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Self-Government Institutions of Nomadic and Semi-Nomadic Livestock Breeders in the Balkans and in the Carpathian Regions in the Late Medieval and Early Modern Periods*

*Institucje samorządowe koczowniczych i półkoczowniczych pasterzy na
Bałkanach i w regionie karpackim w późnym średniowieczu i wczesnej
nowożytności*

STRESZCZENIE

Artykuł odnosi się do: koczowniczej i półkoczowniczej hodowli na Półwyspie Bałkańskim w okresie średniowiecza; instytucji samorządowych średniowiecznych koczowniczych pasterzy na Bałkanach; sedentaryzacji wołoskich pasterzy na Bałkanach; instytucji samorządowych *knežin* i plemion bałkańskich; przyrodniczych oraz socjopolitycznych wyznaczników wykorzystania wysokogórskich pastwisk w Karpatach między XIII a XVI stuleciem; instytucji samorządowych społeczności wiejskich i związków wsi z romańską ludnością Wołoszczyzny, Transylwanii oraz Mołdawii w okresie późnośredniowiecznym; socjoekonomicznych aspektów kolonizacji na prawie wołoskim w środkowej i zachodniej części Karpat; samorządowych instytucji wsi i związków wsi powstałych na prawie wołoskim w środkowej i zachodniej części Karpat (ziemie monarchii: węgierskiej, polskiej, czeskiej).

Słowa kluczowe: Bałkany, region Karpat, półkoczowniczy pasterze, instytucje samorządowe, późne średniowiecze, wczesna nowożytność

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NOMADIC AND SEMI-NOMADIC LIVESTOCK BREEDING
IN THE BALKAN PENINSULA IN THE MEDIEVAL PERIOD

In the Middle Ages there were two types of livestock breeding in the Balkan Peninsula¹. One type was autochthonous, which entailed seasonal migrations of livestock breeders with sheep and goats between summer pastures in the mountains (in Serbian medieval sources: *letište/planina*) and winter pastures in warm valleys and coastal areas (in Serbian medieval sources: *zimište/zimovište*). This type of livestock breeding existed among the indigenous population of the Balkans; it was its sole occupation, which dates back to before the immigration of the Slavs. In mediaeval sources Vlachs² are most commonly mentioned as nomadic and semi-nomadic livestock breeders in the Balkans, with Albanians (in Serbian medieval sources: *Arbanasi*) occurring less frequently³. This type of livestock breed-

¹ The northern geographic border of the Balkan Peninsula is considered to be the Danube, from its mouth on the Black Sea to Belgrade, and the Sava from Belgrade to its confluence with the Kupa River, then the Kupa River and the Istria Peninsula in the northeastern Adriatic. For more information about the borders, mountain ranges (Pindus Mountains, Dinaric Alps, Rodhope Mountains, Balkan Mountains) and other natural features of the Balkan Peninsula see: J. Cvijić, *Balkansko poluostrvo i južnoslovenske zemlje*, Beograd 1966, pp. 6, 37–87. For more information about the term *balkanism* and Balkanology in Serbia between 1991 and 2013, as well for the previous development of Balkanology in southeastern Europe, also see: M. Luković, *Balkanistika (balkanologie) v Srbiju v obdobju 1991–2013*, "Historica. Revue pro historii a příbuzné vědy" 2014, 1, pp. 86–104.

² Despite past extensive studies, there is still no comprehensive and coherent notion of the scope, cradle and mutual relations of the population that is designated as Vlachs in the Balkan Peninsula. Most researchers (starting with Konstantin Jireček) believe that in the medieval period the term *Vlachs* concealed the old Balkan Romanized population, whose primary occupation was livestock breeding, along with caravan transportation of goods; this population soon or later "dissolved in Romeism" or "absorbed into the Slavic environment", therefore taking part in the genesis of all the Balkan peoples, while at the same time losing its own previous identity. For more information see: C. Jireček, *Die Wlachen un Maurovlachen in den Denkmälern von Ragusa*, Prag 1879; V. Kursar, *Being an Ottoman Vlach: On Vlach Identity (Ies), Role and Status in Western Parts of the Ottoman Balkans (15th–18th Centuries)*, "OTAM. Ankara Üniversitesi Osmanlı Tarihi Araştırma ve Uygulama Merkezi Dergisi" 2013, 24, pp. 115–161. This was a process that took centuries and in some places it is still not completed; therefore, the term *Vlach* was transformed into a social identifier for livestock breeders in many regions of the Balkan Peninsula, but it remains to this day as one for designating smaller remains of the Romanized population in the Balkans (Vlachs in eastern Serbia and northern Bulgaria, Meglen Vlachs, Aromanians, and other similar communities). Cf. D. Dvoichenko-Markov, *The Vlachs. The Latin Speaking Population of Eastern Europe*, "Byzantion" 1984, 54, 2, pp. 508–526. Medievalists point out the fact that the "ethnic diversity reflects incomplete social integration of societies within the medieval states", but also that today there is a tendency to "uncritically transfer to the medieval period the representations of the ethnic boundaries from the contemporary world". Cf. S. Ćirković, *Rabotnici, vojnici, duhovnici. Društva srednjovekovnog Balkana*, Beograd 1997, pp. 171–184.

³ The Albanians appear in historic sources starting from the 11th century. For more

ing had several variations. Most commonly mentioned was the nomadic or semi-nomadic (transhumance), depending on the typological and terminological criteria⁴. Over time it was increasingly adopted by the Slavic and other populations⁵.

The second type of livestock breeding in the Balkans was the breeding of large and small livestock (cattle, pigs, sheep, goats) by the agronomical population (of various ethnicities), but as a secondary occupation⁶. The position of the livestock breeders and agronomists greatly differed from the feudal system of the Balkan states in the Middle Ages. Since livestock breeders always had a better position, there was a constant tendency among agronomists to shift to livestock breeding⁷.

Important information on medieval Vlachs is provided by Byzantine sources for the period from the 10th to the 13th century⁸, as well as *char-*

see G. Stadtmüller, *Forschungen zur albanischen Frühgeschichte*, "Albanische Forschungen" 1966, 2. Albanians are mentioned as shepherds in the mid-14th century Code of Serbian Emperor Stefan Dušan (Dušan's Code). Cf. M. Pešikan, I. Grickat-Radulović, M. Jovičić (eds.), *Zakonik cara Stefana Dušana*, vol. 3, Beograd 1997.

⁴ For more information about the types and classification of seasonal migrations of livestock breeders in southeastern Europe see: M. Gyöni, *La Transhumance des Vlaques Balkaniques au Moyen Age*, "Byzantoslavica" 1951, 12, pp. 29–42; S. Marcu, *Formes traditionnelles d'élevage pastoral et systèmes d'organisation chez les Vlaques balkaniques*, in: *Odredbe pozitionog zakonodavstva o sezonskim kteranja stočara u jugoistočnoj Evropi. Zbornik radova sa međunarodnog naučnog skupa održanog u 6. i 7. novembra 1975. u Beogradu*, ed. V. Čubrilović, Beograd 1976, pp. 67–86; A. Matkovski, *Nomadskoto stočarstvo vo Makedonija od XIV do XIX vek*, Skopje 1996. French historian Fernand Braudel also discussed the terms, which used to designate different types of seasonal migrations of shepherds in Europe and the Mediterranean, and pointed out the affirmation of the term *transhumance* starting in the late 18th century. Cf. F. Brodel [Braudel], *Mediteranski svet u doba Filipa II*, Beograd 2001, pp. 83–100.

⁵ The Slavs who settled in the Balkan Peninsula maintained agronomy as the basic occupation, which was their occupation also in the Transcarpathian homeland. For more information see: M. Blagojević, *Zemljoradnja u srednjovekovnoj Srbiji*, Beograd 1973; D. Angelov, *Agrarnite odnošenija v severna i sredna Makedonia prez XIV vek*, Sofia 1954. There are versatile studies about the total agricultural activity of the old Slavs, relying on archaeological finds. An overview of opinions and argumentation supporting agriculture as the basic occupation of the old Slavs is included in H. Łowmiański, *Podstawy gospodarcze formowania się państw słowiańskich*, Warszawa 1953; M. Beranová, *Zemědělství starých Slovanů*, Praha 1980.

⁶ For more information see: R. Katić, *Stočarstvo srednjovekovne Srbije*, Beograd 1978.

⁷ For more information see: T. Taranovski, *Istorija srpskog prava u nemanjičkoj državi*, vol. 1, Beograd 1931, pp. 90–94.

⁸ As early as the 19th century the writing of Byzantine authors (John Skylitzes, Kekaumenos, Anna Komnene, Niketas Choniates, etc.), which also provided information about the Vlachs, were published in different European centers. The sources are well known and often cited today. Cf. G. Litavrin, *Vlahi vizantijskih istočnikov X–XIII vv*, in: *Jugo-vostočnaja Evropa v sredenie veka*, Kišinjev 1972, pp. 91–138; P. Năsturel, *Les Valaques balcaniques aux X^e–XIII^e siècles*, "Byzantionischen Forschungen" 1979, 6, pp. 89–112. Cf. G. Ostrogorsky,

ters that rulers and feudal lords issued to Christian Orthodox monasteries in the Balkans between the 12th and the 15th century⁹. However, there are many more documents preserved in the western than in the eastern parts of the Balkan Peninsula referring to livestock breeders in the Late Middle Ages. This primarily is confirmed by the records from the archives of the coastal cities in the eastern Adriatic: Dubrovnik, Kotor, Split, Zadar, Trogir (as well as Venice on the northwestern coast)¹⁰. There is somewhat less information in the *urbars* (census) of the centre of the medieval Hungarian-Croatian state (present-day Croatia)¹¹. From the 15th century onwards Vlachs appear also in the Ottoman sources from the Balkans¹².

Even though they were nomadic or semi-nomadic livestock breeders, in the Middle Ages the Vlachs were integrated into the feudal systems of the Balkan states: Byzantium¹³, the Bulgarian, Serbian, Bosnian, Hungaro-Croatian states, as well as the Dubrovnik and Venetian republics¹⁴. These Christian states did not have an identical development course or identical feudal systems, but there was much mutual influence between them with

F. Barešić (eds.), *Vizantijski izvori za istoriju naroda Jugoslavije*, vol. 3, Beograd 2007 (2nd edition), pp. 70–79, 213–216.

⁹ For more information see: S. Bobčev, *Staroblgarski pravni pametnici*, vol. 1, Sofia 1903, pp. 149–168; S. Dragomir, *Vlahii din Serbia în sec. XII–XV*, "Anuarul Institutului de Istorie Națională" 1921/1922, pp. 279–299; S. Šarkić, *Srednjovekovno srpsko pravo*, Novi Sad 1995, pp. 9, 40–41.

¹⁰ Croatian and Yugoslav scholar of Romance languages and etymologist Petar Skok drew attention to this long ago. For more information see: P. Skok, *Iz rumunske literature o balkanskim Vlasima*, "Glasnik Skopskog Naučnog Društva" 1928, 2, 3–4, pp. 300–301.

¹¹ Cf. R. Lopašić, *Hrvatski urbari*, in: Monumenta spectantia historiam Slavorum meridionalium 1894, 5; N. Klaić (ed.), *Izvori za hrvatsku povijest do 1526. godine*, Zagreb 1972, pp. 229–235, 253–254, 278–281, 302–303, 330–338.

¹² After the Second World War Osmanistic studies developed significantly in the Balkan countries. For more information on the development of Osmanistics in the former Yugoslavia and during the post-Yugoslav period (especially on the publication of Ottoman tax records – defters), see: R. Smajić, *Pravci razvoja osmanistike u jugoslovenskom i postjugoslovenskom periodu*, in: *Naučno djelo Branislava Đurđeva. Zbornik radova sa međunarodnog okruglog stola održanog u Sarajevu 4. decembra 2009*, ed. D. Juzbašić, Sarajevo 2010, pp. 93–100.

¹³ Miloš Cvetković, a Serbian Byzantologist from the younger generation, researched the issue of integration of Vlachs, as well as Slavs, into the Byzantine system of provincial organization in the southern Balkans from the second half of the 10th century to the end of the 11th century. Cf. M. Cvetković, *Uključivanje Slovena i Vlaha u provincijske organizacije na jugu Balkana do XI veka. Sličnosti i razlike*, "Zbornik radova Vizantološkog instituta" 2012, 49, pp. 19–41.

¹⁴ There is extensive medievalist literature on the medieval states in the Balkans, and an overview of relevant literature regarding the Vlachs in these states can be found in: Z. Mirdita, *Vlasi u historiografiji*, Zagreb 2003; E. Miljković, *Vlasi u domaćoj historiografiji (1960–2010)*, "Braničevski glasnik" 2010, 7, pp. 5–22.

changing borders. More than six centuries passed from the first mention of the Vlachs in the Byzantine sources¹⁵, in the second half of the 10th century, to the 16th century when the Ottoman state stabilized its borders in the western Balkans¹⁶. It is clear that such a long period saw complex status changing processes, social differentiation and ethnic transformation of the Vlachs throughout the Balkan Peninsula. In certain regions of the Balkans they had many local specificities and some of them have been addressed in my previous paper with references to the extensive literature¹⁷. Here I will discuss only the main course of the changes that encompassed the self-government institutions of the nomadic and semi-nomadic livestock breeders in the Balkans in the late medieval period and early modern period, and how this reflected on their overall status.

¹⁵ The oldest information about the seasonal migrations (nomadism) of the Vlach livestock breeders is provided by Byzantine author Kekaumenos, who talked about the uprising of the Vlachs and Slavs in Thessaly in 1066. He reported that the Vlachs spent the winters in Thessaly, in the large warm valley near the Aegean Sea, and spent the summers in “the high and cool places in the mountains of Bulgaria” (this is the Byzantine theme about Bulgaria, centered in Skopje, which was founded after the collapse of the so-called Samuel’s Empire in 1018). Cf. G. Ostrogorsky, F. Barešić (eds.), *op. cit.*, pp. 70–79, 213–216.

¹⁶ The relatively late appearance of information on various groups of Vlachs and Albanians in Byzantine sources should come as no surprise. As Serbian medievalist Sima Ćirković points out – all these groups of the old Balkan population were more or less influenced by the Roman rule (which lasted for half a millennium), Latin language and Roman civilization. However, after the Slavs penetrated into the Balkan Peninsula, these former subjects of the Eastern Roman Empire were cut off from their center, and therefore did not take part in the subsequent development of the Empire. While the Greeks and Romans from the cities on the coasts of the Adriatic, Ionian and Aegean seas were connected by sea to Constantinople and were included in the organization of the Empire, the native population of the continental regions remained isolated for several centuries. And when Byzantium came across the descendants of this Romanized population during its penetration into the interior of the Balkan Peninsula in the second half of the 10th century – it considered them to be an alien and barbaric element, as it did the immigrant Slavs. Cf. D. Srejić et al., *Istorija srpskog naroda. Od Najstarijih vremena do Maričke bitke (1371)*, vol. 1, Beograd 1994 (2nd edition), p. 142.

¹⁷ For more information see: Z. Klodnicki et al., *Tradiční agrární kultura v kontextu společenského vývoje střední Evropy a Balkánu* (chapter IV – M. Luković, “Transhumanční migrace pastevců v centrálních a západních oblastech Balkánu”), Brno 2012, pp. 145–196; M. Luković, *Katun a katunská organizace středověkých Vlachů v centrálních a západních oblastech Balkánu*, “Slovanský přehled. Review for the History of Central, Eastern and Southeastern Europe” 2013, 5, pp. 387–416; M. Luković, *Knežinska i plemenska samouprava kod Srba: poreklo institucija*, “Naša prošlost” 2013, 14, pp. 9–30; M. Luković, *Zakon vlahom (‘Ius Valachicum’) in the Charters Issued to Serbian Medieval Monasteries and Kanuns Regarding Vlachs in the Early Ottoman Tax Registers (defters)*, “Balcanica Posnaniensia. Acta et studia. Ius Valachicum I” 2015, 22, 1, pp. 31–34; M. Luković, *Sezonowe migracje pasterzy na Bałkanach: charakter, historia, transformacje*, „Res Historica” 2015, 40, pp. 61–95.

SELF-GOVERNMENT INSTITUTIONS
OF THE MEDIEVAL NOMADIC LIVESTOCK BREEDERS IN THE BALKANS

Historical sources from the High Middle Ages in the Balkans, as well as from the early Ottoman period, indicate that Vlach livestock breeders had their own specific organization. Sources often mention Vlach *katuns* and some documents also mention Albanian *katuns*¹⁸. The *katun*, and the entire organization based on the *katun*, exemplified the specific status of the Vlachs. This is why the medieval Vlach *katuns* in the Balkans have been increasingly attracting the attention of modern researchers, but this term still remained blurred for a long time, until the second half of the 20th century and the rapid development of osmanistics. Thus the *katun* of the medieval Vlachs was identified as a *corporate organization* of economic and social life of seasonal livestock breeders, one that is stable, stemming from clannish structures. The *katun* consisted of 20 to 50 households, which sometimes included relatives from the female side (nephews, sons-in-law, brothers-in-law). Over longer periods of time it could split into new *katuns*. However, the *katun* was primarily a nomadic livestock breeding institution, which enabled mobility, successful livestock breeding and fulfillment of feudal duties. It could be said that it was a functional and not a territorial notion. The Vlachs fulfilled all their tax duties within the *katun*. In this sense the *katun* also represented a fiscal unit. The lives of the nomadic cattle breeders were regulated by common law even when stipulations of particular law or state codification appeared¹⁹.

The *katun* was led by an elder who was in charge of organizing the livestock breeding activities of the *katun* and fulfillment of the tax duties, and all the duties of the *katun* and its members²⁰. The elder was elected

¹⁸ The medieval *katun* was the topic of a special symposium held in Sarajevo in 1961. For more information see the papers from this symposium: M. Filipović, *Katun u našoj istoriografiji*; idem, *Struktura i organizacija srednjovekovnih katuna*; D. Kovačević, *Srednjovekovni katun po dubrovačkim izvorima*; B. Đurđev, *Teritorijalizacija katunske organizacije do kraja XV vijeka (katun – knežina – pleme)*, in: *Simpozijum o srednjovekovnom katunu održan 24. i 25. novembra 1961 g.*, ed. M. Filipović, Sarajevo 1963, pp. 9–14, 45–112, 121–140, 143–169.

¹⁹ Cf. M. Luković, *Katun a katunská organizace*, pp. 400–412; idem, *Zakon Vlahom*, pp. 38–40.

²⁰ For more information on the *katun* elders and other Vlach self-government institutions within the organization based on the *katun* see: M. Blagojević, *Vlaški knezovi, primičuri i čelnici u državi Nemanjića i Kotromanića (13–14. vek)* in: *Spomenica Milana Vasića*, ed. R. Mihaljčić, Banja Luka 2005, pp. 43–75. Brief reviews of the entire matter are provided in *Leksikon srpskog srednjeg veka*, eds. S. Ćirković, R. Mihaljčić [Beleg, *Zakon Vlahom, Zakon Srbijem, Zemljoradnja, Meropah, Paše, pasišta ili pašišta, Planinatiko ili planiniotik, Planine, Stočarstvo, Travnina, Čelnik, Katun, Katunar; Vlasi, Klačnje, Čelator, Pripaša, Arbanas, Klet, kletište, Selo, Senokošenje ili seno, Običajno pravo, Sir, Zimovište, Pleme, Primićur*], Beograd

through a self-government process, from the ranks of the members of the *katun*. In the western parts of the Balkans, the *katun* elders were usually called *katunars*. Under the influence of Byzantine feudalism, there was a tendency in the Serbian medieval state in the 14th century for the feudal authorities to appoint the *katun* elder, who was called *primićur* (Greek: *πριμικήριος*, Latin: *primicerius* < *primus cerae*). This practice did not spread consequently in western Balkan areas. However, in both the central and western parts of the Balkan Peninsula, the feudal authorities appointed the *knez*, who was the head of a group of several *katuns*²¹. The *knez* too was always one of the existing *katun* elders. He also had a judicial function, and was in charge of maintaining order and peace among the members of all the *katuns* that he led, i.e. he also had a policing function. The *knez* also served as a liaison between the *katun* self-government and the state authorities. The authorities also appointed *vojvodas* for larger groups of livestock breeders, also from the ranks of the *katunars*. The *vojvoda* was responsible for mobilization of soldiers in the group of *katuns* and also led the soldiers during campaigns. In addition to this, there was also an institution called the *skupština* or *zbor* (assembly), which consisted of the *katun* elders and the *knezes*²². The *skupština* passed decisions of vital importance to the *katuns* and *katun* communities.

SEDENTARIZATION OF VLACH LIVESTOCK BREEDERS IN THE BALKANS

Medieval documents from the 14th century and first half of the 15th century clearly indicate that in some parts of the Balkans the process of sedentarization and turning Vlachs to agronomy made significant progress²³. This meant that Vlachs had their own villages (most often in lo-

1999, pp. 14–15, 38–39, 86–87, 206–208, 237–242, 286–287, 296–298, 396–397, 455–457, 504–505, 519–523, 584–585, 665–667, 670–671, 710–714, 736–737, 751, 812–814.

²¹ The title of *knez* (prince) was instated in the Serbian state in the early 13th century, in line with the development of its administrative apparatus; this title was conferred on the heads of the *župas* (which consisted of several villages, with several hundred farmsteads) and the heads of the groups of several *katuns* (with several livestock breeding/Vlach households). The previous term *sudija* (judge) was replaced with *knez*. Cf. M. Blagojević, *Vlaški knezovi, primićuri i čelnici*, pp. 43–75.

²² For more information on the institution of the assembly among the South Slavs in the Middle Ages (as well as in Vlach groups) see: S. Ćirković, *op. cit.*, pp. 336–340; M. Malović-Đukić, *Prilog istoriji zbora u srednjem veku*, in: *Srednjovekovno pravo u Srba u ogledalu istorijskih izvora. Zbornik sa naučnog skupa održanog 19–21 marta 2009*, eds. S. Ćirković, K. Čavoški, Beograd 2009, pp. 233–250.

²³ Abundant archive material on the gradual sedentation of the Vlachs in the western Balkan regions, especially the Adriatic hinterland, exists in the Dubrovnik archives, which are continuously being studied by medievalists and other researchers. Cf. D. Kovačević, *op. cit.*; N. Klaić (ed.), *op. cit.*; E. Kurtović, *Vlasi Bobani*, Sarajevo 2012.

cations where they engaged in livestock breeding during the winter) or where there was already an agronomist population. Some medieval documents speak of “*katuns with borders*” and “*katuns without borders*”²⁴. This started the lengthy process of tying livestock breeding *katuns* to a certain territory and this process was called the *territorialization of the katuns*²⁵. This was de facto the internal, organizational aspect of the sedentarization of the nomadic livestock breeders. This led to the blending of the Vlach and existing agronomist populations, with both sides influencing the economy and way of life. The fact that the Vlach population was tied to a certain territory and villages did not imply the loss of their previous institutions. In fact, the common law of the nomadic livestock breeders (on one hand) and the farmers/agronomists (on the other) which had crystallized over the centuries, as well as the self-government institutions of both sides, started to intermingle and level out, providing a new synthesis in the form of societies of livestock breeders and agronomists.

The Ottoman Empire started the gradual conquest of the Balkans in the mid-14th century, but it initially held the subjugated states in a vassal position without interfering with their internal order. It was only once when a state or region had definitely been conquered that a larger military-administrative unit, *sanjak*, was created in the conquered territory and then a census was taken within the territory in order to determine taxes²⁶. Therefore, the creation of the individual *sanjaks* in Europe showed how far the Ottoman Empire had come in its expansions and where its specific feudal order, the sipahi-timar system, had been established. The Ottoman expansion into the Balkan Peninsula was a lengthy process which lasted two-and-a-half centuries. Even though it had conquered most of the Balkan territories during the 15th century, the last conquests in the far west of the Balkans took place in the 16th century, in parallel with the conquests in the Pannonian Plain, i.e. north of the Danube and Sava rivers – which are considered the northern geographic border of the Balkan Peninsula²⁷.

²⁴ For more information see: S. Novaković, *Selo*, Beograd 1965 (3rd edition), pp. 29–53, 183–193.

²⁵ For more information see: B. Đurđev, *Teritorijalizacija katunske organizacije*.

²⁶ For more information about the provincial administration units in the Ottoman Empire (*nahiye, sanjak/liva, eyalet/beylerbeylik*) see: H. Inaldžik [Inalcik], *Osmansko carstvo. Klasično doba 1300–1600*, Beograd 1974; *Leksikon srpskog srednjeg veka*, pp. 644–645.

²⁷ The most western Ottoman *sanjaks* in the Balkan Peninsula, founded during the 16th century, were Klis, Krka-Lika and Bihać. The *sanjaks* were integrated into broader territorial units, *eyalets and beylerbeyliks*, led by the beylerbey (the beylerbey could also hold the high-ranking Ottoman title of *pasha*, and then the eyelet was called a *pashalik*). Up to the fall

The Ottoman tax records (*defters*) defined the status and duties of the individual population categories in the specific *sanjak* for the agronomist as well as the livestock breeding population. It is precisely the Ottoman tax records which show that the Ottoman state completely defined the status of the Vlach livestock breeding population in the Balkans (Turkish: *'âdet-i Eflakiye*) only in the mid-15th century²⁸. This happened after the conquest of Constantinople when the Ottomans definitively turned to subjugating the remains of the Serbian and Bosnian feudal states, and precisely at the time the process of the sedentarization of the Vlachs and territorialization of the *katuns* in the mountain regions of the Balkan Peninsula entered its final phase.

Analyzing the Ottoman *defters* from the 15th and early 16th centuries, which covered certain areas of the Balkans, i.e. the *sanjaks* of Vidin, Smederevo, Zvornik, Bosnia, Herzegovina, it is apparent that the Vlach duties were identical or similar to those previously existing in the Christian states in the Balkans²⁹. The basic fiscal obligation of the Vlachs was to pay one ducat (Turkish: *filuri/filori*) per household (or the corresponding value in sheep), which is why the Vlachs were called *filurcis* (Serbian: *filurdžije*) and the region inhabited by Vlachs – *filurci* lands (Serbian: *filurdžijske zemlje*)³⁰. This means that they had a privileged status compared to the agronomical (tilling) population, whose feudal obligations were much more difficult. However, the Vlach *filurdžijas* had a military obligation: led by their *vojvodas*, they took part in Ottoman military campaigns as cavalry and were placed directly under the command of governors in the *sanjaks* (*sanjak-beys*). This way they were not dependents of the *sipahis* – the Ottoman feudal lords who received smaller estates (*timars*) with the dependent (agronomist) inhabitants. Additionally, the Vlachs often were permanently in the service of Ottoman paramilitary ranks (*voynuks*, *martoloses*, *derbendcis*, etc.)³¹.

of the Hungary under Ottoman rule there was only one Ottoman eyalet in the Balkans – the Rumelia Eyalet (up to the early 15th century it was situated in Edirne, and later on in Sofia). For more information see: H. Šabanović, *Bosanski pašaluk*, Sarajevo 1958.

²⁸ Cf. E. Miljković, *Branislav Đurđev i Despotov kanun*, in: *Naučno djelo Branislava Đurđeva. Zbornik radova sa međunarodnog okruglog stola održanog u Sarajevu 4. decembra 2009*, ed. D. Juzbašić, Sarajevo 2010, pp. 101–108.

²⁹ Cf. M. Begović, *Tragovi našeg srednjovekovnog prava u turskim pravnim spomenicima*, "Istoriski časopis" 1951/1952, 3, pp. 67–84; H. Inaldžik [Inalcik], *Osmansko carstvo*, p. 101.

³⁰ For more information about the *filori* tax see: H. Inalcik, *Filori*, in: *Diyanet Vakfî İslam Ansiklopedisi*, vol. 13, Istanbul 1996, pp. 106–107.

³¹ For more on the Ottoman paramilitary ranks see: B. Đurđev, *O vojnicima*, "Glasnik Zemaljskog muzeja" 1947, 2, pp. 75–113; M. Vasić, *Martolosi u jugoslovenskim zemljama pod turskom vladavinom*, Sarajevo 1967; A. Stojanovski, *Dervendžiztvo vo Makedonija*, Skopje 1974.

SELF-GOVERNMENT INSTITUTIONS IN THE *KNEŽINAS*
AND TRIBES IN THE BALKANS

The course of events in the northern parts of the Balkan Peninsula on the margins of the Ottoman Empire in the second half of the 15th century, followed by the Ottoman invasion of Hungarian territory in the first half of the 16th century, demonstrated that Ottoman policy regarding the status and obligation of the Vlach livestock breeders was developing in two directions. The first direction of the Ottoman policy was reflected in the widespread colonization of the Vlach livestock breeders and the recognition of certain forms of their self-government in the colonized regions, but with the gradual loss of privileges. The second direction of the Ottoman policy was reflected in maintaining the privileged status of the Vlach livestock breeders in their native regions, with the recognition of certain forms of their self-government.

Due to wars many agricultural and agronomic areas in the north and west of the Balkans were deserted (present-day central Serbia, northern Bosnia, and northern Bulgaria) and the Ottoman state colonized Vlachs in these areas during the 15th and 16th century, and this was also repeated in subsequent centuries³². That way the Vlach population gained territories where conditions did not exist for the seasonal livestock migrations, as had existed in areas previously inhabited by the Vlachs, in the central parts of the Balkan Peninsula. The *katun* no longer had an economic function and it soon also lost the role of the fiscal unit. This marked the end of the *katuns*.

After the Battle of Mohács (1526) and the gradual conquest of most of the Kingdom of Hungary, the borders of the Ottoman Empire shifted far to the north and the once border regions around the Sava and Danube rivers lost their strategic importance. This led to the termination of the privileges of the Vlach elders and the equating of the status of the Vlachs as livestock breeders with those of the status of the agronomists, which was far worse (however, this did not happen simultaneously in all the frontier *sanjaks* at the time)³³. With this the function of *vojvodas* was abolished since the Vlachs no longer had collective military duties.

³² For more information see: D. Bojanić, *Turski zakoni i zakonski propisi iz XV i XVI veka za smederevsku, kruševačku i vidinsku oblast*, Beograd 1974.

³³ After the Battle of Mohács the Vlach status was abolished in all the northern frontier *sanjaks*: Vidin, Smederevo, Zvornik and Bosnia. However, it was soon restored in the *sanjaks* of Vidin and Bosnia. It was again abolished in the *sanjak* Vidin in the 1580s since with the establishment of control of neighboring Wallachia, the Sanjak of Vidin lost its frontier character. On the other hand, in the most protruding part of the Ottoman Empire – the Sanjak of Bosnia (and later in the larger military-administrative unit – the Bosnia Eyalet), the decision was never passed to abolish the Vlach status, although it did change over time. For more information see: E. Miljković-Bojanić, *Smederevski sandžak 1476–1560. Zemlja, naselja, stanovištvo*, Beograd 2004; O. Zirojević, *Srbija pod turskom vlašću 1459–1804*, Beograd 2012 (3rd edition), pp. 42–43.

Evening out the status of the Vlachs with the status of the agronomists did not mean the end of the self-government of the colonized Vlach population. However, the competencies of the *knez* were no longer linked to the *katun* organization, but to a certain geographic area which was inhabited by the Vlach population and where the *knez* also was in charge of overseeing the level of population of the area under his control. The sultan would in some situations issue a special decree (*berat*) confirming the status of hereditary *knez* to certain families. The territory that was the jurisdiction of a *knez* was called a *knežina* and it encompassed several villages³⁴. The *knežinas* were part of broader Ottoman administrative-territorial units – *nahiye*, which had a precisely defined territory, most commonly created within the borders of the previous Christian *župas* (with an agronomist population). However, there were cases where the territory of the *knežina* coincided with the territory of the *nahiye*, and then the status of the *knez* was even greater, both with the Ottoman authorities and the local population. The *knežina* encompassed several villages, and initially (up to the 17th century) the village leader was called *primićur*, inherited from the *katun* organization. Later this was replaced with the term *knez sela* (village *knez*), and even later also *kmet*. The *knez* who led the *knežina* was called *veliki knez* or *baš-knez* (later also *ober-knez*). In the 18th century the function of *knez nahiye* appears in the northern border regions of the Ottoman Empire.

The *primićurs* assisted the *knez* in collecting taxes and maintaining order in the *knežina*, and they together took care of the level of population of the *knežina* and the villages within it. As before, the *knez* had a judicial function, with the exception of the most serious offenses, which were the jurisdiction of the Ottoman authorities. The functions of *knez* and *primićur* were hereditary and in certain situations confirm the status of hereditary *knez* to certain families, with a special decree (*berat*). The *knez* and *primićur* had special privileges. Unlike other inhabitants of the *knežina* and villages, they received a small estate (*baština*) for their personal use and they were exempt from taxes. Furthermore, in the second half of the 15th century and early 16th century the *knez* could even get a small feudal estate (*timar*) with the dependent agronomist inhabitants and were not required to convert to Islam (Christian *sipahis*)³⁵. This inflicted the obligation on these *knezes*, like all *sipahis*, to take part in Ottoman campaign as cavalrymen. However, even

³⁴ For more information see: B. Đurđev, *O knezovima pod turskom upravom*, "Istoriski časopis" 1948, 1, 1–2, pp. 132–157.

³⁵ For more information see: B. Đurđev, *Hrišćani spahije u severnoj Srbiji u XV veku*, "Godišnjak Istoriskog društva Bosne i Hercegovine" 1952, pp. 165–169.

when the *knez* could no longer be a sipahi, he would retain the free *baština*. This led to the creation of a new privileged strata within the dependent population, which was integrated into the Ottoman order. Furthermore, the *knežina* had an assembly (*zbor/skupština*), which discussed all matters vital to the *knežina*, but also oversaw the fulfillment of all the obligations to the Ottoman authorities. The *knežinas* and villages also had collective land property (most commonly pastures near the villages), which represented the material foundation for their self-governments.

On the other hand, the high mountains regions of present-day Montenegro, Herzegovina and northern Albania – where conditions existed for maintaining seasonal migrations on relatively short routes between villages and summer pastures – saw the creation of self-government communities similar to *knežinas*. In these locations the Vlach livestock breeders had their villages at the foot of high mountains where agronomical populations had previously existed. Therefore, the Vlach *katuns* merged with these villages. The Vlach livestock breeders gradually started engaging in agronomy, but the previous agronomical population also adopted the Vlach type of livestock breeding. The Ottoman government mainly recognized the rights of such villages to use surrounding pastures and they became collective property. As mentioned previously, the Vlach livestock breeders increasingly engaged in agronomy, but the previously agronomist population also adopted the Vlach method of livestock breeding, with mutual intermingling of economies and ways of life.

In the Dinaric Alps (present-day Montenegro and Herzegovina) such a type of self-government communities were called *pleme* (tribe) and in similar areas of the Šar and Pindus Mountains (present-day northern Albania) it was called *fis*³⁶. The institutions of tribal *knez* and tribal assembly (*zbor/skupština*) were adopted from the *katun* organization and they continued to play a decisive role in the tribe. The tribe most often also had a *vojvoda*, which meant that members of the tribe still had military or para-

³⁶ Serbian anthropogeographer Jovan Cvijić, one of the founders of Balkanology as an interdisciplinary science, inaugurated the comprehensive program of anthropo-geographic studies of the Balkan Peninsula in 1902. For more information see: J. Cvijić, *Antropogeografski problemi Balkanskog poluostrva*, “Srpski etnografski zbornik” 1902, 4, pp. I–CCXXXVI. In the course of this program studies were conducted in several tribal regions in the Dinaric and northern Albanian regions (*Malësia*). Therefore, the Serbian Royal Academy (the present-day Serbian Academy of Sciences and Arts) in Belgrade successively published studies of the following tribal regions: *Drobnjak*, *Vasojevići*, *Kuči*, *Bratonožići*, *Bjelopavlići*, *Pješivci*, *Stara Crna Gora*, *Piva*, *Banjani*, *Donja Morača*, *Rovca*, *Plav-Gusinje*, *Polimlje*, *Velika*, *Šekular*, *Zeta*, *Lješkopolje*, *Crnogorsko Primorje Krajina*, etc. For more information see: B. Čeliković, *Bibliografija Srpskog etnografskog zbornika*, in: *Naselja srpskih zemalja. Naselja, poreklo stanovništva, običaji*, ed. B. Čeliković, Beograd 2011, pp. 775–796.

military duties within the Ottoman system. However, in some cases one *vojvoda* would have jurisdiction over two or more tribes, depending on the assessment by the Ottoman authorities, which appointed the *vojvoda* from the ranks of the tribe members.

The tribal elder position was most often hereditary and they were from the clans that stemmed from the *katuns*³⁷. Furthermore, the tribes (*pleme/fis*) were often named after the prior *katuns*³⁸. The tribes established a type of sovereignty over the territory between their villages and the surrounding summer pastures, which had to be defended from neighboring tribes. The grazing of livestock in the pastures was organized by the families/clans within the tribe.

The self-government of the tribe profiled in this manner was recognized by the Ottoman authorities as were the *knežina* self-governments³⁹. However, unlike the case of the *knežina*, the Ottoman authorities also granted the *filurci* status to the tribes, which meant that members of the tribe practically had Vlach status. Therefore, Ottoman sources often refer to tribes as *Vlach nahiyes*. The Ottoman authorities had an interest in pursuing this policy direction in regard to the tribes. This stimulated the development of livestock breeding, which was of vital importance to the success of its military and for civilian needs (agronomy conditions were anyway poor in the regions of the high mountains), and they could also use the tribes for their military goals, as well as for colonization of deserted agronomical regions. Even though the tribes enjoyed a high degree of autonomy, over time they became the root of resistance against the Ottoman rule, aiming for full independence especially in the 18th and 19th centuries. The *vojvodas* gained an increasingly prominent role within the tribe, but independent of the Ottoman authorities. Moreover, the number of *vojvodas* increased and the higher military title of *serdar* was introduced, adopted from the Ottoman military hierarchy. The tribal assembly consisted of all the members of the tribe capable of bearing arms. This led to the development of the so-called *military democracy* within the tribe⁴⁰.

³⁷ This process of the formation of the tribes was mentioned also by Konstantin Jiriček. Cf. K. Jiriček, *Istorija Srba*, vol. 1, Beograd 1984 (3rd edition), pp. 96–103.

³⁸ Cf. J. Erdeljnović, *Kuči. Pleme u Crnoj Gori*, Beograd 1981 (3rd edition).

³⁹ For more information see: M. Luković, *Knežinska i plemenska samouprava*, pp. 9–30.

⁴⁰ Vuk Stefanović Karadžić, the reformer of the Serbian literary language and founder of Serbian ethnology, assessed in the first decades of the 19th century that in Montenegro “tribe [*pleme*] means what *knežina* means in Serbia”, and that the tribes in Herzegovina the “*knezes* are also called *vojvodas*”, but that he “cannot tell the difference between the tribe and *knežina* for now”. Cf. V. St. Karadžić, *Sabrana dela. Danica 1826, 1827, 1828, 1829, 1834*, Beograd 1969, pp. 141, 165–166. However, Karadžić in another place says “In Montenegro every tribe has a *knez*, who can be said to be third according to power: the first is the *serdar*,

In the course of their armed resistance against the Ottoman authorities, the tribes occasionally entered alliances.

The self-government in the *knežinas* and the tribes allowed for the preservation of the anthropological characteristics and the development of patriarchal culture in the Balkans. The zone of patriarchal culture expanded with the constant migrations of the population, which were in the direction of the North (towards the Sava and Danube rivers) or to the West (in the direction of the Adriatic Sea), depending on the political situation⁴¹. This expanded the range of the *knežina* and tribal institutions (which were modified over time) in the Balkans, in the territory controlled by the Ottoman Empire as well as in the territories controlled by the Habsburg Monarchy and the Republic of Venice. The semi-nomadic livestock breeders often crossed over from the territory of the Ottoman Empire to the service of the neighboring states, but collectively, together with their self-government institutions, with the aim of preserving them in their new environment and retaining the Vlach status. In the militarized border zone of the Habsburg Monarchy (Serbian: *Vojna krajina*) the term *Vlach* entered military terminology, over time losing its ethnic, religious and livestock-breeding connotation⁴².

When the borders between the two empires became stable, along the ridge of the Eastern and Southern Carpathian Mountains, and on the Danube from the Iron Gate (*Đerdap*) to Belgrade, and further along the Sava River, after the Austrian-Ottoman wars in the late 17th and early 18th

after the *serdar* comes the *vojvoda*, and after the *vojvoda* – the *knez*. There too the title of *knez* is passed down from father to son, as are the titles of *serdar* and *vojvoda*". Cf. V. St. Karadžić, *Sabrana dela. Etnografski spisi*, Beograd 1972, pp. 328–329. This way Karadžić de facto pointed out the difference between the *knežina* and tribe: the *knežina* did not have a *vojvoda*, and the tribe (in addition to *knezes*) also had *vojvoda* (they even gained higher military rank – *serdar*).

⁴¹ About a hundred years ago Jovan Cvijić defined the cultural zones in the Balkan Peninsula, which he said were created in close correlation with the geographic characteristics of the Balkans, but were also the result of great migrations of the population, as well as intermingling and overlaying of civilizations ("like in the case of geological layers"). One of the broad cultural zones in the Balkans is the patriarchal regime zone, which in the past gained its characteristic features precisely from the *knežinas*, tribes and large families (co-operatives). For more information see: J. Cvijić, *Balkansko poluostrvo i južnoslovenske zemlje*.

⁴² For more information about the integration of the livestock breeding population with the Vlach status into the military structures of the militarized zone of the Habsburg Monarchy along the border with the Ottoman Empire see: K. Kaser, *Slobodan seljak i vojnik. Rana krajiška društva*, t. 1, Zagreb 1997. For more information about the settlement policy of the Republic of Venice regarding the Morlachs from Dalmatia see: D. Caciur, *Considerations Regarding the Morlachs Migrations from Dalmatia to Istria and Venetian Settlement Policy During 16th Century*, "Balcanica Posnaniensia. Acta et studia. Ius Valachicum I" 2015, 22, pp. 57–71.

century, the newly-formed Eyalet (Pashalik) of Belgrade was assigned the role of the Ottoman militarized border region, which was previously assigned to the Eyalet of Budim. With the intention of populating and stabilizing the depopulated region, the Ottoman authorities permitted the complete revival of the *knežina* self-government. On the other hand, in the mountainous hinterland of the Adriatic Sea (Montenegro, Herzegovina), the tribes, with the assistance of various international factors, gradually achieved free territory, refusing obedience or paying taxes to the Ottoman authorities. With periods of lengthy armed resistance, new Balkan states were created in this region in the first half of the 19th century: the Principality of Serbia and the Principality of Montenegro. They integrated the *knežinas*, i.e. tribes into their order, but this also changed the self-government character of the *knežina* and of the tribe⁴³. A similar process was also noted later, in the creation of the Bulgarian and Albanian states.

THE NATURAL AND POLITICAL-SOCIAL DETERMINANTS OF EXPLOITATION
OF THE HIGH MOUNTAIN PASTURES IN THE CARPATHIAN MOUNTAINS BETWEEN
THE 13th AND 16th CENTURIES

The Carpathian Mountains start in the vicinity of the Balkans, north of the Middle Danube, and stretch to the heart of Central Europe, in a crescent shape. The Carpathians are segmented into the Southern (Transylvanian Alps), Eastern, Central and Western Carpathians⁴⁴. The Carpathian Mountains also have many pastures above the tree line (i.e. above 900–1,000 meters or higher elevation), but in the late medieval period and early modern period these pastures were not exploited in the same manner in all the parts of the Carpathians. In the Southern and Eastern Carpathian

⁴³ For more information see: R. Guzina, *Knežina i postanak srpske buržoaske države*, Beograd 1955; M. Dašić, *Ogledi iz istorije Crne Gore (studije o događajima od kraja XVIII vijeka)*, Podgorica 2001; M. Luković, *Knežinska i plemenska samouprava*, pp. 9–11.

⁴⁴ The Carpathian Mountains are most commonly divided the following way – and I adhere to it in this paper: a) the border of the Southern and Central Carpathians is the Predeal Pass (south of Braşov), and the upper course of the Prahov River (in the territory of present-day Romania); b) the border between the Eastern and the Central Carpathians is the source of the Tisa (Tisza) River, the Jablon Pass and the source of the Prut River (present-day Ukraine); c) the border between the Central and Western Carpathians is the upper course of the Topľa River (present-day Slovakia), and the upper course of the Wisłoka River (present-day Poland). The Bihor and Apuseni mountains comprise a separate group, between the Transylvanian and Pannonian Plains (in present-day Romania), but they are usually considered part of the Southern Carpathian Mountains. Cf. J. Langer, H. Bočková, *Obydlí v Karpatech a přilehlých oblastech balkánských. Syntéza mezinárodního výzkumu*, Ostrava 2010, p. 24. There are also slightly different divisions of the Carpathians. Cf. J. Novak et al., *Po stopách valachov v Karpatoch (Monografia)*, Brno 2013, p. 11; J. Buczek et al., *Pasterstwo w Karpatach. Tradycja a współczesność. Szkice*, Warszawa 2015, p. 19.

Mountains there was semi-nomadic livestock breeding as an autochthonous economic activity of the mixed livestock-breeding and agronomist communities. On the other hand, in the Central and Western Carpathians the exploitation of the high mountain pastures for small livestock (sheep, to a lesser extent goats, and later also cattle) represented a new system of livestock breeding, which gradually, starting in the 14th century, expanded along the arch of the Carpathians from the southeast. The implementation of this livestock breeding system was part of a broader process in the Central and Western Carpathians, which is called the *colonization on Vlach rights* (or simply: *Vlach colonization*) in the historiography and ethnology of the surrounding countries (Ukraine, Poland, Slovakia, Czech Republic).

Hungary covered the Pannonian Plain, which was where its political centers were located, but its southeastern, eastern and northern borders reached the ridge of the entire Carpathian arch, where a diverse population lived⁴⁵. The territory along the arch of the Eastern and Southern Carpathian Mountings was the Hungarian province of Transylvania (Hungarian: *Erdély*, German: *Siebenbürgen* ["Seven Cities"]), which had a special status. The *vojvoda of Transylvania* (who was appointed by the Hungarian King from his vicinity) is mentioned as early as 1174, which indicates the presence of Slavic and Romanian populations in the region. The Romanian population in Transylvania is explicitly mentioned in the 13th century in several documents issued by the Hungarian king and it is referred to as *Vlachs* (Hungarian: *Olac*). In the early 13th century Crusader knights of the Teutonic Order came to Transylvania at the invitation of the Hungarian king and with them German colonists (primarily miners) known as Saxons (German: *die Sachsen*). In addition to the Hungarian nobility, Hungarian agronomist colonists – Székelys (Hungarian: *Székelyek*) migrated to Transylvania. The power was in the hands of Hungarian feudal lords and the Saxons and Székelys had preferential status while the Romanian population, which comprised more than half the population of Transylvania, was not included in "political peoples"⁴⁶. As was the case in Vlachia, the Romanian population in Transylvania lived in rural self-government

⁴⁵ Cf. R. Györg, *Hungary and European Civilization*, Budapest 1989; F. Szakály, K. Peter, A. Miskolczy, *Hungary and Eastern Europe*, Budapest 1980; P. Gunst, *Agrarian Development and Social Change in Eastern Europe 14th–19th Centuries (Variorum Collected Studies)*, Variorum 1996; I. Lazar, S. L. Andrew, *Transilvania: A Short History*, Safety Harbor 2001; P. Rokai et al., *Istoriya Mađara*, Beograd 2002.

⁴⁶ For more information see: N. Jorga [Iorga], *Istoriya Rumuna i njihove civilizacije*, Vršac 1935, p. 128; P. Rokai et al., *op. cit.*, pp. 211, 147–148.

communities joined into small confederations where common law was applied. The Romanian population also played an important role in clearing forests on the border with Transylvania (Bihar, Kris) and especially in the Maramureş region, on the northeastern border of Hungary, where new administrative and territorial units (*komitats*) were created⁴⁷. However, there was notable conversion of the upper social layers of the autochthonous Romanian population (*knezes, vojvodas*) to the Hungarian nobility (nobilitation) under the Árpád dynasty (13th century, as well as under the Anjou dynasty (first half of the 14th century).

In the 14th century two states were created with the majority of the Romanian population: Wallachia (Romanian: *Țara Românească*) and Moldavia (Romanian: *Moldova*) which were led by *vojvodas*⁴⁸. Wallachia was created in the first half of the 14th century in the region between the Danube and the Southern Carpathian Mountains, where the Cumans (a nomadic Asian people) had previously played a significant military and political role, but the political influence of neighboring Bulgaria could also be felt in Wallachia, as was the case in previous centuries. The creation of the state was preceded by the process of the transition of the Vlach livestock breeding population from the nomadic to the sedentary way of life, which led to the creation of a mixed livestock breeding-agronomist society where the old military *boyar* class maintained a certain status⁴⁹.

Although it was dominant compared to other economic activities, livestock breeding was already semi nomadic (transhumance type) at this time. The region where Wallachia would be created in the second half of the 13th century was covered by village self-government communities united into small confederations where common law was exercised⁵⁰. In

⁴⁷ The royal diplomas on privileges of the Romanian subject in Maramureş from the first half of the 14th century are still in existence. Cf. O. Pečikan [Pecican], *Istoriya Rumuna*, Banja Luka–Beograd 2015, p. 143. Cf. Ş. Stareţu, *Medieval Name and Ethnicity: Serbs and Vlachs*, "Balcanica Posnaniensia. Acta et studia. Ius Valachicum I" 2015, 22, 1, pp. 81–99.

⁴⁸ Cf. P. P. Panaitescu, *Istoria Românilor*, Bucureşti 1990; D. C. Giurescu, *Țara Românească în secolele XIV–XV*, Bucureşti 1973; D. C. Arion, *Cneji (chneji) romani*, Bucureşti 1938; H. H. Stahl, *Contribuţii la studiul satelor devălmăşe româneşti*, vols. 1–3, Bucureşti 1998; R. Popa, *Țara Maramureşului în veacul al XIV-lea*, Bucureşti 1970; M. Dragnev et. al., *Očerki vnešnepolitičeskoj istorii moldavskogo knjažestva (poslednjaja tret XIV – načalo XIX v.*, Kishinev 1987; I. Czamańska, *Moldawia i Wołoszczyzna wobec Polski, Węgier i Turcji w XIV i XV wieku*, Poznań 1996.

⁴⁹ Romanian historian P. P. Panaitescu believes that in the history of the Romanians, 1300 AD–1600 AD represents the period of "sedentary development". Cf. P. P. Panaitescu, *Istoria Românilor*. Polish historian Iłona Czamańska also determined that the Romanian population's transition from the semi-nomadic to sedentary way of life took place in the 13th and 14th centuries. Cf. I. Czamańska, *Moldawia i Wołoszczyzna*, pp. 24–25, 194, 331.

⁵⁰ O. Pečikan [Pecican], *op. cit.*, p. 87.

these socio-political circumstances – based on village autonomy – the political integration of the country occurred (i.e. *Țara Românească* emerged) and the political elite of Vlachia was created, led by the master (Romanian: *Domnul*) who was also the grand *vojvoda* (Romanian: *Vodă*). Such a state structure did not represent a copy of western political modalities and vassal relations⁵¹.

During the first half of the 14th century Hungary succeeded in driving the Tatars out of the area between the Carpathian Mountains and the Dniester River, with the Grand Duchy of Lithuania achieving the same in the adjacent region of Podolia. This allowed for the intensive colonization of the region between the Eastern Carpathian Mountains and the Dniester River: Ruthenian colonists came from the northeast, from the territory of the expanded Grand Duchy of Lithuania, and Vlach colonists came from the west, from Transylvania and Maramureș region. This also created conditions for the creation of the Moldavian state. Its heart was in the region between the Moldova River (which the country was named after), the tributaries of the Seret River (Romanian: *Siret*) and the political centers (Baia, Siret, Suceava) were located in the upper course of the Seret River. As was the case in Wallachia, the boyars had a certain status in the state.

Hungary continuously strived for maintaining its influence in Moldavia, but it was also in the spheres of interest of the Grand Duchy of Lithuania and Poland. This was especially prominent in the mid-14th century when Poland and the Grand Duchy of Lithuania seized control of a region adjacent to Moldavia – the Principality of Galicia-Volhynia, with its northern part Volhynia (Polish: *Wołyń*) being under control of the Grand Duchy of Lithuania, and the southern part, Galicia (Polish: *Ruś Halicka*, *Ruś Czerwona*, *Halicz*), controlled by Poland⁵². In Galicia, as was the case in Molda-

⁵¹ For more information see: K. Kadlec, *Valaši a valašské právo v zemích slovanských a uherských. S úvodem podávajícím přehled teorií o vzniku rumunského národa*, Praha 1916, pp. 37, 13–45, 83–122; N. Jorga [Iorga], *op. cit.*, pp. 164–175; O. Pečikan [Pecican], *op. cit.*, pp. 143–140, 148–150, 171–172, 204–206.

⁵² Cf. J. Bardach; *Historia państwa i prawa Polski*, vol. 1, Warszawa, 1964; I. Ichnatowicz et al., *Spółeczeństwo polskie od X do XX wieku*, Warszawa 1988; Z. Budzyński, *Bibliografia dziejów Rusi Czerwonej (1340–1772)*, Rzeszów 1990; M. Parczewski (ed.), *Początki sąsiedztwa. Pogranicze polsko-rusko-słowackie w średniowieczu. Materiały z konferencji – Rzeszów 9–11 V 1995*, Rzeszów 1996; G. Jawor, *Osady prawa wotolskiego i ich mieszkańcy na Rusi Czerwonej w późnym średniowieczu*, Lublin 2004 (2nd edition); J. Goško, *Nasielennja ukrainsk'ich Karpat XV–XVIII st. Zasielennja, migracji, pobut*, Kiiv 1976; J. Goško, *Zvičaeve pravo nasielennja ukrainskich Karpat XIV–XIX st.*, L'viv 1999; V. F. Inkin, *Sil's'ke suspil'stvo Galic'kogo Prikarpat'ia u XVI–XVIII stolittáh: Istorični narisi*, L'viv 2004; J. D. Isajevič, *Dalniejšije razvitije feodalnych otnošenii*, in: *Ukrainskie Karpaty. Istorija*, Kiiv 1989.

via, the *Russian Justice* (Old East Slavic: *Правда русьская*, *Pravda Rusiskaya*) medieval codex was in use, which applied to the agronomist population⁵³.

The Ottoman Empire conquered most of the territory of Hungary, mainly areas in the Pannonian Plain, but also smaller regions in the foothills of the Western Carpathians (up to the Ore Mountains in present-day Slovakia)⁵⁴. On the other side, the western and northern parts of Hungary came under the control of the Habsburg Monarchy. At the same time the Principality of Transylvania⁵⁵ was created in Transylvania and the adjacent remnants of the Hungarian territory, which the Ottomans maintained as a vassal state. Since Hungary and Bohemia had been in a personal union since the end of the 15th century, the Habsburgs also took control of the lands belonging to the Bohemian crown. Therefore, the Habsburgs controlled the territory stretching in a broad belt south of the ridge of the Central and Western Carpathian Mountains, and in the regions of Moravia and Silesia it partially even spanned the ridge of the Western Carpathian Mountains⁵⁶. The Habsburg territory bordered the Polish-Lithuanian union along most of the ridge of the Western and Central Carpathian Mountains⁵⁷. On the other hand, the Ottoman Empire, suzerain of Transylvania, Wallachia and Moldavia, controlled the Southern and Eastern Carpathian Mountains, and its border with the Polish-Lithuanian union was stable. However, both the Habsburg Monarchy and the Ottoman Em-

⁵³ K. Kadlec, *op. cit.*, p. 109; I. Czamańska, *Moldawia i Wołoszczyzna*, p. 21; J. Goško, *Zvičave pravo*, pp. 47–76; J. Langer, *Valaši v Karpatech*, "Etnologia Europae Centralis" 2009, 9, p. 38.

⁵⁴ After the Battle of Mohács the Ottoman Empire gradually conquered the territory of Hungary, creating the eyalets of Buda (1541) and Temesvar (1552), Bosnia (1580), Jegra/Eger (1596), and in around 1600 Kanizsa (Serbian: *Kanjiža*), Varat (Hungarian: *Nagyvárad*, Romanian: *Oradea*) and Érsekúyvár (Slovakian: *Nové Zámky*). The most northern region conquered by the Ottomans was the area between the lower course of the Nitra River and the Ipoly River basin, both tributaries of the Danube (in present-day Slovakia, which is where the centers of the Érsekúyvár/Nové Zámky and Fülek/Filakovo eyalets were). For more information see: P. Rokai et al., *op. cit.*, pp. 214–218.

⁵⁵ For more information see: I. Lazar, S. L. Andrew, *op. cit.*; P. Rokai et al., *op. cit.*, pp. 210–213.

⁵⁶ During the first half of the 15th century the Hussite movement emerged in Bohemia, which was opposed by Hungary. The first half of the 15th century saw clashes between competing rulers from both states, and Hungary even held direct control of Moravia and Silesia for two decades. Cf. P. Rokai et al., *op. cit.*, pp. 163–165.

⁵⁷ In the early 15th century (1412) Hungary's King Sigismund of Luxemburg gave King Władysław II Jagiełło of Poland 13 towns in the Spiš region (in the upper course of the Hornád River) in the Western Carpathians (present-day Slovakia). These towns would return to the Hungarian crown, i.e. to the Habsburg Monarchy, only in the division of Poland in 1772. Cf. P. Rokai et al., *op. cit.*, p. 80.

pire would soon start establishing militarized zones on both sides of the frontier with series of fortresses.

Wallachia and Moldavia, as vassal states, paid tribute to the Ottoman Empire, but there was permanent threat that such a status might be abolished with the death of the rulers of these vassal states. After the Ottoman Empire conquered Buda (Budin) and most of Hungary in the mid-16th century, the sultan issued special decrees (*berats*) to appoint the rulers of Wallachia and Moldavia, which testified to the complete political subjugation of these countries by the Ottoman Porte⁵⁸. On several occasions during the 16th century the Ottomans showed indications that they wanted to transform Wallachia and Moldavia into Ottoman *sanjaks*, therefore abolishing the autonomous status of these countries. These attempts were unsuccessful primarily because of the fierce resistance of the boyars and aristocracy, who had support from Christian countries. Therefore, local self-government institutions endured in Wallachia and Moldavia, and the Porte did not even interfere in the rulers' decisions regarding the internal order of Wallachia and Moldavia⁵⁹. The situation was similar in Transylvania, which also retained its autonomous status under Ottoman suzerainty⁶⁰.

SELF-GOVERNMENTAL INSTITUTIONS OF VILLAGE COMMUNITIES
AND THE CONFEDERATIONS OF VILLAGES WITH ROMANIAN
POPULATIONS IN WALLACHIA, TRANSYLVANIA AND MOLDAVIA
IN THE LATE MEDIEVAL PERIOD

After the Mongol-Tatar invasion in the mid-13th century there was already a sedentary population in the region between the Danube and the Southern Carpathian Mountains (i.e. in the future territory of Wallachia). The land belonged to the people and they stayed on the land they received. The land and the people comprised a legal entity, which was subjected to common law and the so-called people's (pre-state) democracy existed, led by "wise and good elders"⁶¹. This was a prototype of free village communities (*obștea*) which had existed for a long time (especially in mountain regions) in Wallachia and Moldavia, as well as in Transylvania, resisting the feudalization process up to the 16th century⁶².

⁵⁸ Cf. I. Czamańska, *Moldavia i Wołoszczyzna*, pp. 321–330; O. Pečikan [Pecican], *op. cit.*, pp. 252–253.

⁵⁹ N. Jorga [Jorga], *op. cit.*, p. 167.

⁶⁰ For more information see: O. Pečikan [Pecican], *op. cit.*, pp. 252–273.

⁶¹ These legal communities are described picturesquely in a deed issued by King Bella IV of Hungary in 1247 to the knights of St. John (Hospitaliers), inviting them to settle in the Banate of Severin and promising them revenue from the crown in *Transalpinia*. Cf. N. Jorga [Jorga], *op. cit.*, pp. 58–59, 65–66; O. Pečikan [Pecican], *op. cit.*, pp. 143–144.

⁶² The free village communities and broader political and territorial units based on

However, the process of creating these communities (in Wallachia as well as in Transylvania) was very complicated and it took a long time for agronomy to become the main occupation for its members⁶³. As a rule the members of the free village community were kinsmen, descendants of a real or fictitious ancestor⁶⁴. The term *moșneni*, *moșteni*, which was used in Wallachia to designate a free peasant and heir (and *moșia* for inherited land), comes from the Romanian word *moș* (forefather, ancestor). This corresponding term used in Moldavia was *răzeși*. If a young man from outside the village married into the community that his bride was from, he would have to completely integrate into this community⁶⁵. Creating tillable land often required clearing forests and draining swampland, especially in regions around large rivers (Danube, Olt, Jiu, Dâmbovița, etc.). Ownership of the land, pastures, lakes, creeks, etc. was joint (Romanian: *devalmaș*) and the households had their own houses, yards, agricultural tools and livestock. However, members of the community did not own a certain plot of land nor were any borders established. The *moșeni* had the right to use one part (Romanian: *partea*) of those immobile assets (the term *partea* would later designate ownership/property) and the layout of land usage depended on the degree of consanguinity. Furthermore, not all the members of the community could use tillable land, which is why livestock breeding remained an important occupation for members of the free village communities. This included exploitation of the high mountain pastures that were closer or further away⁶⁶. Subsequently, in the process of the differentiation of the status and economic activities of the population in the village community individuals privatized certain plots of common land, which were called *delnița* (from the Slavic word *del/deo*, part). In the 15th and 16th century the boyars strived to transform the large masses of free

them are discussed by several Romanian authors. For more information see: P. P. Panaitescu, *Obștea țărănească în Țara Românească și Moldova. Orînduirea feudală*, București 1964; H. H. Stahl, *op. cit.*; N. Jorga [Iorga], *op. cit.*, pp. 53–54, 58–59, 114, 138, 144–145, 173; O. Pečikan [Pecican], *op. cit.*, pp. 87–88, 113–115, 143–144, 148–154, 204–208, 270–271.

⁶³ Romanian historian Nicolae Jorga points out that this led to the creation “of a system of settlements and an agrarian economy system that represents a primitive culture, characteristic of all the neighboring peoples with the same ancient ethnic background, such as the Serbs, Bulgarians, Albanians and Greeks in the south, and the Ruthenians in the northeast”. Cf. N. Jorga [Iorga], *op. cit.*, p. 138.

⁶⁴ For more information about the family and wider kinsman community or clan (Romanian: *neam*, Serbian: *bratstvo*) with common real or fictitious ancestors, as the basis for village communities among the Romanians and Balkan peoples see: O. Pečikan [Pecican], *op. cit.*, pp. 69–72, 87–88.

⁶⁵ N. Jorga [Iorga], *op. cit.*, p. 54; O. Pečikan [Pecican], *op. cit.*, p. 88.

⁶⁶ Cf. G. Jawor, *Osady prawa włooskiego*, pp. 44–46; O. Pečikan [Pecican], *op. cit.*, pp. 207, 148.

peasants into dependent serfs. In Wallachia the serfs were called *rumâni*; in Moldavia they were called *vicini*, and *nemeși* in Transylvania⁶⁷. Livestock breeding gained importance due to the tendency to feudalize free village communities, especially starting in the late 14th century, and it entailed more intensive utilization of high mountain pastures, even searching for new free pastures, i.e. migration to a different area.

The clans (*batrân*) formed villages, which in the 15th and 16th century had 10–20 households, and in the 17th century up to 30 households. The village consisted of several mutually remote hamlets, with one central village (Romanian: *vatră statului*)⁶⁸. Several villages located along a long river or in a valley (Romanian: *câmpulungul*) comprised a confederation of villages – a type of broader territorial and political organization. Confederations of villages existed in Wallachia as well as in Transylvania, and this organizational form also spread to the territory of Moldavia. The self-government institutions of the village communities, compared to the confederation of villages were: the *knez*, assembly and *vojvoda*⁶⁹.

The village community was led by an elder, the *knez* (Romanian: *cneaz/cneaz*), who had previously often been called *sudija* (judge, Romanian: *jude/judec*), which was also the case in the Balkans, and in Moldavia the term *vatan* often appears⁷⁰. In addition to having the judicial function, the *knez* also oversaw the collection of taxes and order, coordinated the eco-

⁶⁷ Cf. N. Jorga [Iorga], *op. cit.*, pp. 173–175; O. Pečikan [Pecican], *op. cit.*, pp. 149, 253, 271, 277–278; H. H. Stahl, *op. cit.*, vol. 3, pp. 61–67, 97–107.

⁶⁸ Romanian sociologist and historian Henry H. Stahl called this process of the village expansion the “swarming of villages” and he analyzed in particular the “shepherd swarming” along river valleys. Cf. H. H. Stahl, *op. cit.*, vol. 1, pp. 190–195; O. Pečikan [Pecican], *op. cit.*, pp. 144, 150.

⁶⁹ The *vojvodas* and *knezes* in Wallachia, Transylvania and Moldavia are discussed by Romanian Slavist and historian Ioan Bogdan in two studies: 1) I. Bogdan, *Originea Voievodatului la Români*, “Analele Academiei Române” 1902, 24, Seria II: *Memoriile Secțiunii Istorice*, pp. 190–207; 2) idem, *Über die rumänischen Knesen*, “Archiv für Slavische Philologie” 1903, 25, pp. 522–543; 1904, 26, pp. 100–114. These two studies have been published again, both in Romanian: I. Bogdan, *Scieri a lese*, ed. G. Mihăila, București 1968. Czech legal historian K. Kadlec quoted and commented in great detail on both studies by I. Bogdan. Cf. K. Kadlec, *op. cit.*, pp. 94, 119, 170, 202, 204–206, 209, 211, 234–236, 239, 249–251, 254–255, 257, 326. Other Romanian authors also discussed the *knezes* and *vojvodas*. Cf. D. C. Arion, *op. cit.*; Ș. Meteș, *Emigrări românești din Transilvania în secole XIII–XX*, București 1977.

⁷⁰ I. Bogdan points out that the *cneaz* or *jude/judec* was originally the term for the elder of a free village community – later the village judge on the ruler’s estate, and in the end the term for the free peasant. In Moldavia instead of the terms *jude* and *cneaz* the term *vatan* was in use, which was of Tatar origin, and which during the late 14th century spread to Galicia and Podolia, as well as among the Cossacks. Cf. I. Bogdan, *Über die rumänischen Knesen*, pp. 532, 535–536; idem, *Scieri a lese*, pp. 180, 187; K. Kadlec, *op. cit.*, pp. 235, 323–326.

conomic and defensive activities in the municipality. Actually, he combined the judicial and executive function in his community⁷¹. In time the title of *knez* became hereditary and there were even cases of *knezes* achieving noble status (nobilitation)⁷². The *knez* was superior even to the Orthodox Christian priest (Romanian: *popă*) in the municipality, who also took part in economic activity. In some regions the *knez* could lead a group of several villages (4–18) in a single valley (Romanian: *cnezii de vale*)⁷³. In such cases the central village played the role of the seat of the self-government bodies that functioned there. The assembly consisted of all the men in the village or group of villages (in some cases they were “representative men”), who were labeled *brat, srodnik* (brother, kinsman; Romanian: *frate, frate de ocina, moșnen*) or *sused* (neighbor; Romanian: *vecin, megiaș*). The term *sat, obște* or *ocina de ocol* was used for the assembly⁷⁴. In Romanian lands (and similarly in other lands) the assembly had a wide range of competencies which were related to issues of general interest to the community, including economic activities. Its decisions affected individuals as well as wider collectives, and the *knez* was in charge of their execution.

In the mid-13th century the sources mention the function of *vojvoda* (Romanian: *voivod/vodă*), in addition to the *knez*, in Valachia (*Transalpinia*), although there are indications that the *vojvodas* in this region (as well as Transylvania) had existed previously⁷⁵. Even though the demarcation

⁷¹ I. Bogdan believed that “in the most ancient times the *knezes* were the founders of the villages or elders who were elected judges for life”. Oral tradition (legends) in the Romanian villages also speak of a distant ancestor who came to the specific area and founded the village where his descendants would later multiply. Cf. I. Bogdan, *Scrieri alese*, pp. 186–188, 204–206; O. Pečikan [Pecican], *op. cit.*, p. 70.

⁷² Cf. K. Kadlec, *op. cit.*, pp. 109, 170, 202, 204–206, 211, 249, 251.

⁷³ For more information see: G. Jawor, *Osady prawa włooskiego*, pp. 28, 44–46, where studies by Romanian authors are referenced (P. P. Panaitescu, D. C. Arion, R. Popa, D. Prodan, H. Stahl, Ș. Pascu, etc.).

⁷⁴ For more information see: G. Jawor, *Osady prawa włooskiego*, pp. 44, 152–153, which quotes a paper by Romanian author P. P. Panaitescu. In some places the assembly was also *zbor, adunare*, and in Moldavia also *grămadă*. Cf. H. Stahl, *op. cit.*, vol. 2, p. 38.

⁷⁵ Medievalist literature often quotes the deed of gift issued by King Béla IV of Hungary to the Knights of St. John (Knights Hospitaller, later the Sovereign Military Order of Malta) in 1247, inviting them to settle in the Banate of Severin and Cumania. The charter mentions *terra kenezatus Lythuoi woiwude* (land of *knez* Lythuoi *vojvoda*), which is indicative of a confederation of village communities in this region, organized as a *knežina*, headed by a *vojvoda*. The title of *vojvoda* is also mentioned in connection with two legendary Romanian epic heroes (Roman and Vlahota) in the context of their visit to the Tatar khan in 1237. Medieval sources also report the legend that Valachian *vojvoda* Negru Vodă, from Făgăraș in Transylvania, with a group of kinsmen and Saxon, and Székelyeks, crossed over to the southern side of the Carpathian Mountains in the late 13th century, to the territory of a confederation of villages (*câmpulungul*), where he founded a new center of political

between the *knez* and *vojvoda* is not always clear in sources, it is evident that the *vojvoda* outranked the *knez*. The *knez* could also be a *vojvoda* and the *vojvoda* could be selected from among the hereditary *knezes*. The *vojvoda* function entailed military duties as well as civilian powers, and the boyars, as well as the old small military nobles, had to respect the *vojvoda*⁷⁶. A specific feature of the Romanian medieval lands (Wallachia, Moldavia) was that the title of *vojvoda* (or grand *vojvoda*) was also linked to the ruler of the entire country (who also held the title *gospodar*) even though it was initially used for the lower level of the social organization⁷⁷. The title of *vojvoda* was adopted even by the Hungarians for designating the king's governor in Transylvania (first mentioned in 1174), although there were several lower-ranking *vojvodas* in Transylvania and other neighboring parts of Hungary⁷⁸. Furthermore, during the 14th century (during the reign of King Louis the Great of Hungary) in Transylvania (and later in Maramureș) the *knezes* and *vojvodas* replaced the Hungarian titles of *magister* and *ban*, which had been introduced in the 13th century during the reign of the Árpád dynasty⁷⁹. One should also bear in mind the fact that as early as the 13th century, the Vlach population in Transylvania was not only organized within the free village communities, but it also inhabited the king's land (royal estates and royal cities) and private land (secular and church), and Saxon land⁸⁰.

power. Cf. I. Bogdan, *Scrieri alese*, pp. 167–168; K. Kadlec, *op. cit.*, p. 85; O. Pečikan [Pecican], *op. cit.*, pp. 70, 128, 134, 137–140, 143–144, 156.

⁷⁶ I. Bogdan believes that the *vojvodas* existed even before the Hungarian incursion into Romanian lands, and that the *vojvodas* were representatives of the *knezes*, who elected them. The *vojvoda* represented the interests of the *knezes* in relations with the ruler. Bogdan believes that during the period of Bulgarian domination of Romanian lands the *vojvodas* were the leaders of the “confederations of *knezes*”, who during times of peace resolved disputes between the *knezes*, and in times of war led them in military campaigns. The judiciary and military authority were at the time unified in the hands of the *vojvoda*, which was also the case with other peoples at the time: Cf. N. Jorga [Iorga], *op. cit.*, p. 53; I. Bogdan, *Originea Voievodatului*, p. 203; idem, *Scrieri alese*, pp. 174–178.

⁷⁷ In the mid-14th century Transalpinia had several *knežinas* and the papal letter of 1345 explicitly mentions five *knezes*, three of which also had the title of *vojvoda*. I. Bogdan believed that these were *knezes* who were *vojvodas* in regard to the Hungarian king, which meant that the higher authority confirmed the *vojvodas*. This opinion was also accepted by K. Kadlec. I. Bogdan also mentions several *vojvodas* from Transylvania and other parts of Hungary, from a later period, who were actually at the same time ordinary *knezes*. Cf. I. Bogdan, *Originea Voievodatului*, pp. 193–196, 199, 203; K. Kadlec, *op. cit.*, pp. 235, 249.

⁷⁸ I. Bogdan also mentions several *vojvodas* from Transylvania and other parts of Hungary, who were at the same time actually ordinary *knezes*. Cf. I. Bogdan, *Originea Voievodatului*, p. 200. Cf. O. Pečikan [Pecican], *op. cit.*, pp. 90, 113–115, 134.

⁷⁹ N. Jorga [Iorga], *op. cit.*, p. 77.

⁸⁰ K. Kadlec, *op. cit.*, pp. 173–179.

The terms *cneaz/cnez* and *voivod/vodă* were undoubtedly adopted in the Romanian language from the language of the Southern Slavs, which the Romanian population lived in proximity to or in symbiosis, starting in the early medieval period. At the same time one should bear in mind the fact that during the medieval period Orthodox Christian Romanians used Slavic language during religious service and later also in state administration and correspondence in Romanian lands⁸¹.

The presented overview of the self-government institutions of the Romanian population in Wallachia, Transylvania and Moldavia in the late medieval period indicates that these were institutions of a mixed agronomist-livestock breeding (sedentary) society, although deeper historical roots of these institutions can be recognized. The livestock breeders no longer represented an isolated and self-sufficient social group. As part of their free village municipalities (most commonly in narrow valleys around mountain rivers), which were gradually engulfed in the feudalization process, the agronomist-livestock breeding population also continued to utilize the high mountain pastures in the Southern and Central Carpathian Mountains for their livestock breeding activities.

SOCIOECONOMIC ASPECTS OF THE COLONIZATION ON VLACH RIGHTS IN THE CENTRAL AND WESTERN CARPATHIAN MOUNTAINS

As previously mentioned, Southern Carpathians (Transylvanian Alps) and Eastern Carpathians (in present-day Romania) have long ago been described as the territorial origin of a lengthy and complex process in the area of the Central and Western Carpathians, which has been labeled *colonization based on Vlach rights*⁸².

⁸¹ The Orthodox metropolitanate in Wallachia was established in 1359 and in Moldavia in 1401, which were subordinate to the Ecumenical Patriarchate of Constantinople. However, significantly earlier the language of the liturgy and church life in Wallachia was Old Church Slavonic (Serbian: *starocrkvenoslovenski jezik*). During the so-called Second Bulgarian Empire (1238) Slavic language was restored to church life in the territory of this state, which had definitely turned to Orthodoxy. This also increased the influence of Slavic language on the Romanian population. The Slavic language later became the language of the church as well as the state administration and correspondence in Romanian lands, which is why Slavic terminology was adopted in these spheres of language use. However, it seems that the use of the terms *vojvoda* and *knez* among the Vlach (Romanian) population preceded this, because the first mention of a *vojvoda* of Transylvania dates back to 1174, and there are also other indications in sources. Cf. K. Kadlec, *op. cit.*, p. 91; N. Jorga [Iorga], *op. cit.*, p. 52; P. Ratkoš, *Problematika kolonizácie na valašskom práve na územi Slovenska*, "Historické štúdie" 1980, 24, p. 194; G. Jawor, *Osady prawa wołoskiego*, p. 62; O. Pečican [Pecican], *op. cit.*, pp. 90, 123, 135–136, 185–186.

⁸² K. Kadlec made the greatest contribution to the clarification of the term *Vlach rights* (*ius valachicum*, Czech: *valašské právo*) in "Slavic and Hungarian lands". In his 1916 study on

The colonization based on Vlach rights has been a topic of study for researchers from various fields: ethnologists, historians, philologists, etymologists, anthropologists. An entire pleiad of scientists from the older and younger generation from Romania, Moldavia, Ukraine, Russia, Poland, Slovakia, Czech Republic and other countries, have focused on studying certain issues or broader segments from this field. Therefore, over a longer period of time various thematic and regional studies were carried out, pointing out a broad range of factors that determined the colonization based on Vlach rights⁸³.

The process of colonization on Vlach rights can be observed in sources from the first half of the 14th century through the late 16th century, and the colonists appear under the name *Vlachs*, and occasionally *Ruthenians* (in Hungarian sources: *Vlachus*, *Valachi*, *Valachicus*, *Valachicalis*; *Olahus*, *Olahi*, *Olahones*, *Olachi*, *Olaci*, *Olahalis*, *Olahicalis*, *Ruthenus*, *Rutheni*, *Ruthenicus*,

the subject, he also analyzed numerous and diverse sources and literature on colonization rights in the Carpathian region, as well as common law. Based on this he defined Vlach rights in the region of the Central and Western Carpathians, believing that the term *colonization on Vlach rights* applies only to this area. However, Kadlec pointed out that *Vlach rights* was not a singular term: in the lands belonging to the Polish crown (Galicia, Lesser Poland) and Bohemian crown (Cieszyn Silesia [Czech: Těšinsko, Polish: Śląsk Cieszyński] and Moravia) Vlach rights applied only to the population that established colonist settlements and was involved in "Vlach type" livestock breeding, utilizing high mountain pastures in the Carpathian Mountains. Furthermore, in the lands belonging to the Kingdom of Hungary, *Vlach rights* applied to several privileged districts. Cf. K. Kadlec, *op. cit.*, pp. 467–438. In the past hundred years Kadlec's study has been the foundation for all further studies on the topic of Vlach rights and colonization on Vlach rights in the Carpathian region.

⁸³ Here we list some of these studies, which include numerous relevant literature as well as historical sources: K. Kadlec, *op. cit.*; J. Macůrek, *Valaši v západních Karpatech v 15–18. století. K dějinám osídlení a hospodářského vývoje jižního Těšínska, jihozápadního Polska, severozápadního Slovenska a východní Moravy*, Ostrava 1959; J. Štika, *Valaši a Valašsko. O původu Valachů, valašské kolonizaci, vzniku a historii moravského Valašska a také karpatských salašičů*, Rožnov pod Radhoštěm 2007; J. Langer, *Valaši v Karpatech*, pp. 31–44; J. Langer, *Geneze metodiky historiků a etnografů, potřeby vědeckých výstupů bádání na Valašsku v posledním půlstoletí*, in: *Valašsko – historie a kultura*, eds. S. Urbanová et al., Ostrava–Rožnov pod Radhoštěm 2014, pp. 33–40; P. Ratkoš, *op. cit.*, pp. 181–224; J. Beňko, *Osídlenie severného Slovenska*, Košice 1985; J. Podolák, *Tradičné ovčiarstvo na Slovensku*, Bratislava 1982; K. Dobrowolski, *Zderzenie kultury rolniczej z pasterską*, „Sprawozdania z Czynności i Posiedzeń PAU” 1939, 5; K. Dobrowolski, *Studia nad kulturą pasterską w Karpatach północnych. Typologia wędrowek pasterskich od XIV do XX wieku*, „Wierchy” 1960, p. 29; I. Czamańska, *Włosi – strażnicy gór*, in: *Kalendarz 2014. Informacje pasterskie*, Koniaków 2013; J. Podolák, *Poloninské hospodárstvo Huculov v ukrajinských Karpatoch*, „Slovenský národopis” 1960, 2, pp. 193–292; J. Vlăduțiu, *Almenwirtschaftliche Viehhaltung und Transhumanze im Brangbeit (Súdkarpaten, Rumänien)*, in: *Viehzucht und Hirtenleben in Ostmitteleuropa. Ernographische Studien*, Budapest 1961, pp. 197–242; D. Prodan, *Iobăgia în Transilvania în secolul al XVI-lea*, vol. 1, București 1969.

Rutenicalis)⁸⁴. Vlach settlements on the southwestern slopes of the Central Carpathian Mountains (in present-day Hungary, Ukraine and Slovakia) are mentioned in documents from the first half of the 14th century⁸⁵. Later documents, from the second half of the 14th century, mention the settlements of Vlach livestock breeders also on the northern side of the Central Carpathians, in Galicia (in present-day Ukraine and Poland), which was at the time part of the Polish-Hungarian personal union, allowing only them to definitely fall under control of the Polish crown following the dissolution of the union⁸⁶. The presence of Vlach livestock breeders on the northern side of the Carpathian Mountains, in Lesser Poland (part of the Kingdom of Poland), was recorded in documents from the turn of the 15th century. In one century the Vlach livestock breeders also had settlements in the northwestern part of the Western Carpathian Mountains – in Cieszyn Silesia and Moravia – lands belonging to the Czech crown, which were part of Hungary from the 1470s, only to become part of the Habsburg Monarchy after the Battle of Mohács (1526)⁸⁷.

This process has several aspects⁸⁸ and here we will discuss its socio-economic aspect, where we primarily aim to identify the self-government institutions of the bearers of the colonization process.

From the economic standpoint this was primarily the expansion of a type of livestock breeding that had previously not existed locally, which was associated with the utilization of the high mountain pastures in the Central and Western Carpathian Mountains, which had previously not been exploited⁸⁹. In various languages (Romanian, Ukrainian, Polish, Slo-

⁸⁴ Cf. P. Ratkoš, *op. cit.*, pp. 188–189. The author also indicates various meanings of the given terms, which have also been discussed by other authors.

⁸⁵ The first information about Vlach livestock breeders settlements in the 14th century are mentioned in present-day Slovakia, around the Koromla River in 1337, around the upper course of the Ondava River, in 1355. Cf. P. Ratkoš, *op. cit.*, pp. 183, 199.

⁸⁶ The first information about Vlach livestock breeder settlements in Galicia (Red Ruthenia) appeared in the 1370s. Cf. G. Jawor, *Osady prawa wołoskiego*, pp. 11–12; J. Goško, *Zvičave pravo*, pp. 17–46.

⁸⁷ Cf. K. Kadlec, *op. cit.*, pp. 408–436; J. Macůrek, *op. cit.*, p. 6.

⁸⁸ K. Kadlec pointed that the issue of ethnicity of the Vlach colonist was an issue closely related to the issue of their social position. Slovak historian Peter Ratkoš pointed out that there are three main aspects of colonization on Vlach rights: a) territorial distribution, b) socio-economic features, and c) ethnic aspect. He pointed out that the ethnic aspect of the colonization was the most complex and most sensitive one, which has also been addressed by other authors. Cf. P. Ratkoš, *op. cit.*, pp. 187, 218.

⁸⁹ All the studies discussing colonization on Vlach rights discuss this type of livestock breeding, which represented an innovation in the late medieval period in the region of the Central and Western Carpathians. The synthetic overview of this issue, including relevant

vakian, Czech) these pastures have their names⁹⁰. This type of livestock breeding (primarily sheep, very few goats, and later occasionally cattle) entailed using the high mountain pastures during the summer⁹¹ and during the winter the livestock was fed in special buildings in the mountain or in the villages that the shepherds were from⁹². The distances between the summer pastures and the buildings for the winter accommodation of the livestock were generally small, but there were exceptions (especially during the earlier period)⁹³. In addition to the prepared hay, the leaves of trees (both coniferous and deciduous) were also used. The vast Carpathian forests supported this. Therefore, this is a highly modified form of seasonal migration of the shepherds. In the late 14th century in the territory of the historical Red Ruthenia there were only three recorded examples indicating a nomadic form of livestock breeding by the Vlach colonists

literature can be found in: J. Novak et al., *Po stopách valachov* [Section: Carpathian Mountain herding: Romania, Ukraine, Poland, Slovakia, Czech Republic], pp. 77–188.

⁹⁰ Ukrainian: *poloniny*; Polish: *hale*, also *połoniny* (in a slightly broader sense, including the broader space adjacent the pastures); Slovakian *hole*, Czech, *salaš* and *javořina* (older term). Over time these pastures were expanded by clearing forests in lower zones. Therefore, the term *javořina* (Slovakian: *javorina*) originally designated pastured created specifically by clearing maple (*javor*) forests, but its use was extended to include other types of high mountain pastures. In Czech the term *vrch* was also used, meaning mountain top and the pastures around it. Cf. K. Kadlec, *op. cit.*, pp. 423–426; J. Novak et al., *Po stopách valachov*, pp. 11, 173.

⁹¹ Based on extensive archive material, Polish historian Grzegorz Jawor shed light particularly on the nature of the livestock breeding activities of the colonists on Vlach rights in the Galicia (Red Ruthenia) region and Lesser Poland (both regions were part of the Kingdom of Poland at the time) from the 1370s to the mid-16th century. It was assessed that the activities were semi-nomadic (transhumance), while nomadic livestock breeding was quite marginalized. He pointed out the emergence of a new practice in the 16th century, where high mountain pastures in part of the Central Carpathians were used for grazing not only of sheep and goats, but also cattle, which was linked to the increase in the profitability of breeding cattle in the neighboring flatlands of Podolia. For more information see: G. Jawor, *Osady prawa wołoskiego*, pp. 39–57; idem, *Pasterstwo na obszarach górskich Rusi Czerwonej i Małopolski od XIV do połowy XVI wieku*, in: *Кризь століття. Студії на пошану Миколи Крикуна з нагоди 80 – річчя*, Львів 2012, pp. 35–42; idem, *Gospodarka i osadnictwo w strefie bieszczadzkich połonin w XV i XVI wieku*, in: *Region i regionalizm w archeologii i historii*, ed. J. Hoff, S. Kadrowa, Rzeszów 2013, pp. 143–154.

⁹² These winter residences were called *mráznice* (Slovakian), *kotlenice* (Czech) and *koszary* (Polish). Cf. P. Ratkoš, *op. cit.*, p. 195; G. Jawor, *Gospodarka i osadnictwo*, pp. 143–154.

⁹³ In the Central Carpathians, which was inhabited by livestock breeders known as the Hucul, the distance between the mountain pastures and colonist villages varied greatly (2–80 km). Cf. J. Podolák, *Poloninské hospodárstvo Huculov*, pp. 196–213; V. F. Inkin, *op. cit.*, p. 10. In Galicia (Red Ruthenia) and Lesser Poland the pastures were tens of kilometers from the colonist villages.

in the territory of the Kingdom of Poland⁹⁴. The bearers of this type of livestock breeding, which was gradually spreading across the Carpathian crescent, were initially always newcomers. Subsequently the local population would also engage in this type of livestock breeding⁹⁵.

Colonization on Vlach rights also had a social aspect. The Vlachs brought their customary law, i.e. their models of organization of a livestock breeding economy and self-government institutions, which had to be adapted not only to the local geographic and climatic conditions, but also to the local social and political conditions. Naturally, the Vlachs also had certain obligations, but it is not possible to analyze them all in greater detail within this study, but rather only those pertaining to their self-government institutions. In environments where the Vlachs developed their livestock breeding activities there was also local customary law, but it was predominantly characteristic for the agronomist population. Such customary law included institutions that differed from the institutions of the Vlach livestock breeders and the terminology differed as well.

The environment that the Vlachs settled in featured a developed feudal system into which the Vlachs also had to integrate. Even though the Vlachs had a constant tendency to maintain their earlier institutions and generally privileged status, typical Vlachian institutions had to change and adapt to the existing feudal conditions, regardless of the fact that local feudal lords were interested in the settlement and general occupation of the Vlachs. One could even say that the presence of the Vlachs contributed to reinforcing feudal relations in the mountain regions of the Central and Western Carpathians⁹⁶.

Hungary and Poland, and later the Habsburg Monarchy, carried out certain colonization policies. Hungary did so from the early 13th century, especially following the Mongol-Tatar invasion, and not solely in the territory of Transylvania. It was also interested in achieving denser population of the Western Carpathian region. The Habsburg Monarchy continued such colonization policies throughout the regions bordering the Ottoman Empire. The Kingdom of Poland was interested in integrating the territory of Galicia, especially following the dissolution of the Polish-Hungarian per-

⁹⁴ G. Jawor points out only three pieces of information from archive and narrative sources that indicate a nomadic type of livestock breeding by the Vlach colonists in the territory of the Kingdom of Poland, from 1406, 1473, and 1490/1491. This confirms the fact that the Vlach colonists almost entirely belonged to the sedentary population at the moment when the colonist settlements were created in the territory of the Kingdom of Poland. Cf. G. Jawor, *Osady prawa wołoskiego*, pp. 47–48, 57.

⁹⁵ Cf. K. Kadlec, *op. cit.*, pp. 414–415; P. Ratkoš, *op. cit.*, pp. 215–220; J. Beňko, *op. cit.*, pp. 275–280.

⁹⁶ P. Ratkoš, *op. cit.*, p. 195.

sonal union in 1382. This was achieved through reforms, which provided stability to the administrative and territorial structure of the region until the First Partition of Poland in 1772⁹⁷. As part of these efforts, Polish rulers and feudal lords were also interested in admitting and colonizing Vlach livestock breeders not only in the mountain regions of the Central and Western Carpathians, but also in territories that were far from the Carpathian ridge.

The Vlachs played a prominent role in increasing new settlements in the Carpathian Mountains and Subcarpathia, which was encouraged by the feudal authorities. This gave their elders the role of organizers of colonist settlements and therefore provided them with great privileges. However, during the colonization processes on German (Magdeburg) rights were also applied, which were primarily aimed at creating urban settlements. Over time these two legal systems became intertwined, with a certain legal compromises. Earlier researchers unjustifiably spoke only about the adaptation of Vlach rights to German colonial law because they primarily took into account the replacement of Vlachian institutional terminology with the new terminology of German origin⁹⁸. In the first centuries the Vlachs had significant military duties as well as policing and supervisory duties in certain inaccessible areas of the Carpathian. However, these duties also changed over time, depending on the general political circumstances and local defense needs of the given Carpathian region.

Presently, the publication of numerous archive source⁹⁹ and an increasingly larger number of synthetic legal and historical studies, con-

⁹⁷ G. Jawor, *Osady prawa wołoskiego*, p. 9.

⁹⁸ K. Kadlec believed that "Vlach rights were the modification of German law", while contemporary authors speak of the combination (hybrid) of certain elements of these legal systems. Cf. P. Ratkoš, *op. cit.*, p. 187.

⁹⁹ In his extensive study K. Kadlec quoted and commented on many historic sources of various character, and in a special section (*Přílohy*) he quoted 27 important documents from Hungary, Galicia, Moravia and Cieszyn Silesia, in their entirety, as well as the names of the Vlachs listed in Serbian monastery charters, and the names of Romanians from the Făgăraș and Maramureș regions. Cf. K. Kadlec, *op. cit.*, pp. 451–514; P. Ratkoš drew attention to different relevant archive sources, and pointed out particularly the importance of the *urbars* of the former feudal estates (in present-day Slovakia): Cf. P. Ratkoš, *op. cit.*, pp. 185–186. Ukrainian historian Jurij Goško analyzed particularly the land books (*urbars*) from the second half of the 16th century and the judicial records of the lowest instances of local self-government in the later period (starting in the late 16th century) in territory of present-day western Ukraine and southeast Poland (the Sanok region). Cf. J. Goško, *Zvičaeve pravo*, pp. 12–16. In his extensive study G. Jawor used many hand-written historical judicial, administrative and financial documents from archives (present-day Poland and Ukraine), as well as various published historical sources. Cf. G. Jawor, *Osady prawa wołoskiego*, pp. 13–14, 195–197. It can be concluded that historic sources related to the issue of nomadic and semi-nomadic livestock breeding, as well as the self-government institutions, in the Central and Western Carpathians, are more numerous and more abundant than sources of this type in the Balkans.

fronting ethnographic and other works, presents us with the possibility to analytically and progressively follow the state, transformation and re-naming of the Vlach self-government institutions in the Carpathian region between the late 14th century and the mid-16th century, which was when sudden changes occurred. Having said that, it is also possible to make a comparison between the institutions of the Vlach livestock breeders in the Balkans during the same period.

SELF-GOVERNMENT INSTITUTIONS OF VILLAGES AND VILLAGE
ALLIANCES CREATED ON VLACH RIGHTS IN THE CENTRAL AND WESTERN
CARPATHIANS (LANDS OF THE HUNGARIAN CROWN, LANDS
OF THE POLISH CROWN AND LANDS OF THE CZECH CROWN)

The key role in the colonization on Vlach rights in the Central and Western Carpathians was played by the Vlach *knez* (Hungarian: *kenéz*)¹⁰⁰. Many sources from the 14th to 17th century from the Kingdom of Hungary outside of Transylvania speak of the duties and rights of the Vlach *knez* in the colonization process. The king's officer or castellan of the royal city concluded, on behalf of the king, an agreement with the Vlach *knez* where the *knez* committed to (as the "colonizer"/"locator") to establishing a new settlement on the king's land (*nova plantation*) by bringing the necessary number of Vlach settlers. The new settlements could also be established on private land, under somewhat different rights and obligations of the *knez* and the settlers. The settlements were usually crated on vacant land, most commonly forests, but they could also be in the vicinity of existing villages¹⁰¹. The *knez* received a hereditary estate (*usufructus*) and a special office in the new settlement. On royal land the *knez* had the status of a privileged free person and since he most commonly did not pay taxes – this status was close to noble status. Furthermore, there were occurrences where the *knez* gained noble status (nobilitation). The *knez* carried out oversight of the inhabitants of his village and judicial function for lesser transgressions, and if the settlement was on royal land – his decisions had the strength of aristocratic decision. Disputes between *knezes* on royal land

¹⁰⁰ For more information see: K. Kadlec, *op. cit.*, particularly pages: 218–240, 244–247, 254–256, 332, 378–379.

¹⁰¹ Slovakian historian Ján Beňko analyzed the settlement of the northern part of present-day Slovakia, in the territory of the six former Hungarian komitats (Slovakian: *stolicas*), but not only on Vlach, but also on German and common law, as well as on so-called clearing rights – by clearing forests (Slovakian: *kopaničarsko právo*). The entire process of settlement of these regions since the 13th century was defined by Beňko as colonization because of the previous existence of villages where colonists were integrated or between which the colonists formed their own new settlements. Cf. J. Beňko, *op. cit.*, pp. 275–280.

were settled by the appropriate castellan, but the 1457 privileges of Matthias Corvinus (which applied to eight specific districts) stipulated that disputes between Vlach *knezes* would be settled by the Vlach *comes* (*župan*).

The *knez* function was hereditary. The land books (*urbars*) of certain feudal estates from the territory of present-day Slovakia indicate that the function of *soltys* (Slovakian: *šoltýs*) also existed, as later did *richtár*, west of the Sáros *komitat* (Slovakian: *Šariš*, present-day northeastern Slovakia), which was also hereditary¹⁰². This indicates that elements of Vlach and German law had been combined (legal hybrid). When the population colonized on Vlach rights made the transition to agronomy there was no change in the position of the *soltys*, who differed from other subjects in the village in their authority and ownership¹⁰³. The village had its assembly (Slovakian and Czech: *hromada*), which discussed all issues of interest to the inhabitants of the village and its decisions were carried out by the *knez* (*soltys*). Exploitation of the high mountain pastures was initially the main occupation of the inhabitants of the colonist villages, but agronomy and exploitation of timber from the forest gradually became dominant.

In the regions of the Kingdom of Hungary outside of Transylvania there were alliances of villages based on Vlach rights which were led by a *vojvoda* (Hungarian: *vaida*) or *krajnik* (Hungarian: *karaynuk*). The functions of Vlach *vojvoda* are present during the 14th century in central Hungarian regions bordering Transylvania, primarily in the Belényes district and the Bihar *komitat* (present-day western Romania), the Bereg *komitat* (present-day western Ukraine) and in the Sáros *komitat*. The last Vlach *vojvoda* is mentioned in 1595 in the Bihar *komitat*; however, in the Máramaros *komitat* (present-day northern Romania) the *vojvoda* function had disappeared 200 years earlier due to the nobilitation of the local *vojvodas*. The *vojvoda* could also be the *knez* of a village, from which he differed only slightly. However, in Máramaros the *vojvoda* differed greatly from the *knezes*. Even though in Hungarian lands the institution of *vojvoda* appeared much later than the institution of *knez*, it disappeared much earlier than the institution of *knez*.

From the privileges that Hungarian Queen Elisabeth gave the Vlachs in the Bereg *komitat* in 1364 (it was similar with other *komitats*) it is apparent that the Vlachs had the right to elect their own *vojvoda*. The *vojvoda* also had a judicial function and collected all the dues that belonged to the king and the *komitat*, and he led the Vlachs on military campaigns. The 1474

¹⁰² P. Ratkoš, *op. cit.*, p. 186.

¹⁰³ *Ibidem*, p. 218.

privileges issued to the Vlachs in estates of Orava and Likava (present-day Slovakia) by Matthias Corvinus explicitly stated that the entire Vlach community would elect the *vojvoda*, who would resolve disputes.

Alliance of several villages based on Vlach rights in the Bereg and Bihar *komitats* and regions of present-day eastern Slovakia (east of the Topla River) also appeared under the name *Krajina* (of Slavic origin), which was also used in the fringes of Transylvania and the Temesvár Banate¹⁰⁴. Just like the *vojvoda*, the *krajnik* could also be a *knez*. Hungarian sources do not mention the competencies of the *krajnik* (unlike Polish sources), but it is clear that, similar to the *vojvoda*, he had greater power than the *knez*. In the Belényes district (around 1450) the *krajnik* played the role of the *vojvoda*'s assistant. This goes to show that the function of *krajnik* was actually civilian in nature, focusing primarily on the economic activity in the territory of *Krajina*. However, the *krajnik* could also assist the *vojvoda* in military duties, which also means that his competencies spanned the same territory¹⁰⁵.

By the second half of the 14th century the Kingdom of Poland had integrated Galicia (Red Ruthenia) into its structure and gradually introduced Polish law and administrative structures, however this region still had specific features in its economic and legal system. There was visible confrontation of old colonist structures, organized according to *Ruthenian rights*, with elements of reforms that the Polish state spread from the west, and which were based on German rights (Polish: *prawo czynszowe*), leading to the creation of a legal hybrid. Such a complicated legal system adopted another foreign element – *Vlach rights*, which brought a specific organizational and legal model for the functioning of colonist settlements, undoubtedly of the same origin as the one in Hungarian lands, rooted in the social structures of the semi-nomadic livestock breeders in Moldavia and Wallachia. It is possible to trace through sources the expansion of these models to Lesser Poland (the old part of the territory of the Polish kingdom, west of Galicia) and from there to the lands of the Czech crown: Cieszyn Silesia and Moravia. The spread of Vlach rights to the territory of the Kingdom of Poland was undoubtedly also induced by the military needs of the expanded state¹⁰⁶. Settlements based on Vlach rights could be also established between older settlements, which were formed and based on Ruthenian or German rights. However, settlements based on Vlach rights initially implied the mandatory livestock breeding activity of

¹⁰⁴ *Ibidem*, pp. 186, 194.

¹⁰⁵ Citing other sources, P. Ratkoš believes that the *krajina* was actually an “economic district” (Slovakian: *obvod*). Cf. P. Ratkoš, *op. cit.*, p. 194.

¹⁰⁶ G. Jawor, *Osady prawa wołoskiego*, pp. 59–77.

the colonists through utilization of high mountain pastures (which could be quite remote), with an increasingly intensive agronomy¹⁰⁷. The abolition of Vlach rights would occur at the moment when the pastures were replaced by tillable land. As part of the implementation of Vlach rights in the Kingdom of Poland the institutions of *knez* (Polish: *kniaź*), *vojvoda* (Polish: *województwo*) and *krajnik* (Polish: *krajnik*) appeared, and these Slavic terms were adopted from Hungarian lands and from Moldavia.

The most typical institution in Vlach rights in the territory of the Kingdom of Poland (as was the case in other territories where Vlach rights were implemented in the Central and Western Carpathian Mountains) was the institution of *kniaź* (Polish source also mentions: *vicinus*, *director*, *factor*, *dux*, *officialis* and *ksiądz*). However, starting in the mid-15th century the term *kniaź* was increasingly equated with Polish terms *soltys* and *wójt*, adopted from German rights, especially in the western regions of Galicia (Sanok and Przemyśl). There are also examples of alternating use of these terms. This occurrence did not mean that Vlach rights were essentially “a modification of German rights” (as previously believed)¹⁰⁸, but that initially it was the case of use of new terms for the institution of *kniaź* from Vlach rights¹⁰⁹. Similarly, especially in eastern parts of Galicia (as well as in neighboring Moldavia) the *kniaź* started to be equated with the institutions of *tywun*, *wataman* and *desiatnik* (also *volodar*, in the Sanok region) from Ruthenian rights, which applied to agrarian settlements (this population often represented a military element, like the Vlachs)¹¹⁰. Even though the functions of *kniaź* and *soltys* were hereditary (later for life), these two institutions differed in their origins: the institution of *kniaź* stemmed from the self-government social structure (*katun* organization) of nomadic livestock breeders, which was based on kinsman principles, while the *soltys* was the representative of the state¹¹¹. However, they were both extinguished when they ceased to be hereditary.

As the organizer of the colonialist settlement, the *kniaź* had a number of privileges¹¹². He received an estate, which he could even dispose of with the formal consent of the feudal owner. This estate was considered the property of the clan that the *kniaź* belonged to (in line with his hereditary function) while the estate that the *soltys* received (as the “representative” of the higher authority) was considered his private property. The *kniaź* performed judicial and police and supervisory functions in the settlement

¹⁰⁷ K. Kadlec, *op. cit.*, pp. 437–450.

¹⁰⁸ *Ibidem*, pp. 438–439.

¹⁰⁹ P. Ratkoš, *op. cit.*, p. 193.

¹¹⁰ J. Goško, *Zvičaeve pravo*, p. 26.

¹¹¹ P. Ratkoš, *op. cit.*, p. 193; G. Jawor, *Osady prawa wołoskiego*, pp. 131, 133.

¹¹² G. Jawor, *Osady prawa wołoskiego*, p. 136.

that he led; he collected dues that belonged to the feudal owner and the king, and conducted other administrative functions. The *kniaź* also had the right to erect an inn, mill, sawmill, rolling mill and other commercial facilities, and he could also make use of the forest. With such a status the *kniaź* actually did not significantly differ from the *soltys*, however the obligations, which the residents of his villages had, did. The Vlachs did not have labor obligations and other obligations towards the feudal lord, which the residents of the villages led by the *soltys* did have. These obligations of these two categories of the population would be equalized only with the greater influx of German rights into Vlach settlements and the essential equalizing of the status of *kniaź* and *soltys*.

The village established on Vlach rights had an assembly, which was called *gromada* (as well as the entire village community). The *gromada* consisted of men who were economically independent. It discussed and passed decisions on matters of interest to the entire community, as was the case in neighboring lands. It was a self-government function that was independent from the feudal lord, but occasionally the entire village community was the bearer of obligations.

As was the case in some parts of the Kingdom of Hungary, in the territory of the Kingdom of Poland there was type of village alliances or supra-village communities (Polish: *wspólnota ponadwiejska*) called *kraina*, led by the *krajnik*. The *krajnik* could be the *kniaź* from the central village, but he was always from the dominant Vlach *kniaź* clans and he could also become a noble (nobilitation). The competencies of the *krajnik* included shared economic exploitation of the natural resources within the territory of the *kraina*, primarily utilization of the mountain pastures. Additionally, the *krajnik* performed supervisory and police functions (including supervision of the borders of the *kraina*) and he was also involved in the performing of judicial functions. He also collected dues that belonged to the feudal lord. The representatives of the villages that comprised the *kraina* gathered annually for the *kraina* assembly, which was called the *strunga* or *zbor*. It passed judicial and other decisions of interest to the entire *kraina*, especially related to common obligations.

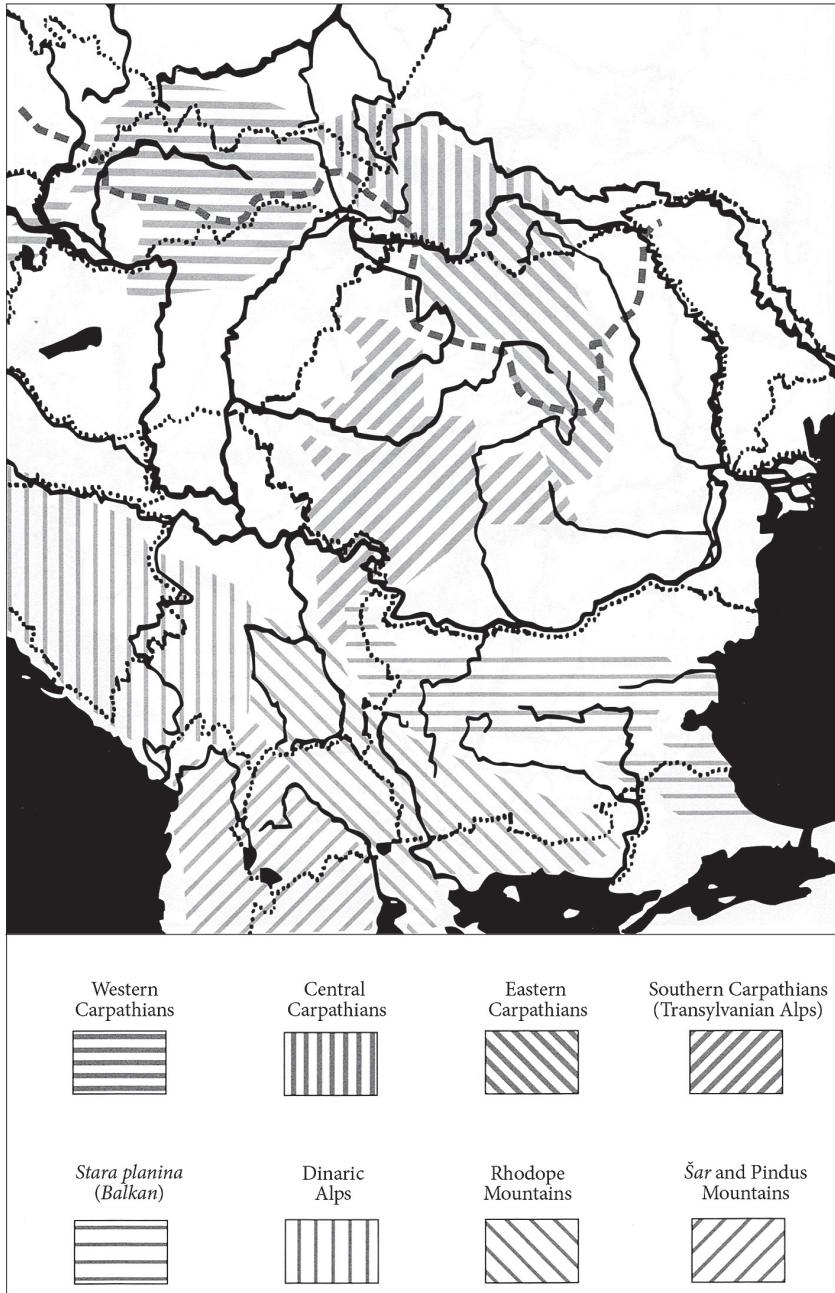
During the Hungarian-Polish personal union (1370–1382) Polish sources mention the institution of the Vlach *wojewoda*, which is evidence not only of the implementation of the military policy of the Hungarian-Polish king, but also the spreading of Vlach self-government institutions from Hungary. Even though sufficient information on the functions of the *vojvoda* does not exist, based on analogue information from Hungary it is apparent that they stemmed from the *kniaź* clans. Their military competencies extended over certain territories – the Vlach district (Polish: *okręg*

włoski), which encompassed not only the Vlach common population, but also *kniażes* and boyars (where boyars existed). Even though the territorial competencies of the *vojvoda* and *krajnik* mainly coincided, they in fact led two different structures: one was military, while the other was predominantly economic. The *vojvoda* also performed judicial functions, primarily over the *kniażes*, and it is likely that they passed rulings in second instances. There is no information on their involvement in the collection of taxes, as is the case with the *kniażes*. However, the institution of the Vlach *vojvoda* in Galicia disappeared around the turn of the 15th century, which was the consequence of legal and administrative reforms in Galicia. This did not abolish the military obligations of the Vlachs who had colonized royal and private land during the 15th century.

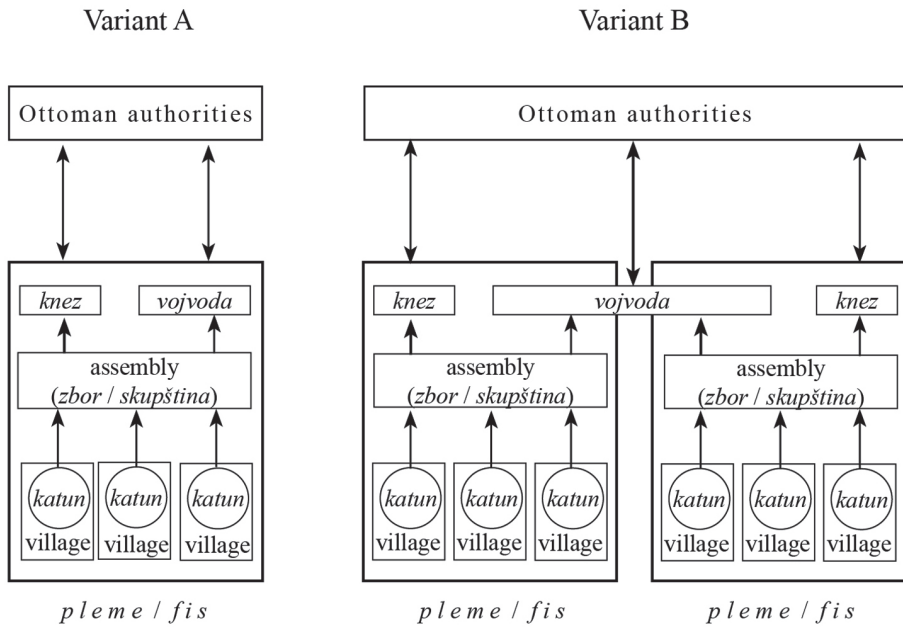
In the lands of the Czech Crown – Cieszyn Silesia and Moravia¹¹³, which were the last to experience colonization on Vlach rights (in the mid-16th century), the institution of Vlach *vojvoda* (Czech: *valašský vojvoda*) appears on feudal estates, which were most often elected from the ranks of the same Vlach families. They did not have military functions like in Hungary and Poland, even though the Vlachs in Moravia were good frontiersmen, called *portášes* (Czech: *portáši/fortáši*). Their duties were related to the utilization of mountain pastures and sheep grazing, as well as the production of dairy products. The *vojvoda* had at his disposal 12 clerks and two executors. They convened the assembly (Czech: *hromada*) biannually, with all the clerks and shepherds. At the spring assembly it was determined how many sheep could graze in each pasture, and damages, oversights and the responsibility of the shepherds were discussed at the fall assembly, prior to the sheep being brought down from the pastures to the winter corrals, and the *vojvoda* passed verdicts by the powers vested in him by the landowner – the actual *Vlach rights*. The institution of *vojvoda* disappeared in Moravia in the late 17th century, and in Cieszyn Silesia during the 18th century.

The institution of *knez* has not been recorded in Cieszyn Silesia and Moravia, but the institution of the Vlach *fojt* (Czech: *valašský fojt*) or *rychtář* existed, first noted in 1567. His position was actually identical to the position of the *soltys* or *wójt* in Poland. The assembly of the settlers on Vlach rights (*hromada*) also existed, with similar competencies, however, the *fojt* or *rychtář* became an ordinary government state official with the transition from livestock breeding to agronomy.

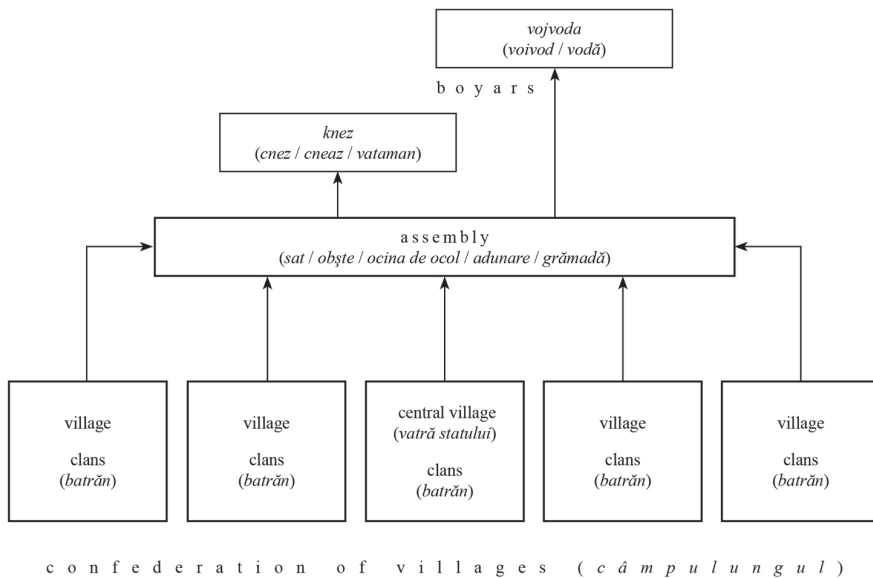
¹¹³ For more information see: K. Kadlec, *op. cit.*, pp. 408–436; J. Macůrek, *op. cit.*, pp. 26–66.



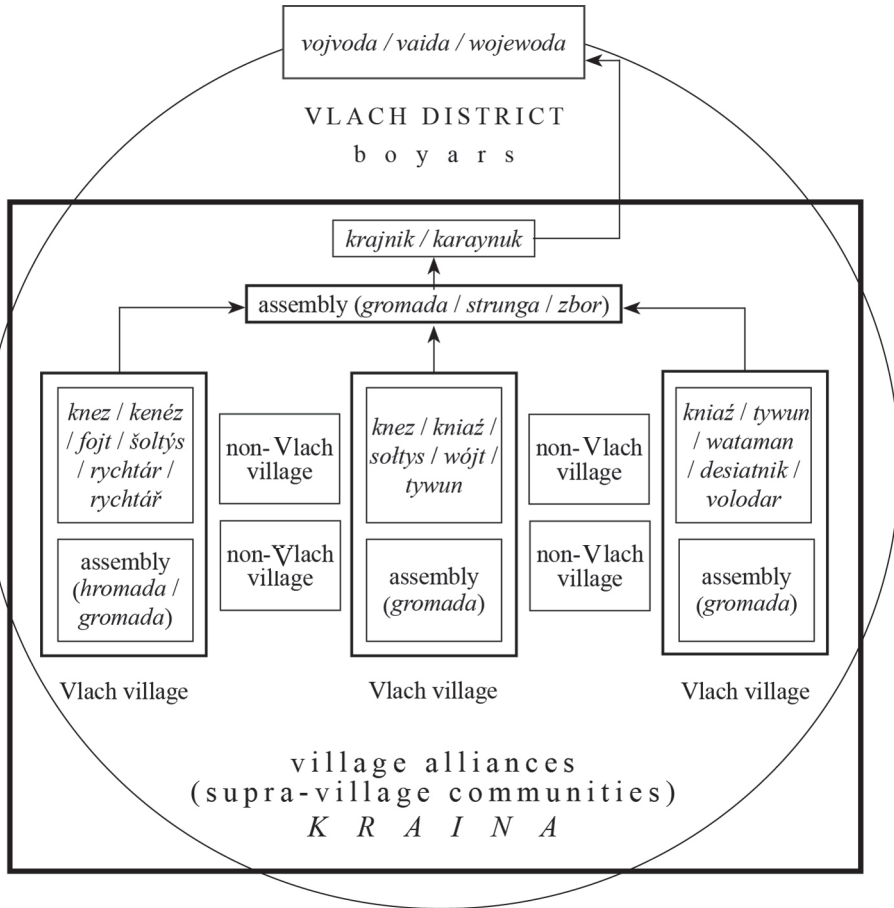
Graph 1. The mountain ranges in the Balkan Peninsula and segmentation of the Carpathian Mountains (J. Langer, H. Bočková, *Obydli v Karpatech a přilehlých oblastech balkánských. Syntéza mezinárodního výzkumu*, Ostrava 2010, app.: 1-M-04)



Graph 2. Tribal self-government institutions in the Balkans. Variant A: one *vojvoda* for one tribe. Variant B: one *vojvoda* for two tribes (graph by Miloš Luković)



Graph 3. Self-governmental institutions of the confederations of villages with Romanian populations in Wallachia, Transylvania and Moldavia in the late medieval period (graph by Miloš Luković)



Graph 4. Self-government institutions of villages and village alliances (supra-village communities) created on Vlach rights in the Western and Central Carpathians. Rectangle: *Kraina* village alliance (supra-village community). Circle: Vlach district (graph by Miloš Luković)

CONCLUSION

This comparative review of self-government institutions of semi-nomadic livestock breeders in the Balkans and in Carpathian regions in the late medieval and early modern periods reveals many similarities, as a consequence of similarities of semi-nomadic livestock breeding in the Balkan Peninsula and in Carpathian regions at that time. The self-government institutions during the time were subjected to the transformation processes in accordance with the local socio-political conditions.

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ABSTRACT

This paper deals with: nomadic and semi-nomadic livestock breeding in the Balkan Peninsula in the medieval period; self-government institutions of the medieval nomadic livestock breeders in the Balkans; sedentarization of Vlach livestock breeders in the Balkans; self-government institutions in the *knežinas* and tribes in the Balkans: natural and socio-political determinants of exploitation of the high mountain pastures in the Carpathian mountains between the 13th and 16th centuries; self-governmental institutions of village communities and the confederations of villages with Romanian populations in Wallachia, Transylvania and Moldavia in the Late medieval period: socio-economic aspects of the colonization on Vlach rights in the Central and Western Carpathian mountains: self-government institutions of villages and village alliances created on Vlach rights in the Central and Western Carpathians (lands of the Hungarian crown, lands of the Polish crown, lands of the Czech crown).

Key words: Balkans, Carpathian region, semi-nomadic livestock breeders, self-government institutions, late medieval and early modern periods

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