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*

Instytucje 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 średniowieczu; 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, Transylvania oraz Mołdawii w okresie późnośredniowiecznym; socjoeconomicznych aspektów kolonizacji na prawie wołskim w środkowej i zachodniej części Karpat; samorządowych instytucji wsi i związków wsi powstałych na prawie wołskim 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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In the Middle Ages there were two types of livestock breeding in the Balkan Peninsula. 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 Vlachs are most commonly mentioned as nomadic and semi-nomadic livestock breeders in the Balkans, with Albanians (in Serbian medieval sources: *Arbanasi*) occurring less frequently. This type of livestock breed-
ing had several variations. Most commonly mentioned was the nomadic or semi-nomadic (transhumance), depending on the typological and terminological criteria. Over time it was increasingly adopted by the Slavic and other populations.

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 occupation. 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 breeding.

Important information on medieval Vlachs is provided by Byzantine sources for the period from the 10th to the 13th century, as well as character to 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.

8 For more information see: G. Litavrin, *Vlahi vizantijskih istočnikov X–XIII ve, in: Jugo-vostočna Evropa v sredenje veka*, Kiišinjev 1972, pp. 91–138; P. Nasturel, *Les Valaques balkaniques aux X–XIIIe 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 century\(^9\). 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 Balkans\(^12\).

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: Byzantium\(^13\), the Bulgarian, Serbian, Bosnian, Hungarian-Croatian states, as well as the Dubrovnik and Venetian republics\(^14\). These Christian states did not have an identical development course or identical feudal systems, but there was much mutual influence between them with

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\(^9\) 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, *Pravi razvoja osmanistike u jugoslovenskom i poslijugoslovenskom 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 Cveticović, 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. Cveticović, *Uključivanje Slovena i Vlah 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 istoriografiji (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 sources\(^{15}\), in the second half of the 10\(^{th}\) century,
to the 16\(^{th}\) century when the Ottoman state stabilized its borders in the
western Balkans\(^{16}\). 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 literature\(^{17}\). 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 pe-
riod, 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 Al-
banians in Byzantine sources should come as no surprise. As Serbian medievalist Sima
Čirković 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 con-
nected 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 10\(^{th}\) century
– it considered them to be an alien and barbaric element, as it did the immigrant Slavs. Cf.
D. Šrejović et al., Istori\u0109a srpskog naroda. Od Najstarijih vremena do Mari\u0109ke bitke (1371), vol. 1,
Beograd 1994 (2\(^{nd}\) edition), p. 142.

\(^{17}\) For more information see: Z. Klodnicki et al., \u010cTradi\u0107ní agr\u0107n\u0107 kultura v kontextu
spole\u0107ensk\u0107ho vývojov\u0107d\u0107stv\u0107 Evropy a Balk\u010anu\u201d (chapter IV – M. Luković, “Transhumantrní mi-
grace pastevců v centrálních a západních oblastech Balkánu”), Brno 2012, pp. 145–196;
M. Luković, Katun a katunská organizace středověkých Vlchů v centrálních a západních oblastech
Balkánu, “Slovenský přehled. Review for the History of Central, Eastern and Southeastern
Europe” 2013, 5, pp. 387–416; M. Luković, Kne\u0107\u011bn\u0107ka 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 Balkanach: charakter, histo-
ria, transformacje, „Res Historica” 2015, 40, pp. 61–95.
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. 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 appeared.

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 members. The elder was elected...
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 *vojvoda* 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-
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”. This started the lengthy process of tying livestock breeding katuns to a certain territory and this process was called the territorialization of the katuns. 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 taxes. 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 Peninsula.

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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 (nahije, sanjak/liva, eyalet/beylerbeylik) see: H. İnaldızık [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 century. 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 Balkans. 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). 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.).

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 srednjovекovnog prava u turskim pravnim spomenicima, “Istoriski časopis” 1951/1952, 3, pp. 67–84; H. İnalçık [İnalçik], Osmansko carstvo, p. 101.

30 For more information about the filori tax see: H. İnalcık, Filori, in: Diyanet Vakfı İslam Ansiklopedisi, vol. 13, İstanbul 1996, pp. 106–107.

31 For more on the Ottoman paramilitary ranks see: B. Đurđev, O vojnucima, “Glasnik Zemaljskog muzeja” 1947, 2, pp. 75–113; M. Vasić, Martolosi u jugoslovenskim zemljama pod turskom vladavinom, Sarajevo 1967; A. Stojanovski, Dervendžistvoto vo Makedonija, Skopje 1974.
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 centuries. 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). With this the function of vojvoda was abolished since the Vlachs no longer had collective military duties.

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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, stanovište, Beograd 2004; O. Zirojević, Srbija pod turskom vlašću 1459–1804, Belgrad 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 villages. 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 župa (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 sel (village knez), and even later also kmet. The knez who led the knežina was called veliki knez or baş-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 sipahi). 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 spahiće 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 fis36. 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, Kući, Bratonožići, Bjelopavlići, Pješići, Stara Crna Gora, Piva, Banjani, Donja Morača, Rovca, Plav-Gusinje, Polimlje, Velika, Sekular, Zeta, Lješkopolje, Crnogorska 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\textsuperscript{37}. Furthermore, the tribes (pleme/fis) were often named after the prior katuns\textsuperscript{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-governments\textsuperscript{39}. 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 18\textsuperscript{th} and 19\textsuperscript{th} 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 tribe\textsuperscript{40}.

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

\textsuperscript{38} Cf. J. Erdeljnović, Kuči. Pleme u Crnoj Gori, Beograd 1981 (3\textsuperscript{rd} edition).

\textsuperscript{39} For more information see: M. Luković, Knežinska i plemenska samouprava, pp. 9–30.

\textsuperscript{40} Vuk Stefanović Karadžić, the reformer of the Serbian literary language and founder of Serbian ethnology, assessed in the first decades of the 19\textsuperscript{th} 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 situation. 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 connotation.

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 (Derdap) to Belgrade, and further along the Sava River, after the Austrian-Ottoman wars in the late 17th and early 18th

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 (cooperatives). 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 krajška 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. Novák et al., Po stopách valachov v Karpatach (Monografia), Brno 2013, p. 11; J. Buczek et al., Pasterstwo w Karpathach. 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 lived\(^{45}\). 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 voivoda 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., Istorija Mađara, Beograd 2002.

\(^{46}\) For more information see: N. Jorga [Iorga], Istorija 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 Maramureș region, on the northeastern border of Hungary, where new administrative and territorial units (komitats) were created. 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 Romînească) and Moldavia (Romanian: Moldova) which were led by vojvodas. 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 status. 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 exercised. In

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47 The royal diplomas on privileges of the Romanian subject in Maramureș from the first half of the 14th century are still in existence. Cf. O. Pečikan [Pecican], Istoriija 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 Romînească in secolele XIV–XV, Bucureşti 1973; D. C. Arion, Cneji (chnéjii) romani, Bucureşti 1938; H. H. Stahl, Contribuţii la studiul satelor devălmaşe româneşti, vols. 1–3, Bucureşti 1998; R. Popa, Țara Maramureșului în veacul al XIV-lea, Bucureşti 1970; M. Dragnev et. al., Očerki vnešnepolitičeskoy istorii moldavskogo knjažestva (poslednjaja tret XIV – načalo XIX v.), Kishinev 1987; I. Czamańska, Mołdawia 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 Ilona 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, Mołdawia 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. Ţara Romînească 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 Maramureş 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 Moldavia...

51 For more information see: K. Kadlec, Valaši a valašské právo v zemích slovanských a uherských. S úvodem podávajícím přehled teorii 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., Społeczeństwo polskie od X do XX wieku, Warszawa 1988; Z. Budzyński, Bibliografia dziejów Rusi Czerwonej (1340–1772), Rzeszów 1990; M. Parczewski (ed.), Początki sąsiedztwa. Po-granicze polsko-rusko-słowackie w średnim wieku. Materiały z konferencji – Rzeszów 9–11 V 1995, Rzeszów 1996; G. Jawor, Osady prawa wołoskiego i ich mieszkańcy na Rusi Czerwonej w późnym średniowieczu, Lublin 2004 (2nd edition); J. Goško, Nasielennja ukraïns’ich Karpat XV–XVIII st. Zasielennja, migracji, pobut, Kiiv 1976; J. Goško, Zvičaje pravo nasielennja ukraïns’ich Karpat XIV–XIX st., L’viv 1999; V. F. Inkin, Sil’s’ke suspiš’ sto Galic’kogo Prikarpat’ta v XVI–XVIII stolittâh: Istorični narisi, L’viv 2004; J. D. Isajevič, Dalniešje razvitije fiedalnych otnošenii, in: Ukrainskie Karpaty. Istoriya, Kiiv 1989.
via, the *Russian Justice* (Old East Slavic: Правда русьска, Prawda Rusĭskaya) medieval codex was in use, which applied to the agronomist population\(^{53}\).

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 Transylvania\(^{55}\) 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 15\(^{th}\) 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 Mountains\(^{56}\). The Habsburg territory bordered the Polish-Lithuanian union along most of the ridge of the Western and Central Carpathian Mountains\(^{57}\). 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-

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\(^{53}\) K. Kadlec, *op. cit.*, p. 109; I. Czamańska, *Moldawia i Wołoszczyzna*, p. 21; J. Goško, *Zvičaće 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 Érsekúvár (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 Érsekúvár/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 15\(^{th}\) century the Hussite movement emerged in Bohemia, which was opposed by Hungary. The first half of the 15\(^{th}\) 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 15\(^{th}\) 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 Porte. 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 Moldavia. The situation was similar in Transylvania, which also retained its autonomous status under Ottoman suzerainty.

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.” 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 century.

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58 Cf. I. Czamańska, Moldawia i Wołoszczyzna, pp. 321–330; O. Pečikan [Pecican], op. cit., pp. 252–253.
59 N. Jorga [Iorga], 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 (Hospitallers), inviting them to settle in the Banate of Severin and promising them revenue from the crown in Transalpina. Cf. N. Jorga [Iorga], 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 members. As a rule the members of the free village community were kinsmen, descendants of a real or fictitious ancestor. 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 community. 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 away. 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

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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 [Jorga], 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 [Jorga], op. cit., p. 54; O. Pečikan [Pecican], op. cit., p. 88.

66 Cf. G. Jawor, Osady prawa wołoskiego, 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 nemeşi in Transylvania. 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). 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.

The village community was led by an elder, the knez (Romanian: cnez/ 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 vataman often appears. In addition to having the judicial function, the knez also oversaw the collection of taxes and order, coordinated the eco-

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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 Voivodatului 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, Scrieri alese, 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.; Ş. Meteş, Emigrări româneşti 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 vataman 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, Scrieri alese, pp. 180, 187; K. Kadlec, op. cit., pp. 235, 323–326.
Nomic and defensive activities in the municipality. Actually, he combined the judicial and executive function in his community. In time the title of knez became hereditary and there were even cases of knezes achieving noble status (nobilitation). 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). 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 assembly. 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 previously. 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, Screri 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 wołoskiego, pp. 28, 44–46, where studies by Romanian authors are referenced (P. P. Panaitescu, D. C. Arion, R. Popa, D. Prodan, H. Stahl, Ş. Pascu, etc.).
74 For more information see: G. Jawor, Osady prawa wołoskiego, 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 grâmădă. 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. 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 organization. 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 Hungary. 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 dynasty. 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 land.

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 alee, 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 lands.\(^81\)

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*.\(^82\)

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\(^81\) 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 [Jorga], *op. cit.*, p. 52; P. Ratkoš, *Problematica colonizácie na valašskom právena na územi Slovenska*, “Historické štúdie” 1980, 24, p. 194; G. Jawor, *Osady prawa wołoskiego*, p. 62; O. Pečikan [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 rights.

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: Těšínsko, 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.

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 salaších, Rožnov pod Radhoštěm 2007; J. Langer, Geneze metodiky historiků a etnografů, potřeby vědeckých výstupů bádání na Valašsku v posledních stoletích, 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, Osdělení severního Slovenska, Košice 1985; J. Podolák, Tradičné ovčiarstvo na Slovensku, Bratislava 1982; K. Dobrovolsk, Zderzenie kultury rolniczej z pasterską, „Sprawozdania z Czynności i Posiedzeń PAU” 1939, 5; K. Dobrovolski, Studia nad kulturą pasterską w Karpatach północnych. Typologia wędrówek pasterskich od XIV do XX wieku, „Wierchy” 1960, p. 29; I. Czamańska, Wołosi – strażnicy gór, in: Kalendiarz 2014. Informacje pasterskie, Koniaków 2013; J. Podolák, Polonínske hospodárstvo Huculov v ukrainískych Karpatach, “Slovenský národopis” 1960, 2, pp. 193–292; J. Vlăduțiu, Almenwirtschaftliche Viehhaltung und Transhumanze im Brangbeit (Südkarpaten, Rumänien), in: Viehzucht und Hirtenleben in Ostmitteleuropa. Erganzungs Studiinen, Budapest 1961, pp. 197–242; D. Prodan, Iobâgia in Transilvania in secolul al XVI-lea, vol. 1, București 1969.
Rutenicalis\textsuperscript{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 14\textsuperscript{th} century\textsuperscript{85}. Later documents, from the second half of the 14\textsuperscript{th} 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 union\textsuperscript{86}. 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 15\textsuperscript{th} 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)\textsuperscript{87}.

This process has several aspects\textsuperscript{88} 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 exploited\textsuperscript{89}. In various languages (Romanian, Ukrainian, Polish, Slo-
vakan, Czech) these pastures have their names\(^90\). This type of livestock breeding (primarily sheep, very few goats, and later occasionally cattle) entailed using the high mountain pastures during the summer\(^91\) and during the winter the livestock was fed in special buildings in the mountain or in the villages that the shepherds were from\(^92\). 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.

\(^90\) Ukrainian: *poloniny*; Polish: *hale*, also *poloniny* (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. 77–188.

\(^91\) 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 prawo wołoskiego*, pp. 39–57; idem, *Pasterstwo na obszarach górskich Rusi Czerwonej i Małopolski od XIV do połowy XVI wieku*, in: *Krześć stuletnia. Studiów na poświęcony Mikołaj Kříčkům z nałody 80 – róčia*, Lwów 2012, pp. 35–42; idem, *Gospodarka i osadnictwo w strefie bieszczadzkich polonin 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, *Polonínské 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 1772. 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 origin. 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 source and an increasingly larger number of synthetic legal and historical studies, con-

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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 Făgărăș 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, Zvičaevé 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. In 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 renaming 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.

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 \(\textit{nova plantation} \) 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 villages\(^{101}\). The knez received a hereditary estate \(\textit{usufructus}\) 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 \(\textit{nobilitation} \). 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

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\(^{100}\) For more information see: K. Kadlec, \textit{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: stolica), but not only on Vlach, but also on German and common law, as well as on so-called clearing rights – by clearing forests (Slovakian: \textit{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, \textit{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 knezès would be settled by the Vlach comes (župan).

The knez function was hereditary. The land books (urbar) 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 hereditary. 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 ownership. 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: váida) 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 knezès. 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

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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 Banate\(^{104}\). 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 territory\(^{105}\).

By the second half of the 14\(^{th}\) 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 state\(^{106}\). 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 agronomy. 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), wojewoda (Polish: wojewoda) 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, oficjalis 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), but that initially it was the case of use of new terms for the institution of kniaź from Vlach rights. 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). 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 state. However, they were both extinguished when they ceased to be hereditary.

As the organizer of the colonialist settlement, the kniaź had a number of privileges. 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, Zvičaеve 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 facili-
ties, 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 obliga-
tions, 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 com-
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 super-
vision of the borders of the kraina) and he was also involved in the per-
forming 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
wojwoda does not exist, based on analogue information from Hungary it is
apparent that they stemmed from the kniaź clans. Their military compe-
tencies extended over certain territories – the Vlach district (Polish: okręg
wołoski), 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 Moravia, 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.

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 Karpacech 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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**SELF-GOVERNMENT INSTITUTIONS OF NOMADIC AND SEMI-NOMADIC LIVESTOCK BREEDERS...** 93
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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