagabria 1466-1499*, unpublished doctoral thesis (Roma: Pontificia Università Gregoriana, 1996), 87-88.

50 Tüskés lists him under no. 2089 (*Magyarország diákok*, 130), but the information she gives about his career is wrong.

51 Gall and Santifaller, *Die Matrikel der Universität Wien*, 161.

52 *Acta Facultatis Artium II*, 72. His was a rare case when the names of the students taking the exam were recorded.

53 *Ibid.*, 73.

54 *Die Matrikel*, 39.

55 András Kubinyi, "A kaposújvári uradalom és a Somogyi megyei familiárisok szerepe Újlaki Miklós birtokpolitikájában – Adatok a XV. századi feudális nagybirtok hatalmi politikájához," *Somogy megye múltjából* 4 (1973), 21-22.

56 Andrija Lukinović, "Biskup Toma de Debrenthe (1454-1463)," in *Zagrebački biskupi*, 199. In a true ultramontanist fashion, Lukinović claims that papal approval was enough to make Thomas a legitimate bishop. Razum does the same in *Osvaldo Thuz*, 44.

57 King Ladislas V complained to the Pope in 1455 that Thomas had deceived him (MHEZ 7, 281). The Counts of Celje were given the right of patronage over the diocese of Zagreb by Queen Elisabeth in 1440 (Fraknoi, *Oklevéltár*, 18-19). This meant that they had the right to present their candidate to the chapter to be elected bishop, under the condition that the crown approves of the candidate.



of Zagreb, and Demetrius himself.<sup>58</sup> Thomas most likely was not happy with the outcome, considering that Nitra's incomes were considerably smaller than Zagreb's. He also incurred the wrath of King Matthias in 1468, for being in collusion with the Czechs during Matthias' war with Bohemia.<sup>59</sup> Despite that, he remained bishop of Nitra until his death, around 1484.<sup>60</sup>

Before attempting to become the bishop of Zagreb, Thomas almost became bishop of Eger in 1446, but the miter ultimately went to Ladislás Héderváry.<sup>61</sup> The latter was also a student in Vienna.<sup>62</sup> It is possible that he enrolled in the summer semester of 1430, when Thomas Himfi was still a student there.<sup>63</sup> In April 1433 Ladislás was supposed to have his determination, but was absent at the time of admission and therefore removed from the list of students admitted to the determination.<sup>64</sup> In the winter of 1434 he enrolled in the Faculty of Law,<sup>65</sup> but we have no further information about his studies either. It seems that it was traditional for bishops of Eger to be university educated, and some of them were even university rectors.<sup>66</sup> Both Ladislás and Thomas fit this profile.

Peter Agmánd of Kecset (today's Páltiniş in Romania), who was Bishop of Vác from 1440 to his death in 1450<sup>67</sup> and the grand chancellor of the Kingdom of Hungary from 1446,<sup>68</sup> enrolled in the University of

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58 MHEZ 7, 472 and 474; Lukinović, "Biskup Toma de Debrenthe," 200.

59 László Solymosi, "König Matthias Corvinus und der Ungarische hohe Klerus," in *Matthias and His Legacy – Cultural and Political Encounters between East and West*, ed. by Attila Bányai and Attila Györkös (Debrecen: A Debreceni Egyetem Történelmi Intézet Kiadványai, 2009), 294.

60 Eubel, *Hierarchia catholica* 2, 204.

61 Boronkai, *Opera quae supersunt*, 67-68. Thomas gained the papal confirmation in April 1446 (Pál Lukacsics (ed.), *Monumenta Hungariae Italica, vol. 2: Diplomata pontificum saeculi XV, vol. 2: Eugenius Papa IV. (1431-1447), Nicolaus Papa V. (1447-1455)* (Budapest: Magyar tudományos akadémia, 1938), 235) and was nominally bishop until late 1447, when he renounced the title, probably due to political pressure.

62 Tüskés, *Magyarországi diákok*, 141. For his career, see also Kovács, "Studensek," 23.

63 Among the ones enrolled in this semester we find a certain *Ladislaus Georgii de Hechegdra* (Gall and Santifaller, *Die Matrikel der Universität Wien*, 171). The name would fit (cf. Erik Fügedi, "A XV. századi magyar püspökök," *Történelmi szemle* 8/4 (1965), 488), and the last name could be a garbled version of Hédervár or Hedrichvár.

64 *Acta Facultatis Artium II*, 91.

65 *Die Matrikel*, 46. Both he and Thomas Himfi were canons of Veszprém at the time; it seems that these two prelates, who would later become enemies, must have known each other even then.

66 Kovács, "Studensek," 10.

67 Pál Engel, *Közepkori magyar genealógia/Magyarország világi archontológiája 1301-1457*, CD-ROM (Budapest: Arcanum Adatbázis Kft., 2001), sub voce: Főpapok, Váci püspök, Kecseti "Agmánd" Péter.

68 Pál Engel, *Magyarország világi archontológiája 1301-1457*, vol. 1 (Budapest: História – Magyar tudományos akadémia Történettudományi Intézete, 1996), 89.

Vienna in the winter semester of 1412.<sup>69</sup> He probably put his studies on hiatus for a while, because we find him again only in the 1420s. He probably enrolled in the Faculty of Law in the winter semester of 1420.<sup>70</sup> In later documents he is mentioned as *Petrus archidiaconus Transsiluanensis*, due to him being archdeacon of Szolnok in the north of Transylvania at the time.<sup>71</sup> Under that title he gained a bachelor's degree in law in the summer of 1423,<sup>72</sup> and a licentiate's degree in the winter of 1425.<sup>73</sup> As was already mentioned, the licentiate was taken much more seriously at the Faculty of Law than at that of Liberal Arts. It is not surprising then that Peter went on to become a doctor of canon law only five years later, in the winter of 1430.<sup>74</sup> As such, he managed to achieve the highest degree at the University of Vienna among the prelates mentioned in this paper. We have no information regarding his activities at the Faculty of Liberal Arts, so it is possible that he reached the master's degree somewhere other than Vienna. He was remembered as a humble and admirable man, and was well liked by his contemporaries.<sup>75</sup>

Albert Vetési, the future bishop of Nitra and Veszprém,<sup>76</sup> eludes us as far as the time of his enrolment in Vienna is concerned. However, we know that he had his determination in 1427.<sup>77</sup> He passed the licentiates' exam on New Year's Day 1430,<sup>78</sup> and was supposed to have his inception three months later, on March 28, but was listed as absent.<sup>79</sup> However, he must have had it later, because we find him a master next autumn. He honoured his obligation of teaching at the faculty for two years, by teaching a course on Boetius's *Consolation of Philosophy* in the year 1430/31,<sup>80</sup> and on a collection of Aristotle's writings usually

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69 He enrolled as *Agmadus de Keczi*; Gall and Santifaller, *Die Matrikel der Universität Wien*, 92. Tüskés lists him under number 998. Tüskés, *Magyarországi diákok*, 87. For his career, see Tonk, *Erdélyiek egyetemjárása*, 148, 314.

70 As *Petrus de Alba Transsiluana* (*Die Matrikel*, 25).

71 Tonk, *Erdélyiek egyetemjárása*, 148.

72 *Die Matrikel*, 30.

73 *Ibid*, 33.

74 *Ibid*, 41. Here we find him under his proper name, as *dominus Petrus Agmanni*.

75 Boronkai, *Opera quae supersunt*, 117, note m; Rudolf Wolkan (ed.), *Fontes rerum Austriacarum. 2. Abteilung: Diplomataria et acta, 61. Band. Der Briefwechsel des Eneas Silvius Piccolomini. I. Abteilung: Briefe aus der Laienzeit (1431-1445). I. Band: Privatbriefe* (Wien: Adolf Holzhausen, 1909), 565.

76 Engel, *Közepkori magyar genealógia*, sub voce Főpapok, Nyitrai püspök, Vetési Albert; Vilmos Fraknói, "Mátyás király magyar diplomatái. Harmadik közlemény: Vetési Albert," *Századok* 32 (1898), 392, Pál Rainer, "Vetési Albert Veszprémi püspök," *A Veszprém Megyei Múzeumok Közleménye* 18 (1986), 230. Tüskés mentions only a student with that name under number 2186, saying that he studied in Vienna in 1430. No further information is given. Tüskés, *Magyarországi diákok*, 133.

77 Maisel and Matschinegg, *Acta Facultatis Artium II*, 56.

78 *Ibid*, 71.

79 *Ibid*, 73.

80 *Ibid*, 76.



called *Parva naturalia* in the year after that.<sup>81</sup> And sure enough, later we find him with the title of *artium doctor*,<sup>82</sup> same as Benedict of Zvolen. Aristotle's writings called *Parva naturalia* deals with natural philosophy, while Boethius' book was taught as part of philosophy of morality.<sup>83</sup> Albert continued his studies in Italy,<sup>84</sup> as early as 1432 we find him in Siena, and later in Padua. He finally attained a doctorate in both civil and canon law in Padua in 1450.<sup>85</sup>

Philip Gatályi, who would be bishop of Bosnia from 1452 to 1456,<sup>86</sup> enrolled in the summer of 1428,<sup>87</sup> and passed the bachelor's exam in 1430,<sup>88</sup> together with Thomas Himfi. They also had their determination together later that year.<sup>89</sup>

The future bishop of Oradea and archbishop of Esztergom, the famous John Vitéz of Sredna, enrolled in the summer of 1434,<sup>90</sup> but we have no further information about his studying in Vienna. It is possible that he did not remain there long. The author of his biography, Vilmos Fraknói, believed that he studied in Italy, reasoning that he could have developed an interest in Renaissance humanist disciplines only there.<sup>91</sup> However, there is no proof that Vitéz ever studied anywhere but Vienna, or that he ever journeyed south of the Alps.<sup>92</sup>

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81 Ibid, 81.

82 Rainer, "Vetési Albert," 228.

83 Aschbach, *Geschichte der Wiener Universität*, 91. Boethius was, along with Plato, the most influential philosopher in the Middle Ages until the introduction of Aristotle's philosophical writings into university curricula in the thirteenth century. Before that, only Aristotle's writings on logic were studied, and a lot of those were known only through Boethius' translations and commentaries. Leff, *The Trivium*, 314-315.

84 Fraknói, "Mátyás király magyar diplomatai," 386-387. Fraknói only mentions that Albert studied at some Italian university after leaving Vienna.

85 Rainer, *Vetési Albert*, 228. Rainer warns that some older historians thought that this Albert was perhaps the future bishop's relative, and not the future bishop himself.

86 Engel, *Közepkori magyar genealógia*, sub voce Főpapak, Boszniai püspök, Gatályi Fülöp. Mažuran mentions him cursorily in: "Đakovo i Bosansko-đakovačka biskupija od 1239. do 1536.," *Diacovensia* 3/1 (1995), 136. Tüskés mentions a student with that name under number 2086 and says that he studied in Vienna in 1428, but no further information is given. Tüskés, *Magyarországi diákok*, 130.

87 Gall and Santifaller, *Die Matrikel der Universität Wien*, 161.

88 Maisel and Matschinegg, *Acta Facultatis Artium II*, 72.

89 Ibid, 74.

90 Gall and Santifaller, *Die Matrikel der Universität Wien*, 186. Tüskés lists him under number 2423, but the information she brings about his career are flawed – Vitéz was never cardinal. Tüskés, *Magyarországi diákok*, 133. The information she brings on page 19 is correct.

91 Vilmos Fraknói, *Vitéz János esztergomi érsek élete* (Budapest: Kiadja a Szent-István-Társulat, 1879), 10-11.

92 Marianna D. Birnbaum, *Janus Pannonius – Poet and Politician* (Zagreb: Jugoslavenska akademija znanosti i umjetnosti, 1981), 124; Klára Pajorin, "La cultura di János Vitéz," *Camoenae Hungaricae* 2 (2005), 21. Mária Prokopp, on the other hand, thought that lack of evidence is not proof enough that Vitéz did not study in Italy. See Mária Prokopp, "The Scholarship of Johannes Vitéz of Zredna (1408-1472), Primate of Hungary and Royal Chancellor," in *Bonum ut pulchrum: Essays in Art History in Honour of Ernő Marosi on His Seventieth Birthday*, ed. by Livia Varga et al. (Budapest: Argumentum Publishing House, 2010), 351.

The future provost of the territorial provostship of Székesfehérvár (which was subordinated directly to the Pope),<sup>93</sup> Nicholas Bodo Györgyi,<sup>94</sup> enrolled in the University of Vienna in the summer of 1432, as *Nicolaus de Georgi*.<sup>95</sup> He had his determination at the Faculty of Liberal Arts at the beginning of 1435,<sup>96</sup> and enrolled in the Faculty of Law in the autumn of that year,<sup>97</sup> but we have no other certain data regarding his studies in Vienna. It seems that Nicholas as well had sour relations with Thomas Himfi later in his life, considering that he alienated Thomas' and his family's rights of patronage over certain benefices in the Székesfehérvár collegiate cathedral sometime before 1464.<sup>98</sup>

This list of future Hungarian prelates at the University of Vienna is completed by Albert Hangácsi, the future bishop of Csanád.<sup>99</sup> He enrolled in the fall of 1439,<sup>100</sup> right before dynastic struggles broke out in the Kingdom of Hungary. That is probably why he continued and completed his studies in Italy, but after a considerable hiatus. Only in 1449 we find proof that he was a student again, this time in Padua, thanks to a papal permission issued in that year, which allowed Albert to receive incomes from his benefices during his studies.<sup>101</sup> According to his own words, he spent some time fighting the Ottomans before that time.<sup>102</sup> He gained a doctorate in canon law in Bologna in 1450, but it was noted that before taking the final exam he asked for and received dispensation for not completing student obligations – for example, he had not attended lectures in canon law for five years.<sup>103</sup> It was not very

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93 Székesfehérvár was territorially within the Diocese of Veszprém; however, it was exempt by Pope Clement III. Lukcsics, *Monumenta* 2, 60, 65 and 124.

94 Tüskés lists him under number 2355; Tüskés, *Magyarországi diákok*, 140. Nicholas was provost of Székesfehérvár from 1444 until his death, around 1474 (Engel, *Magyarország világi archontológiája*, 83). However, Engel warns that Nicholas also served as governor of the bishop's see of Veszprém in 1445; he is mentioned as such in a document issued by Nicholas of Ilok on May 4 1445 (*gubernator episcopatus ecclesie Wesprimiensis*). MOL DL 106798.

95 Gall and Santifaller, *Die Matrikel der Universität Wien*, 180.

96 Maisel and Matschinegg, *Acta Facultatis Artium II*, 99.

97 *Die Matrikel*, 47.

98 MHEZ 7, 471.

99 He was confined by the pope in the spring of 1458. Koloman Juhász, "Bischof Albert Hangácsi von Csanád (1457-1466), Humanist, Kirchenfürst und geistlicher Krieger," *Historisches Jahrbuch* 78 (1959), 70. He died in 1466 (Vilmos Fraknói, "Mátyás király magyar diplomatái. Negyedik közlemény: Hangácsi Albert," *Századok* 32 (1898), 489).

100 Gall and Santifaller, *Die Matrikel der Universität Wien*, 214.

101 Kovács, "Studensek," 12. It should be noted that in 1445, a student in Padua entreated Pope Eugene IV for postponement of payments for attaining an ecclesiastic benefice. Albert Hangácsi submitted his supplication together with him, but we do not know if he was also a student. It is possible that their supplications were submitted together because they were both provosts of Pécs (but of different provostships – Albert held the cathedral one). Lukcsics, *Monumenta* 2, 229-230.

102 *Ibid*, 226.

103 Endre Veress (ed.), *Monumenta Hungariae Italica, vol. 3: Matricula et acta Hungarorum in Universitatibus Italiae studentium 1221-1864* (Budapest: Magyar tudományos akadémia, 1941), 38-39.

unusual for Hungarian clerics to migrate from the Viennese to Italian universities; Fedeles compares Hangácsi's university career with the one of George Handó, the later archbishop of Kálocsa, who also started his studies in Vienna and finished them in Italy (both of them were provosts of Pécs at some point). However, his time as student was much shorter than Hangácsi's.<sup>104</sup>

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This is a list of Hungarian prelates who were present at the University of Vienna in the 1430s, but it does not imply that the other mid-fifteenth-century Hungarian prelates did not study there. Many of the contemporary provosts of cathedral and collegiate chapters, archdeacons and canons also studied there, but they never managed to attain the bishops' status. It also does not imply that these prelates were necessarily friends or enemies while studying in Vienna, but it does mean that they shared some common experiences and an educational background. It would be interesting, but very difficult to ascertain which elements of their later cultural, diplomatic or ecclesiastic activities had a certain "Viennese" quality to them. On the other hand, it is undeniable that some of these prelates were friends later in life, such as Demetrius Čupor and John Vitéz, and that some of them were enemies, such as these two and Thomas Himfi.

We could conclude that attending the University of Vienna contributed to the forming of these future Hungarian prelates' characters, and that the fact that they met each other and that their common background probably influenced their later mutual relations. Friendships or animosities developed in Vienna probably played a certain role in their relations later in life. After all, during the 1430s they were all young, had similar interests and probably indulged in activities usually enjoyed by students, some of which have not changed at all in the last 600 years. According to Enea Silvio Piccolomini's description of Vienna from the 1430s, the students there would mostly indulge in pleasures of the body; they ate voraciously and drank alcohol in great quantities. Few of them would leave the University with any amount of education, and they were notoriously unruly, wandering the streets day and night and disturbing the citizens, especially women, for they were scandalously lecherous.<sup>105</sup> Although this description is perhaps somewhat skewed, it probably contains at least a grain of truth.

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104 Tamás Fedeles, "Pécsi kanonokok egyetemlátogatása a későközépkorban (1354-1526)," *Magyar egyháztörténeti vázlatok* 17/1 (2005), 57; see also Tüskés, *Magyarországi diákok*, 166, number 3026.

105 Wolkan, *Der Briefwechsel*, 82.

**Table 1.** Careers of future Hungarian prelates at the Faculty of Liberal Arts

Name	Enrolled in	Bachelor	Determination	Inception	Bishop / Provost
Peter Agmánd of Kecset (Páltiniş)	W 1412	-	-	-	Vác (1440-1450)
Benedict of Zvolen	S 1423		1426	1429	Zagreb (1440-1453, disputed)
Albert Vetési			1427 (absent)	1430	Nitra (1457-1458) Veszprém (1458-1486)
Demetrius Čupor of Moslavina	S 1425		1428		Knin (1438-1458) Zagreb (1444-1466, disputed) Győr (1466-1481)
Thomas Himfi of Döbrönte	S 1428	1430	1430		Zagreb (1453-1464, disputed), Nitra (1464-1484)
Philip Gatályi	S 1428	1430	1430		Bosnia (1452-1456)
Ladislav Hédervári	S 1430?		1433 (absent)		Eger (1447-1467)
Nicholas Bodo of György	S 1432		1435		Székesfehérvár (1444-1474)
John Vitéz of Sredna	S 1434				Oradea (1445-1465) Esztergom (1465-1472)
Albert Hangácsi	W 1439				Csanád (1457-1466)

**Table 2.** Careers of future Hungarian prelates at the Faculty of Law

Name	Enrolled in	Bachelor	Licentiate	Doctor
Peter Agmánd Kecseti	W 1420?	1423	1425	1430
Peter Agmánd of Kecset (Páltiniş)	-	-	-	-
Benedict of Zvolen	-	-	-	-
Albert Vetési	S 1429	-	-	-
Demetrius Čupor of Moslavina	S 1430	-	-	-
Thomas Himfi of Döbrönte	-	-	-	-
Philip Gatályi	W 1434	-	-	-
Ladislav Hédervári	W 1435	-	-	-
Nicholas Bodo of György	-	-	-	-
John Vitéz of Sredna	-	-	-	-
Albert Hangácsi	-	-	-	-

**Table 3.** Future Hungarian prelates teaching at the Faculty of Liberal Arts

Name	Academic year	Course
Albert Vetési	1430/31	Boethius, <i>Consolatio philosophiae</i>
	1431/32	Aristotle, <i>Parva naturalia</i>
Benedict of Zvolen	1432/33	Aristotle, <i>De anima</i>



## Maja Lukanc

### Anna of Celje (Cilli): In search of the overlooked Queen

In the last few decades Slovenian, German and Croatian scholars dedicated a decent amount of attention to the House of Celje, especially to the more visible members of the family but, surprisingly, completely overlooked Anna of Celje. The first reason may lie in remoteness of the sources, located mainly in Poland, where Anna spent most of her short life. The second reason lies in the two of her contemporaries, who overshadowed her – the Polish historiography paid more attention to Jagiełło's first wife Jadwiga of Anjou, and in the Slovene historiography Anna stayed overshadowed by her slightly younger relative and triple queen, Barbara of Celje.

This article aims to fill the gap in the research of Anna of Celje and offer some insight into the life of the overlooked Queen. In the first part it gives a short overview of the sources that deliver pieces of information on Anna of Celje. Later on, it highlights the so far overlooked testament, written by Hermann II of Celje (\* ca. 1360; † 1435) in 1396, the only source on the period of Anna of Celje, which corrects some misinterpretations about her youth and role at the court in Celje. Final question in this article is whether the insignificant role ascribed to Anna in her political and administrative life is justified or based on premature assumptions due to the insufficient study and lack of sources.

#### About the sources

Anna of Celje only left a few traces; therefore, the sources about her life are rather scarce. Most of information is delivered by different chronicle writers, and Jan Długosz (\* 1415; † 1480) is the most important one with his monumental work *Annales seu cronicae incliti regni Poloniae* (Annals or Chronicles of the Famous Kingdom of Poland).<sup>1</sup> Długosz, being born just a year before Anna's death, embraced the whole Polish history from its mythological roots to its contemporaneity in twelve volumes.

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1 Jan Długosz, *Annales seu cronicae incliti regni poloniae, Liber I-XII* (Warszawa: Państwowe Wydawnictwo Naukowe, 1964-2009).

Anna is mentioned nineteen times in volumes ten and eleven. Długosz based his chronicles on numerous sources, but used them uncritically, making many chronological mistakes and content inaccuracies in the text.<sup>2</sup> The case of Anna of Celje is only one such example.

Another chronicle with information on Anna is *Chronik des Landes Preussen* (Prussian Chronicle), written by Johann von Posilge (\* ca. 1340; † ca. 1405).<sup>3</sup> Anna is mentioned three times, never by name, but always as *grafen tochter von Czele*. One of the notes is especially intriguing, since it expresses the author's personal attitude towards the Queen of Poland.

Anna is briefly mentioned also by Andreas of Regensburg (\* ca. 1380; † 1442) in *Cronica inedita de expeditionibus in Bohemiam contra Husistas haereticos* (Hussite chronicle),<sup>4</sup> while the most important narrative source for the history of Counts of Celje, *Cronica der graffen von Cilli* (Chronicle of the Cilli), does not refer to her by name, but only informs that she was given into marriage to the King of Kraków.<sup>5</sup>

Besides the chronicles, some information about Anna is given in different Polish and Prussian annals, such as *Kalendarz Krakowski* (Kraków Calendar),<sup>6</sup> *Rocznik miechowski* (Annals of Miechów),<sup>7</sup> *Rocznik swietokrzyski* (Annals of Święty Krzyż)<sup>8</sup> and *Annalista Thorunesis* (Annals of Toruń).<sup>9</sup> Anna is mentioned by name in all of the mentioned works and the content of the notes refer to the most important events of her life – wedding, coronation, birth of her daughter and death.

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2 More about Długosz: Heinrich Zeissberg, *Die Polnische Geschichtsschreibung des Mittelalters* (Leipzig: Hirzel, 1873).

3 Johann von Posilge, “Chronik des Landes Preussen,” in: *Scriptores rerum Prussicarum: die Geschichtquellen der preußischen Vorzeit bis zum Untergange der Ordensherrschaft*, vol. 3, ed. by Theodor Hirsch and Gottfried Ernst Wilhelm Strehlke and Max Pollux Töppen (Leipzig: Hirzel, 1866), 79-316.

4 The quotations from the chronicle referring to Anna of Celje can be found in: Janez Mlinar, *Podoba Celjskih grofov v narativnih virih* (Ljubljana: Filozofski fakultet Univerze v Ljubljani, 2005), 297.

5 *Und darnach gab sein vetter, graff Hermann des obgemeldten graff Wilhelm tochter einem könig von Krakau zu einem gemahl, als vor gemelt ist worden.* Franz Krones (ed.), *Die Freien von Saneck und ihre Chronik als Grafen von Cilli* (Graz: Leuschner und Lubensky, 1883), 73. Slovenian translation: Ludvik Modest Golia (ed.), *Kronika grofov Celjskih* (Maribor: Obzorja, 1972).

6 Many different redactions of the same source exist, for the needs of the present article the following ones are used: August Bielowski (ed.), “Kalendarz Krakowski (Calendarii Cracoviensis),” in: *Monumenta Poloniae Historica*, vol. 2 (Lwów: Nakładem własnym, 1872); Zofia Kozłowska-Budkowa (ed.), “Kalendarz katedry krakowskiej (Najdawniejsze roczniki krakowskie i kalendarz),” in: *Monumenta Poloniae Historica*, s.n., vol. 5 (Warszawa: Państwowe Wydawnictwo Naukowe, 1978) (hereafter: KalKatKraK).

7 Zofia Kozłowska-Budkowa (ed.), “Rocznik miechowski,” in: *Studia Źródloznawcze*, vol. 5 (Warszawa: Poznań: Państwowe wydawnictwo naukowe, 1960) (hereafter: Rmiech).

8 Anna Rutkowska-Plachcińska (ed.), “Rocznik swietokrzyski,” in: *Monumenta Poloniae Historica*, s.n., vol. 12 (Kraków: Nakładem Polskiej Akademii Umiejętności, 1996) (hereafter: Rświęt).

9 “Annalista Thorunensis,” in: *Scriptores Rerum Prussicarum*, ed. by Theodor Hirsch, Gottfried Ernst Wilhelm Strehlke and Max Pollux Töppen (Leipzig: Hirzel, 1866), 57-316.

The aforementioned narrative sources should be taken *cum grano salis*, since the social constellation and the system of values of the time ascribed to men greater importance than to women. Therefore, a woman played a side role in the narrative that was weaved around the key figure of the chroniclers' interest – her spouse and her family of origin.<sup>10</sup> Therefore, the pieces of information from chronicles and annals should be carefully compared among themselves and to the existing documentary sources – letters, charters, protocols and accounting books.

The latter are not many; only two mandates issued by Anna and only ten letters from her personal correspondence remained.<sup>11</sup> Three of the letters that Jagiełło addressed to his wife, as well as some others, only indirectly reporting about Anna, have been preserved.<sup>12</sup> Letters from the correspondence on the Teutonic Order further contribute to understanding of the problem.<sup>13</sup> Accounting books of Kraków, Kazimierz (two), Lwow and the royal court (two) also present very precious sources.<sup>14</sup> They do not only give information on various events from Anna's life and her itinerary but also on her escort and daily nutrition.

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10 Rolanda Fugger Germadnik, "Podobe Barbare Celjske v slovenskem zgodovinisju," in: *Ženske skozi zgodovino. Zbornik referatov 32. zborovanja slovenskih zgodovinarjev*, ed. by Aleksander Žižek (Ljubljana: Zveza zgodovinskih društev Slovenije, 2004), 37-48, here 39.

11 Anna's letters and issued charters can be found in following editions of sources: Emond Winkler (ed.), *Elementa ad fontium editiones, t. II*. (Rome, 1960) (hereafter Elementa); August Sokolowski (ed.), *Codex epistolaris saeculi decimi quinti, t. I, 1384–1444* (Kraków, 1876-1891) (hereafter CE); Grażyna Klimecka, *Formularz ciechanowski: z historii tworzenia języka dokumentu polskiego wieków średnich* (Warszawa: Biblioteka Narodowa, 1997); and in the article: Wojciech Świeboda, "Tajemniczy list królowej Anny Cylejskiej w sprawie Mikołaja astrologa," *Studia Źródloznawcze* 48 (2010), 85-95.

12 Two Jagiełło's letters to Anna are published in Elementa and one in: Theodor Hirsch, Gottfried Ernst Wilhelm Strehle and Max Pollux Töppen (eds.), *Scriptores rerum Prussicarum: die Geschichtquellen der preußischen Vorzeit bis zum Untergange der Ordensherrschaft*, vol. 3 (Leipzig: Hirzel, 1866), 425-427 (hereinafter SRP). To other recipients but connected to Anna: Karol Górski (ed.), *Liber folmularum Georgii, castri Cracoviensis notarii ca 1399–1415 = Formularz Jerzego pisarza grodzkiego krakowskiego* (Toruń: Towarzystwo Naukowe, 1950) (hereafter Formularz Jerzego); Klimecka, *Formularz*, 61-64, 70-72.

13 Johannes Voigt (ed.), *Codex diplomaticus Prussicus*, vol. 6 (Königsberg: Bornträger, 1861) (hereafter CDP); Erich Joachim and Walther Hubatsch (eds.), *Regesta historico-diplomatica Ordinis S. Mariae Theutonicorum, 1198–1525*. (Göttingen: Vandenhoeck and Ruprecht, 1948) (hereafter Regesta).

14 Adam Chmiel (ed.), *Księgi radzieckie Kazimierskie 1369–1381 i 1385–1402* (Kraków: W druk. Uniw. Jag., 1932) (hereafter KKaz); Franciszek Piekosiński and Józef Szujski (eds.), "Najstarsze księgi i rachunki miasta Krakowa od r. 1300–1400," in: *Monumenta Poloniae Historica*, s.n., vol. 4 (Kraków: Nakł. Akademii Umiejętności Krakowskiej, 1878) (hereafter NKMK); Stanisław Krzyżanowski (ed.), *Podwody kazimierskie 1407–1432* (Kraków: Akademia Umiejętności, 1913) (hereafter PodwKaz); Aleksander Czołowski (ed.), "Księga przychodów i rozchodów miasta 1414–1426," in: *Pomniki dziejowe Lwowa, t. II. in III*. (Lwów: Gmina król. stoł. miasta Lwowa, 1905) (hereafter PomLw); Hubert Wąjs (ed.), *Rachunki krolewskie z lat 1393–1395 i 1412. Rachunki podrzęctwa krakowskiego, rachunki stacji nowosądeckiej* (Warszawa: Wydawn. DiG, 1993) (hereafter RK); Franciszek Piekosiński (ed.), *Rachunki dworu króla Władysława Jagiełły i królowej Jadwigi z lat 1388 do 1420* (Kraków: Nakładem Polskiej Akademii Umiejętności, 1896) (hereafter Rach).



## Youth at the court in Celje

Anna's name first reached beyond borders of Celje in 1399 when Queen Jadwiga of Poland, the legitimate heiress of the Polish Kingdom, was dying. Her husband, Grand Duke of Lithuania Jagiełło, found himself in an uncomfortable situation since he had obtained the Crown through his marriage to Jadwiga and so the legitimacy of his rule was questioned. His dying spouse was also aware of this problem. In an effort to protect his throne and to keep the barely concluded Polish-Lithuanian Union, she, according to the reports of Posilge and Andreas of Regensburg, suggested Jagiełło on her deathbed to marry the only surviving descendant of the local Piast dynasty – Anna of Celje.<sup>15</sup>

The marriage of Anna and Jagiełło was not due to a prudent strategic action of the Counts of Celje but a combination of extremely favourable circumstances.

The Counts of Celje were well aware of the importance of the noble blood (gem. *Geblüt*) and had started early to pave their way to enter the circles of the elite by skilfully concluding marriages. In the second generation after being conferred the title of counts, they managed to enter into elite circles by the marriage of Hermann I of Celje to Catherine of Bosnia, the daughter of Stephen II, Ban of Bosnia. His second daughter Elizabeth married King Louis of Anjou, who, after the death of the last Polish King Casimir III the Great from the Piast dynasty, also succeeded to the throne of Poland. Along with the Kingdom, Louis also became a guardian of Casimir's two daughters, Anna and Jadwiga. In order to eliminate Anna as a possible competitor in succession to the Polish throne that he intended to give to his own daughter (the aforementioned Queen Jadwiga), he found William, the nephew of the Count Hermann I, the most suitable husband for the Piast Princess.<sup>16</sup>

The marriage between Anna of Poland (as she is known in the Slovene territory) and William of Celje was concluded before 6 April

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15 *Hedwigis igitur regina Poloniae dum mortem sibi vicinam sentiret et sine liberis esset, vocat ad se virum suum Wladislaum regem, rogans eum ut si subiret mortem temporalem, quatenus eam audire dignaretur in duobus, unum quod nullam aliam duceret uxorem quam filiam filiae regis Kasimiri quae desponsata fuerat comiti in Zeyl, nomine Annam* (Andreas of Regensburg, "Cronica inedita," 297); ... *die alde konigynne, des koniges tochter von Ungern, an irem totbette bat si eden koning Jegil erin herrin, das her die juncfrow des grefen tochter von Czele noch irem tode sulde nemen czu eynem wibe* (Posilge, "Chronik," 245). The testimonial of Posilge was supposedly summarized in the annals of Długosz: ... *quod etiam Hedwigis regina e vita excessura assumendum rogaverat, connubium habitatum* (Długosz, *Annales: Liber X*, 237); Jan Dąbrowski, *Rozbiór krytyczny Annalium Poloniae Jana Długosza* (Wrocław: Zakł Narodowy im. Ossolińskich, 1961), 58.

16 Peter Štih, "Celjski grofje, vprašanje njihove deželno knežje oblasti in dežele Celjske," in: *Grafenauerjev zbornik*, ed. by Vincenc Rajšp (Ljubljana: Slovenska akademija znanosti in umetnosti, Znanstvenoraziskovalni center SAZU and Filozofska fakulteta 1996), 227-256.

1380. Upon this date, the testament of Elisabeth, the mother of Louis of Anjou, at the Buda Castle, only mentions one of the surviving daughters of Casimir III the Great.<sup>17</sup> The record does not contain any name, but almost certainly does not refer to an elder Anna, who had already turned fourteen and thus exceeded the age limit of twelve years to marry, suggesting that at that time she already was in Celje.<sup>18</sup> Her guardian, Louis of Anjou, gave her a dowry of 20,000 golden coins, the highest amount ever obtained by Counts of Celje from their wives. As a part of the dower, Anna received an estate in Metlika worth 19,200 golden coins as well as 10,000 golden coins as a morning gift.<sup>19</sup>

Anna of Poland and William only had one child – a daughter Anna. It is difficult to determine the exact year of her birth due to the lack of sources but the upper limit may be placed in the year 1380 (in the time after the marriage of her parents) and the lower limit is placed in the year 1388 (in 1400, at the time of the Polish proposal, there was no age limit to accept it, so Anna must have turned at least twelve years by then).

Nothing is known about the youth of Anna of Celje. It can be assumed that her early years were spent at Celje's court, together with the numerous children of Hermann II, William's cousin. Not much is known about her education either. According to Długosz, she, surprisingly, only spoke German upon her arrival in Kraków,<sup>20</sup> although many languages were spoken in the House of Celje. In addition to German, the nobility (especially men) had to sufficiently master the Slavic dialect of their surroundings for interaction with the lower strata. Additionally, the countesses who married into the family spoke at least Hungarian language and the Slavic dialect from the territory of the present-day Bosnia (Anna of Poland and Catherine of Bosnia). William and Hermann II were well aware of their descendants' potential and therefore their children probably received education which, coupled by strategic marriages, enabled them smooth integration into the elite of nobility.<sup>21</sup>

William, Anna's father, died in September 1392 in Vienna upon returning from the military expedition against the Ottomans. No later

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17 Casimir III the Great was married four times. In his first marriage to Aldona, a daughter of the Grand Duke of Lithuania Gediminas, as well as in his second marriage to Hedwig of Sagan, the granddaughter of the same Duke, he became the father of two daughters, but in 1380 both daughters from his first marriage were already dead.

18 ... *item filie regis Polonie unum crinale*. Oswald Balzer, *Genealogia Piastów* (Kraków: Avalon, 2005), 715-716.

19 SI AS ZL (*Arhiv Republike Slovenije, zbirka listin, Ljubljana*) 4327; SI AS ZL 4335; SI AS ZL 4384.

20 *Et quoniam virgo prefata nullam linguam preter Almanicam noverat, ordinacione regia octo prope mensibus Cracowie, sub quibus Polonico imbuebatur idiomate, stetit*. Długosz, *Annales: Liber X*, 238.

21 Maja Lukanc, "Ana Celjska: ogrodje za biografijo," graduation thesis (Ljubljana: University of Ljubljana, 2015), 32-33.

than two years afterwards, his widow, Anna of Poland, remarried and was stated as wife of Duke Ulrich von Teck in the document of September 1394. The charter is sealed with a nicely preserved Piast eagle, the only known example of Anna of Poland's seal to this day. She moved to the castle of Teck in today's Germany and thus left Celje and – surprisingly – Anna, her only daughter, in care of the senior of the family, Hermann II.<sup>22</sup>



**Figure 1.** The seal of Anna of Poland, Duchess of Teck.

Inscription: *Sanna chvnig Kasimiri tochter von Polan herzogin zu tek* (SI AS ZL 4384, 16 September 1394).

### ***Andlein* in the testament of Hermann II of Celje**

Polish popular science writings often state that Anna only played an insignificant role in the House of Celje, based on a fact that she was still not promised in marriage to some suitable groom upon reaching the right age. The reason could have been the dowry payment – the senior of the family supposedly gave priority to his own daughters. The testament of Hermann II from 23 June 1396, thus by so far overlooked, offers a slightly different perspective. It is the only known source on Anna's life in Celje and it gives a unique insight into the life at court in Celje.<sup>23</sup>

The senior of the family had had his last will put in writing just before leaving for the expedition against the Ottomans, which ended tragically for crusaders at Nicopolis. He chose his cousin Frederick of Ortenburg as the executor of will. In the case of Hermann's death Frederick would have represented the Celje's estates and become a guardian of his children as well as his protégé Anna until his eldest

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22 Anna of Poland confirms in this charter that Hermann II paid the greater part of the dowry which consequently was not transferred to her daughter Anna. SI AS ZL 4384.

23 AT HHStA AUR (*Haus- Hof- und Staatsarchiv, Allgemeine Urkundenreihe, Wien*), 23 June 1396.

son's coming of age to overtake the inheritance.<sup>24</sup> Hermann also ordered Frederick to take good care of his mother Catherine and to execute the concluded contract on marriage of his eldest son Frederick II to Elizabeth Frankapan. They had been promised to each other already in 1388 and eight years later, apparently, at least one of them had not reached the required age to marry.<sup>25</sup>

The following part is dedicated to Anna – Hermann affectionately called his protégé *Andlein* and ordered Frederick of Ortenburg to do his best to find her a suitable husband. What follows, are precise provisions of Anna's dowry – he intended to give her 20,000 guilders, which was by that time the highest amount ever received by any of the countesses of Celje and brought into her future marriage. She was supposed to receive the amount in several parts: 10,000 guilders upon the marriage, with the remainder in the following five years, 2,000 guilders each year, under the provision of consummation of marriage. In addition, she was to marry in accordance with the regional law of Styria.<sup>26</sup> Hermann II only gives brief instructions regarding the other children in his testament; they were to marry appropriate to their position – so relatively large part of his last will was dedicated precisely to his protégé Anna.

It is possible to discern from the text that certain instructions regarding Anna's future had already been given on the part of her father William (*als da der vorg(enannte) ir was user lieber vet(er) selig(er) auch vormaln also geschafft hat*) and that Hermann's provisions were guided by them. At the same time, it needs to be considered that Anna was a daughter of the Polish princess and thus the descendant of Piast.

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24 ... *als lang untz das unsere Kind(er) zu ire(n) Jaren komen welher und(er) unseren Sûnn denn yed(er) eltist ist und wenn d(er)selb dieselb(en) vorg(e)n(anten) uns(er) herschefti und geschloss selb(er) innhalten gewaltig sein und aussrichten wil.* AT HHSStA AUR, 23 June 1396. In the light of this provision the question appears whether the broadly accepted assertion that Hermann's eldest son Frederick was born right after their wedding, somewhere around a year 1378. In this case, he would have turned around eighteen years at the time the record was written and the remark on his needing to reach the sufficient age would not have made any sense.

25 CKSL (*Centralna kartoteka srednjeveških listin, Inštitut Milka Kosa, Ljubljana*), 30 September 1388, s. I.

26 *Wir schaff(en) auch das uns(er) Oheim von Ortenburg uns(ere) liebe müemen Andlein graf Wilhelms vo(n) cili uns(er)s lieb(e)n vet(er)n selig(e)n toch(er) beheyradten und si mit eine(m) mann aussrichten sol so er nach seinen trewn aller erberlichest und pest than und mag und sol man ir des ersten zehen taws(ent) guld(en) geb(e)n ze heyradgut und wenn es denn ze schulden komen ist und das si bei irem gemahel geleg(e)n hat so sol man ir darnach in den nagsten funf iaren alle iar zway taws(ent) guld(en) beczall(e)n und aussrichten damit ir zwaintzig taws(ent) guld(en) ze heyradgüt geuall(e)n sull(e)n und daru(m)b si auch gentzl(ich) aussgericht sol werden ynner den funf iaren nach dem und si bei geleg(e)n hat als das d(er) vorg(enannte) ir va(te)r uns(er) lieber vet(er) selig(er) auch vormaln also geschafft hat doch also daz man mit ir heyraten sol nach dem landsrechte(n) ze Stey(er) und sol auch das v(er)brift w(er)den ob das geschah das dieselb Andel unse(re) lieb müem(en) an leiberb(e)n abging des got nicht enwoll das denn uns(ere) erben dasselb heyradgüt wiss ze vinden waz des her wid(er) geuall(e)n sull nach dem landsrecht(e) ze Steyr.* AT HHSStA AUR, 23 June 1396.

Hermann was certainly aware of this and set high ambitions for her marriage, evident from her high dowry. The contents of the testament thus indicate that Anna was firmly integrated into the House of Celje and was certainly not befallen by a role of a neglected step-daughter.

It is not known whether Hermann II designed any marital plans for his protégé after returning from a battle and so there are no sources on Anna until the year 1400 when Polish envoys arrived at Celje's court to ask for the hand of the granddaughter of Casimir III the Great on behalf of the king of Poland.<sup>27</sup>

## The proposal and the prenuptial problem

After the death of Louis of Anjou, the king of Hungary and Poland in 1382, Hungarian throne was occupied by his eldest daughter Mary. It was his youngest daughter Jadwiga who, after the two years of negotiations with the Polish nobility, became the Queen of Poland when she was only ten years old (actually crowned as *rex Poloniae*). Meanwhile, the Polish noblemen established a new alliance with the neighbouring Grand Duchy of Lithuania, especially because of their common enemy, the Teutonic Order. They proposed the pagan Grand Duke of Lithuania Jogaila, later baptized and known as Władysław II Jagiełło, to become the King of Poland. His marriage to Jadwiga followed immediately. This bond, concluded in 1386, was also a political alliance, connecting both ethnic groups for the next few centuries.<sup>28</sup>

In June 1399, Jadwiga gave birth to her first child, a daughter, but both of them died within a following month. Jagiełło found himself in a situation described at the beginning; his authority had been undermined. Not only he but also the Polish nobility and the Teutonic Order were well aware of this fact. According to Długosz, Jagiełło even prepared for his departure from the Kingdom, believing that Polish prelates and nobility would select a new king.<sup>29</sup> His worries were most likely unfounded, as he had been ruling the Kingdom for thirteen years at that time and the Polish nobility did not want to break the newly established bond to Lithuania. Legitimizing was, though unnecessary, certainly desired and thus Polish nobility as well as Jagiełło himself

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27 Lukanc, "Ana Celjska," 37.

28 Jerzy Lukowski and Hubert Zawadzki, *A Concise History of Poland* (Cambridge: Cambridge University Press, 2006), 37-44; Norman Davies, *God's Playground: A History of Poland. Vol. 1: The Origins to 1795* (Oxford: Oxford University Press, 2005), 90-95; Oskar Halecki, *A History of Poland* (London and Henley: Routledge and Kegan Paul, 1978), 67; Aleksander Gieysztor et al., *Zgodovina Poljske* (Ljubljana: Državna založba Slovenije, 1982), 99.

29 Długosz, *Annales: Liber X*, 236-237.

considered Anna of Celje an appropriate marital choice. She was not only a daughter of Casimir III the Great but also a direct successor to the Polish Crown on the mother's side and, according to the sources, the contemporaries considered her a legitimate heir to the Polish throne.<sup>30</sup>

According to the correspondence between the Grand Master of the Teutonic Order and the Komtur in Vienna, the news of the Polish plans had already reached Vienna in 1399.<sup>31</sup> It was not until the second half of 1400 that the Polish envoys arrived at Celje to make a marital proposal. Hermann II supposedly listened to the proposal in tears (*audit and lacrimas, quas magnitudine gaudii eliquabat*), and his protégé was without hesitation promised in marriage to the Polish King.<sup>32</sup> The wedding contract is not preserved, but by the merit of Długosz it is known that it was signed in the Polish town of Biecz. Eight Polish noblemen<sup>33</sup> and seven envoys from Celje<sup>34</sup> were present there. The year of its conclusion remains unknown; Długosz reported about 4 or 5 November 1400<sup>35</sup> and the same date is also indicated by the analysis of the documents of the Polish witnesses, conducted by Sikora.<sup>36</sup> However, Pieradzka and Wdowiszewski set signing this contract in the year 1401 (same date),<sup>37</sup> which can be also confirmed by the information on one

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30 ... *wend die selbe juncfrouwe von aldirs was geborn czur crone ...* (Posilge, "Chronik," 245); ... *nomine Annam, eo quod ipsa ex parte matris vera haeres esset regni Poloniae et super hoc peteret licentiam sedis apostolicae ...* (Andreas of Regensburg, "Cronica inedita," 297); ... *sie meynen das die selbe dienechste erbling sey czum Riche czu Polen ...* (CDP VI, 91).

31 CDP VI, 89-91.

32 Długosz, *Annales: Liber X*, 237.

33 Piotr Wysz (*Petro Cracoviensi*), Bishop of Kraków; Nikolaj Kurowski (*Nicolao Wladislaviensi*), Bishop of Włocławek; Jan s Tęczyna (*Johanne de Thanczin*), Castellan of Kraków; Jan s Tarnowa (*Johanne de Tharnow*), Duke of Sandomierz; Piotr Kmita (*Petro Kmithe*), Castellan of Lublin; Nikolaj z Michałowa (*Nicolao de Michalow*), Castellan of Wojnicz; Klemens z Moskorzowa (*Clemente de Moskorzow*), vice-chancellor of the Crown; Żegota (*Zegotha*), flag-bearer of Kraków. Długosz refers to them by the titles they held in the time of negotiations, even though he also knew them later, when they occupied higher positions of authority in the state. This is opposed to his common practice to refer to an individual by the title they have not held in the time of the described event and was only obtained later on. Długosz, *Annales: Liber X*, 238.

34 Ulrik Schenk, cup-bearer of Ostrowiec (*Vlricus Schenk de Osterwicz*); Albert of Kozjak (*Albertus de Kossyak*); Friderik of Lindek (*Fridericus Lindeker*); Ludvik Sachs (*Ludowigus Szachs*); Konrad Verber (*Conradus Perner*); while I was unfortunately unable to identify the last two witnesses, *Andreas Puxer* and *Niculaus Volker*. Długosz, *Annales: Liber X*, 238.

35 It is necessary to point out that for some reason Długosz shifts one year back Anna's arrival to Kraków, her marriage as well as her coronation. It is therefore very likely that he repeated the same mistake also when making a date entry of her marital contract.

36 Franciszek Sikora, "W sprawie małżeństwa Władysława Jagielly z Anną Cylejską," In: *Personae colligationes facta*, ed. by Janucz Bieniak, 93-103 (Toruń: Zakład Historii Instytutu Historii Pomocniczych Lesson i Archiwistyki w Toruniu UMK 1991), 93-98. Sikora proved on the basis of two Royal charters, issued 4 and 5 November 1400 that seven of the eight Polish witnesses were present in Biecz, in the time of Długosz's reports on signing of the marital contract.

37 *PSB (Polski Słownik Biograficzny) I*, s. v. "Anna Cyllejska"; Zygmunt Wdowiszewski, *Genealogia Jagiellonów* (Warszawa: Pax, 1968), 66-67.



of the envoys from Celje, Albert of Kozjak, who was present there in November 1400 and thus could not attend the event in Biecz.<sup>38</sup>

Due to the blood ties between the late Jadwiga and the future Queen Anna, a papal dispensation was needed to conclude the marriage. Both of them were great-granddaughters of King Władysław the Short and therefore second cousins. The pope issued it on April 23, 1401 and thus there were no obstacles to the marriage.<sup>39</sup> Anna left Celje accompanied by her escorts and reached Kraków via Pannonian regions in approximately a month on July 16, 1401. According to the chronicles, she was given a solemn reception and the crowds of townspeople of Kraków enthusiastically welcomed the return of the Piast eagle to her home nest.<sup>40</sup>

Surprisingly, it was not until a half a year later that Jagiełło and Anna married. It is impossible to explain this delay from today's perspective. According to Długosz, the wedding was supposedly postponed due to Anna's inability to speak Polish. Somewhat later, Długosz adds that the king refused to marry the bride due to her lack of beauty.<sup>41</sup> Even if the latter was true, it seems highly unlikely for Jagiełło to be willing to give up a useful political alliance, able to legitimize his position due to this. The external political circumstances that demanded Jagiełło's attention also need to be considered – just at that time the uprisings against the Teutonic Order were taking place in Samogitia and there was a rebellion of the opposition against King Sigismund.<sup>42</sup> Thus, the postponement of marriage was likely to be a combination of several different factors. If Jagiełło had actually wanted to break off their engagement, he would have to suffer unpleasant consequences; he would have to face the dissatisfaction of the Polish

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38 In the supposed time of the signature of the marital contract only one of the Lords of Celje might be found in the charters from the today's Slovenian territory. Albert of Kozjak bore a witness on 25 October 1400 in Škofja Loka and on 25 November of the same year he was present in Radovljica. At that time he could therefore not have been, as described by Długosz and confirmed by Sikora, present in Poland. To the best of my knowledge, there is no existing charter dating back to autumn 1401 and proving the presence of any of the witnesses from Celje in Slovene lands. CKSL, 25 October 1400; CKSL, 24 November 1400; Lukanc, "Ana Celjska," 45-50.

39 Irena Sułkowska-Kuraś and Stanisław Kuraś (eds.), *Bullarium Poloniae, t. III, 1378-1417* (Rome, 1988), nr. 753.

40 KalKatKraK, 156; Długosz, *Annales: Liber X*, 238; Anna's arrival is also confirmed by two accounting books: NKMK, 265-267, 327-329; KKaz, 538.

41 Długosz, *Annales: Liber X*, 238. It can only be assumed what physical standards did Anna not fulfil. However, any serious body defects need to be excluded as Anna could, according to the accounting books, ride a horse on her subsequent journeys: Rach, 319, 449-450; RK, 161.

42 Stefan M. Kuczyński, *Król Jagiełło* (Warszawa: Wydawn. Ministerstwa Obrony Narodowej, 1985), 77-78; Zigmantas Kiaupa, Jūratė Kiaupienė and Albinas Kunevičius, *The History of Lithuania Before 1795 (English edition)* (Vilnius: Lithuanian Institute of History, 2000), 154; Grażyna Rutkowska, "Itineraria żon króla Władysława Jagiełły." *Roczniki Historyczne*, 64 (1998), 64; Jörg K. Hoensch, *Kaiser Sigismund: Herrscher an der Schwelle zur Neuzeit, 1368–1437* (München: Beck, 1996), 104-106.

public and simultaneously he would have to give up the re-established ties to the Hungarian throne, made by the engagement of Sigismund of Luxembourg and Barbara of Celje; Jagiełło and Sigismund were namely both at first married to the sisters from the House of Anjou, Mary and Jadwiga, and after their deaths married the Countesses of Celje, Anna and Barbara – the ties of the Counts of Celje to the Polish Crown were certainly among the most decisive factors that contributed to the engagement between Sigismund and Barbara of Celje.<sup>43</sup>



**Figure 2.** The only preserved image of Anna of Celje (Vilniaus universiteto biblioteka)<sup>44</sup>

## Marriage, coronation and birth of a daughter

Anna and Jagiełło, as reported by several chronicles, finally concluded their marriage on January 29, 1402.<sup>45</sup> The bride was no more than twenty-two years old, while the groom was twenty to thirty years older. The wedding date, as discerned from the two undated letters

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43 Zawadzky even emphasizes this as the main reason for the engagement of Barbara to Sigismund. Max Zawadzky, *Die Cillier und ihre Beziehungen zu Kaiser Sigmund und König Albrecht*, unpublished doctoral thesis (Halle: Philosophische Fakultät der Vereinigten Friedrichs-Universität Halle-Wittenberg, 1911), 16.

44 Decius Ludovicus Iodocus, *De vetustatibus Polonorum liber I. De Jagellonum familia liber II. De Sigismundi (I) regis temporibus liber III* (Krakow, Wietor Hieronim, 1521).

45 Posilge, "Chronik," 245, 255; "Annalista Thorunensis," 255; RMiech, 129-130. As well as Długosz, also the entry on the date of the wedding in the Annals of Święty Krzyż is incorrectly set into 1401: Rświęt, 83; Długosz, *Annales: Liber X*, 243-44.



written by king regarding the marriage, was set by Jagiełło together with his noblemen and barons.<sup>46</sup> According to Długosz, the ceremony was attended by many distinguished guests from different countries, the whole court gathered, and the celebration, accompanied by the knights tournaments, lasted for several days. This is also confirmed by the judicial notice in the Krakowian land register. The city council bestowed upon the royal couple a gift of two hundred marks, according to the Krakowian accounting book. Pipers were also hired to play at the marriage feast. After the end of the ceremony, Jagiełło honoured the departing guests with wonderful presents.<sup>47</sup> No further details about the wedding are known. As the marriage contract is not preserved, it is not known how much dowry the queen brought to Kraków (according to the testament of Hermann II, the amount of at least 20,000 guilders can be assumed), nor how much she received as a morning gift. The latter was intended for her independent disposal, but, unfortunately, no trace on management of the property or possession has been preserved.

Coronation of the new queen took place in a bit more than a year's time after the wedding, on February 25, 1403.<sup>48</sup> The ceremony was most likely attended also by the King Jagiełło, who, according to Długosz, actively participated in its organization. Anna was crowned in the Wawel Cathedral by the new archbishop of Gniezno, Mikołaj Kurowski.<sup>49</sup> Bishops, princes and counts gathered at the coronation and for several days games were held in the honour of the event. According to Długosz, Anna's mother, the daughter of Casimir III the Great, also responded to the invitation of Jagiełło and attended the coronation. Though impossible to prove by any additional sources, her presence would have additionally confirmed the Piast origin of the new queen.

Anna accompanied her husband from the very beginning on his journeys, by which he maintained his power in the Kingdom. Almost every year she went on one or two long trips, most often to Red Ruthenia, occasionally also to Greater Poland. Their long-distance journeys were also accompanied by numerous short ones in the region of Lesser Poland, depending on how Jagiełło scheduled to do the rounds

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46 Formularz Jerzego, nr. 18, 19.

47 Plank Terr. Crac. (*Archiwum Narodowego w Krakowie: Terrestria Cracoviensia*) 3a, 430-31; see also: Sikora, "W sprawie małżeństwa," 99; *Item pro honore dni Regis ad nupcias ducentas marcas; Item fistulatoribus dni Regis I mrc. ad honorem nupciarum*, NKMK, 269; Długosz, *Annales: Liber X*, 243.

48 Długosz, *Annales: Liber X*, 247; RŚwięt, 83; RMiech, 130. In the Krakowian accounting book for the year 1403, frequently several expenses are recorded, consequently dated with *circa coronacionem Regine*: NKMK, 273, 335, 338; For more on coronation, see also in the judicial notice of Krakowian legal register: PL ANK Terr. Crac. 3b, 25; About the latter also: Sikora, "W sprawie małżeństwa," 99.

49 Sikora, "W sprawie małżeństwa," 96.

of the political centres. Anna only rarely travelled alone; and some information about the travels is only given in the sources after her daughter was born and she usually made a trip to the premises, a day or two's ride away from Kraków. The queen was always accompanied on her trips by the court, which, according to the precise assessments made by Rutkowska, comprised 45 souls on average.<sup>50</sup>

Anna and Jagiełło were only meeting briefly and shortly and their journeys to the final destination were mostly made separately. This could indicate a rather cold relationship between the spouses as there were no obstacles to making journeys together for Jagiełło and his third wife Elizabeth Granowska.

Their marriage was occasionally also marked by the outbursts of jealousy. As it became evident that Anna was expecting a child in 1407, Jagiełło suspected her, according to Długosz, of adultery with two knights. However, the public defended Anna and Jagiełło was accused of recklessness, by which he disgraced his spouse.<sup>51</sup> Two letters, written by Anna have been preserved in memory of this incident. She wrote them in self-defence and the texts express the distress in which the queen found herself.<sup>52</sup> Political motives might have been present behind the accusations, but most likely the rumours were not turned against Anna; their goal was to cast doubts on Jagiełło's paternity. However, similar suspicions had befallen two other spouses of Jagiełło and it seems that the king found it easy to believe that his wives were cheating on him due to his long absences and large age gaps.<sup>53</sup>

The first five years of marriage between Anna and Jagiełło did not yield a greatly desired child and the absence of a successor certainly implied that the members of dynasty must have put her under great pressure. Eventually, their only daughter was born to a couple on Palm Sunday on 8 April 1408 and the baby was named Jadwiga.<sup>54</sup> Quite possibly, this was not Anna's first pregnancy and the baby might have been born only after numerous miscarriages. Based on the letters, it seems that the birth of a child improved their relationship and most likely also positively influenced Anna's position at court, since she had

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50 Rutkowska, "Itineraria," 84-97. Information on Anna's travels are summarized according to the aforementioned itinerary.

51 Długosz, *Annales: Liber X/XI*, 17-18.

52 Elementa, nr. 40, 41.

53 Małgorzata Duczmal, *Jogailaičiai biografijų žinynas* (Vilnius: Mokslo ir enciklopedijų leidybos centras, 2012), 363; Ewa Maleczyńska, *Spoleczeństwo polskie pierwszej połowy XV wieku wobec zagadnień zachodnich: (studia nad dynastyczną polityką Jagiellonów)* (Wrocław: Nakł. Wrocławskiego Towarzystwa Naukowego: Skład Główny w Księgarni J. Lacha, 1947), 52, 69.

54 Długosz, *Annales: Liber X/XI*, 23; "Annalista Thorunensis," 290; RŚwięt. 83. Birth is reported in the chronicles as well as in the Krakowian accounting book: NKMK, 279-282.

proven that she could still provide the king with the desired heir to the throne.<sup>55</sup> After eleven years of marriage, it finally became evident that the birth of a male successor would not happen. Thus, the five-year-old Princess Jadwiga was proclaimed heiress of the Kingdom of Poland in March 1413, which was certainly one of the most important events in the life of her mother Anna.<sup>56</sup>

## Anna's role in public life

During the years of her reign, Anna witnessed many important events in Poland; among them also the victory of the United Polish-Lithuanian army against the Teutonic Order on July 15, 1410 between the villages of Grünwald and Tannenberg.<sup>57</sup> Jagiełło's wife was not his deputy in the wartime in similar fashion to the King Sigismund and the Queen Barbara at the end of 1412. Instead, the king authorised the archbishop of Gniezno, Mikołaj Kurowski to handle all his affairs.<sup>58</sup> However, he sent Anna a letter reporting on their triumph, which represents and contains important information on the events at the Grünwald Battlefield.<sup>59</sup>

A few months before the battle, Hermann II of Celje came to Poland in the spirit of increased diplomatic activity. He led negotiations on behalf of Sigismund of Luxembourg in the matter of Polish-Prussian conflict.<sup>60</sup> It seems that this was not his first diplomatic intervention in the Polish matters, since the note in the Krakowian accounting book gives evidence that Jagiełło had sent him a letter in 1405.<sup>61</sup> Hermann

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55 There are four letters linked to the birth of the child; two of them are most likely to be fictitious, since one of them is about the birth of the male successor and the other one is about Anna's tenth pregnancy – however, it is certainly likely, that at least the latter was to some extent inspired by true events. Original letters are to be found in: Elementa II, nr. 34, 35; Supposedly fictitious ones seen in: Klimecka, *Formularz ciechanowski*, 61, 63-64. See: Lukanc, "Ana Celjska," 67-71.

56 Edward Raczyński (ed.), *Kodeks dyplomatyczny Litwy* (Wrocław: Nakładem Zygmunta Schlettera, 1845), 385-386.

57 For more on the battle, see: Stephen R. Turnbull, *Tannenberg, 1410: disaster for the Teutonic Knights* (Westport, Conn: Praeger, 2005), 20; Jučas Mečislovas, *The Battle of Grunwald* (Vilnius: National Museum Palace of the Grand Dukes of Lithuania, 2009).

58 Długosz, *Annales: Liber X/XI*, 59.

59 According to Długosz, not only the Queen but also the Archbishop of Gniezno and the King's deputy Mikołaj Kurowski, the nobility, who maintained the Wawel Castle, the University of Kraków, as well as the County of Kraków received the letters. At least one letter more, addressed to the Bishop of Poznań, must have been written, since it was together with the one intended for Anna, the only one preserved. It would be wrong to assume that the aforementioned Jagiełło's letter to the Queen was a reflection of a special affection (which is though possible), because the letters were mostly used for the purpose of propaganda. SRP, 425-427; Długosz, *Annales: Liber X/XI*, 125.

60 Długosz, *Annales: Liber X/XI*, 49.

61 NKMK, 277.

II of Celje personally visited Poland at least twice in 1412 while he was leading the negotiations, by which the king of Hungary wished to conclude an agreement with Jagiełło, who had strengthened his position in international affairs after his victory over the Teutonic Order.<sup>62</sup> Both of the spouses of the sovereigns, Anna and Barbara of Celje, also took part in negotiations. On March 9, 1412 Anna responded to the invitation of Sigismund of Luxembourg and set out on a journey to the Kingdom of Hungary and met the Hungarian royal couple in Kežmarok;<sup>63</sup> Sigismund presumably wanted to prepare everything for the negotiations to run smoothly by involving both queens and he might even have wanted to influence Jagiełło with the help of Barbara and Anna. This is also the only attested meeting of the two queens of the house of Celje, who most certainly were in contact, since Anna's letter to Barbara has been extant.<sup>64</sup> Most certainly it was not the only one the relatives exchanged.

Based on the lack of sources to attest Anna's political and administrative participation, the opinion prevailed that she had no special influence; neither on her husband nor on the political developments in the Kingdom. Anna's entire extant correspondence consists of only ten letters and two mandates. Therefore, it is impossible to estimate whether the lack of sources was a consequence of her inactivity or the material was simply ravaged by time. Consequently, it is impossible to realistically evaluate Anna's role and her impact in the public life of the Kingdom of Poland.

Her function on the trips was representative as well as political, the latter due to her Piast origin, especially in the adjoined Polish territories of Red Ruthenia. She spent the rest of her time mostly in Kraków, where her presence strengthened the town's position of a capital. She was, to some extent, focusing on raising her daughter, which is attested by one of her letters, spending time in the company of invited guests and taking part in religious ceremonies. Anna's two coats-of-arms in the Krakowian church institutions also indicate that she was probably focusing on charity and religious foundations. Coats-of-arms of the counts of Celje can also be found on the eldest rector's sceptre, indicating that the queen might have also been interested in the development of the re-established University of Kraków.<sup>65</sup>

Anna was often present at negotiations between Jagiełło and the Hungarian delegates and her blood ties to Queen Barbara of Hungary

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62 Rach, 586; RK, 150-154; Hoensch, *Kaiser Sigismund*, 162.

63 Długosz, *Annales: Liber X/XI*, 190-191.

64 Klimecka, *Formularz ciechanowski*, 70.

65 Tomisław Giergiel and Jan Ptak, "The Heraldic Frieze Discovered in Sandomierz Cathedral," *The Polish Heraldry Society Yearbook, new series*, 10 (2011), 20-22.

and Hermann II of Celje as Sigismund's delegate played an important role in these meetings. Although Anna was not Jagiełło's deputy during his absence in the time to the Battle of Grünwald, a tiny trace of her diplomatic activities has been preserved. She turned for help to the Pope, Sigismund of Luxembourg and Hermann II of Celje in the matter of a townsman of Kraków that had been taken captive in the Kingdom of Hungary.<sup>66</sup> At the end of the same year, she turned to the Pope once again to justify the actions of the city council of Krakow in the case of a certain cleric Nicholas, who was accused of witchcraft.<sup>67</sup> Anna also took part in the administrative activities of the Kingdom to a certain extent, shown by the two preserved mandates, regulating the administrative affairs of her subordinates, issued right before she left for the meeting with Barbara.<sup>68</sup>

If this image of a supposedly silent and passive queen is accepted, then an openly hostile observation about Anna, made by the Prussian chronicle writer the successor of Posilge, might be surprising. He blamed her as an opponent of the Teutonic Order for instigating the war between them on one side and Jagiełło and the entire Poland on the other. He concluded in satisfaction that she died soon after that and could no longer cause any further misfortunes to the Order.<sup>69</sup>

The reason for these adverse remarks on his part most likely lies in a letter, written by the queen and addressed to the Council of Constance. Thus, it was not only Hermann II and his two children, Frederick II and Queen Barbara of Hungary who participated at the Council; Anna's voice was also present in writing. Her letter presented the Polish perspective on Christianization of Samogitia that she also witnessed herself while travelling in Lithuania in the winter of 1413/1414. She pointed out that her and Jagiełło were making great endeavours to strengthen and spread the Catholic religion among their population and estimated that their efforts were not sufficiently appreciated. She further added that her and the king had been happily married for twelve years and were

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66 The two letters to Sigismund and to Hermann II were both published in: August Sokołowski (ed.), *Codex epistolaris saeculi decimi quinti, t. I, 1384-1444*. (Kraków: Nakładem Akademii umiejętności, 1876-1891) and in: Władysław Sekiño (ed.), *Piotr Wysz z Radolina i jego dzieło "Speculum aureum"* (Warszawa: Inst. tomistyczny ojców dominikanów, 1995), nr. 32, 33. The letter to pope is still waiting for publication.

67 There is a doubt whether the letter had ever been sent, since there is no trace of seal on it. Besides that, it was found in Krakow. It seems quite possible it was only a template for the latter clean copy. More on the reasons for writing this letter and its content analysis in: Wojciech Świeboda, "Tajemniczy list królowej Anny Cylejskiej w sprawie Mikołaja astrologa," *Studia Źródloznawcze* 48 (2010), 85-95.

68 *Elementa* II, nr. 2, 3.

69 *Noch erim (Jadviga) tode nam her zcu wibe des graven tochter von Zcele; dy was weder den ordin und herte den konyng und dy Polen zcu dem krie; und sy vorstarb korczlich, sy hette anders mer ungeluckes gebuwin* (Posilge, "Chronik," 370).

successfully reigning over the Kingdom of Poland. Therefore, she found the slanderous rumours that the Teutonic Order was spreading about her and Jagiełło even more surprising. Anna explained in the following that it was the Teutonic Order that was spreading horror through the newly Christianised population, setting fire to the newly built churches and bringing suffering and pain to the lands of Lithuania. Their swords killed everyone – children, elderly as well as the priests. Anna pointed out that these indescribable atrocities caused by the Teutonic Order had cast Christianity in a negative light and urged everyone present at the Council to take steps to change this.<sup>70</sup>

It is not known who this letter was delivered to in Constance and what impact it had. Polish point of view was represented at the Council by the rector of the Jagiellonian University, Paweł Włodkowic (*Paulus Vladimiri*)<sup>71</sup> and the letter might have served him to prepare argumentation for the process but most certainly Anna's harsh critique of the Teutonic Order sheds a light on her relations to the members of the Teutonic Order and explains the unfavourable remark made by the chronicle writer.<sup>72</sup>

An additional clue to Anna's orientation against the Teutonic Order could be evident from the depiction of her coat of arms in the Sandomierz Cathedral, where they annually solemnly commemorated the victory over the greatest enemies of the Kingdom in the Battle of Grünwald.<sup>73</sup> Anna thus played a certain role in the diplomatic activities connected to the Teutonic Order and the above mentioned letter to the Council in Constance represents the most important manifestation of her political presence.

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70 Elementa II, nr. 57.

71 Eric Christiansen, *The Northern Crusade* (London and New York: Penguin Books, 1997), 221-231.

72 Lukanc, "Ana Celjska," 96-98.

73 Anna's coats-of-arms is a part of the heraldic frieze of nine coats of arms on the northern wall of the chancel. Seven of those coats of arms are also to be found in the Jagiełło's seal of majesty, while there were two additional ones in the frieze: the Double Cross of Jagiełło and the Stars of Celje. The latter supposedly represents the authority of the Royal couple, and symbolizes the continuity of the dynasty (Anna's coats-of-arms), as well as changes to the Polish throne (Jagiełło's coats-of-arms). Heraldic frieze in the sacral institution also indicates inclusion of the symbols of authority to the religious narrative of the paintings, the part of which it was. On the southern part of the chancel – opposite the heraldic frieze – there is a fresco with a motive of Apostolic Commission, which, however, does not match any of the other frescoes, dedicated to Mary. The victory of Grünwald was fought on 15 July on the very same day when the feast *dispersio apostolorum* (Apostolic Commission) was celebrated; therefore the presence of the aforementioned fresco assumingly proves that Sandomierz Cathedral was dedicated to the anniversary of the victory over the Teutonic Order, which could be further confirmed through Anna's coat of arms. Giergiel and Ptak, "The Heraldic Frieze," 3-38; Tomisław Giergiel and Jan Ptak, "The newly-discovered heraldic frieze from the reign of Władysław Jagiełło," *Questiones Medii Aevi Novae* 16 (2011), 365-384.

## Epilogue

Anna of Celje died either on March 20 or 21, 1416 at 4 o'clock in the afternoon in the Castle in Kraków.<sup>74</sup> At the time of death she must not have turned more than thirty-three years. Jagiełło declared public mourning and Anna was buried under the altar of Saint Dorothy in the Wawel Cathedral where fifteen years later also their daughter Jadwiga was buried.<sup>75</sup>

600 years later, contrary to Barbara of Celje or Veronica of Desinić, Anna of Celje has not been retained in the Slovenian historical memory by now. This is not surprising, as she left Celje as a young girl and never returned. Even though she was not present in the Slovene territory, she kept in touch to it to some extent through her contacts to Hermann II and Barbara. Her marriage to Jagiełło raised the reputation of the House of Celje and it was one of the decisive factors for the engagement between Sigismund of Luxembourg to Barbara, which re-established the ties between the Polish and Hungarian throne. The aforementioned connection enabled Hermann II to expand his diplomatic activity to the lands under the Polish Crown and thus further consolidated his position as an important ally of Sigismund.

It is difficult to reconstruct Anna's life to the desired extent because not enough traces have been preserved, but it can be concluded that the overlooked Queen certainly must have had a certain impact on both the rise of the Counts of Celje as well as on the life of the Polish Kingdom. She was given this power through her royal position as well as her own level of engagement which, either high or low, had to remain within the framework of the late medieval ideas about the general role of the queen. Therefore, the most essential to Anna's influence was her noble origin, since it established a link between the Piasts and Jagiellonians, the past and the future of the Kingdom of Poland.

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74 Długosz, *Annales: Liber XI*, 59; KalKatKraK, 917, 919; RŚwięt, 85-86.

75 Tadeusz Wojciechowski, *Kościół katedralny w Krakowie* (Kraków: Nakł. Akademii Umiejętności, 1900), 64.

## Part 2

### **Interpreting the sources: archaeological, textual and contextual analysis**





Jana Škrkulja

## Symbols of power and ethnic identities in Late Antique Southern Pannonia and Dalmatia (the sixth century)

*The test of any good idea in archaeology, whatever its source, is whether it helps archaeologist look for things in the archaeological record that they might otherwise overlook or underrate.*

John. E. Terrel<sup>1</sup>

It would be illusory to try and present here the complex issue of formation, maintenance and expression of ethnic identities in late antique and the early medieval post-Roman societies in any detail, the more so since the scholarship has significantly grown over past years.<sup>2</sup>

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1 John Edward Terrel, "Archaeological Interference and Ethnographic Analogies: Rethinking the Lapita Cultural Complex," in *Archaeology Is Anthropology*, ed. by S. D. Gillespie and D. L. Nichols (Archaeological Papers of the American Anthropological Association 13) (Washington: American Anthropological Association, 2003), 74, according to Bruce G. Trigger, *A History of Archaeological Thought* (Cambridge: Cambridge University Press, 2006), 529.

2 To name only several pertinent collections of various, both methodological and case studies, with further references: *Archaeology of Identity / Archäologie der Identität*, ed. by Walter Pohl and Mathias Mehofer (Forschungen zur Geschichte des Mittelalters 17) (Wien: Verlag der Österreichischen Akademie der Wissenschaften, 2010); *Barbaren im Wandel. Beiträge zur Kultur- und Identitätsfindung in der Völkerwanderungszeit*, ed. by Jaroslav Tejral (Spisy Archeologického Ústavu av ČR Brno 26) (Brno: Archäologisches Institut der Akademie der Wissenschaften der Tschechischen Republik Brno, 2007); *From Roman Provinces to Medieval Kingdoms*, ed. by Thomas F. X. Noble (London-New York: Routledge, 2006); *On Barbarian Identity. Critical Approaches to Ethnicity in the Early Middle Ages*, ed. by Andrew Gillett (Studies in the Early Middle Ages 4) (Turnhout: Brepols, 2002); *Post-Roman Transitions. Christian and Barbarian Identities in the Early Medieval West*, ed. by Walter Pohl and Gerda Heydemann (Cultural encounters in late antiquity and the Middle Ages 14) (Turnhout: Brepols, 2013); *Romans, Barbarians, and the Transformation of the Roman World. Cultural Interactions and the Creation of Identity in Late Antiquity*, ed. by Ralph W. Mathisen and Danuta Shanzer (Farnham: Ashgate, 2011); *Strategies of Distinction. The Construction of Ethnic Communities, 300-800*, ed. by Walter Pohl and Helmut Reimitz (The Transformation of the Roman World 2) (Leiden-Boston-Köln: Brill, 1998); *Strategies of Identification. Ethnicity and Religion in Early Medieval Europe*, ed. by Walter Pohl and Gerda Heydemann (Cultural encounters in late antiquity and the Middle Ages 13) (Turnhout: Brepols, 2013); *Texts and Identities in the Early Middle Ages*, ed. by Richard Corradini and others (Österreichische Akademie der Wissenschaften, Philosophisch-Historische Klasse, Denkschriften 334; Forschungen zur Geschichte des Mittelalters 12) (Wien: Verlag der Österreichischen Akademie der Wissenschaften, 2006); *Visions of Community in the Post-Roman World. The West, Byzantium, and the Islamic World, 300-1000*, ed. by Walter Pohl, Clemens Gantner and Richard Payne (Farnham: Ashgate, 2012).

This stems both from the attractiveness of the research topic and the existence of still unresolved methodological questions. This concerns particularly how or even whether the archaeological evidence can be used as a mean to define ethnic boundaries.<sup>3</sup> The ethnocentric interpretation of the archaeological evidence, which has spawned from the old culture-history paradigm embedded in the notion that the ethnicity can be recognized and identified solely on the basis of the typology of archaeological artefacts, is indeed no longer tenable. Notwithstanding that, the archaeological methodology, improved with new theoretical approaches, maintains its validity and usefulness for an attempt to determine the ethnic identity in the material evidence. The preference of an ethnic group for certain artefacts or the manner in which they were using them may serve in defining the ethnic boundaries, which means that the material culture takes on an active role in formation of a distinct ethnic identity.<sup>4</sup>

The use of written sources in determining ethnic identity is also wrought with research problems of methodological nature. Written sources primarily reveal the standpoint of their authors, i.e. they are ideologically or politically motivated. They were composed with certain purposes and goals, and reflect the background, interests and preferences of their authors as well as the audiences to which they are directed, and therefore must not be taken at face value or accepted as absolutely truthful.<sup>5</sup> What the outside observers saw as an ethnically defined group may have only been a community of people united by the area they inhabited, goals they pursued, religion they shared, class interests they stood for or profession they practiced, without need to feel any bond based on belief in common descent and a shared past. Therefore one must not assume that ethnicity is the paramount concern of any given group identified by written sources, even if it is described in ethnographic terms.<sup>6</sup> However, this does not exclude the possibility

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3 Especially critical is Sebastian Brather ("Ethnic Identities as Constructions of Archaeology: The Case of the *Alamanni*," in *On Barbarian Identity*, ed. by Gillett, 149-150, Idem, *Bestattungen und Identitäten – Gruppierungen innerhalb frühmittelalterlichen Gesellschaften*, in *Archaeology of Identity / Archäologie der Identität*, 25-49. Cf. also, Idem, *Ethnische Interpretation in der frühgeschichtlichen Archäologie. Geschichte, Grundlagen und Alternativen* (Ergänzungsband zum Reallexikon der Germanischen Altertumskunde 42) (Berlin – New York: Walter de Gruyter, 2004), especially 323-377).

4 Florin Curta, "Some remarks on ethnicity in medieval archaeology," *Early Medieval Europe* 15 (2007) 2, 173-716.

5 Siân Jones, "Historical categories and the praxis of identity: the interpretation of ethnicity in historical archaeology," in *Historical Archaeology: Back from the Edge*, ed. by Pedro Paulo A. Funari, Martin Hall and Siân Jones (London – New York: Routledge, 1999), 223-224.

6 See Patrick Amory, *People and identity in Ostrogothic Italy 489-554* (Cambridge: Cambridge University Press, 2003), 14-17.

that members of a group described with a tangible ethnic label did not really identify themselves in terms of such ethnic designation.

The first step towards a possible solution of the problems related to the determination of ethnic identity is a necessary acceptance of interdisciplinary approach to the research and the cooperation of cognate academic disciplines. The synergy of history and archaeology seems to be a proper way, even though it is a still matter of controversy whether an integration of the historical and archaeological evidence is possible in the first place or it is necessary to keep the approaches of historical and archaeological analyses apart for better understanding.<sup>7</sup> As for archaeology, one has to look objectively on the previous and current research approaches, to detect and compare their strengths and weaknesses and to extract and combine the positive conclusions of the two opposed schools of thoughts.<sup>8</sup>

In this paper, I intend to present and discuss selected examples from the sixth-century archaeological evidence of the so-called Germanic cultural circle<sup>9</sup> found in south-eastern Pannonia (modern Syrmia) and Dalmatia. Next to their clear practical purpose, the artefacts considered here are taken as representative of social rank and professional status (military equipment), symbols of political ideology (coins), and signs of ethnic identity affiliation (dress accessories). However, it has to be stressed that neither of these artefacts are believed to indicate straightforwardly the ethnic identity of people who made use of them, even though it may very well be that a person buried in a 'Germanic-style' dress was of a 'Germanic' ethnic identity.

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7 Philipp von Rummel, "Gotisch, barbarisch oder römisch? Methodologische Überlegungen zur ethnischen Interpretation von Kleidung," in *Archaeology of Identity*, ed. by Pohl and Mehofer, 51-77, believes that the ethnicity can only be understood interdisciplinary, i.e. through both archaeological and historical discourse. See also Pohl, "Archaeology of identity: introduction," in *Archaeology of Identity*, ed. by Pohl and Mehofer, 9-23, who maintains that the archaeology may provide valuable insights, for instance, by researching the role that specific grave finds may have played as active factors in the construction and maintenance of ethnic identity.

8 It is worth to mention a plea by John Bintliff, "The death of archaeological theory?," in *The Death of Archaeological Theory*, ed. by John Bintliff and Mark Pearce (Oxford: Oxford University Press, 2011), 7-22 not to be burdened with dogmatic theory and ideology and to disregard the notion that a single approach or model is right to the exclusion of all others, but to use all possible models and methods for one's research case-study, then search for the congruence between the idea and patterns in past material culture in a more intuitive way and finally lay out explicitly the current state of one's research conclusions that make sense.

9 The so-called Germanic cultural circle, since it is a modern construct. On the issue, see Jörg Jarnut, "Germanisch. Plädoyer für die Abschaffung eines obsoleten Zentralbegriffes der Frühmittelalterforschung," in *Die Suche nach den Ursprüngen. Von der Bedeutung des frühen Mittelalters*, ed. by Walter Pohl (Forschungen zur Geschichte des Mittelalters 8) (Wien: Verlag der Österreichischen Akademie der Wissenschaften, 2004), 107-113.

## The ethnic record in narrative sources

The written evidence provide a necessary starting point for drawing an ethnic picture of the region between the Drava, the Danube and the Adriatic in the first half of the sixth century. To be sure, the information furnished is of fragmentary nature, and, in some cases, the sources are chronologically distant from the situation they describe, the latter of which in itself poses a significant problem since it reduces substantially the relevance and trustworthiness of the historical record. Regardless of these limitations that have to be borne in mind when reaching conclusions, written sources offer indispensable evidence.

Quite telling are the *Variae* composed by Magnus Aurelius Cassiodorus Senator (the sixth century), once a high official of the Ostrogothic kings of Italy.<sup>10</sup> His letters give a contemporary evidence for the presence of several ethnic identity groups in Pannonia and Dalmatia under the rule of the Ostrogoths: the barbarians (3.24 titulum; 8.21.3: *gentilis Danubius*), the Gepids (5.10.2; 5.11 titulum), the Goths (3.23.3; 3.24.4), and Romans in *Pannonia Sirmiensis*; the barbarians (5.14.6: *antiqui barbari*), the Goths (5.14.8: *domestici comitis Gothorum*; 9.9 titulum), and Romans (5.14.6: *mulieres Romanae*; 5.14.7: *iudex Romanus*; 9.9 titulum) in *Savia*, and the Goths (8.4.2; 9.9 titulum) and Romans (8.4 titulum; 8.4.2; 9.9 titulum) in Dalmatia. What stands out is the absence of the label *barbari* for Dalmatia, which may be understood as an indication that there were no groups in the province that might have been labelled as such. However, it is also possible that there were non-Gothic groups present in Dalmatia as soldiers in the Ostrogothic service and that they may have been concealed under the Gothic label.<sup>11</sup> The expression *gentilis Danubius* refers almost certainly to the Gepids, since the context in which is found relates to the Ostrogothic conquest of Gepidic Kingdom of *Sirmium*.<sup>12</sup> The label *barbari* in relation to *Pannonia Sirmiensis* is likely to be a cover term for the Gepids, but other groups may have equally been ment, for instance the Sarmatians who are known from written sources to have attacked, in 489, the Ostrogothic king Theoderic's march to

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10 *Cassiodori Senatoris Variae*, ed. by Theodor Mommsen, *Monumenta Germaniae Historica, Auctores Antiquissimi*, vol. 12 (Berlin: Weidmann, 1894), 1-385; *Cassiodori Variarum libri XII*, in *Magni Aurelii Cassiodori Senatoris Opera* I, ed. by Åke J. Fridh, *Corpus Christianorum, Series Latina*, vol. 96 (Turnhout: Brepolsm 1973), 1-499.

11 Cf. Hrvoje Gračanin, "Late Antique Dalmatia and Pannonia in Cassiodorus' *Variae*," *Povijesni prilozi* 49 (2015), 58.

12 Cf. Gračanin, "Late Antique Dalmatia and Pannonia," p. 60.

Italy somewhere in modern Syrmia, or even the Heruli who are also said to have lived in *Pannonia Secunda*.<sup>13</sup>

Another important narrative source, since it also offers contemporary evidence, is the *History of the Wars* by Procopius of Caesarea (the sixth century).<sup>14</sup> In Pannonia, Procopius mentions the Siscians (Σίσκιοί), the Suevi (Σουάβοι), the Pannonians (Παννόνες) (*Bellum Gothicum*, 1.15.26-27), the barbarians of *Suavia* (*Bellum Gothicum*, 1.16.9),<sup>15</sup> the Gepids (1.3.15: around *Sirmium*; 3.33.8: holding *Sirmium* and parts of (the diocese of) Dacia), the Romans (in the *Sirmium* region) (3.33.8; 3.34.17) and the Lombards (3.33.10: holding the strongholds in Pannonia; 3.33.11: settled not very far from the Gepids), and in Dalmatia, the Goths (*Bellum Gothicum*, 1.5.2, 1.5.11, 1.7.36: the Goths settled in Dalmatia and *Liburnia*) and the Romans (in the city of *Salona*) (*Bellum Gothicum*, 1.7.10, 1.7.31). Procopius' ethnographic account deserves closer attention. First, when he speaks of the Siscians and the Suevi it is clear that he is describing the inhabitants of the southwestern part of Pannonia, i.e. the province of *Savia*, since he says that these groups dwell above *Liburnia*, *Istria* and the land of the Veneti, and that beyond them are the Carnians and Noricans (*Bellum Gothicum*, 1.15.26-27). Procopius seems unaware of the province's name, but only speaks of the places of *Suabia* (Σουαβία χωριά). That there existed a *Suavia* in the vicinity of Dalmatia and not far from Pannonia is also said by another contemporary writer, Jordanes (the sixth century) in his *Getica* (273) and *Romana* (218).<sup>16</sup> Furthermore, Procopius says that the Dacians and Pannonians dwell on their right, i. e. to the east, which seems to indicate that only the inhabitants of the province of *Pannonia Secunda* or *Pannonia Sirmiensis* as it was known in the Ostrogothic times were identified as Pannonians, whereas the Roman inhabitants of *Savia* were identified as the Siscians after the provincial capital. This seems to be confirmed by the *Variae* where the term Pannonia is solely

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13 Cf. Gračanin, "Late Antique Dalmatia and Pannonia," p. 60; Hrvoje Gračanin and Jana Škrkulja, "Barbaricum contra imperium: Prostor današnje jugozapadne Vojvodine između kasne antike i ranog srednjeg vijeka u svjetlu povijesnih i arheoloških svjedočanstava (5.-6. stoljeće)," in *Vojvodanski prostor u kontekstu evropske istorije. Zbornik radova*, vol. 2, ed. by Vladan Gavrilović and Svetozar Boškov (Novi Sad – Bačka Palanka: Filozofski fakultet u Novom Sadu, Odsek za istoriju, 2014), 16. For the settlement of the Heruli, see also *infra*.

14 Procopius Caesariensis, *Bellum Gothicum*, in Procopius Caesariensis, *Opera omnia*, vol. 2 (*De bellis libri V-VIII: Bellum Gothicum*), ed. by Jakob Haury, revised by Gerhard Wirth (Leipzig: Teubner, 1963).

15 For the southern Pannonian *Suavia* and the Suevi, cf. Hrvoje Gračanin and Jana Škrkulja, "The Ostrogoths in Late Antique Southern Pannonia," *Acta Archaeologica Carpathica* 49 (2015), 182, note 93.

16 Jordanes, *Romana*, in *Iordanis Romana et Getica*, ed. by Theodor Mommsen, *Monumenta Germaniae Historica, Auctores Antiquissimi*, vol. 5.1 (Berlin: Weidmann, 1882), 1-52; Jordanes, *Getica*, in *Iordanis Romana et Getica*, ed. by Mommsen, 53-138.

used for *Pannonia Sirmiensis* (3.23.2; 4.13.1).<sup>17</sup> Finally, the mention of the barbarians of *Suavia* may be understood as indicating that not only the Suevi lived there but other barbarian groups as well, which may be perhaps connected to the label *antiqui barbari* from the *Variae*.



**Figure 1.** Provinces of Savia, Pannonia Secunda and Dalmatia

The only fragmentary preserved *History* of Menander Protector (the sixth century) furnishes explicit evidence about the settlement of the Heruli in southern Pannonia.<sup>18</sup> He mentions ‘the land of the Heruli’ that is called the Second Pannonia (fr. 5.4, 2-6 Blockley). This seems to mean that a large group of the Heruli was once settled in the region and that they managed to retain a distinct ethnic identity under the Roman, Ostrogothic and Gepidic rule. Procopius of Caesarea adds to this by locating the Heruli in the environs of Singidunum (*Bellum Gothicum*, 2.15.30; 3.13.13). Menander also says that the Gepids were given the land around *Sirmium* (fr. 12.6, 47-49 Blockley).

Other written sources provide much less concrete evidence for the sixth century, such as John Lydus (the sixth century),<sup>19</sup> who says of *Sirmium* to be an old and wealthy Roman city, but now Gepidic (*De magistratibus populi Romani*, 3.32), or a much later author, Paul the

17 Cf. Gračanin, *Late Antique Dalmatia and Pannonia*, 24.

18 Ioannes Lydus, *On powers or the magistracies of the Roman state*, ed. and trans. by Anastasius C. Bandy (Philadelphia: The American Philosophical Society, 1983).

19 Paulus Diaconus, *Historia Langobardorum*, ed. by Georg Waitz, *Monumenta Germaniae Historica. Scriptores rerum Langobardicarum et Italicarum saec. VI-IX* (Hannover: Hahn, 1878), 12-187.

Deacon (the eighth century),<sup>20</sup> who indirectly refers to the Lombard or Gepidic settlement in Pannonia (*Historia Langobardorum*, 1.23-24, 1.27), and mentions various ethnic groups who, in 568, left for Italy together with the Lombards, saying that up to his days there villages in Italy that are called after these peoples: the Gepids, Bulgars, Sarmatians, Pannonians, Suevi, Noricans and others (2.26). Of these, the mention of Bulgars is spurious, since no sixth-century source mentions them in connection to Pannonia.<sup>21</sup>

All in all, the written record such as it stands provides a diverse ethnic identity picture for the sixth-century Pannonia and Dalmatia: of the non-Roman groups, next to the ambiguous cover term barbarians, the narrative sources explicitly mention the Suevi, Goths, Gepids, Heruli, Lombards and Sarmatians, and of the Roman groups, the general term Romans as well as the Siscians and Pannonians. The majority of these groups are mentioned in connection to Pannonia, and only two, the Goths and Romans, in connection to Dalmatia, which is quite telling of the province's population stability.

## **A note on the archaeological evidence from southern Pannonia and Dalmatia**

Before moving to the discussion and contextualisation of the selected archaeological evidence it is necessary to point to several debilitating factors when it comes to the archaeological record from the region between the Drava, the Danube and the Adriatic. First and foremost there is a lack of archaeological research. There are not enough systematic and methodologically complete archaeological excavations, in which the context of the finds is well established. Hence, the researchers are more or less limited to the analysis of isolated stray finds that allow too broad a possibility for interpretation with an unsatisfactory outcome or beyond what can be proven. This refers especially to the artefacts found a hundred years ago or so, for which

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20 Menander Protector, *Fragments*, in R. C. Blockley, *The History of Menander the Guardsman. Introductory Essay, Text, Translation and Historiographical Notes*, ARCA. Classical and Medieval Texts, Papers and Monographs, vol. 7 (Liverpool: Francis Cairns, 1985), 40-249.

21 Cf. "Friedrich Lotter, unter Mitarebeit von Rajko Bratož und Helmut Castritius," *Völkerverschiebungen im Ostalpen-Mitteldonau-Raum zwischen Antike und Mittelalter (375-600)*, Ergänzungsbände zum Reallexikon der Germanischen Altertumskunde, vol. 39 (Berlin – New York: Walter de Gruyter, 2003), 146; Rajko Bratož, "Die Auswanderung der Bevölkerung aus den pannonischen Provinzen während des 5. und 6. Jahrhunderts," in *Römische Legionslager in den Rhein- und Donauprovinzen – Nuclei spätantik-frühmittelalterlichen Lebens?*, ed. by Michaela Konrad and Christian Witschel (München: Verlag der Bayerischen Akademie der Wissenschaften, C. H. Beck, 2011), 607.



the circumstances of the find were not clearly observed and there exists no precise and detailed documentation. In these early research years, given the contemporary knowledge and level of the research methodology, the finds were too often ascribed, without a hesitation, to a certain ethnic group or a stray find would be automatically determined as belonging to a grave. This necessitates a thorough revision and reinterpretation of the existing finds.

Furthermore, the artefacts discovered thus far have been small in numbers, very often without clear or even any archaeological context. Since the definition of a certain artefact depends on the context of the find, if the archaeological context is unknown and not clear, it is very hard or even impossible to determine an artefact as belonging to a certain ethnic identity group. Finally, to add to already mentioned limitations, the publication of the research results is very slow, which sometimes seems to take on the form of deliberate withholding of the finds.

Given the mentioned deficiencies and pitfalls, many finds cannot be considered as reliable testimonies of a particular historical situation. Hence, the area between the Drava, the Danube and the Adriatic is still more or less an archaeological *tabula rasa* for the so-called Great Migration period or, better, Late Antiquity period, and it craves for new methodologically soundly conducted archaeological investigations.<sup>22</sup>

## Contextualizing the selected archaeological evidence

The military equipment represents the first group of archaeological evidence taken into consideration. Of these, the Baldenheim type helmets are particularly notable, since they were a distinctive piece of military equipment and believed to have been worn by members of the elite, possibly on parade occasions.<sup>23</sup> One such helmet was discovered in Sirmia (in the environs of Batajnica near Belgrade), and three in Dalmatia (one in Solin/*Salona*, and two in Vid near Metkovići/*Narona*). The case of the Batajnica specimen is especially

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22 On the term and concept of Late Antiquity, which I believe to be a more appropriate label than the Great Migration period, see Arnaldo Marcone, "A Long Late Antiquity? Considerations on a Controversial Periodization," *Journal of Late Antiquity* 1 (2008), 4-19; Edward James, "The Rise and Function of the Concept "Late Antiquity"," *Journal of Late Antiquity* 1 (2008), 20-30.

23 Cf. Ante Uglešić, "Spangenhelme vom Typ Narona/Baldenheim vom Boden der Römischen Provinz Dalmatien unter besonderer Berücksichtigung der Herkunft dieses Helmtyps," *Radovi Filozofskog fakulteta u Zadru. Razdio povijesnih znanosti* 39 (2000) 26, 62.

interesting.<sup>24</sup> The ethnic identity affiliation of the person that wore the helmet is still an unresolved issue. The helmet was found in 1939. The information that it was discovered in a grave with other artefacts is dubious and conflicting. The data about the grave from the inventory book in the Archaeological Museum in Zagreb are lacking. The grave is mentioned by Zdenko Vinski, but the inventory book records only the environs of Batajnica, which means that even the site of the find is not clearly known. Even Vinski himself, in his 1957 study where he had published the find, was not sure any longer whether there were one or two graves.<sup>25</sup> Thus it may have not even been a grave. It is equally possible that the items were collected from different spots. As usually interpreted, some artefacts suggest that they may have belonged to a Gepid (sword, a pot with stamped ornament), whereas other artefacts seem to indicate that they have been in possession of an Ostrogoth (helmet, umbro). The alleged grave also contained fragments of a horse's bit and fragments of armour with metal rings. On balance, since there is no reliable inventory record, the helmet which is taken to be a product of Gothic workshops of northern Italy should not be ascribed to a Gepid who had allegedly obtained it as a spoil of war.<sup>26</sup> However, this is the current interpretation, which is repeated in the literature. To add to the uncertainty, if taken as a symbol of authority and social rank, the helmet may have been once in possession of a Herul leader who possibly received it as a gift, since the Heruli are also known to have inhabited the easternmost parts of *Pannonia Secunda* and had connections to the

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24 On the find, see Zdenko Vinski, "Ein Spangenhelmsfund aus dem östlichen Syrmien," *Germania* 32 (1954) 3, 176-182; Zdenko Vinski, *Arheološki spomenici velike seobe naroda u Srijemu* (Ljubljana: Narodni muzej, 1957), 3-27; Dezső Csallány, *Archäologische Denkmäler der Gepiden im Mitteldonaubecken (454-568 u. Z.)*, *Archaeologia Hungarica*. Series Nova, vol. 38 (Budapest: Verlag der Ungarischen Akademie der Wissenschaften, 1961), 238-239; Danica Dimitrijević, Jovan Kovačević and Zdenko Vinski, *Seoba naroda. Arheološki nalazi jugoslovenskog Podunavlja* (Zemun: Narodni muzej, 1962), 73-75, no. 72; Katica Simoni, "Dva priloga istraživanju germanskih nalaza seobe naroda u Jugoslaviji," *Vjesnik Arheološkog muzeja u Zagrebu* 10-11 (1977-1978), 219; Željko Tomičić, "Der Untergang der Antike und deren Nachlebensformen in Südpannonien (Nordkroatien)," in *Slovenija in sosednje dežele med antiko in karolinško dobo. Začetki slovenske etnogeneze / Slowenien und die Nachbarländer zwischen Antike und karolingischer Epoche. Anfänge der slowenischen Ethnogenese*, vol. 1, ed. by Rajko Bratož (Ljubljana: Narodni muzej Slovenije, 2000), 271.

25 Vinski, "Ein Spangenhelmsfund," 176; Idem, *Arheološki spomenici*, 3.

26 Vinski, "Ein Spangenhelmsfund," 182; Idem, *Arheološki spomenici*, 26-27. In the latter article, he has mentioned a possibility that the helmet was a gift from the Ostrogoths to a prominent Gepidic warrior. Afterwards he has hypothesized that the helmet stemmed from Sirmium and ended up in possession of a Gepidic nobleman or a warrior of a princely rank (Idem, "Sljem epohe seobe naroda nađen u Sinju," *Starohrvatska prosvjeta* 12 (1982), 23; "Archäologische Spuren ostgotischer Anwesenheit im heutigen Bereich Jugoslawiens," in *Problemi seobe naroda u Karpatkoj kotlini. Saopštenja sa naučnog skupa 13.-16. decembra 1976.*, ed. by Danica Dimitrijević, Jovan Kovačević and Zdenko Vinski (Novi Sad: Matica srpska, 1978), p. 42).

Ostrogoths as well as to the Eastern Romans.<sup>27</sup> Moreover, such helmets may have also be worn by Eastern Romans, and it is possible that they were also produced in the Eastern Roman Empire.<sup>28</sup> Therefore, it is not excluded that the helmet from the environs of Batajnica was actually in possession of an Eastern Roman, especially since the archaeological context of the find is unclear.



**Figure 2.** Baldenheim type helmet from the environs of Batajnica

As for the three Baldenheim type helmets from Dalmatia they are explained as originally being worn by the Ostrogoths but then, after they had ended up as spoils of war in the hands of Eastern Roman soldiers, used until the late sixth century.<sup>29</sup> The latter assertion hinges on the fact that the helmet from *Salona* was found, apart from a coin of Justinian I (527-565), with an early Byzantine silver dual-piece buckle of Mediterranean type and a silver tang, both tentatively dated to around 600, as well with the name Licinius inscribed on the helmet.<sup>30</sup>

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27 On the sixth-century Heruli, see Alexander Sarantis, "The Justinianic Herules: From Allied Barbarians to Roman Provincials," in *Neglected Barbarians*, ed. by Florin Curta, Studies in the Early Middle Ages, vol. 32 (Turnhout: Brepols, 2010), 361-403; Roland Steinacher, "The Herules: Fragments of a History," in *Neglected Barbarians*, 345-56.

28 For the possible Eastern Roman cavalrymen as bearers, cf. I.P. Stephenson, *Roman Cavalry Equipment* (Stroud-Charleston, SC: Tempus Publishing, 2003), 31. On the eastern Roman origin of the Baldenheim-type helmets, see Vinski, "Šljaem epohe seobe naroda," 19-27; Idem, "Dodatna zapažanja o šljemovima tipa Narona/Baldenheim," *Starohrvatska prosvjeta* 14 (1984), 89-90.

29 Uglešić, "Spangenhelme," 65, 67.

30 Cf. Vinski, "Dodatna zapažanja," p. 88, with Piteša, *Katalog nalaza*, 17, no. 12.

Later such type of buckles was re-dated to the second half of the sixth century and to the post-Justinian age with extension to the seventh century.<sup>31</sup> This re-dating makes the assumption that the helmet was used until the late sixth century less certain. Moreover, only the helmet from *Salona* was found with additional items that enable more precise dating, while the two from *Narona* are stray finds from the ruins of city walls.<sup>32</sup> Thus, any assumption about which they may have belonged is quite speculative.

The spatha-type swords may be taken as indicative of professional status, since the Roman civilians were not legally allowed to carry weapons. This continued under the Ostrogoths and the Ostrogothic government was perhaps even more interested in maintaining such a legal restriction both as a professional and a social divide.<sup>33</sup> Cassiodorus' *Variae* testify to the view on two distinct social roles in the Ostrogothic Kingdom: the Goths are to wage wars, while the Romans are to be at peace (12.5.4-5). However, legislation or one's notion do not necessarily reflect actual circumstances.<sup>34</sup> The *Variae* provide testimony that, in *Pannonia Sirmiensis*, people who are said to not have been able to pay the court fees resorted to resolving lawsuits by swords (3.23.4), and this was equally applying to the barbarian and Roman population (3.24.3-4: the letter is addressed to the barbarians and Romans residing in the province).<sup>35</sup> Moreover, even if a Roman meant a civilian by definition, this does not say that there may not have been Romans who served their Ostrogothic masters as soldiers (one such Roman with a military career who seems to have been ready to assume a Gothic identity is well known from the *Variae*, Cyprianus<sup>36</sup>). This goes for all other ethnic identity groups in the Ostrogothic service. Anyone who served in the *exercitus Gothorum* could be seen as Gothic, regardless of their distinct ethnic identity which they could freely maintain.<sup>37</sup>

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31 Vinski, "Razmatranja o iskapanjima u Kninu," 26-27, with Maja Petrinc, "Metal Objects of Byzantine Origin in Medieval Graves from Croatia," in *Toward Rewriting? New Approaches to Byzantine Archaeology and Art*, ed. by Piotr Ł. Grotowski and Sławomir Skrzyński (Warsaw: The Polish Society of Oriental Art, Cardinal Stefan Wyszyński University, Jagiellonian University, The Pontifical University of John Paul II in Cracow, 2010), 199.

32 Cf. Vinski, "Šljem epohe seobe naroda," 23.

33 Cf. Amory, *People and identity*, 3-4.

34 Cf. Guy Halsall, "The origins of the *Reihengräberzivilisation*: forty years on," in *Fifth-century Gaul: a crisis of identity?*, ed. by John Drinkwater and Hugh Elton (Cambridge: Cambridge University Press, 2002), 200.

35 Cf. Gračanin, "Late Antique Dalmatia and Pannonia," 52-54.

36 Cf. Amory, *People and identity*, 369-371 (s.v. Cyprianus), 401 (s.v. Opilio).

37 Cf. Amory, *People and identity*, 53, 151-52, 114, 319-320, with Gračanin, "Late Antique Dalmatia and Pannonia," 58-59.

The spatha type swords are generally affiliated with ‘Germanic’ peoples. In the region between the Drava, the Danube and the Adriatic, they have been almost exclusively found in Syrmia, in Ilok/Cuccium (1), Neštín (1), Rakovac (1), Sremska Mitrovica/*Sirmium* (2) and Zemun/*Taurunum* (1), apart from three specimens from Damatia, one from Salona, which was discovered along with a spear, one from the Knin-Greblje site, and one from an unknown site, they are all chance or stray finds.<sup>38</sup> The only exception thus far is a spatha, which has recently been discovered *in situ* within a male grave at the Jauhov salaš site in Novi Čeminac in the Croatian Baranja.<sup>39</sup> Since in the Ostrogothic graves traditionally there are no weapons, the spathae are normally associated with other ‘Germanic’ groups, which, for Syrmia, primarily means the Gepids. The same logic has even been applied to a spatha from Knin-Greblje in Dalmatia.<sup>40</sup> There is however a problem with such a reasoning, since the spathae were discovered outside the archaeological context. Hence, they may not be grave goods at all, but, for Syrmia, remnants of armed conflicts, meaning they may have equally been a possession of the Ostrogoths or, in some cases, even the Heruli or the Lombards. In the end, they may have even been used by the local Roman population, regardless of whether they pursued a military career or not.

The second group of archaeological evidence discussed here is coins. The coinage minted by ‘Germanic’ rulers are possibly the most reliable indicator of the extent of their influence. Next to their economic function, these coins are even more important for their effect as an ideological-propagandistic tool, since the Roman coins continued to be indiscriminately used under the new rulers. In southern Pannonia, the coins of Ostrogothic kings Theoderic and Athalaric have been found in Sisak/*Siscia* and Bačín in the Middle Sava region, in Dalj/*Teutoburgium*, Donji Miholjac/*Mariniana*, Štrbinci/*Certissa* and Vinkovci/*Cibalae* in Slavonia, and in Golubinci, Jakovo, Novi Banovci/*Burgena*, Sremska Mitrovica, Vukovar and Zemun in Syrmia; of Gepidic king Kunimund (560/4-567) in Dalj, Novi Banovci and Sremska Mitrovica;

38 Cf. Gračanin and Škrgulja, “The Ostrogoths,” 190 (no. 5c), 191 (7b), 192 (no. 10b), 193 (no. 16d); Ante Piteša, *Katalog nalaza iz vremena seobe naroda, srednjeg i novog vijeka u Arheološkome muzeju u Splitu* (Split: Arheološki muzej – Split, 2009), 19 (nos. 16-17); Katica Simoni, “Knin-Greblje – kataloški opis grobova i nalaza,” *Starohrvatska prosvjeta* 19 (1989), 108 (no. 1); Zdenko Vinski, “Razmatranja o iskopavanjima u Kninu na nalazištu Greblje,” *Starohrvatska prosvjeta* 19 (1989), 7.

39 Cf. the exhibition flyer *JASA, Rezultati arheoloških istraživanja lokaliteta Novi Čeminac – Jauhov salaš* (Zagreb: Arheološki muzej u Zagrebu; Centar za kulturu grada Belog Manastira, 2016).

40 Cf. Ante Uglešić, “O etničkoj pripadnosti groba 2 s položaja Njive – Podstrana u Naroni,” *Radovi Filozofskog fakulteta u Zadru. Razdio povijesnih znanosti* 38 (1999) 25, pp. 96-97.

and of Lombard kings in Sisak and Osijek/*Mursa*.<sup>41</sup> In Dalmatia, understandably, only the Ostrogothic coins have been found, struck by kings Theoderic, Athalaric, Theodahad, Vitigis and Totila/Baduila, and the finds are much more frequent than in southern Pannonia: Benkovac, Bihać, Trogir-Bijaći/*Siculi*, Čvrljevo-Vinovo, Danilo/*Rider*, Donje Vrtoče, Dubravica-Grahovo, Dubrovnik, Dugopolje, Gradac near Dubrovnik, Gospić, Imotski, Klis, Križpolje, Kupirovo, Medviđa/*Hadra*, *Narona*, Nin/*Aenona*, Perušić, the Prijedor area, *Salona*, Sarajevo, Smilčić, and Škabrnja, the Tomislavgrad area, Vinica, Vaganac, the environs of Zadar/*Jader*, and Ist on the Ist island northwest of Zadar, the Kaprije island southwest of Šibenik, the Korčula island, and Pučišće on the Brač island and Starigrad on the Hvar island.<sup>42</sup> Even though these are mostly chance and stray finds, their distribution indicates the use of coins in the provincial centres as well as in lesser settlements located along or close to main roads, important river crossings, traffic hubs and junctions. In the case of Ostrogothic coinage, it is self-evident that the coins were used by the provincial population regardless of their ethnic identity background and thus they cannot be taken to suggest the presence of the Ostrogoths. On the other hand, a much lesser quantity of Gepidic and Lombard coinage found thus far may perhaps be seen as indicative for their much less wide-spread use among the Roman population.

One find deserves particular attention: a hoard of gold and silver coins dating from the fifth and sixth centuries found at the Klapavice-Crkvina site near Klis in the vicinity of Split.<sup>43</sup> The hoard contained 17 pieces, of which four were probably struck by Odoacer on behalf of Emperors Leo I and Zeno, eight were struck by Theoderic on behalf of Zeno and Anastasius I and one by Athalaric on behalf

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41 Cf. Gračanin and Škrgulja, "The Ostrogoths," 187-89, 193-95 (for Ostrogothic coins); Ivan Mirnik and Andrej Šemrov, "Byzantine coins in the Zagreb Archaeological Museum Numismatic Collection. Anastasius I (A.D. 497-518) – Anastasius II (A.D. 713-715)," *Vjesnik Arheološkog muzeja u Zagrebu* 30-31 (1997-1998), 865 (nos. 864-868), Tomičić, "Der Untergang der Antike," 276 (for Gepidic coins); Mirnik and Šemrov, "Byzantine coins," 208-209 (nos. 855-867), Tomičić, "Der Untergang der Antike," p. 278 (for Lombard coins).

42 Cf. Željko Demo, *Ostrogothic Coinage from Collections in Croatia, Slovenia and Bosnia & Herzegovina* (Ljubljana: Narodni muzej, 1994), 168-73; Idem, "Istočnogotski novci Dalmacije," in *Hrvati i Goti*, ed. by Robert Tafra (Split: Iberia, 1996), 169-179; Idem, "INVICTISSIMVS AVTOR – an unusual series of Baduila (Totila): a new example from Croatia," in *Byzantine Coins in Central Europe between the 5th and 10th Century. Proceedings from the conference organised by Polish Academy of Arts and Sciences and Institute of Archaeology University of Rzeszów under the patronage of Union Académique Internationale (Programme No. 57 Moravia Magna)*. Kraków, 23-26 IV 2007, ed. by Marcin Wołoszyn (Kraków: Polish Academy of Arts and Sciences, Institute of Archaeology University of Rzeszów, 2009), 37-46.

43 For the find, see Tomislav Šeparović, "Skupni nalaz novca iz 5. i 6. stoljeća na lokalitetu Klapavice – Crkvina kod Klisa," *Starohrvatska prosvjeta* 36 (2009), 27-34.

of Emperor Justinian I, whereas two are imperial coins struck by Zeno and Anastasius I and issued from the Constantinople mint. The hoard has been interpreted as created in the turbulent times of the incipient Gothic war and fight over Salona in 535 and 536.<sup>44</sup> The hoard was discovered under the floor of the church nartex, and this sacral building complex is thought to have been used for Arian liturgical services. According to this reconstruction, coins were deposited after the Ostrogoths had been forced to evacuate *Salona* but still remained in the city's vicinity before they had to retreat completely from the province by the late 536. To be sure, such explanation for the creation of the hoard fits well in what is known about the contemporary events in the area. However, the caution is always needed not to ascribe coin hoards to specific military-political events by necessity so that they would not be automatically connected to some significant threat when reasons for stashing could have been various. What sticks out in this particular case is that the latest coin can be dated to the period between 527 and 534 and there is no coins from 535 or 536, even though King Theodahad's coins have been discovered in Dalmatia. Furthermore, there is only one Athalaric's coin, which would rather suggest that whoever created the hoard did not get an opportunity to gather more, and this may indicate that the hoard was created even earlier in his reign and not after it. These caveats seem to offer a strong enough objection against dating the creation of the hoard to the war years. In this context, it is a thankless effort to try and conjecture who might have created the hoard, especially since it was hidden in a church, which is only quite tentatively said to have been used for Arian liturgy.

The third and last group of archaeological evidence considered here is represented by items of dress and personal adornment. Such artefacts can indicate ethnically diverse bearers.<sup>45</sup> For instance, cicada fibulae may be attributed to various ethnic identity groups, both Hunnic and 'East Germanic'. The find of cicada fibula from the island of Mljet is taken as illustrative for the argument.<sup>46</sup> It was discovered in 2011 in a cave on the side of the island opposite to where the so-called palace complex at

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44 Šeparović, "Skupni nalaz novca," p. 32.

45 For this, see Rummel, "Gotisch, barbarisch oder römisch."

46 I would like to use this opportunity to thank Dr. Domagoj Perkić for the information on the find. See also Jana Škrgulja, "L'archeologia dell' Adriatico orientale tra il V il VII secolo: le evidenze archeologiche e i problemi della ricerca," in *AdriaAtlas et l'histoire de l'espace adriatique du VIe s. a.C. au VIIIe s. p.C. Actes du colloque international de Rome (4-6 novembre 2013)*, ed. by Yolande Marion and Francis Tassaux, *Ausonius Scripta Antiqua*, vol. 79 (Bordeaux: Ausonius, 2015), 105-107.



Polače is situated.<sup>47</sup> It is known from written sources that, in the late fifth century, the island was property of Odoacer before he donated it to his *comes domesticorum* Pierius (commander of household troops). After the demise of both Pierius and Odoacer, it can be assumed that the property passed over to the conquering Ostrogothic king Theoderic.<sup>48</sup> By usual logic, the find of the cicada fibula may be ascribed to the Ostrogoths and taken as an indication that there were members of the new Ostrogothic regime present on the island. It should also be noted that the site itself, i.e. the cave (the Špilja Nad Procjepom or Špilja Kod Nerezinog Dola cave) is geographically positioned at the opposite side of the island in relation to Polače (Polače is located at the island's northwest and the cave at the island's southeast side, diagonally from Polače), that the finds from the cave date from Eneolithic to Early Modern period, and that only one cicada fibula has been found. This certainly diminishes its authority in matters of interpretation and dating. Moreover, the item may have equally belonged to a Roman. In any case, the circumstances in which it ended up on the island are obscure and the very fact that it has not been found in the Polače site calls for caution in interpretation. To add to the point, the same logic that one could apply in the case of the cicada fibula from Mljet stands behind the conclusion about the new finds from the area of Narona: based solely on a typological analysis rooted in culture-history approach, it has been inferred that a pair of bow fibulae found in one grave indicates the presence of the Gepids.<sup>49</sup> The same reasoning is also found in two further cases: a discoid rotating fibula found at the Podumci-Maretića Umac site and a discoid rotating appliqué found at the Danilo-Gradina site have both been ascribed to the Gepids and adduced to put forward a hypothesis of the Gepids being settled in Dalmatia.<sup>50</sup>

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47 On the so-called palace at Polače, see Michelangelo Cagiano de Azevedo, "Il 'Palatium' di Porto Palazzo a Meleda," in *Tardo antico e alto medioevo. La forma artistica nel passaggio dell'antichità al medioevo. Atti del Convegno Internazionale, Roma, 4-7 aprile 1967* (Roma: Accademia nazionale dei Lincei, 1968), 273-283; Igor Fisković, "Jesu li Polače na Mljetu bile sijelo vladara Dalmacije?," *Prilozi Instituta za arheologiju u Zagrebu* 13-14 (1996-1997), 61-82; Idem, "Late antique buildings in Polače on the island of Mljet," in *L'Époque de Justinien et les problèmes de VI<sup>e</sup> et VII<sup>e</sup> siècles. Radovi XIII. međunarodnog kongresa za starokršćansku arheologiju*, vol. 3, ed. by Nenad Cambi and Emilio Marin (Vatican – Split: Pontificio Istituto di Archeologia Cristiana, Arheološki muzej u Splitu, 1998), 273-286; Josip Stošić, Ivan Tenšek, Ivana Valjato-Vrus and Ivica Žile, "Ispravljani tlocrt kasnoantičke palače u Polačama na otoku Mljetu," *Dubrovnik. Časopis za književnost i znanost* 13 (2002) 1-2, 271-276; Tin Turković, "The Late Antique 'Palace' in Polače Bay (Mljet) – Tetrarchic 'Palace'?", *Hortus Artium Medievalium* 17 (2011), 211-233.

48 On this, see Ivanka Nikolajević, "Veliki posed u Dalmaciji u V i VI veku u svetlosti arheoloških nalaza," *Zbornik radova Vizantološkog instituta* 13 (1971), 284-292; Marin Zaninović, "Avsonivus vir spectabilis. Novi namjesnik kasnoantičke Dalmacije," *Prilozi povijesti umjetnosti u Dalmaciji* 26 (1987), 15-16.

49 See Uglešić, "O etničkoj pripadnosti," 93-100; Idem, "O Naroni u istočnogotsko doba na temelju arheoloških nalaza," *Diadora* 21 (2003), 206, 209.

50 See Uglešić, "Najnoviji germanski nalazi seobe naroda iz sjeverne Dalmacije," *Prilozi Instituta za arheologiju u Zagrebu* 24 (2007), 273-276.



Similarly, certain finds from the Knin-Greblje and Rakovčani sites, where two necropolises have been found and investigated, are taken to indicate the presence of the Ostrogoths and, since the majority of the graves is attributed to the Roman inhabitants, the assumption has been made of the coexistence of the Ostrogothic and Roman populations.<sup>51</sup> However, the presence of these finds can also be explained as a result of transfer of the fashion taste or the markers of social or gender status, and not necessarily as a specific ethnic identity indicator.<sup>52</sup> Consequently, it is more likely that only the Roman inhabitants were buried at the mentioned sites.

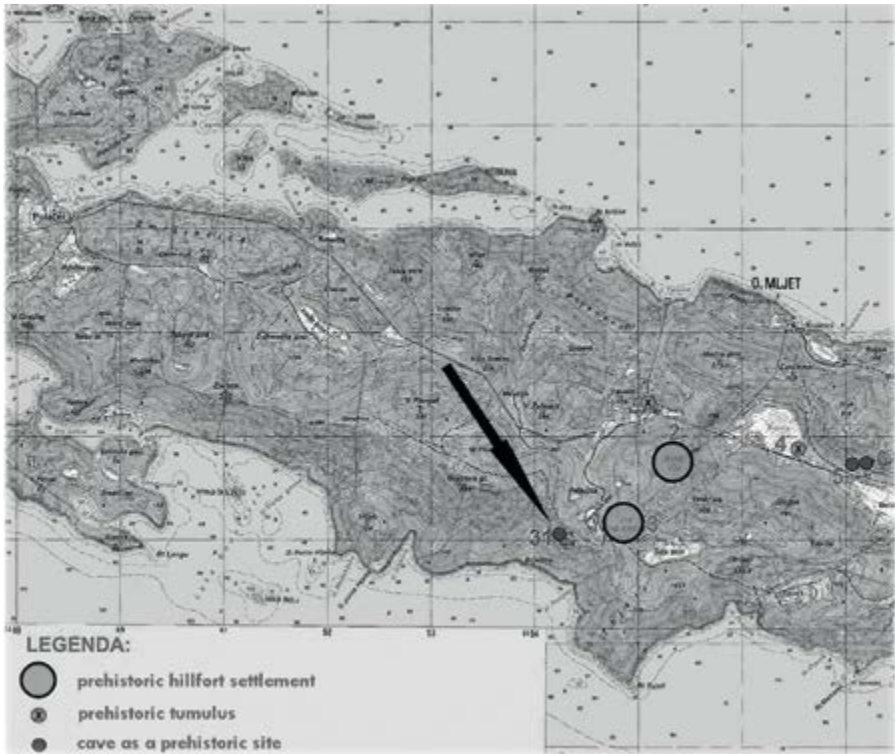
**Figure 3.** Cicada fibula from the Mljet island



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51 Zdenko Vinski, "Rani srednji vijek u Jugoslaviji od 400. do 800. godine," *Vjesnik Arheološkog muzeja u Zagrebu* 5 (1971), 54; Idem, "Archäologische Spuren," 39-40; Idem, "Razmatranja o iskopavanjima u Kninu," 8, 9, 33.

52 Cf. Škrkulja, "L'archeologia dell' Adriatico orientale," 103; with Danijel Džino, *Becoming Slav, Becoming Croat. Identity Transformations in Post-Roman and Early Medieval Dalmatia, East Central and Eastern Europe in the Middle Ages, 450-1450*, vol. 12 (Leiden – Boston: Brill, 2010), 82.



**Figure 4.** Location of the Špilja Nad Procjepom site

## Concluding remarks

To summarize, this paper has tried to make several points. On the strength of written sources, there is no doubt that various ethnic identity groups lived in southern Pannonia and Dalmatia in the sixth century. Their presence can also be deduced based on the specific archaeological evidence if it is clearly determined as characteristic of certain groups. That is to say that the archaeological material cannot be reduced to a mere social, cultural or religious identity function, but has also strength of argument with regard to ethnic identity. At the same time, if the quantity and quality of finds is too meagre, and the archaeological context is not clear, the evidential strength of the material is strongly diminished and the interpretation must be very cautious. The straightforwardness and generalisation in reaching conclusions that cannot be substantiated is best avoided, and more nuanced, case-to-case approach should be preferred. Furthermore, it

is necessary to be prepared not only to re-examine, re-evaluate and re-interpret the material but also to inspect and verify the record concerning the circumstances of the find. Such an approach, along with new systematic field investigations, should help assemble the archaeological record into a coherent and more plausible historical picture.

The latest example of such archaeological research that combine classical archaeological methods and evaluation shows that the situation seems to have finally started to change regarding the area of southern Pannonia, making up for the lack of previous excavations and discoveries. In the environs of Beli Manastir in the Croatian Baranja, at the Novi Čeminac-Jauhov salaš site, a graveyard and a settlement, have been unearthed and excavated.<sup>53</sup> The archaeological material still awaits the complete study and publication, but the preliminary results point to a conclusion that the graves and settlement presumably date from the fifth century and, in ethnic terms, they have been affiliated with the 'Germanic' cultural circle. The site has been excavated by the Archaeological Museum of Zagreb in the 2014 and 2015 campaigns. Based on the archaeological excavations it has been determined that the Jauhov salaš site was inhabited over a long span of time and the site yielded a variety of archaeological material spanning from prehistoric to medieval periods. For the purpose of this paper we but briefly and exclusively touch on the cultural layers that have been preliminary dated to the fifth century and consist of twenty two houses and eleven graves. Apart from the finds associated with the everyday life in the settlement, for instance, a tool made from horn that could be used for stamping clay pots, particularly valuable are grave finds from the graves divided in two groups of five graves along with one separate burial differing from the others by its manner of burying. This has led the researchers to assume that such a burial was a result of a separation from the group due to an infectious disease. The graves contained skeletons of men, women and children. The skeletons are characterized by artificial cranial deformation. Graves contain rich grave goods and items of apparel, such as spatha, bronze tweezers, silver fibulae similar to the so-called Ilok fibulae published by Zdenko Vinski in 1957, bone combs, large polyhedral earrings, glass and amber beads. Graves of the northern burial group, which consists solely of adult burials, are much more richly equipped.<sup>54</sup> These finds exquisitely reflect the

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53 Cf. the exhibition flyer *JASA, Rezultati arheoloških istraživanja lokaliteta Novi Čeminac – Jauhov salaš* (Zagreb: Arheološki muzej u Zagrebu; Centar za kulturu grada Belog Manastira, 2016).

54 I would like to thank Dr. Jacqueline Balen for kindly providing me with the details on the research and findings.

topic of power, both of an individual and an entire tribal group, and directly correlate to the question of the ethnic identity affiliation of the deceased. Nevertheless, it can be said that these finds have finally offered, by interdisciplinary application of archaeological methods, an opportunity for a much more refined answering to the questions related to ethnic identities as well as reconsidering accepted views, such as the question of Ostrogothic graves without weapons, which now seems a matter open for a debate. In addition, one has also to take into account a possibility of a larger fluidity with regard to the use of items of dress and personal adornment among different 'Germanic' groups, especially in areas where there was a greater contact and more interaction of various 'Germanic' groups with the native population. On balance, this is a rare example of a superbly conducted archaeological excavation and a first example of discovery of *in situ* graves and houses affiliated with the 'Germanic' cultural group that have been investigated on the Croatian soil, testifying to the domination of the archaeological methods of research and deduction which can achieve their full potential if what the researchers deal with are not merely chance or stray finds.



Andrej Janeš

## The archaeological approach and the need for medieval castle research\*

The term *castle* is used for one of the most powerful symbols of medieval Europe.<sup>1</sup> It represents the structure and the strategy of domination, which were at the very core of the medieval society<sup>2</sup> and the organized power that was mirrored within the feudal social situation through the threefold division, or, more precisely, the hierarchy based on the *oratores, bellatores, laboratores* principle.<sup>3</sup>

Today, castles represent some of the most significant, if not the most significant tangible symbols of the Middle Ages. The tall and mighty architectural remains of these buildings point out a very important aspect of the medieval world. As such, they drew the attention of both experts and amateurs from various scientific fields from the very beginnings of the research. Interest among researchers for medieval castles existed since the second half of the nineteenth century, mainly among the historians. During the period of national awakening historians studied medieval noble families that governed the areas of Croatia, Slavonia and Dalmatia which lead them to the subject of their material properties as well. One of the first who started researching the histories of individual castles was E. Laszowski, whose scholarly opus includes a few dozen works on the subject.

As research of history developed in course of time, archaeology followed. The roots of this science, which studies humanity's material remains and its activities through the ages, lie among eighteenth- and nineteenth-century collectors. Medieval archaeology in Croatia has deep roots, dating to the first excavations in Dalmatia, in the area where the early medieval Croatian state used to be located.

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1 This paper will use the term castle for all forms of medieval fortifications, particularly those built out of stone. Concerning the burg/castle terminology problem, see Tatjana Tkalčec, *Arheološka slika obrambenog sustava srednjovjekovne Slavonije*, unpublished doctoral thesis (Zagreb: University of Zagreb, 2008), 18-25.

2 Katarina Predovnik, "A Brave New World? Building castles, changing and inventing traditions," *Atti della Accademia Roveretana degli Agiati* a. 262, ser. IX, vol. II, A, fasc. II (2013), 64.

3 Tkalčec, *Arheološka slika*, 99.

## The beginnings of castle excavations before 1945

The first excavations of a castle in Croatia took place in 1898. The excavations took place during the so-called “Žumberak question” – the determination of borders between Croatia and Carniola. The remains of Žumberak castle were excavated and engineer I. pl. Križanić was named project leader. The motive for the choice of location was purely political in nature. The chosen method was to try and find, through excavations, the remains of the fortress sketched in 1639 by G. Pieroni.<sup>4</sup> Unfortunately, the results of these excavations remain unpublished and have only been written down as a short field report.<sup>5</sup>

There was no greater activity when it comes to castle excavations until 1910. That and the following year excavations started at two castles, in Samobor and Gradina Kozjak (Krčingrad) by the Plitvice Lakes. The “Šišmiš” (“Bat”) sport society started excavations at the Samobor castle with clearing and preservation of architectural remains as their goal. The motive for this undertaking was the wish of the society’s members to preserve one of the biggest landmarks of Samobor, but, likewise, to ascertain the future location of their club’s premises. Experts from the Narodni Muzej (People’s Museum) in Zagreb, the archaeologists J. Brunšmid and V. Hoffiller and engineer L. Sitzer gave their support for the castle dig.<sup>6</sup> Curiously, no need was felt for deeper research and the layer of collapsed construction was characterised only as a source of construction material. There were digs at several locations in the area of the castle, mostly in the debris layer, and only a few of them reached the layer of the latest development phase.<sup>7</sup> The excavations were performed by members of the society or by contracted workers, without expert supervision. During the works in 1911 and 1912 conservator Gj. Szabo would visit the site occasionally. No documentation was taken at all pertaining to the first campaign and only a few photos were taken during the second one.

During the excavations of the pentagonal and the middle round tower a larger amount of movable finds was gathered. Finds of a large number of stove tiles, fragments of tin-glazed pottery, window glass

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4 Marko Zajc, “Zgodovinarji o meji med Kranjsko in Hrvaško 1881-1916,” *Prispevki za novejšo zgodovino* 46/ 2 (2006), 19-20.

5 It is interesting to note that Pieroni had actually sketched the Novi grad Žumberak and not the site that was excavated in 1898.

6 Drago Miletić, *Samoborski stari grad* (Samobor: Samoborski muzej, 2001), 30.

7 Miletić, *Samoborski stari grad*, 46.



shards and metal findings were stated. Stove tiles with Gothic-style characteristics stood out among the finds at the round tower.<sup>8</sup>

Soon after the works on the Samobor castle commenced, E. Laszowski carried out excavations at the Gradina Kozjak by the Plitvice Lakes. In two campaigns and twenty or so trenches he excavated parts of the defensive wall and started excavating the two towers in the southern part of the plateau.<sup>9</sup> A ground plan of the site was made during the excavations.

Both excavations stopped in 1912 and did not continue. The interest in castle excavations did not wane, but the upcoming war and the change of states resulted in insufficient funds to ensure the continuation of the works. These first two excavations showed how complex the research of medieval castles really is and pointed out the need for cooperation of various professions and scientific disciplines. Even though interest was generally large, among archaeologists it was absent; in spite the large amount of movable finds gathered during the works. The aforementioned Brunšmid and Hoffiller were active at that time but research efforts of contemporary medieval archaeology were mostly directed at the Early Middle Ages, mainly in Northern and Central Dalmatia.<sup>10</sup>

Partly because of the new political circumstances, Croatia having entered the Kingdom of Yugoslavia, partly because of the great economic crisis that gripped the entire world, there were no advances in the field of research and excavation of castles. The activity and the figure of Gj. Szabo contributed to that situation. He opposed, from his professional beginnings, any excavations of castles (“... the first and only task: do not touch the ruins...”).<sup>11</sup> Paradoxically, new castle excavations took place in the course of World War II.

Through the efforts of the conservator T. Stahuljak from the Conservation Institute in Zagreb excavations of the Samobor castle recommenced in 1942 because of the bad state of preserved architectural elements. Stahuljak used the test trenches method. They were used to determine the original floor levels in several areas. During that period a larger amount of mobile finds was gathered, mostly fragments of stove tiles. Even though Stahuljak visited the site only every 7-10 days some archaeological situations were documented, such as the remains

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8 Miletić, *Samoborski stari grad*, 36-39.

9 Tajana Pleše, “Krčingradska branič-kula,” *Vjesnik Arheološkog muzeja u Zagrebu*, 3. s. 43 (2010), 292-293.

10 Maja Petrinec, “Srednjovjekovna arheologija u 20. stoljeću u Hrvatskoj” in *Hrvatska arheologija u 20. stoljeću*, ed. Jacqueline Balen, Božidar Čečuk (Zagreb, Matica Hrvatska, 2009), 555-590.

11 Miletić, *Samoborski stari grad*, 46.

of a bread oven in the kitchen.<sup>12</sup> Photographic documentation was maintained during the course of the research (Fig. 1). These works were discontinued in 1943 due to a lack of financial support.



**Figure 1.** Excavated courtyard at Samobor castle in 1942

In the same year Stahuljak managed to start the excavations at the Susedgrad castle, at the southwest slopes of the Medvednica Mountain. Like with Samobor, the motive was not scientific curiosity but protection of ruins from further deterioration.<sup>13</sup> Excavations of smaller trenches began at the end of 1943 and at the beginning of 1944. Despite the hardships of war and allied air raids the excavations lasted uninterrupted until the beginning of 1945. The ground plan of the castle was determined, the inner part of the fortress and most of the outer parts as well, and a larger amount of stone architectural elements and movable finds was gathered.<sup>14</sup> Among those, most researchers refer to stove tiles dated from the fifteenth to the seventeenth century.<sup>15</sup> The ground plan of examined architectural remains was created. Mobile finds were dated to the last decades of the fifteenth century and the first half of the sixteenth century, while the stone architectural elements mostly have Renaissance characteristics<sup>16</sup> which show that the excavations covered the last phases of the castle's activity.

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12 Miletić, *Samoborski stari grad*, 52.

13 Drago Miletić, "Plemićki grad Susedgrad," *Kaj* 31/5-6 (1998), 71.

14 Lada Prister, "Susedgrad," *Prilozi Instituta za arheologiju u Zagrebu* 15-16 (1999), 84.

15 Miletić, "Plemićki grad Susedgrad," 75.

16 Miletić, "Plemićki grad Susedgrad," 78-79; Prister, "Susedgrad," 85.

This, first, phase of castle excavations is characterised by the conservation approach and a notable lack of interest within the archaeological profession. Excavations were mostly conducted without supervision which, if it actually occurred, was not regular. Despite that, it is visible from infrequent correspondence and field notes that movable finds were found. Excavations motivated by the conservation of architectural remains reached the level of the walls, following their outlines and reaching down to the floor levels. If we can talk about a methodological approach during this phase of the excavations at all, one could say that the so-called clearance excavation method was used, clearing everything that does not belong to the narrow focus of the research.<sup>17</sup> Because of that a large amount of information about the site's stratigraphy was lost, along with small finds that could have helped date the structures that were found. Also, the fact that the results of the excavations, apart from the interpretation of stove tiles found while excavating Samobor and Susedgrad castles,<sup>18</sup> were never published could be noted as a grave fault of these undertakings. This approach to excavating medieval sites did not, however, differ from the approaches used in other parts of Croatia and Europe. This whole period is marked by the lack of documentation of stratigraphic relationships between architecture and floors, building and destruction layers.<sup>19</sup>

## Maturing (excavations 1945-1990)

In the years after the end of World War II, works on medieval castles were brought to a halt. A similar development occurred in nearby Slovenia, the cause being a negative attitude towards history and the remnants from the feudal period.<sup>20</sup> The status-quo changed in the 1960s. By establishing a network of conservation institutes, professional awareness of the need to preserve cultural monuments, including medieval castles, grew.

The remains of the Garić castle on the Moslovačka gora range were chosen in 1960 as the subject of an attempt to preserve a medieval monument, to reconstruct it and present it within an extensive

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17 Bartul Šiljeg, *Proučavanje kasnoantičke naseljenosti Hrvatskog primorja primjenom metode daljinskog istraživanja*, unpublished doctoral thesis (Zagreb: University of Zagreb, 2006), 8.

18 Tihomil Stahuljak – Olga Klobučar, "Pečnjaci starih gradova Samobora i Susedgrada," *Tkalčičev zbornik 2* (1958), 205-242.

19 Patrick J. Greene, *Medieval Monasteries* (Leicester, London and New York: Leicester University Press, 1992), 39.

20 Katarina Predovnik, "Slovenska arheologija in raziskovanje gradov," *Kronika* 60/3 (2012), 417.

interdisciplinary project. The works were conceived as a multi-year programme and archaeological excavations were its integral part. After a series of preparational works, the Moslavina Museum in Kutina conducted the first trial excavations, under the leadership of S. Degoricija in 1964. Through two trenches, 4m x 4m in dimension, the goal was to determine the thickness of the debris layer. The excavations were conducted without creating any kind of graphic documentation of the ground plan or any sketch of the dig with the stratigraphic situation marked. When the works recommenced, the dig was expanded with a 30m long trench.<sup>21</sup> The excavations continued in 1966 under the leadership of D. Iveković from the aforementioned museum. Debris layers were excavated, 2.8-4.1 m deep (Fig. 2), and the goal of the excavation was gathering material for conservation works.<sup>22</sup> The next campaign took place in 1969 and the results that were published concerned architectural segments (walls). The dig reached the brick floor level, and a large amount of mobile finds (ceramic and metal objects) was noted during the excavations.<sup>23</sup>



**Figure 2.** Excavations at Garić castle in 1964

The following campaign took place in 1971 and the works included the main tower. A large amount of stone architectural elements and ceramic stove tiles was gathered. That year, for the first time, detailed documentation was taken, with drawings and

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21 Krešimir Karlo, "Rezultati dosadašnjih arheoloških istraživanja Garić-grada," *Radovi Zavoda za znanstvenoistraživački i umjetnički rad u Bjelovaru* 4 (2011), 138.

22 Karlo, "Rezultati," 140.

23 Karlo, "Rezultati," 140.

sketches, and stratigraphic digs took place as well. A grid system was used during the excavations at the tower, to mark the positions of the more important finds. Stone architectural elements were gathered for rebuilding and restauration purposes. Apart from stove tiles, ceramic pots and metal finds, samples (seeds) of grains were gathered as well.<sup>24</sup> Those were also the last excavations which took place at Garić. The works were stopped because of lack of funds in 1980.

Garić was just one of the bigger projects that were started in that period. Among the other larger-scale excavations at medieval castles, works on the Ružica castle near Orahovica, Korod by Osijek and Medvedgrad by Zagreb should be singled out.

Extensive excavations of the Ružica castle started in 1966, by clearing the debris layers in the chapel area. The following year, 1967, clearing the collapsed construction elements continued and first finds were recovered – ceramics and stone architectural elements.<sup>25</sup> The same approach was used during excavations between 1968 and 1970. The excavations were followed by conservation works and, from time to time, only conservation works took place. Excavations took place in 1976 along the walls so that floors could be placed.<sup>26</sup> Those excavations which included the presence of the Museum of Slavonia archaeologists took place between 1978 and 1986. Fieldwork documentation and systematization of findings took place. Manual excavations used youth work actions as source of labour, which presented an enormous logistical challenge for involved archaeologists. The debris layer was still being excavated, 1.2m-3.5m thick from the top to the floor level. In some places new trenches were opened. A large amount of small finds was found, predominantly metal. Tower 15, excavated in 1986, was, based on the findings and the stratigraphy, interpreted as a smithy.<sup>27</sup> That was also the last archaeological excavations' campaign. Conservation works lasted until 1990, brought to a halt by the start of the Homeland War.

With the same motive, conservation of cultural property, work started in 1967 at the *wasserburg* Kolodvar (Korođ) near Osijek. During multiple years of work, the site and the debris layers were cleared (Fig. 3) and the ground plan of the castle was defined.<sup>28</sup> All aforementioned

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24 Karlo, "Rezultati," 141-142.

25 Mladen Radić – Zvonko Bojčić, *Srednjovjekovni grad Ružica* (Osijek: Muzej Slavonije Osijek, 2004), 20.

26 Radić – Bojčić, *Ružica*, 24.

27 Radić – Bojčić, *Ružica*, 25-28.

28 Milan Balić, "Konzervatorsko zaštitni radovi na srednjovjekovnom gradu Kolodvaru (1967-1973)," *Vijesti muzealaca i konzervatora Hrvatske* 22/1-2 (1974), 48-49.

works (until 1970) took place without the presence of archaeologists.<sup>29</sup> The dimensions of the central square tower were determined in 1972. During these efforts, a large amount of archaeological material was gathered: ceramics, several types of stove tiles, metal finds and stone architectural elements.<sup>30</sup> The following year, the terrain upon which the castle stands was levelled. The excavations of the main tower which took place in 1978 were the only action conducted by an archaeologist, Jasna Šimić from the Museum of Slavonia. Excavations using trenches were subordinated to the needs of conservers. A large number of finds was gathered then and presented in a short report.<sup>31</sup> Despite a large amount of finds and the unique character of the monument excavations did not continue.



**Figure 3.** Clearance works at Kolodvar castle in 1967

As is evident from what we have already mentioned, there was a great interest among the conservers during the second half of the twentieth century for excavating and preserving medieval castles. Plans for conducting extensive works at one of the biggest medieval monuments in Croatia, the Medvedgrad castle near Zagreb, began taking place since 1973. Even though it was a large object, unlike aforementioned ones, Medvedgrad was, until the works started being conducted in 1979, entirely underground, that is, it

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29 Jasna Šimić, "Srednjovjekovni grad Kolodvar, zaštitna arheološka iskopavanja," *Dokumenti* 1 (1978), 56.

30 Balić, "Kolodvar," 49.

31 Šimić, "Kolodvar," 56-60.



was an archaeological site (Fig. 4). A unique opportunity to use archaeological methods during the excavations of a medieval castle showed up. The works commenced at the area where most finds were expected to be located to create an operational area. The Medvedgrad area was excavated between 1979 and 1983. As the excavations went on, conservation works began, lasting until the start of the Homeland War. Only one summary work about the course of the research was published.<sup>32</sup> In later works extensive descriptions of the architectural remains were published, but lacking information on stratigraphic relations, both for walls and for soil layers (Fig. 5).<sup>33</sup> Information about the excavations themselves is entirely absent, especially the analysis of movable material.



**Figure 4.** Medvedgrad castle before the conservation works in 1979

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32 Drago Miletić, „Medvedgrad“, *Kaj* XVII/5 (1984)

33 Drago Miletić and Marina Valjato-Fabris, *Kapela sv. Filipa i Jakova na Medvedgradu* (Zagreb: Mala biblioteka Godišnjaka zaštite spomenika kulture Hrvatske, 1987), 12-15.





**Figure 5.** Excavations of Medvedgrad castle

Apart from the excavations presented above, works of a lesser scope or without archaeological excavations started at some other castles. So, during the works at the castle in Brinje (Sokolac) shorter excavations took place in 1975 (under the guidance of I. Šarić), but the results were never published.<sup>34</sup>

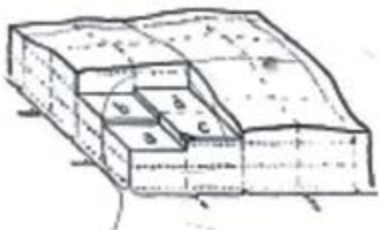
As can be seen from these works, the main goal was the restoration of castles as they were endangered cultural monuments. Even though the sites were buried under large amounts of rubble, with Medvedgrad being entirely underground – an archaeological site, works were conducted for a long while without the presence of archaeologists. Even after archaeologists were included, the methodological approach appropriate to the archaeological profession was not implemented. Thorough, then modern, box-grid excavation method was applied in 1947 when the Avar-period necropolis in Bijelo Brdo near Osijek was excavated. Research was conducted by digging 5m x 5m blocks that were additionally split into smaller quadrants (Fig. 6).<sup>35</sup> Such a method made detailed recording of the findings possible. Earth baulks were left between the blocks if needed to record the site's stratigraphy. The relative and absolute depth of the finds and the layers was measured (Fig. 7). That methodology was used in the following

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34 Drago Miletić and Marija Valjato-Fabris, *Sokolac – frankopanski plemićki grad u Brinju* (Zagreb: Mala biblioteka Godišnjaka zaštite spomenika kulture Hrvatske sv. 10, 2003), 33.

35 Franjo Ivaniček, „Istraživanje nekropole ranog srednjeg vijeka u Bijelom Brdu“, *Ljetopis JAZU*, knj. 55 (1949), 116-118.

decades,<sup>36</sup> and it was used during the research of the medieval fortified settlement at Mrsunjski lug near Slavonski Brod in 1949.<sup>37</sup> When it comes to castles, a similar methodology was apparently only used, during this period, during the research of the Garić main tower in 1971. The findings themselves lose their value if they are taken out of their context, and the manner the excavations were conducted during the mentioned works destroyed that context. Large amounts of movable finds were gathered making the damage caused by that even greater. The potential of archaeological excavations and the contribution of the finds to the final interpretation of sites were crippled because the archaeologists themselves were involved only after the construction works started taking place, after some layers were already removed and their relations with the walls were destroyed.



**Figure 6.** Box-grid excavation method



**Figure 7.** Excavation of the Aver-period site of Bijelo Brdo using the box-grid method

Despite of such an approach during large projects, there were several archaeological excavations of medieval castles motivated by scholarly interest and conducted during the 1980s. So, in 1982 the Archaeological Museum in Zagreb, under the guidance of Ž. Demo conducted short excavations at the remains of the Kamengrad castle near Koprivnica. The finds that were excavated were published soon after the excavations have finished.<sup>38</sup> A second excavation like that

36 Some other early medieval cemeteries were also excavated using the same method e.g. Vukovar – Lijeva bara (1951.-1953.) and Nin – Ždrijac (1969.-1977.); Željko Demo, *Ranosrednjovjekovno groblje bjelobrske kulture: Vukovar – Lijeva bara (X.-XI. stoljeće)* (Zagreb: Arheološki muzej Zagreb, 2009), 18; Janko Belošević, *Starohrvatsko groblje na Ždrijacu u Ninu* (Zadar: Arheološki muzej Zadar, 2007), 13.

37 Zdenko Vinski and Ksenija Vinski Gasparini, *Gradište u Mrsunjskom lugu* (Zagreb: Arheološki muzej u Zagrebu, 1950).

38 Željko Demo, "Castrum Keukaproncha/Kuwar – počeci istraživanja," *Podravski zbornik '84* (1984), 320.

was conducted at the Veliko Gradišće site near the village of Klenovec Humski in Hrvatsko Zagorje. Today we know it is the location of the Vrbovec castle. The first excavations using trenches were conducted by the Department of Archeology of the Institute for Historical Sciences of the University of Zagreb<sup>39</sup> under the leadership of Ž. Tomičić.<sup>40</sup> An interesting research project took place during the short excavations of the Zelingrad castle where a non-destructive research method, through geophysical surveys that preceded the excavation of trenches, was used. The geophysical surveys were conducted using the method of seismic refraction which indicated the presence of underground structures, which was confirmed later by excavated trenches.<sup>41</sup> From today's perspective these limited excavations marked the beginning of a more modern archaeological approach towards medieval castles.

## Castle research after 1990

The trend of conservation works being conducted at castle remains continued through the last decade of the twentieth century. We can single out two cases here, as the excavations were similar: Ozalj and Veliki Tabor, castles that were used up until the twentieth century and have been preserved in their entirety. Because of construction works that occurred in the northern part of the Ozalj castle, a larger amount of ceramics was found during excavations of the foundations. As the ceramics dated from the prehistoric era, archaeologists were called up to the field.<sup>42</sup> After the trenches were excavated in 1991, the Karlovac City Museum undertook a comprehensive research using a grid system in 1992. The results pointed to the existence of a site spanning several strata, with finds from prehistoric times, classical antiquity, early and high medieval period.<sup>43</sup> The excavations were made subordinate to the needs of conservators and the excavations that were undertaken were mostly of a protective character. Another campaign of excavations took place at Ozalj in 2002, likewise dependent on planned

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39 Today the Institute of archaeology in Zagreb.

40 Željko Tomičić, "Novija ranosrednjovjekovna istraživanja Odjela za arheologiju," *Prilozi Instituta za arheologiju u Zagrebu* 3/4 (1988), 151-153.

41 Mladen Nadu – Hrvoje Strukić, "Zelingrad, srednjovjekovni grad," *Arheološki pregled* (1988-1990), 215-216.

42 Tihomila Težak Gregl, "Prapovijesno nalazište Ozalj – Stari grad," *Opuscula archaeologica* 17 (1993), 166.

43 Lazo Čučković, "Ozalj – zaštitna arheološka iskopavanja 1992. godine," *Obavijesti HAD* 24/3 (1992), 49-51.

construction work.<sup>44</sup> Only the prehistoric finds were published so far, other finds have yet to be published.<sup>45</sup> The architectural finds that were interpreted so far point to the existence of an early medieval fortress at the Ozalj site, but also to the existence of a Romanesque castle which was the foundation from which the complex visible today developed.

Archaeological excavations at Veliki Tabor were conducted for the first time in 1995 as a part of the project of complete restoration and revitalisation of the best preserved monument of medieval fortification architecture in Croatia. The first excavations took place at the pentagonal tower (the *palas*), a part of the courtyard and the entrance hall.<sup>46</sup> As before, the tempo of the excavations was dictated by conservation and construction works. In the 1998-campaign the entrance room and the courtyard were fully investigated. The goal of the excavations was to try and find traces of life that preceded the construction of the fortress itself. Trench positions were determined through data gathered from historical sources, through examination of older literature and considering the situation on the ground.<sup>47</sup> Several trenches were excavated beyond the walls of the castle in 2006, to investigate areas where cables and pipes would be set in the future. The findings that were published lead to the conclusion that there were no architectural parts older than the beginning of the sixteenth century and the oldest findings were dated to the fifteenth and the sixteenth century.<sup>48</sup> The excavations continued in 2009 when C and D towers were investigated. During the excavations at the C tower traces of a fireplace were found at the bottom of the tower that were dated, through radiocarbon dating, to the fourteenth century.<sup>49</sup> The analysis of movable finds showed that we can date most of the material to the fifteenth century. The excavations at the D tower unearthed the remains of a stove.<sup>50</sup> It should be stressed here that, apart from the C tower findings, all mobile finds that were gathered during the research was dated using "historical dating," absolute dating based on cross-referencing historical sources with a certain site. Archaeological research was expanded to the outer forts of the Veliki Tabor complex as

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44 Lazo Čučković, "Arheološko iskopavanje u Ozlju 2002. godine," *Glas* 2/1 (2003), 24-26.

45 Težak Gregl, "Prapovijesno nalazište Ozalj," 165-181.

46 Amelio Vekić, "Arheološka istraživanja u Velikom Taboru", in *Veliki Tabor u svjetlu otkrića*, ed. by G. Horjan (Desinić: Muzeji Hrvatskog zagorja, 2007), 24.

47 Vekić, "Veliki Tabor," 24.

48 Vekić, "Veliki Tabor," 32.

49 Ivana Hirschler – Vinko Madiraca, "Arheološko istraživanje unutrašnjosti prizemlja kule "C" dvora Veliki Tabor 2009. godine," *Portal* 2 (2011), 234.

50 Ida Pavlaković, "Dvorac Veliki Tabor – kula D," *Hrvatski arheološki godišnjak* 6 (2009-2010), 221-224.

well. The results of conservation researches indicate that Veliki tabor was built earlier than its first mention in 1507 – during the fifteenth century – most likely during the reign of King Matthias Corvinus of Hungary.<sup>51</sup> This statement was backed additionally by the analysis of fragments of late gothic stove tiles found during the aforementioned excavations, dated to the second half of the fifteenth century.<sup>52</sup>

The interest to preserve remains of medieval castles did not wane during the last fifteen years, but the interest and the engagement of archaeologists in this subject has grown. After the year 2000, the number of castles where modern archaeological research was conducted has grown exponentially. The application of the stratigraphic method of excavations by which we can consistently follow borders between archaeological deposits and remove them in the way opposite of the way they were accumulated,<sup>53</sup> opened a new chapter in castle research. Only by that and by gathering a relevant amount of finds which were the part of the same stratigraphic processes creating a closed stratigraphical context can we understand how the archaeological record came to be at that site, which anthropogenic and natural processes influenced it.<sup>54</sup> The modern archaeological approach helped create a better understanding of castles, often by dating their construction differently than it was thought from the interpretation of historic sources, like in the case of Veliki Tabor. Systematic archaeological excavation at the Vrbovac castle (Fig. 8) revealed that the beginnings of the castle date to the end of the twelfth century even though the oldest written mention of the castle dates to 1267.<sup>55</sup> The revision of historic research revealed, indirectly, the existence of a stone castle in, at least, the first half of the thirteenth century.<sup>56</sup> Detailed excavations and the analysis of small finds, enhanced by radiocarbon dating, revealed the occupation of the castle even after it was abandoned, in form of a wooden tower, during the sixteenth century.<sup>57</sup>

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51 Duško Čikara – Anka Čurić, “O prvotnom izgledu i dataciji velikotaborske utvrde,” *Peristil* 54 (2011), 69-70.

52 Ivana Škiljan, “Kasnogotički pećnjaci iz Velikog Tabora,” in *Tajna gotika. Veliki Tabor i kapela sv. Ivana*, ed. by Nadica Jagarčec (Desinić: Muzeji Hrvatskog zagorja, 2012), 118.

53 Edward C. Harris, *Načela arheološke stratigrafije* (Ljubljana: Slovensko arheološko društvo, 1989), 32.

54 Predovnik, „Slovenska arheologija“, 421.

55 Tatjana Tkalčec, *Burg Vrbovec u Klenovcu Humskome. Deset sezona arheoloških istraživanja* (Zagreb: Muzeji Hrvatskog zagorja, Institut za arheologiju, 2010), 111.

56 Damir Karbić, „Povijesni podaci o burgu Vrbovcu (1267.-1524.)“, in T. Tkalčec, *Burg Vrbovec u Klenovcu Humskome. Deset sezona arheoloških istraživanja* (2010), 221.

57 Tkalčec, *Burg Vrbovec*, 116.



**Figure 8.** Aerial view of Vrbovec castle

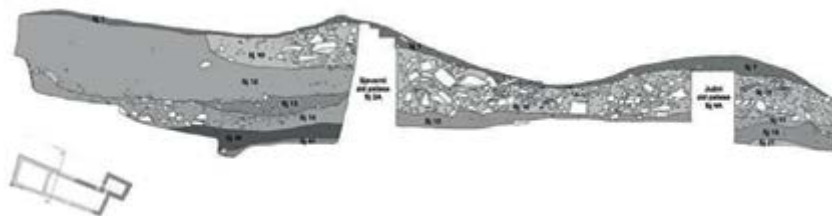
The same approach, the application of the stratigraphic method of excavations and analysis of small finds resulted in the revelation of the older phase of Barilović castle and the change of dating of the construction of the feudal castle. New excavations showed that the castle on the rock above the Korana river was built in mid-fifteenth century. It was, until then, held as an example of a sixteenth-century Military Frontier fort and archaeological excavations enhanced the picture of Barilović castle with data on the existence of an earlier feudal castle.<sup>58</sup>

Archaeological excavations that were conducted systematically revealed different examples like in the case of the Possert fortress in Central Istria. Even though the main goal of the works was, similarly, the preservation of architectural remains from further deterioration, the excavations that were undertaken revealed the fort's interesting historic development. Even though historians held that the Possert fortress could be connected with the *Sanctum Martinum* toponym and by that that its construction should be placed during the eleventh century,<sup>59</sup> the results of archaeological excavations determined (Fig. 9) that the fortress was built at the beginning of the fifteenth century.<sup>60</sup> Analysis of movable archaeological material was the main cause of the change in the dating of its construction.

58 Ana Azinović Bebek, "Arheološka istraživanja," in *Stari grad Barilović. 10 godina arheoloških istraživanja*, ed. by A. Azinović Bebek – M. Krmpotić (Zagreb, Hrvatski restauratorski zavod, 2014), 49.

59 Josip Višnjić, "Srednjovjekovna utvrda Possert. Šest godina arheoloških radova i konzervatorsko-restauratorskih zahvata na sačuvanim arhitektonskim strukturama," *Histria archaeologica* 43 (2012), 68.

60 Višnjić, "Srednjovjekovna utvrda Possert," 108.



**Figure 9.** Cross section of the stratigraphy of Possert castle

As part of standard research within modern archaeology analysis of animal remains found during excavations were included as well and their results became an integral part of scientific and professional publications, which expanded the picture of life in a medieval castle. Analysis of botanical remains was conducted in a lesser measure.

## New perspectives in medieval castle research

Beginning with the first half of the 1980s, opportunities were noticed to apply the stratigraphic analysis method to examine the preserved architectural elements. The method implies the usage of stratigraphic analysis during the reading of traces visible on preserved walls, putting the noticed stratigraphic units into a chronological sequence, using the Harris matrix while doing that, and comparing the results with sources or the results of analyses.<sup>61</sup> Even though this method, the so-called archaeology of architecture, was used for quite a while by institutions from Western Europe, it was unknown until recently in Croatia. It was applied to the architectural remains of the Petrapilosa fort near the town of Buzet (Fig. 10).<sup>62</sup> By linking separate construction phases visible in the architectural remains with the written sources it was possible to reconstruct the fort's development. Through archaeological excavations that were undertaken subsequently and the analysis of small finds, the oldest phase of the fortress was determined, dating to the eleventh century.<sup>63</sup>

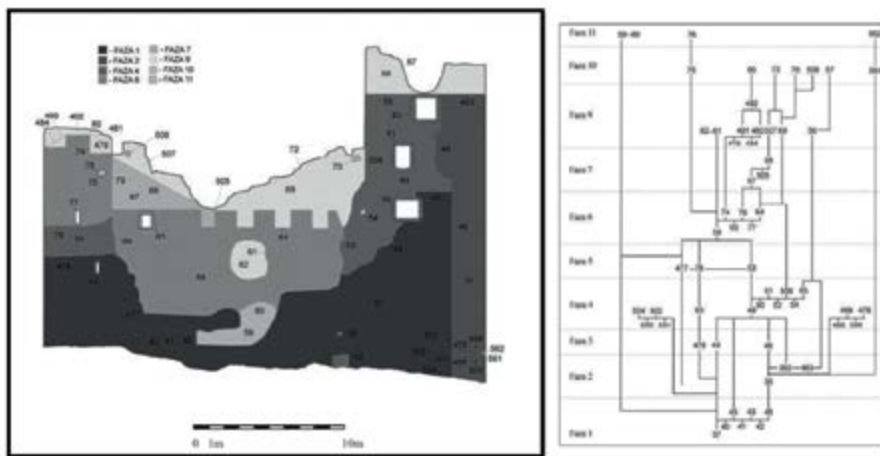
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61 Edward C. Harris, „The stratigraphy of standing structures“, *Archeologia dell'architettura* VIII (2003): 9.

62 Josip Višnjić, „Petrapilosa. arhitektonski razvoj utvrde“ *Buzetski zbornik* 37 (2010): 49-76.

63 Josip Višnjić, „Rezultati arheoloških istraživanja provedenih unutar kaštela Petrapilosa tijekom 2010. i 2011. g.“, *Buzetski zbornik* 39 (2012): 147.





**Figure 10.** Stratigraphic analysis of the standing structures of Petrapilosa castle

Apart from the aforementioned architectural analyses, analyses of movable archaeological material and radiocarbon dating of charcoal and bone samples in West European, chiefly British archaeology, spatial and functional analyses were applied. Spatial analysis of objects' interior was used to determine social structures and it was initially used in prehistoric archaeology.<sup>64</sup> As is the case with stratigraphic analysis, spatial analysis uses planning diagrams which are used to visualize spatial relations and their functions inside more complex building complexes. This method was developed in the 1950s by the British architect P. Faulkner.<sup>65</sup> The value of this method lies in the fact that it aids the understanding of buildings and structures and their cultural significance, giving priority to meaning and function ahead of form and design. Over time, access analysis was developed, used to document samples of possible movement and prevention of movement, so we can recognize contact between them.<sup>66</sup> This approach pointed out the areas of the castle which were accessible by all the inhabitants/users of the castle and the areas which were used only by a certain group of inhabitants/users. The courtyards and certain corridors were accessible by most people

64 Sally M. Foster, "Analysis of spatial patterns in buildings (access analysis) as an insight into social structure: examples from the Scottish Atlantic Iron Age," *Antiquity* 63 (1989), 40-50.

65 Patrick A. Faulkner, "Domestic planning from the twelfth to the fourteenth centuries," *The Archaeological Journal* 115 (1958), 150-183; Patrick A. Faulkner, "Castle planning in the fourteenth century," *The Archaeological Journal* 120 (1963), 215-235.

66 Benjamin Štular, „Analiza dostopnosti Malega gradu v Kamniku“, *AR: arhitektura, raziskave* 1 (2008): 36.

and private chambers and the chapel were accessible only by the castellan and his family. Within medieval archaeology, these methods were applied to castles and made their contribution through new insights and interpretations (especially of the social structures) of known large archaeological complexes.<sup>67</sup> By combining gathered archaeological remains and mobile ceramic and metal finds, B. Štular applied accessibility analysis on data on the Mali Grad in Kamnik, Slovenia and got the picture of the usage of certain rooms inside the castle (the smithy, the granary on the first floor of the pales, the areas used as passageways within the castle; hallways and courtyards etc.) during the twelfth and the thirteenth centuries (Fig. 11).<sup>68</sup>



**Figure 11.** Diagram of the access analysis of Mali grad in Kamnik

With the usage of geographic information systems (GIS) becoming more widespread and through the development of landscape archaeology, spatial analyses started being used in castle research, examining their influence on their environment and the influence of the environment on the castle. In Croatian archaeology the research of historical landscapes is still in its beginnings, but interesting examples

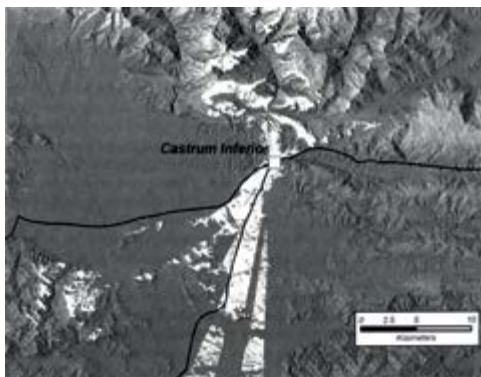
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67 Graham Fairclough, „Meaningful constructions – spatial and functional analysis of medieval buildings“, *Antiquity* 66 (1992): 348-366., James R. Mathieu, „New Methods on Old Castles: Generating New Ways of Seeing“, *Medieval Archaeology* 43 (1999): 115-141.

68 Štular, „Analiza dostopnosti“, 35, 38-39, slika 2, 3.

were analyzed in Slovenia and Czech Republic. Another tool for researching past landscapes is site catchment analysis. Site catchment is defined as the area within which exploitation of natural resources is economically justifiable.<sup>69</sup> Another method is view-shed analysis, used to determine the view-shed from a certain point in space. View-shed analysis at the Mali Grad in Kamnik determined that archers covered the entire area of the medieval settlement from the walls of the castle that rose above it. Those results also enabled reinterpretation of architectural remains, putting a greater accent on symbolical meaning than purely functional (Fig. 11).<sup>70</sup> Site catchment analysis revealed that arable land was found within an hour's walk from the castle itself.<sup>71</sup>

During the archaeological research of castle Rokštejn in Czech Republic, the reconnaissance of a site south of the castle was undertaken. Traces of human activity were found – platforms that were interpreted as siege positions.<sup>72</sup> By using the GIS view-shed analysis it was confirmed that those were in fact siege positions from which siege engines (catapults and bombards) covered the entire area of the castle and most defensive positions. The common assumption of the castle's strategic position was thereby brought into question, considering that the (hypothetical) range of the castle walls did not cover all siege positions (Fig. 12).<sup>73</sup>



**Figure 12.** Viewshed analysis of Mali grad in Kamnik

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69 For more see in: Predrag Novaković, *Osvajanje prostora. Razvoj prostorske in krajske arheologije* (Ljubljana: Filozofska fakulteta, 2003), 117-118.

70 Benjamin Štular, "The social context of the 13th century castle in the landscape," in *Raumstrukturen und Raumausstattung auf Burgen in Mittelalter und Früher Neuzeit*, ed. by C. Schmid, G. Schichta, T. Kühnreiter, K. Holzner-Tobisch (Heidelberg: Universitätsverlag, 2015), 340-344.

71 Benjamin Štular, *Mali grad, visokosrednjeveki grad v Kamniku* (Ljubljana: Inštitut za arheologijo ZRC SAZU, 2009), 162-163.

72 Jana Mazáčková, "Rokštejn castle (Czech Republic): archaeological evidence of military activities," *Wratislavia Antiqua* 18 (2013), 277.

73 Mazáčková, "Rokštejn castle," 278-280.



**Figure 13.** Viewshed analysis of siege positions at Rokštejn castle

## Conclusion

From the aforementioned development of medieval castle excavations in Croatia and the newer archaeological research that was undertaken for the last 15 years, it is evident how important the application of modern archaeological tools is to understand sites and monuments of this complexity. It was the lack of a more serious archaeological engagement during the first castle excavations that resulted in the loss of a great number of data that would enrich the knowledge of their construction, development and abandonment. Archaeologists were often summoned to the site only after the works were already in a later stage and a large amount of deposit was removed. Even when they were present adequate methodology of excavation was not utilised, which made later interpretation of finds and their contextualisation impossible. In the spirit of the cultural-historical approach that dominates Croatian archaeology both the mobile material and the structures were dated using so-called “historical dating,” i.e. absolute that is based on linking historical sources with a certain site. Another reason for that is the perception that the late medieval period should be “reserved” for historians because of a greater amount of written sources. It was held that written sources are primary in understanding and learning the historical truth about castles.<sup>74</sup> On the military and residential functional dualism of castles those sources do not, however, offer enough information, with ground plans of castles only hinting at details of their lives, while the best and the original information is gathered through archaeological excavations.<sup>75</sup> The lack

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74 Milan Kruhek, “Povijesni izvori, problem istraživanja i čuvanja starih gradova,” *Vijesti muzealaca i konzervatora Hrvatske* 23/1-2 (1974), 35.

75 Tkalčec, *Arheološka slika*, 99.

of a greater engagement not only at castles, but other late medieval sites as well was also caused by the lack of interest within the archaeological profession itself. The development of medieval archaeology in Croatia was connected exclusively with the early medieval period. In one overview of the development of medieval archaeology during the twentieth century late medieval sites were completely left out.<sup>76</sup> The same can be noticed in a work by M. Jarak where research of late medieval sites is mentioned only briefly while the focus of the interest is put not on the early medieval period itself but exclusively on research of graveyards and church architecture.<sup>77</sup> The aforementioned research into castles (fortified towns owned by nobles) was only mentioned in the context of medieval settlements.<sup>78</sup>

The main motive for castle excavations was the conservation of their architectural remains from further deterioration, i.e. the conservation approach. Archaeology was by that entirely subordinated to the demands of the conservation of monuments and the undertakings were thereby limited, and, by that, the knowledge gleaned from them. As was mentioned before, until the 1990s timely inclusion of the archaeological profession in conservation works was not systematic, even though I. Maroević had stated that archaeological excavations and its processing of findings was an important part of the interdisciplinary engagement that is the restoration of castles.<sup>79</sup> The situation has improved since then, the number of works on medieval castles has increased all over Croatia. The conservation approach still prevails but the application of stratigraphic method of excavation brought new data to light at a large number of sites. The large amount of movable material that was gathered will expand the insight into late medieval material culture. Evaluation of movable archaeological material gives a better insight into the everyday life of the castle while proper documentation and interpretation of the site's stratigraphy enables us to understand the architectural development and room functions correctly.<sup>80</sup> Even though the investigations are subordinate to conservation-restoration works, archaeology has found space to work in. A large number of castles have entirely vanished from the surface. Old military maps, especially the First Military Survey of the Habsburg Empire preserved their locations

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76 Petrinc, "Srednjovjekovna arheologija," 555-590.

77 Mirja Jarak, "Smjernice u razvoju srednjovjekovne arheologije u Hrvatskoj," *Opuscula archaeologica* 30 (2006), 192-211.

78 Jarak, "Smjernice," 214.

79 Ivo Maroević, "Prilog metodologiji ujednačavanja sustava istraživanja i dokumentiranja utvrđenih starih gradova u Hrvatskoj," *Vijesti muzealaca i konzervatora Hrvatske* 23/1-2 (1974), 44.

80 Predovnik, "Slovenska arheologija," 421.

and non-destructive methods of archaeological reconnaissance, field surveys and recording of earthworks and structures visible aboveground enable their documentation. Also, the 3D laser scanning method allows us to document architectural remains in detail and the application of archaeology of architecture. The gathering of spatial data and its GIS processing additionally complements our understanding of castles and their placement in the wider context, i.e. the feudal estate, within which it originated and functioned. Newer approaches enable us to view castles not just as fortifications but from a sociological standpoint as well, as carriers of ideas, in this case, as symbols of feudal power. The goal of modern archaeological research of castles is not and should not be the illustration and confirmation of historical source date using excavated architectural remains and artefacts, but the microhistory of each individual castle and its territory based on material sources.<sup>81</sup>

The goals of castle archaeology in Croatia are numerous. Despite the fact that a lot of work was undertaken at castles, we still know very little about their beginnings. Historical circumstances that had affected their construction were different from region to region, much as the landscapes they were built in. Despite the attempts to create typological divisions of architectural complexes by related professions, archaeology still did not offer a final solution in that field. Only with a more vigorous application will the new methods and approaches ensure a better understanding of these medieval monuments and, by that, ensure their better restoration.

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81 Predovnik, "Slovenska arheologija," 427.

Kristina Judaš

## Scopes and limits of interpretation of magistrate's attitude to violent crimes: examples from late medieval Gradec judicial records (1450-1480)

This paper examines how diligent were the Gradec authorities of the second half of the fifteenth century in punishing interpersonal violence, through an analysis of 159 trial documents dating from 1450 to 1480, published in the series entitled *Monumenta historica liberae regiae civitatis Zagrabiae*.<sup>1</sup> This is a voluminous documentary corpus dating from 1355 to 1526, although with some interruptions. Trials between 1450 and 1480 were documented in continuity and, in comparison with the records from earlier period, they provide much more information about participants and the circumstances that led to lawsuits. Therefore, they constitute the best groundwork for this research, in which we attempt to discover what connections, if any, existed between sentencing and severity of violent attacks, as well as between sentencing and the gender and social status of assailants and victims. To answer these questions, we analysed the lawsuits initiated for minor violent offenses such as pushing, slapping or pulling hair, those initiated for more aggressive forms of violence like beating or striking, and finally the lawsuits stemming from the most severe forms of violence, i.e. wounding and homicide.

The first reason for doing this research is that the history of criminal justice in the later medieval period is vital for a wider understanding of the period. Not only was official justice a major component in the power of states and ruling classes, it had significant presence in cities through court officials or public punishments. As primary sources, judicial records give us access to the wide range of social situations and problems: from everyday conflict of insult and injury, frequency of different sorts of crimes and criminal responsibility of individuals to the models of establishing social control. The past few decades have seen a significant increase of interest among historians across Europe in issues of criminal justice and crime, though the level and extent of interest has varied among the countries. While there are

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1 Ivan Krstitelj Tkalčić (ed.), *Monumenta historica liberae regiae civitatis Zagrabiae metropolis regni Dalmatiae, Croatiae et Slavoniae* (hereafter: MCZ), vol. 4-8 (Zagreb: Albrecht C. typogr., 1897-1902).



already numerous works that attempt to survey the many different aspects of criminal justice in western European countries,<sup>2</sup> for Croatia there is still a relatively small number of such studies<sup>3</sup> among which the most prominent are studies of crime on the territory of medieval Dubrovnik.<sup>4</sup> In Croatian historiography crime is still considered as marginal or temporary subject of research, although significant progress has been made on this matter, especially by publishing collections of works that gather various studies on crime throughout history in one place.<sup>5</sup> A good indication of this problem is state of research of crime in medieval Gradec, the most important urban centre in medieval Slavonia. That is another reason for writing this paper. Namely, while there is a number of works focused on the legal norms,<sup>6</sup>

2 On crime in medieval European countries see: *Crime, Society and the Law in Renaissance Italy*, ed. by Trevor Dean and Kate J. P. Lowe (Cambridge: Cambridge University Press, 1994); Trevor Dean, *Crime in Medieval Europe 1200-1550* (London: Pearson, 2001); Trevor Dean, "Domestic violence in late-medieval Bologna," *Renaissance Studies* 18/4 (2004), 527-543; Trevor Dean, *Crime and Justice in Late Medieval Italy* (Cambridge: Cambridge University Press, 2007); Elizabeth Ewan, "Disorderly Damsels? Women and Interpersonal Violence in Pre-Reformation Scotland," *The Scottish Historical Review* 89/2 (2010), 153-171; *Medieval Crime and Social Control*, ed. by Barbara A. Hanawalt and David Wallace (Minneapolis: University of Minnesota Press, 1998); Karen Jones, *Gender and Petty Crime in Late Medieval England: The Local Courts in Kent, 1460-1560* (Suffolk: Boydell Press, 2006); Guido Ruggiero, *Violence in Early Renaissance Venice* (New York: Rutgers University Press, June 1980); Guido Ruggiero, *The Boundaries of Eros: Sex Crime and Sexuality in Renaissance Venice* (New York – Oxford: Oxford University Press, 1985).

3 Marija Filipović, "Zločin u kasnom srednjem vijeku. Sudski kriminalni spisi Gradeca 1450.-1455.," *Lucius. Zbornik radova Društva studenata povijesti "Ivan Lučić-Lucius"* (2006); Damir Karbić, "Thin Border between Justice and Revenge, Order and Disorder. The *Vražda* and Institutional Violence in Medieval Croatia," in *At the Edge of the Law: Socially Unacceptable and Illegal Behaviour in the Middle Ages and the Early Modern Period*, ed. by Suzana Miljan and Gerhard Jaritz (Krems: Medium Aevum Quotidianum. Gesellschaft zur Erforschung der materiellen Kultur des Mittelalters, 2012), 9-20.

4 See: Nella Lonza and Zdenka Janeković Römer, "Dubrovački "Liber de maleficiis" iz 1312. do 1313. godine," *Radovi Zavoda za hrvatsku povijest Filozofskog fakulteta u Zagrebu* 25 (1992), 173-228; Nella Lonza, "Pred gosparom knezom i njegovim sucima... Dubrovački kazneni postupci s početka XIV. stoljeća," *Anali Zavoda za povijesne znanosti HAZU u Dubrovniku* 30 (1992), 25-54; Nella Lonza, "Tužba, osveta, nagodba: Modeli reagiranja na zločin u srednjovjekovnom Dubrovniku," *Anali Zavoda za povijesne znanosti HAZU u Dubrovniku* 40 (2002), 57-104; Zdenka Janeković Römer, "Nasilje zakona: gradska vlast i privatni život u kasnosrednjovjekovnom i ranonovovjekovnom Dubrovniku," *Anali Zavoda za povijesne znanosti HAZU u Dubrovniku* 41 (2003), 9-54; Gordan Ravančić, "Izvanbračna ljubav i ženska posluga u vlasteoskim obiteljima kasnosrednjovjekovnog Dubrovnika," in *Hereditas rerum Croaticarum ad honorem Mirko Valentić*, ed. by Alexander Buczynski et al. (Zagreb: Hrvatski institut za povijest, 2003), 63-68; Gordan Ravančić, "Rhythm of crime in a medieval city – example of Dubrovnik," in *Our Daily Crime: Collection of studies*, ed. by Gordan Ravančić (Zagreb: Hrvatski institut za povijest, 2014), 73-102.

5 *Our Daily Crime: Collection of studies*, ed. by Gordan Ravančić (Zagreb: Hrvatski institut za povijest, 2014).

6 Magdalena Apostolova Maršavelski, *Iz pravne prošlosti Zagreba (13. – 16. stoljeće)* (Zagreb: Školska knjiga, 1998); Magdalena Apostolova Maršavelski, "Kazneno i procesno pravo Zlatne bule," in *Zagrebački Gradec 1242 – 1850*, ed. by Ivan Kampuš (Zagreb: Grad Zagreb, 1994), 75-84; Ivan Kampuš, "O običajnom pravu zagrebačkog Gradeca (1242 – 1526)," *Zbornik Pravnog fakulteta Sveučilišta u Rijeci* 3 (1983), 133-147; Lujo Margetić, "Neka pitanja u svezi sa Zlatnom bulom Bele IV. (1242)," in *Zagrebački Gradec*, 61-73; Lujo Margetić, "O pravnoj povijesti zagrebačkog Gradeca," *Zbornik Pravnog fakulteta u Zagrebu* 57/4-5 (2007), 711-725.

origins of legal institutions and their competences,<sup>7</sup> much less attention has been devoted to the forms of tort behaviour and their perpetrators.<sup>8</sup> The latter was the subject of research of several master's theses,<sup>9</sup> but a complete study of crime on the territory of medieval Gradec has not been conducted, despite the already mentioned voluminous documentary corpus. Therefore many issues remain open. What was the attitude of local authorities to crime in general and to its particular forms is just one of them.

Writing a history of medieval crime faces a range of additional problems. First, research of crime is possible only through trial documents, which do not represent the accurate documentation of every crime which took place or even every crime which was prosecuted. As a result, the proportion of prosecuted crime to total crime is uncertain. Second, records not always provide enough information to place the trial proceedings and outcomes into the context of local penal strategies and practices, or to connect committed crime with structures of social, political and economic relations. However, with these caveats in mind, and with close attention to the processes which received archival record, it is possible to uncover a picture of violence and illuminate the attitude of the city authorities to its occurrence.

Contrary to Eastern Adriatic medieval communes, whose codification was based on its own social heritage and centuries-old common law,<sup>10</sup> legal system of Slavonian urban settlements relied primarily on the point of view of the royal government. Norms recorded in the royal charters enacted by the kings of Hungary-Croatia were later further developed through the legal practice, which incorporated existing and new legal tradition.<sup>11</sup> Although such privileges were

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7 Magdalena Apostolova Maršavelski, "Tko su bili maiores civitatis (oko pitanja sudskih instancija u zagrebačkom Gradecu)," *Zbornik Pravnog fakulteta u Zagrebu* 56/2-3 (2006), 273-292; Lujo Margetić, "O sudskom postupku u zagrebačkom Gradecu u XIII. i XIV. stoljeću," *Rad HAZU* 471 (1995), 23-52.

8 For analysis of women and crime see: Marija Karbić, "Nije, naime, njezina duša drugačija nego kod muškaraca – položaj žene u gradskim naseljima međurječja Save i Drave u razvijenom i kasnom srednjem vijeku," in *Žene u Hrvatskoj: Ženska i kulturna povijest*, ed. by Andrea Feldman (Zagreb: Institut "Vlado Gotovac" – Ženska infoteka, 2004), 57-76; Marija Karbić, "Women on the Other Side of the Law. Examples from Medieval Urban Settlements of the Drava and Sava Interannium," in *At the Edge of the Law*, 21-30. See also: Lujo Margetić, "Kažnjavanje ubojstva u zagrebačkom Gradecu," *Hrvatski ljetopis za kazneno pravo i praksu* 57/1 (2002), 117-130;

9 Marija Filipović, "Zločin u kasnom srednjem vijeku. Sudski kriminalni spisi Gradeca 1450.-1455." (University of Zagreb, 2005); Martina Findrik, "Vještičarenje i čarobnjaštvo u Zagrebu od 13. do prve polovice 16. stoljeća" (University of Zagreb, 2013); Petra Horvatinović, "Žene u sudskim spisima zagrebačkog Gradeca u kasnom srednjem vijeku" (University of Zagreb, 2013); Kristina Judaš, "Nasilni zločini protiv osoba u sudskim spisima zagrebačkog Gradeca u kasnom srednjem vijeku" (University of Zagreb, 2013).

10 Tomislav Raukar, "Gradec i grad na hrvatskom prostoru," in *Zagrebački Gradec*, 16.

11 Neven Budak and Tomislav Raukar, *Hrvatska povijest srednjeg vijeka* (Zagreb: Školska knjiga, 2006), 213-214.

issued from the early thirteenth century, they became more frequent after the Tatar invasion in 1241-1242 followed by royal effort to rebuild the country.<sup>12</sup> One of privileges to urban settlements in Slavonia is the Golden Bull of Zagreb issued by king Bela IV in the same year, by which the king granted the status of free royal city with rights of its own judiciary and autonomous administration, the collective payment of taxes, free testamentary disposition and freedom of movement.<sup>13</sup> This privilege, with slight modifications in 1266, was more extensive than others containing a number of norms of criminal and procedural law<sup>14</sup> as effective means of successful functioning of urban markets and guarantee of security in order to create a strong commercial centre.<sup>15</sup> Although it was a modest attempt of codification, the privilege provided the basic framework for developing the city administration and judiciary.<sup>16</sup>

In accordance with the policy oriented to a trade, the Golden Bull provided drastic penalties for various delicts, including the physical violence. Even minor expressions of violence such as pulling hair or face slapping were not considered harmless at all, especially if they disturbed the order on the market. According to the privilege, such misconduct would have been punished with 10 *pensae*, i.e. 2 marks.<sup>17</sup> Serious offenses as wounding with a knife, sword, lance or any other weapon would have been punished with 25 *pensae* and medical expenses to the victim and 5 *pensae* to the city treasury. If the wounding was accompanied by mutilation, fine would have raised to 10 marks to the victim and 10 *pensae* to the treasury.<sup>18</sup> To illustrate how drastic were these fines, average *mardurina* (marten-fur tax, general tax due from Slavonia) amounted from 10 to 24 pennies (*denarius*),<sup>19</sup> and, according to the decision of the city magistrate from 1425, price of 12 pretzels was 1 penny, one pound of oil cost up to 2 pennies, and shoemakers were allowed to sell a pair of larger shoes for 18 pennies and pair of

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12 Nada Klaić, *Zagreb u srednjem vijeku* (Zagreb: Sveučilišna naklada Liber, 1982), 75-76.

13 Mirjana Matijević Sokol, *Studia diplomatica. Rasprave i prinosi iz hrvatske diplomatike* (Zagreb: Filozofski fakultet Sveučilišta u Zagrebu – FF-press, 2014.), 145.

14 Apostolova Maršavelski, “Kazneno i procesno pravo Zlatne bule,” 75; Josip Barbarić, “Diplomatičko značenje Zlatne bule“, in: *Zlatna bula*, 11-15. Klaić, *Zagreb*, 230.

15 Igor Vuletić, “Kazneni postupak zagrebačkog Gradeca kao primjer akuzatornog kaznenog postupka srednjovjekovne Hrvatske,” *Pravni vjesnik* 25/1 (2009), 81.

16 Apostolova Maršavelski, “O običajnom pravu,” 133-134.

17 *Pensa* was money of account in medieval Hungary, equal to the 40 pennies. Penny or *denarius*, was the most widespread coin minted in medieval Hungary. See: Péter Banyo and Martyn Rady (eds.), *The Laws of the Medieval Kingdom of Hungary IV, 1490-1526* (Budapest: Central European University Press, 2012), 326.

18 For the published document of the Golden Bull, see: MCZ 1, 15-18.

19 Apostolova Maršavelski, “Kazneno i procesno pravo,” 77-78.

smaller shoes for 14 pennies.<sup>20</sup> Besides, the text of the privilege included some nonmonetary punishments as a sanction for triple recidivists and murderers. Sanction for triple recidivist was expulsion from the city accompanied with property confiscation, although its implementation in practice is sometimes questionable. Property confiscation would have been imposed also to the murderers so that two thirds of the assets would have belonged to the relatives of the victim, and one third to the city, while the perpetrators faced the death penalty.<sup>21</sup> The exception was cases of murder in which the perpetrators had not acted with premeditation: the Golden Bull imposed on them the obligation of paying 100 *pensae* as compensation to victim's family and 20 *pensae* of court costs.<sup>22</sup> Convicted persons who did not have enough assets to pay such high amount were left to the mercy of citizens.<sup>23</sup>

The analysis of the Golden Bull showed the general framework for punishing violent offenses. However, analysed cases showed plenty of various solutions in legal practice for problems that written law could not quite resolve. This leads us to the certain methodological obstacles. First is qualitative: more actions were punished than were defined as violent by the privilege. While the Golden Bull mentions only slapping, pulling hair, wounding with or without mutilation and homicide, in trial documents from the second half of the fifteenth century we can also find accusations for pushing (*trusio*), lashing or whipping (*verberatio*), beating (*percussio*), shedding of blood (*sanguinis effusio*), and for giving injuries, i.e. lesions and cicatrices. Further, it is necessary to "decipher" the full meaning of the terms used in court records, since they clearly cover a wider context than the standard expressed in the dictionaries. Especially problematic terms are *verberatio*, *percussio* and *sanguinis effusio*. While the Latin term *verberatio* refers to the flogging, it should be noted that the same, except the blows with the wand or rod, includes the strikes with all objects shaped like cane. Thus, in January 1471 tailor Luke was sentenced to pay 10 marks to the herald George because he *eundem cum baculo verberavit*.<sup>24</sup> Moreover, the term *verberatio* in the judicial terminology also sometimes occurs in the context of scuffle, which did not necessarily include mentioned means. The example is one case of July 1463, when shoemakers Steven and Luke ended up in

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20 MCZ 3, 47-50.

21 MCZ 3, 78.

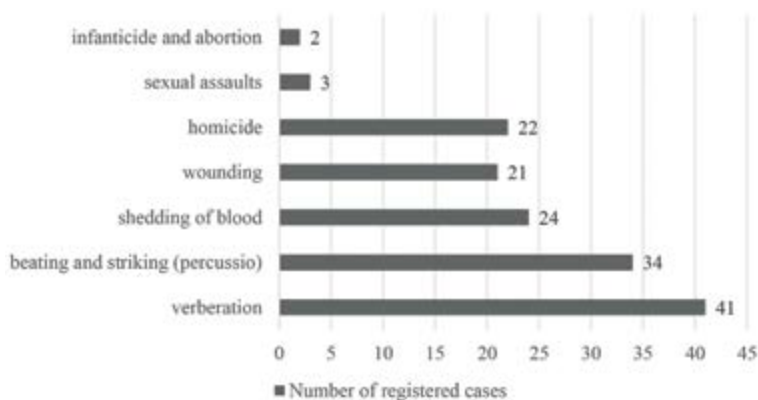
22 Željko Horvatić, "Povijest hrvatskoga materijalnog kaznenog prava," *Hrvatski ljetopis za kazneno pravo i praksu* 4/2 (1997), 775.

23 Apostolova Maršavelski, "Kazneno i procesno pravo," 78.

24 MCZ 7, 379-380, 381.

court *ratione mutue inter eosdem verberacionis*.<sup>25</sup> Term *percussio* refers to different injuries: severe blows given by miscellaneous tools, such as axes<sup>26</sup> and iron rods or by sharp objects like knives, or even fractures. For example, in March 1454 Paul, son of deceased Anthony *Gonychych*, confessed that he injured some servant Frederic, i.e. that he *super caput suum cum clava ferrea horribiliter percussit*.<sup>27</sup> In 1466 Dionysius *Sypchych* sued some priest Clemens *ratione percussionis cum quodam biccello* but Clemens did not come to the hearing.<sup>28</sup> In 1470 blacksmith Anthony had to swear *in facto percussionis* that Thomas had broken his finger.<sup>29</sup> Judicial terminology of Gradec made distinction between bleeding, i.e. *sanguinis effusio*, and wounds. While the latter implied the use of weapon, bleedings were the consequence of beating, verberation, brawls and other blows given by various objects.

The second methodological obstacle is quantitative: certain types of violence rarely led to prosecution, either because they were not serious or were difficult to prove. Consequently, the scopes for the interpretation of magistrate's attitude to violence are limited to the analysis of predominant violent crimes. Additional problem is that not all of the charges resulted in a conviction, and the same type of violence was not always punished equally. Therefore the analysis of the distribution of violent offenses and outcomes of prosecutions can be of great help in detecting connections between sentencing and severity of violent attacks.



**Figure 1.** Distribution of registered violent offenses (1450-1480)

25 MCZ 7, 244.

26 MCZ 7, 24.

27 MCZ 7, 71.

28 MCZ 7, 291, 305.

29 MCZ 7, 368.

Looking at distribution of registered violent offenses, it is likely that minor violent offenses rarely represented a cause for litigation. Although such conflicts probably were not rare, only four (2.52%) were recorded in the analysed period: two for pushing<sup>30</sup> and two for hair pulling, one accompanied with slapping.<sup>31</sup> Somewhat more lawsuits (9, i.e. 5.66%) were initiated because of causing lesions and cicatrices. Unfortunately, sources do not reveal how these injuries were caused, except in one trial performed in December 1466 when the shoemaker Luke had to pay 10 *pensae* to shoemaker Nicholas because Luke's calf injured Nicholas.<sup>32</sup> However, based on imposed fines in five of nine trials, ranging from 5 to 12.5 *pensae*,<sup>33</sup> i.e. less or around the lowest fine prescribed in the Golden Bull, we can conclude that lesions and cicatrices would not have been considered as serious injuries.

Contrary to these, there are types of severe crimes which can be found in records only occasionally: infanticide, abortion and sexual assaults. Whereas cases of infanticide and abortion can also be considered as sort of physical brutality, they are included in this analysis, as well as three cases of taking virginity, although perfunctorily worded records do not reveal whether they were committed under duress or voluntary. Thus, in 1466 Helen, the stepdaughter of shoemaker Fabian *Wewerycz*, was prosecuted for killing her new-born by throwing it into a well in *vico carnificum*. At first she was sentenced to death penalty, i.e. burning, but in the end she was sentenced to suffer lashes and banishment.<sup>34</sup> Reason for this sort of clemency could be lack of executioner, but also sympathy with Helen and her difficult situation. Two years later, certain widow Elisabeth was sentenced to the same punishment because she had miscarried child conceived with Michael, servant of judge Blaise.<sup>35</sup> Since there were usually no witnesses to the act of infanticide, and it was difficult to distinguish whether the child was stillborn, died after birth or was murdered, it is possible to assume that the actual number of infanticides in medieval Gradec was slightly higher than prosecuted ones. Although the medieval world offered alternative methods of abortion, such as jumping from a height, tight ligation of the abdomen, the consumption of products from a variety of

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30 MCZ 7, 339.

31 MCZ 7, 371; 442, 447.

32 MCZ 7, 309.

33 MCZ 7, 26, 242, 309, 371, 375-376.

34 MCZ 7, 310-311; Klaić, *Zagreb*, 235; Marija Karbić, "Nezakonita djeca i konkubine u gradskim naseljima srednjovjekovne Slavonije – marginalci ili ne?," in *Gradske marginalne skupine u Hrvatskoj kroz srednji vijek i ranomoderno doba*, ed. by Tomislav Popić (Zagreb: Hrvatski studiji, 2004), 83.

35 MCZ 7, 334; Karbić, "Nezakonita djeca i konkubine," 83.



plants and herbs or arsenic and mercury,<sup>36</sup> these methods represented a life-threatening risk for pregnant women, so abandonment of a child or infanticide were more usual ways to solve the problem of unwanted pregnancy.<sup>37</sup> Act of infanticide was mostly precipitated by women's fear of the shame and dishonour they would incur for bringing a bastard into the world.<sup>38</sup> Therefore, the only way of concealing illicit relationships and preserving the honour in society was the elimination of child by suffocation, drowning or throwing from a height. Deprivation of food or exposure to cold was not so often since it was accompanied with great risk for the mother to be discovered.<sup>39</sup> When it was discovered, infanticide usually would have been punished by the death penalty, i.e. burning at the stake. Even though in Gradec burning at the stake as penalty is only mentioned in trial records, the same is prescribed as common penalty for mentioned crimes in the Law Book of Ilok from 1525.<sup>40</sup> This document contains the legal norms that existed in tavernical towns of the Kingdom of Hungary, among which was Gradec,<sup>41</sup> so we can assume that the execution by burning at the stake was there also the common method. However, in Gradec we can also found cases of execution by drowning or live burial of convicted women.<sup>42</sup>

Regarding sexual assaults, only three (1.89%) trials were recorded in analysed period. In 1459 some Louis sued Steven *Jagichicz* for alleged embarrassing and deflowering some girl, so Steven was sentenced to pay *homagium vivum*, i.e. compensation for destroyed life. However, few months later Steven claimed that earlier Luis had lied, and brothers of Steven, Michael and Paul, promised that they will pay imposed sentence if Louis can prove that Steven is guilty.<sup>43</sup> Two years later a tailor Dionysius sued tailor Thomas that he seduced and dishonoured two girls. After a series of testimonies, the court declared Thomas innocent, and alleged victims with Dionysius were sentenced

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36 Sara M. Butler, "Abortion Medieval Style?, Assaults on Pregnant Women in Later Medieval England," *Women's Studies* 40 (2011), 782.

37 Marija Mogorović Crljenko, *Nepoznati svijet istarskih žena: položaj i uloga žena u istarskim komunalnim društvima – primjer Novigrada u 15. i 16. stoljeću* (Zagreb: Srednja Europa, 2006), 151.

38 Dean, *Crime in Medieval Europe*, 79.

39 Nella Lonza, "Dvije izgubljene duše: čedomorstva u Dubrovačkoj Republici (1667-1808)," *Anali Dubrovnik* 39 (2001), 274, 284.

40 Zvonimir Tomičić, *Iločki statut i njegova kaznenopravna regulacija* (Zagreb: Hrvatsko udruženje za kaznene znanosti i praksu – Ministarstvo unutarnjih poslova Republike Hrvatske – Policijska akademija, 2006), 72-73. For full text of the Law Book of Ilok see: Rudolf Schmidt (ed.), *Statut grada Iloka iz godine 1525.* (Zagreb, 1938.).

41 Lujo Margerić, "Iločka pravna knjiga – važan dokument naše pravne povijesti," *Zbornik Pravnog fakulteta u Zagrebu* 44/1-2 (1994), 97.

42 M. Karbić, "Nezakonita djeca i konkubine", 82-83; Mogorović Crljenko, *Nepoznati svijet istarskih žena*, 156.

43 MCZ 7, 171, 175-176.



to pay *homagium vivum*.<sup>44</sup> Similar, in 1468. Peter, a barber, accused Peter *Dragin* that he had raped his wife, but in the absence of evidence, plaintiff had to pay *homagium vivum* to defendant.<sup>45</sup> These examples testify that the victims of sex crimes were members of different social strata and different marital status. Since women generally did not go out at night, crimes of this kind usually took place during the day.<sup>46</sup> Although in the Golden Bull sexual crimes are not mentioned, examples from legal practice reveal the intention of local authorities to fustigate both assaults and false accusations, and it seems, regardless of the marital status or reputation of the victim.<sup>47</sup> Nevertheless, charges were difficult to prove anyway, and starting a prosecution must often have seemed futile. Furthermore, punishments for sexual assaults were more oriented to protect families' honour than women as victims and any penalty could be lifted if the assaulter married his victim or facilitated her marriage through provision of a dowry.<sup>48</sup> Hence, similar as with cases of infanticide and abortion, it is possible to assume that there were far more sexual assaults than those prosecuted.

We have shown that certain types of violence rarely led to prosecution, either because they were not serious or were difficult to prove. Consequently, the most information we can extract from the analysis of predominant violent crimes. Looking back at the distribution of registered violent offenses, it is clear that homicide (13.21%), wounding (13.21%), shedding of blood (15.09%), beating (20.75%) and verberation (25.79%) constitute the majority of recorded crimes, which is not surprising. What is interesting if we look at the figures, is that the share of each crime decreases as its severity increases, so it is possible to conclude that the majority of perpetrators of aggressive outbreaks did not intend to act with tragic consequences for the victim.

In lawsuits initiated for flogging or lashing (*verberatio*) men and women appeared in both roles, i.e. as perpetrators and victims.

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44 MCZ 7, 213-214, 215.

45 MCZ 7, 338.

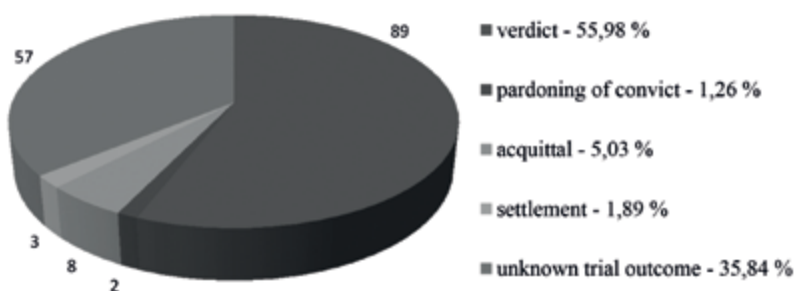
46 Exception were cases of intrusion of group of men in the unprotected women's house, for example as recorded in medieval Duborvnik or northern France. See: Janeković Römer, "Post tertiam campanam," 10; Mogorović Crljenko, *Nepoznati svijet istarskih žena*, 135, 137.

47 For illustration, most of Eastern Adriatic statutes regulated punishments for sexual assaults depending on the marital status of victims and their sexual reputation, and rape of women with bad reputation was not considered as crime. See: Ruggiero, *The Boundaries of Eros*, 96; Zrinka Novak, "Neki aspekti pravnog položaja žena u Vinodolskom zakonu, Senjskom i Krčkom statutu," *Historijski zbornik* 62 (2011), 320-323. On the other hand, the Law Book of Ilok provided the death penalty for raping women regardless to their reputation. See: Tomičić, *Iločki statut i njegova kaznenopravna regulacija*, 72-73.

48 Walter Prevenier, "Violence against Women in Fifteenth – Century France and the Burgundian State," in *Medieval Crime and Social Control*, ed. by Barbara A. Hanawalt and David Wallace (Minneapolis: University of Minnesota Press, 1998), 191; Dean, *Crime in Medieval Europe*, 82-85.

However, women appear as perpetrators in only five cases, in almost half cases (46.34%) they were victims, mostly of assaults by men. On the other hand, in cases of beating and striking number of female victims was significantly less (27.27%), and they were equally victims of female and male violence. Lashing and beating often represented the escalation of conflicts or minor violent offenses, and at the same time they in many cases (especially among men) led to more severe forms of violence, such as shedding of blood and wounding. For example, in January 1451 certain Anthony was sentenced to pay for medical treatment and 25 *pensae* to the blacksmith Paul, because he had beaten him with a wooden stick so hard that Paul barely survived suffered injuries.<sup>49</sup> In 1472 Gregory, brother of priest Martin first attacked and then wounded some Hathes, so he had to pay him 25 *pensae* and 5 *pensae* to community.<sup>50</sup> Back in 1458 potter Anthony had to find 12 people to guarantee that he had not beaten Valentin, son-in-law of some Repar and that he is not guilty for Valentin's death. In February the court increased the number of guarantees to 20,<sup>51</sup> but unfortunately the outcome of prosecution remained unknown. However, this is the only recorded allegation for homicide related to another type of violence. In 20 other cases homicide stand as alone act.

As we have seen from the previous examples, as far as magistrate's attitude to violent offenses is concerned, and bearing in mind the norms of the Golden Bull, it is possible to assume that violence was considered as utterly unacceptable behaviour. The question is to what extent, and we can find a part of the answer in the analysis of the trial outcomes.



**Figure 2.** The trial outcomes from 1450 to 1480 (%)

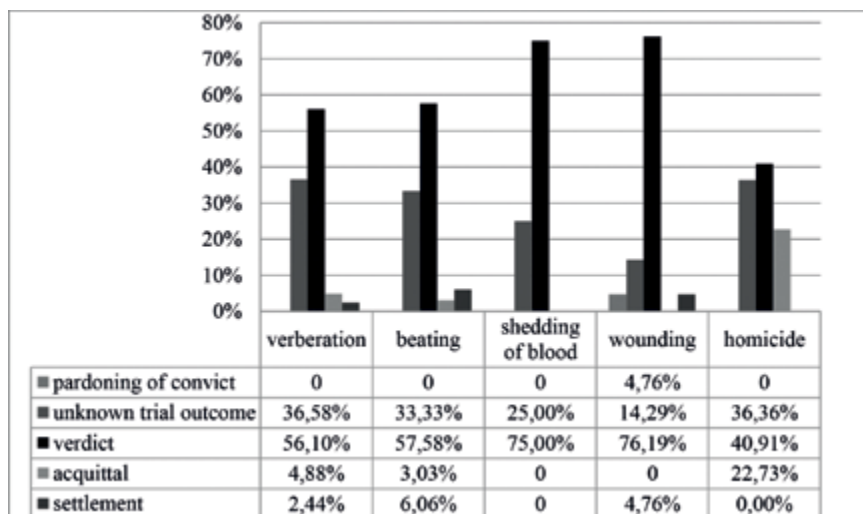
49 MCZ 7, 14, 16.

50 MCZ 7, 402-403.

51 MCZ 7, 143, 146.

Nevertheless, general results obtained by the mentioned analysis could be misleading: three of 159 trials (1.89%) concluded with settlement, eight (5.03%) trials concluded with acquittal, and two (1.26%) with pardoning of convict. Only 89 (56.61%) of 159 trials concluded with verdict, while outcome of 57 (35.84%) remained unknown. In seven of latter 57 proceedings only final outcome is unknown: on first instance they had concluded with verdict against which was made appeal. In sixteen of these 57 trials procedure stopped after hearing had been delayed. It is possible that in these cases both parties made an extrajudicial settlement and prosecutors gave up from lawsuit.

On the other hand, looking at the trial outcomes separately for each category of violent crime, it is noticeable that certain patterns of decision-making existed: despite a number of unknown trial outcomes, evidently local authorities were not especially inclined to acquit defendants, and certainly not to pardoning of convict.



**Figure 3.** The trial outcomes by category of violent crime from 1450 to 1480 (%)

There is a noticeable increase of number of verdicts proportionally to the severity of violence: 56.1% (23 in 41) lawsuits initiated for verberation concluded with sentencing, then 57.58% (19 in 33) for beating, 75% (18 in 24) for blood shedding, and 76.19% (17 in 21) for wounding. Consequently, it is likely that local authorities would have acted in accordance with the severity of violence. Nevertheless, when it came to the most severe form of violence, i.e. homicide, magistrate was

vigilant in decision-making. This is understandable, since convicted for homicide would have suffered the capital punishment, while convicted for other violent offenses had to pay fines. The exception was cases of unintentional homicide, as we mentioned before. With absence of solid evidence of guilt, authorities apparently would have rather released the suspects for murder, which was the case at least in 22.73% of prosecutions, but probably also in 36.36% of trials with unknown outcome. On the other hand, in cases of especially heinous murders and in presence of reliable indications, the accused were often subjected to torture to confess their crime. When the capital punishment was imposed, the manner of execution depended on the circumstances in which murder had been committed, and in cases of especially vicious crimes death penalty would have been accompanied with corporal punishment. Thus, in 1460 George Gruden was arrested, who had murdered Leonard *Purkrab* during the robbery, committed with four other men in Ljubljana. After that he came to live in Gradec to cover his tracks. However, Hans Kneperger from Ljubljana recognised him, so he was arrested and subjected to torture under which he confessed all crimes. The punishment was as brutal as his crime: he suffered dragging at the horse's tail through streets to the gallows where he had to be beheaded in the presence of the entire community. Finally, as the second part of the sentence, his body was quartered and hung on the gallows together with the axe by which he had been executed.<sup>52</sup> In 1469 similar punishment was imposed to tailor Blaise from Kamengrad, who had murdered five people and committed several thefts. He was also sentenced to suffer dragging at the horse's tail, then under gallows to suffer smashing of his limbs on the breaking wheel, and finally to be hanged.<sup>53</sup> Application of these methods was usual across the medieval Kingdom of Hungary and choice of method was precisely determined in customary law. According to the *Verboczy's Tripartitum thieves shall be hanged, robbers impaled or broken on the wheel, and the rest beheaded, according to their deserts.*<sup>54</sup>

We have shown that number of convictions was accompanied with the severity of violence, but as we mentioned before, the same type of violence was not always punished equally, and fines were not always the same as those mentioned in the privilege. This is due to the influence of certain factors, such as the place or time when the crime

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52 MCZ 7, 194-196; Klaić, *Zagreb*, 235.

53 MCZ 7, 349-350.

54 János M. Bak, Péter Banyo and Martyn Rady (eds.), *Stephen Werbőczy, The Law of the renowned Kingdom of Hungary in Three Parts (1517)*, *Laws of the Medieval Kingdom of Hungary*, vol. 5 (Budapest: Central European University Press, 2005), 69.

was committed, severity of injury and its visibility on the body, way of causing injury, but also the gender of participants and their social background. This will be supported by the examples below.

In Gradec fines were usual penalty for the physical violence, as in many other towns and cities across Europe.<sup>55</sup> However, they became more drastic if the crimes had been committed during the *treuga Dei*,<sup>56</sup> which in Gradec took place during the six days before and after the feast of St. Margaret. During the *treuga Dei* fines were doubled or even replaced by physical punishment.<sup>57</sup> Thus, on July 23, 1465 Michael, son of goldsmith Nicholas was sentenced to pay 20 *pensae* instead of usual 10 *pensae* to shoemaker and juror Clement Kelec and 5 *pensae* to municipality, because his horse had injured apprentice of Clement.<sup>58</sup> On the same day, a certain servant Thomas was sentenced to amputation of a hand and then to suffer banishment, because he had stroked wife of shoemaker Gregory.<sup>59</sup> Unfortunately, except for aforementioned, case records do not reveal much more about how the place or time of the day (or year) when the crime had been committed influenced on magistrates' decision-making.

Considering the amounts of fines sentenced by local authorities in the second half of the fifteenth century, those imposed for minor physical offenses remained the same as were stated in the Golden Bull. In cases of wounding, imposed fines were both the same as in the privilege, or half of that amount, i.e. 12.5 *pensae* to the victim, and 5 *pensae* to the city treasury. The latter fine was also imposed on George *Bankowych* in 1451 because he had injured Francis and caused him scars.<sup>60</sup> The Law Book of Ilok stated that the wounds are graduated depending on the size and depth of the wound, and there is a strong possibility that that was the case in Gradec, too.<sup>61</sup> Fines imposed for the verberation, beating and bloodshed, which ranged from 10 *pensae* as in the Golden Bull to 25 *pensae*, just as in cases of wounding. However, there were some exceptions, when fines convicted had to pay staggering 25 marks to the victim and 5 marks of judicial expenses: in 1463 certain Dominic had to pay 25 marks to Matthew *Tergowecz* and 5 *pensae* to magistrate, because he had beaten him.<sup>62</sup> In 1456 Stephen, son of peddler Dionysius,

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55 Dean, *Crime in Medieval Europe*, 130-131.

56 For more on the *treuga Dei* see: Alan Harding, *Medieval Law and the Foundation of the State* (Oxford: Oxford University Press, 2002), 69-108.

57 MCZ 7, xi-xii.

58 MCZ 7, 274.

59 MCZ 7, 275.

60 MCZ 7, 26.

61 Schmidt, *Statut grada Iloka iz godine 1525.*, III, 3.

62 MCZ 7, 236.

had to pay 25 marks to his mother in law and 5 marks of judicial expenses after he had beaten her so to cause bleeding,<sup>63</sup> although such drastic sentence was rather the consequence of family connections between victim and perpetrator, than of severity of injuries. This assumption can be supported by another example from 1453, when the wife of saddler Clement stroked her godmother, Gregory's wife, and was fined 6 marks.<sup>64</sup> In 1468 goldsmith Matthew had wounded his own brother, and had to pay him the costs of treatment and doubled fine of 50 *pensae*, as well as staggering 50 marks to community.<sup>65</sup> Sentences from these examples testify that local authorities generally treated domestic violence very seriously. However, there are instances when this attitude did not come to the fore: when in 1472 Catherine, barber's Peter sister-in-law swore that he had verberated her, Peter was sentenced to pay usual 10 *pensae* to the victim and 5 *pensae* of judicial expenses.<sup>66</sup>

Offenses to the city officials also presented serious misdemeanour that required severe punishment. In April 1458, priest Matthew and his brother Thomas were fined 20 marks because they had wounded juror Stephen. Nonetheless, after a group of honourable men had stand up for them, they were pardoned.<sup>67</sup> Not so lucky was already mentioned tailor Luke, who in January 1471 was fined 10 marks because he had struck herald George with stick. Moreover, magistrate forbade him to appeal on sentence since he committed crime against the judicial officer.<sup>68</sup> It is indicative that in the same way was fined certain newcomer Andrew in 1461 because he verberated James *Wynttheychyn*,<sup>69</sup> although usual fine for his offence was 10 *pensae* as stated in the Golden Bull.

These cases are, by their character, exceptional, but they show how official justice was expected to maintain public order, and even, through exemplary punishments, to intimidate members of the community so as not to violate the rules. On the other hand, although payment deadline was eight days from the verdict, we should not assume either that monetary penalties set by court were always strictly imposed or fully paid. For example, in medieval Constance convicted negotiated with the authorities how to pay their fines and how quickly. In Bologna convicted were allowed to enter a plea of poverty in the

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63 MCZ 7, 112, 113, 115.

64 MCZ 7, 49.

65 MCZ 7, 336.

66 MCZ 7, 407.

67 MCZ 7, 148, 151.

68 MCZ 7, 379-380, 381.

69 MCZ 7, 214-215.

hope of obtaining a reduction of any fine, and reduction of fine could be also obtained by donation to public charities before sentence.<sup>70</sup>

Finally, for creating a clearer picture on the background of recorded criminal offenses, it is important to keep in mind gender of the offenders and the victims. The analysis of records clearly indicates a predominance of male offenders (approx. 86%), while females were not recorded as particularly frequent offenders. The relatively low proportion of women charged with assault fits into the European framework. In medieval and early modern England it ranges from 8 to 20%,<sup>71</sup> and similar participation of women can be found in other parts of medieval Western Europe.<sup>72</sup> Exception was Scottish Stirling, where the proportion of cases involving women in physical violence ranged from 30% or more.<sup>73</sup> That the most of physical violence was perpetrated by men is not surprising, because male violence may be in part determined by the biological factors, such as the hormone testosterone, which is said to predispose to aggressiveness. Medieval ideas of masculinity were also of great relevance to the problem of violence,<sup>74</sup> which was considered a normal part of life and willingness to fight in response to provocation was an important constituent of male honour. Moreover, while social role of women was mainly determined by marriage and family, men were often placed in situations and activities that were likely to generate violence.<sup>75</sup> Since men owned the weapons, violence often resulted with serious injuries. Frequent reaching for the weapon during the conflict in Gradec prompted magistrate in 1362 to enact a ban on carrying long weapons.<sup>76</sup> However, inhabitants did not always adhere to this prohibition. Thus, in 1470 Thomas *Cheden* and Mark *Venetus* brawled on the public surface and at one point Thomas reached for dagger tucked in his belt.<sup>77</sup> Prohibitions of carrying a knife were frequent in medieval European cities, with the exception of bread knives, since they were in daily use. In German countries of the sixteenth century the ban on wearing knife was associated with the prohibition on visiting taverns,<sup>78</sup> which indicates that violence often was associated with drunkenness.<sup>79</sup>

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70 Dean, *Crime in Medieval Europe*, 133.

71 Jones, *Gender and Petty Crime*, 63-64.

72 Dean, *Crime in Medieval Europe*, 77.

73 Ewan, "Disorderly Damsels," 157.

74 Dean, *Crime in Medieval Europe*, 23.

75 Jones, *Gender and Petty Crime*, 64-65.

76 Klaić, *Zagreb*, 223.

77 MCZ 7, 372-373.

78 Gerhard Jaritz, "The Bread-Knife," in *Violence and the Medieval Clergy*, ed. by Gerhard Jaritz and Ana Marinković (Budapest: Central European University Press, 2011), 58.

79 Dean, *Crime in Medieval Europe*, 23.



The involvement of women in physical violence had different features: they fought with hands, feet and teeth, rather than with weapons or tools, so the injuries they inflicted were not serious.<sup>80</sup> Women in Gradec, like those in the Western Europe, assaulted other women more than they assaulted men, although in 7 out of 25 recorded cases of female violence the victim was a man. While studies of physical assault in medieval England and France suggest that women involved in more serious violent crimes acted together with men, women in Gradec were more likely to act alone,<sup>81</sup> just as those in pre-Reformation Scottish towns.<sup>82</sup> Women in Gradec, as well as men, were charged with assault which involved bloodshed or wounding, although they used knives less often than man. Generally, women used whatever weapon was at hand, such as large household keys hung on a belt, iron tongs used in fireplaces or for cooking, cudgels or stones from the street.<sup>83</sup> What is interesting is that women in Gradec would have been sentenced exclusively for assaults on women, which suggest that local authorities considered that women as members of the weaker sex could not cause serious injuries to men. While females were not recorded as particularly frequent offenders, there is higher proportion (approx. 30%) of women as victims, and they were mostly whanged or beaten by man. However, penalties imposed on man for assaulting woman did not differ from those imposed for assaulting man. Hence, it is likely that magistrate, with aforementioned exception, treated both genders equally.

Even though preserved sources obviously do not record all violent activities this analysis reveals some regularities and analogies between the norms of the Golden Bull and later law enforcement. In the second half of the fifteenth century the privilege still provided a basic framework for legal actions, and all issues that have arisen with time were solved through common law and legal practice. All facets of the magistrate's disciplinary activities, i.e. imposing drastic monetary penalties, shameful expulsion from the city and various forms of exemplary executions, show their diligence in defending set values and correcting misconduct. Still, this analysis is only an indication of possible trends, and as such it represents a hypothesis which may serve for future research on a significantly larger sample.

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80 Dean, *Crime in Medieval Europe*, 77-78.

81 There are only two recorded cases between 1450 and 1480 when women acted together with men (MCZ 7, 285, 386).

82 Ewan, "Disorderly Damsels," 159.

83 Ewan, "Disorderly Damsels," 166.

Ivan Missoni

## Expressions of physical and ecstatic love in the Passion of Our Saviour

A Christian view of love begins with three precepts: God is love, humans love, and the full meaning of human love is found through participation in God's love.<sup>1</sup> In his book entitled *Christian Love* Bernard V. Brady succinctly sums this notion up: 'Loving and existence are dramatically and emphatically tied together for the Christian. At least they ought to be. Christian faith attests to a God described as love, and holds that God demands that we love. God models love particularly and most intensely through the life, teachings, and death of Jesus. By nature we love; by faith we must love.'<sup>2</sup>

In the following lines I want to take a closer look at terms for different kinds and concepts of love deployed in early Christian and medieval writings. Needless to say, love features prominently in the Bible. Perhaps some of the most well-known passages pertaining to love can be found in the Song of Songs, the First Letter of John and various Pauline letters addressed to Christian communities including the Thessalonians, the Ephesians, and naturally – the Corinthians.

### Love as a spiritual driving force

If we turn our attention to the Old Testament, we may discern that two primary words translated into English as 'love' are *'ahab* and *hesed*.<sup>3</sup> *'Ahab* is the more general of the two. It was used to describe love between persons, God's love for people, peoples' love for God, and love for non-personal things.<sup>4</sup> *Hesed*, on the other hand, is more limited in its meaning but more frequent in its use. There is no accurate English translation of this Hebrew word; Biblical

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1 Bernard V. Brady, *Christian Love* (Washington: Georgetown University Press, 2003), 265.

2 Ibid, vii.

3 Ibid, 1.

4 Ibid; Gerhard Wallis, 'ahabh', in *Theological Dictionary of the Old Testament*, ed. by G. Johannes Botterweck and Helmer Ringgren (Grand Rapids: William B. Eerdmans Publishing Company, 1974), vol. 4, 105.

translators have used love, loving kindness, mercy, steadfast love, devotion, faithfulness, and loyalty.<sup>5</sup>

The prevailing and almost exclusive word for love in the New Testament is the Greek *agape*. Before we consider its meaning in classical Greek, let us examine the two dominant Greek words for love that the translators of the Old Testament could have chosen, but did not – namely, *philia* and *eros*.<sup>6</sup> Brady states that *philia* ‘designated the relationship between a person and any other person(s) or being(s) which that person regarded as peculiarly his own and to which he had a particular attachment’. *Philia* suggested a level of mutuality, sharing between persons ‘and would not have ordinarily implied sexual desire’.<sup>7</sup> It is most often translated into English as friendship. He furthermore expounds that *Eros* is the love characterized by desiring or longing for someone or something. This meaning carries over into today’s use of the term erotic, although *eros* incorporated desires beyond merely sexual ones. For Plato’s teacher Socrates, *Eros* was not beauty or good itself; it was a thirst for the Absolute.<sup>8</sup> In classical Greek the meaning for *agape* was broad. It was used to suggest a variety of loves: affection, fondness, and contentedness among others.<sup>9</sup> Brady deduces that the translators probably chose this term because its use was less common and its meaning more unspecified than either *philia* or *eros*. The meaning of *agape* is to be found in the pages of the Bible, not in the writings of philosophers. Scripture scholar G. Johnston puts it simply: ‘Jesus revealed the meaning of love by his life’.<sup>10</sup> Therefore, reflection on the life Jesus lived, on the words he preached, and on the act of his death provides, for a Christian, the meaning of *agape*.<sup>11</sup>

Love was a dominant factor in Augustine’s (354-430) understanding of moral life. Brady informs us that for the bishop of Hippo love of God, love of self, and love of neighbour were hierarchically arranged yet intertwined: ‘One cannot truly love oneself unless one

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5 Brady, *Christian Love*, 2; H. J. Zobel, ‘hesed’, in *Theological Dictionary*, vol. 5, 44-64; Katherine Doob Sakenfeld, ‘Love: Old Testament’, in *The Anchor Bible Dictionary*, ed. by David Freedman (New York: Doubleday, 1992), vol. 4, 377.

6 Brady, *Christian Love*, 52-53.

7 Brady, *Christian Love*, 53; William S. Cobb, *The Symposium and the Phaedrus: Plato’s Erotic Dialogues* (Albany: State University of New York Press, 1993), 6.

8 Brady, *Christian Love*, 53; Giovanni Reale, *A History of Ancient Philosophy II: Plato and Aristotle*, trans. by John R. Catan (Albany: State University of New York Press, 1990), 171.

9 Brady, *Christian Love*, 54. See William Klassen, ‘Love: New Testament and Early Jewish Literature’, in *The Anchor Bible*, ed. by David Freedman, and Liddell, Scott, and Jones *Lexicon of Classical Greek*, s.v. ‘agapao’ and ‘agape’ at <http://www.perseus.tufts.edu/hopper/>.

10 Brady, *Christian Love*, 54; G. Johnston, ‘Love in the New Testament,’ in *The Interpreter’s Dictionary of the Bible*, ed. by George Buttrick (Nashville: Abingdon Press, 1989), 169.

11 Brady, *Christian Love*, 54.

loves God; one cannot truly love the neighbour unless one loves God; and one cannot truly love God without neighbour and self-love'.<sup>12</sup> Augustine envisaged love essentially as a motion of the soul or the heart, and he declared that only God was immutable and thus worthy of our true love.<sup>13</sup> A commentator of one of his texts from *On the Morals of the Catholic Church* wrote that although Neo-Platonic influence is manifested, it is Neo-Platonism thoroughly Christianized.<sup>14</sup> In the Bible which Augustine used, the Latin *caritas* was chosen more for what it did not stand for than for what it did. The word in question was evidently selected to 'avoid the unwanted connotations' of particular attachments to others.<sup>15</sup>

Thomas Aquinas (1225-1274) was heir to the great biblical tradition of love passed on primarily by Augustine. He also drew directly from the Bible as well as from prominent theologians from the tradition which included Bernard of Clairvaux (1090-1153). One of his greatest accomplishments is that he managed to integrate the writings of the ancient Greek philosopher Aristotle into Christian theology.<sup>16</sup> We can note five distinctive ways in which Thomas used the word love in his *Summa Theologica*. Brady calls them the structure of love, basic love, unreciprocated love, friendship love, and *caritas* love. Along with *caritas* (normally translated as 'charity'), Thomas also thought of love as *amor*. Moreover, in the *Summa Theologica* he contrasted the love of desire (*amor concupiscentiae*) with the love of friendship (*amor amicitiae*), which has consequently caused substantial confusion.<sup>17</sup> This rift can perhaps best be grasped as not so much a distinction between different acts of love, but rather between two aspects of every act of love. Alfred J. Freddoso was able to ascertain the one who is loved by *amor amicitiae* is loved per se and simply, whereas the object which is loved with *amor concupiscentiae* is loved not for itself but for something else.<sup>18</sup>

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12 Ibid, 117; Augustine, *The Works of Saint Augustine: A Translation for the 21st Century, Sermons III/10 (341-400) on Various Subjects*, ed. by John Rotelle (Hyde Park: New City Press, 1995), 'Sermon 349', in Book 8, Ch. 8.

13 Brady, *Christian Love*, 80; Donald Burt, *Friendship and Society: An Introduction to Augustine's Practical Philosophy* (Grand Rapids: William B. Eerdmans Publishing Company, 1999), 29.

14 Brady, *Christian Love*, 122; Albert Newman, trans., "On the Morals of the Catholic Church, by Augustine," in *St. Augustine: The Writing Against the Manicheans and Against the Donatists*, vol. 4 of *The Nicene and Post-Nicene Fathers of the Christian Church*, ed. Philip Schaff (Grand Rapids: William B. Eerdmans Publishing Company, 1983), 48, no. 7.

15 Brady, *Christian Love*, 82; John Collins, *A Primer of Ecclesiastical Latin* (Washington: Catholic University of America, 1985), 131.

16 Brady, *Christian Love*, 164; David Smith, "Thomas Aquinas," in *The Christian Theological Tradition*, ed. by Catherine Cory and David Landry (Upper Saddle River: Prentice Hall, 2000), 222.

17 Pierre Rousselot, *The Problem of Love in the Middle Ages: A Historical Contribution*; trans. Alan Vincelette (Milwaukee: Marquette University Press, 2001), 236-237.

18 Thomas Aquinas, *Summa Theologica*, Part I-II, Q 26,4. See Alfred J. Freddoso, *The Passions of Love and Hate*, <http://www3.nd.edu/~afreddos/courses/405/love.htm>.

Mystics experienced God in a profound manner. They are said to have had a deep and unique sense of union with or nearness to God. Brady remarks that by speaking movingly of God's love, mystics such as Bernard, Hadewijch and Julian offered a unique contribution to the Christian theology of love.<sup>19</sup> *Sermons on the Song of Songs* and *On Loving God* by Bernard had an enormous effect on the monastic tradition and Catholic mysticism. Bernard concluded that love is to be understood in relation to God, and in his view one came to truly love God slowly, in distinct stages and through much prayer.<sup>20</sup> Hadewijch of Antwerp in the thirteenth century was consumed by love, which posed a dominant and dramatic theme in her poetry. The word she used for it was Flemish *minne*, which meant the dynamic love of a person for God.<sup>21</sup> Besides, it suggested 'the union with God on earth as a love relationship'.<sup>22</sup> The striking message one gets from reading *Showings*, the first English book to be authored by a woman, Julian of Norwich (1342-c. 1416), is the incredibly gentle, everlasting and comforting love of God.<sup>23</sup> From her perspective Jesus loved us so much that he would happily go through the passion and crucifixion for us every day.<sup>24</sup> In addition, his love was so fully affirming, accepting, and familiar, that Julian even referred to him as 'our Mother'.<sup>25</sup>

Courtly love developed during the twelfth century, around the time of Bernard. It was influenced by the works of the first century B.C. Roman poet Ovid, and the eleventh century Muslim author Ibn Hazm.<sup>26</sup> Courtly love had an immense impact during the Middle Ages, as its songs and stories, spread by troubadours throughout Europe, entertained people for centuries. Its defining ideals were associated with Queen Eleanor of Aquitaine and her daughter Countess Marie.<sup>27</sup> The most famous manuscript of that period, *The Art of Courtly Love*, was written around 1186 by Andreas Capellanus. The love story of Heloise and Abelard, punctuated by scandal and suffering, also embodied several crucial characteristics of courtly love.<sup>28</sup> In an age when women

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19 Brady, *Christian Love*, 125.

20 Ibid, 135.

21 Ibid, 141; Paul Mommaers, preface to *Hadewijch: The Complete Works*, ed. by Columba Hart (New York: Paulist Press, 1980), xiii.

22 Brady, *Christian Love*, 141; Columba Hart, Introduction to *Hadewijch*, 8.

23 Brady, *Christian Love*, 146-147; Julian of Norwich, *Showings*, trans. Edmund Colledge and James Walsh (New York: Paulist Press, 1978), Ch. 7.

24 Brady, *Christian Love*, 147; Julian, *Showings*, Ch. 22.

25 Brady, *Christian Love*, 149; Julian, *Showings*, Ch. 22.

26 Brady, *Christian Love*, 152; John Parry, introduction to *The Art of Courtly Love*, by Andreas Capellanus, trans. Parry (New York: Frederick Ungar Publishing Company, 1959), 3.

27 Brady, *Christian Love*, 153.

28 Ibid, 151.

were subservient to men, courtly love raised the beloved, the lady, onto a pedestal.<sup>29</sup> Even though there were significant differences between the phenomenon of courtly love and the love for God tradition, this is not to say that there were no parallels. While some religion scholars hold that it is not by coincidence that the cult of the Virgin Mary began in the twelfth century as to counter the secular, courtly, and lustful views of women,<sup>30</sup> others maintain that it was courtly love that came into existence as a profane aristocratic counterpart to the cult of the Virgin Mary.<sup>31</sup> Whichever was the case (I will not delve into the matter deeper here), the Madonna in effect served as an ideal subject of love poetry because she was viewed as paradoxically accessible and unattainable. The desire to acquire the beloved only intensified with time. Mary could be sought, but never captured; passionately loved, but never possessed.<sup>32</sup>

## The role of Virgin Mary in the mystery of salvation

As woman among women, mother among mothers, Mary reconciled virginal innocence with the suffering of motherhood.<sup>33</sup> Stories of her life, the miracles she wrought, and the images aimed to capture her astounding purity formed the touchstone of European Christian culture.<sup>34</sup> The Gospels offer us a rather sparse account of the Mother of God (except on the occasion of giving birth to Christ); for instance she utters not a word during Christ's crucifixion at Calvary.<sup>35</sup> The efforts to fathom what Christ felt during his last moments, which often involved a lot of conjecture and guesswork, were quite compelling and far-reaching. According to Émile Mâle, 'the Passion of Christ constituted the most stirring, incessant, total and universal speculative interest

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29 Ibid, 152.

30 "Courtly Love," in *New World Encyclopedia*, accessed 27 March 2015, [http://www.newworldencyclopedia.org/entry/Courtly\\_Love](http://www.newworldencyclopedia.org/entry/Courtly_Love).

31 Roger Boase, *The Origin and Meaning of Courtly Love: A Critical Study of European Scholarship* (Manchester: Manchester University Press, 1977), 84-85.

32 Jenny and John Schroedel, "The Cult of Courtly Love"; <http://www.netplaces.com/virgin-mary/medieval-mary/the-cult-of-courtly-love.htm> (accessed 27 March 2015).

33 Sandro Sticca, *The Planctus Mariae in the Dramatic Tradition of the Middle Ages* (Athens – London: University of Georgia Press, 1988), xi.

34 Miri Rubin, "The Virgin Mary and the Making of Europe," *History Today* 59 (2009) 3, accessed 28 March 2015: <https://www.questia.com/read/1G1-195323355/mary-and-the-making-of-europe-as-an-integrated-system>.

35 Thomas Bestul, *Texts of the Passion: Latin Devotional Literature and Medieval Society* (Philadelphia: University of Pennsylvania Press, 1996), 112.

of the Middle Ages'.<sup>36</sup> The vital bond between the Mother and the Son, their mystical and human relationship was deeply engraved upon the mind of medieval man. It comes as a no surprise, then, that 'precisely on the human motherhood of Mary, in whose heart are stamped the suffering and the death of her son, the medieval dramatist dwells with delight – to interpret and to represent theatrically her profound inner anguish', as Sandro Sticca cleverly observed.

More than in any other period, in fact, the Virgin became, in the eleventh century with Anselm of Canterbury and even more so with Bernard in the twelfth, the object of ardent veneration. Numerous luminous, fruitful, and triumphant meditations upon the sufferings and the compassion of the Virgin at the foot of the cross were brought into existence.<sup>37</sup> The most prominent literary and theological works dedicated to Mary include Pseudo-Anselm's *Dialogus beatae Mariae et Anselmi de Passione Domini* – especially *Oratio XX* from the thirteenth century, Ogier of Locedio's *Liber de Passione Christi et doloribus et planctibus Matris eius* or *Quis dabit* for short, a copious amount of texts entitled *De compassione Beatae Mariae Virginis* (13<sup>th</sup>-15<sup>th</sup> c.), and Jacopone da Todi's *Stabat Mater Dolorosa* (late 13<sup>th</sup> c.).

The most famous and extensive collection of Croatian Marian legends (containing 61 of them), was the *Mirakuli slavne dēve Marije* [Miracles of the Glorious Virgin Mary], printed in the town of Senj in either 1507 or 1508. What is more, the only Croatian translation of Pseudo-Anselm's *Dialogus* is preserved in the Glagolitic *Žgombićev zbornik* [Žgombić Miscellany] from the sixteenth century. The aforestated texts, very popular and rather widespread throughout Western and Central Europe, were closely connected with the Cult of the Virgin Mary which reached its peak in the twelfth and thirteenth century. They did not only contribute to the rise of courtly (troubadour) lyric, but also greatly encouraged the development of Passion hymns and dramatized lauds in both Latin and vernacular literature. Seeing as the common feature of these works was to develop *compassio* – commiseration with Christ and Mary's suffering, they proved to be instrumental in the creation of *planctus Mariae*, out of which (at least in Croatia) Passion plays emanated from.<sup>38</sup>

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36 Sticca, *Planctus Mariae*, 7.

37 Ibid, 102.

38 Andrea Radošević, "Pseudo-Anselmov Dialogus beatae Mariae et Anselmi de Passione Domini u hrvatskoglagoljskom Žgombićevu zborniku iz 16. stoljeća," *Slovo: Časopis Staroslavenskog instituta* 60 (2010), 634-635. See Nikica Kolumbić, *Po običaju začinjavac: Rasprave o hrvatskoj srednjovjekovnoj književnosti* (Split: Književni krug, 1994), 144.



## ***Muka Spasitelja našega (The Passion of Our Saviour)***

Passion texts account for the largest part of the corpus of medieval Croatian prose and verse.<sup>39</sup> Passion plays themselves emerged in the fourteenth century in the coastal regions of Croatia and developed fully by the sixteenth century. They thematised the martyrdom, crucifixion, death and resurrection of Jesus Christ. Firstly performed by lay confraternities in the city of Zadar and its environs as means of invigorating and exhorting religious reverence among the faithful, they gradually spread to the north and south along the East-Adriatic coast. To fully recognize their significance, one needs to bear in mind that for five hundred years, from the beginnings of the liturgical plays in the tenth century to the advent of the modern drama in the sixteenth, the only serious dramatic art of the Western World was religious.<sup>40</sup>

Passion plays were preceded by *planctus Mariae*. By way of strengthening and transmitting Marian piety and adoration, they derived their essential character from the liturgy. In the Western theatrical tradition, the *planctus Mariae* constituted a lyrical-dramatic motif of tremendous importance not only as a literary form but, in particular, as fruitful and paramount manifestation of Marian exegetical thought of the Middle Ages. Passion plays in turn came into existence by expanding, compiling and dramatizing Croatian medieval lyrical-narrative passion poems as well as dialogical and dramatized *planctus Mariae*. The aforesaid plays were regularly performed during the Holy Week, hence stirring religious emotions and compelling the gathered faithful into heartfelt participation in Christ's Passion.

The most abundant and indeed the only complete Croatian Passion play cycle, comprising 3664 rhymed eight-syllable lines, is called *Muka Spasitelja našega* (The Passion of Our Saviour). Having been composed in 1556 in the Novi Vinodolski area (north part of the East-Adriatic coast), it is structurally speaking a compilation of excerpts varying in length written in Glagolitic script and pieced together from several medieval passion poems, such as *Pisan ot muki Hrstovi* (Poem of Christ's Passion), then passages from several Croatian *planctus Mariae* (e.g. in *Klimantovićev zbornik I* or *Klimantović Miscellany*), with the addition of some earlier plays – like the Passion from *Tkonski zbornik* (Tkon Miscellany).<sup>41</sup>

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39 Radošević, "Pseudo-Anselmov Dialogus," 635; Kolumbić, *Po običaju začínjavac*, 140.

40 Harold C. S. J. Gardiner, *Mysteries' End: An Investigation of the Last Days of the Medieval Religious Stage* (New Haven – London: Yale University Press, 1946), ix.

41 *Hrvatsko srednjovjekovno pjesništvo*, ed. by Amir Kapetanović, Dragica Malić and Kristina Štrkalj Despot (Zagreb: Institut za hrvatski jezik i jezikoslovlje, 2010), 553-554. The original manuscript, *Zbornik prikazanja (Passion Plays Miscellany)*, is stored in the Archives of the Croatian Academy of Sciences and Arts, under sign. IV a 47, 3a-82a.

Bearing in mind the enormous efforts that the Catholic Church invested into renewing religious life whilst concomitantly offering moralistic and didactic education in order to counter the Reformation, it is perhaps not by chance that this play chronologically coincides with the convening of the Council of Trent (1545-1563).

The dialogue between Christ and the Virgin Mary, the two most poignant characters of this play, does not ensue at the foot of the cross, as in some earlier *planctus Mariae* and preceding plays, but indoors, presumably in Bethany, before Christ sets off for Jerusalem, and it encompasses almost 300 lines (585-876). Several fragments of their discussion are presented so that the reader may get a sense of the dialogue's principal themes and contents (see *Appendix*).

## Love's labour lost

Emotions are about things judged important to us. They overwhelm us because something happened to us that matters to our sense of well-being: emotions are thus the results of our values and our assessments.<sup>42</sup> Magda Arnold, an early leader in the field of cognitive psychology, argued that emotions, followed by action readiness, were the consequences of a relational perception that appraised an object or person or situation or fantasy as 'desirable or undesirable, valuable or harmful for me'.<sup>43</sup>

At this stage I would like to introduce two very insightful concepts: the first is 'emotion script' and the second one pertains to 'emotion community'. In view of defining 'emotion scripts', linguist Anna Wierzbicka stated as a general principle: 'Although human emotional endowment is no doubt largely innate and universal, people's emotional lives are shaped, to a considerable extent, by their culture. Every culture offers not only a linguistically embodied grid for the conceptualization of emotions, but also a set of "scripts" suggesting to people how to feel, how to express their feelings, how to think about their own and other people's feelings, and so on'.<sup>44</sup>

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42 Jan Plamper, "The History of Emotions: An Interview with William Reddy, Barbara Rosenwein, and Peter Stearns," *History and Theory* 49 (2010) 2, 251.

43 Barbara Rosenwein, *Emotional Communities in the Early Middle Ages* (Ithaca – London: Cornell University Press, 2006), 13-14; Magda B. Arnold, *Emotion and Personality*, 2 vols. (New York: Columbia University Press, 1960), 171.

44 Susan C. Karant-Nunn, *The Reformation of Feeling: Shaping the Religious Emotions in Early Modern Germany* (New York: Oxford University Press, 2010), 254; Anna Wierzbicka, *Emotions across Languages and Culture: Diversity and Universals* (Cambridge: Cambridge University Press, 1999), 240.

If we turn our attention to instances of Mary's weeping and her harrowing entreaties from the preceding dialogue, we may come to recognize that they also convey a certain 'emotion script'. Her tears were regarded as matter of particular importance by the Church. The Catholic attribution of voluminous tears to the Virgin Mary was inscribed upon the believers' faith. Tears are furthermore a powerful index of identity. Catholic statues of the Virgin reportedly burst into tears all around the world. By that they continue to be evidence of her efficacy as a channel of sanctity for the faithful.<sup>45</sup>

Based on her analysis of selected medieval sources, Barbara Rosenwein postulated the existence of 'emotional communities', which are comprised of groups of persons, such as families, guilds or parish church members, who share the same norms concerning the expression of feelings, either valuing them or not.<sup>46</sup> She was hence able to unravel an aspect of social foundation of emotions, as well as a way in which emotional bonds are formed and reproduced. The main tenet her exceptionally original work is the reciprocity occurring between emotional expression and religious experience. Namely, since religion, in this case Christianity, has helped shape emotional communities, emotional communities have in turn helped with shaping religious experience.<sup>47</sup>

In view of these considerations, we might therefore venture a proposition that the audience attending Passion plays, like *The Passion of Our Saviour*, was not only passively witnessing such an 'emotion script' as outlined earlier, but also formed an *ad hoc* 'emotional community'. On top of that, we might surmise that they also possessed a certain Biblical pre-knowledge of the subject-matter (through attending Mass and observing liturgical holidays such as Lent), as well as at least a general understanding of the appropriate way of displaying emotions in such circumstances, for example: compassion, compunction, contrition, repentance, the gift of tears etc. Thereby members of the congregation were possibly performing 'emotion scripts' of their own, be it individual or collective, heartfelt or conventional. Drawing on the premises made by Sarah McNamer, we can establish that affective meditations and devotional texts were apparently meant to function as 'intimate scripts' generating intense

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45 Wierzbicka, *Emotions across Languages*, 255; Marina Warner, "Blood and Tears," *New Yorker*, 8 April 1996, 63-69.

46 Jan Plamper, *The History of Emotions: An Introduction*, trans. by Keith Tribe (Oxford: Oxford University Press, 2015), 68. See Barbara Rosenwein, 'Worrying about Emotions in History', *American Historical Review* 107 (2002) 3, 842; Rosenwein, *Emotional Communities*, 2.

47 Rosenwein, *Emotional Communities*, 12-16.

internal emotions and enabling the faithful to undergo compassionate meditative experiences.<sup>48</sup>

Let us now try to credibly and constructively apply these insights to our analysis of emotions, that is – types of love, expressed in the dialogue fragments presented in the previous section. McNamer wrote a comprehensive study on English Marian laments from the thirteenth until the fifteenth century, named *Affective Meditation and the Invention of Medieval Compassion*. A number of results from her revealing analysis dedicated to the ‘dispute’ between the two principal protagonists bear a striking resemblance with the dialogue embedded into “The Passion of Our Saviour”. Let us go through the main points of her painstaking examination.

According to McNamer, Madonna’s utterances constitute a passionate protest against the killing of her firstborn as well as against male authority.<sup>49</sup> In that way, they also pose a challenge to the common notion of Mary’s dutiful and obedient participation in Christ’s Passion. Moreover, she observes that the dialogues or debates in which the Virgin argues with Christ were consciously conceived as a way of voicing a serious ethical position.<sup>50</sup> They thus participate in a tradition of late medieval dialectic, which not only holds true for the text in question, but in fact for the bulk of Croatian Passion plays and *planctus Mariae*.

For McNamer, late medieval model of maternal compassion itself is the foundation for protest. At its base it is not only the spilling of Christ’s ‘innocent blood’; it is the spilling of a child’s blood. Through Virgin’s repeated self-identification as mother, her identity is intimately bound up with that of her son by presenting their interconnectedness in very physical terms.<sup>51</sup> This can also be observed in lines 675-686 and 805-814. She next pleads with Christ to take pity on her and fulfil his duty to continue living not only because she gave him life and fostered him, but also due to the love they share. If he cannot honour and respect that bond, he ought to allow her to die too (lines 721-724 and 805-814).

As their dialogue progresses, Christ opposes the Virgin by asserting the authority of his Father as a superior ethical system, referring to his death as a necessary rite of passage, one that marks his full commitment to the ‘higher’ law of the Father.<sup>52</sup> ‘If I cannot fulfil my

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48 Jill Stevenson, *Sensational Devotion: Evangelical Performance in Twenty-First-Century America* (Ann Arbor: University of Michigan Press, 2013), 44.

49 Sarah McNamer, *Affective Meditation and the Invention of Medieval Compassion* (Philadelphia: University of Pennsylvania Press, 2010), 159-160.

50 Ibid, 159.

51 Ibid, 164.

52 Ibid, 164.

Father's will, I am no longer his son', he professes in the same vein (815-820). Besides that, he repeatedly tries to assure his mother to see virtue in his death and adhere to Father's grand design. McNamer deduces that Christ's decision to die is also motivated by love. But the kind of love he seeks to express through his death is akin to that of a valiant soldier taking leave of his loved ones. He furthermore attempts to convince his mother to conceive herself as part of the larger community – mankind – for whom he offers his life. His death is an act of protective love for her, he declares, for she is among those who will be saved from damnation through his sacrifice (lines 623-634, 651-658 and 825-832).<sup>53</sup> Christ thus seeks to move her understanding of love to a 'higher' level.

Yet, faced with 'superior' male authority, Mary bitterly contests the destruction of her child's body deeming it wasteful, as well as railing against the heartless breaking of the affective bond they share. Even though she acknowledges that Christ's self-sacrifice is in the service of a worthy cause, it is nevertheless love's labour lost, a labour of motherly love which for the Virgin possesses stronger moral claims and should not be outweighed by the more abstract and generalized love of all mankind (lines 675-686, 767-774 and 805-814).<sup>54</sup> In the end, however, she is finally persuaded to comply with her beloved son's sacrifice, and they impart each other blessings before bidding farewell.

I believe that credits are due to McNamer for this brilliant breakthrough, which she substantially validated with the use of plausible textual evidence. In her English laments, and in our text as well, maternal compassion is infused with intimate love, which forms a ground for protest. This certainly makes for a telling paradigm of an 'emotion script' that was mentioned before, which in turn opens up plentiful possibilities of interpretation, but why stop there? Therefore I propose to take the analysis of the dialogue between the characters of Christ and Mary one step further. Based on my diligent perusal of the subject, I suggest that at the heart of this conflict indeed lies love, but that its true qualities and distinctions have thus far eluded historiographers and literary experts alike. This twofold notion of discordant love has managed to transcend an age-long medieval theological theory and carve its way into practice by means of dramatic texts (and performances) of Passion plays. Approaching the dialogue at hand with the proposed amorous rivalry as our point of departure, I would argue, enables us to glean a more authentic and essential 'feel' of *The Passion of Our Saviour*.

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53 Ibid, 166.

54 Ibid, 166.

## Physical and ecstatic love

Let us go back to the text. Specifically through the act of generous self-sacrifice of Jesus Christ on the cross for the salvation of mankind a 'propensity of human beings to seek their own good, and find it in love for others and for God' is reflected (lines 623-634, 651-658 and 825-832).<sup>55</sup> In this view, to love God means to 'regain one's soul'.<sup>56</sup> This notion is supplemented by the interpretation that all creatures in a concordant and harmonious way by their very nature love God, the common good of the entire universe, more than themselves.<sup>57</sup> On top of that, if we compare Christ's Passion with three important theories set out by Thomas Aquinas (of the whole and the part, of the universal appetite of all things for God, and of the coincidence of the spiritual good with the good in itself), we will come to realize that they are in perfect correspondence. Hence from the presently reviewed facts, it clearly follows that the character of Christ in *The Passion of Our Saviour* exhibits all the fundamental traits of *physical* (or *Greco-Thomist*) love, a concept devised by a French Jesuit, Pierre Rousselot, in his groundbreaking study *The Problem of Love in the Middle Ages* from 1908.

By the same token, when the Virgin Mary actively tries to prevent his sacrifice, first by pleading that he redeems mankind without giving away his life (lines 659-662 and 675-686), and then by imploring him to allow her die so as not to witness his excruciating torment (lines 721-724 and 805-814), she is implicitly negating the very purpose of his redemption. Her character consequentially displays: the duality of the lover and the beloved, unlike their presupposed harmony and unity within the *physical* concept of love (the Virgin offers her life neglecting her own well-being); the self-sufficiency of love (taking no notice of the prophecies and by openly opposing God's design, Our Lady in a self-oppressing love directed towards the earthly, mortal Christ, finds her justification, ground and end); its irrationality (advocating egalitarianism, she disregards the difference between her own and the Saviour's nature); and ultimately the violence of the Madonna's love which psychophysically hurts and humiliates her (to love God here means to 'lose one's soul'), while it additionally aggravates the malicious tribulations Christ is about to undergo (for instance, he chides her in reply in lines 733-738). All of these characteristics are quintessential

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55 Rousselot, *The Problem of Love*, 17.

56 Ibid, 133.

57 Ibid, 20.

to the concept Rousselot named *ecstatic love*. On top of that, if we call to mind Thomas Aquinas from the first section of this paper, we may ascertain that *ecstatic love* only involves the love of friendship (*amor amicitiae*) and is free from the love of desire (*amor concupiscentiae*), while in *physical love* the love of desire and the love of friendship are in utmost continuity.<sup>58</sup>

The *physical* concept of love, in its first form, was proposed by Aristotle in the *Nicomachean Ethics*.<sup>59</sup> Thomas Aquinas learned about it from him and became one of its staunch supporters, along with Augustine, Hugh of St. Victor, Bernard of Clairvaux and William of St. Thierry. On the other hand, accounts on *ecstatic* concept of love can for example be found in treatises made by Gregory the Great, Peter Abelard, Aelred of Rievaulx, Richard of St. Victor, William of Auvergne and Bonaventure. According to John Cowburn, each of these two concepts is valid for one kind of love; neither is true of love in all its forms. On one hand, the authors of the *physical* concept correctly explained solidarity-love (love of others derived from self-love) but were wrong in supposing that their explanation fitted sexual love and friendship. On the other hand, the authors of the *ecstatic* tradition described sexual love and friendship well, but their concept does not fit parental, fraternal and similar loves.<sup>60</sup>

## Conclusion

If we were to so superimpose the theories of *physical* and *ecstatic love* over the dialogue extracted from *The Passion of Our Saviour*, we would discover that it is crisscrossed with their impassioned rivalry played out against the backdrop of Christ's impending ordeal and quietus. That is to say, it evidently transpires that the character of Jesus incarnates all the major features of the former concept, whereas the latter concept becomes personified in the character of the Virgin Mary. Given the pivotal position of love in Christian thought, I strongly feel that this type of interdisciplinary examination provides us with an exquisite insight into the underlying framework of the Passion play genre, hence unravelling a hitherto undetected pattern of dramatic tension, as well as enhancing our understanding of different rhetorical expressions of love. What is more, I hope to have successfully demonstrated within

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58 Ibid, 17.

59 John Cowburn, *Love* (Milwaukee: Marquette University Press, 2003), p. 231. See especially Aristotle, *Nicomachean Ethics*, Book 8, Ch. 4.

60 Cowburn, *Love*, 234.



this paper how adept utilisation of notions such as ‘emotion script’ and ‘emotional community’ can bring us closer to unveiling the significance and authenticity of emotions performed on medieval stage and perceiving their potential impact on religious sensibilities.

## Dialogue between Christ and the Virgin Mary

(Lines 585-876)

### Vernacular Croatian

**Krist:** Sad sam prišal na 'vo vrime  
da se uzvisi Božje ime.

To mi j' tribi i svaršiti,  
narod č(lově)čki odkupiti  
s prolijanjem karvi moje  
i semartju tolikoje.

Zato, slatka majko moja,  
da bi sardce utvardila,  
jer potribno j' da se zbude  
Pismo sveto, ko je vsude  
od mene dano, prorečeno,  
na moju smart odlučeno.

[623-634]

**K:** tere imam trud podjeti  
za č(lově)ka smart prijieti.  
Zato, majko, ukripi se,  
i još sinku veseli se,  
jere smart će moja biti  
na spasenje će skoro priti  
rodu semu Adamovu,  
ki sagriši O(t)cu momu.

[651-658]

**Djevica Marija:** Ajme, sinko, ča me  
koješ?

Vid, narod ov odkupit moreš  
prez prolitja tvoje karvi  
za Adamov on grih parvi.

[659-662]

**DM:** 'Poštuj oca i tvu mater!'  
To je, sinko, on tvoj psalter.  
Molim tebe, sinko dragi,  
uprosi se sada mani,  
ako li t' je to uzmožno,  
čini t' posluh mani složno,

### English translation

**Christ:** I've arrived upon this hour  
to praise God's name.

I need to carry this out,  
to redeem (hu)man kind  
by shedding my blood  
and laying down my life.  
Therefore, my sweet mother,  
may thou brace thy heart,  
for Holy Writ, everlast'  
needs to be brought about  
ordained, foretold by myself,  
deciding upon my death.

[623-634]

**C:** I'm to take up this toil  
embrace death for man's sake.  
Thus, mother, rest assured,  
rejoice at thy son,  
because my extinction  
will anon turn into salvation  
to all the kin of Adam,  
who've sinned against my Fa(t)her.

[651-658]

**Virgin Mary:** Alas sonny, why thou  
torments me?

Lo, this folk can be redeemed  
with no blood spilling  
for Adam's original sin.

[659-662]

**VM:** 'Respect thy father and mother!'  
That, my sonny, is thy psalter.  
I implore thou, my sonny dear,  
give heed now unto me,  
if that is to be achieved,  
be attent to do me homage

otkupi ti narod krivi,  
a da ne umreš majki Divi,  
jer ne mogu ja prez tebe,  
sinko, živit ja o sebi.  
Zato ti si me življenje,  
ne budi mi umorenje!

[675-686]

**K:** Sveti muž, on Šimeon,  
ki me z ruk tvojih prija u svoj blagoslov,  
prorokova govoreći:  
'Meč tvu dušu će proteći.'

[709-712]

**K:** Draga majko, ni podobno,  
nije Otcu to ugodno,  
da prij umreš ne budući  
vrata rajaska gdo odprući,  
ka se imaju otvoriti,  
moju smartju odklopiti.

[733-738]

**K:** Ja se oču k vam vratiti  
i barzo vas pohoditi  
po skarsnutju mojem gori,  
kad se pakal jur otvori.

[763-766]

**DM:** Slatki sinu, daj me smarti  
prija neg jet budeš va varti,  
al' čin' da tva smart ne bude  
pogarjeno grozno vsude,

[721-724]

**DM:** Kad li očeš, sinko, pojti  
i k nam barzo opet dojtj,  
daj ovo mi se ne odprosi,  
sinko, majki, ka ovo nosi,  
ovi život vas zločesti,  
ki ne more tug podnesti,  
da tvoja smart ne bud' luta  
ni tolkoj muka kruta,

[767-774]

**DM:** Imaj ka mni smilovanje,  
sinko dragi, moje ufanje!

[801 - 802]

redeem this guilt-ridden folk,  
without dying on thy virgin mother,  
For I can't go on without thou,  
sonny, living by myself alone.  
Because thou art my life,  
be thou not my demise!

[675-686]

**C:** Holy man, he Simeon,  
blessed me from thy arms,  
and prophesied by saying:  
'a sword shall run through thy soul.'

[709-712]

**C:** Mother dear, it is not proper,  
nor it pleaseth my Father,  
that thou shouldst perish  
without opening heaven's door,  
which are to be unlatched,  
prompted by my death.

[733-738]

**C:** I wish to return to thou  
and visit swiftly anon  
after my resurrection overhead,  
once hell's gate is wide open'd.

[763-766]

**VM:** Sweet son, confine me to death  
before thou yet reachest that chasm,  
make sure that thy death  
be not such a horrid spectacle,

[721-724]

**VM:** When thou my son departst  
and soon to us returnst,  
do not refuse me,  
son, a mother who's enduring,  
this most vicious life,  
suffering so many a sorrow,  
let thy death be not cruel  
nor thy torment brutal,

[767-774]

**VM:** Have mercy on me,  
my darling, my faith I swear by!

[801 - 802]

**K:** Majko, ništar ne naprudiš,  
neg ča život svoj već trudiš,  
to je tribi izvaršiti,  
voļu Otca ispuniti!  
Ako ja to ne učinim,  
veće nisam ja negov sin.

[815-820]

**K:** Ni skončanje, majko mila,  
neg spasenje sega svita  
i tvoj život vikovični  
kim su otcí v limbi dični,  
da put svaršim i moju voļu,  
ja te ovo, majko, moļu,  
da budem častan na 'vo[m] puti,  
ti me, majko, blagoslovit hoti.

[825-832]

**K:** bud' blaženo ono tilo,  
ko me nosi, sveta Divo!

[865 – 866]

**DM:** Sinko, ti si moja radost,  
moje ufanje, moja svitlost,  
istočniče naslajenja,  
pušćaš majku prez smiljenja!  
Gdo me oće pomagati,  
oh, nesrićna ka sam mati?  
Znam da mi je umriti,  
da b' mi daļe ne živiti,  
neka da bih ne vidila  
smarti i rane tvoga tila!

[805-814]

**DM:** Ojme sinko, diko moja,  
budi va vsem voļa tvoja

[821-822]

**DM:** Moja glavice, prim' moj celov,  
ki ti dajem, i blagoslov,

[843-844]

**C:** Mother thou doth nothing else,  
than makest thy life miserable,  
it is to be done with,  
to fulfil my Father's will!

For if I do not do so,  
I am no longer his son.

[815-820]

**C:** It is not an ending, mother dear,  
but salvation of the whole globe  
and granting thou eternal life  
making proud the fathers in limbo,  
to finish this journey and my will,  
I beseech thou, mother, still,  
to be honourable in this quest,  
bestow me, mother, thy blessing.

[825-832]

**C:** Be blessed the flesh,  
that had begotten me, o holy Maiden!

[865-866]

**VM:** Sonny, thou art my joy,  
my hope, my light,  
fountain of delight,  
thou forgost me mercilessly!  
Who will come to my aid,  
for I am such a wretch?  
I know that I am to die,  
so that I may live no longer,  
and not behold  
the scourging of thy body!

[805-814]

**VM:** O Son, my pride and joy,  
let thy will be omnipotent

[821-822]

**VM:** My wee head, receivest my kiss,  
and with it, my blessing,

[843-844]



## Ivan Botica – Tomislav Galović

### **Croatian Glagolitic notary service of Krk and Third notarial protocol of Jure Sormilić (1726-1734). How we have edited this edition?\***

The Croatian Glagolitic notary service is special because, unlike the Latin or Italian notary service, it penetrated into villages and its protagonists were often historically irrelevant and illiterate people.<sup>1</sup> In Croatian Glagolitic documents, the needs and wishes of the rural mentalities are reflected, traces of folk culture can be glimpsed, unprecedented customs are observed, onomastic particularities are provided, and insights into the Croatian language are enriched.

It is important to stress that the Croatian Glagolitic notary was created by appropriately educated people well-versed in all the notary regulations and formulations. Croatian Glagolitic notaries were people with good scribal skills who were building a special administrative language in the Chakavian dialect for centuries. Despite the centuries-long presence in north Adriatic area, the Croatian Glagolitic notary service only developed and lasted on the island of Krk. Over four centuries, the residents of Krk have had the option of obtaining a Glagolitic certificate of a legal act written in the Croatian language.

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\* This text is a part of introductory study, in: *Hrvatskoglagoljski notarijat otoka Krka. Notari Dubašnice, sv. 1. Treći notarski protokol Jura Sormilića (1726. – 1734.) / Croatian Glagolitic Notary Service of Krk. Notaries of Dubašnica, vol. 1. Third Notarial Protocol of Jure Sormilić (1726–1734)*, editing, introductory study, creation of the glossary and index by Tomislava Bošnjak Botica, Ivan Botica and Tomislav Galović (Zagreb: Hrvatski državni arhiv – Staroslavenski institut – Filozofski fakultet Sveučilišta u Zagrebu – FF-press – Povijesno društvo otoka Krka, 2016), 44-56, 69-70. This research was supported by the Croatian Science Foundation under the projects *Sources, Manuals and Studies for Croatian History from the Middle Ages to the End of the Long Nineteenth Century* (IP-2014-09-6547) and by the Scientific Centre of Excellence for Croatian Glagolitism (Zagreb).

1 More detail about that in Ivan Botica and Tomislav Galović, “Hrvatskoglagoljski notarijat u europskom kontekstu“, in *Hrvatsko glagoljaštvo u europskom okružju (Zbornik radova međunarodnoga znanstvenog skupa povodom 110. obljetnice Staroslavenske akademije i 60. obljetnice Staroslavenskoga instituta, Krk, 5. – 6. X. 2012.)*, ed. by Vesna Badurina Stipčević, Sandra Požar and Franjo Velčić (Zagreb: Staroslavenski institut, 2015), 115-143.

## The Croatian Glagolitic notary service of Krk

Due to the Glagolitic alphabet and Glagolitism, the island of Krk occupies an important place in Croatian history. It is sufficient to recall the words of Vatroslav Jagić, also known as the patriarch of Slavic studies, who said that Krk was the *vagina rerum glagoliticarum* (the cradle of Glagolitism).<sup>2</sup> The largest number of bibliographic titles of Glagolitic sources originates from Krk. Of course, among them are sources of Croatian Glagolitic notary service, preserved in large numbers due to fact that, as the most prominent Glagolitic palaeographer Vjekoslav Štefanić nicely put it, there were “loads and loads of them.”<sup>3</sup>

The stable continuance of the Croatian Glagolitic notary service on Krk is attributed to the fact that it was built on a good foundation. Its beginnings are in the biscriptal (Latin and Glagolitic) and bilingual (Latin and Croatian) office of the counts of Krk, later the Frankapans, who were the only real lords of Krk until 1480.<sup>4</sup> Because of that, the population of Krk had the legal option of obtaining Glagolitic private legal documents in the Croatian language very early on. This option was used until the establishment of the Austrian notarial order in the nineteenth century.

The oldest materials of the Croatian Glagolitic notary service of Krk are individually issued documents. On the other hand, notarial books, mostly protocols or books of imbreviatures are of somewhat later origin – or rather those from the medieval period have not been preserved. The Croatian Glagolitic notaries of Krk occasionally engaged in other practices as well. As in the Dalmatian communes, where notaries also managed the affairs of archdioceses as credible places (*loca credibilia*), they additionally worked on writing formulations and documents in the registries of clergies, brotherhoods and private owners.<sup>5</sup>

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2 Cf. Mihovil Bolonić, *Otok Krk kolijevka glagoljice* (Zagreb: Kršćanska sadašnjost, 1980).

3 Vjekoslav Štefanić, *Glagoljski rukopisi otoka Krka* (Zagreb: Jugoslavenska akademija znanosti i umjetnosti, 1960), 18-20.

4 For confirmation of that, it is sufficient to observe the corpus of Glagolitic diplomatic monuments published in the collection *Acta Croatica – Listine hrvatske* (I. Kukuljević Sakcinski), i.e. *Hrvatski spomenici – Acta Croatica* (Đ. Šurmin), and in Latin in *Codex diplomaticus comitum de Frangepanibus* (L. Thallóczy and S. Barabás). Cf. Ivan Kukuljević Sakcinski (ed.), *Acta Croatica – Listine hrvatske*, Monumenta historica Slavorum meridionalium, vol. 1 (Zagreb: Brzotiskom narodne tiskarnice dra. Ljudevita Gaja, 1863); Đuro Šurmin (ed.), *Hrvatski spomenici – Acta Croatica*, vol. 1 (1100-1499), Monumenta historico-juridica Slavorum meridionalium, vol. 6 (Zagreb: Jugoslavenska akademija znanosti i umjetnosti, 1898); Lajos Thallóczy and Samu Barabás (eds.), *Codex diplomaticus comitum de Frangepanibus – A Frangepán család oklevéltára*, 2 vols. (Budapest: Magyar Tudományos Akadémia, 1910-1913).

5 Štefanić, *Glagoljski rukopisi otoka Krka*, 19.



In the long-term project *The Croatian Glagolitic Notary Service of Krk. Notaries of Dubašnica*, the entire notarial material of Dubašnica with firmly defined principles of editing is aimed to be processed and published. The justification of that endeavour – publishing the entire notarial material of Krk – is also reinforced by the fact that there is a special archival unit entitled *The Croatian Glagolitic Notary Service of Dubašnica and Vrbnik* in the Croatian state archive in Zagreb (today managed under the signature *HR-HDA-60, Notary Service of Dubašnica*). Other than that, as part of a special project, the archive has microfilmed almost all the Glagolitic documents and manuscripts, including the *Croatian Glagolitic Notary Service of Dubašnica and Vrbnik*.<sup>6</sup>

The documents of the *Croatian Glagolitic Notary Service of Dubašnica and Vrbnik* have been divided in an archival manner into three groups: 1) Notarial (banded) protocols written in the Glagolitic script, 2) Concepts of notarial protocols and separately issued documents and 3) Parts of the Croatian Glagolitic notary service in Vrbnik.<sup>7</sup> The last also contains documents written in Italian. Those constitute almost unknown and insufficiently investigated material of Croatian historiography used to uncover a historical perspective of the ordinary people, their everyday life, legal and social status, a genealogical, demographical, social and economic picture and the historic environment.

## Dubašnica

The north-western part of Krk, bounded by capes of Pelova and Čuf on the coast and with border contact with the Omišalj, Dobrinj, and šotoventski counties on the land has been called Dubašnica since the fifteenth century.<sup>8</sup>

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6 Cf. HR-HDA-1449: *Glagoljski rukopisi i isprave 10-19. St. Zbirka mikrofilмова*, ed. by Josip Kolanović, Vlatka Lemić (Zagreb: Hrvatski državni arhiv, 2002).

7 Josip Kolanović, “Glagoljski rukopisi i isprave u Arhivu Hrvatske,” *Slovo – časopis Staroslavenskog zavoda u Zagrebu* 32-33 (1983), 162-163.

8 *Dubašnica jučer, danas*, ed. by Antun Zec (Rijeka: Župni ured Dubašnica na Krku, 1969); Mihovil Bolonić and Ivan Žic-Rokov, *Otok Krk kroz vjekove* (Zagreb: Kršćanska sadašnjost, 1977, 2<sup>nd</sup> edition – Zagreb: Kršćanska sadašnjost and Biskupski ordinarijat Krk, 2002), 357-368; Tomislav Galović, *O Dubašnici i njezinim ljudima. Prinosi za povijest dubašljanskoga kraja na otoku Krku* (Malinska – Rijeka: Općina Malinska-Dubašnica, Izdavačka kuća Adamić, Povijesno društvo otoka Krka, 2004); Anton Turčić, *Dubašnica – sveta baština i duhovni zov. Crkve, samostani, kapele, groblja, svećenici, redovnici, redovnice* (Dubašnica: self-published, 1996); Milan Radić (Jr.), *Voljenji vali. Razvoj turizma u Malinskoj* (Malinska: Općina Malinska-Dubašnica & Turistička zajednica općine Malinska, 2009); Anton Božanić, *Dubašnica – povijesne mijene, drevna župa i iseljenici u New Yorku* (Malinska: Općina Malinska-Dubašnica, 2014). Cf. also: Mihovil Bolonić, “Pet stoljeća naših sela,” *Krčki zbornik* 16 / Special edition 9 (1986), 17-71.

The history of Dubašnica is only continuously tracked since the mid-fifteenth century.<sup>9</sup> However, the oldest traces were recorded back in prehistoric and ancient times when the Liburnians inhabited this area. Their ruins, one not far from Porto and other on the Čuf cape, as well as the ancient residential building (*villa rustica*) in Zaharija bay, testify that people have been leaving their tracks in Dubašnica since time immemorial. Even more numerous is evidence of written testimonies from the Middle Ages, especially about religious buildings. One that stands out among them is the chapel from Dubašnica field, near which a monastery of St. Apollinaire was built by the Benedictines. The church of St. Martin was later attached to it, not far from Punta Pelova, which, according to the testimony of the oldest sources, was once superior to the first-mentioned. Those buildings were the oldest religious objects in this area.

With the disappearance of the Benedictines, who are so far mentioned in ten Latin documents between 1153 and 1300,<sup>10</sup> the walls of their church and monastery became the location of an old parish or pastoral church of St. Apollinaire. This occurred after a mass immigration of Croatian and a smaller part of the Vlach population from the continental area during the reign of count John VII (Jr.) Frankapan.<sup>11</sup> The beginnings of the populations between 1451 and 1463 coincide with the reinforcement of his reign on the island, as well as with the first wave of Croatian refugees fleeing before the Ottomans. The newly arrived population settled in the wider area around the original church of St. Apollinaire where a central, now extinct settlement of Dubašnica was formed. The Church of St. Apollinaire in the Dubašnica field, the original destination of the immigrants, became a parish church near the end of the fifteenth century.<sup>12</sup> It was expanded and upgraded in

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9 Petar Runje, "Crtice iz kasnosrednjovjekovne povijesti Fučićeva rodnog kraja – Dubašnice," in *Az grišni diak Branko pridivkom Fučić*. Radovi međunarodnoga znanstvenog skupa o životu i djelu akademika Branka Fučića (1920.-1999.), ed. by Tomislav Galović (Malinska – Rijeka – Zagreb: Hrvatska akademija znanosti i umjetnosti, Institut za povijest umjetnosti, Katolički bogoslovni fakultet Sveučilišta u Zagrebu, Staroslavenski institut, Sveučilišna knjižnica Rijeka and Općina Malinska-Dubašnica, 2011), 259-264.

10 Perica Dujmović and Tomislav Galović, *Plovanska crkva svetoga Apolinara (150 godina dubašljanske župne crkve u Bogovićima)* (Malinska: Župa sv. Apolinara b. m. – Dubašnica and Općina Malinska-Dubašnica, 2008).

11 Ivan Žic-Rokov, "Naseljavanje Dubašnice i Poljica u 15. stoljeću," *Krčki zbornik* 7 (1976), 183-194; Ivan Botica and Tomislav Galović, "Glagoljična pismenost srednjovjekovne Dubašnice (s osvrtom na početke hrvatskoglagoljskoga notarijata na otoku Krku)," in *Zbornik radova s Prve medievističke znanstvene radionice u Rijeci*, ed. by Kosana Jovanović & Suzana Miljan (Rijeka: Filozofski fakultet Sveučilišta u Rijeci, 2014), 55-71, e-book available at: <http://www.ffri.uniri.hr/hr/povjerenstva-i-odbori/izdavacka-djelatnost.html>. Cf. also: Ivan Botica and Tomislav Galović, "Darovnica Ivana VII. Frankapana – najstarija je dubašljanska glagoljična isprava," *Krčki kalendar* 2015 (2014), 86-92.

12 Botica and Galović, "Glagoljična pismenost srednjovjekovne Dubašnice," 56.

the following centuries, notably in 1576 after it was burnt down.<sup>13</sup> It also had a bell tower built in reduced Gothic shapes in 1618.<sup>14</sup> Near the end of the fifteenth and the beginning of the sixteenth centuries in the village of Porat, the former Venetian harbour for wood export, the present church of St. Mary Magdalene and monastery of the third order Glagolitic Franciscans with the same name was added.<sup>15</sup> Due to malaria, the early modern Dubašnica was slowly disappearing between the end of the eighteenth and the first half of the nineteenth centuries, its population emigrating to nearby, more suitable areas.<sup>16</sup>

Today, Dubašnica is a historical and territorial term that combines around twenty villages under its name.<sup>17</sup>

## Notaries of Dubašnica

The Dubašnica Glagolitic notaries, i.e. their documents are a precious, interesting and poorly researched topic. They have basically operated in Dubašnica since its foundation. In all probability, the first Dubašnica vicar known by name was Petar. Recorded in a judicial procedure from 1508 when a verdict was titled “to the honourable priest Petar, vicar and administrator of the parish church of St Apollinaire in Dubašnica, Krk diocese” (*venerabili presbitero Petro plebano et rectori ecclesiae parochialis S. Apolinaris de Dubasniza Veglensis dioecesis*). The said person probably appears earlier, between 1487 and 1495 when a certain *domin* (priest) *Petar* is found in the documents signing his name with the title of *nodarii cesarski pupliki*. It is presumed that the

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13 Vjekoslav Štefanić, “Dubašnica,” in *Hrvatska enciklopedija*, vol. 5, ed. by Mate Ujević (Zagreb: Hrvatski izdavački bibliografski zavod, 1945), 352; Dujmović and Galović, *Plovanska crkva svetoga Apolinara*, 14-20.

14 Marijan Bradanović, “Graditeljstvo Dubašnice u razdoblju renesanse,” in: *Az grišni diak Branko pridivkom Fučić*, 231-258.

15 Anđelko Badurina, *Porat – Samostan franjevac trećoredaca 1480-1980* (Zagreb: Provincijalat franjevac trećoredaca, 1980); Anđelko Badurina, *Inventar samostana sv. Marije Magdalene u Portu na otoku Krku (1734.-1878.)*, Monumenta glagolitica Tertii ordinis regularis sancti Francisci in Croatia, vol. 1 (Rijeka – Zagreb: Glosa & Provincijalat franjevac trećoredaca glagoljaša, 2013); Branko Fučić, *Porat – samostan sv. Marije Magdalene. Glagoljski lapidarij* (Zagreb: Provincijalat franjevac trećoredaca and Samostan sv. Marije Magdalene – Porat, 1991); Tomislav Galović, “Dubašljanski Porat na otoku Krku – od prvih svjedočanstava života do suvremenih dana (skica namjesto pogovora),” in Augustin Šabalja, *Porat i Portani u 19. i 20. viku* (Porat: Općina Malinska-Dubašnica and Turistička zajednica općine Malinska, 2009), 59-66, 69-71.

16 Mihovil Bolonić, “Kužne bolesti u prošlosti o. Krka (s posebnim osvrtom na koleru 1855. godine),” *Krčki zbornik* 19 /Special edition 13 (1989), 79-132; Milan Radić (Jr.), “Nalazi uzroka smrti stanovnika Župe Dubašnica na otoku Krku početkom 20. stoljeća,” *Medicina: glasilo Hrvatskoga liječničkoga zbora – Podružnica Rijeka* 35 (1999) 1-2, 15-20.

17 Helena Turk, *Općina Malinska-Dubašnica. Usvjeti i značajke turističke valorizacije* (Malinska: Općina Malinska-Dubašnica and Glosa, 2002).

cleric performing the notary service also performed pastoral care. By analogy, about a hundred years later, priest Juraj Sabljčić was operating in Dubašnica. He first appears as a *nodar pupliki* (1581), and soon as a Dubašnica vicar or pastor (1588-1600).<sup>18</sup> Given that we do not have an exact list and order of Dubašnica vicars or pastors until the first half of the sixteenth century, it is possible that some Dubašnica vicar is hidden among the Dubašnica notaries – the pupil Martin (*kancilir na Dubašnici*, 1495), the priest Petar Kovač (*sin Branka z Dubašnice, nodar pupliki*, 1512), and the priest Matija Sabljčić (*nodar pupliki*, 1549-1571) – because the notaries of Krk were regularly coming from clerical circles until the second half of the sixteenth century.<sup>19</sup>

Thanks to maintaining Croatian Glagolitic literacy, a considerable number of Glagolitic documents and manuscripts from Dubašnica exist after the sixteenth century. Most of them are from the eighteenth century, when an awareness of Glagolitic script as something unique to Croatia appears. Given that Croatian Glagolitic notarial documents and manuscripts are part of pragmatic and current literacy, a pronounced sense of awareness for their permanent preservation did not exist. Therefore, there were not many Dubašnica families that preserved their own Glagolitic charters and documents exist.<sup>20</sup>

Luckily, the acts of the Croatian Glagolitic notary service were respected at the beginning of the Austrian reign,<sup>21</sup> so they ended up in state archives and offices early on.<sup>22</sup> That is also what has happened to the majority of documents of the Dubašnica notary service, which ended up in the archives of the Imperial royal district court in Krk during the nineteenth century.<sup>23</sup> There, along with other documents, they were found by researchers like Ivan Milčetić, Rudolf Strohal and Vjekoslav Štefanić, who were warning about their value and recommended them as amendments to Croatian culture and heritage. Milčetić, a born resident of Dubašnica who personally owned some Dubašnica notarial documents, was the first to transliterate and publish them.<sup>24</sup> Even

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18 Cf. Botica and Galović, “Glagoljična pismenost srednjovjekovne Dubašnice,” 55-71.

19 Cf. Stjepan Ivančić, *Povjestne crte o samostanskom III. Redu sv. o. Franje po Dalmaciji, Kvarneru i Istri i Poraba glagolice u istoj redodržavi* (Zadar: Odlikovana Tiskarna E. Vitaliani, 1910), 46; Runje, “Crtime iz kasnosrednjovjekovne povijesti,” 259-264; Botica and Galović, “Glagoljična pismenost srednjovjekovne Dubašnice,” 67.

20 *Hrvatski spomenici – Acta Croatica*, no. 220, 331-332.

21 Bolonić, *Otok Krk kolijevka glagoljice*, 317.

22 Bolonić, *Otok Krk kolijevka glagoljice*, 317; Botica and Galović, “Glagoljična pismenost srednjovjekovne Dubašnice,” 58.

23 Cf. Ivan Milčetić, “Hrvatska glagoška bibliografija (I. dio),” *Starine JAZU* 33 (1911), 430.

24 Ivan Milčetić, “Glagoljaši, osobito krčki, u prošlosti hrvatskoj,” *Smotra – mjesečnik za obću prosvjetu* 1 (1887) 3, 146-153; 1 (1887) 4, 219-224; 1 (1887) 5, 279-296; 1 (1887) 6, 343-353; Milčetić, “Hrvatska glagoška bibliografija (I. dio),” 461.

though Strohal processed Dubašnica notarial material in some of his works, after criticism of his *Glagolitic Notarial Books of Vrbnik Notary Ivan Stašić* (1911), he did not dare publish a more complete Croatian Glagolitic notarial document. Finally, in Štefanić's book-catalogue *Glagolitic Manuscripts of Krk* published in 1960 in Zagreb, he listed and described all the available Glagolitic manuscripts from Dubašnica, separating them into two groups: a) the Rectory in Bogovići and b) the Franciscan monastery in Porto. Alongside them, he added a separate list of manuscripts he verified as originating from Dubašnica while being located elsewhere. The largest quantity of these manuscripts can be found in Zagreb institutions such as the Archive of Croatian Academy of Science and Arts, the Croatian State Archives, the National and University Library, and the Zagreb City Library. He divided those manuscripts of various types and contents into ecclesiastical (civil registers, canonic books, registers of performed masses, various monastery books, missals, breviaries) and public (notarial concepts and protocols, various documents of public legal characters, etc.).<sup>25</sup>

Based on his own research and largely relying on Štefanić, a list of Glagolitic notaries born in Dubašnica was created by Mihovil Bolonić.<sup>26</sup>

The Dubašnica Glagolitic notary service was created throughout history in the everyday activity and mutual communication of Glagolitic priests, third order Glagolitic Franciscans, and more literate residents of Dubašnica.<sup>27</sup> In 1931, his notarial documents ended up in Zagreb.<sup>28</sup> They were stored at a District court among the documents of the former Imperial Royal district court in Krk. Therefore, all of them, apart from the *Part of the Notarial Protocol (Concept) of Ivan Sormilić (1767-1768)* ended up at a single location in the Croatian State Archives in Zagreb.<sup>29</sup>

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25 Around ten years later, a part of the Dubašnica manuscripts stored in the Archive of the Croatian Academy of Science and Arts was described by Štefanić in his two-volumed *Glagoljski rukopisi Jugoslavenske akademije* (Zagreb: Historijski institut JAZU, 1969-1970).

26 Bolonić, *Otok Krk kolijevka glagoljice*, 317. As a curiosity, let us mentioned that data on some Dubašnica notaries can be found in the book-lexicon *Znameniti i zaslužni Hrvati te pomena vrijedna lica u hrvatskoj povijesti od 925-1925*, ed. by Emilij Laszowski (Zagreb: Odbor za izdanje knjige "Zaslužni i znameniti Hrvati 925-1925.", 1925; reprint: Zagreb: August Cesarec, 1990).

27 Cf. Botica and Galović, "Glagoljična pismenost srednjovjekovne Dubašnice," 55-71.

28 Milčetić, "Hrvatska glagoljska bibliografija (I. dio)," 430.

29 Kolanović, "Glagoljski rukopisi i isprave u Arhivu Hrvatske," 158-167; Tomislav Galović, "Inventar i stanje glagoljskih rukopisa u arhivu župe Sv. Apolinara mučenika – Dubašnica na otoku Krku," *Arhivski vjesnik* 46 (2003), 209-220; Galović, *O Dubašnici i njezinim ljudima*, 83-93.

## Notarial Protocols of Jure Sormilić

It has already been stated that the first Dubašnica notary and pastor known by name was Petar and it has been determined that he was the son of Branko Kovač from Dubašnica.<sup>30</sup> It is interesting that the Sormilići, a family which gave two Croatian Glagolitic notaries, lived in Kovači in modern Sveti Anton. Jure and Ivan Sormilić, father and son, were Croatian Glagolitic notaries from 1715 to 1746, i.e. from 1744 to 1788. Left behind are countless of jointly written pages created during joint years of service, which lasted for at least 73 years.

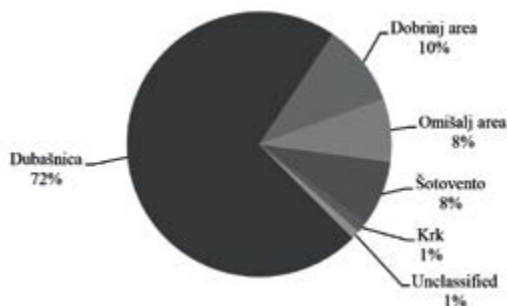
For the first time ever, one of theirs and one complete Dubašnica notarial protocol in general have been published in edition we prepared. It was originally titled: *Ovo je Protokol treći mene Jure Sormilića od oblasti benetačke, nodara puplika* (This is the Third Protocol by Me, Jure Sormilić by Venetian Authority, Notary Public). From the lengthy notary service of Jure Sormilić, only the *Third* (1726-1734), *Fourth* (1734-1737), and *Sixth notarial protocol* (1739-1741) have been preserved, as well as part of a protocol from the period between 1744 and 1746.

### Third Notarial Protocol

The *Third Notarial Protocol of Jure Sormilić* reveals everyday life of residents of Dubašnica, Dobrinjština, Omišalj villages and Šotovento during the second quarter of the eighteenth century. The protocol itself was written from March 10, 1726 until August 23, 1734 in Sormilić's house. Out of 297 in total, 166 legal acts were established here. The formula *zneto i plaćeno*, which the notaries recorded on the margin, indicates that the parties of the *Third Notarial Protocol of Jure Sormilić* were issued 240 notarial documents. Other legal acts, records and certificates were drafted throughout the villages of Dubašnica (49), Dobrinjština (39), Šotovento (24), Omišalj (23) and in Krk itself (4), in houses, courts, workshops, churches, sacristies, under *baras* and in cemeteries. Legal business was possible wherever people were living and gathering (Fig. 1).

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30 Bolonić, *Otok Krk kolijevka glagoljice*, 317.



**Figure 1.** Share of the locations of established acts

Jure Sormilić spent most of his time on business in Dubašnica. We find him, as he himself states, in Barušić (1), Bogović (4), Kovači (166), Kraljić (2), Kremenić (3), Malinska (1), Marković (1), Milčetić (4), Oštrobradić (1), on Poganke (3), in Porat (5), Radić (3), Rudine (1), Sabljic (6), Strilić (1), Sveti Anton (2), Sveti Polinar (3), Turčić (1), Vlašić (1) and Zidarić (3). Outside of his locality, called “kaštel” by the coastal and island residents, he travelled throughout the former territory of Dobrinj (City, Gabonjin, Gržetić, Polje, Sveta Mandaljena), Glavotok (Brzac, Pinezić, Sveta Fuska, Sveti Petar), Krk/Veja (Linardić, Mala placa in Krk, Sveti Ivan), Omišalj (Miholjice, Semin, Sršić, Sveti Vid) and Poljica (Milohnić, Selo). Clients or parties from other Krk localities (Bajčić, Brusić, Hlapa, Kras, Lizer, Ljutić, Maršić, Milohnić, Milovčić, Nenadić, Njivice, Omišalj, Pinezić, Soline Sužan, Vantačić, Vrbnik, Vrh, Žgaljić, etc.) also came to him, including some from Cres (Merga Kučine). Some of the listed places no longer exist today, some merged with others, and the official forms recorded by Sormilić of most of the existing ones were officially changed half a century ago.

Jure Sormilić was a notary public of the Republic of Venice. He and his contemporary Anton Petriš, notary public from Vrbnik, were authorized to compile public acts, issue public documents and certify private documents in the Croatian language as legally valid in the territory of the Republic of Venice. They were doing that in Glagolitic script. Like Andrej Bendata, Frančesko Paštari, Bernardin Dudi, Zan-Antonio Travižan and Jakom Kalerić – Krk notaries for the Italian language, which were recorded in Sormilić’s notarial protocol in specific acts – they had the right of safeguarding “depožiti” (deposits) of all valuable items (money, heirlooms, various books and documents) for the purposes of handing them over to other people or competent bodies. So, a notary of the Croatian language and Glagolitic script in the territory of the Republic of Venice did not legally differ from a notary of the Italian language and Latin script. Still, it is unclear why Jure Sormilić did not compile a single legal act between September 6, 1726



and April 12, 1731. Given that there is no interruption in the numbering of documents between these dates, we presume that he was outside the public notary service. Did the competent chamber from Krk forbid or limit his legal capacity? Was he unfit to duly perform the entrusted service due to some kind of physical or mental weakness? All of those and other questions will be left unanswered for now.

Beside Sormilić's hand, another hand has written six shorter certifications in the Venetian idiom of the Italian language in the *Third Notarial Protocol* (June 16, 1726, December 10, 1731, June 8, 1732, December 5, 1732, June 7, 1733, December 9, 1733), as well as one longer certification (January 26, 1734). Among the papers, mostly without any specific order, there are around ten notes (bulletins). Sometimes, those are bulletins of Dubašnica, Dobrinj, Poljica, and Omišalj clerks (officials) on performed listings (calls), and sometimes they are actual links whose context is easier or harder to determine. Officials were local clerks who advertised legal businesses, most often purchases, in public places. For three published calls in front of two witnesses, they received compensation of 10-12 *soldi*. After publishing three calls, three Sundays in a row at a specific place and time in front of gathered folk, the official used a note or a bulletin to notify the notary of potential complaints regarding the concluded business. After that, the notary would record the published calls on a document's margin and would, if needed, publish a charter or instrument on a performed piece of legal business. While analysing this type of contract, fr. Mavro Velnić noticed "that the Bodulija resident was certainly socially sensitive" because some of the contracts had to be subsequently "assessed" (evaluated), so "if a larger value was determined, the buyer will recoup the difference, and if a value was smaller, the seller will return the difference."<sup>31</sup>

According to the *Third Notarial Protocol of Jure Sormilić*, officials in Dubašnica were Paval Kraljić, Jure Dijanović and Matij Dobrilović, officials in Dobrinj were Ivan Šamanić, Jure Franković and Jure Pačković (Pačko), and the official in Omišalj was Matij Turčić. In a public place in Krk/Veja, purchases were disclosed by the "trumbita" (announcer) Jerolim Fefe. It is interesting that Sužan had his own official Matij Mavrović, unlike Poljice where Dubašnica notaries were performing calls at the parish church of the St. Cosmas and Damian. We presume that the custom of the disclosure of public calls in Dubašnica was performed at the most important gathering place of Dubašnica residents, next to the old parish church of St. Apollinaire.

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31 Mavro Velnić, "Dubašljanski ugovor o prodaji zemlje iz 1785. godine," *Krčki kalendar 2008* (2007), 83.

The real estate appraisers, the so-called “štimađuri” called *rotnici publici* and *meštari publici*, definitely added to the dynamic of economical everyday life, as can be seen in the *Third Notarial Protocol of Jure Sormilić*. While establishing the market price of a specific object expressed in *libri*, the current Venetian denomination from the eighteenth century, each of the contracting parties had its own appraiser. Among the Dubašnica appraisers, judge Ivan Milčetić of the late Ivan especially stands out as a commonly seen name in contractual proceedings. Beside purchases and trades, appraisers also assessed the value of a bride’s dowry or *dota*. The assessment of the value of clothes, sheets and furniture itself was most often left to women. Around fifty purchase and dowry contracts were concluded with an agreement without an appraiser. In that way, the parties were able to save some money, though an appraiser’s job was paid in relatively modest amounts, most often expressed in *soldi*. The notary service was not compensated much better than that either.

## A diplomatic and historical analysis

A diplomatic analysis entails a critical study and evaluation of documents from an internal and external standpoint. Also, an essential part of a diplomatic analysis is a chronological analysis. Counted among the internal features of diplomatic material or a document are its integral parts: an introductory part or protocol, followed by a text or corpus, and then conclusion, i.e. eschatocol.<sup>32</sup> In comparison with a public document and of course, in accordance with its function, a private document is simpler and comes without certain diplomatic formulae. Since this is about protocols, i.e. books of imbreviatures, the document is devoid of external and certain internal features.

The structure of notarial documents is schematized. In Sormilić’s documents, that structure looks as follows: located in the beginning of the notarial instrument is a dating formula (*datatio*), which consists of *datum temporale*, while a *datum locale / geographicum* is located in the eschatocol. In Sormilić’s writings, the *datum temporale* regularly includes a designation of the day, month, and year, as well as a control element of date or indication.<sup>33</sup> Following that is the listing of the names

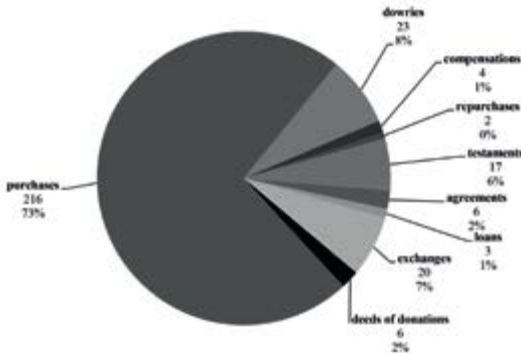
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32 Jakov Stipišić, *Pomoćne povijesne znanosti u teoriji i praksi: latinska paleografija, opća diplomatika, kronologija, rječnik kratica* (Zagreb: Školska knjiga, 31991), 150-153; Franjo Šanjek, *Latinska paleografija i diplomatika* (Zagreb: Hrvatski studiji Sveučilišta u Zagrebu, 2005), 146-147, 149-163.

33 More on *indiction* in: Stipišić, *Pomoćne povijesne znanosti*, 196.

of the parties in a given legal business. The legal act itself is pronounced in a *disposition formula* (*dispositio*), the most important part of every document in which a material and/or moral object is located as a subject of a legal act. Next comes a *narration formula* (*narratio*) or *exposition formula* (*expositio*), which speaks of the circumstances or motives that preceded a legal act. A text or a corpus regularly also contains clause formulae (*clausulae finales*) used to protect an effect of a legal act stated in a document, from which we point out *clausula obligativa*. Followed by that is the part in which a request (*rogatio*) for drafting a document is directed at a notary. Found in a document's corpus and specifically for testaments is the *arenga*.<sup>34</sup> The final part of a document is the eschatocol, which consists of the *datum locale / geographicum*, a listing of witnesses (*validatio*) and a *subscription formula* (*subscriptio*), i.e. a signature or a sign of a notary.

We have divided the documents of the *Third Notarial Protocol of Jure Sormilić* in accordance with the contents into following types: 1) deeds of donations, 2) purchases, 3) dowries, 4) compensations, 5) repurchases, 6) testaments, 7) agreements, 8) liens and 9) replacements (Fig. 2).



**Figure 2.** Quantity, type and percentage share of individual documents

The contents, type, quantity and percentage share of the individual documents speak of everyday life in Krk in the second quarter of the eighteenth century. Given that most of the parties were coming from the countryside, it is entirely expected that the Dubašnica notaries were most often visited for real estate contracts. There are 216 such documents. Arable lands were most often traded, woods and vineyards were somewhat less popular, while small woods, olive groves, and orchards were the least traded. Most often traded was a

<sup>34</sup> More on *arenga* in Glagolitic documents in: Eduard Hercigonja, *Na temeljima hrvatske književne kulture. Filološkomedievističke rasprave* (Zagreb: Matica hrvatska, 2004), 186-191.

smaller piece of land (*kus*), often with a repurchase option. A similar thing was also true for houses, but also taverns, attics, access roads, courts, pens, walls, threshing floors and even ponds.

Often covered through purchases was a debt to numerous Krk brotherhoods (*brašćine*), which were the closest public stage of an early modern person's existence and activities.<sup>35</sup> These brotherhoods are mentioned: St. Philip in Dobrinj; St. Anthony of Padua, St. George, St. Nicholas, St. Paul, St. Apollinaire, St. Rosary and St. Body in Dubašnica; St. John, St. Lucia, St. Matthias, St. Rosary, St. Salvatore and St. Anastasia in Krk/Veja; St. Anthony and St. Cross in Miholjice; St. Cosmas and Damian and St. Rosary in Poljica; St. Anthony of Padua and St. Mary in Omišalj; and brotherhood of St. Catherine in Vrbnik.

Next after purchase and replacement contracts in terms of quantity are dowries and bequest contracts (40). Future research of parish registers, could potentially offer valuable observations that could be used to determine which Krk localities were leading in the amount of concluded dowry contracts, how many brides (*neveste*) entered into marriage with them, from which and what kind of families testators came from, how long they lived after making a will, etc.

Despite the fact that replacement contracts are compatible with purchase contracts in terms of contents, there are only twenty of them. It is difficult to say why there were not more of them given that the influx and flow of currency was generally poor in villages. We have also observed that replacement contracts were more frequent the farther away a party was from the object getting replaced.

People visiting Sormilić were also not prone to contracts that we have classified as agreements, compensations, liens and repurchases. There are no contracts on financial transactions at all. For example, besides purchases (25.33%) and dowries (8.67%), the Zaratín notary during the third quarter of the eighteenth century was most often visited for authorizations used in certain transactions and legal situations (36%), then for financial transactions (17.33%) and agreements (7.33%).<sup>36</sup> Only one quarter of his contracts were direct purchases. While the city population uses a wider range of transactions and more varied agreements between parties, the village population is less prone to taking risks, particularly of a financial kind. That is also

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35 Mihovil Bolonić, *Bratovština Sv. Ivana Krstitelja u Vrbniku "Kapari" (1323-1973) i druge bratovštine na otoku Krku* (Zagreb: Kršćanska sadašnjost, 1975).

36 Juraj Balić, Lovorka Čoralić and Filip Novosel (eds.), *Spisi zadarskoga bilježnika Antonija Calogere (1768.-1770.)*. *Acta notarii Iadrensis Antonii Calogera (1768-1770)*, Gradivo za povijest Istočnoga Jadrana u ranom novom vijeku. *Fontes spectantes historiam Adriaticae orientalis priscae aetatis recentioris*, vol. 1, *Monumenta spectantia historiam Slavorum Meridionalium*, vol. 57 (Zagreb: Hrvatska akademija znanosti i umjetnosti, 2014), 8.

where the significant difference between urban and rural mentality in terms of the demands of certain legal contracts stems from. Therefore, it is to be expected that further research of the Dubašnica notary service will provide a similar statistical image of the types of notarial documents.

## Ecdotic principles

In edition *Hrvatskoglagoljski notarijat otoka Krka. Notari Dubašnice, sv. 1. Treći notarski protokol Jura Sormilića (1726. – 1734.) / Croatian Glagolitic Notary Service of Krk. Notaries of Dubašnica, vol. 1. Third Notarial Protocol of Jure Sormilić (1726–1734)* (editing, introductory study, creation of the glossary and index by Tomislava Bošnjak Botica, Ivan Botica, Tomislav Galović),<sup>37</sup> we have paid special attention to ecdotics or archeography, an auxiliary historical science of theoretical and practical knowledge and proceedings for publishing diplomatic and narrative sources. As editors, we followed the principle of making the material available to as wide a circle of interested users as possible after publication, while the original text must not lose any authenticity through conveying words. Therefore, the critical-interpretative method was applied.

While editing the notarial protocol, we faced the following tasks and questions: how to present the original text of the source to a researcher; is it receptively more efficient to resort to transliteration, transcription or a combination of both; how to make the text clearer (e.g. capitalization, punctuation, etc.); how certain Glagolitic letters should be denoted; how to resolve abbreviations (suspensions, contractions, etc.); whether the original text structure has to be followed; what kind of critical apparatus the text should be equipped with; how to publish a facsimile, etc. The answers would be as follows: each document was issued in accordance to the rules of ecdotics. Therefore, each document has a heading that contains: document numeration denoted with *numerus currens*, modern dating (*datum temporale* and *datum locale*), a Croatian and English abstract as a summary of the contents of the legal act, and certain notes (signature, pagination, etc.).

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37 *Hrvatskoglagoljski notarijat otoka Krka. Notari Dubašnice, sv. 1. Treći notarski protokol Jura Sormilića (1726. – 1734.) / Croatian Glagolitic Notary Service of Krk. Notaries of Dubašnica, vol. 1. Third Notarial Protocol of Jure Sormilić (1726–1734)* (editing, introductory study, creation of the glossary and index by Tomislava Bošnjak Botica, Ivan Botica, Tomislav Galović (Zagreb: Hrvatski državni arhiv – Staroslavenski institut – Filozofski fakultet Sveučilišta u Zagrebu – FF-press – Povijesno društvo otoka Krka, 2016), 438 pp. + CD-ROM.

While transposing the source, we followed a combination of transliteration and transcription. So, the original text was transliterated from Glagolitic into Latin script and additionally transcribed. Given how difficult it is to make a mistake by doing one letter at a time, those best informed about palaeography and language prefer to resort to such publishing of historical sources. By doing so, however, they make the access to the source significantly more difficult for those who are not as informed about palaeography and language. Therefore, we have decided to go the most difficult and risky way, and whether we have made a mistake is for the profession to assess after publication. Capital letters, punctuation, and other spelling issues were resolved based on orthographic rules. The text is faithfully presented, so all types of abbreviations are resolved, while additional interventions in the transliterations are clearly and visibly marked using bold letters or italics. We have not followed the original structure of the text itself, but have separated only larger passages or segments for better transparency. Where necessary, we have equipped the text with critical apparatus. We decided against a printed facsimile and have instead chosen to publish a CD-ROM with a digitalized original.

## Conclusion

Numerous pages written in the Croatian language and the Glagolitic script testify about a specific legal act or concluded business. As we saw from the preceding lines, all of them belong to the Croatian Glagolitic notary service, a legal institution of the Kvarner islands, Istria and the Croatian coast, already unique due to the fact that it enriched western European legal culture with the non-Latin Glagolitic script. The *Third Notarial Protocol of Jure Sormilić* is immensely rich diplomatic material for historical, legal, economical, sociological, demographical, dialectological and onomastical research. It is a real treasury of people and places of the western part of the island of Krk from the second quarter of the eighteenth century. With this type of approach, we wanted to offer a framework for future publications of diplomatic material in the Croatian language and Glagolitic script. Whether we have made a mistake somewhere will be assessed by interested readers and the profession itself.

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