

Doctoral Dissertation

**EAGLE AND LION:
Intergation, Immigration, and Conflict on the Istrian Frontier in the
Sixteenth Century**

by

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INTRODUCTION

The Istrian Frontier

Frontiers are a fascinating phenomenon in human history. We often think of frontiers and boundaries as places where one imagined space ends and another begins. Wherever different ethnicities, cultures, religions or states meet, they result in the creation new and different entities. The Istrian peninsula was one such frontier.

The study of frontiers has grown in popularity ever since the French historian Lucien Febvre first outlined the concepts of frontiers in Europe in 1928, focusing in particular on the transition from the Middle Ages into Early Modern Times.¹ The interest in frontiers has spread to include, not only different time periods, but also a wide variety of factors from geographical and political frontiers to religious, cultural or linguistic boundaries.² Daniel Power has noted that it is “now widely accepted that each frontier is intrinsically unique” but that has not stopped attempts to classify them.³ Similarities do exist, and certain elements of a frontier are comparable across time and space, but one has to be aware what makes each frontier unique. In this sense, the Istrian frontier shares many similarities with the Venetian frontiers in Italy, especially the northern frontier with Austria.⁴ One very influential work is Peter Sahlins’ *Boundaries*, which is considered among

¹ Lucien Febvre “Frontière: the word and the concept,” *A New Kind of History: from the writings of Lucien Febvre*, tr. Keith Folca, ed. Peter Burke (London: Routledge and Keegan Paul, 1973), 208-218.

² An example of an exotic and chronologically distant topic: László Török *Between Two Worlds: The Frontier Region between Ancient Nubia and Egypt, 3700 BC – 500 AD* (Leiden: Brill, 2009).

³ There is a fundamental difference in the understanding of the concept of “frontier” in Europe (*political frontier*) and North America (*frontier of settlement*). Daniel Power “Frontiers: Terms, Concepts, and the Historians of Medieval and Modern Europe” in *Frontiers in Question. Eurasian Borderlands, 700-1700*, ed. Daniel Power and Naomi Standen, (London: MacMillan Press, 1999), 1-12.

⁴ Italian researchers have recently devoted a great deal of attention to frontier/border studies. Publications include theoretical works, as well as collected editions devoted to specific regions, among which the frontiers of Venice and Toscana. See Walter Panciera, ed., *Questioni di confine e terre di frontiera in area Veneta*, (Milan: Franco Angeli, 2009) (henceforth: Panciera, *Questioni di confine*); Elena Fasano Guarini and Paola Volpini, ed., *Frontiere di terra frontiere di mare. La Toscana moderna nello spazio mediterraneo* (Milan: Franco Angeli, 2008) (henceforth: Guarini,

the best historical and anthropological studies of a frontier. Despite his specific concern with the French/Spanish frontier, the book is nevertheless inspirational for a number of frontier studies in medieval/early modern Europe.⁵

Istria is considered a peaceful and multicultural region shared by three countries, Croatia, Slovenia and Italy. Impressions from visitors and tourists might include a warm climate, similarities with Toscana, the Mediterranean cuisine, truffles, wine cellars and, generally, good hospitality. Istria of today, however, stands in stark contrast with its past. Wars, disease, famine were just some of the calamities that plagued the peninsula in the Late Middle Ages and Early Modern Times. Furthermore, the region was divided between two great powers that vied for supremacy. Their struggle greatly affected Istria and its inhabitants.

The people living in Istria were divided as well. Venetian urban centers on the coast were populated by Romanic speakers and the feudal elite in Austrian Istria was of Germanic origin. The rural subject population, however, was predominantly Slavic – Croatian and Slovenian. Split along political lines that made them “Austrian” or “Venetian,” they had to bear the brunt of the cost of the power struggles between their lieges. And yet, these people needed to coexist. They spoke the same language, shared familial ties and worked side by side although sometimes their interests clashed. When local disputes crossed state boundaries, they drew the attention of the authorities, which brought further complications into the everyday lives of the inhabitants.

From the late fifteenth century on, a new wave of immigrants came to Istria. Fleeing the Ottoman pressure in the Balkans, these refugees settled on the Istrian frontier, welcomed by both states as a new source of manpower and taxes. They, too, had an effect on the Istrian society. These

Volpini, *Frontiere terra/mare*); Alessandro Pastore, ed. *Confini e frontiere nell'età moderna. Un confronto fra discipline*, (Milan: Franco Angeli, 2007) (henceforth Pastore: *Un confronto*). The volume dealing with the Venetian frontier focuses exclusively on the *Terra ferma*, the contiguous Venetian territory in Italy although the articles it contains provide numerous comparisons with the Istrian frontier.

⁵ Peter Sahlins, *Boundaries. The Making of France and Spain in the Pyrenees* (Berkeley, Los Angeles, Oxford: University of California Press, 1989) (henceforth: Sahlins, *Boundaries*). The province of Cerdanya in the Pyrenees shares a number of similarities with Istria with one important difference. Whereas Cerdanya was situated between two strong and centralized monarchies with a manifest tendency to form “nations,” neither Austria nor Venice displayed centralizing urges of a similar nature.

newcomers called Morlaks were different, yet similar to the Slavs already living in Istria. They spoke the same language, but some of their customs were in stark contrast, leading to strife with the old inhabitants. Moreover, coming from the Ottoman frontier, they were used to living off the frontier itself and taking advantage of the weakness of authorities and institutions, thereby creating a whole new set of problems for the inhabitants and authorities to solve.

The aim of this thesis is to explore the Istrian frontier in the sixteenth century from three different angles: cooperation, immigration and conflict. The principal goal is to see how proximity to the frontier affected the lives of the inhabitants, both old and new. Were they tolerant and receptive to newcomers, both from within the peninsula and from without? Was the boundary between the states a barrier to interaction? What was the origin of the boundary disputes and how were they resolved? Local communities and their inhabitants are in the forefront of this research, with the captains and princes relegated to the background.

In the first chapter I discuss the elements of culture that the subjects of both sides on the frontier shared. The assumption is that these traits make the process of integration much easier for those who decide to uproot and cross the boundary, either to work in the territory of the other state or to become their subjects. I then analyze the Austrian community of Boljun on the basis of parish records to test whether the inhabitants of Boljun considered their Venetian neighbors suitable partners for establishing familial ties with.

In the second chapter I trace the origins and characteristics of the Morlak immigrants in Istria as well as their settlement on both sides of the boundary. I explore their integration into Istria and the criminal side to their lives. Furthermore, I analyze them from the viewpoint of honor and justice, in order to explain why disputes were so common, not only with the old inhabitants, but also with the state authorities.

In the third chapter I analyze boundaries in Istria. I discuss the factors that affected a dispute: its recurrent nature, outside influences, as well as the role of memory in disputes. I contrast

the dispute resolution before and after the War of the League of Cambrai to identify changing patterns in conflict resolution. I also analyze symbolic aspects along with the many rituals that accompanied them. Furthermore, I discuss the impact of a changing economy on the creation and recurrence of boundary disputes.

Overview of Istrian History⁶

A frontier region of Italy in Roman times, Istria was conquered by Charlemagne and added to the March of Friuli. In the mid-tenth century the Patriarch of Aquileia was already the largest landowner on the peninsula, and with subsequent donations from Otto III and Henry IV he accrued possessions and immunities over nearly all of Istria. The second largest landowner was the Count of Istria. The first possessor of that title was Ulrich of Weimar-Orlamünde who died in 1070. He was succeeded by the Eppensteins, the margraves of Carniola and advocates of the Patriarch. After the last Eppenstein died, the Patriarch became Margrave of Istria and of Carniola, making him one of the most powerful princes in the region. These titles were only nominally theirs, as civil jurisdiction – the most important being the right to impose capital punishment - was exercised in their name by their advocates (*advocatus ecclesiae*). The title of the margrave of Istria was in the hands of the noble families of Spannheim and, after them, Andechs.⁷

The advocates slowly expanded their territory by usurping the Patriarchate. This process increased in momentum with the counts of Görz who served first as the advocates of the Patriarch

⁶ For a general summary of Istrian histories see: Carlo De Franceschi, *L'Istria. Note Storiche* (Poreč: G. Coana, 1879) (henceforth: De Franceschi, *L'Istria*); Egidio Ivetic, *Istria kroz vrijeme* (Istria through time), Collana degli Atti Vol. 30 (Rovinj: Centro di ricerche storiche-Centar za povijesna istraživanja, 2009); Same, *L'Istria Moderna. Un'introduzione ai secoli XVI–XVIII* (Trieste-Rovinj: Unione Ital. Fiume Univ. Popolare di Trieste, 1999) (henceforth: Ivetic, *L'Istria moderna*). Camillo De Franceschi, *Storia della contea di Pisino* (Venice: Editrice società Istriana di archeologia e storia patria, 1964) (henceforth: De Franceschi, *Storia*), 9-147.

⁷ See Andrej Komac, *Od mejne grofije do dežele* (From margraviate to land) (Ljubljana: Zgodovinski Inštitut Milka Kosa, 2006) (henceforth: Komac, *Od mejne grofije do dežele*).

in Friuli, and then expanded into Istria as successors of the Andechs in 1208. The title of margrave of Istria reverted to the Patriarch, but the counts of Görz managed, with the help of their *ministeriales*, to forge a county of their own – *Ysterreich* – with a seat in Pazin (German *Mitterburg*).⁸

An even greater challenge to the Patriarchate came from Venice. The *Serenissima* was vehement in its desire to subjugate the coastal cities on the Adriatic and thereby establish a trade monopoly, as well as the absolute dominion over the sea. The weakening of the Patriarchate in Istria was matched by a growing self-awareness of the coastal communes, whose aspirations were cut short by Venice. During the thirteenth century, Venice had, through raids, threats and wars, forced nearly all of the cities – Poreč, Umag, Novigrad, Koper – to “willingly” transfer their allegiance to her. Pula surrendered in 1331. The Patriarch had no other option than to acquiesce to the new situation so that a tripartite partition ensued, which saw the peninsula divided between Venice, holding the coast, the counts of Görz with their County of “Ysterreich,” and the Patriarch clinging to the remnants of his once vast territory. In fear of Venice, the city of Trieste surrendered to the Habsburgs in 1382.

Venice exerted continuous pressure in Istria, and made no secret of its ambition to solidify its hold over the entire peninsula. In the war against Sigismund of Luxemburg over Dalmatia, the Patriarchate, allied to the king, fell prey to Venice, which absorbed all of its remaining possessions in 1420. His elimination meant there were only two powers vying for Istria. The last Istrian Count of Görz, Albert IV, left his Istrian patrimony to the Habsburgs in 1374, leaving only two regional powers, Austria and Venice. Faced with problems of their own – from the Swiss in the west to the

⁸ See Peter Štih, *Goriški grofje ter njihovi ministeriali in militi v Istri in na Kranjskem* (The counts of Görz, their ministeriales and soldiers in Istria and Carniola) (Ljubljana: Znanstveni Inštitut Filozofske fakultete, 1994) (henceforth: Štih, *Goriški grofje*) and Peter Štih: “Goriški grofje in geneza Pazinske grofije” (The counts of Görz and the genesis of the county of Pazin) *Acta Histriae* 3(1994): 55-70.

Luxemburg dynasty in the east – the Habsburgs created distance from Venice by pledging their Istrian possessions to lesser dynasties.⁹

Even though Frederick III assumed control over his Istrian possessions in 1435, he avoided a direct confrontation with Venice for most of his reign. Their only dispute arose as a result of an attempt by Trieste to divert trade with Carniola to itself in 1463. With Carniolan estates staying on the side lines, Venice was triumphant and peace was reached through mediation by Pope Pius II that same year.

After Maximilian I (r. 1493 – 1519) inherited the County of Görz in 1500, Venice was suddenly faced with an increasingly strong rival in close proximity to its heartland. Maximilian had ambitions to recapture the lands lost by the Patriarchate in Friuli, which he considered imperial territory, as well as to transform his realm into a maritime power through conquest. When Venice barred him from crossing her territory with an army in order to be crowned in Rome, Maximilian declared war. The result was an utter disaster for Austria, with Venice swiftly conquering Duino, Gorizia, Trieste, Pazin, Rijeka and Postojna. Maximilian's crushing defeat sparked fear in Venice's other rivals, leading to the formation of the League of Cambrai which gave the war its name. The League included most of the major European powers, lead by the Holy See. Venetian armies were annihilated by the French at Agnadello in 1509. Fearing the French now, more than the Venetians, the Pope ended the League, and the allies signed separate peace agreements, leaving Maximilian to battle Venice alone. The war continued with interruptions until 1516. A peace treaty was signed in 1521 in Worms, and the new borders ratified in 1535 in Trent (Map 1). Austria ceded a number of possessions it lost in the war to to Venice enabling the Republic to to round off its boundaries.

This was the first of the two great wars between Venice and Austria. The second war, called the War of Gradisca or the Uskok War (1615 – 1618), pitted Austria and Spain against Venice and

⁹ These were the local dynasties of Duino and their heirs, the Walsee, who ruled in the County of Pazin from 1379 until 1435. See De Franceschi, *Storia*, 43 – 48.

its allies England and the Dutch Republic.¹⁰ With Venice triumphant in the previous war, Austria could not break her dominion over the Adriatic. The acquisition of Hungary and Croatia in 1527 increased Habsburg power, but brought with it new defensive responsibilities against the Ottoman advance. Habsburg policy, therefore, became one of continuous naval harassment carried out in their name by the Uskoks, refugees from Ottoman territories who settled in Senj and turned to piracy. From the second half of the sixteenth century their raids became ever bolder, with numerous attacks on Venetian cities in Istria. As a result, an undeclared war was already being waged in the years preceeding 1615, with grave consequences for the population of Istria. In the three years of official warfare, the peninsula was all but destroyed on both sides. After the peace treaty of Madrid in 1618, Istria stopped being a theater of war until the twentieth century.

Istria in the Sixteenth Century

The War of the League of Cambrai brought about consolidation of the border between the two powers. Austria ceded a number of small fiefs located within Venetian territory, which lead to the creation of a homogenous border that would persist until the end of the *Serenissima*. Austrian Istria comprised the County of Pazin, a direct possession of the archduke, as well as the surrounding petty fiefs. Despite Albert IV's privileges, "Ysterreich" never became a "Land" with its own estates like Styria, Carniola or Tyrol. Consequently, the nobility – as few in number as they were – was subject to the court in Ljubljana by 1530. Austrian Istria along with neighboring possessions on the Gulf of Kvarner, was attached to Carniola without being absorbed by it.¹¹ The Habsburgs had good

¹⁰ For a study of the Uskok War see: Miroslav Bertoša, *Jedna zemlja, jedan rat: Istra 1615-1618* (One land, one war: Istria 1615-1618) (Pula: Istarska naklada, 1986). Also Miroslav Bertoša, *Istra: Doba Venecije* (XVI.-XVIII. stoljeće) (Istria: the age of Venice (XVI.-XVIII. centuries) (Pula: ZN "Žakan Juri," 1995) (henceforth: Bertoša, *Istra*), 304-413.

¹¹ See Andrej Nared, *Dežela – knez – stanovi. Oblikovanje kranjskih deželnih stanov in zborov do leta 1518*. (State – prince – estates. The formation of the estates of Carniola until 1518) (Ljubljana: Zgodovinski inštitut Milka Kosa ZRC SAZU, Arhiv Republike Slovenije, 2009), 275-280. The fiefs of Kastav and Rijeka each had their own captains.

reason to maintain this separation. After a series of appointed captains who administered the County in their name, Ferdinand I began the practice of conditional sale, starting with the merchant family of Mosconi in 1533, followed by Adam Schwetkowitz in 1558 as well as others after him.¹² Afterwards, when it became clear that Venice's hold over Istria and the Adriatic could not be broken, the County of Pazin and Istria became peripheral to the Habsburgs, especially once the scope of Austrian policy changed dramatically when Charles V received the Spanish crown. Siegmund von Herberstein's abandonment of his fief of Lupoglav – the largest among the petty fiefdoms in Istria – in 1525 was just another visible sign of the diminishing prospects of Austrian Istria.¹³ The other nobles were, because of the small size of their holdings, relegated to a relatively irrelevant role in practice, making the captain of Pazin the only figure of importance in Austrian Istria.

Venetian Istria was not a unified domain either. It was composed of communities administered by a Senate appointed official (*podesta*), as well as fiefs owned by nobles. Each community was considered equal before the state and independent of each other. European powers, however, attempted to centralize control over their peripheries in the sixteenth century in order to streamline administration and make it more efficient. Venice granted the *Podesta* of Koper appellate jurisdiction over all of Venetian Istria in 1584, thereby turning him into a provincial governor. Beside him, however, there was also the Captain of Rašpor with his seat in Buzet. He was the military commander of the province in charge of defense, the frontier, and immigrants. Together, the two officials were supposed to counter-balance each other to prevent one or the other from acquiring too much power.

Valvasor considered the western part of the fief of Kastav, including Veprinac, to be part of Istria. *Der Marckt Vapriniz ligt in Liburnia, an dem Adriatischen Meer oder Sinu Flanatico, so man jetzt insgemein Isterreich beyrechnnet*. Johann Weichard von Valvasor, *Die Ehre dess Hertzogtums Krain* (Ljubljana, Nuremberg, Endter, 1689) (henceforth: Valvasor, *Die Ehre dess Hertzogtums Krain*) 3: 609.

¹² Both of these families were wealthy merchants from Ptuj. See Othmar Pickl, "Geadelte Kaufherren. Untersuchungen zum Übertritt reicher steirischer Kaufleute des 15. und 16. Jahrhunderts un den Adelsstand," *Blätter für Heimatkunde* (Steiermark) 44 (1970): 20-28.

Frontiers and Boundaries –Terminological Observation and Limitations

The basic terminological distinction used here is that between “frontier” and “boundary.”¹⁴ International law distinguishes between a boundary line and a frontier zone near that line, meaning that the “boundary girds a frontier.”¹⁵ According to Peter Taylor, the frontier is “outward-oriented while boundary is inward-oriented” with the former a zone of contact and the latter a definite line of separation. Even though the historical empires of Rome and China had walls and *limes* as visible signs of separation, these were merely parts of a wider system of fortifications within a military zone. Consequently, the frontier was ancient and the boundary a modern addition.¹⁶ It would be wrong to assume, however, that the Romans had no concept of lines delimitating space. The Roman view of their *limes* was not always the same and it could change as the defensive strategy of the empire adjusted over time.¹⁷ Similarly, when resolving boundary disputes, medieval lawyers could speak of *finis publici* as zones, and yet define them linearly with amazing precision when required.¹⁸

For the purpose of this thesis, I am using the term “frontier” in the sense of a zone, a region on both sides of the “boundary” that I define as an imaginary line separating the two states – Austria and Venice – in Istria, which may or may not be precisely defined. Boundaries could be marked

¹³ Herberstein was accused by the mayor of Vienna of even having forged Maximilian’s seal after his death in order to legalize the exchange of Lupoglav in Istria for Neuberg in Styria. See Gerhard Rill, *Fürst und Hof in Österreich: Aussenpolitik und Diplomatie* (Vienna, Cologne, Weimar: Böhlau, 1993), 162-163.

¹⁴ Anthropology introduced a third concept, “border” (also “borderland”), which carries a metaphorical meaning and focuses on peripheries and marginal groups in a society. See Renato Rosaldo, *Culture and Truth. The Remaking of Social Analysis* (Boston: Beacon Press, 1989). Also Pier Paolo Viazzo, “Frontiere e ‘confini:’ prospettive antropologiche,” in Pastore, *Un confronto*, 21-44.

¹⁵ A.Oye. Cukwurah, *The Settlement of Boundary Disputes in International Law* (Manchester: The University Press, 1967), 11-12.

¹⁶ Peter Taylor, *Political Geography, World Economy, Nation-State and Locality. 2nd ed.* (London: Longman, 1989), 145.

¹⁷ The Roman *limes* functioned as a line or barrier against low intensity threats and as a zone against major invasions. Edward N. Luttwak *The Grand Strategy of the Roman Empire. From the First Century A.D. to the Third* (Baltimore MD: The John Hopkins University Press, 1979).

¹⁸ Paolo Marchetti “Spazio politico e confini nella scienza giuridica del tardo Medioevo” in Pastore: *Un confronto*, 65-80.

with boundary markers tracing a precise line between two points, but they could also be as vague as a jointly used and undefined pasture or a forest.¹⁹

In the course of this thesis, I frequently use the terms “Austrians,” and “Venetians.” Even though the sources make mention of “Germans,” “Italians,” “Venetians,” and “Croats,” I use the aforementioned two terms for practical purposes to refer to the political affiliation of the subjects and not to their ethnicity or national identity. An “Austrian” is, therefore, the Croatian speaking peasant, the bilingual priest, the German speaking captain and so on, just as long as they are also all subjects of the House of Habsburg.

A Note Regarding Sources

The source material for this dissertation is dispersed throughout the region, as is to be expected for a frontier area divided between two powers, as well as the creation of new nation states in the last two centuries. Research on unpublished sources focused on the two main archives in Venice and Vienna.²⁰ The scarce material from Croatian and Slovenian archives was published. Furthermore, the first and third chapters are predominantly based on certain types of sources, the first on parish records, and the third on the archival fund of the Chamber of Boundaries.²¹ The second chapter dealing with the Morlak migrants is not tied to any specific source. Instead, and illustrating the elusive and complex identity of the Morlaks themselves, the chapter is based on scattered source material from different archives. This diversity of source material reflects, in my

¹⁹ The frontier and the boundaries between Venice and her neighbors in Istria were, as far as the sources attest, first defined in writing by means of the Istrian Demarcation whose two extant copies stem from the sixteenth century. See chapter three for more detail and bibliography regarding this demarcation document.

²⁰ For the sixteenth century the archives in Graz, the seat of Inner Austria, contain copies of materials kept in the Hofkammerarchiv in Vienna.

²¹ The sources are discussed in their respective chapters.

opinion the complexity of the mosaic that was the Istrian frontier and the people that interacted within it.

CHAPTER I: THE TIES THAT BIND

Introduction

The aim of this chapter is to examine the connections and relationships that were similar on both sides of the frontier, in Austrian central Istria and in the Venetian rural areas. Although there was obvious interaction between the Venetian coastal cities and the villages that belonged to them, I am interested in the rural areas closer to the boundary that separated Austrian and Venetian Istria, as that was the area with populations predominantly in contact with the neighbors on the other side of the boundary. Two important questions permeate this chapter. Firstly, was it difficult for the inhabitants of the frontier to cross the boundary and pick up with their life on the other side? And secondly, can we find examples of cooperation and integration in such communities?

In order to answer the first question it is necessary to establish whether the culture in the frontier region differed significantly on either side of the boundary. Culture is commonly defined as beliefs, values and attitudes. Beliefs can be defined as individually held subjective ideas about the nature of an object or event.²² Language is also an important aspect of culture, as it represents the “key ingredient defining group identity.”²³ Geert Hofstede further defines culture as “the collective programming of the mind that distinguishes the members of one group or category of people from others.”²⁴ Common language, values and beliefs contribute, therefore, to the cohesiveness of a group. While they might not necessarily lead to automatic acceptance and integration of a

²² Larry A. Samovar, Richard E. Porter and Edwin R. McDaniel, “Using Intercultural Communication: The Building Blocks”, in *Intercultural Communication: A reader*. ed. Larry A. Samovar, Richard E. Porter and Edwin R. McDaniel (Boston: CENGAGE Learning, 2012), 1-19: here 13, (henceforth: *Samovar*, ed., *Intercultural Communication*)

²³ Klaus Schubert, “Frontier Languages, Language Boundaries,” in *Frontiers and Borderlands: Anthropological Perspectives*, ed. Michael Rosler and Tobias Wendl (Frankfurt: Peter Lang, 1999), 201-209.

²⁴ Geert Hofstede “Dimensionalizing Cultures: The Hofstede Model in Context” in *Samovar*, ed., *Intercultural Communication*, 19-33 here 19.

newcomer, they certainly make the transition from one side of the frontier to the other easier if the culture is similar and easily understandable.

For the second question I will analyze biographical data from the village of Boljun, located in the County of Pazin, as well as the rent rolls of, both the County of Pazin, and the neighboring fief of Lupoglav. In both of these analyses, I focus on the subjects and not on the upper classes. Daily life in local communities went on regardless of what the orders from above may have been. I am assuming that “tolerance” cannot be imposed, especially not over any sizable length of time. The period under examination here is the second half of the sixteenth century. On the one hand, this is necessitated by the extant sources that do not allow such detailed look into the lives and economies in the earlier period. On the other hand, the fact that this was a period of relative peace – an absence of any official war between the two powers – means that this is the perfect time to test whether the subject population, in this case “Austrians,” harbored any visible enmity towards the “Venetians.” Since the border disputes to be discussed in a later chapter seem to have been a constant presence along the frontier, it might be assumed that these conflicts – basically, a continuation of war on a smaller scale – would have had a cumulative effect on the enmity between the subjects. This chapter will, therefore, put both assumptions to the test.

Shared language(s)

Maurizio Levak has convincingly argued that there was a continuous Slavic (Croatian) presence in rural areas of western and southern Istria since the seventh century, and certainly before the organized colonizing initiatives by Venice and Austria that began in the fifteenth century.²⁵ This is further confirmed by the presence of the Glagolithic culture throughout Istria. The Glagolithic

script, a uniquely Croatian phenomenon, can be found on inscriptions in nearly every part of Istria. Although they tend to be focused on central and western Istria, there is almost no settlement in Istria that does not have them.²⁶ In addition to the inscriptions in stone, the body of written material, of which a large part is no longer kept in Croatia, shows that even the southernmost villages like Vodnjan, have written records that alternate between Latin and Glagolitic.²⁷

A significant factor explaining the endurance of Glagolitic script was the fact that it was widely used by priests who celebrated mass in Croatian and maintained liturgical books in the vernacular as well.²⁸ Some members of the local clergy did not know any other language except Croatian.²⁹ This is not surprising, considering that the parish priests were elected by their local communities from within their ranks, with the successor often educated by the incumbent parish priest like an apprentice.³⁰ The bishops or – in case of Pazin – captains, only had the power to

²⁵ Maurizio Levak, *Slaveni vojvode Ivana* (The Slavs of Duke John) (Zagreb: Leykam International, 2007), 112-115 (henceforth: Levak, *Slaveni vojvode Ivana*).

²⁶ See Branko Fučić, *Glagoljski natpisi* (Glagolitic inscriptions) (Zagreb: JAZU, 1982).

²⁷ Ernest Radetić, *Istarski zapisi* (Istrian inscriptions) (Zagreb: Grafički zavod Hrvatske, 1969), 88.

²⁸ The visitation of Augustin Valier, bishop of Ravenna to Venetian Roč from 1579, brings many details that confirm this situation. Among other matters he states that the priests “*celebrant....more illyrico*” and that the “Illyrian” prayer books outnumber the “Latin” by at least three to one on the territory of the bishopric of Trieste. See Branko Fučić, *Iz istarske spomeničke baštine* (From the Istrian monument tradition) (Zagreb: Matica hrvatska, 2006), 108-109 (henceforth: Fučić, *Iz istarske spomeničke baštine*).

²⁹ For example, the priest Ivan Nikodinić, serving in Draguč needed to contract the translating services of his colleague from Buzet when he was summoned to appear before a religious court in 1558, since he spoke neither Italian nor Latin. See Lorenzo Tachella and Mary Madeline Tachella, *Il cardinale Agostino Valier e la riforma tridentina nella diocesi di Trieste* (Udine: Arti Grafiche Friulane, 1974), 27. The bishop of Pićan wrote in his letter to the Vatican from 1589 that the majority of his priests were “*linguae latinae prorsus ignari*” and only possessed liturgical books in the vernacular. Ivan Grah, “Pazinski kraj u izvještajima pićanskih i porečkih biskupa Svetoj Stolici (1588-1780) (The Pazin region in the relations of the bishops of Pićan and Poreč to the Holy See), *Vjesnih historijskih arhiva u Rijeci i Pazinu* 26 (1983): 201-218, here: 203 (henceforth: Ivan Grah, *Pazinski kraj*).

³⁰ Both Ivan Križmanić and Bernardin Velijani were deacons under Vicenc Frlanić before they were elected to serve as parish priests of Boljun. See Dražen Vlahov, *Matična knjiga iz Boljuna, Glagoljski zapisi od 1576. do 1640.* (The Parish Records book from Boljun, Glagolitic records from 1576 until 1640) (Pazin: Državni arhiv u Pazinu, 2011), 37-38 (henceforth: Vlahov, *Matična knjiga iz Boljuna*). Even the duration of the term of a parish priest was not uniform. Whereas in Sovinjak and Vrh they were elected on a yearly basis, in Hum it was for life as was the case in Boljun. See Fučić, *Iz istarske spomeničke baštine*, 114.

confirm the priest elect.³¹ Additionally, Croatian and Glagolitic were used for notary services rendered within or between rural communities.³²

Owing to its frontier location, Istria was, throughout the Middle Ages and the Early Modern Times, a multilingual environment, which is illustrated by Valvasor who, referring to the subject population, wrote that “the Istrians speak two languages: Istrian, which is the same as Dalmatian, and bad Italian.”³³ As a rule, the Chakavian dialect of Croatian was the everyday spoken language in rural communities. Italian, on the other hand, was both the vernacular in coastal cities and the notary language.³⁴ Furthermore, the representatives of the villages were, frequently versed in Italian. They also acted as translators for officials, especially in cases when witnesses were brought before them in criminal cases, or to testify in boundary disputes.³⁵ Consequently, speakers of both of the main spoken languages probably had little trouble blending into the other communities. Italian was more dominant in coastal cities and the Croatian hinterland, but likely being understood was not very difficult. Moreover, the linguistic and political boundaries were not congruent. The former divided between urban and rural, and the latter was located within the rural hinterland. From a linguistic standpoint, that made transfers across the boundary even easier than migration from rural to urban contexts.

³¹ *Wann der Suppan Vbersetzt wird Ist der new suppan schuldig Erung zugebenn III Hüener Vnd sy muggen solhs vnnereinander ain Suppan vnd ain podtsuppan Erwellenn die die delbenn Supan sullen Sy fur ain Haubtmann bringn der soll zu dem aid fur haltenn vnnd Bestatten.* Vjekoslav Bratulić, “Urbar pazinske grofovije 1498,” (The rent roll of the county of Pazin) *Vjesnik hrvatskog arhiva u Rijeci i Pazinu* 14 (1969): 51-159, here 10v (henceforth: Bratilić, *Urbar*). I am using the folio pagination of the transcription of the source.

³² This is evidenced by a large body of charters in glagolitic published in Dražen Vlahov, *Zbirka glagoljskih isprava iz Istre* (Collection of Glagolitic charters from Istria) (Pazin: Državni arhiv u Pazinu, 2010) (henceforth: Vlahov, *Zbirka glagoljskih isprava*).

³³ *Die Istrianer reden zweyerley Sprachen, die Histrianische die mit dem Dalmatischen übereinkommt, und Italienisch, aber schlecht.* Valvasor, *Die Ehre dess Hertzogtums Crain*, 2:329.

³⁴ There were, of course, a number of exceptions. Even though Italian was the notary language, there are wills, deeds, contracts and other documents written down in Croatian. Examples can be found in Vlahov, *Zbirka glagoljskih isprava*. Furthermore, the vernacular of coastal towns was not exclusively Italian, as is evidenced by the example of Labin, where Croatian remained the dominant language until well into the sixteenth century. For an overview of Chakavian see Janneke Kalsbeek, *The Čakavian Dialect of Orbanici near Žminj in Istria, Studies in Slavic and General Linguistics* (Amsterdam: Rodopi, 1998).

³⁵ For example: *in domo habitationis Gregorii Cherbaz zuppani eiusdem ville interpretante per comilitoni...* ASV PSC 236, *Processo delle scritture sopra le cinque difficulta che si hanno con Arciducali nel Capitaneato di Raspo*, 40r.

Local Administration

The *župan* was the focal point of the local political and social hierarchy. The origin of the word *župan* is still not certain and has been linked by linguists to several different linguistic and ethnic groups, from Slavic and Avar to even more distant roots.³⁶ The most practical definition is, to my mind, the one proposed by Sergej Vilfan who states that “by means of, as of yet unknown, tribal influences, the *župan* was a specific form of a lower level official among the southwestern Slavs, who took on a leading role in the transitional period from gentile-tribal to territorial communities”³⁷ The evolution of the office of *župan* continued independently and with different results throughout the Balkans. In medieval Croatia their role was similar to that of a count, whereas in Serbia the sovereign assumed the title of “grand *župan*.”³⁸ This process seems to have depended on a number of factors, from a geography and terrain that could determine the extent of a *županija* – area under a *župan* – to military fortune and higher politics. It seems that the fate of the *župans* in Istria was determined by imperial conquest.

Settled by Slavs in the seventh century, the peninsula became a frontier in a confrontation between the two empires and was, subsequently, incorporated into the Frankish Empire and its successor, the Holy Roman Empire, which then expanded its borders to include the city of Rijeka. The boundary set on the River Rječina separated the Empire from Croatia for a millennium. Istrian *župans* were, therefore, integrated into the imperial feudal system, which created a hierarchical

³⁶ Dražen Vlahov, *Knjiga računa općine Roč (1566-1628)* (The account book of the community of Roč) (Pazin: Državni arhiv u Pazinu, 2009), 23 (henceforth: Vlahov, *Knjiga računa općine Roč*); Nada Klaić, *Povijest Hrvata u srednjem vijeku* (History of the Croats in the Middle Ages) (Zagreb: Globus, 1990), 16-17; Maurizio Levak, “Tragovi društvenog ustrojstva istarskih Slavena” (Traces of the social organization of Istrian Slavs), in *Raukarov zbornik: Zbornik u čast Tomislava Raukara* (Raukar’s collection. Collection in honor of Tomislav Raukar) ed. Neven Budak (Zagreb: Filozofski fakultet Sveučilišta u Zagrebu, FF Press, Odsjek za povijest, 2005), 55-74, here: 62. For the Persian-Chinese connection see Nicole Pétrin “Philological notes on the early history of the Hungarians and the Slavs,” *Eurasian studies yearbook* 72 (2000): 29-111: here: 69-70.

³⁷ Sergej Vilfan, *Pravna zgodovina Slovencev* (Legal history of Slovenians) (Ljubljana: Slovenska matica v Ljubljani, 1996), 52.

³⁸ See Ivo Goldstein, “*Županije u ranom srednjem vijeku u Hrvatskoj*” (Croatian counties in the early Middle Ages), in *Hrvatske županije kroz stoljeća* (Croatian counties over the centuries), ed. Ivo Goldstein (Zagreb: Školska knjiga, 1996), 9-20.

plateau that they could not ascend. The Istrian *župan* was, thus, constrained to a local role and may, in fact, represent the most archaic form of this office among the Slavs. It has been argued that the original Slavic settlers in Istria may have been brought by Franks to serve as border guards on the frontier as peasant soldiers.³⁹ Consequently, the *župan's* role would, at least in those early days, have corresponded to that of a war lord. Two clues seem to confirm this theory. The first one is the elective nature of the *župan*. The term lasted one year, with elections taking place on the day of St. George (April 23). Based on Valvasor's description, the *župan* and his council of twelve co-judges would gather under the *loggia* where they usually met to dispense justice, and elect one among them in a unique balloting process. Each candidate would walk around carrying a wooden board and asking the gathered villagers to cast their vote. The voters would cast their vote by carving a notch on the board of the candidate they supported and the winner would be determined by simple majority.⁴⁰

The election process has a certain degree of similarity to the election of Germanic kings in the pre-migration period.⁴¹ Even the verb that Valvasor uses – *ausrufen* or acclaim – suggests pre-

³⁹ Evidence of the military character of the settlement process may be found in toponyms ("straža" or "guard") in the interior of the peninsula as well as the sporadic presence of the office of "satnik" which was an ancient term for a Croatian military officer. Levak, *Slaveni vojvode Ivana*, 97-102. The last name of Satnik appears in the rent roll of Lupoglav, ARS AS 2 597, Urbar 1573, 30v.

⁴⁰ *Vor allem aber, ist dieses bey dieser Graffschaft Mitterburg zu mercken daß jede Stadt und Marckt einen Supan oder Zupano, mit welchem Word sie einen Richter bemerken nebst zwölf Beysitzer have so in der Landschaft Sprache Sodze (Unterrichter) genenet werden. Denen ligt ob die kleine Gerichtshandel zu entscheinden. Es ist aber bey deren Wahl etwas sonderlichs zu beobachten. Um Fest Tage des heiligen Georgii, kommen diese zwölf Beysitzer und der Richter nebst der Burgerschaft und denen Bauern so zu einer Stadt oder Markt gehörig zusammen und zwar aus ihren Losche, so gleich an ihr Rathaus und auf freyem Platz gebaut ist und einem Saal oder Gallerie so gantz offen nicht ungleich (wievoll zum öfftern an verschiedenen Orten dieses ih Losche nur mit einem blossen Obdach bedeckt). In dessen Mitte ist eine steinerne Tafel oder Tisch befindlich. Wann nun bey geschehener Versammlung man zur Wahl selbst schreitet; so gehet Einer von den Beysitzern mit einem Stab und Messer versehen bey Allen herum und erforscht aus jedwedem wem aus diesen Zwölfen er gesonnen seine Stimme zu geben das selbiger zum Supan oder Zupano ausgerufen werde? So bald der gefragte seine Meinung entdeckt, schneidet er mit dem Messer die Stimme oder das Votum auf den Stab und fährt weiter fort dieselbe einzusammeln. Da dann endlich diese Zupan – oder Ober Richter Stelle auf den so die meiste Stimmen hat fällt. Valvasor, *Die Ehre dess Hertzogtums Crain*, 4:374.*

⁴¹ Valvasor's account suggests a two-tier progression in local political careers. One had to serve as judge and thereby, enter the local "aristocratic circle" before becoming eligible to become *župan*. This was, probably, a logical advancement, but it loosely resembles the elections of Germanic kings as described by Tacitus in that any man of high birth was eligible to be elected king. In the case of Istrian *župans*, one had to enjoy good standing by first becoming judge.

migration and Frankish influences.⁴² Furthermore, what followed was yet another trait that originated among tribal leaders and would later become a defining component of kingship – *largesse*. Gift-giving was a vital instrument that embodied the promise of a leader – later, ruler – to his followers; that they would prosper if they followed him.⁴³ In the case of ancient tribes and early medieval kings this revolved, typically, around the distribution of booty from raids and conquests, but later it became an expected mode of behavior for kings in general, as a sign of friendship and favor.⁴⁴ It was expected that Istrian *župans* would organize a feast – called a *likuf* or *pir* – immediately after their election. In Kastav, it was the duty of the captain to invite the parish priest and the elders of the city to dine on the Day of the Three Kings, and then, a few days afterwards, he had to prepare food and drinks for everyone in the city. This was called the “Craglieu pirr” or “Royal feast.”⁴⁵ The same word can be found in the book of expenditures of the community of Roč where the feast was at the communal expense.⁴⁶ Similarly, the heads of fraternities and parish priests had to organize a feast after their election.⁴⁷ In the rent roll of Lupoglav it is even stated that the *župan* is entitled to a lamb to aid in organizing the feast, as a form of subsidy granted by the lord.⁴⁸

Both the election and the *largesse*, which even Valvasor, writing in the seventeenth century, found peculiar, seem to my mind to be some kind of remnant of archaic leadership rituals.⁴⁹ Not

⁴² See Hans-Ulrich Wiemer, “Akklamationen im spätrömischen Reich. Zur Typologie und Funktion eines Kommunikationsrituals,” *Archiv für Kulturgeschichte* 86 (2004): 27-73.

⁴³ On *lagresse* and gift giving in Marc Shell, *Money, Language and Thought: Literary and Philosophical Economies from the Medieval to the Modern Era* (Berkeley, Los Angeles, and London: University of California Press, 1982), 24-47. A feast is a symbol of *largesse* when it is organized by someone to honor their friends, allies or subordinates from a position of power or authority, and differs from a feast that seals a diplomatic arrangement of some sort like a peace resolution or a treaty between equals.

⁴⁴ See, for example, David Bachrach, “The Exercise of Royal Power in Early Medieval Europe: the Case of Otto the Great,” *Early Medieval Europe* 17/4 (2009): 389-419, Florin Curta “Merovingian and Carolingian Gift Giving,” *Speculum* 81 (2006): 613-699.

⁴⁵ Valvasor, *Die Ehre dess Hertzogtums Crain*, 3:50.

⁴⁶ Under expenses it is listed “o *župannim pire*” (for the *župan's* feast). Vlahov, *Knjiga računa općine Roč*, 185r.

⁴⁷ Dražen Vlahov, *Knjiga oltara bratovštine sv. Mikule u Boljunu (1582-1672)* (The altar book of the fraternity of St Nicholas in Boljun (1582-1672) (Pazin: Državni arhiv u Pazinu, 2008), 11v (henceforth: Vlahov, *Knjiga oltara bratovštine*). For priests see Branko Fučić, *Iz istarske spomeničke baštine*, 114.

⁴⁸ *All jar, wan sie den suppan erwellen, gehordt inen ein lampp*, ARS AS 1 98, Urbar 1523, 18v.

⁴⁹ Organizing feasts, directing communal work and arbitrating disputes within the community are among the traits that the *župan* shares with, what is in anthropological terms called a “big-man,” that is, a leader that emerges in the context

only do they appear to confirm the military theory of the origin of Slavic settlement, but they also attest to the importance of the office of *župan* in Istria.⁵⁰ The *župan* also enjoyed benefits of a more material nature. He and, sometimes, his deputy – the *podžup* – benefited from a number of customary tax exemptions, or were entitled to a portion of the tax as recorded in the rent rolls.⁵¹ Additionally, they were allowed to keep part of the fine when adjudicating lesser court cases in the *loggia*. Serious and capital offenses, however, had to be tried before the captain. The role and function of the *župan* bore similarities with that of the *Bauermeister* in Germany and the *meriga* in Italy.⁵²

The office, naturally, included other benefits that came with power and influence. Serving as mediator between the community and the outside world probably gave the *župan* access to information and favors, not to mention experience which could further cement his authority. It should come as no surprise that many *župans* served a number of terms in their lifetime as the position probably tended to rotate among the most respected and most influential members in a community. And if the *župan* was, in a limited fashion, a local reflection of the king, what were his twelve judges if not his *concilium*, a minuscule aristocratic parliament?

of egalitarian ideology and competition. See Marshall D. Sahlins, "Poor Man, Rich Man, Big-Man, Chief: Political Types in Melanesia and Polynesia," *Comparative Studies in Society and History* 5 (1963): 285-303.

⁵⁰ Vjekoslav Bratulić "Funkcije *župana* u općinskim zajednicama na području Pazinske grofovije (XVI-XVII stoljeća)" (The role of the *župans* in communities on the territory of the County of Pazin (16th-18th centuries)), *Jadranski zbornik* 7 (1966 – 1969): 147-159.

⁵¹ Among other things, he was exempt from the tenth and various duties on cattle and wine. Usually, whenever the taxes and duties for a community are listed, there is an added phrase freeing the *župan*. For example *der zupan ist der dessem frey* Bratulić, *Urbar*, 9v.

⁵² The *Bauermeister* is already recorded in the twelfth century as a representative of the village in the margravate of Meissen. The village itself functioned as "legal entity against the outside world" See Siegfried Epperlein, *Bäuerliches Leben im Mittelalter: Schriftquellen und Bildzeugnisse* (Cologne: Böhlau, 2003), 37. Valvassor erroneously likens the *župan* to the German *Schulze* whose role was hereditary. Elected village representatives, like *župan* and *Bauermeister* probably evolved from the archaic, gentile social structure. The hereditary official such as the *Schulze*, however, is found in villages that were founded during the colonization of the eastern frontiers of the Holy Roman Empire. Heide Wunder, *Die bäuerliche Gemeinde in Deutschland* (Göttingen: Vandenhoeck & Ruprecht, 1986), 48 (henceforth: Wunder, *Die bäuerliche Gemeinde*). For the *meriga* see Augusto Cusinato, *Villici, industrianti, commercianti, le radici storiche e culturali di una vicenda di sviluppo locale : il caso di Bessica, villa dell'alto Trevigiano* (Milan: Franco Angeli, 2003), 75, 115.

The oldest extant mention of the *župan* in Istria dates back to a charter from 1199 which deals with a dispute over pastures between Pula and Barban.⁵³ As I have argued above, the office was certainly in existence from the time of the first settlements in the seventh century despite the fact that the sources do not mention it by name.⁵⁴ The *župans* role and duties underwent a transformation over the centuries, as they found themselves having to balance duties to the village with increased pressure from the lords who may have seen them as barely more than servants. The captain of the County enjoyed the privilege of confirming the *župan*-elect. This power, however, seems to have been intended as ceremonial, and when Christopher Mosconi attempted to actually wield it, he ended embroiled in a lawsuit against his subjects. His attempt to meddle in the elections of *župans* and parish priests was perceived as such a gross assault on their ancestral liberties that, sixty years later, he was still remembered as a “tyrant.”⁵⁵

The role of the *župan* seems to have been the same on both sides of the boundary. Even though the name itself is more widespread on the Austrian side of the peninsula, the rural communities on the Venetian frontier make frequent mention of the *župan*. They are found in central Istria under Venetian control (Buzet, Roč, Hum), whereas in coastal cities, there was the, more-or-less, substantially equivalent Italian title of *meriga* appearing next to the *župan*.⁵⁶ Regardless of whether one was on one side of the boundary or the other, the local administrative structure was nearly identical. The frontier communities had officials elected for yearly terms from

⁵³ *promiserunt prò se et hominibus Barbane et quod facient omnes suos vicinos iurare ita attendere, sub pena C march, arg., de qua vadia fideiussores fuerunt dictus Pribisclavus, Zupanus, Andreas f. Deutasio de Flaona, Zupanus Drasicha de Galegnana, luncogna, Bolegna de Barbana.* (emphasis mine) A.S. Minoto, “Documenta ad Forumjulii, Istriam, Goritiam, Tergestim spectantia,” *AMSI* 8(1892): 3-47, here: 19-29. Reprinted in Luka Kirac, *Crtice iz istarske povijesti* (Lines from Istrian history) (Zagreb: Nakladnički zavod Matice hrvatske, 1946), 134.

⁵⁴ Vlahov has pointed out that the Istrian Book of Boundaries or *Istarski razvod* mentions a certain *župan* Šist from Barban who had signed a charter establishing the *herbaticum* in 1140. See Vlahov, *Knjiga računa općine Roč*, 24.

⁵⁵ *fu contra Cristofforo Moscon inquisitor, sarà un esempio ad altri di non essere ingiusti, à gli sudditi ne tiranni* (emphasis mine). March 28, 1605, Pićan. The charter was published in De Franceschi, *L'Istria*, 414-424. The original charter, which was a part of the Archives of the Castle of Pazin, no longer exists.

⁵⁶ In Labin, for example, the two terms were used interchangeably *li Meriga, o Zuppani*. See Miroslav Bertoša, “Iz ugla povjesničara: toponimi, antroponimi i nadimci u Labinu i Labinštini (From a historian’s corner: toponyms, antonyms and nick names in Labin and the Labin area), *Folia onomastica croatica* 12-13 (2003-2004): 41-60, here: 53. Same may be found in the statutes of Buje from 1477 (*Zuppano ovvero Meriga*). *L'Istria*, 25 April, 1846, 22-23, 88-89.

a pool of local “peasant aristocrats” who dispensed minor justice and mediated within and outside of the communities. Seen from this perspective, the “other,” probably did not seem all that different.

Popular Beliefs

In his *Die Ehre des Herzogtums Krain*,⁵⁷ published in 1689, the Carniolan nobleman and historian Johan Weikhard von Valvasor brought to light “*the first well-described modern vampire scare*.”⁵⁸ The story centers on the Istrian peasant Jure Grando from Kringa who had died in 1656, but would afterwards rise from the grave and, according to witnesses, wander the village and knock on their doors. The villagers became aware of the threat after people started dying as a result of his alleged visits. Moreover, his widow complained to *Župan* Miho Radetić that her late husband would frequently visit her at night, molest and even rape her. Even though Valvasor dismissed these claims outright with a cynical remark that the widow was probably visited by a “very living apparition,”⁵⁹ the villagers, nevertheless, organized a proper “vampire hunt” in 1672, and, lead by their *župan*, pierced Jure's heart with a hawthorn stake. After that effort proved ineffective they scattered in fear and had to be cajoled back to the grave site. The vampire was finally killed by beheading while the local priest held the crucifix before him and read out an exorcism.

The belief in vampires or *strigoi*, as they were called in Istria, seems to have been widespread. Valvasor reports a similar event taking place in Lindar but also that he had received reports of vampire hunts in villages on Venetian territory as well.⁶⁰ He then added that even though

⁵⁷ Valvasor: *Die Ehre dess Hertzogthums Crain* 2:336-337.

⁵⁸ Massimo Introvigne, “Antoine Faivre: Father of Contemporary Vampire Studies,” in *Ésotérisme, Gnoses & Imaginaire Symbolique: Mélanges Offerts À Antoine Faivre*, Richard Caron, Joscelyn Godwin, Wouter J. Hanegraaff and Jean-Louis Vieillard-Baron, ed. (Leuven: Peeters, 2001), 598.

⁵⁹ *Ich besorge aber daß auch oft wol die Witwen zumal warnn sie noch jung und schön seynd von recht fleischlichen Geistern recht würcklich und wachsamlich beschlaffen werden.* Valvasor: *Die Ehre dess Hertzogthums Crain* 2:336-337

⁶⁰ *Vor wenig Jahren ist dergleichen geschehen zu Lindar und auch neulich erst vor gleichfalls kurtzer Zeit in einem Isterreichischem Dorff wiewol Venetianischen Gebiets. Wie auch in einem Histerreichischem Dorff Venedischen*

the authorities punished such practices severely as superstition, this did not prevent peasants from pursuing their frequent “vampire hunts.” Even though the example cited here is from the second half of the seventeenth century, it is unlikely that the practice was a novelty when it was written down. Valvasor himself cites earlier examples of similar superstitions, with the earliest one dated to 1377 in Moravia. The word used by the locals, *strigoi*, is also common in Romania⁶¹ and a related term *upyr* appears in Novgorod as early as 1047.⁶² According to Jan Máchal, the emergence of the widespread vampire superstition stems from pre-Christian Slavic ancestor worship and a dualist understanding of the perishable body and non-perishable soul. The souls of dead ancestors or unclean spirits could, therefore, return to haunt their descendants and neighbors.⁶³ Topographical evidence of Slavic mythological remnants in Istria have been found in many places and linked to the earliest settlement of the Slavs in the region in the seventh and eighth centuries, before Christianization.⁶⁴ The people of Istria also believed in witches, known even today as *štrige*, a term

Gebiets. Massen mir im Jenner 1687ten Jahrs eine fürnehme und glaubwürdige Person zugeschrieben daß in jetztemeldtem Venedisch-Histerreichischem Dorff die Bauren bey der Nacht ein Grab aufgemacht und dem Todten einen Pfahl durch den Leib gejagt. Valvasor: *Die Ehre dess Hertzogthums Crain* 2:336-337 Valvasor was not the only one commenting on the superstitions of the Slavs in Istria. His contemporary, Prospero Petronio, a medic living in Trieste, published a book in 1681 entitled *Memorie sacre e profane dell Istria* in which he described a number of “superstizioni” among the rural Slavs, including the piercing of cadavers to prevent them from rising from the grave. See Prospero Petronio, *Memories acre e profane dell’Istria*, ed. Giusto Borri and Luigi Parentin (Trieste: Tipogr. G.Coana-Giusto Borri, 1968), 43,44.

⁶¹ Jan Louis Perkowski, “The Romanian Folcloric Vampire,” in *The Vampire: A Casebook*, Alan Dundes ed. (Madison: University of Wisconsin Press, 1998), 35-46, here: 36 (henceforth: Dundes, *The Vampire*).

⁶² Felix Oinas, “East European Vampires,” in Alan Dundes, *The Vampire*, 47-56, here: 54.

⁶³ Jan Máchal, “Slavic Mythology,” in *The Vampires of the Slavs*, Jan Louis Perkowski, ed. (Cambridge MA: Slavica Publishers, Inc, 1976), 23-111, here: 26-38. Máchal also says that the Slavs in Istria believe every family has a Vukodlak (werewolf) who tries to harm the house, but also has a good household spirit, the Krsnik that battles the Vukodlak. This might be inspired by the ancient Slavic concept of the cyclical struggle between the good god Perun and the evil god Volos, but with an overlay Christianity contained in the name “Krsnik” (Baptismal).

⁶⁴ The mountaintop of Perun on Mount Učka is well known in scholarly literature. See Radoslav Katičić, “Perunovo svetište nad Mošćenicama u svjetlu toponimije i topografije” (The altar of Perun above Mošćenice in light of toponymy and topography), in *Mošćenički zbornik* 3, ed. Berislav Pavišić (Mošćenice, Katedra čakavskog sabora, 2006), 41-52; Ivo Goldstein, *Hrvatski rani srednji vijek* (The Croatian Middle Ages) (Zagreb: Novi Liber, Zavod za hrvatsku povijest Filozofskog fakulteta Sveučilišta u Zagrebu, 1995), 45, footnote 58. The name Peruncovac also appears near Gračišće in central Istria. See Maurizio Levak, *Slaveni vojvode Ivana*, 66-67 and footnote 204. An attempt of a linguistic and semiotic reconstruction of Slavic mythology and customs in Croatia can be found in Vitomir Belaj, *Hod kroz godinu: Pokušaj rekonstrukcije prahrvatskoga mitskoga svjetonazora* (Walk through a year: An attempt to reconstruct the ancient Croatian worldview) (Zagreb: Golden marketing – Tehnička knjiga, 2007). The cities of Črni grad and Beli grad (Cernogradus et Bellogradus as mentioned in 1102) have also been connected to the ancient Slavic Belobog and Černobog, the two opposing gods of light and darkness. See Zdenko Balog, “Predkršćanski i dualistički elementi u zemljopisnom nazivlju Ročkog kraja” (Pre-Christian and dualistic elements in the topography of Roč), in *Roč i Rošćina* (Roč and its surrounding), ed. Božo Jakovljević and Mirjana Pavletić (Pazin: “Josip Turčinović“, 2007), 139-150, here 141-143.

that is again linguistically related to the *strigoi*. The statutes of Dvigrad and Buzet, compiled in the first half of the fifteenth century, both contain harsh provisions against anyone attempting to use magic to cause bodily harm.⁶⁵

The *Relationes* (reports) of the Istrian bishops to the Holy See from the end of the sixteenth and the beginning of the seventeenth centuries shed further light on this matter. In his report from 1592, the bishop of Poreč, Cesar de Nores wrote that there is “superstition in Istria that he has discovered which embarrasses Istria and Dalmatia.” His successor John Lipomano said in his report from 1600 that “the province is devoid of heretics, but it is so contaminated by superstitions and maleficiencies that one cannot say that it is without taint.” The bishop of Pićan added in his report from 1589 that his bishopric, containing some ten thousand souls, was composed predominantly of “ancient Croats and some newcomers.”⁶⁶ Evidence seems to suggest that rampant superstitions were part of an existing belief structure with roots going back to the first Slavic settlement, and were shared by nearly all villagers, regardless of their political affiliation. And the presence of a frontier, as an area where different influences meet, may only have contributed to the strengthening and persistence of such superstitions. Burgundy, for instance, a frontier zone between the Holy Roman Empire and France started with witch hunts a century ahead of the trend and burnt more witches than three of Germany's greatest “superhunts” combined.⁶⁷

These shared beliefs might not have influenced the villager's attitudes towards one another to any great degree, but, together with use of the same language, they contributed to a set of joint cultural and reference points that Austrian and Venetian subjects could relate to when they interacted in a common social context, be that church, fair, dinner, marriage and so on. When swapping stories or relating events heard or seen, their shared understanding of these experiences

⁶⁵ Jakov Jelinčić, “Sličnosti između Buzetskog i Dvigradskog statuta” (Similarities between the statutes of Buzet and Dvigrad), in *Buzetski zbornik 30*, ed. Božo Jakovljević (Buzet, Katedra čakavskog sabora Buzet and Pazin: Josip Turčinović, 2004), 161-179.

⁶⁶ Quoted from Ivan Grah, *Pazinski kraj*, 201-218.

would make the symbolic meaning behind them instantly recognizable and probably made adaptation, such as when one moved into another community through marriage or when looking for work, much easier. Shared customs and beliefs contributed to the dismantling of the misconceptions regarding the “other.” If one had to contend with supernatural horrors, the neighbor on the other side of the boundary became someone who could relate to your problems and fears, even more so when the higher authorities seem to have been completely unsympathetic to these issues. In effect, these common beliefs could bond by means of joining forces against a “common enemy,” even if we think of it as an imaginary one.

What gave further legitimacy to the villagers' fears is the participation of the *župan* and the parish priest in the exorcism of the vampire. Authorities were vehemently opposed to such practices and punished participants when discovered, even if their efforts to stamp out superstition seem to have been futile ultimately.⁶⁸ What is surprising is that the local leaders, both secular and spiritual, did not merely turn a blind eye, but were actively involved. The participation of the priest is even more significant, considering the strong and repeated official condemnation of superstition.⁶⁹ One of the most famous investigations conducted by the Venetian inquisition – a unit of the Roman Inquisition – from 1579 to 1580 involved a group of people around a young nobleman, Giulio Morosini. Among them was a priest, Fra Cesare Lanza, and his involvement was of great concern to the Inquisition.⁷⁰

⁶⁷ Kathryn A. Edwards, *Families and Frontiers: Re-Creating Communities and Boundaries in the Early Modern Burgundies* (Boston: Brill Academic Publishing, 2002), 8. Also E. William Monter, *Witchcraft in France and Switzerland: the Borderlands during the Reformation* (Ithaca, NY: Cornell University Press, 1976), 193.

⁶⁸ *Solche Verfahrung mit Eröffnung deß Grabes und Durchpfählung deß toten Körpers ist unter den Istrianern auf dem Lande nemlich bey den Bauren sehr gemein. Wiewol es die Obrigkeit strafft. Denn obgleich die Obrigkeit wann es auskommt mit harter Straffe dawider eyfert weil es dem Glauben entgegen ist: geschichts nichts destoweniger gar offft.* Valvasor, *Die Ehre dess Hertzogthums Crain* 2: 336-337.

⁶⁹ Sixtus V issued a Papal Bull *Coelli et Terrae Creator* in 1586, rejecting and condemning divination, astrology and magic as products of human evil and diabolic powers. This position of the Church was repeated by Urban VIII who issued another similar bull in 1631. See Pier Luigi Pizzamiglio, *L'astrologia in Italia all'epoca di Galileo Galilei, 1550-1650* (Milan: Vita e Pensiero, 2004), 112-114, 221-224.

⁷⁰ Summary of the case in William E. Burns, *Witch Hunts in Europe and America: An Encyclopedia*, (Westport: Greenwood Press, 2003), 202-203.

Whether they merely played along with the common folk or believed in these happenings themselves, the participation of local officials gave superstition official sanction and, simultaneously, confirmed it as a real and present danger, instead of something fit only for the “empty-headed”.⁷¹ In exchange for their support, the *župan* and the priest strengthened their own authority as problem solvers and effective leaders. In light of such inner unity within the village, it is no wonder that the authorities were unable to eradicate these practices. In fact, a recent ethnological study has shown that these beliefs persist even to this day.⁷²

The prevalence of the same superstition on both sides of the boundary meant that, basically, a Venetian subject settling in Austrian territory could fit right in from the first day of arrival. In other words, most people had an easy time integrating into a new community since they already spoke the language and understood the culture. In practice, the most important change would have manifested as the swap of political allegiance, which in all likelihood, did not affect the local community in a way that would significantly alter everyday life.

The example of Jure Grando is important because it confirms that village cohesion outweighed rules imposed from above and outside the village. With constant threats from disease, famine and wars, the rural communities in Istria had to forge strong internal bonds to provide mutual support in times of need.⁷³ Competition for resources and boundary squabbles among communities further necessitated the strengthening of the division between “them” and “us”.⁷⁴ “The oppositional character of identities and loyalties” meant that groups and communities usually

⁷¹ Alberto Bolognetti, papal nuncio in Venice, wrote a report about Giulio Morosini, and added his own observations regarding a number of other superstitious activities, including love charms, divinations, and even urination on church doors to cure impotence. His letter is published in David Sanderson Chambers, Jennifer Fletcher and Brian S. Pullan, *Venice: A Documentary History, 1450–1630* (Oxford and Cambridge USA: Blackwell Publishers, 1992), 236-237.

⁷² Tomo Vinšćal, “O štrigama, štrigunima i krsnicima u Istri” (Of *štrigas*, *štriguns* and *krsniks* in Istria), *Studia ethnologica Croata* 17 (2005): 221-235.

⁷³ See Christopher Dyer's argument on the promotion of organizations like fraternities as a means of celebrating the unity of the village in the wake of disasters and economic hardships. Christopher Dyer, “The English Medieval Village Community and Its Decline,” *Journal of British Studies* 33 (1994): 407-429.

⁷⁴ In Richard Gough's “The History of Myddle” written about 1700, one can barely see any connection even with surrounding communities, let alone England. So self-absorbed was the community that “there are no English people in Myddle, only Myddle people in England.” See John R. Gills, *Commemorations: The Politics of National Identity* (Princeton: Princeton University Press, 1994), 6.

organized against their rivals, villages against other villages and “Austrians” against “Venetians.”⁷⁵ When visiting Bishop Valier attempted to change the way the communities in the parish of Buzet elected their chaplains he was met with a unified front against him and had to abandon his proposal.⁷⁶ With such an independent streak it is understandable why the opinions and superstitions of his neighbors may have, in the eyes of the parish priest, overshadowed the threat posed by Church officials. When forced to choose between the two, he sided with his community.⁷⁷

Boljun – A Case Study of “Austro-Venetian” Coöperation

Boljun is a small village located in the northeastern part of Central Istria, situated on a hill that overlooks a large plain by the foothills of Mount Učka. Its strategic location as a vantage point for observation and control the access routes from Mount Učka to the Čepić Lake⁷⁸ and further on towards the Raša Valley, was well known in Roman times. De Franceschi argued that its German name *Finale* or *Vinal*, in use until the end of the eighteenth century, was derived from the Latin word *ad fines* because it stood on the boundary between Italia and Illyricum. This theory was strengthened with finds of Roman coins in the area, as well as a stone inscription dedicated to Caius Valerius Priscus, a cloth merchant from Aquileia, which is now located on a public square in Boljun.⁷⁹ The Croatian version, Boljun, is assumed to be a bastardized derivation from the Latin *bulliere*, to spring, and it probably referred to a fresh water spring in or nearby the village, probably

⁷⁵ See the model for segmentary organization in Sahlins, *Boundaries*, 111-112. The closest one gets to a designation of identity in Istria is in the meaning of words referring to the “other.” Austrian subjects refer to their neighbors across the boundary as “Venetians” (Croatian: “Benčani”) and are in turn called “Royals/Imperials/Archdukes” (Croatian: “Kraljevci”), which is intended for the authorities to elicit the maximum possible response when they feel threatened by the “other,” and not as a designation of a national identity. See also Bertoša, *Istra*, 456-457.

⁷⁶ Branko Fučić, *Iz istarske spomeničke baštine*, 112-113.

⁷⁷ Naturally, the parish priest may have also framed his participation as a battle against the devil – he was performing exorcism, after all, making it easier to justify his actions to his superiors even if they were opposed to, what was, ultimately, an act catering to superstition.

⁷⁸ Lake Čepić was drained by an artificial canal in 1932 and is now called the Čepić field. The River Raša (Lat. Arsia, Ital. Arsa) springs from the field and flows southwards towards Raša bay.

the source of a tributary of the Boljunčica River.⁸⁰ After the Frankish conquest and the settlement of the Slavs, a number of fiefs and castles were created in close proximity to Boljun which by then would have lost a large part of its ancient *ager*.⁸¹

History of Boljun

Boljun was among the Istrian fiefs that was granted to margrave Ulrich of Weimar-Orlamünde by Emperor Henry III sometime in the mid tenth century, and which his son and heir Ulrich II donated to the Patriarchate of Aquileia in 1102.⁸² The Patriarch retained direct control of Boljun, ruling over it via appointed officials, the *gastaldi*. The Counts of Görz had been expanding their holdings in Istria at the expense of Aquileia from the late thirteenth century on. They inserted their vassals, the *ministeriales*, as fief holders whose loyalty was only nominally to the Patriarch, when in fact they owed allegiance to Görz.⁸³ Seeing his power crumbling and unable to maintain direct control over the remaining Istrian possessions, the Patriarch started handing them out as fiefs to vassals believed to be more reliable than the counts of Görz. The first fief holder of Boljun in 1356 was Giovanni Turini, a citizen of Cividale, followed by his brother Isaac. Instead of reverting to the Patriarch, Boljun was then seized by the brothers Nicholas and Albrecht of Ebberstein, lords of neighboring Lupoglav. Hugo of Duino, made margrave of Istria by the Patriarch, was able to

⁷⁹ See Camillo De Franceschi, "I castelli della Val d'Arsa. Ricerche storiche," *AMSI* 14 (1898): 337-393, here: 337-338.

⁸⁰ Petar Skok, *Etimologijski riječnik hrvatskoga ili srpskoga jezika* (Etymological dictionary of the Croatian or Serbian language), (Zagreb: JAZU, 1971), 1:234. See also Dražen Vlahov, *Knjiga oltara bratovštine*, 11-13.

⁸¹ For a detailed overview of the fiefs in the Raša valley see See Camillo De Franceschi, "I castelli della Val d'Arsa. Ricerche storiche," *AMSI* 14, (1898):135-198, 337-393 (henceforth: De Franceschi, *I castelli I*), *AMSI* 15 (1899): 152-197, 199-264 (henceforth: De Franceschi, *I castelli II*), *AMSI* 48 (1938): 212-234 (henceforth: De Franceschi, *I castelli III*).

⁸² Pietro Kandler, *Codice diplomatic istriano* 1:119, 241 (http://140.105.55.157/cgi-bin/sa/baseweb_main) (henceforth: CDI). *Nos Wodalricus filius quondam item Wodalricus Marchionis et Adeleita iugales.... castrum Pinquent, et castrum Cholm, castrum Baniol, et castrum Vrane, et castrum Letai, et castrum sancti Martini, et castrum Josilach*. Margrave Ulriik I's heirs could not hold on to their father's power and holdings after his death. After Popon died in 1101, his brother decided to retire to their ancestral domains and donated all of his Istrian possessions to the Patriarchate. See Štih, *Goriški grofje*, 152, and Komac, *Od mejne grofije*, 52.

evict these two and force them to renounce all claims to the the village in 1373.⁸⁴ He was subsequently given lifelong possession of the *villa* or village of Boljun, from which De Franceschi concludes that the castle may have been torn down in the meantime.⁸⁵ After the lords of Duino died out, a series of lesser nobles were in charge of Boljun, ending with a knight from Rijeka named Johann Zehorner who left a village “que dicitur Beun posita sub districtu Pisini” to his nephews in his will from 1452.⁸⁶ One of his heirs, Tomas Erlacher, Captain of Pazin at the time, gave his son Wolfgang the task of delivering the taxes to Emperor Frederick III in 1460, but, after the youth carelessly spent the whole sum, he was forced to pledge all of Boljun to the Emperor. Afterwards, the village was counted in the rent rolls of Pazin, beginning with the oldest preserved copy from 1498 and the subsequent rent rolls from the sixteenth century.⁸⁷ An attempt by the heirs of Tomas Erlacher to reclaim Boljun in 1532 was denied and it remained an integral part of the County of Pazin, though occasionally pledged to individuals like Christopher Mosconi in 1555 or Ivan Sinković in 1600.⁸⁸

The first census of Boljun was conducted in 1508, after Venice conquered the County at the beginning of the War of the League of Cambrai. Giovanni Navagerro, the Captain of Rašpor in charge of administering the newly conquered territories, wrote that there were only forty families living in Boljun, whereas Pazin had at the time one hundred and fifty.⁸⁹ The colonizing efforts of the von Dür and Mosconi captains in light of the waves of refugees coming from the Balkan hinterlands, slowly but surely replenished the meager population and the number of inhabitants had

⁸³ Štih, *Goriški grofje*, 149-156.

⁸⁴ Daz wir obgenannten Nickel und Albrecht dye Eberstainer noch unser erben mit dem obgenannten chastel ze **Vanyol** und auch mit den leuten noch mit irem guet fuerbaz nich cze schaffen suellen haben, und auch fuerbaz dar noch chain czuespruech noch ansprach haben sullen, und verhaizzen daz stet ze haben pey undern truwen. Original source in (quoted from De Franceschi): HHStA, Austria Intern. Cass. 25 N. 60. Published in De Franceschi, *I castelli III*, 242-243.

⁸⁵ De Franceschi only had second hand information regarding this charter, dated March 11, 1374 from the State Archives of Vienna. De Franceschi, *Castelli III*, 342 I have not been able to find the charter, but Boljun certainly had walls in the sixteenth century and the early seventeenth century when it was besieged by Venetians in 1612, in a raid that preceeded the Uskok War.

⁸⁶ Quoted from De Franceschi, *Storia*, 242.

⁸⁷ 1528, 1578, and 1597.

⁸⁸ De Franceschi, *Storia*, 243.

risen slightly by 1531 to fortyseven families, and again sharply by 1571 when Boljun numbered one hundred and one families.⁹⁰ Sources do not show at what rate the new settlers came into Boljun or if they came as individuals, families or kindreds. I would argue that it was either a gradual process, or that the newcomers integrated quickly, because the local administrative structure – with the elected *župan*, *podžup*, and the judges – remained firmly in place at the end of the sixteenth century.

Parish Records

George Pitman states that “almost all social animals form hierarchies within their communities, in which there is a social hierarchal relationship among its members and every member knows its status, although these relationships are seldom permanent and are fluid in most animal or human societies.”⁹¹ The microcosm of Boljun featured the same hierarchy found in other rural Istrian communities. The most prominent figures in the community were the *župan* and the parish priest. The priest was a point of stability in the community, since he did not change on a yearly basis like the *župan*. Moreover, the priest was also in charge of parish records, a fact which may provide the answer to the question as to whether a bias existed within the Austrian community of Boljun towards Venetians on the other side of the boundary.

Systematic record keeping of the baptized, confirmed and married inhabitants of a parish was an innovation of the Council of Trent (1545–1563) as part of a grand renovation *in capite et in*

⁸⁹ De Franceschi, *Storia*, 157. The list can be found in Riccardo Predelli, *I Libri commemoriali della Repubblica di Venezia, registi 6* (Venice: R. Deputazione Veneta di Storia Patria, 1900), 100-101.

⁹⁰ Captain von Dür compiled a list of all the heads of families subject to taxation in the County in 1531. This list was published, alongside a comparison table of the number of inhabitants in Janez Šumrada, “Podložno prebivalstvo komornega gospostva Pazin v tridesetih letih 16. stoletja” (The subject population of the chamber domain of Pazin in the thirties of the sixteenth century), *Vjesnik historijskih arhiva u Rijeci i Pazinu* 26 (1983): 81-101 (henceforth: Šumrada, *Podložno prebivalstvo*).

⁹¹ George R. Pitman, “The Evolution of Human Warfare,” *Philosophy of the Social Sciences* 43 (2011): 352-379, here: 369.

membris of the Catholic church in response to Martin Luther's teachings.⁹² Together with Dalmatia, Istria can boast the greatest number of preserved parish records from the sixteenth century, with the oldest one dating back to 1483.⁹³ The parish records of Boljun are kept today in the Archives of the Croatian Academy of Sciences in Zagreb and they contain three different types of records: baptisms (1598–1634), confirmations (1588–1658) and marriages (1576–1640).⁹⁴ Initially, during the tenure of *Pre* Vicenc Frlanić,⁹⁵ they were written in Croatian and in Glagolitic. He was killed in the last moments of the siege of Boljun in 1612 by either a stray Venetian soldier or, possibly, by someone from within the community. His death signified a break with the Glagolitic tradition. His successor, *pre* Tulio Verona, was appointed by the bishop and he switched to the usage of Italian for the two years of his time in office, which caused unrest within the community. From 1616 until the end of the book, the former pupils of Frlanić continued entering records in Glagolitic. For the purpose of my analysis, however, I set the end date to the time of Frlanić's death when "a peaceful period in the history of Boljun ended."⁹⁶

The records provide a plethora of information, owing to the habit of the priest to record the place of origin of a spouse when it was somewhere other than Boljun, as well as the father's name in the case of women. Additionally, they include godparents and witnesses, always in pairs, as well as a single sponsor for confirmation. As might be expected, the vast majority of the marriages were

⁹² See Allyson M. Poska, *Regulating the People: The Catholic Reformation in Seventeenth-Century Spain* (Leiden: Brill, 1998), 91-94.

⁹³ The oldest known parish record is the *Liber baptizatorum* from Umag from 1483. See Jakov Jelinčić, "Matične knjige župe Lanišće" (The parish records of the parish of Lanišće), *Buzetski zbornik* 20 (1995): 69-89. These others are: Labin (bapt. 1536), Bale (bapt. 1538), Buje (bapt. 1539), Rovinj (died 1553; bapt. 1560) i Vodnjan (1559). Parish records composed since after the Council of Trent until 1600: Rovinj (marr. 1564), Svetvinčenat (bapt. 1569; marr. 1581), Boljun (marr. 1576; bapt. 1598), Buzet (bapt. 1576; marr. 1579), Momjan (marr. 1579; bapt. 1584), Labin (marr. 1580), Pazin (bapt. 1582; marr. 1597), Brtonigla (bapt. 1583), Motovun (1586), Galižana (1590), Lindar (1591), Novigrad (marr. 1591; bapt. 1592), and Vodnjan (marr. 1596). These are available in original or microfilm in the State Archives of Pazin.

⁹⁴ Original in Arhiv HAZU, Zagreb, III c 4. A facsimile edition with a Latin transliteration has been published in Dražen Vlahov, *Matična knjiga iz Boljuna*. The published facsimile edition and transliteration consists of the following parts: "Glagoljski zapisi krštenih (1598-1636)" (Glagolitic records of the baptized (1598-1636)) (henceforth: LB), "Glagoljski zapisi vjenčanih 1576-1640" (Glagolitic records of the married (1576-1640)) (henceforth: LM), and "Glagoljski zapisi krizmanih (1588-1632)" (Glagolitic records of the confirmed) (henceforth: LC).

⁹⁵ Short for *prete* meaning priest.

⁹⁶ Vlahov believes that the location of his death, behind the church of St. Cosmo, raises suspicion that he may have been assassinated. Vlahov, *Matična knjiga iz Boljuna*, 36.

endogamous, with both spouses settled in Boljun. In order to ascertain whether there was a clear bias of marrying within the same political community, that is to say, if people looked for partners that shared their allegiance to Vienna, I have isolated fifty seven exogamous marriages. These include married couples whose names were recorded in the *Liber matrimoniorum*, as well as couples who may have been married before the priest started recording the weddings, or those who may have married in another parish. The names were extracted from the *Liber baptizatorum* and the *Liber confirmationum* (Table 1, Map 2).

The results show a logical diminishing of exogamous marriages with spouses coming from a greater distance from Boljun. Thirtysix marriages were with spouses coming from within a ten kilometer radius (Paz 5, Vranja 5, Brest 2, Dolenja Vas 2, Lesiščina 3, Letaj 5, Borut 1, Lupoglav 3, Šušnjeвица 1, Semić 3, Gologorica 6) with another twentyone marriages with spouses coming from outside that range (Novaki 1, Roč 1, Lanišće 1, Pićan 3, Gračišće 1, Mošćenice 1, Lindar 1, Pazin 2, Žejane 1, Buzet 3, Plomin 1, Kastav 1, Labin 1, Marčana 1, Jablanec 1, Senj 1). In order to ascertain a possible bias, one must only take into account the second group as the closest Venetian dominion lay at a distance of 11.8 km from Boljun. In this group the number of marriages with spouses originating from Venetian possessions amounts to thirtyeight percent which leads to the conclusion that there does not seem to have been a specific bias against marrying Venetian subjects. It would seem that the inhabitants of Boljun chose their spouses without regard for political allegiance, which is all the more indicative if one takes into account the fact that boundary disputes between Austrian and Venetian subjects in this period were nothing if not plentiful, as I will show in chapter three.

The Micro-hierarchy of Boljun

There is no visible *de iure* distinction in status among the inhabitants of Boljun in the sources, but an informal hierarchy certainly existed in the community. Let us consider the *župan*, for instance. There is no legal obstacle that prevented any member of the community from being elected to the post, but there are several things to consider regarding the election itself. Firstly, the position required at least a passing knowledge of languages, namely German or Italian, since the *župan* had to confer regularly with officials and often served in official capacity as translator between his villagers and the authorities. Furthermore, the candidate had to possess a certain level of experience and wisdom; even cunning. The *župan's* role was not merely a technical one. Quite often, they had to contend with those same authorities to safeguard the rights and privileges of their village, as well as to negotiate and coordinate with other *župans* in order to represent a unified front against reforms that they frequently perceived as an assault against ancient custom. This decreased the number of potential candidates even further. There was also a fair amount of politics involved, as evidenced by the example from Kastav. Valvasor noted that the candidates were in a magnanimous mood in the days leading to the election, sharing wine and liquor with their constituents in a desperate attempt to secure the election.⁹⁷ Whereas in smaller communities, like Boljun, the election campaign might not have been as exciting as the one Valvasor described, it is likely that cliques would have formed within the community. Its members probably discussed and negotiated in private before the elections, and then lobbied for “their candidate.”⁹⁸ The position of *župan* carried a number of benefits. Primarily, the position brought a certain amount of power with

⁹⁷ *Etliche Tage zuvor bezeihen sich selbige zwölf herrn gar freygebig; spendiren denen andren Wein und Brandwein zum Trunck: indem Jedwedr unter ihnen mit der Richter Würge beehrtzu werden verlangt.* Valvasor, *Die Ehre des Herzogtums Crain*, 3: 49-50. Although this example refers to judges in the city of Kastav, it seems reasonable to assume, considering the functional similarities between this office and that of the *župan*, that the election process probably did not differ significantly.

⁹⁸ Gerd Althoff argues that in all political discussions in the Middle Ages, decisions were discussed and reached in private. Public consultations were, in turn, staged. This applied to nobility, but it is likely that it really applied to any political group. See Gerd Althoff, “Colloquium familiare – colloquium secretum – colloquium publicum. Beratung im

it within the community. Power is usually defined as “relative capacity to modify others’ states by providing or withholding resources or administering punishments.”⁹⁹ Whereas the first part of the definition might not have been a vital part of the *župan*’s office, he was certainly in charge of the latter, at least in minor matters that represented the most common offenses or disputes in the community.¹⁰⁰ The administration of justice probably provided the office holder with a number of strategies that could be used to aid and favor his family and friends, and to build networks to maintain his status in the community.

Kinship

Kinship is usually seen from a biological and anthropological perspective to revolve around marriage and descent as, primarily, a subsistence and survival strategy.¹⁰¹ In terms of medieval relationships, however, Bernhard Jussen suggests that kinship, as such, should be understood to encompass a wide range of associations formed between individuals, including godparenthood, sponsorship, and even fraternities.¹⁰² Spiritual kinship, from being *compatre* at baptism or sponsor at confirmation, is considered in itself to be a much weaker tie than one produced by marriage. At the same time, it created a dense “spiritual network” before the Council of Trent limited the number of godparents to two.¹⁰³ The *Liber baptizatorum* of Boljun shows that the community adhered to the decisions of the Council, since there is no deviation from the new rule of two godparents.

politischen Leben des Mittelalters,” in *Spielregeln der Politik im Mittelalter. Kommunikation in Frieden und Fehde*, ed. Gerd Althoff (Darmstadt: Primus, 1997), 157-184.

⁹⁹ Dacher Keltner, Deborah H. Gruenfeld and Cameron Anderson, “Power, Approach, and Inhibition,” *Psychological Review* 110 (2003): 265-284, here: 265.

¹⁰⁰ A *župan* was entitled to try lesser matters in court, whereas those cases that involved sums over a certain amount or those that involved the death penalty had to be referred to a higher legal authority.

¹⁰¹ See, for example Robin Fox, *Kinship and Marriage: An Anthropological Perspective* (Cambridge: University Press, 1967).

¹⁰² Bernhard Jussen, *Spiritual Kinship as Social Practice Godparenthood and Adoption in the Early Middle Age*, tr. Pamela Selwyn (Cranbury, NJ, London, Port Credit: Associated University Press, 2000), 15-45.

Regardless of the fact that the godparent was supposed to be merely a good Christian and the Church vehemently opposed the prevalent understanding that spiritual kinship was, in effect, a form of patron/client relationship, there is little doubt that the choice of godparents and sponsors in rural communities such as Boljun reflected the social hierarchies and aspirations of the participants.

Even if some leeway was allowed and expected in cases of spiritual kinship, the marriages were another matter entirely. Despite the Church's insistence on love and free will, marriages in Istria were rarely a matter of the heart. In her study of the marriages on the territory of the diocese of Poreč, Marija Mogorović Crljenko has shown that when it came to the selection of marriage partners, “parents had a deciding role.”¹⁰⁴ Since marriages were contracted between persons of equal or similar status, forging alliances that could result in political or commercial benefits, family interests superseded the free choice of prospective spouses. Many communities in Istria even had laws against it. There was a possibility to avoid the parents’ will by having the bride voluntarily “kidnapped,” but that was, as far as the records indicate, more an exception to the rule.¹⁰⁵ Family politics, therefore, seems to have been the norm in Istrian marriages. Parish priests could have aided the eloping young couples, but one has to consider that the priests themselves were elected by the inhabitants of the communities they served in, and they probably did not want to make unnecessary enemies.

¹⁰³ See Guido Alfani, *Fathers and Godfathers: Spiritual Kinship in Early Modern Italy* (Farnham, Burlington VT: Ashgate Publishing Limited, 2009), 117.

¹⁰⁴ Marija Mogorović Crljenko, *Druga strana braka: Nasilje i (i)legitimnost u (izvan)bračnim vezama na području Porečke biskupije u prvoj polovici 17. stoljeća* (The other side of marriage: Violence and (i)llegitimacy in (extra)marital relationships on the territory of the bishopric of Poreč in the first half of the 17th century) (Zagreb: Srednja Europa, 2012), 48-51 (henceforth: Mogorović Crljenko, *Druga strana braka*).

¹⁰⁵ Mogorović Crljenko argues that “kidnappings” accounted for 4.5 percent of all marriages. See Mogorović Crljenko, *Druga strana braka*, 129-139.

Fraternities

Fraternities were an institution that provided an additional environment for social bonding. They originated in the twelfth century, influenced by the mendicant orders and the flagellant movements in Italy in the thirteenth century. The synod in Arles in 1234 set up the framework for their operation by placing them under the control of the bishop, whose duty it was to ensure that they complied with their founding charter which was, usually, of a humanitarian and religious character. Essentially, they organized social and religious events.¹⁰⁶ In Croatia, they took root in the twelfth century and flourished in the sixteenth, both as a useful tool to combat the Reformation and – especially in Istria – as a response to the calamities that had plagued the peninsula in the fifteenth and the sixteenth centuries from malaria and pestilence to war and famine.¹⁰⁷ There were hundreds of fraternities in Istria at various times, and their activities were similar on both sides of the boundary.¹⁰⁸ There were five major fraternities in Boljun. Fraternity of the Altar of St. Nicholas, Fraternity of the Altar of the Holy Body of Christ, Fraternity of St. Roch, Fraternity of St. Mary, Fraternity of St. Catherine and the Fraternity of St. Blaise.¹⁰⁹

For the purpose of this inquiry, I shall focus on the Fraternity of the Altar of St. Nicholas which was founded no later than 1582, when the account book to track revenue and expenses was bought,¹¹⁰ although it might have been older than that.¹¹¹ The fraternity probably had its rules and

¹⁰⁶ Miri Rubin, *Corpus Christi: The Eucharist in Late medieval Culture* (Cambridge: Cambridge University Press, 1991), 232-242; John Henderson, *Piety and Charity in Late Medieval Florence* (Oxford: Oxford University Press, 1994).

¹⁰⁷ See Mirjana Sladonja, “Iz prošlosti istarskih bratovština: Knjiga bratovštine Sv. Roka (Sv. Katarine i Sv. Blaža) u Boljunu (1595.-1663)” (From the history of Istrian fraternities: The Book of the fraternity of St. Roch (St Catherine and St. Blaise) in Boljun (1595-1663)), *Croatica Christiana Periodica* 52 (2003): 73-106.

¹⁰⁸ Alojz Štoković, “Bratovštine u središnjem dijelu Istre” (Fraternities in central Istria), *Vjesnik istarskog arhiva* 2/3 (1992-1993): 49-63.

¹⁰⁹ Rudolf Strohal, “Mjesto Boljun u Istri koncem 16. i početkom 17. Vijeka” (The community of Boljun in Istria at the end of the 16th and the beginning of the 17th century), *Zbornik za narodni život i običaje Južnih Slavena* 23 (1919): 215-231.

¹¹⁰ The account book opens with “and they elected Andrija Sandrović and gave him the book. And the aforementioned book was bought by Andrija Sandrović at that time” (translation mine), Vlahov, *Knjiga oltara bratovštine*, 6r.

¹¹¹ The year 1582 may have been the year when new rules regarding book-keeping came into effect. Since the revenue for the first year already lists rent from fields, it is possible that the Fraternity was founded much earlier and had acquired property in the meantime.

regulations which are not preserved. Basically, a fraternity was a rural guild which fulfilled two basic functions: to aid brothers down on their luck and save their souls.¹¹² Another, perhaps more subtle, effect was a decrease in those tensions that might lead to conflicts. Together with various festivities, they promoted a spirit of unity, so to speak, that had a calming effect on possible disputes that might arise within a community.¹¹³ It was financed from the contributions and gifts of its members as well as from income derived from its lands and cattle herds. At its head stood a “*starješina*,” elected on a yearly basis, whose duty was to take care of the accounts. In this the fraternities of Istria behaved in almost the exact same manner as their counterparts in England, and, probably, the rest of medieval and early modern Europe.¹¹⁴

The Fraternity's primary aims were the construction and maintenance of the altar of St. Nicholas, the commemoration of the festivity of the patron saint, and aid for the burial of its members. The decoration of the altar was commissioned from Gašpar Rabar, an artist from Venetian Buzet.¹¹⁵ The Fraternity did not discriminate on grounds of sex although women usually appear in the sources in place of their dead husbands.¹¹⁶ The resource pooling aspect is manifest in the fraternities' function as lender to its members.¹¹⁷ Additionally, there were many mundane expenses such as the wages for hired workers, the maintenance of fences around the fraternity's fields, road repair, and even the salaries for soldiers serving on Mount Učka in 1612.¹¹⁸ They also had to cover the costs of church oversight, including bishops' visitations and the auditors.¹¹⁹ Apart from its financial role, the fraternity provided its members with a social environment in which they

¹¹² Gary Richardson, “The Prudent Village: Risk Pooling Institutions in Medieval England,” *Journal of Economic History* 65 (2005): 386-413.

¹¹³ Wunder, *Die bäuerliche Gemeinde*, 57.

¹¹⁴ Richardson's description of medieval English fraternities, their administrative and fiscal rules seem to be in complete agreement with what we know of Istrian fraternities.

¹¹⁵ Vlahov, *Knjiga oltara bratovštine*, 24v.

¹¹⁶ Katarina, the wife of Bartul Belveder, replaced him as lease holder for a garden in 1604, the same year when 3 *libri* were spent on meat for his burial ceremonies. Vlahov, *Knjiga oltara bratovštine*, 58r.

¹¹⁷ For example, “Income from Ivan Tonšić in the name of debt” (translation mine). Vlahov, *Knjiga oltara bratovštine*, 21r.

¹¹⁸ Vlahov, *Knjiga oltara bratovštine*, 83v.

¹¹⁹ The expense of the bishop's visit equaled 20 *soldini*, the yearly revenue from leasing a house in Boljun. Vlahov, *Knjiga oltara bratovštine*, 65v.

could interact and bond through shared goals, thus, strengthening their mutual relationship and common identity.

The Belvederi Family – an Example of Cross Boundary Integration

The Belvederi family is not listed in Captain von Dür's list from 1531 meaning that they probably settled during the rule of the Mosconi family. The Belvederi were very prolific, and a number of their scions feature in the sources from the second half of the sixteenth century. The earliest mention stems from 1577, when Batišta Belveder stood witness in the marriage between Juraj Skoko of Novaki and Orsula, the daughter of late Pavle Matijašić.¹²⁰ The Belvederi may have been traders or craftsmen and were certainly among the wealthier members of the community. They may have also engaged in lending activities since a charter from 1611 shows that Šebaštijan Belveder acquired a garden belonging to the late Martin Velan through an unpaid debt.¹²¹ The Belvederi seem to have bonded with the Matijašić family early on, since Batišta Belveder is mentioned as co-owner of a piece of land, together with Petar Matijašić.¹²² This was further strengthened through a multitude of spiritual kinships between the two families. Juraj Matijašić stood witness to Matija Belveder for his wedding in 1585,¹²³ and Šebaštijan Belveder was Juraj's witness in 1603.¹²⁴

¹²⁰ LM, 82r.

¹²¹ The debt was valued at 20 *libri* and 2 *soldini*. To illustrate how much that was at the time it is worth noting that the budget of the Fraternity for that year was 58 *libri*, and that 20 *libri* amounted to the price of a cow in Roč. See Vlahov, *Knjiga oltara bratovštine*, 72v, and Dražen Vlahov, *Glagoljski rukopis iz Roča. Iz knjige crkve i bratovštine sv. Bartolomeja (1523 – 1611)* (A Glagolithic manuscript from Roč. From the book of the church and fraternity of St. Bartholomew (1523 – 1611) (Pazin: Državni arhiv u Pazinu, 2006), 26-34 (henceforth: Vlahov, *Glagoljski rukopis*).

¹²² Vlahov, *Zbirka glagoljskih isprava*, 116-117, January 10, 1583. His name is misspelled to read Baštijan **Debelvr** (emphasis mine).

¹²³ LM, 85v.

¹²⁴ LM, 93r.

Juraj Matijašić – the Nexus of the Social Hierarchy

The earliest mention of Juraj Matijašić is found in the rent rolls from 1578 when he was listed as the possessor of a lease for a mill for which he paid 1 *florin* 30 *carantani*, an above average sum for the lease in the County.¹²⁵ Running a mill probably required a good amount of investment capital, since maintenance costs alone were very high.¹²⁶ They also seem to have been very lucrative, especially if one takes into account the fact that even Christopher Mosconi, the previous captain of the County with aspirations to nobility, is listed in the same rent roll as having had a lease of his own in Beram until 1570.¹²⁷ Despite their ambition, however, the Mosconi were, first and foremost, successful merchants. Juraj's wealth is also reflected in the revenue of the Fraternity, as he is usually the member that, starting in 1587, either rented a house, a cellar or even a stove, which contributed significantly to the Fraternity's budget.¹²⁸ His appearance in Fraternity records coincides with the earliest recorded mentions of his local political career. He served as *župan* in 1586¹²⁹ and 1600¹³⁰ and, possibly several more times.¹³¹ Furthermore, he held the office of judge in 1588,¹³² and was also one of the procurators in charge of examining the account book of the Fraternity in 1603.¹³³ Since the name Matijašić is also absent from von Dür's list, he was probably a first generation migrant to Boljun.¹³⁴ However, in his long life – he was eighty six in 1603¹³⁵ – he

¹²⁵ In many other communities, the price of the lease was under one *florin*. Josip Bratulić, "Urbari pazinskog feuda XVI. stoljeća" (The rent rolls of the fief of Pazin from the sixteenth century), *Vjesnik hrvatskog arhiva u Rijeci i Pazinu* 8-9 (1963-1964): 141-204, here: 191 (henceforth: Bratulić, *Urbari pazinskog feuda*).

¹²⁶ On building and operating costs of watermills and windmills in England see John Langdon, "Water-Mills and Windmills in the West Midlands 1086-1500," *Economic History Review* 44 (1991): 424-444.

¹²⁷ Bratulić, *Urbari pazinskog feuda*, 174.

¹²⁸ He rented a house continuously from 1587 until 1600, the stove in 1603 and the cellar from 1604 until 1606. See Vlahov, *Knjiga oltara bratovštine 17r-63r*. The charters regarding the lease of space for the stove in Vlahov *Zbirka glagoljskih isprava*, 147, February 17, 1602.

¹²⁹ Vlahov, LM, 85v. However, he could have served prior to that date since *župans* kept their title as an honorific after their term expired.

¹³⁰ Vlahov, *Zbirka glagoljskih isprava*, 143-145, December 7 1600.

¹³¹ In those two years he is listed as "this year's *župan*" and in all other instances as just "*župan*." Therefore I have listed only the confirmed years in which he actually served in office although he could have been elected several more times.

¹³² Vlahov *Zbirka glagoljskih isprava*, 118-119, December 6 1588.

¹³³ Vlahov, *Knjiga oltara bratovštine*, 55r.

¹³⁴ If the stated age is correct he was born in 1517, meaning that he would have been 13 at the time von Dür's list was compiled.

seems to have become a man of means, and one who commanded respect and authority in his community.

Evidence seems to suggest that the population may have been in a constant state of flux. Of the fortyseven last names listed in Dür's list, only sixteen have an exact match in the parish records I have examined.¹³⁶ The prominent families that filled the various offices in the last few decades of the sixteenth century, Matijašić, Kurelić,¹³⁷ Rogović,¹³⁸ or Sandrović¹³⁹ all seem to have settled in Boljun after 1531 or may have changed their names. Only the Ilijašić¹⁴⁰ family had a continuous presence throughout the century.¹⁴¹ All of these families forged various links amongst themselves, whether through marriage or spiritual kinship, unsurprising for population of only five to six hundred souls. In the case of the Belvederi, it seems likely that their integration was facilitated by their connection with a person with status in Boljun – Juraj Matijašić.

The Belvederi were, likely, an Italian speaking or a bilingual family that came to Boljun from a community on Venetian soil, or from Italy proper. The evidence for their “Venetian” origin may be found in their marital and spiritual alliances (Table 2).

As I have previously argued, the choice of marriage partners was, primarily, the result of family policy. The two older scions of the Belveder family – either father and son or brothers – were Batišta and Matija. As seen in the table, Batišta Belveder seems to have forged connections to the Matijašić and Sandrović families early on and yet, both of his daughters married outside of Boljun, one in Austrian Gračišće, the other in Venetian Buzet. While Batišta's branch of the family was forging connections on a regional scale and across the state boundary, Matija's family strategy seems to have been focused locally, on Boljun proper. His daughter married Mihel Kurelić and he –

¹³⁵ LM 93r Vicenc Frlanić, the parish priest, makes specific mention of his age.

¹³⁶ It is possible that some of the names listed such as Krabbatt or Vlah were merely a reference to their place of origin and several individuals were listed by their first name (Wenatz, Lucheka) or office (Podsuppyatze) only.

¹³⁷ Mihel Kurelić was fraternity head in 1591, 1592, 1598, 1599 and 1600.

¹³⁸ Mate Rogović was *župan* in 1611 and 1613 Sep 12, 1612, 181

¹³⁹ Andrej Sandrović was head of fraternity in 1582, 1583, 1589 and 1590.

¹⁴⁰ Anton and Andrea Ilijašić both served as judges.

¹⁴¹ I am referring here only to those families that I could connect with an office of some kind, not to all the families that lived in Boljun.

or possibly a son sharing the same name – married Lucija Tominić. This strategy culminated at the turn of the century when Matija was elected *župan* in 1599 and then served as judge in the following year.¹⁴² Evidence seems to suggest that the Belvederi had, by means of marital and spiritual kinship ties, managed, not only to become accepted as members of the community of Boljun, but have also, within a generation, climbed up through the ranks of the local hierarchy to be counted among the leaders of the community. And all that despite the fact that their provenience was likely “Venetian” as attested not only by the marriage of Batišta's daughter Klara to Danijel Ribar from Buzet, but also by the probably, much more prestigious marriage of Baštijan Belveder to Dominika Manzoni from Labin.

The Manzoni Connection

Labin was a possession of the Patriarchs of Aquileia until the Venetian conquest in 1420. Ethnically and linguistically, the city was predominantly Slavic in the fifteenth century, as evidenced by Marino Sanudo who wrote in 1483 of his amazement that the population was almost entirely Slavic with no Italian language proficiency.¹⁴³ The commune, for centuries, closely interacted with neighboring Slavic communities in the Gulf of Kvarner and even its statute seems to have been heavily influenced by those of Veprinac, Mošćenice and Kastav.¹⁴⁴ It was in the sixteenth century that a noticeable influx of new settlers – craftsmen mostly – from northern Italy arrived.

¹⁴² Matija Belveder is mentioned explicitly as judge in a sentence. Vlahov, *Zbirka glagoljskih isprava*, 144-145, December 7 1600. His tenure as *župan* is mentioned in the account book of the Fraternity as “income from *župan* Matija for the lease of a garden” (translation mine). Despite his last name not being mentioned specifically, he was listed as Matija Belveder for that same lease in the preceding and following years. See Vlahov, *Knjiga oltara bratovštine*, 38r, 41v, 44r.

¹⁴³ “Qui é tutti Schiauoni e non sano latin, cosa che a mi era Miranda.” *Itinerario di Marin Sanuto per la terraferma veneziana, nell'anno 1483* (Padova: Dalla Tipografia del Seminario, 1847), 156.

¹⁴⁴ Nikola Žic “Iz latinskog statuta grada Labina u Istri” (From the Latin statute of the city of Labin in Istria), *Mjesečnik pravničkoga društva* 65 (1939): 75-84, here: 6.

They appear to have transformed Labin into a center of craftsmanship in Istria.¹⁴⁵ The Manzoni, who later joined the ranks of the patricians and nobles of Labin,¹⁴⁶ may have been a part of this wave of settlers and the Belvederi could have come with them. Seeing how Boljun controlled the northern entrance to the Raša valley, it would have made a logical link in a distribution chain for manufactured goods from Labin towards Pazin and other parts of the County or to Venetian possessions in continental northern Istria.

While there are no records to substantiate this “mercantile hypothesis” there is evidence of a close connection between the Belvederi and the Manzoni of Labin: the marriage between Baštijan Belveder and Dominika Manzoni. The name of her father, Inžepo **Demonzon** (emphasis mine), as he is recorded in the *Liber Confirmationum*, suggests that he may already have been considered one of the patricians of Labin.¹⁴⁷ However, this seems to have been a period when social barriers, especially among the new migrants, were still not fully erected. The notary book of Bartolomej Gervazije suggests that neither hierarchical tensions nor a dislike of foreigners were a feature of life in Labin.¹⁴⁸ In such a vibrant and dynamic environment it may have been perfectly acceptable for someone who may have already have been among the ranks of patricians in Labin to give his daughter to the scion of a family that could have been on the way to becoming peasants, but had not yet reached that point. A downward social mobility was, after all, not unheard of in Istria.¹⁴⁹ For a group of enterprising immigrants from a common place of origin, it was entirely possible to forge marital alliances across boundaries and across growing social chasms as part of a long term family strategy. Dominika herself seems to have been welcomed and accepted into the community of

¹⁴⁵ See Zoran Ladić, “Labinsko društvo u ranom novom vijeku u zrcalu bilježničkih dokumenata bilježnika Bartolomeja Gervazija” (The society of Labin in the early modern ages in light of the notary documents of the notary Bartolomej Gervazije), *Historijski zbornik* 61 (2009): 47-70, here: 64-66 (henceforth: Ladić, *Labinsko društvo*).

¹⁴⁶ Lia De Luca, “Giurisdizione, cultura e conflitti ad Albona intorno alla metà del Settecento” *Acta Histriae* 18 (2010): 937-960, here: 939; Sergio Cella, *Albona (d'Istria)* (Trieste: Libreria Editrice L. Capelli, 1964), 81.

¹⁴⁷ LC, 129r. In 1607 he is listed as DeMonozon whereas in 1599 he was listed as just Inžepo Manzoni. LB 1v.

¹⁴⁸ Ladić, *Labinsko društvo*, 68-69.

¹⁴⁹ Baldasar Bolderstan or Walterstein as he was called in German, was a noble and vice captain of Pazin in 1491 when he left a Croatian inscription on the walls of the church of St. Anthony in Barban. He was also an heir to a family that were lords of the castle of Račice in the Middle Ages and yet, his descendants became serfs throughout the villages surrounding Račice. See Branko Fučić, *Iz Istarske spomeničke baštine*, 308-309.

Boljun with ease. In the first decade of the seventeenth century she continuously figures as godmother of the children from Boljun.¹⁵⁰ Moreover, after Bartol Belveder died in 1603, his wife Katarina from Buzet immediately took over the lease of his garden.¹⁵¹ An additional detail reflecting the prestige of the Belveder family can be gleaned from the fact that in 1599, Baštijan was named godfather to Laura Barbara, the daughter of Baron Sigismundo Barbo, lord of Paz and Kožljak, jointly with the daughter of the chancellor of Lupoglav.¹⁵² Even though spiritual kinship between members of different social classes was not unheard of, it is still significant that it was precisely Baštijan Belveder who formed a bond with a neighboring nobleman.

Apart from their own marriages that extended family alliances well into Venetian territory, including that of Bartul Belveder with the daughter of Juraj Sotolić from Buzet,¹⁵³ their network of acquaintances may have also connected other families from Boljun with those on the Venetian side. Ivan Kovač had married Franica Brtošić of Plomin and left her a widowed mother of two at the age of twentythree. She then remarried, taking Juraj Matijašić for her husband. He was eightysix at the time and Baštijan Belveder stood as his witness.¹⁵⁴ His role as witness at the wedding may have been the result of the long-lasting connections between the two families, but it could be that he was taking care to provide for a widow that came from a community under Labin's jurisdiction where he had ample connections. Furthermore, the Belvederi frequently feature as witnesses in cases when one of the spouses came from afar,¹⁵⁵ and they also had their own witnesses from outside of Boljun.¹⁵⁶

The analysis of the Belveder family and the marriage patterns in Austrian Boljun seems to suggest two things. Firstly, there does not seem to have been a bias in Austrian Istria regarding

¹⁵⁰ LB, 5v, 6v, 8v, 10v, 12v, 13v.

¹⁵¹ Vlahov, *Knjiga oltara bratovštine*, 57r.

¹⁵² LB, 1v.

¹⁵³ LC, 125v, 125v, 130r, 130v. The Sotolić were a prominent family in Buzet. One of their number was public notary in the first half of the sixteenth century and they also counted members of the clergy and tavern owners among their ranks.

¹⁵⁴ Vlahov LM, 93r.

¹⁵⁵ For example in the marriages between Bartol Radulović from Venetian Marčana to Katarina Kirac, or Andrej Pertić from Pazin to Lucija Gortan.

marriage partners coming from Venetian territory. And secondly, subjects that came from Venetian territories were easily assimilated into the community, and could even attain positions of authority, depending on the local networks they belonged to or connections they made. Tensions certainly existed on the boundaries between the two states, and they affected both subjects and officials. The subjects, however, do not seem to have harbored ill feelings nor do they seem to have discriminated against individuals coming from the other side of the frontier. The case of the Belvederi family paints a picture of tolerance, acceptance and equality that seems to have existed within and between the communities.

“Enlightened Self-interest”

Economy and the prospect of financial gain seem to be eternal bridge builders across boundaries separating hostile societies. The rent rolls of Lupoglav represent a valuable source for the possible pacifying effect that the economy may have had on neighbors divided by boundary disputes. The oldest surviving rent roll of Lupoglav is from 1523, two years before the Herbersteins abandoned the fief and exchanged it for Neuberg in Styria, which was closer to the capital and further from the frontier.¹⁵⁷ That rent roll paints a bleak picture, full of abandoned houses and plots,¹⁵⁸ and with subjects leaving the fief.¹⁵⁹ Since the rent roll was taken not long after the War of the League of Cambrai it seems logical that there are no Venetian subjects mentioned as holders of possessions or lands on the fief. From this period, however, one can glean some evidence of cross-

¹⁵⁶ Katarina Dujanica from Novaki was witness at the marriage of Bartul Belveder

¹⁵⁷ The original is kept in the Archives of the Slovenian Republic, AS 1, 98. It was published in Danijela Juričić Čargo, “Urbar gospostva Lupoglav iz leta 1573” (The rent roll of Lupoglav from 1573) henceforth: ARS AS1, 98), in *Gospodarski razvoj lupoglavskega gospostva v 16. stoletju v luči urbarjev in urbarialnih zapisov 1523-1573* (z objavo urbarjev iz let 1523-1573) (The economic development of the fief of Lupoglav in the sixteenth century in light of the rent rolls (with the publication of the rent rolls from the years 1523-1573)), ed. Danijela Juričić Čargo (Ljubljana: Arhiv Republike Slovenije, 1993), 83-148 (henceforth: Juričić Čargo, *Gospodarski razvoj*).

¹⁵⁸ *Sollen auch etlich öde hueben sein, aber aller verbachsten bey menschen gedachtnus nit gearbeit worden.* ARS AS1, 98, 31v.

boundary cooperation from the court records of Veprinac. Among the cases heard before the vice captain of Rijeka and the council of judges was one from 1537 in which a certain debt owed by Tomo Zorić of Veprinac to Gašpar Delijić from Venetian Cres needed to be settled.¹⁶⁰ The case was settled with no apparent prejudice to the Venetian origin of Delijić. In a case from 1528, one learns that a certain Petar Panijan was unavailable for questioning since he was, at the time, residing in Venetian Roč. He seems to have been there on a temporary basis, since he sent word to the court that he would settle the dispute in due time, meaning that he probably did not want to face a possible penalty of banishment for contempt, which would prevent him from returning to his native community.¹⁶¹ Both of these cases suggest that the presence of the boundary and the recently ended war did not seem to have affected contractual obligations and work-related migrations in a significant way.

The second, reformed rent roll of Lupoglav from 1573 clarifies this even further.¹⁶² It is also more detailed, including the name and status of every tax payer in the fief. The expense book of the community of Roč indicates that there was a serious boundary dispute between Roč and Lupoglav in 1572 which forced the captain of Rašpor to ride to the boundary with a large contingent of soldiers.¹⁶³ The conflict seems to have dragged on and required another visit to the boundary in the following year.¹⁶⁴ The numerous entries indicating the travel of community representatives to Buzet to complain about stolen oxen attest to the gravity of the matter. And yet, of the seven communities that owed their allegiance to the lord of Lupoglav, one finds Venetian subjects in three of them. Three villagers from Roč – Jure Klobas, Mikel and Leonard – rented vineyards in neighboring

¹⁵⁹ *Hadt die auffgesagt, wils weitter nit halten*. ARS AS1, 98, 29r.

¹⁶⁰ Lujo Margetić, *Veprinački sudski zapisnici* (Court records of Veprinac) (Opatija: Katedra čakavskog sabora, 1997), 16r (henceforth: Margetić, *Veprinački zapisnici*).

¹⁶¹ Margetić, *Veprinački zapisnici*, 23r.

¹⁶² Original in the ARS AS2, 597. Published in Danijela Juričić Čargo, “Novoreformirani urbar gospostva Lupoglav iz leta 1573” (Newly reformed rent roll of the fief of Lupoglav) (henceforth: ARS AS2 597), in Juričić Čargo, *Gospodarski razvoj*, 149-308.

¹⁶³ “For the captain when he went with some, in fact most, soldiers to the boundary with Lupoglav” (emphasis mine). Vlahov, *Knjiga računa općine Roč*, 204r.

¹⁶⁴ Vlahov, *Knjiga računa općine Roč*, 205v.

Semić as did other non-residents from Austrian communities of Lovran and Kastav.¹⁶⁵ To the south, in Šumber, Venetians from Labin, possibly the community as a whole, owed a *zatka* for which they paid a tenth.¹⁶⁶ Furthermore, three private individuals from Labin – Ivan Kalovonić, Ivan Karlović and Kraić – all rented land in the fief of Lupoglav and paid taxes for it.¹⁶⁷ The most interesting example, however, comes from Sutivanac, neighboring the Venetian possessions of Barban and Labin. Six mills were located within the confines of this community and two of these had Venetian owners or co-owners. The “Žminjski” mill was owned by two inhabitants from Labin, Andre de Quarentz and Jakob Lucijanić.¹⁶⁸ They paid taxes to Lupoglav, but also to the St. Nicholas church in Žminj as well as to a certain Ivan Mavrinić of Žminj, who may have been the previous owner. Another mill called “Torojna” was co-owned by Marko Previlić of Venetian Barban and Anton Kaulić of Austrian Gračišće.¹⁶⁹ They seem to have represented an example *par excellence* that business knew no frontiers.

To the Austrian commissioners, it seems, the only thing that mattered was that taxes were paid. Boundary disputes that were, probably, an important topic at the time of the creation of the rent roll, do not seem to have played any part in their thinking. From additional entries in the expense book, one finds that the *župan*, *podžup* and the parish priest had visited their counterparts in Austrian Paz and Pićan regarding some business with the wine in 1574.¹⁷⁰ In fact, the tolerance and, perhaps, promotion of cross-boundary business may have been a conscious method for reduction of tensions between the two states. The city of Trieste requested in 1519 that the estates of Carniola order their peasants to buy their wine, oil and salt exclusively in their city. The estates responded

¹⁶⁵ ARS AS2, 597, 116r-117v. Venetian subjects are described as *außlennder* or foreigners and Austrians were called as *auswonner* or non-residents.

¹⁶⁶ *Zatka* was a type of privileged possession, which one paid less tax on or was completely exempt from paying taxes on. Their origins are uncertain, but they were already ancient (older than a hundred years) by the sixteenth century. See Vjekoslav Bratulić, “Zatke i zatkari u XVI. stoljeću u Istri” (Zatke and zatkari in 16th century Istria), *Jadranski zbornik* 65 (1960): 307-310; Robert Kurelić, “Sudski spor između kapetana Kristofora Moškona i žitelja Paznske knežije” (Lawsuit between Captain Christopher Moškon and the inhabitants of the County of Pazin based on court records from May 1 1545), *Vjesnik istarskog arhiva* 14-16 (2007-2009): 353-374, here: 363-364 (henceforth: Kurelić, *Sudski spor*).

¹⁶⁷ ARS AS2, 597, 182r.

¹⁶⁸ *von Alban, vonn den Venedigischen*. ARS AS2, 597, 204v.

¹⁶⁹ ARS AS2, 597, 205v.

that such a move might increase the danger of armed conflict with the Venetians should the “road be closed to them.”¹⁷¹ The estates, it seems, figured that the desire for profit would outweigh any territorial aspirations the Venetians may have tried to fulfill by taking advantage of the power vacuum following the death of Maximilian.

Conclusion

Locked between two competing regional powers, whose relationship was uneasy at best, the subjects in Istria, Austrian and Venetian alike, had to find ways to cope with the situation. The rural communities shared many similar traits. They spoke the same Slavic language, elected their *župans* and priests, performed the liturgy in their own vernacular, and feared the same superstitious horrors of their ancestors. It comes, therefore, as little surprise, that a wide network of marital and familial relations existed across boundary lines, accompanied by business interests that superseded political allegiances. The example of Austrian Boljun shows that there does not seem to have been, at least in the period following the official peace treaty between the two powers, a bias of any sort regarding marriages with Venetian subjects. Furthermore, Boljun and, likely, many other communities as well, seem to have been receptive towards migrants, both individuals and families, giving them access to the social network of the community through marriage, spiritual kinship or membership in fraternities. For those who were socially integrated into the community, even rising to the very top of the local social pyramid does not seem to have been difficult – all this at a time when tensions were rising between the two powers over the matter of Uskok piracy in the Adriatic.¹⁷² At the same time, royal commissioners apparently had little trouble allowing Venetian

¹⁷⁰ Vlahov, *Knjuga računa općine Roč*, 209r.

¹⁷¹ ARS Copy 1, 261v-266r.

¹⁷² For the Uskoks see Wendy Bracewell, *The Uskoks of Senj, Piracy, Banditry, and Holy War in the Sixteenth-Century Adriatic* (Ithaca, NY: Cornell University Press, 1992). By 1564, Venice already regarded the Uskoks as major problem.

subjects to hold land and conduct business on Austrian soil. There are abundant examples of tolerance, coöperation and integration on the frontier. Tensions between the powers that revolved around matters outside Austrian Istria did not seem to weigh heavily on the hearts and minds of the subjects in Istria.

The issue became even more complicated after 1573, when Venice started guaranteeing Ottoman ships safe passage in the Adriatic. Gunther E. Rothenberg, "Venice and the Uskoks of Senj: 1537-1618," *The Journal of Modern History* 33 (1961): 148-156.

CHAPTER II: NEW BLOOD

Introduction

On December 15 1562, Captain Daniele Badoer of Rašpor, sent a detailed letter to the *Serenissima* regarding a case of nineteen pigs confiscated from his subjects in the forest of Trstenik, on the undefined boundary between the two states in northeastern Istria. Hieronimus Petazzo, the Austrian captain of Socerb, had sent twentysix armed subjects on November 12 to carry out this task and the livestock was taken from a Venetian shepherd. Since this happened in the “forests of Rašpor,” an important source of timber for the manufacture of galley oars, – a strategic resource for Venice, and a revenue stream for the local villagers – the Captain had to respond promptly and decisively, lest he permitted his prince's jurisdiction be jeopardized by his inaction.¹⁷³ He dispatched his constable of the cavalry, Dominic Castro, to confiscate cattle belonging to Petazzo and his subjects. After capturing fortyfive animals he corresponded with the Austrian captain, but a peaceful resolution to the conflict still seemed unlikely.¹⁷⁴

Instead of backing down, Petazzo started a full diplomatic offensive by having both the vicedom of Carniola and the imperial ambassador lodge a protest with the Venetian government, as well as demanding the restitution of livestock taken by the captain of Rašpor. The issue quickly descended into an argument over jurisdiction from which there was no easy, face-saving solution. Badoer vehemently disputed Petazzo's claims, even stating that the Austrian captain had deceived his own superiors in the matter.¹⁷⁵ He added a letter by another neighboring Austrian captain,

¹⁷³ *Li boschi veramente di Raspo sopra li quali é stata fatta ditta retencione con la valle sino al confined di Vodizze continuamente sono stati goduti senza contrasto á nome di V.M. in quelli facendo remi da gali aper la casa di l'Arsenale e da questi sudditi facendossi remi piccoli da barche vendendo...* ASV PCC 236/I, 24r, December 15, 1562.

¹⁷⁴ ASV PCC 236/I, 28r.

¹⁷⁵ *Il signor vicedomino del Cragno e conseguente il Magnifico Ambassator esser inganati dal Petazzo.*

Christopher Maininger, to his report. Maininger confirmed his side of the story in the hopes that his own subjects would not suffer the brunt of the inevitable retaliation.¹⁷⁶ This letter of support did not however, seem to have given him enough legal support to end the dispute. The ambiguity of rights in the contested forest was even more complicated. Badoer himself admitted that the subjects on both sides were allowed to use the forest for pasturage during the day, and could only be fined if they remained there overnight.¹⁷⁷ Petazzo's intention was, according to Badoer, to claim the forest in order to be able to charge tax on pasture – *herbaticum* – and thereby appropriate a portion of this lucrative revenue source.¹⁷⁸ Not wanting to leave anything to chance, the Captain of Rašpor undertook a detailed inquiry throughout March of the following year, probably hoping that the sworn witness statements he planned to collect would strengthen his side's legal argument, should the matter be left to arbiters of the two states.¹⁷⁹ The captain diligently interrogated one witness after another, querying them about the events that had occurred in 1511 and 1512 – over four decades earlier – and were close to passing from living memory. According to one of the witnesses, “most of the villagers that lived in the Karst were already dead.”¹⁸⁰ Naturally, all of the men interrogated were in their later years and had witnessed the events when they were young. The Captain's goal was to confirm Venetian jurisdiction over the forests to the southwest of Mune and in this he received ample support from the twentytwo men he interrogated over the course of the investigation. The first two witnesses narrated the events leading to the loss of the seven Karst villages: Podgorje, Vodice, Novaki, Jelovica, Žejane, Gornje Mune and Donje Mune.¹⁸¹ These

¹⁷⁶ ASV PCC 236/I, 25r (Italian translation) and 26r (German original).

¹⁷⁷ *Tutti i vicini di questi Carsi per approbate consuetudini pascolano comunemente loro animali sopra il Territorio l'uno di l'altro in tempo di giorno, rittornando cadauno la notte con soi animali nel proprio Territorio. Et restando alcunno con animali in tempo di notte sopra il territorio alieno puol esser pignorato de doi animali delli rittrovati nella contrafazione.* ASV PCC 236/I, 24r.

¹⁷⁸ *Petazzo indebitamente li nomina boschi di San Servolo né in modo alcuno poteva pretender herbadego da questi sudditi.* More on *herbaticum* in chapter 3.

¹⁷⁹ The detailed account of the interrogation in ASV PCC 236/I, 34r-54v.

¹⁸⁰ *Hormai li vicini del Carso sono morti quasi tutti,* ASV PCC 236, 47r.

¹⁸¹ The Novaki mentioned here is not to be confused with Pazinski Novaki and Motovunski Novaki. This Novaki, also called Vodički Novaki was located somewhere in the proximity of Vodice, but does not seem to have been resettled after the war and vanished completely over the course of the sixteenth century. Its present location cannot be precisely

villages were under the jurisdiction of the captaincy of Rašpor and abandoned after the castle was taken in 1509 by Count Krsto Frankopan, then captain of Postojna in service to Emperor Maximilian.¹⁸² Since these witnesses could not recall the precise boundary between the communities that were once under the control of Venice, they referred Badoer to those subjects who had once inhabited those villages.¹⁸³ The interrogation of the *župan* of Slum, revealed another interesting piece of information. According to *Župan Stjepan Krbavac*, all of the villages were abandoned after the Venetian commander razed Rašpor when he could no longer defend it from the Austrians.¹⁸⁴ Following the cease fire, the population returned to the settlements south of Rašpor, but the seven villages north of the castle were no longer accessible to them. They had already been occupied by “alcuni Morlachi” who settled and lived there.¹⁸⁵

As the interrogation continued, more details came to light. Peraz Bušić, another former inhabitant of Vodice added that the occupied villages were settled by Morlaks “who came from Turkey” and they remained there for five or six years without declaring allegiance to anyone. After their return to “Turkey,” the villages were occupied by the present population subjected to the “Germans.”¹⁸⁶ Grgur Grbac, the *župan* of Račja Vas, who had lived in Jelovica before the war, added another curious detail. He testified that the Morlaks refused to pay any taxes during the six years they lived in the region. When the lord of Socerb finally called on them to pay what was due, one Morlak, who had avoided the tolls together with his companions, decided to flee saying that he

identified and is, as such, only approximate situated on Map 3. See Slaven Bertoša, “Prošlost Rašpora i Rašporskog kapetanata” (History of Rašpor and the Captaincy of Rašpor), *Buzetski zbornik* 30 (2004): 21-44, here: 32.

¹⁸² Count Krsto Frankopan was the son of Bernardin Frankapan, the lord of Morduš. For his distinguished service in the War of the League of Cambrai, Maximilian gave him Podgrad in Karst in 1510, bordering on Venetian Rašpor and controlling an important route between Trieste and Rijeka. See Matija Mesić, “Krsto Frankapan u tudjini” (Krsto Frankapan abroad), *Rad JAZU* 13 (1870): 17-79. Also Ivan Jurković, “Knez Bernardin Frankapan i njegovo doba” (Count Frankapan and his age), in *Bernardin Frankapan Modruški: Oratio pro Croatia – Govor za Hrvatsku 1522* (Bernardin Frankapan of Modruš – Oratio pro Croatia – Speech for Croatia), study, transcription and translation Ivan Jurković and Violeta Moretti (Modruš: Katedra čakavskog sabora, 2010), 17-72.

¹⁸³ *Intellectus se melius informatis rendit Steffano Kliman di Vodice che al presente sta a Trstenico vi sapria dar instruttione di queste cose.* ASV PCC 236/I, 37v.

¹⁸⁴ *Dopo che quello fu brusato tutte le ville di Raspo restorno del tutto abandonati filo al tempo si fese le tregue.* ASV PCC 236/I, 38r.

¹⁸⁵ *andetero ad habitar in quelle et rendetero obedientia alli signori Tedeschi,* ASV PCC 236/I, 39v.

owed over four hundred ducats in tolls and if he were to go to Socerb, the authorities would take them from him.¹⁸⁷ After they fled, the villages were populated by other peasants who remained there ever since.

Each new testimony added more details to the story, including the name of the Morlak who was avoiding the tolls, one Šimun Vertatić, who was probably a leading figure among his people. Furthermore, Kancijan Krpan of Lanišće maintained that the inhabitants of Lupoglav had sent Morlaks to his village with the intention of conquering this settlement as well, but that they were forcibly chased away.¹⁸⁸ The village of Dane seems to have been defended under the leadership of a Martin Rudelić who “never let any Morlak settle in his village.”¹⁸⁹ Not all Morlaks were chased away, however. According to Mauro Krpan, several of the Morlak families, including the Dušić, Brajković and Sošić families, settled and remained in Brgudac after having recognized the jurisdiction of the Captain or Rašpor.¹⁹⁰ Additional witnesses were called, including those who had moved farther away from the frontier after the war such as Gregor Scabar of Momjan who used to live in Račja Vas.¹⁹¹ In contrast with several earlier testimonies, Bernardin Grbac claimed that the Morlaks submitted to Socerb and remained in the villages. He testified that only the Morlaks of Vodice fled back to “Turkey,” after the Captain of Rašpor confiscated a few of their horses because they were interfering with his loggers in the forest.¹⁹² Mauro Tripar from Rakitović added that two Morlaks chased from Vodice sought refuge in his village. One was saved by Tripar's brother Ivan, and the other was taken in by an old man named Bušić who earned a sentence of banishment from

¹⁸⁶ *furono habitate da Morlachi che venero di Turchia, quali in stetero cinque ó sei ani, senza render obediencia ad alcuno, et senza che pagassero cosa alcuna et poi sono ritornati in Turchia, et doppo partiti li Morlachi intorno in ditte ville usurpati li vicini che de presenti li habitano quali hanno reso obediencia á imperiali.* ASV PCC 236/I, 40v.

¹⁸⁷ *Il Murlacho haveva scosso le mude insieme con tutti li altri murlachi erano venuti ad habitare ditte ville fugirno via dicendo ho scosso piu di 400 ducati de ditta muda. Se vado a San Servolo me li terrano.* ASV PCC 236/I, 42r.

¹⁸⁸ *Subdens quelli di Lupoglao mandetero ancho Murlachi ad habitare questa villa et Praperchie et li vicini ditte ville scaciorno ditti Murlachi et restorno all obediencia di San Marco.* ASV PCC 236/I, 43v.

¹⁸⁹ *non lassó mai che alcuno de soi murlachi vi habitasseo et quella rimase in tal modo sotto San Marco.* ASV PCC 236/I, 43v.

¹⁹⁰ ASV PCC 236/I, 49r. The three last names mentioned are now common in all parts of Istria, attesting to the spread of these families throughout the frontier territory.

¹⁹¹ ASV PCC 236/I, 51r,v.

Venetian territories for aiding the fugitives.¹⁹³ Some of these recollections were probably blurred by the passage of time, but they paint a detailed picture of the human tragedies that seem to have transpired during and after the war. The most intriguing question regards these newcomers from “Turkey” who lodged themselves on the Austro – Venetian frontier, as well as on the fringes of the law. Who were these Morlaks? Where did they come from? Did they stay only temporarily or return from whence they came? This chapter will shed new light on a turbulent period in the history of migrations into Istria and the people that walked the fine line between subject and outlaw.

The Meaning of Morlak

The name Morlak comes from the Greek term Μαυροβλάχοι or Mauro-Vlach, meaning “Black Vlachs.” Originally it referred to the remnants of the Romanized population that retreated before the oncoming Slavs and merged with the native population in the Balkans, turning to a more mobile way of life and inhabiting the relatively inhospitable lands not so attractive to the Slavs. Starting in the fourteenth century, the Venetians seem to have considered the Morlaks the inhabitants of the Dalmatian hinterlands.¹⁹⁴ This notion would fully crystallize in the eighteenth century when, according to Larry Wolf, the “Morlacchi nation appeared not so much as a division, but rather an aspect of the Dalmatian nation, conceived as anthropologically alien to Italy and

¹⁹² *cominciorno pagar á quelli da San Servolo et vi pagano vino hora, et á questo modo s'impatronirono de ditte ville, et fin hora li tengono*, ASV PCC 236/I, 52r.

¹⁹³ *qual Bossich per causa di haver preso ditto Murlaco in questa villa dal podesta di Capodistria fô bandito di tutte terre et lochi dell illustrissima signoria di venetia* ASV PCC 236/I, 53v.

¹⁹⁴ The Venetian authorities of Šibenik made reference to the “Morlachs and other Slavs” as a security risk to Šibenik in 1417. See Šime Ljubić, *Listine o odnošaju između južnog slavenstva i Mletačke republike: Knjiga VII od godine 1412 do 1420* (Charters regarding the relationship between South Slavs and Venice: Book 7 from year 1412 until 1420) (Zagreb: JAZU, 1882), 237. For an overview of the problems of identity in the region see: John Van Antwerp Fine, *When Ethnicity Did Not Matter in the Balkans: A Study of Identity in Pre-nationalist Croatia, Dalmatia, and Slavonia in the medieval and early-modern periods* (Michigan: University of Michigan Press, 2006) (henceforth: Fine, *Ethnicity*).

empathically backwards in customs and economy.”¹⁹⁵ John V.A. Fine adds that the Morlak was an “entirely Venetian construct,” a name that one only applied for another, and never for oneself, similarly to the use of Vlach in modern Dalmatia where it refers to everyone further away from the sea than the speaker.¹⁹⁶ Grga Novak has splendidly traced the origin and change of the term since its earliest known recorded use in 1352.¹⁹⁷ In the fourteenth century, the Morlaks were the shepherds in the hinterlands of Zadar, Šibenik and Trogir. Already in the fifteenth century, the term covered all peasants, regardless of whether they were living off agriculture or animal husbandry. This was also the time when they began to be associated with theft and robberies. A 1457 letter by Ivan, son of Prince Tomo of Krbava, is indicative. In the letter to the Senate he requested that the Venetians stop “his Morlaks,” who owe him taxes, from migrating onto Venetian territory.¹⁹⁸ When explaining why Venice should accommodate his request, he compared his Morlaks to the Venetian subjects of Crete, implying that a prince should not help another's subjects avoid taxation by granting them refuge. Additionally, Novak concluded that since the prince had not contrasted Morlaks to any of his other subjects, the term was meant to encompass all of his subjects.

The many examples cited by Novak suggest that the definition of the term underwent transformations over the centuries. In his analysis on the tolerance of the “other” in Dalmatia, Egidio Ivetic notes that, from the viewpoint of the Venetian coastal cities after the Ottoman conquest of Bosnia in 1463, there existed two different inhabitants in the hinterlands: the neighboring and familiar Morlak and the distant and even more “different” Turk. Whereas before

¹⁹⁵ Larry Wolf, *Venice and the Slavs: The Discovery of Dalmatia in the Age of Englightenment* (Stanford: Univesity of California Press, 2001), 129.

¹⁹⁶ Fine, *Ethnicity*, 571. Florin Curta argues that the term “Slavene” (Slav) “was a purely Byzantine construct designed to make sense of a complicated configuration of *ethnies* on the other side of the northern frontier of the Empire” meaning that a Slavic ethnicity, which may have been a self-designation of one particular tribe, expanded to include all Slavs; those who attacked Constantinople as allies in AD 626, as well as those who were subjected to the qagan. See Florin Curta, *The Making of the Slavs: History and Archeology of the Lower Danube Region* (Cambridge: Cambridge University Press, 2004), 118-119.

¹⁹⁷ Grga Novak, “Morlaci (Vlasi) gledani s Mletačke strane” (Morlaks (Vlachs) seen from the Venetian side), *Zbornik za narodni život i običaje – JAZU*, 45 (1971): 579-603.

¹⁹⁸ Šime Ljubić, *Listine o odnošaju između južnog slavenstva i Mletačke republike: Knjiga X od godine 1453 do 1469* (Charters regarding the relationship between South Slavs and Venice: Book 10 from year 1453 until 1469) (Zagreb: JAZU, 1890), 117.

the Ottoman expansion the Morlaks near Zadar or Split were exclusively Catholic, now the term expanded to include the orthodox refugees that settled in the Dalmatian hinterland as well.¹⁹⁹ With the formation of the frontier between the *Serenissima* and the *Sublime Porte* the Morlaks acquired an important role which contributed to a greater tolerance exhibited towards them. They fulfilled a vital function for Šibenik, to which they brought meat, grain, honey and other provisions in exchange for oil, spices, sugar, manufactured and other goods that came from Venice. Most importantly, they exported salt, a strategic commodity *par excellence* from Dalmatia to Bosnia. The Morlak was, therefore, perceived as the inhabitant of the hills and mountains in the Dinarid range, as well as a mediator between the Venetian possessions on the coast and, what Ivetic calls “Turkish Dalmatia.”²⁰⁰

A few words need to be said about the Austrian term used for these refugees, Čići (Germ. *Tschitschen*).²⁰¹ The first recorded mention of this variant stems from a Psalter written in 1463 by a Croatian Glagolitic priest, Petar Fraščić, from Lindar. At the end of the psalter he remarks that Count Ivan Frankopan of Krk raided deep into the County of Pazin, killing and wounding many, but also losing twenty of his “Čići.”²⁰² Subsequently, Čići appears in the sources in the first half of the sixteenth century used interchangeably with Morlak.²⁰³ The exact origin and meaning of this word is unclear. The later narrowing of the term to mean exclusively Istro-Romanians in Žejane or

¹⁹⁹ The elusiveness and the changing definition of the term Morlak is similar to the example of the *Ràc* people in southern Hungary. These migrants inhabiting the lands conquered by the Ottomans were, although usually labeled Serbian, were more probably a heterogenous group composed of Serbs, Bosnians and Vlachs. The term sometimes referred to Greek Orthodox inhabitants, but other times included Catholics as well. The term *Vlach* also seems to have, at least in sixteenth century infiltrated Hungarian texts and was used as a label for peasant soldiers who held land in return for military service, thereby further complicating an already complex definition. See Dóra Mérai, “*The True and Exact Dresses and Fashion.*” *Archeological Clothing Remains and their Social Contexts in Sixteenth- and Seventeenth-Century Hungary*, Archaeolingua Central European Series, vol. 5 (Oxford: Archaeopress, 2010), 45-50.

²⁰⁰ Ivetic also notes that there existed a third distinctive identifier, “the Orthodox,” but that seems to have applied in the neighborhood of Kotar in Montenegro and is, therefore, not relevant for Upper Dalmatia or Istria. Egidio Ivetic, “La toleranza verso l’ “altro” nelle città della Dalmazia veneta,” *Atti* 36 (2006): 487-504.

²⁰¹ *ist lang zeit alles öd gelegen vnd biss jetz mit Tschitzen besetzt worden*, ARS AS1, Urbar 1523, 48r.

²⁰² A *Čić kneza Ivana 20 ino 8*. (And twenty and eight of Count Ivan's Čići). *Codex slav. Sign.* 77, 131r. The commentary is written at the very end of the manuscript. The original is kept in the Austrian National Library in Vienna and it was published in Josip Hamm, *Der kommentierte glagolitische Psalter der Österreichischen Nationalbibliothek*, Schriften der Balkankommission, Ling. Abt., 19, (Vienna: Böhlau, 1967).

Šušnjevića is a modern reduction.²⁰⁴ This was, probably, the result of the ethnic homogenization among the Croats of Istria which erased differences between the old and new populations, thereby making the term redundant for the Croatian majority. In the sixteenth century, however, it was used interchangeably with Morlak, to describe the newcomers from the hinterlands.²⁰⁵ The Morlaks mentioned at the beginning of this chapter also came with a Frankopan count to Karst and Istria and were probably called Čići by Austrian subjects when they arrived. With time, however, as Čići narrowed in definition, they became Morlaks. What they all had in common is that they came from the Croatian and Dalmatian hinterlands and the Ottoman frontier. If that region provided them with enough opportunities for advancement and personal gain, why did they migrate in the first place? And why choose Istria?

The Causes of Migration

After the conquest of Constantinople in 1453, the Ottomans laid a claim to the status of a regional power in Southeastern Europe.²⁰⁶ Already in 1459, they managed to destroy the medieval Serbian state and vassalize the Venetian controlled Duchy of Naxos, as well as the Genoese colonies of Lesbos and Chios. After the conquest of Bosnia in 1463, they gained a border with Croatia prompting an alliance between the kingdom of Hungary/Croatia, Venice and the Holy Roman Empire. Ottoman raids into Venetian Dalmatia across Croatian territory sparked the first

²⁰³ In a letter to the Senate from October 10 1533, the castellan of Podgrad said “*alcuni chichi overo morlachi*”, ASV PCC 236/I, 83r.; *Processus criminalis contra Paulum croatum, murlacum, condemnatum ad furchas*. Giovanni Vesnaver, “Indice delle carte di raspo” (henceforth: Vesnaver, *Indice*), *L'Istria*, December 16 1890, 189-190, 1514.

²⁰⁴ For the meaning of Istro-Romanians as Čići see: Wilhelm Urbas, *Die Tschitschen und die Tschitscherei, ein Kulturbild aus Istrien* (Salzburg: Verlag des Deutschen und Oesterreichischen Alpenvereins in Salzburg, 1888).

²⁰⁵ This is immediately obvious from the rent-roll of Lupoglav from 1523. The composer of the rent-roll refers to all the new settlers as the “Tschitschen.” Their family names, however, reveal that 83% are of Slavic origin with roots that can be traced to Croatia, Slovenia, and Bosnia. Additionally, one finds under the common denominator or Čići last names of German (Schmidt, Schneider) and Italian (Windisch, Lah) origin. See Juričić Čargo, *Gospodarski razvoj*, 24-25.

Venetian-Ottoman war. It lasted for sixteen years resulting in the loss of several important Venetian possessions in Albania and Greece as well as the creation of a strong Ottoman navy which would in later centuries vie for control over the Eastern Mediterranean. More importantly, however, the arrival of the Ottomans in Dalmatia resulted in migratory pressure. Ottoman strategy consisted of a scorched earth raiding policy intended to terrorize the subject population on the other side of the frontier and, thereby, weaken the enemy's will and capacity to resist the impending conquest. Originally, all Ottoman warriors were the nomadic Gazi marcher lords, but as the sultans started taking cities and settling down, they replaced them with a standing army and dispatched them to the frontier, where they would inflict more harm on the enemy than on the new subject population. Eventually, they became the dreaded *akinci* raiders, and were instrumental in the conquest of Thrace, Morea, Bulgaria, Serbia and Bosnia which were devastated during their attacks.²⁰⁷ Since plunder in the form of slaves and goods was their principal motivation, their arrival struck strike fear into the subject population that did not have ready access to fortifications. Consequently, many chose to leave their lands and seek refuge further west. This is how the first Orthodox refugees came to Dalmatia and became known as Morlaks in the fifteenth century.

Akinci raids could strike deep within enemy territory and their first recorded appearance in the Duchy of Carniola dates back to 1408.²⁰⁸ In the first half of the fifteenth century they continuously terrorized Croatia and Habsburg lands, penetrating as far as Friuli.²⁰⁹ With the onset of the first Venetian-Ottoman war in 1463 they started pillaging Istria and the neighboring regions in order to distract Venice from the main theater of operations in Greece and Albania.²¹⁰ Istria itself was raided in 1472 and 1478, and neighboring Karst suffered to such an extent that it was still fresh

²⁰⁶ Halil Inalcik "The Ottoman Turks and the Crusades 1451 – 1522," in *A History of the Crusades, Vol. VI: The Impact of the Crusades on Europe*, ed. Harry W. Hazard and Norman P. Zacour (Madison: University of Wisconsin Press, 1989), 311–353.

²⁰⁷ See Milan Vasić, *Martolosi u jugoslovenskim zemljama pod turskom vladavinom* (Martolosi in Yugoslavian lands under Turkish rule), *Djela*, vol. 29 (Sarajevo: ANUBiH, 1967).

²⁰⁸ Giuseppe Loschi "Le incursioni dei Turchi nella Carniola e nell'Istria," *Archeografo Triestino* 18 (1892): 487-503, here: 488.

²⁰⁹ See Stanko Jug, "Turški napadi na Kranjsko in Primorsko do prve tretjine 16. stoletja" (Turkish raids in Carniola and the Littoral until the first third of the sixteenth century), *Glasnik Muzejskega društva za Slovenijo* 24 (1934): 2-60.

in people's memories nearly five decades later.²¹¹ Preventing *akinci* attacks was next to impossible due to their high mobility and the only solution was to try to ambush them on their return trip when they were slowed down by plunder. After several successful attempts in earlier years, the Ban of Croatia suffered a disastrous defeat in 1493, when his army – the flower of Croatian nobility – was wiped out at Krbava.²¹² Once the western frontier of the empire was stabilized between 1470s and 1520s, the Ottomans were, for the first time, forced to deal with the defense of their own frontier provinces. The provincial commanders started supplanting the unruly *akinci* with a new type of raider unit, the *deli* (literally “crazy”), composed of recent converts to Islam of Croatian, Bosnian or Serb origin who displayed great fanaticism in the war against “infidels.” On account of their alleged supernatural courage and wild costumes they became a contemporary phenomenon and struck fear into the hearts of soldiers and civilians alike. Furthermore, they started employing Crimean Tatars as early as 1484. They were renowned for their lack of discipline and a disregard for friend or foe alike.²¹³ Therefore, the formation of a relatively stable frontier, as well as the employment of ever more terrifying raiders to weaken the enemy, meant that even the Morlaks of the Dalmatian hinterlands had to fear for their lives and livelihood when wars erupted between the Ottomans and their Christian neighbors in the region.

²¹⁰ Antonio Miculian, “Le incursioni dei Turchi e le fortezze veneziane,” *Atti* 21 (2001): 155-180, here: 158-159.

²¹¹ *Sollen noch neün ode hueben sein, aber lang ziet nit besetz gebesen, aber verbachsten vnd durch die Turckhen verodt, so vor viertzig jarn im land gewest, vnd seidher nock nit päudt sein worden vnd werden hard wider zwfruchten pracht*, ARS AS1, Urbar 1523, 44v. For a list of known raids, many of which were reported only in narrative sources see: Klemen Pust “Vpliv osmanskih vpadov na migracije v Istri (15.-16. stoletje)” (Impact of Ottoman raids on migrations in Istria (15th-16th centuries)), in *Migracije in slovenski prostor od antike do danes* (Migrations on Slovenian territory from antiquity until today), ed. Peter Štih and Bojan Balkovec (Ljubljana: Zveza zgodovinskih društev Slovenije, 2010), 157-174.

²¹² The two successful campaigns were at Brod Zrinski (1483) and Krbava (1491). The defeat also took place at Krbava in 1493. Anđelko Mijatović, *Bitka na Krbavskom polju 1493. godine* (Battle on the Krbava Field in 1493) (Zagreb : Školska knjiga , 2005); Hrvoje Kekez, “Bernardin Frankapan I Krbavska bitka: je li spasio sebe i malobrojne ili je pobjegao iz boja?” (Bernardin Frankapan and the Battle of Krbava: did he save himself and a few of his men or flee the battle?), in *Modruški zbornik*, vol. 3, ed. Boris Olujić (Modruš: Katedra čakavskog sabora, 2009), 65-102.

²¹³ Mesut Uyar and Edward J. Erickson, *A Military History of the Ottomans: From Osman to Atatürk* (Westport: Praeger/Greenwood, 2003), 57-61.

Between 1462 and 1520, the Ottomans are reputed to have enslaved more than seventy thousand people from the territory of Šibenik alone.²¹⁴ In peacetime, the Morlaks fulfilled an important mediating role that enabled them to take advantage of the frontier and make a profit, but in wartime they were just as likely to be targeted by Tatars and Deli as Venetian or Croatian subjects were. And since the Morlaks now included the survivors and descendants of refugees from earlier times, they were probably not likely to remain in one place in the wake of Ottoman onslaught. The closest region that was both willing and suitable for taking in such refugees was Istria, both Venetian and Austrian.

It is difficult to pinpoint one dominant reason that Istria seems to have suffered such severe depopulation in the Middle Ages, making it ripe for colonization. Among the many factors that seem to have contributed to the demographic decline, the most important were disease, wars and a changing economy. Istria had, like the rest of Europe, suffered greatly from the bubonic plague in the fourteenth century. Venice is considered one of the bridgeheads or epicenters for the initial spread of the disease at the end of 1347, thanks to its extensive mercantile network.²¹⁵ A great earthquake on January 25 1348 significantly encouraged the onset of the plague in the city of Venice. The disease would then rage for four months killing two thirds of the inhabitants or, roughly, one hundred thousand people.²¹⁶ Before Christmas 1347, however, the plague had already

²¹⁴ Ivan Kukuljević Sakcinski, "Marina Sanuda odnošaji skupnovlade mletačke prema južnim Slavenom" (Relations of the Venetian government and the South Slavs according to Marino Sanudo), *Arkiv za povjestnicu jugoslavensku* 8 (1865): 1-193, here: 102. There were eleven invasions or major raids into Dalmatia between 1468 and 1500. Venetian forts were ill-equipped to deal with the threat and had to sit by helplessly as Ottomans laid waste to the countryside. In 1499, for example, they took seven thousand people and half a million head of cattle. The inhabitants themselves were left to their own devices, to fight or flee as they saw fit. See Klemen Pust, "*Le genti della citta, delle isole e del contado, le quale al tutto volevano partirsi*. Migrations from the Venetian to the Ottoman Territory and Conversions of Venetian Subjects to Islam in the Eastern Adriatic in the Sixteenth Century," *Povijesni prilozi* 40 (2011): 121-159, here: 124-125 (henceforth: Pust, *Le genti della citta*).

²¹⁵ Ole Jørgen Benedictow, *The Black Death, 1346-1353: The Complete History* (Woodbridge: Boydell Press, 2004), 181.

²¹⁶ Seventy percent of all adults succumbed to the disease which was so potent that only three percent of those who contracted it managed to recover. Out of 1350 members of the Great Council, only 380 survived. The *Serenissima* then invited both the subject population from the immediate neighborhood of Venice as well as foreigners to settle in the city, promising them citizenship after two years of residency. See Georg Stickler, *Abhandlungen aus der Seuchengeschichte und Seuchenlehre Vol. 1. Die Pest* (Gießen: Verlag von Alfred Töpelmann, 1908), 50. Also Reinhold C. Müller, "Aspetti sociali ed economici della peste a Venezia nel Medioevo," in *Venezia e la peste 1348-*

reached Split and Šibenik, and raged in Dubrovnik in January, killing seventhouasand inhabitants. Istria and Friuli do not seem to have been hit in the initial wave, which suggests that the plague spread there over land, probably ravaging Trieste on the way. The spread inland seems to have been a great deal slower since it did not reach Vienna until 1349.²¹⁷

Even if one assumes that villages perhaps suffered fewer casualties than urban centers, the loss of life in Istria was probably devastating. The Senate enacted measures to prevent the spread of the plague to Istria in 1348, but these proved unsuccessful.²¹⁸ The plague would become a recurrent catastrophe in Istria, visiting death and suffering on its inhabitants until the last recorded outbreak in 1631.²¹⁹ Furthermore, the peninsula, and especially the Venetian part, seems to have been a fertile ground for another wasting disease, malaria.²²⁰ Known and suspected as one of the contributors to the decline of the Roman Empire, this disease was present throughout Europe in the Middle Ages and Early Modern Times.²²¹ Many villages in Istria were dependent on still water, and these were breeding grounds for mosquitoes that transmitted the disease. The village of Kostanjica, one of the biggest and wealthiest in Pula in the Middle Ages, was completely destroyed by malarial deaths as were many others.²²² In his concluding report to the Senate from 1583, the *Provveditore* of Istria Marin Malipiero stated that of the seventytwo villages that once existed on the territory of Pula,

1797, ed. Jaqueline Brossolet (Venice: Marsilio, 1980), 71-76. Mario Brunetti, "Venezia durante la peste del 1348," *Ateneo Veneto* 32 (May-June 1909), 1:289-311, 2:5-42.

²¹⁷ Roman Sandgruber, *Ökonomie und Politik, Österreichische Wirtschaftsgeschichte vom Mittelalter bis zur Gegenwart* (Vienna: Uebberreuter, 2005), 47-50 (henceforth: Sandgruber, *Ökonomie*).

²¹⁸ *Cum per nova que habentur coadhunatis gentium fieri videatur prò descendendo ad **damnum Istrie**, Et terre nostre deinde sint multum exute de civibus, qui **propter pestem preteritam defecerunt**, et maxime civitas Pole... Vadit pars, quod stipendiarli pedites, qui sunt ibi et compleverunt pagas suas, adhuc retineantur prò uno mense et mittatur eis paga.* "Rogatorum pro factis Histriae," *AMSI* 13 (1898): 21-56, here: 33.

²¹⁹ The comprehensive chronology of the plagues in Bernardo Schiavuzzi, "Le epidemie di peste bubonica in Istria," *AMSI* 4(1888): 423-437. A more recent overview of the plague in Istria in the European context in Slaven Bertoša, "La peste in Istria nel medio evo e nell'età moderna (Il contesto moderno delle epidemie)," *Atti* 37 (2007): 121-159.

²²⁰ Bernardo Schiavuzzi, "La malaria in Istria. Ricerche su le cause che l'hanno prodotta e che la mantengono," *AMSI* 5 (1889): 319-472.

²²¹ Mary Lindemann, *Medicine and Society in Early Modern Europe* (Cambridge: University Press, 1999), 62. The disease got its name from Italian *mal aria* (Eng. bad air) which is a frequent reference in the sources: *ricordato che esso Paese di Puola era inculto, et inhabitato per la **intemperantia dell' aere*** "Senato mare. Cose dell' Istria," *AMSI* 9 (1894): 293-366: here 348.

²²² Bertoša, *Istra*, 96.

only twelve were still inhabited during his term in office. All others were “ruined and destroyed.”²²³ He also refers in his report to a significant plague outbreak in 1527, which seems to have completely ravaged Istria.²²⁴ And since one calamity follows another, it is not surprising that the plague was followed in 1528 by famine as evidenced in the accounts of the Fraternity of St. Bartholomew in Roč.²²⁵ Similarly, during the War of the League of Cambrai, the peninsula was visited simultaneously by earthquake, war, plague and famine, as noted by one anonymous priest.²²⁶

These and many other reports clearly indicate that peoples’ lives on the Istrian frontier, both on the Venetian and Austrian side, were in constant danger from the vicious cycles of famine and pestilence.²²⁷ Bodies weakened from hunger were more susceptible to disease, which in turn, interrupted agricultural work, thereby resulting in hunger.²²⁸ Superstitions and tales of otherworldly horrors seem to have been a constant companion to hunger.²²⁹ It is possible that the rampant tales of vampires and witches that were attested in seventeenth century Istria may have been started or strengthened in these times. The fear of divine punishment and an impending apocalypse spread throughout the land, and found its expression in art such as the famous “Dance of the Dead,” or

²²³ *Delle 72 ville poi che si dice che solevano essere habitate in quel Contado, non ne sono opra in piedi più che 12, come ho ditto innanzi: le alter tutte sono rovinate e distrutte.* “Relatione letta nell’ Eccellentissimo Senato per me Giacomo Gerardi Secretario, June 29, 1583,” in Pietro Kandler, *Notizie Storiche di Pola* (Poreč: Tipografia di Gaetano Coana, 1876), 309-345, here: 333 (henceforth: Kandler: *Notizie storiche*).

²²⁴ *assimamente nell'anno 1527 che fu quella crudelissima pestilentia nell'Istria che ridusse tutta quella Provincia in estrema calamità, dalla quale poche sue Città finhora si sono riscosse.* Kandler, *Notizie storiche*, 313.

²²⁵ *buduć' v to vrime velik' glad na zemli* (there was, at that time a great famine on the earth) (translation mine). Vlahov, *Glagoljski rukopis*, 4r.

²²⁶ *běše potres' veli i rat i kuga velika umre lûdi v Roči 400 tere 80 i 4* (there was a great earthquake, war and great plague, and 484 people died in Roč) (translation mine). Zdenko Balog, *Roč u srednjem vijeku* (Buzet: Reprezent, 2005), 70-72 and 112-113.

²²⁷ Whereas the Austrian sources do not make specific mention of the plague in Istria, there are Venetian references to the plague on Austrian territory. For exmple, in the archives of Rašpor a ban was issued on all travel to the dependencies of Podgrad in neighboring Karst where plague was spotted. Vesnaver, *Indice, L'Istria*, May 16, 1891, 75-76, 1545. Similarly, the analysis of food prices based on the account book of the Fraternity of St Nicholas in Boljun clearly indicates that, for example, the year 1590 was a year of famine since the food prices all but doubled in that year. See Vlahov, *Knjiga oltara bratovštine*, 19-22.

²²⁸ Bertoša's reference to G. Nadal and E. Giralt, *La population catalane de 1553 à 1717* (Paris 1960) in *Istra: Doba Venecije*, 48-81, here: 53. The cycle would consist of: climate change-famine-plague-famine.

²²⁹ For an intriguing theory that medieval and early modern peasants were in a constant state of near hallucination caused by starvation see: Piero Camporesi, *Bread of Dreams: Food and Fantasy in Early Modern Europe* (Chicago: University of Chicago Press, 1996).

dance macabre. One such depiction was painted in a church near Beram in 1474 by the famous Croatian artist Vincent of Kastav.²³⁰

Decades and centuries of this deadly cycle took a great toll on the urban centers, but they left a significant mark on the rural areas as well. Villages may have fared better as far as direct casualties were concerned, but they were spared the aftereffects. As evidenced from the example of the rural areas in higher altitudes in Styria and Carinthia, it seems that a good portion of the population that survived the plague abandoned their villages to pursue their luck in the cities where the death toll created a high demand for new workers.²³¹ Death and migration were, therefore, responsible for the great number of abandoned holdings, the so-called *Wüstungen*, which could be found everywhere in Europe throughout the Late Middle Ages and well into Early Modern Times.²³²

Evidence seems to suggest that there were ample *Wüstungen* in Istria on both sides of the boundary. The *Provveditore* of untitled lands, Zuan Antonio Dell'Oca, composed a detailed report in 1563 with staggering conclusions. Out of seventytwo villages that had once stood on the territory of Pula, only twelve were still inhabited at the time of his writing. And in nine of these, *Wüstungen* covered over ninety percent of their territory.²³³ In the rent rolls of the Austrian fief of Lupoglav from 1523 there are several references to abandoned holdings although there were probably many more since the rent rolls also include mentions of new settlers in villages that had existed earlier but which had a significantly smaller population.²³⁴ Other territories such as parts of holdings belonging

²³⁰ See Branko Fučić, *Vincent iz Kastva* (Vincent of Kastav) (Zagreb: Kršćanska sadašnjost, 1992).

²³¹ See Othmar Pickl, "Die Auswirkungen des Großen Sterbens auf die Siedlungsstruktur der Steiermark," in *Wirtschafts- und sozialhistorische Beiträge. Festschrift für Alfred Hoffman zum 75. Geburtstag*, ed. Herbert Knittler (Vienna: Geschichte und Politik, 1979), 41-66; Walther Fresacher, "Die Pest in Kärnten im 14. Jahrhundert," *Carinthia I*, 153 (1963): 349 - 378.

²³² "Wüstungen," as a term for abandoned lands, villages, castles, churches, or even towns, was developed by Kurt Scharlau. His taxonomy was criticized, but the terminology he introduced became standard for settlement history. See Kurt Scharlau, "Zur Frage des Begriffes 'Wüstung,'" *Geographischer Anzeiger* 39 (1938): 247-252; Wilhelm Abel, *Die Wüstungen des ausgehenden Mittelalters* (Stuttgart: G.Fischer Verlag, 1976).

²³³ Bertoša argues that 92,8 % of all land was not tilled. Bertoša, *Istra*, 96-114.

²³⁴ Sv. Ivan od Raše was in 1523 inhabited by Čiči exclusively (*so alles Tschitschen*), but it is later mentioned in the rent roll that, earlier, the village included no more than nine families (*seint vormalen vber 9 pauern nit gebesen*) implying that the village was abandoned before the Čiči were settled there. ARS AS1, Urbar 1523, 39v-41r.

to the village of Semić or certain areas in the Karst were abandoned for so long that they were barely recognizable.²³⁵ All this suggests that at the beginning of the sixteenth century ample land existed to be awarded to new settlers fleeing the Ottoman threat and this possibility seems to have been attractive to both the Venetian and Austrian authorities on the one side, as well as to the refugees on the other.

The *Wüstungsprozess* of the Late Middle Ages and Early Modern times was primarily a symptom for a chronic lack of a subject workforce.²³⁶ In accordance with supply and demand, this led to a sharp increase in worker salaries in the towns and cities, as well as to a general increase in the standard of living for the remaining rural population. In the thirteenth century, peasants held land from the landowner in temporary lease (Germ. *Freistift*), meaning that the latter could recall a peasant's holding giving one year notice. Peasants, therefore, had little security and depended greatly on his landlord. This all changed as a result of the demographic drop. The aristocracy was literally competing to offer better terms to the peasants in order to prevent them from leaving. One of the novelties was the right to hold in purchase (Germ. *Kaufrecht*), giving peasants ownership over their holdings. This, in turn, meant security since the property held as *Kaufrecht* could be freely inherited or transferred. The landowner only had a right to a tax when the property changed hands, but he could no longer evict the peasant at will. This gave a great impetus to the mobility of the peasantry, especially in the first half of the sixteenth century.²³⁷

Looking at the rent rolls of Lupoglav and Pazin, a slightly different model seems to have developed. The rent roll of Lupoglav from 1523 contains only a single mention of a peasant holding

²³⁵ *Sollen etlich öde hueben sein, aber aller verbachsten, bey menschen gedachtnus nit gearbeit worden.* ARS AS1, Urbar 1523, 31v.

²³⁶ Ivan Jurković, "Socijalni status i prisilni raseljenici podrijetlom iz hrvatskih plemićkih obitelji u zemljama njihovih doseoba za trajanja osmanske ugroze" (Social status and forced migrant of Croatian noble origin in the lands they migrated to during the Ottoman danger), *Zbornik odsjeka za povijest znanstvenog Zavoda povijesnih društvenih znanosti Hrvatske akademije znanosti i umjetnosti*, 23 (2005): 63-85, here: 64. For a detailed bibliography see footnote 2.

²³⁷ Sandgruber, *Ökonomie*, 52.

held in purchase, but this seems to have been a reward for services rendered.²³⁸ The rent rolls of both fiefs from the 1570s confirm that the old model of lease seems to have prevailed on the frontier as *Kaufrecht* is not mentioned at all. A closer look, however, reveals that this was, in fact, a mixed model. Already in 1523, the peasants of Lupoglav seem to have enjoyed the most important privilege accruing to *Kaufrecht*, security. There is no mention of the lord's *de iure* right to evict a peasant, but even if such a right existed, it was probably not used in practice since the composers of the rent roll frequently warn of the danger of the subjects leaving on their own.²³⁹ Instead, it is the right of the peasants to leave that is clearly stipulated, as long as they pay the *dedina* tax.²⁴⁰ The Pazin rent roll of 1578 allows the pledged possessor to evict only those peasants who fail to till their land for a year or maintain their vineyards or houses for three years.²⁴¹ The reformed Lupoglav rent roll includes a number of stipulations that deal with the succession of peasant holdings and the safeguarding of the rights of minors with regard to their inheritance.²⁴² What is notably absent, however, is the *Verherung* or inheritance tax which was standard for land held in *Freistift*.²⁴³ It is, in fact, specified that such a tax was never paid.²⁴⁴ And yet the holder is allowed to sell the entire holding to a third party, with a ten percent fee from the seller and five percent from the buyer,

²³⁸ *diese huben hat ime her Wiljalm von Herberstain fur aigen, auff khauffrecht geben fur sein dienst, mit vorbehalt vermelts zins.* ARS AS 1, Urbar 1523, 22v.

²³⁹ For example: *Ist zu besorgen, weden nit all pleiben mügen, 34r, vnd souer sie ner dernassen werden abschlahen, werden die pauern ire grundt vnd verzinsung auß nodt verlassen muesßen...ist zu besorgen, werden nit pleiben,* ARS AS 1, Urbar 1523, 38v, 48r.

²⁴⁰ *Item halten all ir hueben auff dedina zins. Seint all frey, wan sie ire zins zallen, mügen sie weg ziehen.* ARS AS 1, Urbar 1523, 23v. The name *dedina* which is the Croatian word for patrimony seems to indicate that, according to custom, the holding was considered inheritable. It is possible that because of the better fertility of the land in Venetian Istria, the holders of the fief of Lupoglav and the Captains of Pazin never really needed to accentuate their “right” to evict a peasant. This accepted terminology may have been a form of tacit acceptance of the *de facto* security of peasant possession.

²⁴¹ *Che quello che qualched'uno non coltivasse d'un San Pietro all'altro giorno di San Pietro, possa un'altro Suddito impossessarsi...tre anni non lauorassero le loro Vigne, et non reparassero li Vecchi Casalli, sia in libertà al Capitano per conseruatione delle Vigne, et terre d'impossessar'altri Sudditi.* Bratulić, *Urbari pazinskog feuda*, 262.

²⁴² ARS AS1, Urbar 1573, 38v-39r.

²⁴³ The burgrave of Klagenfurt, Augustin Paradaiser, stated in his report to the government in Vienna in 1557 that, even though it was customary for the eldest son to inherit his father's peasant holding in exchange for a “*Verehrung*,” there was always the chance that the relationship could be severed, even if a particular holding remained in the same family for generations. See Jon Mathieu, *Geschichte der Alpen, 1500-1900: Umwelt, Entwicklung, Gesellschaft* (Vienna: Böhlau, 2001), 166-167.

²⁴⁴ *Es sey nicht gebreichig von besetzung der hueben etwas zw betzallen, haven auch nie nihts betzalt.* ARS AS1 Urbar 1573, 60v.

similarly to *Kaufrecht*.²⁴⁵ The relationship between lords and peasants in Austrian Istria seems to indicate that even though the transition from *Freistift* to *Kaufrecht* did not take place here as in other Habsburg lands, the peasants enjoyed the *de facto* advantages of both systems. They could succeed without paying an inheritance tax, dispense with their holding in exchange for a fee, and enjoyed a personal freedom to uproot and move if they so wished. All this suggests that the lords in Austrian Istria were more than willing to grant legal concessions in order to attract new colonists.

If *Provveditore* Malipiero's report to the Senate is to be believed as something more than rhetoric and embellishment, it seems that the territory of the community of Pula and Venetian Istria in general boasted not only ample land for would be colonists, but that it was also very fertile. Malipiero stated that, properly cultivated, Istria could have become a new Puglia and the granary of Venice.²⁴⁶ He also praised the olive oil produced in Istria, a part of which was exported to neighboring Austrian territories to “keep the trade going.”²⁴⁷ The more fertile plains regions and the proximity of relatively more developed urban centers on the western and southern coast probably made Venetian Istria more attractive to new colonists than the more rugged, mountainous territories under Habsburg rule. In addition, the Venetian government pursued a policy of tax exemptions for new colonists from as early as 1376.²⁴⁸ Sometime in the sixteenth century these were increased to twenty years, which seems to have become a powerful lure not only for refugees from Dalmatia, but also for existing inhabitants on Austrian territory.²⁴⁹ This suggests that, while the Austrians were offering legal benefits, the Venetians were playing for an economic advantage; each according to their own possibilities.

²⁴⁵ ARS AS1, Urbar 1573, 39v. See also Danijela Juričić Čargo, *Gospodarski razvoj Lupoglavskega Gospostva*, 30-31.

²⁴⁶ *Sarebbe un'altra Puglia la Istria se fusse tutta coltivata, sarebbe un granaro di Venetia, tanto più commodo et utile quanto più vicino*. Kandler, *Notizie storiche*, 334.

²⁴⁷ *parte per li luogi Arciducali per mantener il commercio*. Kandler, *Notizie storiche*, 341.

²⁴⁸ Bernardo Schiavuzzi, *Cenni storici sulla etnografia dell'Istria* (Poreč: Tipografia Gaetano Coana, 1902), 31-32 (henceforth: Schiavuzzi, *Cenni storici*).

²⁴⁹ Malipiero writes that many Austrian subjects, hard pressed by taxes and drawn by real and personal exemptions with a duration of twenty years, would consider moving to Venetian Istria if only they could be assured that they would receive a warm welcome from the old inhabitants. Kandler, *Notizie storiche*, 321.

Morlak Traits

For the officials and the educated, the term Morlak or Ćić seems to have referred to the refugee Slavic speaking population in the Dalmatian hinterlands.²⁵⁰ By the beginning of the sixteenth century it seems that several characteristics became associated with them and grouped under the same imagined construct of a Morlak in the minds of the Istrians that gave them refuge. These were: animal husbandry, the propensity for violence and criminal behavior, and strange customs. Themes connected to these traits appear frequently in the sources and will be addressed in greater detail.

People forced to abandon their villages and chose an uncertain life on the frontier could no longer live off settled agriculture since they had to be able to move again at a moment's notice. It is, therefore, unsurprising that the Morlaks became so closely associated with animal husbandry.²⁵¹ One of the first references to their presence in Istria stems from 1490 when Emperor Frederick III ordered the expulsion of all "foreign herdsmen" from the vicinity of Trieste since they were inflicting great harm on forests and pastures alike with their flocks of sheep and herds of cattle.²⁵² Although the Imperial chancellery did not assign these herdsmen a specific name, it is clear that they are the same people who would later be called Morlaks. In another charter from Trieste, from 1513, a certain *Mathia Roniz Chichius* from Senj is said to have met with "other Morlak herdsmen."²⁵³ In 1523, a peasant came from Croatia to Lupoglav with one thousand sheep²⁵⁴ and

²⁵⁰ Egidio Ivetic, *L'Istria Moderna*, 121-137.

²⁵¹ The sources tend to be ambiguous regarding the exact type of animals that the Morlaks were breeding. With that in mind, it seems reasonable to conclude that sheep, pigs and goats composed the overwhelming majority of herd animals that they raised, with cattle in the minority. When one looks at the rent rolls of Lupoglav, for example, the word *frischnig* is repeatedly mentioned which refers to either young pigs or sheep. Juričić-Čargo understands it as sheep. See Juričić-Čargo, *Gospodarski razvoj*, 49.

²⁵² *Intelleximus certa relatione, singulis annis, ex diversis Regionibus, Exteros quosdam homines, in nostram prefatae Urbis nostre Tergesti extramontes sitam regionem, cum multis pecudum milibus migrare, et totas hiemes, ac autumni, et veris partem pascua illa nostra depascere. Quiquidem et commodas pecori suo Caulas struentes, et sibi ac familiae suae ignes immodicos continuis diebus ac noctibus parantes ita silvas et nemora territorii nostri devastarunt, ut jam populus iste noster unde vix usui suo ligna comparet habeat.* CDI IV, 1246, March 13, 1490, Linz.

²⁵³ *vidit aliquos pastores murlachos* CDI, V, 1430, February 11 1513, Trieste.

²⁵⁴ *ein pauer auß Krabatten khamen mit 1000 frischnig.* ARS AS1, Urbar 1523, 34v.

the Captain of Rašpor confiscated 650 sheep and 224 lambs from one Morlak thief and 236 from another in 1544.²⁵⁵

Agriculture declined as population did, and untilled land in both Venetian and Austrian Istria was turned into pastureland. The newly arrived Morlaks that settled in Austrian Istria made use of the vast amounts of land on the territory of Pula that they leased as winter pastures. This became such a significant revenue source for the nobility of Pula that they actively sabotaged any attempts by the *Serenissima* to install new colonists on Pula's territory.²⁵⁶ Animal husbandry certainly gained a great deal of momentum from Morlak presence, contributing to a shift of economic relations in the region.

A far greater problem for the authorities on both sides was the escalation in criminal behavior which was attributed to Morlaks. It would be wrong to assume that the whole Morlak population was inherently criminal. Perhaps their mobile lifestyle and a lack of attachment to a single location simply made them more opportunistic when circumstances presented themselves. The earliest mention of Morlak presence in Istria in Venetian sources includes the murder of a Morlak in Grožnjan 1506 by certain individuals from Piran.²⁵⁷ The aforementioned court proceeding from Trieste in 1513 describes a case of several Morlaks who were tending to their livestock in the area, but also engaged in thievery and armed robbery. In one case they burglarized a castle since they could gain easy access to it. In another, they assailed and wounded a couple of travelers and took their horses. When put to torture, one of the robbers confessed that they had stayed in a tavern and offered to pay the owner with booty from that robbery. The owner not only agreed, but accompanied them.²⁵⁸ In this case, the blame did not lie entirely with Morlaks.

From the twenties until the fifties of the sixteenth century the archives of Rašpor attest to a large percentage of criminal proceedings undertaken against Morlaks. Austrian sources are largely

²⁵⁵ Vesnaver, *Indice, L'Istria* Nov 1 1891, 164-165, 1544; Jul 1, 1891, 97-98, 1544.

²⁵⁶ Bertoša, *Istra*, 82-145.

²⁵⁷ "Senato mare," *AMSI* 9, 86.

silent on the matter of Morlak crime, save for a single case reported by Jacob von Dür.²⁵⁹ The situation seems to have been most dire in the forties when Morlaks are named in nearly fifty percent of all criminal proceedings.²⁶⁰ Curiously enough, whenever the name Morlak appears in the sources pertaining to Rašpor, it is almost exclusively in a negative context. One property case might serve to illustrate this further. Brothers Nikola and Petar came to Sovinjak from Modruš after their parents were captured by Ottomans sometime before 1542 when Nikola joined a Venetian galley to fill Sovinjak's quota. On his return, he discovered that his mother, who had inherited his land in his absence, had left everything to his nephews and he demanded restitution in court.²⁶¹ The interesting part of the story, however, is that he is not named Morlak because, despite his provenience, he seems to have assimilated easily and served in the navy like a loyal Venetian subject.

Military service was, probably, one of the main reasons why both Venice and Austria wanted to settle Morlaks in Istria. *Provveditore* Rhenier, in his letter to the Senate in 1585, praised the Morlaks for their robust nature and pointed out that they would make good “soldiers, galley crew, and saboteurs.”²⁶² The very attributes that seem to have made them susceptible to violence was at the same time perceived as a potentially advantageous trait to have in wartime. It is possible that the growing attention given to colonization by the Venetian government was connected to the creation of the *cernide* in 1528, the peasant militias that would serve as the bulwark of the Venetian infantry in the sixteenth and later centuries.²⁶³

²⁵⁸ *Erano all'osteria di Pietro Veydner - non avendo danari dissero all'osto che andrebbero a rubare, l'oste si offeri compagno.* CDI, V, 1430, February 11 1513, Trieste.

²⁵⁹ *Erstlich von zwain Zitschn die der Supanvon Tignan auf der Contradn mit stain geworffen haben, gestraft worden.* The list refers to fines collected between 1525 and 1528 but it is not specified when exactly the crimes took place. It is quite possible that many more such crimes were tried by the captain but the reports did not end up in the Hofkammer. FHKA, Innerösterreichische Herrschaftsakten M19 /1, 343r. 1525.

²⁶⁰ Twelve out of twenty eight cases from the archives of Rašpor include Morlaks committing crimes. These range from smuggling and theft to wounding and murders. Vesnaver, *Indice, L'Istria*.

²⁶¹ Vesnaver, *Indice, L'Istria* 26, February 10 1892, 27-28, 1551.

²⁶² *Vostra Serenità potrebbe in ogni tempo servirsi di loro per soldati, geleotti, guastadori et ogni altro servitio.* “Relatione del Clarissimo Signor Giacomo Rhenier” in Kandler, *Notizie Storiche*, 346-373, here: 359.

²⁶³ *Cernide* (from Latin *cernere*, select) were peasant militias that seem to have been mustered first in Brescia in 1446 (*Compartitio hominum electorum seu Cernetarum ex Brixienzi Districtu*). Starting in 1508 they became a standard type of auxiliary troop meant to support regular and mercenary troops in the Venetian army. From 1528, they were organized on Istrian territory and from then on supplies of weapons and ammunition were provided for the villages. They were also required to muster regularly. In Istria they came to be known as the black army due to the association of the word

Several years after having served as *Provveditore*, Giacomo Rhenier assumed the office of the Captain of Rašpor, under whose jurisdiction lay all of the new inhabitants after 1592.²⁶⁴ The Senate also ordered the communities of Poreč, Rovinj and Novigrad to hand over all active Morlak cases to the Captain.²⁶⁵ After having spent two years of his term dealing with problems between Venetian communities and the Morlaks, Rhenier had this to say in his closing report to the Senate:

“barbara gente, inutile per la dappocaggine e crapula e fuga della fatica al remo, alla spada, alla campagna, solo nata per ubbriacarsi, stare alle strade ed assassinare i popoli, cagione principale per li loro infiniti furti di animali, ed altri danni che fanno, non di abiti l'Istria, anzi si deserti, ed i vecchi Vassalli vadino in Rovina, pieni di superstizioni, di costumi barbari, empì e sclerati alla fede e divozione, dei quali prego la Divina bontà, che mai a questo Serenissimo Dominio venga occasione di farne esperienza, nè altro è il pensiero loro come in qualche parte gli ha successo, che di estermine gli abitanti vecchi con le chiese ed ogni autorità di magistrato, come si vede per la poca stima e sprezzo che ne fanno, ed ogni cosa ridurre in potere e libertà loro.”²⁶⁶

How did these people change in the eyes of Rhenier from hard working and useful to veritable demons on the earth who had nothing else in mind but violence, homicide, theft and utter ruin for all of the old inhabitants in Istria? What made the Morlaks seem so appealing at first and, apparently, so distasteful after extended contact? In my opinion, apart from cultural differences, the answer seems to lie in the different expectations regarding their settlement. The authorities, Venetian and Austrian, probably thought they were acquiring new, submissive yet belligerent subjects that they could control and unleash on their enemies at will. The Morlaks or Čići seem to have considered Istria a useful and, apparently, temporary refuge until wars in Dalmatia ebbed. In the meantime, they were more than willing to take advantage of the opportunities and benefits they encountered. They embraced the lands and money given to them in the form of incentives by the

cerne with Croatian *černe*. Each village had to have a specially selected officer who was exempt from taxes in return for his military services. See Darko Darovec, “Obrambna organizacija komuna. Koper pod Benčani” (Defensive organization of the communes. Koper under the Venetians), *Kronika Časopis za slovensko krajevno zgodbo* 37 (1989): 27-37; Francesco Rossi, “Le armature da munizione e l'organizzazione delle *cernide* nel bresciano,” *Archivio Storico Lombardo*, ser. 9, viii (1979): 169-186.

²⁶⁴ *tutte le difficoltà così civili, come criminali tanto principiate fin' hora a trattare davanti li Podestà nostri di Parenzo, Cittanova, et altri lochi nell' Istria quanto quelle, che nell' avvenire si potessero principiare; et così ogni difficoltà vertente sopra dispensationi di Terreni, qual si voglia altro atto così di cognitione, come di essecutione, dove si tratti l' interesse de Morlacchi, et loro fameglie, siano commesse, et delegate tutte al Capitano nostro di Raspo... che avrà la medesima autorità, che avevano li Prov. nostri nell' Istria.* “Senato Mare” AMSI 12, 66, June 18 1592.

²⁶⁵ “Senato Mare” AMSI 12, 66, June 18, 1592.

Serenissima, and, as I have shown at the beginning of the chapter, they were not above taking advantage of the anarchy that followed the imprisonment of Count Krsto Frankopan in 1514, to establish a tax free haven for themselves in the seven villages abandoned by Venice. There was no single underlying cause for all the friction that the Morlak arrival caused. Instead, the reasons were many and complex. Misunderstanding, bureaucracy, corruption, greed, hypocrisy, opportunism and, especially, honor, or rather the perception and understanding of honor.²⁶⁷ The Venetian government probably meant well. Their intention was to resolve several problems in one stroke: repopulate the province, restore the economy, and create a source of tough soldiers and sailors.²⁶⁸ The expected results, however, did not seem to manifest themselves throughout the sixteenth century. Instead, the sources attest to conflicts between Morlaks and the old inhabitants as well as between Morlaks and the authorities.

Morlak Migrations in Austrian Istria

As Peter Sahlins has pointed out, jurisdictional sovereignty in Medieval and Early Modern Europe was primarily political and not territorial, finding expression in oaths of loyalty.²⁶⁹ Elected *župans* had to take an oath before the captains,²⁷⁰ as did new inhabitants, but only after they were welcomed by their neighbors.²⁷¹ A relationship between a sovereign and his subjects was the basis for control over land and not the other way around. Venice lost sovereignty over the seven villages when they were abandoned by their subjects and replaced by Morlaks loyal to – albeit under duress

²⁶⁶ Quoted from De Franceschi, *L'Istria*, 369.

²⁶⁷ I will discuss honor within the framework of crime as I consider them closely related.

²⁶⁸ In 1606, fearing that the Venetian blockade of Senj might lead to their conquest of this important port, the authorities in Graz sent Baron Kizl with 400 armed men from Pazin to reinforce Senj. See Friedrich Emanuel von Hurte-Ammann, *Geschichte Kaiser Ferdinands II. und seiner Eltern*, Vol 6 (Schaffhouse: Hurterische Buchhandlung, 1850), 555.

²⁶⁹ Sahlins, *Boundaries*, 28.

²⁷⁰ *sic electus debeat presentare Domino Capitanio a quo nomine Serenissime Regie Maiestatis deferuntur juramentum de fidelitate et de bene et recte administrando officium suum*. ASV PCC 220, May 1 1545, Article 11.

– the Habsburgs. Similarly, the peace treaty of 1525 left Podgrad in Austrian hands, but the terms of the treaty of Trent forced them to return it to the Venetian family of Gavardo. Ferdinand eventually evicted them and had the castle razed in 1551 to prevent their return.²⁷² Obviously, ties of personal loyalty were paramount.

The sources do not provide a definite answer as to who first started the colonization, but one can safely conclude that, once one side did, the other had to join in or risk upsetting the balance of power. This concern with parity is clearly illustrated in a report that the councilors of Lower Austria sent to Archduke Ferdinand on August 27 1526. They had received a letter from Captain Jacob von Dür asking to be given control over the fiefdom of Lupoglav, which reverted to the archduke after the exchange made with the Herbersteins. In an attempt to justify why he should be given the income from Lupoglav without being taxed, he pointed out that the Captain of Rašpor (who he refers to as the Captain of Buzet) had forty armored and armed horsemen under his command and it was his intention to hold a few more than his rival. This would only be possible if he could draw on the income from both Pazin and Lupoglav.²⁷³ Regardless of whether von Dür was merely attempting to expand his authority without paying any taxes, the crux of the matter is that he was appealing to his prince's pride. Of course the Habsburg archduke needed to have more horsemen in Istria than his rival! The same, likely, applied to the issue of colonization.

Although sporadic migrations into Istria had taken place since the second half of the fourteenth century, the first organized settlement of larger groups of Morlaks can be traced from the twenties of the sixteenth century. Chronologically, the first such groups are the Čići mentioned in the rent rolls of Austrian Lupoglav from 1523. At the time, Lupoglav was still in possession of the Herberstein family who signaled their desire to abandon it clearly enough when they sold the forest

²⁷¹ *debeant tum postquam fuerint accepti in vicinania presentari Domino Capitano et jurare secundum Antiquam Consuetudinem...* ASV PCC 220, May 1 1545, Article 37.

²⁷² Simon Rutar, "Newhaus – Castelnovo am Karste," *Mitteilungen des Musealvereins für Krain* 3 (1890): 191-203.

²⁷³ *Das einkhomen von baiden herschafften Mitterburg und Marnfels unverrait volgen lassen woll er baide slosser in diesen lauffen baßetzen vnd gegen dem Venedigischen haubtman auch viertzig gerusste und geringe pherdts halten.* FHKA, Innerösterreichische Herrschaftsakten M19/1, 79r, August 27 1526.

of Krajcarbreg, which was, after all, a strategic commodity.²⁷⁴ That action notwithstanding, the Herbersteins or, possibly, Jacob von Dür in their name, settled two larger groups of Ottoman refugees on the territory of Lupoglav. In Šumber they numbered thirteen families, a third of the population.²⁷⁵ The composers of the rent roll expressed a concern that they might leave because of lack of wood in the area so they ordered the nearby forest to be used exclusively by the inhabitants for their own personal use in the hopes that these measures might lead to a regeneration of the forest.

The village of Sutivanac was an entirely Ćić community, settled there for, seemingly the expressed purpose of guarding the frontier.²⁷⁶ Here, too, the Herbersteins had sold a great portion of the forest and measures were, once again, taken to ensure that the new inhabitants stayed. Additionally, all settlers paid the same low taxes, regardless of how much land they owned, and Stjepan Valić, the *župan*, enjoyed what was the largest stipend in all of Lupoglav. Whereas the *župans* of other communities were awarded minor sums²⁷⁷ or given a lamb for their “justice” Valić was entirely exempt from financial duties, and even his *požup* was awarded a deduction of 50 soldi (shilling).²⁷⁸ This arrangement seems to indicate two things. Firstly, the Ćići of Sutivanac seem to have harbored a spirit of collective equality in their previous homeland, which is reflected in their equal levels of taxation. And secondly, the special monetary stipend for the *župan* was probably a reward for persuading his group to migrate to Istria. It stands to reason that the leader of the Ćići would be the one to negotiate with the authorities prior to their migration and be the beneficiary of privileges.

²⁷⁴ *Alles gehultz, groß und klain in disem wald haben die von Herberstain abzwslahen verkhaufft vn ist eins tails abgeschlahen.* ARS AS 1, Urbar 1523, 8v-9v.

²⁷⁵ ARS AS 1, Urbar 1523, 24r.

²⁷⁶ The composer of the rent roll states that the village borders on the Venetian possession of Barban. ARS AS 1, Urbar 1523, 38v.

²⁷⁷ The *župan* of Semić, for example, received only 20 schilling.

²⁷⁸ *Da entgegen get jarlichen dem suppan, dur sein gerechtigkait, sein zins walisch phundt funff, schilling zehen. Deßgleichen ist er alle rabat frey. Item dem vnder suppan get jarlichen fur sein gerechtigkait ß 50 von seinem zins, so ime also verfolgt worden. Aber der von Herberstain zaigt an, er sey ime nichtz schuldig.* ARS AS 1, Urbar 1523, 41r.

Although extant records do not allow for a detailed reconstruction of the settlement pattern in the County of Pazin, the population censuses from 1508,²⁷⁹ 1531,²⁸⁰ 1571,²⁸¹ and 1578²⁸² clearly show that Jacob von Dür (1516–1532) oversaw the first larger wave of immigration into the County and that his successors, Alexius and Christopher Mosconi (1532–1558), and then Adam Schwetkowitz (1560–1572) followed in his footsteps.²⁸³ Furthermore, the government of Lower Austria ordered von Dür on May 27 1533 to take in Čići settlers since “no other subjects were available, and a great part of the land was deserted, which was damaging to the fisc.”²⁸⁴ Additional evidence is found in the lawsuit by the subjects from the County of Pazin against Captain Christopher Mosconi from 1545.²⁸⁵ Several articles in the court sentence attest to the colonizing activities of both Jacob von Dür²⁸⁶ and Christopher Mosconi.²⁸⁷ The term Morlak was used in the census of 1571 to designate the new immigrants from Dalmatia but had disappeared by 1578.²⁸⁸ Similarly, the name Čići no longer appeared in the reformed rent roll of Lupoglav from 1573.

This, relatively swift disappearance of the term Morlak from Austrian Istria seems to indicate that the newcomers appear to have integrated into the society of Austrian Istria much faster than their counterparts under Venetian rule. In my opinion, there are two reasons why this happened. Firstly, apart from the boundary between the two states, there existed a boundary between the urban and the rural, meaning that there was a difference between the Italian speaking communities on the west coast and their Slavic speaking subject villages. This differentiation did

²⁷⁹ The Venetian census following their conquest of Pazin is in Riccardo Predelli, *Libri commemoriali della Repubblica di Venezia, Regesti 6* (Venice: A spese della societa, 1903), 100-101. The summary was published in De Franceschi, *Storia*, 156-157.

²⁸⁰ Original in the State Archives of Slovenia. Published in Šumrada, *Podložno prebivalstvo*, 89-100.

²⁸¹ Original in the State Archives of Pazin. Details from it are published in De Franceschi, *Storia*, 159, 166.

²⁸² The text exists in Italian translation from 1660 and is preserved in the Croatian Academy of Sciences and Arts. Published in Josip Bratulić, *Urbari*, 165-204.

²⁸³ See the table in Šumrada, *Podložno prebivalstvo*, 86.

²⁸⁴ ...Nachdem aber dieser Zeit Vnderthanen nicht zu bekhomen sein, und di Contrada wie vorstest das merer tail veroedt werden, daraussen di Chamer Izn Zehenden, denen Robot... schaden und nachteil ersteet so ist dem haubtman aufgelegt und bevolhen dass er nach solchen vnderthanen mit Allem flaiss soll frag haben... quoted from De Franceschi, *Note storiche*, 403, footnote 1.

²⁸⁵ ASV PCC 220, May 1 1545.

²⁸⁶ circa colonos impositos in monte oppidi vermi dicimus omnes exceptis tribus impositi a domino jacobo durar.... ASV PCC 220, May 1 1545, Article 53.

²⁸⁷ circa alios colonos impositos in territorio oppidi tervisii. ASV PCC 220, May 1 1545, Article 54.

not exist in Austrian Istria since there were no developed urban centers there.²⁸⁹ Consequently, the line of distinction was not as pronounced and the society in Austrian Istria, as evidenced with the example of Boljun, may have been much more receptive to newcomers than was the case in Venetian Istria. That does not mean that the process was without problems, of course. In the aforementioned order from 1533 the government of Lower Austria admitted that the old inhabitants were not fond of Čići settlers, and that, should they cause trouble, the captain was to replace the troublemakers with other settlers to ensure that the old inhabitants did not suffer because of their presence.²⁹⁰ The sentence against Mosconi also included several provisions that dealt with the issues between the old and new populations. Generally, the royal commissioners legitimized the right of the community to decide whether the new inhabitants could join or stay in the community which was both a victory for local autonomy and an admission of how matters stood on the ground. This probably eased the tensions since immigrants had to make an effort to ensure that they got into and stayed in the good graces of the old inhabitants. In Trviž, the new settlers were welcomed and told to consult with their neighbors regarding their obligations. Things did not always go smoothly, however. In Stari Pazin the immigrants were removed because they were causing trouble.²⁹¹ More importantly, there existed friction because of the various privileges and exemptions that were given to the immigrants by both von Dür and Mosconi. The commissioners abolished them and ordered them to pay the same duties as their neighbors if they wanted to stay.²⁹² This suggests that the government resolved the problems between old and new inhabitants in several ways: it favored the old inhabitants in disputes thereby forcing the immigrants to behave; it physically removed any

²⁸⁸ Šumrada, *Podložno prebivalstvo*, 85.

²⁸⁹ Pazin was, technically a city, but but did not function as an urban center. DeFranceschi, *Storia*, 144.

²⁹⁰ .. Allein di Zietschen nit leiden mugen.....Sover er aber Landleut nit gehaben mocht als Zietschen, so soll er dieselben aufnehmen. Vnd in Sorge vnd Straff halten damit die Vnderthanen neben Innen Leibs und Gnets sich wärn. **Vnd mit der Zeit dieselben Zietschen so ver sy sich vnnerlich hielten, Mit anndern Vnderthanen widrumben auswechseln**, damit die alten Herkohmen Castelleut mit den Zietschen nit beschwert, sondern widerumben zu beruebten Wesen gebract werden... “ Quoted from De Franceschi, *Note Storiche*, 401, footnote 1.

²⁹¹ *De colonis impositis noviter et precipue siper montem Pisini dicimu illos amovendos esse a dicto monte, inspectione autem loci visum est illos ubi manere cum maximo incomodo et damno incolarum dicti oppidi...*

trouble makers from the region; and it erased any extraordinary privileges within a single community granted by the Captains that caused envy and conflict.²⁹³ Once these were removed, the path was laid for quick integration. The villagers shared the same language and, probably many of the customs and beliefs as well. This strategy seems to have paid off quickly, since the Morlaks as a category vanished soon after immigration – in the example of the 1571/1578 rent roll – within a single generation, which seems to be an indicator that they had integrated into society.

Morlak Migrations in Venetian Istria

On the Venetian side of the boundary, the process of migration seems to have unfolded in a very different fashion. Here, the differences and friction between old and new inhabitants and the general feeling of distrust did not seem to be so easily resolved. The Morlaks seem to have been utterly opposed to any attempts of integration into existing Venetian communities. The evidence for this is found in the documentation surrounding the foundation of the first Morlak settlement Rovinjsko selo or “the Village of Rovinj.” The Morlak families had arrived in the vicinity of Rovinj in 1525. It appears that their way of life, that of transhumant herdsmen with no permanent settlement, seems to have irritated the inhabitants to such an extent that they sent a delegation to Venice to demand that the Morlaks be ordered to settle within Rovinj proper. The Morlaks protested, saying that this would cause them and their families great inconvenience.²⁹⁴ Since they could not continue without some semblance of order that would appease the people of Rovinj, they

²⁹² *debeant conferre cum aliis collonis dicti oppidi e facere omnes et singulas Angarias et solutiones quas faciunt illi de oppido et vicinancia vermi... non potuit transfere plus juris de alios quos ipse habebat et non fuit probata aliqua immunitas.* ASV PCC 220, May 1 1545, Article 53.

²⁹³ The example of Sutivanac is different since it applied to an entire community of immigrant Čići equally, and did not differentiate between individuals within the village. Consequently, that privilege of low taxation became tied to the community and not to individuals and it applied, theoretically, to any additional settlers or migrants within the County who settled there afterwards.

proposed that they be given a fixed location on which to settle, and assigned a *župan* to lead them. They also stated their willingness to denounce any criminals in their midst to the authorities, but refused to be held to account collectively. The justification for the creation of the new village was that they did not want to be responsible for crimes committed by others suggesting that a growing crime rate was behind the initiative to move them into Rovinj, where, presumably, they could be held in check by the authorities.

The founding charter was issued by the *podesta* of Rovinj on June 24 1525 which stipulated that all Morlaks on the territory of Rovinj had to relocate there within a month. An addendum on August 18 added that Rovinj would select a *župan* among them to serve for three months and represent them before the authorities – in this case, the community and the *podesta*.²⁹⁵ These two documents show that the *podesta* and the noble council of Rovinj did their utmost to ensure that the Morlaks would remain as separate as possible from the rest of the community. They were ordered to reside there and a lake was designated for their exclusive use in order to prevent any contact between their herds and those belonging to the locals. Presumably, this measure was enacted to combat any possible animal thefts which may have already taken place, and certainly did later, one of the chief crimes attributed to Morlaks.²⁹⁶ After a probationary period of five years, another charter was issued, granting the Morlaks the right to elect their *župan* for a term of one year, as was customary in other villages of the *Paisenatico*.²⁹⁷ Although in 1526 the documents stated “Zuppanus ovvero Meriga,” the Italian term was absent in 1531, which suggest that the Slavic speaking Morlaks adopted the form used by their Slavic neighbors. Apart from the territory of

²⁹⁴ ...che dobbiamo venir ad habitar di dentro della Terra, la qual cosa non è possibile per li molti incomodi de nui et de nostre familie, come questa Spettabile Comunità sa... The supplication from 1526 is quoted from T. Caenazzo, “I Morlachi nel territorio di Rovigno,” *AMSI* 1 (1885): 129-140, here: 130-131 (henceforth: Caenazzo, *I Morlachi*).

²⁹⁵ Caenazzo, *I Morlachi*, 132-134.

²⁹⁶ The regestae of the archives of Rašpor published in *L'Istria* attest to many such cases.

²⁹⁷ *ordinavit de coetero Zuppanus creatus per dictor Murlachos debeat stare in dicto offitio Zuppani per annum, et finito dicto anno, debeat per ipsos creari alium, et dic successive, ita quod talis ordo, et consuetudo servetur...* Quoted from Caenazzo, *I Morlachi*, 135.

Rovinj, sources indicate that by 1540 the Morlaks had settled throughout Venetian Istria, on the territories of Sveti Lovreč,²⁹⁸ Dvigrad,²⁹⁹ Novigrad,³⁰⁰ Motovun,³⁰¹ and Pula.³⁰²

There could be many possible reasons why the Morlaks refused to settle into or in close proximity to Venetian towns. Certainly, the cultural and social differences played a part. Furthermore, having lived on the Ottoman frontier where they had ample opportunities to engage in illicit dealings, including theft and smuggling, they might have cherished the same lifestyle in Istria, which meant that they needed to remain as far as possible from the reach of the authorities. Another reason, consistent with the ones I have just mentioned, may lie in their perception of Istria as a temporary refuge until the wars on the Ottoman frontier quiet down. The rent roll of Lupoglav confirms this problem explicitly.³⁰³ Furthermore, the powers on the Triplex Confinium in Dalmatia seem also to have played an active role in the repatriation of the refugees. The vice captain of Senj, Hans Fuchs, wrote a letter to Francesco Barbo, the lord of Kožljak in 1568, warning him of Ottoman attempts to lure a number of Ćići from Istria in order to settle them in and around Obrovac. Barbo feared that the Morlaks under Venetian rule were the most susceptible, since they were, originally, from that territory.³⁰⁴ Further corroboration is found in a Senate decision granting some two thousand Morlak families permission to settle in Istria. In the document they are said to

²⁹⁸ "Senato Mare," *AMSI* 9, 125-126.

²⁹⁹ Vesnaver, *Indice, L'Istria*, March 1 1891., 37-38, 1541.

³⁰⁰ "Senato Mare," *AMSI* 9, 126.

³⁰¹ Schiavuzzi, *Cenni storici*, 53.

³⁰² Pula had already experienced a wave of immigration from the hinterlands of Zadar in the second half of the fifteenth century. Many Morlaks settled in Marčana, Pomer, Muntić and they founded Krnica in 1520. Many of them, however, fell victim to the plague from 1527 which necessitated new and planned immigration. Bernardo Benussi, *Povijest Pule* (History of Pula) (Pula: *Zavičajna naklada "Žakan Juri"* Pula, 2002), 345-346 (henceforth: Benussi, *Povijest Pule*).

³⁰³ *Wie wol jetz vil pauern eint, ist auß der vrsach, dad die Tschitchen auß Krabatten vor den Turckhen laüffen. Aber so bald frid mit den Turken wurd, lauffen sie wider anheimbs* vnd vor kriegem jarn ist der weniger tail guetter besetzt gebesen. *ARS AS1 Urbar 1523*, 50r.

³⁰⁴ "Heri ho rezeuto la pnte inclusa letera del si. Vice-Cap di Segna, il quale mi scrive qualmente i turchi fano praticha di leval li morlachi d'Istria, et meterli apreso Obrovaz, qual fabricano, secondo V.S. in essa Letera indenderà, Credo che molti quali sono soto il dominio Veneto e maxime li poveri si potriano leval, per esser di quelli lochi stati, ecc." De Franceschi, *Note Storiche*, 404. The original charter which Franceschi used no longer exists. Fuschs used the term Ćići in his letter, but Barbo, passing the warning to the provost of Pazin, referred to them as Morlaks.

be “returning to the devotion of our State” after having lived in obedience to the “Turk.”³⁰⁵ These families were probably settled in Nova Vas, founded in 1525 on the territory of Poreč.

How important it was for Venice to acquire these new settlers is visible from the fact that the state allowed them to “recover the property they abandoned, after crossing into Turkish territory.”³⁰⁶ This property seems to have been confiscated to pay for debts they incurred. Just like the example of Šimun Vertarić at the beginning of this chapter, the Morlaks seem to have favored crossing the boundary and living on the other side of the frontier, to paying owed taxes and tolls. And since the Ottomans were equally receptive towards new colonists to strengthen their own frontier, it was easy for the Morlaks to play this game for a long time.

Ultimately, however, the turnover of the Morlak population seems to have been rather high since, according to the itinerary of the Venetian syndics Bragadin, Lando and Morosini from 1554, the total of all Morlak families in Venetian Istria was 1705 at the time, less than the number of families that had moved to Istria in 1539 alone.³⁰⁷ This leads to the conclusion that most of the “new settlers” seem to have returned to Dalmatia after the wars there ebbed. Probably the most illustrative example of their seemingly complete disregard for their new homeland – which had, in the words of the *podesta* of Bale, “granted them refuge”³⁰⁸ – is found in the writings of the *Provveditore generale in Dalmazia* Andrea Civran and the *podesta* of Koper Zuanne Minoto from July 1524. They informed the *Signoria* that a certain Morlak named Toma Rozić from Vodice near Rašpor, right on the Venetian/Austrian frontier, promised the *sanjak bey* of Bosnia that he could bring one hundred Morlak families to live under his rule and – the most dangerous part for Venice – that he would personally serve as a guide for Ottoman raiders in Istria. Minoto had Rozić imprisoned and tortured and afterwards did not dare release him because of his great popularity

³⁰⁵ *Essendo ritornate alla devotione del nostro Stato due mille Case de Murlachi, le quali vivevano all'obbedienza del Turcho, ed ora vogliono abitare nei nostri luoghi dell'Istria.* “Senato Mare,” *AMSI* 9, 122, May 23 1539.

³⁰⁶ si stabilisce che ledette famiglie possano **ricuperare quei beni**, che avessero lasciati in pegno quando passarono nel paese dei Turchi, pagando però i debiti contratti

³⁰⁷ See Miroslav Bertoša, “Istarski fragment itinerara mletačkih sindika 1554. godine” (Istrian fragments of the itineraries of Venetian syndics), *VHARiP* 17 (1972): 39-44.

among the local Morlak population.³⁰⁹ Despite this apparently fickle loyalty from the Morlak immigrants, Venetian Istria continued to be a sought after refuge for them so that Ferdinando Ughelli noted in his *Italia Sacra* (1643–1662) that the bishoprics of Pićan and Poreč had sizeable populations of Ottoman refugees.³¹⁰ Their presence, however, created a great many of problems for the authorities and locals alike throughout the sixteenth century.

Honor, Crime and the Frontier

To better understand the dynamics of the society on the Istrian frontier, and the triangle between Morlaks, the frontier and the authorities, I am going to employ a concept that is as ubiquitous in time and space as it is difficult to define and understand – honor. This ambiguity, according to Claudio Povolo, “derives from its deeply conflicting nature, due to which individuals and groups comprehended it in utterly different ways even in the same context, indeed as demanded by political aims and the relations of power.”³¹¹ Why would honor be useful for understanding the complex interaction between the Morlaks and the authorities? Because, even though it was ambiguous and could mean different things for different groups, the members of a group needed to understand honor in a similar or equal way if it was to be of use to them in their lives.

Morlak society was, by necessity, an egalitarian one.³¹² The leaders of the Morlaks were first among equals, ruling by reputation and experience instead of by birthright. And, as William Ian Miller has argued, roughly egalitarian cultures are, by necessity, honor cultures since people will

³⁰⁸ *paese che aveva loro dato rifugio*. Vesnaver, *Indice, L'Istria*, November 1 1891, 164-165, 1544.

³⁰⁹ Pust, “Le genti della città,” 134-135.

³¹⁰ *Petina....quam varia gentes partim indigenarum, partim advenarum, qui ex finitimis Croatiae locis Turcarum immanitatem fugientes huc se receperunt..... Episcopi Parentini: Ampla satis dioecesis est, quae partim Venetam, partim Austriacam ditionem stingit, magna ex parte Illyrica utens lingua, quae natio eo est in hac diocesi populosior, quod multi ex Turcarum tyranide huc se recipiunt*. Quoted from De Franceschi, *Note storiche*, 405.

³¹¹ Claudio Povolo, “Introduction,” *Acta Histriae* 8 (2000): I-LIV, here: XXXVIII (henceforth: Povolo, *Introduction*).

³¹² This is evidenced in their desire to pay taxes equally in Sutivanac, for example. The *župan*'s exemption, being tied to the duration of the term, did not conflict with the notion of equality itself.

compete for precedence which is not articulated.³¹³ In other words “A person’s honor was fragile and easily violated; its state of health was closely monitored by his (and even her) sense of shame and a keen ability to discern whether others envied him more than he envied them.”³¹⁴ Honor also played a crucial part in the lives of the nobility since it was the “ideal capital of public respect, that a person enjoys based on his social standing and his political role.”³¹⁵

Before I proceed, however, it is important, following the methodological guidelines set by Frank H. Stewart, to define the term honor as I will be using it for the purpose of my argument. The meaning of the word can vary even while the word itself remains unchanged. I accept his definition of honor as possessing four basic characteristics: 1. it can be lost or extinguished, 2. it is a single, indivisible right, 3. in order to retain it, one must follow certain rules, and 4. its existence is acknowledged by society in the most explicit fashion.³¹⁶ Was the Morlak society an honor society?

There are many pieces of evidence that can be used to test this hypothesis. One minor piece of the mosaic might be gleaned through the act of stoning, for instance. As Robert Davis has shown, rocks, more than any other weapon in human history, have been associated with casting out, scorn or annihilation, and were a physical expression of ritual shaming that has remained in the public consciousness up to this very day.³¹⁷ Although a rock's major advantage was that it was readily available, there are several clear indicators that it was understood in sixteenth century Istria as a shaming tool as well. In April 1522, an edict was issued in Trieste, prohibiting the throwing or

³¹³ William Ian Miller, “Codes of Honor,” in *A Very Bad Wizard: Morality Behind the Curtain*, ed. Tamler Sommers (San Francisco: McSweeney's Publishing, 2009), 207-234.

³¹⁴ William Ian Miller, *The Anatomy of Disgust*, (Cambridge MA: Harvard University Press, 1997), 144.

³¹⁵ Jean Marie Moeglin, “Fürstliche Ehre im Spätmittelalterlichen Deutschen Reich,” in *Verletzte Ehre, Ehrkonflikte in Gesellschaften des Mittelalter und der frühen Neuzeit*, ed. Klaus Schreier and Gerd Schwerhoff, (Cologne: Böhlau, 1995), 77-91, here: 77. See also Kiril Petkov, *The Kiss of Peace, Ritual, Self, and Society in the High and Late Medieval West*, 213-218 (Leiden: Brill, 2003) (henceforth: Petkov, *Kiss of Peace*).

³¹⁶ Frank H. Stewart, “What is honor?” *Acta Histriae* 8 (2000): 13-28; Same, *Honor* (Chicago: University of Chicago Press, 1994).

³¹⁷ Robert Davis, “Stones and Shame in Early-Modern Italy,” *Acta Histriae* 8 (2000): 449-456. Same, *The War of Fists: popular culture and public violence in late Renaissance Venice* (Oxford: Oxford University Press, 1994), 111, 161, 145, 211.

stones against doors or windows of houses belonging to Jews during holy week.³¹⁸ Similarly, a case heard before the judges in Veprinac from 1521 shows that several assailants, including one Benko Vlah from neighboring Lupoglav, assaulted the house of Blaž Vlah during the night, banging on his windows with clubs and throwing stones on the roof.³¹⁹ The court fined all of the assailants in this case. The last name “Vlah” indicates that they were either Morlak or of Morlak origin. Furthermore, the record of fines levied by Jacob von der Dür includes one against “two Číci” who threw rocks at the *župan* of Tinjan.³²⁰ The archives of the Captain or Rašpor also contain examples of attacks with rocks, from fights between villages during popular festivals resembling the Italian *sassaiola*³²¹ to fatal attacks against foreigners³²² or Morlaks.³²³ The sources seem to suggest that stone throwing was both a deadly weapon, but also a shaming tool in Istria.

At this point it may be useful to turn to the travelogue of Alberto Fortis, who wrote his “Travels in Dalmatia” in 1774.³²⁴ Even though he wrote much later than the period I am examining, there are certain similarities between sixteenth century sources on Morlaks and his own experiences with them. I will deal with two mutually dependant traits that have a direct corroboration in sixteenth century sources: “friendship” and the “vendetta.” When describing eighteenth – century Morlaks, Fortis praised them for their friendship whose effect he described in the following way:

³¹⁸ *Comandano chel non sia nesuna persona che in questa septimana sancta ardischa trar sassi nele porte et ne le finestre ne anchora darli alchuna molestia grande ne pichola a Judeo habitante in Trieste nele case sono de citadini a quali retorna el danno, soto pena de X Lire* CDI, V, 1531, April 16 1522, Trieste.

³¹⁹ Margetić, *Veprinački zapisnici*, 5v, October 1521.

³²⁰ *Zwain Zitschn die der Supan Ayden von Tignan auf der Contradn mit stain geworffen haben*. FHKA, Innerösterreichische Herrschaftsakten M-19/1, Mitterburg, 343r, 1525.

³²¹ *Sassaiola* were mock battles staged regularly in Italy from the Middle Ages, and, even though banned by authorities, they were regularly scheduled as tests of manhood between neighborhoods or rival groups, but also as expressions of contempt against the authorities. One such disturbance happend in Lovrečica in 1516 between locals and their neighbors in Umag. Resorting to stones, they hit an injured Channcellor Gavardo who was attempting to calm them down. Vesnaver, *Indice, L'Istria*, December 16 1890, 189-190, 1516.

³²² A Croatian from Lupoglav, probably in the service of Petar Kružić, came to a festival in Roč in 1530 and, after having provoked a fight, was hit by a stone and killed. Vesnaver, *Indice, L'Istria*, August 16 1890, 122-123, 1530.

³²³ Martin Bonazza killed Stephen, a Morlak, by hitting him on the head with a stone. Vesnaver, *Indice, L'Istria*, March 1 1891, 37-38, 1542.

³²⁴ Alberto Fortis, *Viaggio in Dalmazia*, Eva Viani, ed. (Venice: Adriatica di Navigazione ; Marsilio Editori, 1986) (henceforth: Fortis, *Viaggio*).

“The duties of friends are to help each other in any trouble or peril, to avenge the wrongs done to them and so on. They tend to push this friendly enthusiasm to the point of risking or losing the life of one of these sworn brothers³²⁵ for which there are many examples, even though one tends not to clamor about it...”³²⁶

Furthermore, if there was discord among such friends it was considered “scandalous.”³²⁷ A brother's honor could be lost if he failed to abide by unwritten rules and afterwards it would be talked about in society. Such behavior falls well within the framework of honor as Stewart defines it. This, in turn, helps explain some of the examples of Morlak behavior from sixteenth century sources. A certain Juraj Soržić, a Morlak from Dvigrad, where he seems to have lived a law abiding life and held land in lease, was sentenced in 1544 by the *podesta* of Rovinj for having broken a fellow out from prison together with other accomplices. The sentence was eternal banishment from all of Venice's territories, as well as the confiscation of 236 head of cattle.³²⁸ On its own merit, that looks like a very stiff penalty, but, considering the bonds of friendship that Fortis described, and seen from the viewpoint of honor, it probably paled in comparison with what loss of face and honor among other Morlaks might entail. Respect was all the more important when one lived on the fringes of the law and had to rely on the Morlak “network” in order to survive. Similarly, in the court case from Trieste in 1513, it was established that one of the accused, Juraj Besanić, had a wife named Roža, who “as is customary among the Čići, will confess to nothing, nor will other sons

³²⁵ Fortis actually states that the Italian concept of sworn brothers may have developed from the Morlak example. The motif of sworn brothers in conjunction with outlawry was already present in medieval literature. See Thomas Hahn “Adam Bell, Clim the Clough, and William of Cloudesley,” in *Medieval Outlaws: Twelve Tales in Modern English Translation*, ed. Thomas H. Ohlgren (West Lafayette: Parlor Press, 2005), 397-420, here: 407.

³²⁶ *I doveri degli amici così legati sono d'assistarsi l'un l'altro in qualunque bisogno o pericolo, il vendicare i torti fatti al compagno, ec. Eglino usano di spingere l'entusiasmo dell'amicizia sino all'azzardare, e perdere la vita del pobratime, né ditali sagrifizi sono rari gli esempi, quantunque non si faccia tanto romore per questi amici selvaggi come pegli antichi Piladi*, Fortis, *Viaggio*, 55.

³²⁷ *Se accadesse che fra' pobratimi si mettesse la discordia, tutto il paese vicino ne parlerebbe come d'una novità scandalosa*

³²⁸ Vesnaver, *Indice, L'Istria*, July 1 1891, 97-98, 1544.

confess to any wrongdoings.”³²⁹ In other words, it seems that it was a point of honor not to reveal anything to the authorities under any circumstances.³³⁰

The other side of the coin in Fortis' description of Morlak customs is the blood feud, *vendetta* in Italian or *osveta* in Croatian. He writes that “if friendships among Morlaks are strong and sacred, their enmities are inextinguishable, or, at least, very difficult to quench.”³³¹ Sons were supposed to avenge the death of their father, and were often reminded of this duty by their mothers. It was assigned a sacred character, which, as Fortis noted, is visible in its very name. *Osveta*, after all, contained in itself the word *sveta*, meaning “holy.”³³² In fact, Fortis said that the *vendetta* was so ingrained into the soul of these people that all the missionaries in the world could not eradicate it. Horrified by what he called the violation of sacred laws he likened the execution of a blood feud to a “mad illusion of false honor.”³³³ They, however, likely perceived it as proper honor. Braudel has pointed out the correlation between the mountainous regions of Corsica, Sardinia or Lunigiana and the *vendetta*.³³⁴ The Dinarid mountain range, which stretches along the Adriatic coast from Slovenia to Albania, certainly fit that description, and it is not surprising that the blood feud became a staple method of conflict resolution for Morlaks, Montenegrins³³⁵ and Albanians.³³⁶ In Venetian Istria –

³²⁹ *Jurai persistat in negatione illud facit quia habet mulierem nomine Rose habitatricem in parvo Ripnich quae, ut fama est apud Chichios, scit facere quod nunquam confitebitur ipse nec alii filii confitebuntur mala quae fecerunt.* CDI, V, 1430, February 11, 1513, Trieste.

³³⁰ In one particularly brutal case of robbery in the winter of 1546, a group of eight Morlaks battered down the doors to the house of Leonardo Klenovar from Kropinjak, then tied and tortured him and his wife, Catherine who died as a result of the maltreatment. Captain Contarini, after having consulted with the government, issued a bounty of one thousand liras to identify the culprits and, more importantly, promised immunity and reward to the perpetrator willing to come forward and reveal the identities of his accomplices. There is no mention that the culprits were ever found. Vesnaver, *Indice, L'Istria*, December 1 1893, 179-181, 1546.

³³¹ *Se le amicizie de' Morlacchi non peranche corrotti sono forti e sacre, le inimicizie loro sono poi per lo più inestinguibili, o almeno molto difficilmente si spengono* Fortis, *Viaggio*, 55.

³³² “Kò ne se osveta, on se ne posveta,” “Chi non si vendica, non si santifica”. *E notevole cosa che in lingua illirica osveta significhi egualmente vendetta e santificazione; e così il verbo derivato osvetiti.* Fortis, *Viaggio*, 56.

³³³ *credendo sempre di far il proprio dovere nell'eseguirlo, e preferendo questa pazza chimera di falso onore alla violazione delle più sacre leggi, ed alle pene che va ad incontrare con risoluzione pensata* Fortis, *Viaggio*, 57.

³³⁴ Fernand Braudel, *The Mediterranean and the Mediterranean World in the Age of Phillip II, Volume 1* (Berkley and Los Angeles: University of California Press, 1995), 38-39 (henceforth: Braudel, *The Mediterranean*). See also footnote 60 in which he draws attention to Loys Le Roy who observed in 1575 that a mountainous country fit only for pasture, with many poor men – he had Switzerland in mind at the time – is well suited to be a democracy, whereas the plains are more suited for an aristocratic system of government.

³³⁵ Christopher Boehm, *Blood Revenge: The Enactment and Management of Conflict in Montenegro and Other Tribal Societies* (Philadelphia: University of Pennsylvania Press, 1987).

presumably also in Dalmatia and maybe even in Austrian Istria – it became a significant problem, since, along with *omerta* and Morlak friendship, it created near insurmountable hurdles in criminal proceedings.

As previously mentioned, the sources indicate that the Captain of Rašpor dealt with a great number of criminal charges brought against Morlaks after their large scale settlement in the twenties of the sixteenth century.³³⁷ The majority of cases dealt with theft, mostly cattle, but also included beatings, robberies and murders. The inhabitants of Poreč, Pula, Sveti Lovreč, Vodnjan, Rovinj, Bale and Dvigrad appealed to the Senate with an accusation consisting of eight articles against the Morlaks. The Senate issued an edict on March 10 1544, finding predominantly in favor of the inhabitants' demands. The first three articles included several measures intended to combat theft. Firstly, collective accountability was introduced. Vehemently opposed by Morlaks in 1526, it stipulated that the village was to reimburse the victim collectively if the culprit could not be found.³³⁸ Secondly, butchers were obligated to report the purchase of two or more animals so that the authorities could check if any had been reported stolen. And thirdly, their request for severe punishments exclusively for theft was denied and left to the discretion of officials.³³⁹ The fourth and fifth articles dealt with the problem of banishment.

Casting someone out of their community was considered the worst possible form of punishment since the earliest times of civilized life. The Romans used banishment as a way of dealing with political dissidents and this practice carried over into the urban courts in the Middle

³³⁶ Blood feud is prevalent even in present day Albania. See Robert Elsie, *Historical Dictionary of Albania*, 2nd ed. (Lanham: Scarecrow Press, 2010), 52-53.

³³⁷ The archives contain criminal cases from the 1510s until the 1560s with a notable and inexplicable gap in the 1530s. The Morlaks feature in the sources from the 1510s until 1550 when they are no longer named as culprits. It is not clear why this was the case. It is possible that, by that time, having been living in Venetian Istria for a generation they might have intergrated sufficiently to avoid being singled out as Morlaks, or the Captain or Rašpor simply did not refer to them by that term from 1550 on.

³³⁸ *furto sia stato commesso dalli Murlachi, li qual murlachi siano obligati alla rifattion del danno, che sera stato fatto in quel territorio, dove essi habiterano.* "Senato Mare," AMSI 9, 133-138, March 10 1544.

³³⁹ The inhabitants demanded that the culprits suffer either corporal punishment or exile.

Ages.³⁴⁰ Venice, like many other Italian city states, frequently resorted to banishment for a wide variety of crimes, from theft to murder and counterfeiting.³⁴¹ The exact application could vary in duration, severity and area of effect. Banishments were limited to a certain time period or could be permanent. They may have included additional corporal punishments before exile, but they always stipulated the penalty if the banished person was to return before his sentence was up. And finally, in Venice's case, one could be banished from the city, province or the entire state.³⁴² Naturally, enforcing the banishment from the entire state was probably no easy task, but the primary goal of the judge and the community in question was to get rid of the culprit and to ensure that he did not return. This is especially important if one also considers that the majority of these sentences were pronounced *in absentia*. As an important middle ground between capital and petty penalty, “banishment was useful because it was flexible, reversible and cheap.”³⁴³ In some cases, banishment was even offered as an alternative choice to those sentenced to death. In any case, if a particular criminal were to continue his ill work in another region that was no longer the community's concern.

The described procedure worked for the urban centers in Italy and it was expected to be similarly applied in Istria, as well. Banishment, however, is only effective if a person has a home, family, land and social ties that he or she stands to lose. This penalty does not seem to have had the desired effect on Morlaks for reasons that the inhabitants themselves pointed out. The fourth article stipulated that all those sentenced for theft, assassinations and other severe crimes, had to be banished from the entire province and not just from communities where they committed these

³⁴⁰ Pieter Spierenburg, “The Body and the State: Early Modern Europe,” in *The Oxford History of the Prison: The Practice of Punishment in Western Society*, ed. Norval Morris and David J. Rothman, (Oxford: Oxford University Press, 1995), 44-70, here: 56-58.

³⁴¹ The archives of Rašpor contain numerous examples of thefts, robberies or murder. For counterfeiting see: Alan M. Stahl, “Coin and Punishment in Medieval Venice,” in *Law and the Illicit in Medieval Europe*, ed. Ruth Marzo Karras, Joel Kaye and E. Ann Matter (Philadelphia: University of Pennsylvania Press, 2008), 164-182.

³⁴² This is similar to the practice of the courts in medieval Paris. Criminals could be banished from Paris, but also from the entire kingdom, sentences which became much more significant once towns started exchanging lists of banished convicts. See Bronislaw Geremek, *The Margins of Society in Late Medieval Paris* (New York: Cambridge University Press, 1987), 18-21.

crimes.³⁴⁴ The logic behind this article was to prevent them from finding refuge with other Morlaks in the vicinity. This was, however, nearly impossible for the reasons laid out in the fifth article. The inhabitants suggested, that the government needed to work with the “King of the Romans” to prevent the Morlaks from settling within twenty five miles from the boundary. Obviously, as was their custom in Dalmatia on the Ottoman frontier, the Morlaks had taken advantage of a “spare country,” so to speak, to use as their base of operations after being banished from Venetian territory. According to the article, they continued to prey on Venetian subjects from the safety of Austrian territory, into which they could withdraw hastily after each raid. Moreover, since they maintained familial and social ties with other Morlaks on Venetian territory, they were, at the same time, well informed and difficult to capture.³⁴⁵ The previously mentioned Juraj Soržić, as well as the leader of a gang of thieves – and likely his kinsman– Barić Soržić³⁴⁶ were both banished in the same year and, probably, just crossed to the other side of the boundary from where they could continue their illicit activities. Juraj was, in fact, captured close to the boundary, between Roč and Buzet, in 1548 by Iacopo de Giovanni Bissaris, a noble from Vicenza, who brought him in, in return for his own banishment being lifted.³⁴⁷ The seventh article ordered the rectors of other Venetian communities to cooperate in the capture of criminals, whereas the eighth forbade any ship owners to transport Morlaks without written permission of the officials to block an escape route they seem to have used frequently.

³⁴³ Jason Phillip Coy, *Strangers and Misfits: Banishment, Social Control, and Authority in Early Modern Germany* (Leiden: Brill, 2008), 28.

³⁴⁴ *banditi de tutte le città, castelli, luoghi, et territorij di nostra serenità della ditta provincia, acciochè in ciascun loco di quelli, dove fossero trovati possino esser impune offesi, et presi con il beneficio, et taglie statuite dalle leze, et per le soe condennation*

³⁴⁵ *Perche li preditti Murlachi banditi vanno ad habitar nellì territorij del contado de pisin et in altri luoghi circumvicini sottoposti al Serenissimo Re de Romani propinqui et coiuncti alli territori di Vostra Serenità et quelli vengono poi à robbar li sudditi sui, et à commetter altri delitti, ritornando subito ne li luoghi della Maestà de 'l Re, dove habitano, et sono sicuri.*

³⁴⁶ Barić Soržić also lived on the territory of Dvigrad and was banished on many counts of animal theft in 1544, the same year when Juraj Soržić was also banished for participating in the prison break. Barić was, at the time, located in Bale, where he was caught loading a number of stolen animals onto a ship that was supposed to take them to Zadar. See Vesnaver, *Indice, L'Istria*, November 1 1891, 164-165, 1544.

³⁴⁷ Vesnaver, *Indice, L'Istria*, December 1, 179-181, 1548.

The sixth article, however, is the most interesting, since it addressed the mechanism of *vendetta* that represented the single most direct challenge to the authorities. It reads:

“Because these perfidious Morlaks have a diabolical custom among them called *Vražba*, which is a conspiracy among them, and a sacrament of vengeance. When they hear that someone had accused them, or testified against them, or helped capture one of them, or other similar injustices that may have been done to them, even if the reason was justified, or if a person was compelled by the magnificent Rectors, so if someone does something of the sort, the one who feels offended by it or his parents or brothers will draw his sword before a multitude of Morlaks and swear vengeance, calling upon kin, friends and the good willed to harm or kill that person or persons who had offended them in the manner described. This *Vražba* conspiracy is so feared by all, especially by Morlaks, so that, when examined, even under oath they will never say the truth, or reveal the thieves.”³⁴⁸

Clearly, the *vražba* among Morlaks in sixteenth century Istria was substantially identical to the *osveta* described by Fortis in the eighteenth century. The references to kin and *friends*, as well as to the sacred character of the feud, confirm that the Morlak society seems to have operated according to a set of enduring, unwritten rules for centuries which, probably, predated the Ottoman invasions. The breakup of feudal institutions in the wake of the conquest may have merely strengthened the ancestral understanding of justice, and not created it. *Vražba* is also found in the Laws of Vinodol from 1288 as a compensation for murder in the same meaning as the Germanic *weregeld*.³⁴⁹ It existed in the old Slavic legal terminology as a means of resolution of particularly harsh feuds caused by spilled blood or homicide (Old Slavic *vorg* “enemy”).³⁵⁰ Fundamentally, however, the danger posed to the Venetians by *vražba* was much more profound because it posed a challenge to one of the basic pillars of sovereignty: the justice system.

³⁴⁸ “Senato mare,” *AMSI* 9, 137-137 (translation mine).

³⁴⁹ The Law of Vinodol prescribes that should the culprit be caught before *vražba* was paid, or if no agreement has been reached with the family of the deceased, then *lex talionis* should be applied. Lujo Margetić, *Vinodolski zakon* (The law of Vinodol) (Rijeka, Zagreb: Adamić, Nakladni zavod Globus, 2008), 24-25.

³⁵⁰ Curiously, the form *vražba* is only found in the Laws of Vinodol and in the *Russkaya Pravda* from 1280. In other Croatian, Bosnian and Serbian sources it is spelled *vražda* instead. This and a number of other legal terms that are found simultaneously in the Laws of Vinodol and Russian medieval sources point to the survival of many ancient legal concepts and rules throughout the Middle Ages. See Radoslav Katičić, “Praslavenski pravni termini i formule u Vinodolskom zakonu” (Ancient Slavic legal terms and formulas in the law of Vinodol), *SLOVO* 39-40 (1989-1990): 73-85, here: 79-80. It is hard to conclude solely on the basis of the Venetian spelling whether this group of Morlaks may have originated in an area close to Vinodol. However, seeing that Krsto Frankapan brought a number of Morlaks to the northeastern frontier, some may have, in fact, come from that area or its hinterlands.

Justice

In his description, Fortis made one very important observation. To Morlaks revenge and justice were one and the same.³⁵¹ Therein lay the direct threat to the Venetian state. Threatening witnesses or accusers was nothing new in Venice. In his report about the problems he encountered in Pula as *Provveditore* trying to protect the Cypriot and Neapolitan colonists from the oppression of the *nobiles* of Pula, Malipiero described in great detail the various methods the nobles employed to get rid of unwanted colonists and make his work all but impossible. They intimidated witnesses and imprisoned and cajoled the *župans* into agreeing to have the many litigations against the Greeks financed by the community. At the same time, their henchmen used violence against the Greeks although the *Provveditore* could not sentence anyone because of the *omerta* and the vast network that sheltered the perpetrators and helped them escape justice.³⁵² Similarly, a noble by the name of Antonio Dotto, whose family – among the most prominent in Padua – claimed to be descendent from the Trojan Antenor, conducted a veritable reign of terror in the village of Tribano, not far from the city. Employing a retinue of *bravi* he assaulted, tortured, robbed and raped his neighbors – including members of the nobility – for over a decade before he was finally charged in Venice. When he was banished in 1600, the sentence was abolished soon afterwards, and he was once again embroiled in several local *vendettas*.³⁵³

There were an abundance of feuds in Renaissance Italy, a topic which has received a great deal of scholarly attention.³⁵⁴ Intrinsically linked to honor and justice, the *vendetta* was a threat because it offered an alternative to state justice. Florentine nobles, for example, used the state's

³⁵¹ *vendetta e giustizia corrispondono fra quella gente alla medesima idea, ch'è veramente la primitiva*, Fortis, *Viaggio*, 56.

³⁵² Kandler, *Notizie storiche*, 323-324, 329-330.

³⁵³ Mauro Vigato, "Il 'tiranno' di Tribano: Onore Familiare e onore individuale da un processo Padovano di fine '500," *Acta Histriae* 8 (2000): 361-384.

³⁵⁴ For example, Edward Muir, *Mad Blood Stirring: Vendetta and Factions in Friuli during the Renaissance* (Baltimore: John Hopkins University Press, 1993); Kiril Petkov, *Kiss of Peace*; Hugh Bicheno, *Vendetta: high art and low cunning at the birth of the Renaissance* (London: Phoenix, 2007); Thomas Khuen: *Law, Family, and Women: Toward a Legal*

legal system as a weapon in the feud, resorting to it only if they thought they could gain more from it than from violence itself. They were especially weary of the court being impartial, because they too knew how to manipulate the system.³⁵⁵ Ultimately, however, honor and law were two rival systems, a fact noted by a number of contemporaries, including the famous French Renaissance writer, Michel de Montaigne.³⁵⁶ A similar observation was also made by a number of Italian and Venetian writers at a time when the state was trying to limit or outlaw dueling among the nobles in the second half of the sixteenth century.³⁵⁷ Italian states were slowly trying to curb self-help in the form of *vendettas* practiced by magnates and exchange it with public justice, but this was a long and arduous process which lasted well into the seventeenth century.³⁵⁸ An assault on *Vražba*, therefore, as well as the decision to impose collective accountability – a measure also taken by the Ottoman Empire to deal with their own “Morlaks” in Montenegro and Herzegovina³⁵⁹ – was both logical and necessary if the state was to prevail against the competing judicial and social system created by Morlak presence. After all, one of the complaints raised by subjects in 1544 was that the Morlaks were, apparently, almost immune to theft themselves and quick to find the culprit if they were the targets of a crime.³⁶⁰

Anthropology of Renaissance Italy, (Chicago: University of Chicago Press, 1991) (henceforth: Khuen, *Law, Family, and Women*).

³⁵⁵ Thomas Khuen: *Law, Family, and Women*, 80-81.

³⁵⁶ In his essay entitled “Of customs and not easily changing an accepted law” from 1572-1574: ...*Whence it comes about that there are two sets of laws, those of honor and those of justice, in many matters quite opposed.....What could be more barbarous than that by the code of arms the man who endures an insult should be degrade from honor and nobility, and by the civil code he who avenges an insult should incur capital punishment? He who appeals to the laws to get satisfaction for an offense to his honor dishonors himself; and he who does not appeal to them is therefore punished and chastised by the laws*). Michel Eyquem Montaigne, *The Complete Essays of Montaigne* (Stanford: Stanford University Press, 2002), 85.

³⁵⁷ In his *Dialogo del vero onore militare* Girolamo Urrea noted in 1569 that *i militari sono più “amici” nel definire le loro controversie con le armi piuttosto con le leggi*. Quoted from Laura Casella, “Onore del nobile e onore del militare. Duello ‘armi’ nella trattatistica (Secc. XVI-XVII): Problemi in margine di una ricerca,” *Acta Histriae* 8 (2000): 323-338, here: 330.

³⁵⁸ Elizabeth S. Cohen and Thomas S. Cohen, *Daily Life in Renaissance Italy* (Westport: Greenwood Press, 2001), 115.

³⁵⁹ Wayne Vucinich, “Some Aspects of the Ottoman Legacy,” in *The Balkans in Transition*, ed. Charles Jelavich and Barbara Jelavich (Berkeley and Los Angeles: University of California Press; London: Cambridge University Press, 1963), 81-114, here: 86.

³⁶⁰ *che essi Murlachi quasi mai vengono robbati, et se alcuna cosa li vien tolta, ritrovano de fatto per la cognition, et pratica, che hanno delli ladri* “Senato Mare,” *AMSI* 9, 134, March 10 1544.

The Morlak justice system was, therefore, effective only when they needed it to be and this was something that the state could not tolerate, especially after the state's own honor became ever more associated with the application of justice and maintenance of order. It had no other choice but to try to eliminate every other social group's claim to the same judicial power.³⁶¹ Malipiero stated that his service was “al decoro della **dignità** pubblica.”³⁶² Venice, owing its prosperity to trade, even framed smuggling as an assault on the honor of the state.³⁶³

Endurance of Morlak Customs

Venetian efforts to “tame” the Morlaks were made difficult for a number of reasons. Firstly, the frontier itself was a problem. It offered the Morlaks a safe haven across the boundary, where they would be welcomed as new colonists and, possibly, even a variety of privateers, pillaging the “enemy” in a manner similar to the Uskoks of Senj. Furthermore, apart from the economic benefit of a replenished population, the concentration of Morlaks close to the boundary along the Istrian Frontier suggests that both powers in Istria seem to have wanted to use the Morlaks as border guards and a reservoir of capable and ferocious soldiers to be used in their wars, either against one another or against the Ottomans (Map 3).³⁶⁴ And yet, the very traits that made them suitable for martial activities also made them difficult to control and police.

³⁶¹ “In the controversial sphere of honor, power inevitably asserts itself as law.” Povolo, *Introduction*, XLVI. The process of replacing feuds with royal justice can be seen in the German “Ewiger Landfrieden” from 1495 which sought to end feuds between nobles.

³⁶² Kandler, *Notizie storiche*, 344.

³⁶³ Sabine Florence Fabijanec, “Le sens de l'honneur chez quelques hommes d'affaires à Zadar au XIV et au XVI siècle,” *Acta Histriae* 8 (2000): 99-110, here: 104-105.

³⁶⁴ The Habsburgs established the Military Frontier in Croatia in 1553 and regulated its finances in 1578. However, they were concerned with defensive measures against the Ottoman threat from as early as the start of the sixteenth century. Maximilian turned Innsbruck into a central armory for the *Erblande*, and Ferdinand constructed a number of weapons caches in most of the major cities, including Graz, Ljubljana, Rijeka, Vienna and Linz. This order was issued in 1532, a time when Morlaks were migrating to Istria in greater numbers. Significantly, estate owners began beseeching the archduke for ever more aid. Siegmund von der Durr, representing the estates of Carniola asked Ferdinand: *dicz ann*

The Morlaks went about armed and this created problems for the authorities, especially since the Captain of Rašpor had only forty professional horsemen of dubious discipline under his command, which he was supposed to use for the defense of the frontier, as well as for various policing tasks.³⁶⁵ In the event, Morlaks were not above assaulting officials and cavalrymen. Even priests could become targets.³⁶⁶ While touring the *paisenatico*, the Captain of Rašpor visited Motovun in November 1552 where he was asked by the inhabitants to have the festival of St. Margaret held outside the city walls because of the Morlaks who “multiplied in this territory in the last fifteen to twenty years,” and they “cause quarrels and bear arms all day.”³⁶⁷ The Captain of Rašpor issued edicts trying to control the keeping and bearing of arms as early as 1540, but it seems that his orders largely went unheeded.³⁶⁸

Apart from the ambivalent stance of the *Serenissima* towards the Morlaks – at the same time praising and condemning them – there seems to have been a problem within the Venetian system of justice itself. Being a republic run by an oligarchy, Venice boasted a great number of factions and families vying for lucrative offices, both at home and overseas. “At the center of government were committees of nobles, elected or appointed by their own class, who kept vigilant watch over their peers.”³⁶⁹ The tone of Malipiero's report, and of his successors, reveal that, although their apparent concern was for the welfare of the State and for the “poor subjects” that they were trying to protect,

lannd mit ainer merern und tapfern hilff genediglich fursechen. See Günther R. Burkert, *Landesfürst und Stände* (Graz: Historische Landeskommision für Steiermark, 1987), 267-293.

³⁶⁵ There are many examples of their misconduct in the Archives of Rašpor. They engaged in fights, were lax in guard duty, the trumpeteer of the company abandoned his post without notice to enter the service of the Savorgnan lords in Friuli, and one even sold his horse while he was in Udine.

³⁶⁶ The Morlak Anton Karlić and his associates, after having committed numerous acts of robbery and violence, killed Ivan Brižin, an official of Sveti Lovreč and wounded a cavalryman under his command in 1540. The Senate gave the Captain permission to set a bounty on their heads valued at 1000 *libri*, but the Morlaks were never caught. Vesnaver, *Indice, L'Istria*, March 1 1891, 37-38., 1540; “Senato Mare,” *AMSI* 9, 125-126, September 6, 1540. That same year, another Morlak, Španjoleto, son of Španjol from Tar, assaulted a priest in his house and beat him to near death. “Senato Mare,” *AMSI* 9 126, October 23, 1540; Grga Osenić and a number of companions robbed an official of Novigrad of horses from his stable. “Senato Mare,” *AMSI* 9 131, November 15, 1542.

³⁶⁷ *La fiera di santa Margherita, dice, è pericolosa et staria ben a non farse a cagione dei morlacchi che da anni XV in 20 sono multiplicati et uenuti hàbitar nel territorio e trovano questioni coi cittadini... La fiera di santa Margherita, dice, è pericolosa et staria ben a non farse a cagione dei morlacchi che da anni XV in 20 sono multiplicati et uenuti hàbitar nel territorio e trovano questioni coi cittadini*. Vesnaver, *Indice, L'Istria*, March 1 1892, 36-37, 1552.

³⁶⁸ Vesnaver, *Indice, L'Istria*, January 1 1891, 2-3, 1540.

they seem to have been most keen on securing a lucrative next office. In his failure to curb the nobles of Pula and ensure the safety of Greek colonists, Malipiero turned to praising his success with two shipwrecks he salvaged in the apparent hope that this would please the Senate enough to grant him another post.³⁷⁰

Venetian administrators had to mediate between the various councils, legal bodies and informal groups in subject cities and their countryside.³⁷¹ It was Venetian policy to confirm the privileges of communities that submitted willingly, so that the end result was a territorial patchwork filled with various privileges and exemptions.³⁷² To further complicate the matter, it was common for the rich and powerful in the provinces – usually the nobles – to employ their wealth and political capital to secure an audience in Venice itself, often sidestepping local officials. Malipiero accused the nobles of Pula of resorting to this very strategy in order to exhaust the Greeks with expensive and lengthy lawsuits heard before Venetian courts instead of the local courts in Istria.³⁷³ Similarly, one of the complaints of the inhabitants of Motovun to the Captain of Rašpor in 1552 was that the upper classes of the town, supported by lawyers, ignored the authority of the Captain and appealed

³⁶⁹ James H. Johnson *Venice Incognito, Masks in the Serene Republic* (Berkley and Los Angeles: University of California Press, 2011), 143.

³⁷⁰ Near the end of his report he describes in great detail what great success he had with those two shipwrecks and then expressed his willingness to serve the Doge and the *Signoria* at any time and in any place they saw fit to employ him. He also commends his secretary and recommends him for future service. His successor Giacomo Rhenier excused himself at the end of his report on account of illness but the next *Provveditore*, Nicolò Salamon was, again, offering his services wherever they might be needed. Kandler, *Notizie storiche*, 371, 403.

³⁷¹ See Sergio Lavarda, “Banditry and Social Identity in the Republic of Venice. Ludovico da Porto, his Family and his Property (1567-1640),” *Crime, Histoire & Sociétés / Crime, History & Societies* 11 (2007): 55-82 (henceforth: Lavarda, *Banditry*).

³⁷² Pula, for example, was ruled by a *conte* instead of a *podesta* and his rights and duties were defined by the “Capitoli” that were determined at the time of the surrender in 1331. See Benussi, *Povijest Pule*, 289-292. Similarly, the third article of the list of complaints against the Morlaks contains the request to punish theft with corporal punishment or banishment only *non ostanre alcun statuto, over leze municipal delli luoghi sopradetti* meaning that, even in this case, they wanted to maintain their special exemptions or immunities. After its submission in 1404, one of the most important privileges of Verona was the confirmation of its Consulate (*Consolato*), which, staffed by local aristocrats, was the only body empowered to dispense capital punishment, and in 1545, it even acquired the right to banish criminals from the whole territory of the Venetian state. As such, this institution acted as a vessel by which the local aristocracy could maintain its power in the city and compete with Venetian courts. See Lavarda, *Banditry*, 55.

³⁷³ Kandler, *Notizie storiche*, 324-325.

to Venice, knowing that the poor could not afford it.³⁷⁴ This seems to have been a persistent problem since it had already been mentioned in a previous report of Donati Maripetro in 1545.³⁷⁵

An additional obstacle to a streamlined justice system was the Venetian practice aimed at preventing the accumulation of too much power in the hands of a single official. Consequently, Venetian Istria had two principal administrators. One was the *podesta* of Koper, the capital of the province, who slowly gained appellate jurisdiction over the other cities during the sixteenth century.³⁷⁶ The other was the Captain of Rašpor, the chief military officer of the Province, but also *podesta* of Buzet and an overseer of Piran with jurisdiction over the villages that formed the *Paisenatico*. Ultimately, these two were supposed to keep one another in check. Their rivalry was, however, further complicated by the jealousy of the individual rectors of the various communities who, although expected to be subservient to both leaders, were effectively independent on account of their own family ties and alliances in the capital.³⁷⁷

And finally, one should not dismiss the role that the lawyers must have played in the Morlaks' struggle against the Venetian legal system. The Morlaks of Nova Vas sent a complaint of their own in 1558, against the old inhabitants and the communities in whose proximity they lived. The phrasing of the complaint, which includes formal salutations (*Serenissimo Principe, Illustrissima Signoria*) and is written in elegant Italian clearly demonstrates that they employed professional legal aid. They even refer to themselves as “We poor Morlaks” (*Noi poveri Morlachi*), which was, probably, supposed to evoke the associations and stereotypes that the Venetians in the

³⁷⁴ *Sapia Vostra Mag.ia che li auocati et grandi dicono ali pouereti te menerò a uenetia e te farò spenderet meteno li homeni in paura et dicono anche per lenir le lite el far se face lite lasa che mi menerò la parte aduersa a uenetia, et lo farò spender et conumar et così strusiano li pouereti che se uenisse lappellation qui deli Clarissimi capitani li poueri ueneriano a pinguento che e poco lontan.* Vesnaver, *Indice, L'Istria*, March 1, 1892, 36-37, 1552.

³⁷⁵ Maripetro, the *podesta* of Koper, states that many in the province asked for a local appellate court, but were thwarted *per la malitia de alchuni Cancellieri*. “Relazioni dei podestà e capitani di Capodistria” AMSI 6, 45-104, here: 54-57.

³⁷⁶ Between 1538 and 1551, he acquired the appellate jurisdiction over Novigrad, Grožnjan, Vižinada and Bale, followed in the second half of the century by Rovinj and Poreč, ending with the authority over all Istrian communities from 1584. See Ivetić, *L'Istria moderna*, 39.

³⁷⁷ The records of Rašpor, for example, show this rivalry in criminal cases when *podestas* refuse to hand over jurisdiction over a case to the Captain or Rašpor because they were entitled to a part of the fine. For a very insightful

capital already had about them, that of a backwards and simple folk. They requested to be “treated equally like all other subjects” and their complaints were all approved.³⁷⁸ In an already complex legal system, the aid of expert lawyers could greatly improve the chances of the Morlaks or, at least, frustrate the local *podestas* and captains, who saw their cases overturned in Venice with much the same methods that local nobles employed.

A lawyer's touch was probably at work in the creation of a supplication sent to the *Prince* and the *Signoria* concerning a cross-boundary marriage contract gone sour. The letter, written sometime between 1564 and 1590,³⁷⁹ paints a very human and personal story. A certain Matija Simović of Tar, likely a Morlak,³⁸⁰ describes how he had negotiated to marry Elena, the niece of Gregor Ropenovac from Traba, a village subjected to the archduke. On his fifth visit, the marriage was allegedly finalized by an exchange of rings and a festive dinner. Fifteen days later he was told by Ropenovac that his prospective bride was in Grdo Selo, considering marrying a certain Juraj Netermac.³⁸¹ Simović states that he had visited Grdoselo with fifteen companions and, having learned that Elena had indeed decided to marry Juraj, he and they “left without exchanging any words, but those of courtesy.”³⁸² On the return trip they were arrested in Beram and conducted to Pazin, where they were sentenced “without due process”³⁸³ to the loss of their arms and horses, as well as a fine of 32 marks each. The total amounted to over a thousand ducats, and they had to leave five among their number as hostages to vouch for the payment. Considering the Morlak sense of pride and honor, the swift action of the authorities in Pazin, as well as the severity of the fine, it

case study of the Veronese example, see Emlyn Eisenach, *Husbands, wives and concubines: marriage, family, and social order in sixteenth century Verona* (Kirkville, Truman State University Press, 2004), 1-39.

³⁷⁸ “Senato mare,” *AMSI* 9, 331-335.

³⁷⁹ ASV PCC, 232. There is no date attached to the document but the Austrian subjects are listed as being under *Serenissimo Principe Carlo*, which means that it must have been created during his reign as archduke of Inner Austria.

³⁸⁰ Tar was subject to the County of Pazin until 1508, and then subject to Venetian Novigrad. The previously mentioned Morlak Španjoletto came from Tar, suggesting that Tar was one of the villages settled by Morlaks in in the 30s or 40s of the sixteenth century.

³⁸¹ Prior to the Tridentine reform, a marriage was executed in phases, over time, and the exchange of rings was not considered a consumation of the marriage. That happened only after the groom had taken the bride back to his home. See Mogorović-Crljenko, *Druga strana braka*, 54-59.

³⁸² *senza che tra noi seguisse altre parole che di cortesia.*

³⁸³ *senza formation di processo.*

seems likely that the reaction of a group of fifteen armed Morlaks was anything but courteous. Rejection of the marriage proposal would have been interpreted as a smear on the honor of the prospective groom and his kin requiring a show of face-saving force in reprisal. This episode accentuates the persistence of Morlak customs in the second half of the sixteenth century and the inability of the state to curb their own, parallel, system of justice. This example, however, might also explain why Austrian Istria did not seem to have suffered as much from the Morlak “honor bound” justice, as Venetian Istria. Apart from the fact that, as I have shown, the government of Lower Austria undertook measures to deal with conflicts between indigenous and Morlak inhabitants at the very start of their settlement, it might be that in Austrian Istria justice was swifter and more personal. Even though the sources do not permit a detailed analysis, it is possible that the more streamlined administrative system, lacking the factional rivalry that existed in Venice, also prevented the Morlaks from employing the various strategies that allowed them to delay or avoid the legal system in Venetian territories. Although they could appeal to the vicedom in Carniola and the government of Lower Austria, they might not have had the same tools at their disposal to “game the system” as they did in Venice. Another possibility is that it was simply much more lucrative to raid and pillage in Venetian Istria and use the County as a safe haven.

Economic Migrants at the End of the Century

Venetian Morlaks tended to migrate into the County of Pazin after they had a run in with the law and were banished from the Province. The reverse was also true, and there is evidence that Austrian subjects sought refuge from justice across the boundary, too.³⁸⁴ In the second half of the

³⁸⁴ The Captain of Rijeka, Leonardo d'Atthems wrote to Marino Pesaro, the Captain of Rašpor, claiming that a certain Tomica who was in Pesaro's entourage during the meeting of the two captains was in fact a thief and assassin whose companions had been sentenced to death in Pazin. *essendo esso tomicchio un tristo, pubblico ladro et assassino come*

sixteenth century, it seems that economy was the principal reason for Austrian subjects to migrate to the other side of Istria. Venetian Istria was always wealthier and more prosperous than the Austrian part, and it boasted much untilled land that the State was trying to grant to new colonists. However, due to enmities between the old population and new settlers, especially in the territory of Pula, it seems that Austrian subjects were not inclined to migrate, at least not until the burden of taxes became too onerous for them.

De Franceschi stated that the Habsburgs were always on the lookout for new pledged possessors of the County in order to extract the maximum possible financial gain from it. The reforms of the rent rolls, initiated in 1570, were meant to increase the income from archducal possessions and, thus, make them more valuable to potential pledged possessors. In 1597 there was even the suggestion that it should be pledged the Grand Duke of Toscana in exchange for the staggering sum of 150 thousand crowns.³⁸⁵ There was a good reason why the Austrian government was in such dire need for money.

Since inheriting the Kingdoms of Hungary and Croatia in 1527, the Habsburgs had been faced with immense expenditures to defend against the Ottomans. On the basis of extensive research, Géza Pálffy has concluded, that “the lands and territories (of the Habsburgs) could not fully finance the defense against the Ottomans from imperial income and contributions of the estates alone.”³⁸⁶ In the second half of the 1560s these expenditures became nearly unbearable. After the peace treaty of Edirne in 1568, defense costs increased by four hundred thousand gulden on account of the creation of military frontier garrisons in Hungary. In total, from 1554 until 1593, expenses rose from 761,766 to 1,726,633 florins for military salaries alone while the total income

si puo vedere per il processo formato in pisino ove li suoi compagni per le loro buone opere sono stati impiccati per la gola... ASV PCC 236, 107v-108r, November 10, 1574.

³⁸⁵ De Franceschi, *Storia*, 81-90.

³⁸⁶ Géza Pálffy, “Der Preis für die Verteidigung der Habsburgermonarchie: Die Kosten der Türkenabwehr in der zweiten Hälfte des 16. Jahrhunderts,” in *Finanzen und Herrschaft*, ed. Friedrich Edelmayer, Maximilian Landzinner and Peter Rauscher (Vienna, Munich: Oldenburg Verlag, 2003), 20-45, here: 32.

from all Habsburg lands was around two million.³⁸⁷ It is, therefore, understandable, that the Crown should be in constant need of loans and why the County of Pazin was used to acquire them.

The pressure of increased taxes did not go unnoticed by Venetian officials. Malipiero noted in his report from 1583 that the archduke's subjects suffered from the oppression of pledged possessors and that they were attracted by the twenty year tax exemptions granted by Venice. The only problem was the hostility of the nobles of Pula towards all new inhabitants.³⁸⁸ He had given lands to migrants from Pazin, but some of them left soon after because they did not feel safe. Nicolò Salamon added in 1588 that a number of families of Imperials, similar to Morlaks, "left their nests on account of being under a severe yoke of the empire."³⁸⁹ One banished Venetian citizen took to persuading Morlaks in Austrian territory to change allegiances, in the hopes of getting his sentence commuted.³⁹⁰ The flow of migrants leaving the County of Pazin for Venetian Istria seems to have become a noticeable problem by the end of the century. In 1605, the representatives of the communities of the County met with the bishop of Pićan, Antonio Zara, to voice their complaints.³⁹¹ The majority of the nine articles dealt with what the inhabitants considered unfair and onerous taxes and abuses by officials. They considered the financial burden the principal reason why the Venetians were, "malis artibus," luring the subjects of Pazin with tax exemptions, and monetary contributions worth twenty five ducats to help them settle down. In continuation, they stated that many were leaving, for various reasons. Some left for money and exemptions and others because of injustices done to them. They warned that should something not be done the County would remain devoid of subjects and animals, whereas Pula would be filled with people. And, most importantly,

³⁸⁷ Ibid.

³⁸⁸ *Molti sudditi Arciducali.... sono molto angarizati da quei Signori Todeschi che hanno quel Contado in pegno, allettati massimamente dalla essentione reale et personale che hanno li nuovi habitanti di Pola per XX anni...* Kandler, *Notizie storiche*, 321.

³⁸⁹ *..alquante famiglie d'Imperialioartisri dalli proprry nidi per il troppo severo giogo dell'Impero, ad habitar et coltivar terreni de Polisano, gente consimile alli suddeti Murlacchi...* Kandler, *Notizie storiche*, 380.

³⁹⁰ *Gli si comunica che Marco Antonio Pola 'ridottosi per occasion di bando nel paese Arciducale' aveva indotto alcuni morlacchi malcontenti a venire a stabilirsi in Istria verso concessione di terreni nei distritti di Parenzo o Cittanova*, "Senato Secreti 95 (1602-1603)," *AMSI* 6, 336-337, September 7, 1602.

³⁹¹ The integral text of the bishop's report to the archduke is published in De Franceschi, *Note storiche*, 414-424. The original is lost.

as their neighbors left, “friends become enemies” who then raided Austrian subjects close to the frontier and damaged the forests.³⁹²

The threat of transformation from subjects to enemies is a clear indication of the complexity of identities among the populations of Istria. Eric R. Dursteler argues that even conversion to Islam was “simply a complication of identity, an addition to the important regional, ethnic, religious, and familial elements that were at the core of self and community in this period.”³⁹³ Individual elements of this identity such as political allegiance to Austria or Venice could be changed without affecting the other components of identity that an individual possessed. Consequently, a subject that abandoned his liege and migrated to the other side of the boundary would still retain enough elements of his identity – his assumed ethnicity, way of life, beliefs and values, religion and so on – to maintain a sense of personal self.³⁹⁴

One might assume that these lively arguments presented before the bishop were just metaphors employed to prevent further rises in taxes. The *župans*, however, seem to have been genuinely concerned with the situation because they offered advice on how to stop these migrations. They suggested two solutions. Firstly, the state should give all migrants one month to return or risk losing all of their lands on that side of the boundary. And secondly, Austrian ambassadors should “gravely exaggerate these fraudulent acts, contrary to natural, divine and human law” and ensure that the Venetians cease accepting these subjects.³⁹⁵ In all likelihood, these migrations into Venetian territories probably continued unabated, mitigated only somewhat by Venetian banishments of criminals from their territories in return.

³⁹² *d'amici divengono inimici, et quelli sudditi con loro confinanti continuamente daneggiano et rubbano, et gli Boschi dell' A.V.S. atterano, et à molti che dovevano, portarono gli Crediti nel Veneto.*

³⁹³ Eric R. Dursteler, *Venetians in Constantinople* (Baltimore MA: The John Hopkins University Press, 2006), 129.

Furthermore, even ethnicity was a concept as dynamic as the people, their cultures and societies were. See Emil Heršak, “Etničnost u prošlost” (Ethnicity in the past), in Emil Heršak, ed., *Etničnost i povijest* (Ethnicity and history) (Zagreb: Naklada Jesenski i Turk, 1999), 25-35.

³⁹⁴ One could even be Croatian and Morlak at the same time. *Processus criminalis contra Paulum croatum, murlacum, condemnatum ad furchas*. Vesnaver, *Indice, L'Istria*, December 16, 189-190, 1514.

³⁹⁵ *Et nel Senato Veneto poi fare esagerare gravamente ques'Arti loro fraudolenti, contrarie alla legge Natural, alla Divina, et Humana et oprare si, acciò questi sudditi fugitivi rimandino nè più per l'avvenire gli seduchino, ò accettino.* De Franceschi, *Note storiche*, 414-424.

Conclusion

The Morlaks or Ćići were a significant factor in sixteenth century Istria. Fleeing from the Ottomans, they were welcomed by both powers, desperately in need of new settlers to repopulate a peninsula devastated by war, famine and plague. These refugees had their own customs and a social system based on tribal honor, a cause of great trouble to the old inhabitants of Istria who often found themselves at the mercy of Morlak thugs. This was especially true for the inhabitants of the more urban centers for whom Morlak customs probably bordered on barbaric.³⁹⁶ For much of the first half of the sixteenth century, both governments were primarily concerned with attempting to regulate the lives of these new settlers and to keep them in Istria, since most of them saw the peninsula as little more than a temporary refuge to use and abuse until wars ebbed in Dalmatia. Over time, it seems that, especially in Austrian Istria, the Morlaks integrated into local communities, whereas they appear to have preserved their distinct character in Venetian Istria, which probably owes more to the contrast between urban and rural than to the political boundary separating the two states. The frontier was no barrier to these new settlers. In the first half of the sixteenth century, it seems that most of the migrations within Istria were the results of banishments pronounced by, mostly, Venetian rectors. After 1560, however, the increasing financial burden in Austrian Istria seems to have turned the trend around, so that Austrian subjects were now migrating, mostly to Pula which boasted a large amount of unfarmed land. Throughout this time, however, the Morlaks were praised and valued for the very traits that made them difficult to discipline and rule over, their robustness and aggressiveness. For that very reason, they seem to have been deliberately settled near state boundaries to protect the frontier and to foment trouble for the enemy. It is possible that their presence may have, indeed, contributed, both directly and through crime and

³⁹⁶ In contrast, the parish priest of inland Buzet, Bonifacije Sotolić, told the visiting bishop that he would frequently go to his brother's tavern to drink with Morlaks, whom he called his "good friends and the best of men." Fučić, *Iz istarske spomeničke baštine*, 121-122.

other illicit behavior, to the general level of belligerence in Istria and affected the recurrent problem of boundaries that escalated in the sixteenth century.

CHAPTER III: WHAT DRIVES APART

Introduction

“At another, more profound level, boundary markers are also symbols in rural Norway of something much more important than simple geometric clarity: they represent an unwritten agreement that exists between all members of the same rural community. This agreement says that even though individuals own land privately, all members of a community are bound to honor each other’s rights in both private lands and the land held in common. Boundary markers can therefore be seemingly inconspicuous to the eye because it is not the actual object that is marking the property, but the memory of rights of some over certain areas and not others, and, even more, the collective respect accorded to these rights. In this sense, the surreptitious moving of boundary markers is not so much an attack on the boundaries themselves, but an attack on the community’s cohesion which is expressed, in part, through boundary markers.”³⁹⁷

This quotation does not refer to a distant time period in Norway’s history. Instead, it stems from an analysis of boundary disputes in present day rural Norway. It captures perfectly, however, the relationship between members of sedentary communities and the boundaries that delineate their territory throughout recorded history. In his study of personal and corporate power using the example of the Bedouins of Cyrenaica, Emrys L. Peters has drawn the often cited conclusion that “the feud knows no beginning and has no end. It is a form of behavior associated with a specific structural order, and is as specific as the structural order itself; in this sense it is eternal”³⁹⁸ Peters further noted that the participants of the feuds could not describe any specific killings done in the name of the feud that were older than fifty years, but they were certain that the origin of the feud was much longer than that, even if they had no memory of specific wrongs done to them that reached beyond that period.

³⁹⁷ Mark R.G. Goodale and Per Kåre Sky, “A Comparative Study of Land Tenure, Property Boundaries, and Dispute Resolution: Examples from Bolivia and Norway,” Land Tenure Center Working Paper 34, March 2000, University of Wisconsin – Madison, 16-17. <http://ageconsearch.umn.edu/bitstream/12769/1/lcwp34.pdf> (henceforth: Goodale, Sky, *A Comparative Study*).

³⁹⁸ Emrys L. Peters, *The Bedouin of Cyrenaica: Studies in Personal and Corporate Power* (Cambridge: Cambridge University Press, 1990), 67.

Even though Peters' statement refers to *vendettas* between families and clans, I believe that an analogy can be drawn between them and boundary disputes between communities throughout history. Both seem to have been imbued with a certain sense of sacredness. The feud was perceived as such by contemporaries as late as the nineteenth century, and in some societies, even today. And what can be said of boundaries? In the Roman origin myth, when Romulus killed Remus at the founding of the City, which is, probably, the most famous fratricide in history, he is believed to have said the following: "So perish every one that shall hereafter leap over my wall."³⁹⁹ The Roman even had a god, Terminus, who protected boundary markers, and in whose name a yearly "renewal ritual" of the foundation was performed.⁴⁰⁰ In 1695, the *Deputato dei Confini* Raimondo Fini wrote of a disputed area between Venetian Sveti Lovreč and Austrian Tinjan. According to his report, a Venetian priest conducted a "sacred ritual" every year. The priest would walk in procession for two miles, the length of the disputed territory, and plant a cross in the center of it, marking the boundary.⁴⁰¹ Rome, Istria, Norway all shared a certain sacredness and solemnity with regards to their boundaries. This chapter focuses on boundary disputes in sixteenth century Istria. I analyze them in comparison with disputes before the War of the League of Cambrai to ascertain the specific changes that transpired after the war. I also look at what constituted a boundary dispute, as well as the rituals that surrounded them. In the end I look at the economy as an important factor affecting the escalation of such disputes.

³⁹⁹ Livy I, 7.

⁴⁰⁰ William W. Fowler, *The Roman Festivals and the Period of the Republic: An Introduction to the Study of the Religion of the Romans* (London: Macmillan and Co, 1899), 324-327.

⁴⁰¹ *Ho anco rillevato in autentica di ciò un sacro Ritto, et é che il Parroco Veneto girando Processionalmente ogn'anno due Miglia di spatio per mezzo le Differenze suole ognivolta impiantarvi una Crocetta dirimpetto alla sudetta Contrà Rusgnak.* "All illustrissimo et Eccelentissimo Signor Podesta e Capitanio di Capodistria Giacomo Cabriel 1695. Scritture di Raimondo Fini Deputato di Confini," in *AMSI* 7, 193-199, here: 196.

Role of the Boundary

A pre-modern boundary was not imagined as a precise and immutable line that we imagine today for a number of reasons. Measurement tools and cartography were not nearly as developed as they are today, and their functional role in boundary disputes is a relatively modern phenomenon.⁴⁰² More importantly, however, the importance of an exact and defined boundary was different. In modern times, the state is commonly portrayed as an “integrated, autonomous organization with clear social and territorial boundaries whose parts work together in a fairly coherent manner.”⁴⁰³ Even though boundaries are far from being static in present day and age, the population and the political elites place a great deal of value on their safeguarding and employ a number of disciplines, from history and cartography to international law and diplomacy, to maintain the borders so closely linked to national identity. In the medieval and early modern worldview, the boundary was just one of many traits that described a state, but certainly not the most important one. While preparing his *Cosmographia*, published in Basel in 1544, Sebastian Münster wrote a letter to Georg Normann, the secretary of the Swedish king, inquiring about his kingdom. Wanting to describe Sweden in the best possible light he acknowledged that there was no one better suited to provide him with information, but her inhabitants:

“For they are better able to judge and depict the things of their patria and to indicate what remarkable things nature has allotted to it, what deeds have been done since distant years, what prosperity it has, how far the boundaries of the kingdom extend, at what time they came to know of Christ, what werethe names of the kings from that first knowledge of Christ, when and in what way the two kingdoms of Sweden and Gotland were joined under a single ruler”⁴⁰⁴

⁴⁰² It was not until the mid seventeenth century that the science of cartography began to reach levels required to accurately represent terrain on maps. It was then that Venetian diplomats began to refer to maps in the resolution of boundary disputes. See Sergio Lavarda, “Il primo confin contentioso. Le montagne tra Astico e Posina in età moderna” (henceforth: Lavarda, *Il primo confin*), in Panciera, *Questioni di confine*, 117-147, here: 125.

⁴⁰³ Joel S. Midgal, “Mental Maps and Virtual Checkpoints: Struggles to Construct and Maintain State and Social Boundaries,” in *Boundaries and Belonging*, ed. Joel S. Midgal (Cambridge, University Press, 2004), 3-27, here: 17.

⁴⁰⁴ Quoted from Mathew McLean, *The Cosmographia of Sebastian Münster* (Hampshire: Ashgate, 2007), 148 (henceforth: McLean, *Cosmographia*).

As Günther Vogler has concluded on the basis of this and several other examples from the sixteenth and seventeenth centuries: “country borders are mentioned – if at all – only casually” in the descriptions of states.⁴⁰⁵ And these descriptions were meant to be used as a didactic tool for rulers and their successors, to teach them about their land and to help them govern more effectively. The precise boundary was not the most important aspect of this lesson and that is because the pre-modern state was not “a territorial state: it was structured around 'jurisdictions.’”⁴⁰⁶ The personal bond between ruler and ruled outranked any concepts of pure territorial lordship. The titles of rulers, based on the gentile principle instead of the territorial one (*rex francorum*, *rex romanorum*, *suecorum*, *gothorum et vandalorum rex*, to name a few), illustrate this concept clearly.⁴⁰⁷ That does not mean that territorial boundaries did not figure in contemporary descriptions and depictions of states – they did, of course – merely that they needed not to correspond to “reality.” Johann Sambucus' map of Illyricum from 1572, for example, depicted, among others, the provinces of Styria, Carniola, Istria and Croatia in boundaries that would, by modern standards, be grossly inaccurate.⁴⁰⁸ From contemporary perspectives, however, the map may have been considered accurate, considering that the “indisputable divides such as waterways and surer dividing zones such as forests and mountain ranges, gave the map coherence and served to divide peoples for whom a history of centuries of tribal 'translations' would seem instead to agglomerate.”⁴⁰⁹ From a practical point of view, it was easier for the reader to associate boundaries with identifiable terrain features than with mutable and elusive political jurisdictions. Furthermore, even when cartography improved and wide reaching efforts were undertaken to accurately depict a nation's borders, there

⁴⁰⁵ Günther Vogler, “Borders and Boundaries in Early Modern Europe,” in *Frontiers and the Writing of History*, ed. Steven G. Ellis and Raingard Eßer (Hannover-Laatzten: Wehrhahn Verlag, 2006), 21-38, here: 25-28.

⁴⁰⁶ Sahlins, *Boundaries*, 28.

⁴⁰⁷ In Sweden the monarch remained “King of the Swedes” until Carl Gustav VI changed it to “King of Sweden” in 1973.

⁴⁰⁸ <http://www.alte-landkarten.de/images/22162-01.jpg> (retrieved October 10 2012)

⁴⁰⁹ McLean, *Cosmographia*, 222.

was criticism as late as the eighteenth century that voiced suspicion regarding possible intentional and malicious alterations on maps for the advancement of one's arguments.⁴¹⁰

Precise mapping of boundaries may not have been very relevant to kings and princes on a macroscopic scale. This changes, however, as the view narrows down to a local environment, that is to say, on the microscopic level. Daniel Nordman pointed out that the Mediterranean world is constituted from spatial units of mediocre size or, as the French geographer, Pierre Birot put it: the median size of a homogenous unit is of the order of ten kilometers.⁴¹¹ To the average person in any pre-modern period in the Mediterranean, these ten kilometers would have represented the near totality of their world, both spatially and politically. As far as geography was concerned, the local community was the principal point of reference. The inhabitants knew their immediate surroundings best, and less about the more remote areas. An Austrian subject from Boljun, for example, would probably have spent most of his days crossing and interacting with his immediate surroundings, working the fields that took up the first two, three kilometers of Boljun's territory, and herding livestock on communal pasture or gathering wood from communal forests which would have extended his range to about five or six kilometers.⁴¹²

Geographical circumstances being far from ideal – the villages were, of course, not neatly spaced six kilometers from one another – he would frequently interact with neighboring Paz, Vranja or Lupoglav, who were all within walking distance, less so with Pazin, Buzet or Labin, since visiting these settlements required both time and money which were never in great supply. Beyond fifteen to twenty kilometers, however the knowledge of geography probably started to become patchy and mixed with imagination. Rijeka as the seat of the neighboring captaincy, the coastal

⁴¹⁰ See Christine Marie Petto, *When France was King of Cartography: The Patronage and Production of Maps in Early Modern France* (Plymouth: Lexington, 2007), 108-113.

⁴¹¹ Daniel Nordman, *Frontières et limites maritimes: la Méditerranée à l'époque moderne (XVIe-XVIIIe siècle)*, in *La Toscana moderna nello spazio Mediterraneo*, ed., in Guarini, Volpini, *Frontiere terra/mare*, 19-37, here: 21. See also Peregrine Horden and Nicholas Purcell, *The corrupting Sea. A Study of Mediterranean History* (Oxford: Blackwell, 2000), 78.

⁴¹² The average limit of daily activities in the Middle Ages was about two kilometers. See Eric Klingelhöfer, *Settlement and Land Use in Micheldever Hundred, Hampshire, 700-1100* (Philadelphia: American Philosophical Society, 1991), 84. See also the bibliography in the cited volume for the models used to test the settlement pattern hypotheses.

Venetian towns or Trieste were probably places that the average peasant would visit, at most, several times in his lifetime with a correspondingly important reason to justify the expense. These trips would probably have been the result of settlement of a debt, purchase of livestock, pursuit of criminals, or a family matter like marriage or inheritance.⁴¹³ Consequently, the majority of the subjects probably never even visited the capital of Vienna or had any knowledge of the geography of the lands surrounding it. In contrast, Venetian subjects did occasionally travel to Venice; usually in an official capacity when representatives of local communes needed a grievance addressed in the City, but some also migrated there.⁴¹⁴ Sailors, craftsmen and servants were always in short supply in Venice and there is ample evidence of migrations from the colonies and even from areas threatened by the Ottomans. Only about two percent of the immigrants from its possessions in the Eastern Adriatic came from Istria which seems to suggest that migration from the peninsula to Venice was relatively uncommon.⁴¹⁵

The political hierarchy probably enjoyed a similar degree of separation. The local subjects, in all likelihood, interacted mostly among themselves and with their *župan*, who, in turn, communicated with captains or *podestas*. Dealings with these officials were probably not a good sign in any case since their involvement was required when a problem could not be resolved locally. The Austrian archduke and the Venetian doge were in all likelihood never seen by their lowest ranking subjects. The sovereign was neither seen nor heard, and this was not even expected by the villagers or their representatives. After centuries of construction of the aura of majesty around the royal person,⁴¹⁶ the Crown was a symbol of ultimate authority. From the peasant's perspective,

⁴¹³ For example Margetić, *Veprinački zapisnici*, 23r, 1528.

⁴¹⁴ The expenditures of Roč attest to trips to Venice which were a major drain on the community's treasury. However, since these are the official records of the community, no mention of the travels of ordinary inhabitants would be found in them which is why one cannot claim with certainty that these folk did not travel to the capital as well.

⁴¹⁵ Altogether 41 percent came from Dalmatia and 31 percent from Albania. Lovorka Čoralić, "‘S one bane mora’: Hrvatske prekojadranske migracije (XVI.-XVIII. stoljeće)" (On the other side of the sea: Croatian overseas migrations (16th – 18th centuries), *Zbornik Odsjeka povijesnih znanosti Zavoda povijesnih i društvenih znanosti Hrvatske akademije znanosti i umjetnosti* 21(2003): 183-199, here 193.

⁴¹⁶ Ernst Kantorowicz, *The King's Two Bodies: A Study in Mediaeval Political Thought* (Princeton: Princeton University Press, 1981); Sergio Bertelli, *The King's Body. Sacred Rituals of Power in Medieval and Early Modern Europe* (University Park, PA: Penn State University Press, 2001).

taught as he was of the analogy between the earthly and heavenly kingdoms, the prince was expected to act through agents and proxies exclusively. Not knowing the sovereign nor ever expecting to lay eyes on him shrouded him in mystery and that gave him power. Additionally, the peasants counted on his ultimate benevolence, following the age old logic that the sovereign had only their best interests in mind. If things went amiss, then the blame was laid on advisers and underlings and not on the sovereign himself.

This difference of scale between center and periphery on the one hand, as well as between sovereign and peasant on the other, had to have been reflected on the problem of boundaries and the disputes that arose because of them. A lone meadow in the mountains was as abstract to the sovereign as regional politics and dynastic alliances were to the peasant. In contrast, that same meadow may have been the lifeblood of the peasant and he would have had a vested interest in knowing where the exact and precise boundary line of it lay. Consequently, the local communities who formed the basic cells of social life were the ones who created the boundary between states in an effort to safeguard and expand the lands that were vital to their survival and prosperity. Competing for the same resources with their neighbors, their diverging interests could, and often did result in disputes and violence which they were frequently unable to resolve on their own. In such cases, they needed to resort to a higher authority. When disputes arose across state boundaries, the issue became much more serious. As Sahlins has remarked: “The historical appearance of territory – the territorialization of sovereignty – was matched and shaped by a territorialization of the village communities, and it was the dialectic of local and national interests which produced the boundaries of national territory.”⁴¹⁷ This process appears somewhat different in Istria, since both Venice and Austria maintained their heterogeneous ethnic character in Early Modern times although it could not have been entirely unique.

⁴¹⁷ Sahlins, *Boundaries*, 8.

The interest of a wide variety of disciplines in boundaries and frontiers created an abundance of, not always unambiguous and consistent, terminology. When it comes to the resolving of boundary disputes and determining where these boundaries actually lay, the commonly used terms include *allocation*, *delimitation* and *demarcation*.⁴¹⁸ Allocation refers to the initial division of territory between two states, delimitation to the selection of the location of the boundary, and demarcation to the actual construction of the boundary in the field. Late Medieval and Early Modern sources commonly deal with demarcation. The most famous boundary document in Istrian history, “Istarski razvod,” translates into English as “the Istrian Demarcation.”⁴¹⁹ What the extant version of this valuable document describes is a boundary demarcation ritual that took twentyone days during which time the commission crossed over about a hundred and fifty kilometers, inspecting (*Germ. Beschauung*) determining the boundaries between the lands of three powers: Count Albert of Görz (also lord of Pazin), the patriarch of Aquileia and the Republic of Venice. In this they were accompanied by three notaries and a large number of local officials and other subjects in the role of witnesses.⁴²⁰

The Chamber of Boundaries

The sources that deal with the problem of boundary disputes reflect the perception, attitude and priorities of the involved powers. There are, of course, many pieces of information that attest to the disputes that flared up between Austrian and Venetian subjects near the boundary. Rent rolls,

⁴¹⁸ See John Robert Victor Prescott, *Political frontiers and boundaries* (London: Unwyn Hyman, 1987), 13.

⁴¹⁹ Fore example in the English language summary of Dražen Vlahov, “Istarski razvod – važan izvor za srednjovjekovnu gospodarsku povijest Istre” (The Istrian Demarcation – an important source for the medieval economic history of Istria), *Arhivski Vjesnik* 51 (2008): 293-302. The Italian term used by De Franceschi is “reambulazione.” Camillo De Franceschi, *Studio critico sull’ istrumento della pretesa reamubazione di confini del 5 maggio del 1325 indizione VIII tra il patriarca di Aquileia Raimondo della Torre col mezzo del suo Marchese d’ Istria Guglielmo di Cividale, il Conte Alberto di Gorizia ed Istria, ed i Veneziani* (Trieste: Società del gabinetto di Minerva, 1884).

⁴²⁰ See Josip Bratulić, *Istarski razvod* (The Istrian demarcation) (Pula: Libar of Grozda, 1992).

receipts, dispatches, charters and narratives all figure in this group, but Venice was the first to create an archival fund to deal exclusively with the matter of boundaries. The diverse political mosaic of medieval Italy was shattered by the Wars in Lombardy in the first half of the fifteenth century. After the peace of Lodi in 1454, five powers emerged as dominant in the peninsula: Venice, Milan, Naples, Florence and the Papal States. The smaller states and dynasties – once contenders for positions of power in their own right such as Genoa, Mantua, Ferrara and the House of Savoy, were relegated to positions of relative unimportance.

Despite replacing Milan as the most powerful of the five, Venice had far too many pressing concerns in the Balkans to focus on continental expansion or the establishment of hegemony in Italy, which contributed to a period of relative peace that lasted half a century.⁴²¹ The most important aspect of the peace treaty was the establishment of a permanent boundary between Venice and Milan along the Adda River.⁴²² This delicate balance of power was brought to an end with the onset of the Italian Wars at the end of the fifteenth century, beginning with the French invasion in 1494. Taking advantage of the wars between the great powers in Italy to expand its own dominion eventually earned Venice the enmity of most of them, culminating in the War of the League of Cambrai. Although Venice, whose situation seemed dire after the defeat at Agnadello, managed to effect an eventual return to *status ante bellum*, its strategic situation was made very difficult after 1535.

After the death of the last Sforza, rulership over the duchy of Milan passed to Charles V, who, then, installed his son Phillip as duke.⁴²³ Instead of a strong, but still relatively unthreatening Sforza, Venice now had to contend with the Spanish branch of the Habsburgs on their western

⁴²¹ See Frederick Chapin Lane, *Venice, A Maritime Republic* (Baltimore: John Hopkins University, 1973), 231-234 (henceforth: Lane, *Venice*). Also Braudel, *The Mediterranean* 1, 388. Peace was temporarily broken by the War of Ferrara (1482-1484) in which Venice conquered Rovigo and a part of the Po valley, reaching the maximum extension it ever had on the *terraferma*.

⁴²² Venice and Milan engaged in long lasting rivalry for the possession and control of the Adda River and its surrounding territory. See Cecilia Ady, *A History of Milan under the Sforza* (New York: G.P. Putnam's Sons, 1907), 44-45.

⁴²³ See Antonio Álvarez-Ossorio Alvarino, "The State of Milan and the Spanish Monarchy," in *Spain in Italy, Politics, Society, and Religion 1500-1700*, ed. Thomas James Dandeleit and John A. Marino, (Leiden: Brill, 2007), 99-134.

border, while facing, at the same time, the Austrian Habsburgs on its northern and eastern flanks. The *Signoria* responded to this growing threat – Spain was, after all, a world empire at the time – by resorting to the foundation of the Chamber of Boundaries (*Camera dei Confini*).⁴²⁴ With its dedicated magistrates – at various times called *Provveditore*, *Commissario*, *Deputato*, or *Sovrintendente* – it was founded between 1554 and 1564 with the aim to collect, order and preserve relevant materials and documents. Prior to this period, the typical *modus operandi* was to let local officials determine the best course of action in boundary disputes, and, frequently, the local communities were allowed broad autonomy in these matters. This procedure was, however, deemed inadequate in the face of the growing ambitions of the empires on Venice's borders.⁴²⁵

This measure, which was inherently defensive and conservative, seems to be indicative of the decreasing influence and capabilities of the once dominant merchant republic. In the first decades of the sixteenth century, Venice still actively participated in regional politics. While its continental possessions in Greece were slowly taken over by the Ottomans, who also applied pressure to her Dalmatian possessions, Venice was still the near absolute master of the Adriatic Sea and took advantage of every opportunity to expand her land holdings on *terra ferma*. By mid-sixteenth century, however, Venetian power, as understood in previous centuries, was in continuous decline, primarily for economic reasons. First, in sailing around Africa, the Portuguese took away their lucrative spice trade with the East, so that in 1504 not a single sack of pepper awaited the Venetian galleys in Alexandria. Subsequently, after the Spanish conquered America and with

⁴²⁴ Paolo Cavalieri, "L'Archivio della Camera dei Confini di Bergamo e il confine occidentale della Repubblica di Venezia tra XVI e XVII secolo," in *Confini e frontiere nell'età moderna*, ed. Alessandro Pastore (Milan: Franco Angeli, 2007), 219-246, here: 220-221.

⁴²⁵ Initially, the Senate ordered the creation of one or more secretaries to deal with this problem. From 1564, it was decided to name two *Provveditori*, whose task was to review all materials that reach the capital from the provinces and advise the Senate. At the end of the century, as boundary disputes multiplied on all Venetian frontiers with Austria, Milan and the Papal States, Venice created the provincial Chambers of Boundaries in major frontier cities. The two *Provveditori* in the capital became the *Soprintendenti*. See Mauro Pitteri, "I confini della Repubblica di Venezia. Linee generali di politica confinaria (1554-1786)," in *Alle Frontiere della Lombardia, Politica, guerra e religione nell'età moderna*, ed. Claudio Donati (Milan: Franco Angeli, 2006), 259-288.

Fugger sponsorship, Antwerp became the hub of international trade in the sixteenth century, only to be eclipsed in turn by the rise of Holland and England.⁴²⁶

Even the glorified victory at Lepanto in 1571 could not hide the fact that Venice had lost its supremacy over the Eastern Mediterranean, accentuated soon after by the loss of Cyprus. Venice did not crumble as a result of these – in the eyes of the senators probably catastrophic – historic changes.⁴²⁷ Although it might have looked sudden, her decline was gradual, but there was a noticeable shift in priorities. Trying to compensate for the loss in maritime trade, Venice devoted its energies towards the development and exploitation of various industries on the *terra ferma*, focusing first on wool and then, after Flemish and English competition became too strong, on silk, glass and other manufactured goods.⁴²⁸ Simultaneously, the trend towards ruralization of manufacturing lead to stagnation in urban centers as well as to the rising importance of the countryside, contributing to the significance of the *terra ferma* as a source of goods in addition to its previous role as a buffer zone for Venice or as a reserve of manpower.⁴²⁹ Additionally, although Venetian nobility had turned to managing of agricultural estates soon after the conquest of the *terra ferma* creating a class of urban-based landowners, this process advanced rapidly in the sixteenth century. Eric Dursteler noted that “by the late sixteenth century the romanticized patrician merchant world traveler of medieval Venice no longer existed.”⁴³⁰ That did not mean that these landowners

⁴²⁶ For an overview of this economic development see Fernand Braudel, *Civilization and Capitalism, 15th -18th Century Vol III.: The Perspective of the World* (Berkeley and Los Angeles: University of California Press, 1992), 116-157 (henceforth: Braudel, *The Mediterranean*); Brian Pullan, ed. *Crisis and Change in the Venetian Economy in the Sixteenth and Seventeenth Centuries* (London: Methuen, 1968).

⁴²⁷ Braudel challenged the established view that the Mediterranean lost its importance on a global scale after the discovery of the New World. Instead, in his synthesis on the Mediterranean in the age of Phillip II, he states that the time between 1450 and 1650 should be considered a “vigorous period,” after which followed a true economic decline, possibly after the financial collapse of the Spanish crown driven by inflation from American gold. See Braudel, *The Mediterranean*, Vol 2, 892-900.

⁴²⁸ A collection of articles explaining this shift to manufacturing from the Late Middle Ages until the end of the Republic in Paola Lanaro, ed., *At the Centre of the Old World. Trade and Manufacturing in Venice and the Venetian Mainland, 1400-1800* (Toronto: Center for Reformation and Renaissance Studies, 2006).

⁴²⁹ See Faruk Tabak, *The Waning of the Mediterranean, 1550-1870: A Geohistorical Approach* (Baltimore: John Hopkins University Press, 2008).

⁴³⁰ The noble merchant of the golden age of Venice was already disappearing at the beginning of the sixteenth century. Marino Sanudo noted that only four nobles traded in Galata in 1523. The rest were all common born. Eric R. Dursteler, *Venetians in Constantinople*, 43.

had abandoned trade altogether. They continued their commercial activities through intermediaries, giving them more time to devote to land management.

Newer research tends to deny the decline paradigm for the sixteenth and seventeenth centuries, opting for economic transformation in lieu of regression, but that did not alter the view of contemporaries, who seem to have perceived the changes as negative.⁴³¹ Glorification of the past became a recurring theme and the “myth of Venice” was created to supplant their ever greater *de facto* powerlessness in the region.⁴³² Before the battle of Lepanto Venice was “now so accustomed to peace that the alternative became almost unthinkable.”⁴³³ The landed magnates had become fearful of wars that could jeopardize their estates, and they were ever more careful not to offend the Pope so as not to create another Holy League against Venice. All of these economic and political changes, compounded with a now more inward looking worldview gradually transformed Venice from a vibrant, expanding power into a conservative, reactionary one. The creation of a Chamber of Boundaries as a tool for the preservation of state boundaries was the logical next step for a republic with a great degree of expertise in administrative matters and record keeping.⁴³⁴ The types of documents selected to be preserved in the archives seem to be an indication of a state-level focus.

By contrasting Venetian and Austrian priorities in the sixteenth century one might conclude that whereas the *Serenissima* was attempting to fossilize its boundaries, the Habsburgs were more concerned with the organization and maintenance of their finances by means of the *Hofkammer*.⁴³⁵

It was created with the intention of managing the ruler’s assets. Thus, it too contained scant

⁴³¹ There was great debate between what Lane called the “landward-looking” and “seaward-looking” parties in Venice. These discussions went so far that during the War of the League of Cambrai, Girolamo Priuli wrote how the loss of the mainland would force the Venetians to turn to the sea and be of greater use to the city than their incomes from the mainland could provide. See Lane, *Venice*, 248.

⁴³² For an art historical analysis of the “Myth of Venice” see: David Rosand, *Myth of Venice, the Figuration of a State* (Chapel Hill: University of North Carolina Press, 2001).

⁴³³ William J. Bouwsma, *Venice and the Defense of Republican Liberty: Renaissance Values in the Age of Counter Reformation* (Berkeley and Los Angeles: University of California Press, 1968), 190 (henceforth: Bouwsma, *Venice*).

⁴³⁴ The funds of the Chamber of Boundaries were organized geographically, with materials pertaining to the frontier in Istria mostly organized under its own section (boxes numbered from 232 to 242). The majority of the documents dealt with disputes from the seventeenth century on, however, the chamber acquired greater importance with the accompanying political and economic weakening of Venice.

references to the problems of boundaries. Its primary task, however, was to keep detailed records of all the debts owed to the crown. Sixteenth century Austrian Habsburgs were also defensive, but they were locked in a continuous struggle against the Ottomans, while, at the same time, gaining ascendancy in the Holy Roman Empire following Charles V. Evolving into a regional power, Austria had little need to concern itself with detailed record keeping regarding boundaries, at least not on a central level. The only period in which one finds something resembling a flurry of activity by the Captain of Pazin, resulting in an increased production of written evidence, is the short time span before the peace commission of 1535.⁴³⁶ This is understandable because the subjects on both sides were probably trying to take possession of as much land as possible in the hopes that the commissioners would base their judgements based on the situation on the ground.

The reason for this stems, partially, from what might be called the “rules of boundary” disputes, which are inextricably linked to methodological concerns that need to be addressed when dealing with this issue. Firstly, the disputes were endemic, recurring frequently and, due to the scarcity of sources, seemingly at random. Secondly, the location of the boundary depended to a large extent on the memory of the inhabitants living in its proximity. And thirdly, when analyzing a boundary dispute, one has to contextualize and contrast the macrohistory with the microhistory taking place on the frontier.

⁴³⁵ The Hofkammer was created by Maximilian in 1494 and then further developed under Ferdinand I. From 1564 it was split, giving Innsbruck and Graz their own Hofkammer.

⁴³⁶ Jakob von der Dür wrote to the government in 1524 of the usurpations committed by the community of Motovun and of the problems in the village of Zamask. FHKA, Innerösterreichische Herrschaftsakten, M19/1, 12r-16v. In 1525, he complained of the tolls charged by the Captain of Rašpor, to which said captain replied that the tolls were his by right. FHKA, Innerösterreichische Herrschaftsakten M19/1 M19 18r-22r, 49r-53r. Captain Alexius Mosconi also complained about boundary incidents in September of 1535 while preparations were being made to execute the sentence of Trent. See De Franceschi *Storia*, 432-433.

Recurrent Nature of Disputes

As I have previously mentioned, I believe that the boundary disputes share the same “eternal” qualities as feuds. In other words, they represent a recurrent phenomenon, flaring continuously in the same contested areas. Bertoša noted in his article on boundary disputes in Istria that when Venetian and Austrian representatives sat down to negotiate a peace treaty in 1535, they remarked how, in some places, the disputes between the subjects on both sides had endured for two hundred years.⁴³⁷ Indeed, as some areas on the frontier like the boundary between Austrian Lupoglav and Venetian Roč attest, the conflicts never seem to have been resolved permanently. Evidence suggests that the two communities and their dependent villages argued and fought over their respective boundaries, not only throughout the fifteenth and sixteenth centuries, but until the very last days of Venice.⁴³⁸ In the introduction to a demarcation from 1448 negotiated by representatives of the two governments, it is stated that the *differenze*, or disputed territories between their respective subjects, had lasted for many years resulting in assaults, robberies and homicides.⁴³⁹ A similar argument can be made for the boundary in Zamask where a peculiar solution split the village into two jurisdictions,⁴⁴⁰ or the boundaries between Sveti Lovreč and Tinjan⁴⁴¹ in addition to other communities on the Austrian/Venetian frontier.⁴⁴² These and many other cases are found in a report compiled in 1588 by *Provveditore* Giacomo da Ca da Pesaro, the

⁴³⁷ Bertoša, *Istra*, 463.

⁴³⁸ From Bertoša's overview one can see that these same disputes flared up in the early eighteenth century and with no apparent solution in sight. Bertoša, *Istra*, 507-510

⁴³⁹ *Cum a multis anis citra viguerint et presentaliter vieant non nulla differentia confinium inter subditos Romanorum Regis et subditos Illustrissima Dominationis Venetiarum in Partibus Hystriae* ob quod multae discordiae offensiones derobationes et homicidia incitate et perecte fuerant. ASV PCC 230, 20r, May 30, 1448.

⁴⁴⁰ Bertoša, *Istra*, 478-484

⁴⁴¹ There is a large fund dedicated to the constant disputes on the boundaries of Sveti Lovreč. The earliest recorded dispute dates back to 1344 between the subjects of Venice and those of Count Albert of Görz. Again, the topic is *multas offensiones, iniurias, derobationes, et damna illatas et illata in diversis partibus terris et locis Provinciae Istriae*. ASV PCC 232/I 3r-8v, Aug 21, 1344.

⁴⁴² The dispute regarding the rights to forest and pastures between the communities of Auronzo and Ampezzo in Friuli, for example, is recorded as having been “resolved” in 1318, 1459 and again in 1500, only to escalate in 1543. See Annamaria Pozzan, “Tra Serenissima Repubblica e 'terra todescha': controversie confinarie in Cadore e Ampezzo nel XVI secolo,” in Panciera, *Questioni di confine*, 181-208 (henceforth: Pozzan, *Tra Serenissima Repubblica*).

podesta of Koper.⁴⁴³ A trait they all share, as far as can be attested in the extant sources is that like feuds their origin is difficult to pinpoint. A dispute that was still current in the second half of the sixteenth century, sometimes made reference to or included documents dating back as early as the fourteenth century. Naturally, these were the earliest preserved or remembered records. As in the case of the nomadic feuds, the original disputes were probably much older than that.

With time, the lords in Istria changed as the Habsburgs inherited the extinct Albertinian line of the Görz and the Venetians defeated the patriarchate but the disputes continued unabated. Sveti Lovreč is a good example of the permanence of boundary disputes. A book from the Chamber of Boundaries contains letters, reports, witness examinations and other documents that attest to outbreaks of boundary incidents in the 1440s,⁴⁴⁴ 1450s,⁴⁴⁵ 1490s,⁴⁴⁶ 1520s,⁴⁴⁷ 1540s,⁴⁴⁸ and so on until almost the end of the sixteenth century. This was just from the materials which the *Provveditori* placed in one collection. Some of the documents contained in the collection were written after the commissioners had “resolved” the dispute although such solutions were short lived. Disputes continued in the following centuries and even though there is a paucity of sources, it seems reasonable to assume that the situation was no different from the previous ones, as well. Why were they so recurrent? The Venetian official in charge of border issues, Andrea Fini, warned the *podesta* of Koper in 1708 that “the evidence of boundaries was slowly vanishing, the old charters had withered, the boundary markers were lost or destroyed and, with the death of those villagers who knew the facts, one also buried the memory which no one is left to conserve.”⁴⁴⁹

⁴⁴³ ASV PCC 232/III, 83r-85v, March 31, 1588. Also Miroslav Bertoša, “Nemirne granice knežije (građa u Državnom arhivu u Veneciji o graničnim sporovima između mletačke Pokrajine Istre i Istarske knežije)” (Restless borders of the County (archival sources in the State Archives of Venice regarding boundary disputes between the Venetian Province of Istria and the Istrian County), *Vjesnik historijskih arhiva u Rijeci i Pazinu* 26 (1983): 9-79, here: 16-18 (henceforth: Bertoša, *Nemirne granice*).

⁴⁴⁴ A number of letters were exchanged between the *podesta* of Sveti Lovreč and the Captain of Pazin between 1437 and 1439. ASV PCC 232/I, 27r-30r.

⁴⁴⁵ ASV PCC 232/I, 53r-54v.

⁴⁴⁶ ASV PCC 232/I 55r-67v.

⁴⁴⁷ ASV PCC 232 /I, 71r-73r.

⁴⁴⁸ ASC PCC 232/I, 73r.

Memory and Intent

I would argue that there were two important factors in the establishment of a boundary: memory and intent. As the aforementioned study on modern Norwegian examples has shown, a boundary marker was not merely an object that demarcated space between two individuals or communities. It was more a visible manifestation of the memory associated with the rights to certain space. For a boundary to exist, two conditions seem to have been the most important. Firstly, a group of people had to exist who remembered its location. Since boundary lines were often not congruent with terrain features, they had to be actively recalled. And secondly, there had to have existed a desire – similar to the Roman *animus possidendi*⁴⁵⁰ – to define a boundary in that precise location. This point is clearly illustrated by the example of Mount Frizzon which lay on the frontier between Austrian Tirol and Venice. A forest on that mountain belonged to the Wolkenstein lord of Ivano, vassals of the Habsburgs throughout the fifteenth century, a fact that was recognized and confirmed by neighboring Venetian communities despite a very tenuous and almost mythical legal reasoning behind it.⁴⁵¹ It was not until 1593 that the Venetian community of Enego decided to challenge Wolkenstein's right and this activated the complicated mechanisms of state that led to a protracted international dispute. The reasoning behind it was the following: before 1593, Venetian subjects had an interest in keeping that particular territory outside of Venetian legal jurisdiction. After circumstances changed, a new and more belligerent generation, probably influenced by the political renaissance of the *giovani*,⁴⁵² contested and ultimately asserted their rights to a portion of

⁴⁴⁹ Quoted from Bertoša: *Istra*, 511.

⁴⁵⁰ Intention to possess was an important aspect of Roman Law. I use the term as a comparison only without applying the legal meaning to the problems of boundaries.

⁴⁵¹ The Wolkenstein derived their right from a lost village whose last living member had moved to Ivano in forgotten times.

⁴⁵² The *giovani* or “young” were a reactionist political party that formed in the second half of the sixteenth century. Their political program was, at the same time, reactionary and traditionalist. They were battling the complacent attitude of the established elites in the *Serenissima*, but did that by calling upon the glorious Venetian past. Bouwsma states that the “*giovani*” were called by contemporaries “one of Europe's earliest associations of youth with a dynamic reform movement.” Bouwsma, *Venice*, 193. Another example of how the “*giovani*” were able to influence events on the

the Mountain.⁴⁵³ Paradoxically, whereas the elders in the villages still “remembered” that the pastures and forests belonged to Wolkenstein, the younger generations did not. In this case, it was intent that shaped the memory of the event.

Jan Assman expanded the theory of collective memory, first introduced by Maurice Halbwachs, and defined it as consisting of communicative and cultural memory.⁴⁵⁴ Communicative memory is the memory that one shares with his contemporaries and, as such, belongs to the group. In other words, it spans three to four generations or, what the Romans called a *saeculum*. An important conclusion of this phenomenon is that eighty years after an event has happened seems to be the absolute cut off point as the event disappears from living memory with the death of the witnesses and those to whom the witnesses may have recounted the event if they considered it important.⁴⁵⁵ Fini’s remark on the disappearance of the witnesses who knew where the boundary was is a perfect example of how important this living memory was for the preservation of local boundaries. Furthermore, the importance of witnesses is clearly visible in a great number of records since officials on both sides regularly consulted the elders in matters other than just boundary disputes such as customs, law, or taxation.⁴⁵⁶

Cultural memory, on the other hand, is one which is no longer in living memory but has passed either into written records or is kept alive through rituals and ceremonies. Myths, origin stories, legendary ancestors and religion all fall into this category.⁴⁵⁷ For the purpose of this chapter,

Austrian/Venetian frontier in Northern Italy in Jacopo Pizzighello, “Delimitare il centro. Nicolò Contarini e il confine montano vicentino al congresso di Rovereto el 1605,” in Panciera *Questioni di confine*, 89-116.

⁴⁵³ Walter Panciera, “Il confine tra Veneto e Tirolo nella parte orientale dell’altopiano di Asigo tra il XVI e il XVIII secolo” (henceforth: Panciera, *Il confine*), in Panciera, *Questioni di confine*, 147-180. See also Gaetano Cozzi, *Il doge Nicolò Contarini: ricerche sul patriziato veneziano agli inizi del Seicento* (Venezia, Istituto per la collaborazione culturale, 1958), 1-30.

⁴⁵⁴ The theory evolved over many books and articles. I am using here the concept as he explained it in: Jan Assman, *Das kulturelle Gedächtnis: Schrift, Erinnerung und politische Identität in frühen Hochkulturen* (Munich: C.H. Beck, 1992) (henceforth: Assman, *Das kulturelle Gedächtnis*).

⁴⁵⁵ Those witnesses who experienced an event as adults begin to withdraw from active life about forty years after the event has occurred and then start to recount it to the younger generations. Assman, *Das kulturelle Gedächtnis*, 49-56.

⁴⁵⁶ When Austrian commissioners reformed the rent rolls of Pazin and Lupoglav they questioned the inhabitants about their customary duties. The same thing happened when they examined the financial records of Jakob von der Dür or heard the complaints against Christopher Mosconi.

⁴⁵⁷ Many of the examples Assmann uses refer to illiterate societies, but the theory is meant to be applicable to literate societies as well. Halbwachs’ gives a good example of this in the creation of Christianity. It still remained in the “living

however, I have considered Assman's definition in a somewhat looser sense as applying to written documents that contemporaries referred to when dealing with boundary disputes. By that I mean the various *cartae* or *instrumenta* which the captains and ambassadors on both sides regularly "wielded" to justify their side's rights at the frontier. The strength of these documents, however, seems to have varied considerably. In his examination of the interplay between oral and written evidence in early medieval France, Patrick Geary concluded that "written evidence never 'speaks for itself'." Instead it has to have some sort of corroboration in oral memory, whether that was the memory of the creation of the document or of subsequent events. Although oral and written memory could either work together or be at odds, it seems that "oral testimony from those who lived the experience from the *vicini* and the *comanentes*, carried more weight than a text."⁴⁵⁸ The demarcation charter between Lupoglav and Brgudac from 1423 is a good example.⁴⁵⁹ It is stated in it that neither side, neither the Captain of Rašpor nor Andrew von Herberstein, lord of Lupoglav, could produce any written evidence so that they had to proceed with witness examination.⁴⁶⁰ The demarcation charter itself, born out of living memory from local elders that stretched back a hundred years,⁴⁶¹ became written evidence whose strength was also derived from the many witnesses listed at the end of the charter.⁴⁶² Even though written evidence acquired an ever greater degree of credibility over the centuries, oral testimonies – oath especially – "retained a force of their own, exemplifying in this respect the credence which was still attached to oral testimony."⁴⁶³ This

memory" stage in the first two or three generations after Christ's death but then had to create a professional clergy and retreat into itself in order to maintain the memory of early Christianity. Maurice Halbwachs, *Das Gedächtnis und seine sozialen Bedingungen* (Frankfurt: Suhrkamp, 1985), 263-269.

⁴⁵⁸ Patrick J. Geary, "Oblivion Between Orality and Textuality in the Tenth Century," in *Medieval Concepts of the Past*, ed. Gerd Althoff, Johannes Fried and Patrick J. Geary (Cambridge: University Press, 2002), 111-122, here: 122.

⁴⁵⁹ *Beschauung* Joseph Chmel, ed., *Materialien zur österreichischen Geschichte. Aus Archiven und Bibliotheken*, vol 1 (Vienna: Peter Rohrmann, k.k. Hofbuchhändler, 1837), 27-28, July 20 1423 (henceforth: Chmel, *Materialien*).

⁴⁶⁰ *wann er vnd die lewd vonn Raspurg chain prieff darumb hettn.*

⁴⁶¹ *ainen man der pey hundert Jaren gedencht als er sprach...er hiet es alles vonn sein eltern gehort...der sprach die vonn Mernfeld hiettn die Ekcher pawt, wol pey achczkh Jarn...*

⁴⁶² *Gregor pischhoff zw pybbenn, Chunrat Schuoll probst zu Mitterburg, Volknar Hochneker Hawbtman zw Chestaw, Kaspar Lasser Chunrat Hochneker phleger zu ffrönn* and other clerics, officials and local representatives.

⁴⁶³ Rady presents this process of evolution in detail giving the example of Hungary. Martyn Rady, *Nobility, Land and Service in Medieval Hungary* (Hampshire: Palgrave, 2000), 62-78, here: 74

was even more important in small village communities – the basic blocks of social life – where the memory of the community and their consensus might outweigh written evidence.

In practice, these written documents enjoyed a varied degree of acceptance. The rule was that there was no rule, save for what could be achieved by the balance of power in the field. In the aforementioned case on Mount Frizzon, the tenuous claim by Wolkenstein, supported by a written donation, was accepted and corroborated for a long time in the living memory of the community although once the interests of the community had changed, written evidence was refuted. The famous *Istrian Book of Boundaries* is an interesting example. This demarcation document dated to 1325, was originally written in Latin, German and Croatian, but now exists only in several copies of a Croatian copy from 1502.⁴⁶⁴ Even though the original was lost, it existed in the archives of Sveti Lovreč as late as the sixteenth century when it is mentioned in a report by Giacomo da Ca da Pesaro from 1588.⁴⁶⁵ Without disputing its veracity, he admitted, however that it was of no practical use since he could not match the boundaries described in the document with what he saw on the ground.⁴⁶⁶ Despite being a prime source for the process of demarcation and the medieval society in Istria, it is likely that it was never used as a legal document in boundary disputes.

Pesaro did, however, discover a peace treaty between Albert IV of Görz and Venice from 1344 which stipulated that Venetian courts held jurisdiction over all boundary disputes on the territory of Sveti Lovreč.⁴⁶⁷ More importantly, the boundaries from that treaty were verifiable.⁴⁶⁸

⁴⁶⁴ The dating of the “original” text is disputed. Kandler believed that it was written in 1275. De Franceschi, on the other hand, held it to be a complete forgery resulting from the “nationalistic tendencies” of Croatian parish priests from the sixteenth century. Milko Kos first agreed with De Franceschi, only to change his mind later on. Bratulić concluded that the reason for such a wide-ranging controversy lies in the fact that the document, as it exists today, is in fact a compilation of the various demarcation charters created in the period between 1275 and 1374. In this regard, although the complete version cannot be considered fully authentic, all of boundaries demarcated within are. See Carlo de Franceschi, *Studio critico*, 11; Milko Kos, *Studija o istarskom razvodu* (Study of the Istrian demarcation) (Zagreb: JAZU, 1931); Josip Bratulić *Istarski razvod, studija i tekst* (The Istrian demarcation, study and text) (Pula: Čakavski sabor, 1978).

⁴⁶⁵ ASV 232/III, 88r-88v, May 27, 1588. Also Bertoša, *Nemirne granice*, 20-23.

⁴⁶⁶ *non si vede alcuna pericolare et al presente verificabile recognitione de' Confini*

⁴⁶⁷ A copy of the peace treaty in ASV PCC 232/I, 3r-8v, August 21 1344.

⁴⁶⁸ *pur vengono li nominati confini in tutto verificati* This seems to confirm Bratulić's suggestion that *Istarski razvod* was, in fact, a compilation of a number of delineation charters since it seems unreasonable that the boundary would have changed so much within the short interval between 1325 and 1344 that it became unrecognizable. Even though there was a war between Venice and Görz, Francesco Cavodelista, a Venetian arbiter, confirmed in 1457 that all of the

Pesaro made no suggestions regarding the supreme jurisdiction reserved for Venice with regards to the boundaries of Sveti Lovreč, but one of his predecessors has. In 1457, Francesco Cavodelista, a Venetian ambassador charged with resolving the “usurpations” caused by “German arrogance”⁴⁶⁹ found said peace treaty from 1344 after the negotiations had already started. Initially, “the Germans”, as he calls the subjects of Frederick III, had produced falsified evidence which worked in their favor since “the Signoria had lost the memory” of the peace treaty granting it jurisdiction. Once it was found and made public however, they stopped using their falsified documents. Afterwards, however, the Austrian side began stalling, only to come up with an explanation that the Habsburgs could not be held to promises made by Count Albert IV “under duress.”⁴⁷⁰ Cavodelista responded that if that were the case then no peace treaty in the world would ever be valid.⁴⁷¹

In the documentation accompanying the dispute between Auronzo and Dobbiaco in Friuli in 1544, both sides produced a number of documents in support of their respective claims. The Venetians referred to their opponents’ evidence as “obscure diplomas from 1100,” including one in “*lingua teutonica*” which they would not provide in “*lingua itala*.”⁴⁷² These examples show that the strength of written evidence was tenuous at best, even as late as the sixteenth century. If it could have been used to support an argument as the peace treaty of 1344 could but the Istrian Book of Boundaries could not, – the case might have been strengthened but victory was still not guaranteed. The other side could challenge its authenticity or its content. In any case, it does not seem to have been able to stand on its own merit without corroboration and support from the community. When Alexius Mosconi complained to the government about Venetian usurpations near Borut and Prviž in

conquered territories had been returned to Görz (*fu contenta la prefata Illustrissima Signoria Vostra al prefato Conte Alberto restituire i luoghi tolti*), meaning that no significant boundary changes had occurred. Francesco Cavodelista's report is published in Pietro Kandler, *Notizie Storiche di Montona: Con appendice* (Trieste: tip. de Lloyd austro-ungarico, 1875), 197-206, here: 198.

⁴⁶⁹ *superbia todesca*.

⁴⁷⁰ *per paura e per violentia*. Count Albert IV was captured in the war of 1344, taken to Venice and forced to sign the peace treaty there. He agreed to raze all of his fortifications and town walls on the frontier. The Habsburgs, however, were unwilling to tolerate that state of affairs a century later. Their efforts to fortify the frontier against Venice were the cause for the start of the dispute in 1457. For Albert's capture see Ludwig Albrecht Gebhardi, *Genealogische Geschichte der erblichen Reichsstände in Teutschland*, Vol. 3 (Hulle: John Jakob Gehauer, 1785), 647.

⁴⁷¹ *secondo questo nissuna pace al mondo seria valida*.

1535, he did not refer to any written documents connected to the location of the boundary. Instead he stated that he was “well informed by his predecessor.”⁴⁷³ Naturally, he could also count on the testimonies of his subjects who had vested interests on the frontier, but it is indicative that even in the mid-sixteenth century, he did not feel the need to supply any written evidence to strengthen his case before his liege.

A third type of evidence mentioned in many demarcation documents was the boundary markers themselves. They could take many forms, from rocks and stones, rivers and streams to forests, mountaintops and even trees marked with a nail or with an engraving – usually a cross.⁴⁷⁴ The most prestigious boundary markers were columns bearing the coat of arms of St. Mark and the Habsburgs, such as those erected between Dvigrad and Kringa.⁴⁷⁵ A boundary stone between Svetvičenat and Vodnjan – both communes under Venetian rule and frequently squabbling in the sixteenth century – was decorated with the image of St. Mark as well as the coats of arms of the *podesta* of Vodnjan, the Captain of Rašpor who brokered the demarcation treaty, as well as those of his predecessor in office.⁴⁷⁶ Coats of arms and seals were considered clear and manifest projections of identity and authority. Apart from being just a visual representation of their owner, they transmitted a clear political message to the audience that everyone familiar with the rules of heraldry could understand.⁴⁷⁷ In the former case, the arms of the two states were unmistakable expressions of sovereignty and jurisdiction that extended beyond the boundary markers. In the latter case, the arms of the *podesta* and the Captains were probably meant to give official authority to these boundary markers and prevent any possible tampering with them, which was a strong possibility. The Captains of Rašpor had to intervene at least three times in this matter between 1531

⁴⁷² Pozzan, *Tra Srenissima Repubblica*, 189.

⁴⁷³ *capitaneus olim Jacobus de Durr mihi et coram multa de istis confinibus retulit, ac deinceps quoque, postquam hac administratione mea fungi cepi, bonam informationem ab eo habui* De Franceschi, *Storia* 432.

⁴⁷⁴ ...alcuni roveri con crose et chiodi....una crose in sasso...un arbore con crose...un boscho... ASV PCC 233, 7r.

⁴⁷⁵ ...con una collona con S. Marco un altra con l'arme dell' imperador... ASV PCC 233, 7r

⁴⁷⁶ ...in quo sculpta est figura Divi Marci habens insigne Magnifici D. potestatis Adignani infra pedes, nec non insignia prelibati cl.mi D. Capitani ac cl.i D. Angeli maripetri precessoris. Vesnaver, *Indice, L'Istria*, May 16, 1893, 78, 1559.

⁴⁷⁷ Václav Vok Filip, *Einführung in die Heraldik* (Stuttgart: Steiner, 2000), 16. For the origins and development of heraldry see Stephen Slater, *The History and Meaning of Heraldry* (London: Southwater, 2004), 6-30.

and 1559 and a number of different Captains had to tackle the problem before the demarcation treaty was finally executed.⁴⁷⁸ Even then it was not without protest from the chancellor of Chiara Morosini, the liege lady of Svetvičenat.

Such protests were also made during the execution of the Peace treaty of Trent in 1535 and by representatives of both sides.⁴⁷⁹ This protest was, in effect, a reluctant acceptance of the situation on the ground, while at the same time reserving the theoretical right of the one in whose name the representative was negotiating, to challenge the decision in the future. Just as Frederick III's envoys could dispute the peace treaty signed by Albert of Görz, claiming that it did not apply to his Habsburg successors, so too could the liege of a peace commissioner change his mind after the peace treaty by stating that his representative did not have the authority to agree to such terms. With that in mind, the presence of a boundary marker bearing the recognizable symbols of officials representing Venetian authority was, very likely, a message to both Chiara Morosini and the inhabitants of Vodnjan to take the demarcation seriously.

Although a few stone boundary markers survive today⁴⁸⁰ the majority, especially those inscribed on less durable material, have disappeared; many of them as rapidly as years or decades after they were set. A number of them were likely removed or destroyed by those who wanted to alter the boundary, such as one stone marker between Pazin and Grimalda which the Venetians claimed was destroyed by an Austrian subject.⁴⁸¹ The fines for such tampering were significant and were meant to instill fear into any would be offender, but they could not prevent an organized effort

⁴⁷⁸ Vesnaver, *Indice, L'Istria*, August 1, 1890, 116-117, 1531; September 1, 1892, 130-131, 1551; May 1, 1893, 69, 1559.

⁴⁷⁹ *Dissentiente Arbitro Veneteo....Alexius Musconus Regius Pisini et Comitatus Capoitaneus dixit ipsam Deffinitionem et Confinationem pro nunc Bono pacis accipere hac tamen protestatione quod in aliquot non sit in praeuditiū iurium Sacrae Regis*. "Capo d'Istria e provincia tutta – Intorno a confini suoi con Trieste e con il contado di Pisino – et alter materie raccolte nell'anno 1732," *AMSI* 7 (1891): 355-412, here: 404, 407.

⁴⁸⁰ Several such boundary markers were photographed and published in Slaven Bertoša, *Osebužno mjesto austrijske Istre* (A wondrous place of Austrian Istria) (Zagreb: Srednja Europa, 2011), 176-177.

⁴⁸¹ *li sudditi di Pisino hanno tentato ulrimamente di fare alli nostri della villa di Grimalda con rompere il confine notabile di pietra* ASV PCC 236/II, 135r, May 18. 1607.

by a community on the other side of the boundary if they set their mind on destroying them.⁴⁸² Others disappeared in the face of nature and time. *Provveditore* Gian Batta Calvo admitted in 1580 that many of the boundary markers set in 1344 may have vanished “not so much as a result of a *stratagem* by the Archduke’s subjects, as much as from the long passage of time, seeing how they were inscribed on oak and other trees.”⁴⁸³ The disappearance of trees is understandable, but Pesaro complained in 1588 that even the stone pillars set up in 1448 were nowhere to be found.⁴⁸⁴

Evidence seems to suggest that written testimony, whether contained in witness statements and demarcation charters or in signs displayed on boundary markers was only as powerful as the authority and strength that backed it. Locally, oral testimony and oaths were deemed most important and most relevant. Written evidence may have carried more weight in the upper echelons of society, with the captains and the liege lords, but ultimately even they had to rely on and acknowledge the local communities they ruled and their interests. There existed a wide variety of factors that could have influenced whether a particular piece of evidence would be deemed true or fallacious. What probably mattered most was the desire of the officials and their superiors to see a particular dispute resolved and their ability to enforce such a resolution within their jurisdictions.

The Macro/Micro Interaction

In his excellent study of the Fall of Rome, Peter Heather has stated that “the state was unable to interfere systematically in the day-to-day running of its constituent communities.”⁴⁸⁵

⁴⁸² The commissioners that demarcated the boundary between Veprinac and Vranja in 1531 stipulated a fine to the value of 150 ducats, an astronomical sum for any individual to pay. See De Franceschi, *I castelli I*, 337-393, here: 353.

⁴⁸³ *...forse non tanto gli stratagemma usati da ArciDucali, quanto che la longezza di tempo li possi haver consumati essendo stati posti per la maggior parte in roveri et altri alberi...* ASV PCC 233, May 14, 1580, Koper.

⁴⁸⁴ *...confini notabilissimi de' pilastri de pietra viva, pure per quanto s'intende non sene ritrova alcuno di essi.* ASV PCC 232/III, 86r-88v, May 27, 1588. Also Bertoša, *Nemirne granice*, 20-23.

⁴⁸⁵ Peter Heather, *The Fall of the Roman Empire: A New History of Rome and the Barbarians* (New York: Oxford University Press, 2006), 100-144, here: 108.

Despite its “absolute legal power and unchallenged ideological domination” the Roman governments of all eras could exert only a limited influence on local affairs due to the slowness of communication – despite the efficient postal system – and the inability of state bureaucracy to process information efficiently to handle any wide-reaching agendas. Basically, according to Heather, the state worried about the army and the allocation of taxes, whereas the rest was left to local, autonomous and self-governing municipalities. The center meddled in local affairs only when such a deployment of imperial power was requested by local communities or the individuals within it. And when it did interfere, its effects could appear random for the same reasons. The emperor could either believe the petitioner at a whim or launch his own, slow investigation that, again, depended on the integrity of the dispatched agent.

The medieval state lost even this ideological domination over its subjects. Kings and emperors did not enjoy the “absolute power” of Roman emperors. Instead, their rule, despite all the propaganda surrounding the sacredness of the crown and the person that wore it, was largely consensual in nature, with the sovereign’s role resembling that of an arbiter not a despot. Strong kings were the ones who could persuade, manipulate or coerce their councils to agree with them on political matters and agendas that they wanted to see carried out. Although there are numerous examples of crowned heads wielding lethal force against those who opposed them – Henry the Lion, Andreas Baumkirchner, Stephen Lackfi, to name just a few nobles who lost their heads for exercising their rights against the wishes of their sovereign – that force was still applied with the approval of the majority of the political elite. Venice and the Hasburgs, despite a number of differences between them, were no exception to this rule.

Even though he was called *serenissimus princeps*, that is to say granted the same respect as the crowned heads of Europe, the doge’s role was, effectively, honorary, a fact that was recognized

by contemporaries.⁴⁸⁶ The Venetian patriciate had successfully thwarted any attempts to convert the republic into a principality in the eleventh century and made sure that the doge was always surrounded by advisors from their midst, both to offer counsel and to keep an eye out for any absolutist tendencies.⁴⁸⁷ Consequently, true power rested with a number of powerful families whose scions filled the ranks of the republican bodies, the most powerful of which being the Council of Ten.⁴⁸⁸ Venetian politics, however, were riddled with factionalism, especially since the powerful families maintained ties with local nobility in the provinces. This meant that any action taken by the *Signoria* that would affect the periphery could meet with resistance on local and central levels, as those who stood to lose something activated their contacts in the capital. Regardless of whether such an action could be beneficial to the state, it had to take into account a huge number of interconnected and interested parties whose personal interests did not necessarily coincide with the desires of the state. Boundary disputes could also suffer from such internal political schemes.

The court of Frederick III was still a traditional medieval court, that is to say, a somewhat glorified noble household, similar in form and content to those of other esteemed princes of the empire.⁴⁸⁹ His son Maximilian I enacted a series of reforms with the intent of expanding and centralizing the government, creating and altering chanceries throughout his reign as well as replacing princely advisers at court with professionals drawn from the Imperial cities and his hereditary lands, the *Erblande*.⁴⁹⁰ Despite all these efforts, it was only at the time of Ferdinand I that the household reached the size of the former Burgundian household that Maximilian was seeking to

⁴⁸⁶ Francesco Patrizi wrote in 1560 that, unlike his counterparts, the prince in a Republic is subject to the laws and if he exercises power, he does so with the consent of the citizens. See Bouwsma, *Venice* 62.

⁴⁸⁷ Mandredo Tafuri, *Venice and the Renaissance*, tr. Jessica Levine (Cambridge, MA: MIT Press, 1985), 282.

⁴⁸⁸ Though created on a temporary basis to deal with a particular crisis, it became a permanent addition to the hierarchy, and because of its secret nature capable of handling sensitive matters with more ease. As such, it quickly became an alternative to the Senate and caused worries in Venice, which were somewhat alleviated in the sixteenth century by the addition of fifteen senators to it. See Ghaetano Cozzi, "Mletačka republika u novom vijeku" (The Venetian republic in early modern times), in Gherardo Ortali, Giorgio Cracco, Gaetano Cozzi and Michael Knapton, *Povijest Venecije* (History of Venice) (Zagreb: Antibarbarus, 2007), 251-552, here: 369-374.

⁴⁸⁹ Paul-Joachim Heinig, "How Large was the Court of Frederick III?" in *Princes Patronage and the Nobility*, ed. Ronald G. Asch and Adolf M. Birke (New York: Oxford University Press, 1991), 139-156.

⁴⁹⁰ See Jan-Dirk Müller, "The Court of Emperor Maximilian I," in *Princes and Princely Culture. 1450-1650*, Vol. 1, ed. Martin Gosman, Alasdair A. MacDonald, Arien Johan Vanderjagt (Leiden: Brill, 2005), 295-312.

emulate.⁴⁹¹ With the imperial crown in the hands of Charles V, Ferdinand I had more time to devote to his Austrian possessions. In this he was not innovative. Instead he managed to place Maximilian's ideas on a more permanent footing.⁴⁹² He created a number of governmental offices, like the *Hofkriegsrat*, a permanent Court Council and the Court Treasury. He was, however, plagued by a chronic lack of funds and the estates on the lands he ruled resisted his attempts to concentrate power, though this was mitigated somewhat by the Ottoman threat.⁴⁹³

An absolutist state, understood as meaning that the ruler had "the final and effective word" in conflict with estates, was first established by Ferdinand II from 1619.⁴⁹⁴ This does not mean, however, that the estates and the nobility suddenly lost all influence. Merely, that the balance of power shifted in favor of the monarch although they still had a number of methods by which they could influence his decisions. Venetian ambassadors expressed concern about the councilors stemming from the frontier who were in favor of the archduke (or emperor) and had his ear. According to their reports, these "ministers" seem to have been constantly scheming against Venice and slandering the *Signoria* in order to either expand their possessions on the frontier or to gain other advantages from war.⁴⁹⁵

The lands that coalesced under Habsburg rule by the time of Ferdinand I were still little more than a bundle of particular titles and jurisdictions under the rule of one person.⁴⁹⁶ And the

⁴⁹¹ Hermann Wiesflecker, *Kaiser Maximilian I.: Reich, Österreich und Europa an der Wende zur Neuzeit* (Munich: Oldenburg, 1986), 5:381.

⁴⁹² Paula S. Fichtner, *Ferdinand I of Austria: the politics of dynasticism in the age of the Reformation* (Colorado: East European Monographs, 1982), 66-78 (henceforth: Fichtner, *Ferdinand I*).

⁴⁹³ See Günther R. Burkert *Landerfürst und Stände* (Graz: Historische Landeskommission für Steiermark, 1987).

⁴⁹⁴ Robert Birley, S.J. "Confessional Absolutism in the Habsburg Lands in the Seventeenth Century," in *State and Society in Early Modern Austria*, ed. Charles W. Ingrao (West Lafayette: Purdue University Press, 1994), 36-53.

⁴⁹⁵ ... si può ben affermare che questi uicini di Goritia et Gradisca et altri luoghi fanno li peggiori offitij contra Vostra Serenità che è possibile et con tante bugie et false inuentioni **cercando di metter Vostra Serenità in mala fede** presso Sua Maestà, che trouando l'animo di Sua Maestà non in tutto lontano da dargli fede, **si fanno poi lecito sotto questo pretesto d'usurpare** molte cose di Vostra Serenità. "Relation del Clarissimo Giouan Michele (Giacomo Soranzo) ritornato Ambasciator dall' Imperator Ferdinando d'Austria l'anno 1563," in *Fontes Rerum Austriacum*, vol. 30, *Relationen Venetianischer Botschaftler über Deutschland und Österreich im sechzehnten Jahrhundert*, ed. Joseph Fiedler (Vienna: Aus der Kaiserlich-königlichen Hof- und Staatsdruckerei, 1870), 182-226, here: 224-225 (henceforth: Fiedler, *Fontes*).

⁴⁹⁶ The "unification," so to speak, was achieved under Frederick III. The integrity of the Habsburg *Erblande*, however, was by no means a foregone conclusion, more a biological happenstance as he managed to outlive all of his rivals who

nobility in these lands still created networks with other nobles in the empire. The County of Pazin, a personal domain of the house of Habsburg, was coveted by Carniola's estates, while at the same time, was pledged by the archduke to the highest bidder causing rifts of its own when a connected noble with roots in the wider noble community, von Dürr, was ousted and replaced by the merchant family of Mosconi. Though perhaps not as pronounced or dynamic as the patrician politics of Venice, the local rivalries and dynastic interests of minor families could still interfere with and influence the relationship between center and periphery.

Furthermore, as research on Central Italy has shown, the presence of the frontier allowed the creation of dynamics and relationships between rulers and ruled not located close to the center of power. The proximity of the other required that the sovereign, or his representatives, proceed with great care and consequently, made room for an even more consensual form of government than the one exercised closer to the center.⁴⁹⁷ As the Morlak migrations have shown, the main concern of Austria and Venice in Istria was to increase the number of their subjects. In this spirit of constant competition, coupled with a territory that was not considered very attractive to settlers, it is likely that at least in the sixteenth century, the veiled threat of subjects migrating into enemy territory may have forced the governments to take special care to please their own, even when the other side had written evidence and witness statements to back up their claims.

Events taking place in the wider region were an additional factor to contend with. Both Venice and Austria had other interests that drew their attention, the Ottomans chief among them but also the Holy Roman Empire, the wider political situation in Italy, the Reformation and so on. According to the Venetian envoy Francesco Cavodelista, the burgrave Konrad von Lienz and Lueg and also Captain of Pazin at the time, took advantage of the war in Lombardy (1425–1454) to usurp

died without heirs. See Joachim W. Stieber, *Pope Eugenius IV, the Council of Base and the Secular and Ecclesiastical Authorities in the Empire* (Leiden: Brill, 1978), 211.

⁴⁹⁷ Riccardo Barotti, "Vivere la Frontiera in Lunigiana: comunità, feudi, granduchi nell'età moderna," in Guarini, Volpini, *Frontiere terra/mare*, 91-103, here: 97.

Venetian territory and construct fortifications that were prohibited by the peace treaty of 1344.⁴⁹⁸ In addition to regional political circumstances, interference in boundary dispute resolution could also arise from personal feelings between captains, councilors, ambassadors or even princes, as the example of Ferdinand I suggests.

At the onset of his reign, Ferdinand was hostile to Venice as he considered her a “ceaseless threat to his own interests.” In all likelihood, he formed this opinion he formed on the basis of reports from his advisors considering that he had been raised in Spain.⁴⁹⁹ Towards the end of his reign, however, when he was already very ill, the Venetian ambassador at his court wrote in his report to the *Signoria* that it would benefit the Republic should he live longer since the “natural inclination towards peace and quiet which is in the father” was missing in his three sons.⁵⁰⁰ He also added that the emperor’s death would be to the detriment of all, but especially to Venice who benefited most from his peace loving nature.⁵⁰¹ There was one sore point causing strains in the apparently tolerant relationship between the two powers, however. The ambassador had noted in his report from 1564 that the one place on the entire frontier that Ferdinand was sensitive about was the fortress of Marano in Friuli.

The small fortified village was, together with La Chiusa di Venzon and Monfalcone, considered a key fortress on the northeastern Venetian frontier in the *terra ferma*. Consequently, it had seen much fighting and changed hands many times during the Middle Ages. After a brief interval in imperial hands it came under Venetian control in 1420. It was captured by Maximilian during the War of the League of Cambrai in 1513 and then inherited by Ferdinand.⁵⁰² In 1543, a Florentine adventurer, leading a band of mercenaries mustered in Venice, managed to capture

⁴⁹⁸ The Captain of Pazin had encouraged his subjects to stop paying rent on land they were leasing from the community of Motovun, which was damaging to Venetian jurisdiction. ...*de quanto durò la Guera in Lombardia, questi todeschi li robava e correva il suo territorio, toliendoli li animali e quell possevano* Kandler, *Notizie*, 200.

⁴⁹⁹ Fichtner, *Ferdinand I*, 29.

⁵⁰⁰ “Relation del Nob. Homo S. Zuan Michiel Cauallier ritornato Ambassator dall' Imperator letta nell' eccellentissimo Senato alli 22 di Luglio 1564” in Fiedler, *Fontes*, 227-271, here: 267.

⁵⁰¹ *douerà la morte sua esser molestissima ad ogn'uno specialmente alla Serenita Vostra mancando uno delli migliori Principi, che habbia hauuto questa nostra età* Fiedler, *Fontes*, 240.

Marano by trickery, claiming it in the name of the king of France who had just declared war on Charles V. After Sforzi stated that he would cede it to the Ottomans, Venice bought it for 35,000 florins. According to Ambassador Cavalli, who was in Vienna when news of this deal broke, Ferdinand was absolutely furious with the loss of Marano, believing – likely rightly so – that it was carried out with Venice’s knowledge.⁵⁰³ Ferdinand considered it a personal insult to his honor, one for which he never forgave the Serenissima, so that Ambassador Michele advised the *Signoria* in 1563 never to mention Marano in the emperor’s presence since his “ears hated that name.”⁵⁰⁴ That did not stop other Austrian border lords from bringing up the issue whenever they wanted to remind the emperor of Venice’s duplicity, however. A year later, he concluded that it might be better to settle the matter after Ferdinand’s death thinking that the sons might find it easier to cede the land than the one who originally lost it.⁵⁰⁵ Legally, however, the matter was never settled. The peace of Madrid from 1617 dealt with the matters of Gradiska and the Uskoks, but did not even broach the subject of Marano.⁵⁰⁶ It seems likely that Marano was, to Ferdinand at least but also to his heirs, a matter of great dishonor that no amount of diplomacy could rectify. And since the local Austrian lords were very much aware of this, they always brought it up when it suited them.

This multi-scalar interplay between the centers of power in relation to each other, their respective peripheries and other interested powers in the region, as well as the relationships between the peripheries to one another, further compounded by familial and dynastic politics and interests of all those involved at the various stages, means that the boundary disputes were inevitably complex. Although most disputes followed a similar, broad pattern, each one is also unique in terms of its

⁵⁰² See Richard J. Goy, *Chioggia and the Villages of the Venetian Lagoon: Studies in Urban History*. (Cambridge: Cambridge University Press, 1985), 279-290.

⁵⁰³ *Il re e tutte le persone di quella Corte, che ognuno era malissimo disposti verso questo Eccellentissimo Stato, credendosi certo che fosse cosa almeno consultata con Vostra Serenità, se non fatta per lei.* “Relazione di Marino Cavalli ritornato ambasciatore da Ferdinando re de’ Romani nel dicembre del 1543,” in *Relazioni degli ambasciatori Veneti al senato*, vol 8, ed. Eugenio Albèri, (Cambridge: Cambridge University Press, 2012), 89-142.

⁵⁰⁴ *perche si vede che le sue orecchie odono quel nome impatientemente*, Fiedler, *Fontes*, 224.

⁵⁰⁵ Fiedler, *Fontes*, 267.

⁵⁰⁶ See Andrea Bonomostetner, “Della giustizia dei diritti Austriaci Caintiani sopra l’Istria,” in *L’Archaeografo triestino Raccolta di Opuscoli e Notizie per Trieste e per l’Istria*, Vol 3 (Trieste: Dalla Tipografia di Gio Marenich, 1831), 367-383: here 375.

participants, the time and space in which they occurred, as well as the many factors that may have influenced the resolution and the willingness to resolve them. Therefore, when speaking of trends in boundary disputes in Istria at different time periods, it must be kept in mind that these can, for reasons already stated and further compounded by the fragmentary nature of the evidence, only be discussed in general terms.

Boundary Disputes in Istria Before and After the War of the League of Cambrai

After the War of the League of Cambrai and the Peace treaty of Trent the commissioners endeavored to resolve all the open questions between their subjects. In a large number of cases they left areas that were difficult to decide on for common use.⁵⁰⁷ This usually meant pastures and forests that were located on the outskirts of communal village territory and which were difficult to demarcate effectively and permanently. *Differenze* existed before the war, but as Bertoša has concluded, it was the Peace of Trent that created a large number of them, in turn creating zones of near perpetual conflict that made the frontier a zone of incessant instability and had an impact on the attempts by officials on both sides to resolve boundary disputes.⁵⁰⁸

The disputes came in two basic forms: internal and external. Internal disputes were those that arose between subjects who could trace the highest jurisdiction to one sovereign, in this case either Austria or Venice. External disputes crossed state boundaries and included two different sovereign hierarchies. This is, of course, from the point of view of the state, the princes and their officials, as seen from the preserved records. From the point of view of a local community, this differentiation may have been simply a technical one, determining who to address grievances to and what arguments to present to an authority that could support or validate one's claims. The Austrian

village of Veprinac on Mount Učka, for example, feuded over boundaries with all of its neighbors. Kastav, Mošćenice, Vranja and Lupoglav were “internal” enemies, whereas the Captain of Rašpor was an “external” one. It would be hard to conclude whether, in the eyes of the inhabitants of Veprinac there was any substantial difference between these disputes or whether they considered all those communities to belong to an “out-group.” After all, state boundaries changed and today’s external dispute could become tomorrow’s “internal” disputes. When Captian Nicolo Zorzi ruled on the dispute between Grožnjan and recently conquered Završje in 1516, it was repeated several times that “the two parties were now both together under Saint Mark” and should live in peace in the future.⁵⁰⁹ Sources do not state whether they continued to live in peace afterwards, but there are examples in the Archives of Rašpor which show that the Captain was busy resolving a number of internal disputes in Venetian Istria throughout the sixteenth century. As previously mentioned, Vodnjan and Svetvičenat seem to have been engaged in an especially persistent squabble.

The extant demarcation documents from before the sixteenth century have a larger share of internal demarcations between subjects of the same lord. These were, naturally, easier to arrange since both sides answered to one and the same liege lord who could simply command them to settle a dispute without worrying about international relations, the impact on his own duty to safeguard and protect his subjects or any of the myriad implications that could arise in an dispute with another power. In the Istrian context, the high authority in inner-Austrian disputes was the captain of Pazin. For instance, the disputes between Sutivanac and Gračišće from 1405 as well as between Šumber and Kršan from 1440 were resolved at the captain’s instigation while the one between Gologorica and Tremaun had him placed as one of the commissioners.⁵¹⁰ On the Venetian side, the *podesta* of

⁵⁰⁷ Bertoša cites a number of these areas that were described by Pesaro in 1588 or collected by Tomaso Luciani in 1732. Evidently, these disputes were a constant fact of life on the frontier. Bertoša, *Istra*, 461-463.

⁵⁰⁸ Bertoša, *Istra*, 462.

⁵⁰⁹ Vesnaver, *Indice, L'Istria*, November 16 1890, 172, 1516.

⁵¹⁰ Milko Kos, “Pet istarskih razvoda iz XV. stoljeća” (Five Istrian demarcations from the fifteenth century), *Jadranski zbornik* 1 (1956): 189-202, here: 200-202 (henceforth: Kos, *Pet razvoda*).

Koper was involved in disputes between cities⁵¹¹ and the captain of Rašpor was in charge of rural areas as well as in the dealings with Austrians.

Five such demarcation documents in German and Latin from the fifteenth century may be found in the archives of Vienna,⁵¹² and one, in Croatian Glagolitic from 1395 is located in the Croatian National Archives.⁵¹³ Evidence points to the existence of other demarcation documents which are not preserved.⁵¹⁴ A trait all of these documents share is their intended finality. Each one was meant to be a permanent solution to the problem and they contain solemn promises from both sides to respect the achieved demarcation and not to interfere with or destroy the boundary markers that had been set by the commission.⁵¹⁵ Even though the solutions of disputes lacked – for a number of reasons – the intended permanency that the participants had intended, evidence seems to suggest that at least a nominal will existed to resolve matters amicably and peacefully, often calling upon the good neighborhood and friendship between the subjects.⁵¹⁶

It seems that before the sixteenth century Venice and Austria seem to have had a certain amount of mutual desire to reach a peaceful settlement in boundary disputes. Putting a definite end to a boundary dispute between the subjects was probably impossible for a number of reasons even when their respective governments played an active and pacifying role. Because of plagues and migrations, those who remembered the solution were probably dead and new inhabitants were oblivious to the changes. Additionally, the communities fought over pastures and forests that were harder to precisely demarcate and the science of cartography was still inadequate to be of much help

⁵¹¹ For example the dispute between Završje and Motovun from 1321. Kandler *Notizie*, 152-155.

⁵¹² These are Sutivanac and Gračišće (July 20, 1405), Lupoglav and Brčudac (July 20, 1423; June 27, 1440), Šumber and Kršan (December 13, 1440), and Gologorica and Tremaun (February 19, 1472). Originals are kept in the Haus-, Hof- und Staatsarchiv in Vienna. They were mentioned by Chmel and later published in Croatian translation by Milko Kos. See Chmel, *Materialien*, 27-29 and Kos, *Pet razvoda*, 189-202.

⁵¹³ Published in Ivan Kukuljević, *Acta Croatica Listine hrvatske* (Acta Croatica – Croatian charters) (Zagreb: Brzotiskom narodne tiskarnice Dra. Ljudevita Gaja, 1863), 46-47, November 2, 1395 (henceforth: Kukuljević, *Acta Croatica*).

⁵¹⁴ Ernest Radetić, *Istarski zapisi* (Istrian records) (Grafički zavod Hrvatske, Zagreb 1969), 88-93.

⁵¹⁵ *In quibus confinibus sic positus dictus d. Nicolaus Miani capitaneus raspughensis per se et successores suos ac nomine et uice communis Venetiarum et dictus d. Andreas pro se et successoribus suis promissosserunt ad invicem et unus alteri, et alter alteri se manutenere et omnia prescripta firma rata habere nec contraffacere, vel venire aliqua ratine vel causa de Jure cel de facto.* Chmel, *Materialien*, 29, Jun 27, 1434.

in the process. Furthermore, forests and pastures increased in importance in the sixteenth century, thereby forcing the inhabitants to try to acquire as much of them as possible. Despite all this, Austria and Venice do not seem to have been interested in prolonging boundary disputes at that time. Andrew of Herberstein was ordered by Duke Ernst of Habsburg to proceed with a demarcation with the captain of Rašpor in 1423 which suggests that the duke took an active role in getting his local vassal to deal with the problem.⁵¹⁷

Duke Ernst was at the time engaged in a protracted feud with Emperor Sigismund of Luxemburg, however. Sigismund in turn was a sworn enemy of the Venetians because of Dalmatia, making Duke Ernst a natural ally of the *Serenissima*. This political constellation probably contributed to the good will in Habsburg/Venetian relations. Another probable reason for the duke's inclination towards peace was the sheer power of the Venetians prior to the War of the League of Cambrai. Not only were they able to conquer Dalmatia despite all of Sigismund's efforts to the contrary, but they also destroyed the Patriarchate of Aquileia at the same time. In 1344, Venice had no trouble defeating Count Albert of Görz and forcing him to cede jurisdiction in boundary disputes with the *Serenissima*. While Frederick III's agents challenged that particular stipulation, it seems unlikely that he was capable of harming Venice in any significant way, especially since he was beset by enemies on all sides throughout his reign. His problematic and powerful vassals such as the counts of Cilli and the nobles of the "Mailberger Bund" who ended his guardianship over Ladislaus V, King Matthias Corvinus of Hungary who conquered Vienna, and even his own son Maximilian I who, much to his father's displeasure, was more concerned with his newly acquired Burgundian inheritance than the *Erblande* presented problems of such magnitude that troubles on the Istrian frontier only paled in comparison.⁵¹⁸ To complicate matters further, Austrian possessions in Istria were surrounded on all sides by Venetian holdings. The only connection to other Habsburg lands

⁵¹⁶ *buona amicitia et vicinanca*

⁵¹⁷ *Hochgeborn fursten Erzherzog Ernst zw Oesterreich etc, vnsern nachgeschriben gnadigen hrn der vns zw der peschauung geschaffen hat*. Chmel, *Materialien*, 28, July 20, 1423.

⁵¹⁸ See Heinrich Koller, *Kaiser Friedrich III*. (Darmstadt: Wissenschaftliche Buchgesellschaft, 2005).

was through Veprinac and over Mt. Učka making the County of Pazin and the neighboring lordships all the more susceptible to an already superior neighbor (Map 4). It was only with Maximilian and his Italian and imperial ambitions that the balance of power between the Habsburgs and Venice began to alter, a fact that, ultimately may have been connected to the (un)willingness to resolve the disputes.

The War of the League of Cambrai devastated the peninsula, but the overall military situation did not seem to have changed. Venice still enjoyed local military superiority at the end of the war whereas the Austrian officials sent clear signals to their government that they were unable to sustain the fight any longer.⁵¹⁹ This superiority seems to have been maintained in the post war period as well by means of the forty horsemen in Buzet and the *cernide* who were better equipped and trained by the Venetians than the Austrians.⁵²⁰ *Podesta* Nicolò Bondumier reported to the *Signoria* in 1579 that he had a 2400 strong *cernide* attend muster with such regularity that it raised concerns “among royal ministers.”⁵²¹ The captain of Pazin had, allegedly, strengthened his own garrison on account of these activities and even expelled Venetian subjects from his lands as a precaution, raising alarm bells in Vienna.⁵²² The reaction of the Austrian captain is understandable. Jakob von Dürr had already voiced concerns regarding Venetian superiority half a century earlier. Since the Habsburgs had to devote all of their efforts to fighting the Ottomans in Hungary and

⁵¹⁹ In the instructions given to Hans von der Dür by the “prelates, nobles and citizens” of the provinces of Istria and the Karst, there are several allusions to the sorry state of these lands at the end of the war. The castles were devastated, and without weapons or ammunition, whereas the people were sick, exiled and hungry. In other words, the subjects in these lands were in no condition to fight. *Exponet ipse D. Capitaneus et Caes. Maj. et Consilio suo si opus fuerit in quo statu inveniuntur omnes Civitates oppida, castra et loca harum provinciarum Carsiae et Istriae, que pro maiori parte diruta absque annona absque militibus absque munitionibus fere derelicta sunt, populi partim necessitate expulsi, partim bello perempti, partim peste consumpti oppida et arces vacuas reliquerunt, Prelati et Nobiles propter diuturna bella consumpti vix sibi ipsis victum cumparant neque opem ullam amplius prestari possint urbibus Castris et arcibus Caes. Maj. CDI, V, 1467, March 17, 1515, Trieste.*

⁵²⁰ One of the complaints raised in 1605 by the *župans* before the bishop of Pićan, Antonio Zara, was that the general in charge of the *cernide* in the County of Pazin had completely neglected to equip and train them for twenty years, whereas the Venetians held exercises regularly. They therefore had the edge when it came to boundary disputes. See De Franceschi, *L'Istria*, 420.

⁵²¹ Each group of one hundred soldiers had to train on their own every feast day while a general muster in the presence of the *Governator* was held every other month. Bondumier also suggested that the *cernide* could easily have been increased to 3000 men since a number of villages near Poreč, Umag and Novigrad were not included.

⁵²² “Relazioni dei Podestà e Capitani di Capodistria - Nicolò Bondumier, 1579,” *AMSI* 6 (1890): 78-84 (henceforth: *Bondumier*).

Croatia, it seems that they were unable or unwilling to match the Venetians in terms of military strength before the Uskok War. It is possible that, riding on the wave of this advantage, the Venetian subjects may have felt emboldened to take the initiative and assume an aggressive enough stance to prompt the other side to lodge an official complaint with the government of Lower Austria. Although the Venetians seem to have been able to bring more force to bear in times of crisis, especially on the northern frontier of the County of Pazin closer to the Captain of Rašpor, they may have been losing the “demographic race” on the western and southern frontiers of the County outside of the immediate reach of Buzet’s cavalrymen. Moreover, Venetian colonizing efforts were successful in the area around Poreč and Rovinj, but failed in the south due to resistance from local nobility who wanted to protect their commercial interests.

After the Peace Treaty of Trent, the relationship between the Habsburg court and Venice seems to have become one of unease and outright hostility. The documents from the Venetian Chamber of Boundaries from the sixteenth century are an endless list of grievances and complaints about the wrongs committed by the “other side.” The letters, which read almost like a desperate plea for help, speak of ceaseless usurpations committed by Austrian subjects who seem to have continuously destroyed and moved boundary markers, tilling land that was meant to be used jointly. Additionally, Venetian officials complained of the greater numbers on the Austrian side, further suggesting that they may have been losing the colonization race.⁵²³

The Venetians seem to have been interested in keeping the peace, at least in the several decades after Trent before the *giovani* began to influence the government after the Battle of Lepanto.⁵²⁴ The feeling does not seem to have been reciprocated by the Habsburgs. Whether with

⁵²³ ASV PCC 232, 233, 234 contain hundreds of such complaints. For example, the letter from the *podesta* of Sveti Lovreč from April 23 1580 is a prime example of a “typical” grievance. *Trascorando per il locho della differenza tra questo teritorio et quel contado ho ritrovato la magior parti di confini scarscialati trasportati mutadi et molta quantita di bonissimi legniami da opera tagliati et molti tereni fati pradi, aradi et seminati nella sudtta differencia da suditi di sua Altezza.....non potendo questo pocco numero di persone diffendere li predetti luoghi contra tanto numero di gente come sono quelli di sua Altezza...* ASC PCC 233, 191r.

⁵²⁴ Bouwsma, *Venice*, 194. Giulio Savorgnano, a member of the powerful Savorgnano family of Friuli and a famous military engineer sent a letter to the *Signoria* in 1583 strongly urging the government to consider conquering Gradiška in order to secure the border with Austria. This was entirely in line with the *giovani* policies. “Lettera di Giulio

tacit approval, similar to what the Uskoks enjoyed in their naval raids or perhaps as a result of active incitement, Austrian subjects seem to have had relatively free reign to test Venetian resistance on the frontier. Naturally, this was countered by similar actions on the other side. Confiscation of cattle, destruction of crops, removals of boundary markers and physical violence became a norm on the frontier.

Although they seem absent in the complaints – the battle for boundaries was a battle between communities, first and foremost – it seems logical that the Morlaks also took part in boundary disputes, especially in raiding across the boundary line. In a report from January 1580, *Podesta* Paulo Foscari of Sveti Lovreč stated that several Austrian subjects had “with no fear of justice” attempted to break out a prisoner – their brother – from his dungeons, which is reminiscent of the way the Morlaks were willing to take matters into their own hands to free one of their own from official custody.⁵²⁵ I have found only one explicit mentioning of the Morlaks related to disputes. *Podesta* Nicollò Pasqualigo, complained to the *Signoria* that he had to “suffer Austrian reprisals with public indignity” which he could not vindicate because the “Morlaks, being natural cowards,” would not execute his orders and they were also “related to many Imperials.”⁵²⁶ Disputes escalated sharply in the years preceding the Uskok War. Grimalda and Sveti Lovreč were in the focus of the little frontier wars that pre-dated the real war.⁵²⁷ In any case, there seems to have been little desire left on both sides to settle the disputes in the manner that the Venetians had once been able to enforce, or that the fourteenth century Habsburg dukes were willing to accede to.

Savorgnano alla Serenissima Signoria di Venezia sui confine del Friuli 1583,” *Archivio storico Italiano* 14(1861): 32-38.

⁵²⁵ ASV PCC 233, 196 r, v, January 30, 1580.

⁵²⁶ *non potendomi assicurare de questi morlachi, quanli pero esser di natura codardi non eseguirano i mieie ordini, et poi per esser tanti parenti con quelli dell Imperio.* ASV PCC 236/II, 77, February 28, 1597.

⁵²⁷ Extensive sources covering these disputes in ASC PCC 236/II.

“The Blame Game”

In addition to willingness to settle the disputes once and for all, another aspect that seems to have changed was the dispensing and acceptance of blame. Whereas the historian can only observe from the sidelines, the participants in the disputes were more than willing to dispense blame. Each side was adamant in finding fault with the other. This is further accentuated by the fact that the sources are, naturally, biased. Moreover, every piece of evidence is penned by an official of either party, and these were always trying to picture the opposing side as violent, dishonorable, and lawbreaking. In other words: entirely at fault. There are, however, apparent differences in the way blame was assigned by the involved parties over the centuries depending apparently on the balance of power.

Two fourteenth century sources testify to an explicit assignment of blame on non-Venetian parties in disputes. The first is an interdict from 1304 by the town of Motovun forbidding the inhabitants of Buzet, then still under the rule of the Patriarch of Aquileia, from damaging the forests under Motovun’s jurisdiction.⁵²⁸ The surprising part is the fact that a high ranking Venetian delegation, led by Joannes *dictus* Carlo, envoy of the *podesta* of Motovun, visited Buzet and presented their grievances to Gastald Nicholas Sebren in person. They examined the witnesses, described the boundaries of Motovun’s forests and extracted a solemn promise that their jurisdiction would not be violated again. With this promise, given by both the *gastald* and *župan*, they received from the community of Buzet acceptance and acknowledgment of both the location of the boundaries, and the blame for having breached those boundaries.⁵²⁹ Another document that assigns one-sided blame is the peace treaty between Venice and Count Albert of Görz from 1344.

⁵²⁸ CDI, III, 501, February 15, 1304, Buzet.

⁵²⁹ Igitur nominati Nicolaus Gastaldio et Thomas Zanelich Maricus de Pinguento cum omnibus testibus suprascriptos, esse antiquos limites et confines prelibati Nemoris et Paludis Comunic Montonae prout ab antiquis paesanis ipsi Pinguenteini audiverunt, **promiserunt et dixerunt nominati omnes Pinguentini se amplius non debere venire ad laborandum nec ad incendium** in ipso nemore et palude Comunis Montinae superius confinato et limitato absque licentia et expressa voluntate D.D. Potestatum et Comunis Montonae.

This peace and demarcation treaty is explicit in placing the fault entirely with the Count who “in a hostile and armed manner started a war in the Province of Istria” while at the same time renounced the devotion that his ancestors nurtured towards the *Serenissima*.⁵³⁰ The count, having been imprisoned in Venice, had to agree to the terms which denied him any rights to fortifications on the frontier as well as designating Venice the ultimate jurisdiction for all boundary disputes. Even though this was primarily a peace treaty, it is also a demarcation treaty, containing a detailed description of the boundary markers placed between the two signatories. In both of these documents, Venetian military and political superiority is clearly visible, and it is likely that these two dictates by the Venetians to their weaker neighbors were only possible because of the obvious difference in power. It seems likely, therefore, that the Venetians, at least before the Habsburgs inherited the County of Pazin, were capable of arriving at unilateral decisions in boundary disputes with their neighbors in Istria.

Shifting blame was a standard strategy used by local officials as well. This is quite evident from a letter written by Nicholas Gritti, the *podesta* of Labin in 1550. Writing to the *Signoria* about a complaint raised by the secretary of King Ferdinand regarding an incursion into Austrian territory, he expresses his befuddlement that Antonio Lugnano, the Captain of Rašpor, would cross the boundary with his cavalymen since “there should be no dispute between his subjects and those of His Majesty, seeing how all the differences were resolved by the commissioners of His Majesty and Your Serenity.”⁵³¹ The *podesta* was, in fact, confirming the principle of finality of a boundary demarcation which was, according to him, conducted between the jurisdictions of Buzet and Lupoglav. He adds, however, that his own jurisdiction had suffered at the hands of the Captain of Pazin, Christopher Mosconi. According to Gritti, Mosconi had presented to the secretary of King Ferdinand some unfounded claims,⁵³² which were then passed on to the *Signoria*, but “it is they” –

⁵³⁰ dictum dominum Albertum comitem ex altera **hostiliter et armata manu** in dicta Provincia Istria Guerra incepta. ASV PCC 232/I, 3r-8v, August 21, 1344.

⁵³¹ *fra soi subditi et Reggi ni sera differentiation alcuna, quella sera terminata...* ASV PCC 234, August 20, 1550, Labin.

⁵³² *per far buone le ragioni ha dinotato per quello vedo, al Maesta secretatio cosa non vera.*

meaning the subjects of the King – “who use violence continuously against these poor subjects of Labin.”⁵³³ It is clear that both officials presented their own sides of the story to their respective lieges, holding their version to be legal and right, while the other side was deemed violent and in breach of law and order.

In his report to the *Signoria* from 1588, Pesaro lists a number of usurpations committed by the subjects of the Archduke against the subjects of Venice. If one was to take his report literally, the conclusion would be that the Venetians were peace loving legalists faced with violent, usurping barbarians on the other side of the boundary. The attached letter of the Imperial Ambassador to Venice, Vido Dorimberg, paints the opposite picture. According to his report, it is the Austrian subjects who are the victims and the Venetians the aggressors.⁵³⁴ The conflicting reports show that both sides believed or wanted to present the image of being in the right. The nature of boundary demarcations with transient boundary markers and the disappearing memory could all have contributed to a renewed eruption of boundary conflicts. Researchers of the example from modern, rural Norway state that “because of the inherent delicacy and powerfully charged nature of the issue, it is not surprising, that neighbors will sometimes accuse each other of moving boundary markers surreptitiously.”⁵³⁵

Boundary disputes between Venetian Sveti Lovreč and the communities in the County of Pazin are a good example of this “blame game.” Examining the boundaries between Sveti Lovreč and Austrian Kringa, the special *Provveditore* for Istria, Giovan Battista Calvo, wrote in 1580 that the ancient boundary markers set in 1344 had, on account of the “passage of time to a large extent disappeared or been destroyed,” blaming the inhabitants of Kringa of having done away with them in order to transform a *differenza* into their undisputed possession.⁵³⁶ He also says that the Austrians

⁵³³ *son quelli che fano le continue violentie a questi sui poueri subditi Albonesi.*

⁵³⁴ Entitled *Gravami de' sudditi Arciducali*. ASV PCC 232/III, 98r-99v, August 1 1588. Also, Bertoša, *Nemirne granice*, 23-24.

⁵³⁵ Goodale, Sky, *A Comparative Study*, 12.

⁵³⁶ *essendo per la lunghezza di tempo in gran parte smariti et destrutti li segni posti lelli roveri per le cause c' ho detto di sopra* ASV PCC 233, 192r-195v., May 18, 1580.

had contested the validity of the demarcation from 1344 and insisted on an accord reached in 1448, which was, however, rejected by the inhabitants of Sveti Lovreč as a falsified document.⁵³⁷ Naturally, Calvo insisted that his subjects were correct and that the only reason the Austrians doubted the treaty of 1344 was because they did not want to recognize the supreme Venetian jurisdiction in boundary disputes that it stipulated.

Calvo's investigation was prompted by a letter sent in April 1580 to the *podesta* of Sveti Lovreč by Anton Wasserman, then acting captain of Pazin.⁵³⁸ Wasserman expressed great anger regarding an “imaginary *differenza*” that the subjects of Sveti Lovreč were claiming in an area that was a “real and free territory of Kringa and of this district (*contrado*) according to an antique and authentic boundary demarcation document.”⁵³⁹ Evidently, both sides were armed with “authentic” written evidence that confirmed their version of the story and they blamed the other for “innovating” on the boundary, thereby breaching the rights and jurisdictions of their respective lieges. Wasserman insisted that he and his subjects were right, claiming that he had also received “from his Serene Highness” – Archduke Charles II of Inner Austria – “a commission to maintain and defend his territory and not to allow a single piece of it to be usurped.”⁵⁴⁰ Calvo's investigation, on the other hand, and possibly even his very nomination as a special *Provveditore* in Istria, seems to have been the *Signoria*'s official response to this challenge. The reason the dispute escalated at this time probably lay in the population boom on the Austrian side, since Sveti Lovreč was facing three apparently thriving communities: Tinjan, Kringa and Beram. *Podesta* Zuane Gritti admitted in 1583 that there was a “great quantity of them with respect to the few of ours in this territory.”⁵⁴¹ The demographic expansion in this corner of the County of Pazin created a “disparity of souls” which made Sveti Lovreč's effort to defend the *differenza* an impossible task in the long run.

⁵³⁷ *Il qual instrumento all'incontr non e confessato da quei di S. Lorenzo, i quali dicono piuttosto che è falso.*

⁵³⁸ Anton Wasserman served as acting captain after the pledged possessor Leonard von Keutschach's death, in the name of his two sons. De Franceschi, *Storia*, 86-87.

⁵³⁹ *in materia dell'immaginata differentia per causa di suoi sudditi di S. Lorenzo nel vero et libero territorio di Coridico et questo contrado per l'antiquo et authentico instrimento de confini.* ASV PCC 233, 182r-183r, April 4, 1580.

⁵⁴⁰ *mantenir et diffender il suo territorio ne lasciar usurpar di quello un giota*

The government in Venice probably realized that it was waging a losing battle against overwhelming numerical superiority, and agreed to resolve the dispute despite Calvo's lengthy and well argued report. For the *Signoria*, to simply concede the territory would probably have been far too great a blow to their prestige. A letter penned by Wolfgang von Keutschach in 1581 seems to have acted as a means to overcome this. In this flattering letter, the Captain of Pazin praised the virtues of the Doge – his sense of justice, equity and humanity – and asked him to resolve the dispute and issue a demarcation based on a “clearly presented and manifest demarcation document,” which was agreed upon and issued by commissioners of Emperor Maximilian and the Doge, as well as shown to the *podesta* of Sveti Lovreč.⁵⁴² Since Calvo made no mention of any demarcation performed or issued during Maximilian's reign, it is likely that this letter was a forgery created to give the *Signoria* a legal basis upon which to concede defeat. Another concession seems to have been the continuously disputed Venetian jurisdictional authority from 1344. Even though *Podesta* Gritti requested that six representatives from each neighboring Austrian community appear before him, a hundred of them arrived in an obvious show of force in April 1583. He adjudicated the dispute, maintaining in the letter that it was done “according to the instructions of Your Serenity,” thereby implicitly distancing himself from the decision itself.⁵⁴³

Regardless of the outcome that seems to have been reached with this compromise, the report by Pesaro in 1588 shows that disputes flared up immediately after the demarcation. It seems that the diverging interests of the subjects and their local officials made any attempt to find a permanent solution unattainable. An attempt was made to divide the *differenza* in two, tasking Gabriele Emo, the Captain of Rašpor and the Leonardo d'Atthemis, the Captain of Rijeka, to resolve the dispute. However, the demarcation itself failed due to the acting captain of Pazin, who lodged a strong

⁵⁴¹ ASV PCC 233, 199. April 27, 1583.

⁵⁴² *prospicua et manifestissima Instrumenta qua in manibus meis sunt, a Maximiliani Imperatoris, huius nominis primi augusta memoria et antecessorum vestrorum Commissariis constructa ac in formam publicam redacta. Quorum exemplari in S. Laurentii observari arbitro mecum de novo inspiciat et describat.* ASV PCC 233, 197r-198r, September 20, 1581.

protest with the Austrian representative, thereby rendering any final agreement impossible. Pesaro further states that the situation then became even more confusing than before and a solution would have been good for the reputation of the *Serenita* and an easing of the situation for the subjects.⁵⁴⁴ No resolution was reached, however, since armed confrontations were still flaring at the beginning of the seventeenth century, with the Venetian subjects seemingly placed at great disadvantage. *Podesta* Andrea Loredan wrote in 1607 that the Archduke's subjects were so numerous and his defenses so weak that he did not dare respond in kind to their provocations since they were more than capable of inflicting great harm on his territory.⁵⁴⁵

Ecclesiastical Boundaries and the Frontier

The boundaries of ecclesiastical jurisdiction in the late medieval and early modern frontier regions rarely overlapped with the secular. Whereas the jurisdiction of a prince could expand or contract rapidly, by peaceful or martial means, the Church was much more conservative in this regard and the alteration of their boundaries often proceeded with great reluctance, requiring the expenditure of a great deal of political and diplomatic energy. On the other hand, secular princes often had a vested interest in keeping their parishes free from "foreign" influences. If the diocese bishop was of a different "nation" or located on the territory of another realm, this posed a serious security risk and was a source of potential instability in times of conflict.

There was no uniform way of dealing with this matter. Often it was a purely political question. It took Florence more than a century to expel the influence of the bishop of Lucca from the lands they had wrested control of in the second half of the fourteenth century. After previous

⁵⁴³ *Podesta* Gritti does not state the details of the demarcation. However, based on previous exchanges, it seems highly likely that the demarcation was carried out according to Wolfgang's letter.

⁵⁴⁴ ASV PCC 232/III, 83r-85v, March 31, 1588. Also Bertoša, *Nemirne granice*, 16-18.

attempts had failed, this was finally accomplished when one of their own, a Medici, ascended to the throne of St. Peter under the name of Leo X. In Tuscany, where no political figure emerged with enough strength to lobby for or impose a change, the dioceses remained unaltered. Even the powerful crown of Spain could only achieve marginal success based on intimidation and force, since the Spanish had to physically prevent the “foreign” bishop from visiting his dependencies on their territory.⁵⁴⁶ This was the same solution that the crown of France adopted in Cerdanya. When their attempts to alter the boundaries of the dioceses on the frontier failed, the French barred the bishop of Urgell from visiting his parishes on their side of the boundary.⁵⁴⁷

Michel Lauwers has demonstrated that the parish church played a key role in the development of boundaries from the ninth century on. Serving as a shared burial ground for the local population, in addition to being the central location for the collection of the tenth, it created a point of reference for the members of the parish.⁵⁴⁸ The mental boundaries shaped in the minds of the parishioners over the centuries were probably the closest that the common people had to a concept of “*natural borders*” in their everyday environment. Consequently, the boundaries of parishes corresponded to the boundaries of the community or communities they extended over and, more importantly, they did not, as a rule, extend across state boundaries.⁵⁴⁹ Seeing how parish priests in Istria were elected by their parishioners, such an arrangement was both logical and practical. There was only one, notable exception. The village of Zamask on the frontier between Venetian Motovun and the County of Pazin, had formally been a dependency of Motovun, but it became a jurisdictional *differenza*, as Austrian subjects began to settle in it and refused to pay taxes to the *podesta* of Motovun. After the War of the League of Cambrai, the Peace accords in Trent

⁵⁴⁵ *Perche li detti Arciducali per vendetta poi potriano passare dentro di questo suo Territorio con piu numero de genti et commettero maggior danno* ASV PCC, 236/II, 158r, Aug 27, 1607.

⁵⁴⁶ Gaetano Grecci, “Chiese e Fedeli sulle frontiere ecclesiastiche e sui confini civili,” in Guarini, Volpini, *Frontiere terra/mare*, 103-131, here: 120-121.

⁵⁴⁷ Sahlins, *Boundaries*, 57, 77-79.

⁵⁴⁸ Michel Lauwers, *Naissance du cimetière – Lieux sacré et terre des morts dans l'Occident medieval* (Paris, Aubiers, 2005).

divided the village in half between the two powers. The canonical church was left on the Austrian side and the parish house on the Venetian.⁵⁴⁹ This created a jurisdictional conundrum since both the *podesta* of Motovun and the Captain of Pazin claimed fiscal jurisdiction over the villagers. Zamask's importance stemmed from its advantageous strategic location sitting on a hill that was overlooking an important road between Buzet and Motovun.

Whereas parish boundaries, with the notable exception of Zamask, corresponded to state boundaries, the dioceses in Istria were another matter entirely (Map 1). Of the six bishoprics that extended over Istria, two had a seat on Austrian territory (Trieste and Pićan), and four lay on Venetian soil (Koper, Novigrad, Poreč and Pula). Only the bishoprics of Koper and Novigrad were completely within the territory of a single state. The boundaries of the other dioceses crossed state boundaries so that the diocese of Pula, for example, extended over the entire eastern coast of Istria, over the Austrian possessions in the Gulf of Kvarner, up to and including the city of Rijeka, but also Boljun, Lupoglav and Vranja in the County of Pazin. The capital of the County was part of the Venetian controlled diocese of Poreč, whereas Buzet, the seat of the Captaincy of Rašpor, lay under the Austrian controlled bishopric of Trieste.

There are no records of the two powers having had any problems with overlapping religious jurisdictions and there is no evidence in Istria that they tried to implement the ecclesiastical version of *reichsunmittelbarkeit* called *nullus diocesis*, which would place a parish directly under the control of the Holy See. One example, however, does illustrate the very clear and present danger that "disloyal" religious institutions represented, at least in the minds of local officials. In a letter sent by Jakob von Dürr to the government of Lower Austria in 1525, the captain of Pazin, after the bloody war against Venice, and before the peace treaty was finalized, referred to the issue of the Franciscan monastery of the Visitation of the Blessed Virgin in Pazin. According to von Dür, the

⁵⁴⁹ Some parishes incorporated one community like Kringa, Beram or Trviž, whereas other included more than one. The parish of Lupoglav extended over all the villages that belonged to the fief in that part of Istria while the parish of Vranja also included Brest. See the map of the religious division of Istria at the end of De Franceschi, *Storia*.

⁵⁵⁰ Bertoša, *Istra*, 478.

monastery, located at “gunshot distance” from the walls of Pazin, was filled “exclusively by Italian monks” who hurt the Crown twofold in the last war.⁵⁵¹ On the one hand, they deprived it of its demesne (*Kammergut*) and on the other, they aided and supplied the Venetians. For this reason, and to prevent its potential use by would be besiegers of the castle of Pazin, von Dür suggested that drastic measures be taken: the monastery should be razed and the Franciscans banished from Pazin.⁵⁵²

The monastery was founded in 1481 by a Bull issued by Pope Sixtus IV *Inter caetera* following a plea by “the captain, the judges and all the citizens of Pazin,” and with support from both Emperor Frederick III and the bishop of Poreč.⁵⁵³ Jurisdictionally, however, it lay entirely outside the Austrian sphere of influence since both the parish and the monastery answered to religious leaders on Venetian soil. The parish was part of the diocese of Poreč. Bishop Giovanni Campeggio resided in Rome from 1537–1553 leaving the daily running of the bishopric in the hands of his vicar, Antonio Pantera.⁵⁵⁴ The vicar made little attempt to disguise his anti-Habsburg sentiment. His monumental work, the *Monarchia Celeste* was published in Venice in 1545 and dedicated to Francis I of France, with a second edition published three years later, dedicated to the new king of France, Henry II.⁵⁵⁵ This was soon after the Venetian purchase or conquest of Marano that infuriated Ferdinand I and during the French-Ottoman wars against the Habsburgs. In other words, Vicar Pantera’s message and political preference seems to have been quite clear.

The Franciscan monastery in Pazin was under the Province of St. Jerome of Dalmatia with a seat in Zadar which also housed the Venetian Governor General of Dalmatia. Whereas this might

⁵⁵¹ *buchsenschuss ein closter darinn lautter welsch munich sandt franziscen orden* FHKA, Innerösterreichische Herrschaftsakten M19/1, 92r, Aug 25, 1526.

⁵⁵² *dadurch das Closter widergebrochen werde und die Munich annder lande aus f.f.d. Gegent ziehen zulassen.*

⁵⁵³ See Alfons Furlan, *Povijest franjevačke crkve i samostana u Pazinu* (History of the Franciscan church and monastery in Pazin) (Pazin: 1913); Gabrijel Štokalo, “Pet stoljeća Franjevačkog samostana u Pazinu (1481-1981)” (Five centuries of the Franciscan monastery in Pazin (1481-1981), in *Petsto godina franjevačkog samostana u Pazinu* (Five hundred years of the Franciscan monastery in Pazin), ed. Alfons Orlić (Pazin: Franjevački samostan, 1981), 17-20.

⁵⁵⁴ http://www.treccani.it/enciclopedia/giovanni-campeggio_%28Dizionario_Biografico%29/ (retrieved on October 10, 2012).

not have been a problem at the founding, when the Istrian frontier was quiet and no overarching difficulties existed between the *Serenissima* and the Habsburgs, the synergy of secular and religious authority seems to have played to Venice's advantage in the War of the League of Cambrai. It is, therefore understandable why von Dür would have wanted its influence removed from his immediate neighborhood. Ferdinand's reply, if there was any, is not preserved but the monastery remained standing and no further mention of its military threat to Pazin is found in the sources. The King eventually solved the problem, albeit after more than two decades. When the Bosnian province of the Franciscans was founded in 1559, Ferdinand "beseeched the Pope and his request was granted that the monastery of Pazin be transferred under the newly created province."⁵⁵⁶ This way he, simultaneously, dealt with the "disloyal Italians" and strengthened the newly formed province whose focus was directed at the Ottoman border, where no conflicting loyalties were possible.

That this was, indeed, a method to remove Venetian influence from the monastery is confirmed by a letter sent by Giovanni Grimani, the Patriarch of Aquileia, to the *Signoria* in 1585. The patriarch, who was always a Venetian citizen after the Patriarchate was defeated in 1420, described the threat posed by Archduke Charles's request to the Holy See to move the convent of St. Mary of Aquileia to Trieste stating, among other things, that "the nuns will be succeeded by Germans or other women subjects of the Archduke."⁵⁵⁷ In addition to the loss of control and allegiance, the Patriarch also warned of financial losses, as the 4000 ducats the convent earned would be spent in Trieste instead of in Venice. In addition, the judicial jurisdiction that the nuns exercised over villages on Venetian territory, would in fact, fall under Austrian influence as well as

⁵⁵⁵ *Reale Galleria di Firenze Illustrata, Serie 1. Quadri di Storia, Vol. II.* (Florence: Presso Giuseppe Molini, 1824), 165-167; Pietro Stankovich, *Biografia degli uomini distinti dell'Istria*, Vol. 2 (Trieste: Presso Gio. Marenigh tipografo, 1829), 97.

⁵⁵⁶ A. Pernar, "Kako postà i napredovà malobratska država sv. Križa Hrvatsko-Kranjska" (How the Franciscan province of St. Cross of Croatia and Carniola was created and how it advanced), *Arkiv za povjestnicu Jugoslavensku* 9 (1868): 55-64, here: 60.

⁵⁵⁷ *succederano in luogo di queste Tedesche, et altre donne suddite Arciducali.* "Una lettera del Patriarca d'Aquileja Grimani a Sua Serenità sull'erezione del Vescovato di Gorizia, e sul trasporto delle Monache d'Aquileja a Trieste," *AMSI* 7 (1891): 203-207.

the appellate jurisdiction which would switch from Aquileia to the bishopric of Trieste. Grimani, lamenting the loss of the bishopric of Ljubljana after it was founded and then immediately subjected to the Holy See in 1462, feared a further loss of property and influence. However, the terminology and comparisons he employed framed the issue as a direct challenge of Austria against Venice's prerogatives. The Patriarch also blamed Austrian border lords for taking every opportunity to undermine his influence. His fears appear to have been exaggerated since the Convent of St. Mary remained in Aquileia until it was abolished by Joseph II in 1782. In the battle for ecclesiastical boundaries it seems that even the Pope's authority could run into resistance. When Gregory XIII decided to have a visitation conducted on Venetian territory in Istria and Dalmatia in 1579, he dispatched the bishop of Verona, and later cardinal, Augusto Valier, to execute the task. In his visitation of the dioceses of Istria, Valier also inspected the parishes under the bishopric of Trieste, but only those under Venetian control. He was forbidden from crossing into Austrian territory, including the seat of the bishopric itself, and so could only get second hand information about the parishes there.⁵⁵⁸

Von Dür's recommendation was entirely pragmatic. His stance was not anti-clerical. Instead it was anti-Italian or, more specifically, anti-Venetian. At the same time that he was trying to evict the Franciscans, he maintained a good relationship with Šimun Mrzotić, the Pauline abbot of St. Peter in the forest (*sv. Petar u šumi*), who confided in him in 1542 regarding the "tyrannical" actions of Captain Christopher Mosconi against the subjects of the County.⁵⁵⁹ Moreover, the bishop of Pićan, whose seat was in the County, was active in a number of tasks in service of the Habsburgs, especially in the role of mediator. In 1539, Bishop John of Pićan represented the lords of Kožljak in their dispute with Mošćenice, who were in turn represented by Presbyter Juraj Ivanović.⁵⁶⁰

⁵⁵⁸ See Fučić, *Iz istarske spomeničke baštine*, 105-106.

⁵⁵⁹ FHKA, Innerösterreichische Herrschaftsakten M/19/1, 529-530, March 1542.

⁵⁶⁰ April 16, 1539, Mošćenice. Published in De Franceschi, *I castelli II* 255-262. See also Ivan Jurković "Pop Šimić, opat molstira sv. Petra u šumi – posredničke uloge raseljenog svećenika, kliškog potkneza i bilježnika za trajanja osmanske ugroze" (Priest Šimić, abbot of the monastery of st. Peter in the forest – mediation role of a migrant priest, vicecaptain of Kils and notary during the Ottoman danger), in *Sacerdotes, iudices, notarii...: posrednici među*

Moreover, in 1605 Bishop Antonio Zara was nominated royal commissioner to negotiate with the *župans* of the County of Pazin, who at the time strongly opposed reform of the rent rolls.⁵⁶¹ Evidence seems to suggest that at least from the Late Middle Ages onwards, the princes began expressing a degree of mistrust against bishops whose seats lay outside of their jurisdiction. The Habsburgs seem to have actively worked to undermine their influence. Such was the enmity, it seems that even a Habsburg friendly pope such as Gregory XIII, a close friend of Phillip II of Spain, could not get his bishop-inspector admitted into Austrian territory. The Venetian/Austrian conflict extended itself onto the ecclesiastical plane, even though, apart from the transference of allegiance of the monastery in Pazin, there do not seem to have been other major changes in the sixteenth century. Whether the parishioners had some experience in this struggle is unclear, but seems unlikely, considering that they elected their own parish priests whose ties and loyalties ran deep within the communities they served in.

Rituals on the Frontier – Anatomy of Boundary Disputes in Sixteenth Century Istria

Boundary disputes and their resolution were immersed in symbolic, expressive forms of behavior. From the onset to the very end of a boundary dispute, there existed rituals – understood as sets of, traditionally or religiously, defined actions expressing symbolic meaning⁵⁶² – that governed the actions of the participants in a boundary dispute. One has to keep in mind, however, that it is difficult to impose universal meaning on an already ambiguous phenomenon such as rituals. At

društenim skupinama, Zbornik radova s međunarodnog znanstvenog skupa: 2. Istarski biennale (*Sacerdotes, iudices, notarii...*: mediators among social groups: Collected works form the international scholarly conference: 2nd Istrian biennale), vol. 2, ed. Neven Budak (Poreč: Zavičajni muzej Poreštine Pučkog otvorenog učilišta – Državni arhiv u Pazinu – Odjel za humanističke znanosti, 2007), 109-129.

⁵⁶¹ De Franceschi, *L'Istria: note storiche*, 414-424.

⁵⁶² This is how I define the term for my present purposes. There are many other scholarly definitions and theories of ritual, and some even argue against a unified definition. Catherine Bell states that the ritual “may be best defined in culturally specific ways since cultures, and even subcultures differentiate among their actions in specific ways.” See Catherine Bell *Ritual, Perspective and Dimensions* (Oxford: Oxford University Press, 1997), 82.

best, one can approach the likely meaning behind a ritual through contextualization.⁵⁶³ It was not just the disputes that included ritual and symbolic elements. Everything about the boundary was ambiguous.

There are no sources that recount the formation of the decision that leads to the contestation of a boundary. One piece of evidence, however, exists, which describes how communities determined the extent of their imagined territory. Šimun Starac asked Andrget (sic!) Rečanin (of Rijeka), the deputy captain of Rijeka, the *župan* and the judges of Veprinac in 1504 to construct a mill “on this side of the creek, on the **kunfin** of Veprinac.” Rečanin asked the judges whether they agreed with the proposal and they did so unanimously. Starac then followed with a question directed at the gathered officials as to whether they would defend him against the people of Lovran should they sue or harass him, to which their response was: “Yes, we shall defend you forever, for it is our **kunfin**.”⁵⁶⁴ This is, to my knowledge, the singular example of a community in the process of defining the extent of its boundary. Starac did not come before the judges because of some wrong or tort like most of the other supplicants in the records. Instead, he came to garner their support in order to assert the territory of Veprinac on the frontier with Lovran. And this he acquired in the form of a query held before the official legal body of the community, the *župan*, the elders, as well as the representative of the feudal overlord in Rijeka. By unanimously agreeing that the territory “on this side of the creek” belonged to Veprinac, they defined their own boundary. In effect, this was a solemn promise from the leaders of Veprinac to defend the boundary should the people of Lovran object to its positioning, as well as from the deputy captain that the Captaincy of Rijeka would support them should the Captain of Pazin intervene on behalf of Lovran.

This example also illustrates the problem that all communities likely faced. The extent of the lands beyond the close proximity of a village or town, that is to say the forest and pastures, was

⁵⁶³ See Philippe Buc, *The Dangers of Ritual: Between Early Medieval Texts and Social Scientific Theory* (Princeton: Princeton University Press, 2001).

imprecise. Although a number of agreements were made between neighbors for a joint use of such lands,⁵⁶⁵ the same kind of agreement could not be made regarding the ownership of a fixed structure such as a mill. By standing behind Starac's proposal, the elders, and, by extension the community of Veprinac as well as the immediate liege lord, assumed a formal stance that created the boundary. There is no record of whether the people of Lovran objected to the mill, but this scenario could have ended in one of two ways: either they agreed to it or they disputed it. The dispute itself could, as Starac framed it, come in two forms: lawsuit or violence.

Lawsuits and complaint to one's liege lord seem to have been the norm in internal disputes as a number of rulings by commissioners and captains on both sides show. Externally, however, violence appears to have been the preferred choice. Complaints of aggression, destruction or imprisonments are found in earlier sources as well although they seem to have dominated the sixteenth century discourse between officials of the two sides. This comes as no surprise considering the rising enmity between Venice and Vienna. In the absence of a higher authority in external disputes, a compromise could only be reached through goodwill on both sides. The captains, who were all well acquainted with one another in such a small region, maintained an outwardly friendly attitude towards their peers across the boundary which was a necessary prerequisite for diplomacy, as well as a show of class solidarity. They addressed each other as friends⁵⁶⁶ and even discussed personal problems in official communication.⁵⁶⁷ As I have shown in the first chapter, the villagers also nurtured personal and familial ties with their closer and more

⁵⁶⁴ *očemo mi vazda tebe braniti, zač je to naš kunfin*. I left the word in its original form on purpose as it can be understood to have meant both frontier and boundary to the people of Veprinac. Lujo Margetić, *Veprinački zapisnici*, 1r, February 27, 1504.

⁵⁶⁵ The Sentence of Trent left the *differenze* for joint use. The demarcation between Kožljak and Mošćenice for instance stipulated that whichever herdsman arrived and hung his cloak on a tree first, had the right to pasture that day. See Kukuljević, *Acta Croatica*, 46-47, November 2, 1395.

⁵⁶⁶ Acting captain Nicoló Roshauer of Pazin began his letter to *Podesta* Nicoló Pasquale in 1598 with *Sicome dico di cuore mi allegro del suo felice ritorno così di cuore la saluto...* ASV PCC 236/II, 79, February 22, 1598.

⁵⁶⁷ Captain Leonardo d'Atthems of Rijeka and Captain Marino Pesaro of Rašpor, who were engaged in a protracted dispute over the valley of Valbona (1574-1575) were extremely courteous and polite towards one another in their official communication. In the letters they exchanged they discussed private matters, complained of gout, suggested remedies for stomach ulcers, and exchanged greetings from their wives and so on. They were obviously acquainted and at least in

distant neighbors in Istria regardless of state boundaries. The problem was, however, that the disputes originated neither from captains nor individuals. It was the communities as collective entities that engaged in them, or more precisely, certain individuals or interest groups within a community who knew that they could count on the support of their neighbors if matters escalated.⁵⁶⁸ The original provocation may have been the work of an individual,⁵⁶⁹ but the violent reaction and reprisals were a group effort.

With that in mind, another point becomes quite clear. A captain with jurisdiction over a community was in a relationship that was reminiscent of the one that a medieval king enjoyed with regards to his vassals. In local matters the captain was advised by the *župan* and his judges or by a gathering of *župans* in matters that involved the wider region. Captains could to some extent, argue with the local representatives although that was no easy task. Christopher Mosconi tried to impose his will on the communities under his rule but ended up losing to them in a lawsuit in 1545.⁵⁷⁰ When it came to boundary disputes, however, the captain had even less room to maneuver. An anonymous memoir from 1775 states that the various ministers and commissioners were completely ignorant about the lands they were ceding or acquiring.⁵⁷¹ Analogously, the captains, dispatched from Venice or Carniola to Istria two centuries earlier, had comparatively little expertise in the precise location of village boundaries and were almost completely reliant on the locals as living repositories of memory. Additionally, the villages were militarized after the War of the League of Cambrai. Despite incessant complaints about inadequate provisions and weapons from subjects of both powers, the villagers seemed more than capable of showing up in force when the boundary of

the initial phase of the dispute, seemed willing to keep things civil and friendly. The tone changed, however, as the dispute escalated and violence increased. See ASV PCC 236/I, 70r-120v.

⁵⁶⁸ Antonio Stopani, "Confini e processi di territorializzazione nell'Europa occidentale (secoli XVIII-XIX): il caso toscano," in Giarini, Volpini, *Frontiere di terra/mare*, 37-57: here 46.

⁵⁶⁹ In the dispute between Pazin and Grimalda, Venetian officials blamed a small number of Austrian families for trying to usurp the lands of Grimalda but it was a large and organized group of inhabitants from Grimalda who responded to this threat, removed the boundary markers and destroyed their fields. See ASC PCC 236/II, 128, February 7, 1604. Also Bertoša *Istra*, 473-475.

⁵⁷⁰ See Robert Kurelić, *Sudski spor*, 353-374.

⁵⁷¹ Sahlins, *Boundaries*, 94.

their community and their personal interests were at stake.⁵⁷² Moreover, raids across the boundary were often lead by the *župans*, which would have been impossible without the sanction of the community.⁵⁷³

Ivan Černeha from Roč told the Captain of Rašpor that he was waylaid by men from Veprinac led both by the *župan* and his deputy.⁵⁷⁴ When in 1547 Captain Gianmaria Contarini sentenced the inhabitants of Lanišće who had brought their animals to destroy fields in Brgudac, he fined their *župan* doubly for having participated in the raid.⁵⁷⁵ That was an internal dispute. However, in external ones, the captains probably did not have the luxury of deciding against their subjects. Captain Pesaro of Rašpor stated this explicitly, accusing the Captain of Rijeka of admitting that his hands were tied because he had to “respect the interests of his subjects.”⁵⁷⁶ Leonardo d’Atthemis denied the accusation,⁵⁷⁷ but it does seem to illustrate the dependency of the captains on their subjects, especially if they were armed and, in case of Veprinac, known for being fierce and belligerent.⁵⁷⁸ A lone captain in the company of two or three of his cavalymen would have been hard pressed to resist the wishes of the hundred or more armed villagers he lead.⁵⁷⁹ Pozzan states that “the delicate system of consensus of the communities towards their Prince” was vital for the

⁵⁷² In one such demonstration, 25 armed men from Veprinac crossed the boundary with their animals and fired more than 25 shots to scare the Venetian subjects away from the frontier. ASV PCC 236/I, 99v-102v, October 18, 1574,

⁵⁷³ Pozzan, *Tra Serenissima Repubblica*, 204-205, and especially footnote 105.

⁵⁷⁴ *eta il zupan con barba rossa longa et huomo grande et grosso et il pozuppo magro e cominciai bianchezar i capelli con barba negra piccolael li capelli bianchi* ASV PCC 236/I, 70v, June 18, 1574.

⁵⁷⁵ Vesnaver, *Indice, L'Istria*, December 1, 1893, 179-181, 1547.

⁵⁷⁶ *et procurai d'intender da esso capitano quello che da V.M. haveva inteso qual mi rifferse et per l'amorevolezza, che la mi portava si doleva non potere far alcuna cosa in questa materia et che bisognava che havesse rispetto all'interesse de suoi sudditi* ASV PCC 236/I, 104r-106r, October 31, 1574. In another letter he accused him directly of being afraid of his subjects (*ma lei temendo piu li suoi sudditi che non fece lui, non solo volse far restituire il mal tolto*).

⁵⁷⁷ *A quello poi che V.M. dice, che il capitano castro gli haveva rifferito che sopra il loco contentioso io gli ho detto che io non potevo far altra rissoluzione che quant'era di sodisfazione delli mei sudditi li rispondo che non e vero* ASV PCC 236/I, 106r-110r, November 10, 1574.

⁵⁷⁸ Valvassor states that they inhabitants of Veprinac were training their sons to use firearms from the age of 12 (*Wenn einer nur das 12 oder 13 Jahr erreicht muß er schon mit einer Büchsen um dem Schiessen nachzugehen versehen sein*) Valvasor, *Die Ehre dess Herzogtums Krain*, 3: 610.

⁵⁷⁹ In 1604, the captain of Pazin personally led 150 armed villagers in a raid against Grimalda. An additional report stated that a force of 200 villagers was lead by two or three horsemen. ASV PCC 236/II 146-147r, July 6, 1604. Captain Pesaro confirmed in a letter to the *Signoria* that his own retinue was greatly outnumbered by the armed people of Veprinac accompanying Leonardo d'Atthemis, the Captain of Rijeka (*essendo loro venuti con gran numero di gente e tutti armati*) ASV PCC 234, May 1575.

maintenance of boundaries on the frontier.⁵⁸⁰ One might, indeed, conclude that a captain's authority was recognized as long as he was in agreement with his subjects interests.

Reprisals in boundary disputes can be grouped into three basic categories: persons, land and livestock. When people were found in disputed land, the opposing side would scare them away, beat or wound them.⁵⁸¹ Death threats were, in all likelihood, simply part of the choreography meant to scare away the "other" and prevent him from returning.⁵⁸² Whereas the villagers on their own were prone to "take matters into their own hands" on the spot, the captains and their soldiers needed to maintain a sense of order. In addition to direct physical force, they would also arrest and detain the subjects of the other side.⁵⁸³ The prisoners seem to have been released after a while⁵⁸⁴ but could even be banished or sentenced to the galleys, which created a flurry of activity to ensure their release.⁵⁸⁵ Having one's subjects languishing in foreign prisons seems to have been a stain on the honor of the captains and their lieges, and it may have been the reason why an arrest on one side was quickly countered by an arrest on the other. A prisoner exchange was probably the only solution and even governments and their ambassadors had to get involved.⁵⁸⁶ Still, even when an accord was reached, both sides maintained their respective claims in order to justify the arrests as legal and legitimate.⁵⁸⁷ The release of prisoners was framed in a discourse of clemency by the

⁵⁸⁰ Pozzan, *Tra Serenissima Repubblica*, 207-208.

⁵⁸¹ Whereas earlier sources speak only of "violence" without going into detail, the documents from the sixteenth century already contain more detailed descriptions of inflicted bodily harm.

⁵⁸² Ivan Črneha was claims that the *župan* ordered his men to kill him (*ammaciatelo*) but after being beaten with sticks (*bastonato*) even though they had more lethal weapons they allowed him to get away from the encounter. Seeing how he had his daughter with him, it seems unlikely that he would have been able to escape had they really wished him dead. What they seem really to have been after were his animals, cart and wood (*doi pera de manzi, li carri et il legname*) ASV PCC 236/I, 70v-71r.

⁵⁸³ Alexius Mosconi wrote in 1535 that the Captain of Rašpor had confiscated wine from two of his subjects. In reprisal, he arrested two Ventian subjects as hostages for the wine. The dispute escalated with the cavalry of Rašpor imprisoning five of his subjects while at the same time, his envoys were negotiating for the release of the prisoners. See De Franceschi, *Storia*, 432-433, September 1535, Pazin.

⁵⁸⁴ *captivos vero capitaneus...relaxavit* De Franceschi, *Storia*, 432-433, September 1535, Pazin.

⁵⁸⁵ After the failed prison break of the Austrian subjects imprisoned in Sveti Lovreč, Captain Wolfgang von Keutschach pleaded with the Doge to have him freed from the galley. ASV PCC 236/II 197-198r, September 20, 1581.

⁵⁸⁶ A series of letters from 1597, shows that a large number of officials on both sides were involved in securing the exchange of one Venetian from Sveti Lovreč for two Austrian subjects from Tinjan. Those involved in the negotiations included the Captian of Pazin, the Vicedom of Carniola, the imperial ambassador in Venice, as well as the *podesta* of Sveti Lovreč and the *Signoria*. See ASV PCC 236/II, 77r-79v. February 22-28, 1598.

⁵⁸⁷ *quel suddito di Santo Lorenzo, chi sopra il loco contnentioso fu ritrovato ad innovar con li manzi rilassato* 78, February 28, 1598.

sovereigns, thereby detaching it from the dispute itself.⁵⁸⁸ That way both princes could claim to have provided the protection, in the medieval understanding of *Schutz und Schirm*, owed to their subjects, without jeopardizing their claims on the frontier.⁵⁸⁹

Seizure or confiscation of cattle was yet another common means of reprisal in Europe.⁵⁹⁰ In addition to hurting the “other,” livestock had an additional benefit – it could be sold. Pesaro accused Captain d’Atthemis of Rijeka of having driven the cattle, taken by men of Veprinac, to his seat in Rijeka, presumably to be sold.⁵⁹¹ The accusation implied that the captain was receiving a direct financial contribution from his subjects in return for his support against Venice. It should be noted, however, that the number of seized cattle was not large. A pair of oxen or a dozen heads of cattle were, likely, a symbolic action meant to serve as a statement of a jurisdictional claim. Considering that the Venetian army took five thousand sheep and seventeen hundred heads of cattle in one raid in the County of Pazin during the Uskok War, the reports of several to a dozen animals or even a hundred animals cannot be considered having dealt a severe blow to the economy of the “other.”⁵⁹² In general, the number of cattle taken would be small at first and then grow in response to the enemy’s action, with each new reprisal being an escalation. In 1592, Venetians surprised an Austrian subject planting seeds during the night and took away his cattle. In reprisal, the owner of those cattle waylaid a Venetian subject and took his horse, while the acting captain of Pazin confiscated 100 sheep on what was allegedly Venetian territory.⁵⁹³

A third form of reprisal was the destruction of tilled farmland. This was done because the subjects would work the previously fallow fields in order to acquire ownership of the land by adverse possession. The only way to respond was to destroy the fields in question. In 1580, *Podesta*

⁵⁸⁸ *La clementissima Risoluzione del Serenissimo Archiduca, mio signore d'intorno la Ritenzine di Gasparo Branich suo suddito et delli manzi che si trovano in questi miei forze* 79, February 22 1598.

⁵⁸⁹ “Protection and safeguard” is a key concept in understanding of the relationship between lords and peasants. See Otto Brunner, *Land and Lordship: Structures of Governance in Medieval Austria*, translated from the fourth, revised edition. Translation and introduction by Howard Kaminsky and James Van Horn Melton (Philadelphia: University of Pennsylvania Press, 1992), 218.

⁵⁹⁰ Sahlins, *Boundaries*, 59.

⁵⁹¹ *castrati ultimamente tolti alli miei erano sta' condotti a' fiume* ASV PCC 236/i, 104r-106r, October 31, 1574.

⁵⁹² See Bertoša, *Istra*, 338.

Paolo Foscari wrote of a large number of Austrian subjects who destroyed many fields in the “free”, meaning undisputed, territory of Sveti Lovreč in a nocturnal raid.⁵⁹⁴ A quarter of a century later the situation had not changed significantly. In July 1604, the *podesta* of Sveti Lovreč sent his *cernide*, one hundred strong, to devastate fields on the Austrian frontier, only to suffer a similar assault two days later from a force three hundred strong, resulting in the destruction of a great number of fields belonging to his subjects. The *podesta* of Koper then ordered the *cernide* to refrain from further reprisals, fearing that such a spiral of destruction might have severe consequences.⁵⁹⁵

Reprisals were not the end, but a means in the conflict over boundaries. At the same time as they were arresting subjects, seizing cattle and destroying fields, the officials on both sides were engaged in a diplomatic battle. Each side would claim that they were in the right, that they had *confiscated* the cattle justly, for example, whereas the other side was committing outright *robbery*.⁵⁹⁶ This ritual “dance” of reprisals and blame was repeated all along the frontier, driven by a need to defend one’s jurisdiction, following the medieval principle that *limites territorii sunt limites jurisdictionis*, a guiding principle in the peace accords of Trent.⁵⁹⁷ There was no other way to defend one’s boundaries other than through reprisals presented as the execution of justice within one’s boundaries, actsch, to the other side, looked like oppression.⁵⁹⁸ In behaving this way, the participants were acting in a manner that was similar to medieval feuds among the nobility. Gadi Algazi’s depiction of the conduct of such feuds was not very different from what the villagers and captains in Istria were doing in the sixteenth century.⁵⁹⁹ Both tended, as a rule, to avoid direct

⁵⁹³ ASV PCC 236, 8r, September 26, 1592.

⁵⁹⁴ ..al cavallo per tempo di notte.. ASV PCC 233, 191r, April 23, 1580.

⁵⁹⁵ per le molte conseguenze che le portano tali continuati movimenti... ASV PCC 236, 141r, July 3 1604.

⁵⁹⁶ indebitamente **tolti et robbati** dalli suoi sudditi alli miei, nella manifesta et indubitata giurisdittione del mio principe... d'esser offesa della **pegnora fatta dalli mei** sudditi ASV PCC 236/I, 100v-103v, October 30, 1574.

⁵⁹⁷ See Sergio Lavarda, *Il primo confin*, 124.

⁵⁹⁸ The Senate approved the actions of the *Podesta* of Labin for having had one of the inhabitants of Šumber arrested because they were coming to steal cattle and violated the boundaries (*che vennero sul territorio veneto a depredare animali e violarono i confini*), but also for having dispatched his own men to do the same since “violence had to be responded to with violence” (*poichè è necessario propulsar le attioni violenti con altrettanta violentia*, “Senato Secreti 100,” *AMSI* 6 (1891): 352, October 23, 1610.

⁵⁹⁹ See Gadi Algazi, *Herrengewalt und Gewalt der Herren im späten Mittelalter* (Frankfurt: Campus Verlag, 1996).

confrontation, focusing on a war of attrition meant to exhaust the enemy's will to fight and force him to the bargaining table. And when armed groups met, they tended to avoid battle.

Podesta Girolamo Loredano of Koper's description of one such reprisal in July 1604 illustrates this situation. The *župan* of Grimalda reported to him that a three hundred strong force of Austrian subjects, organized in five squadrons and lead by three horsemen he could not identify, penetrated deep into the territory of Grimalda. They destroyed the planted, but not yet matured fodder, and fired many shots.⁶⁰⁰ The latter was likely done as a visible and audible show of force. When asked where their own soldiers were, the *župan* replied that there were only ten, ill-equipped soldiers available in Grimalda and a neighboring village combined.⁶⁰¹ Not being able to counter such a large force, Loredano still ordered his sergeant to conduct reprisals "to preserve the rights to usurped territories," but he had to carry them out at night in a "circumspect and cautious manner."⁶⁰² An open challenge was only made when one had superiority in numbers. After another such raid by 150 men lead personally by Bernardino Barbo, the Captain of Pazin, the Captain or Rašpor Marco Antonio Erizo sent a large force to meet them on the boundary. When they met however, the Austrians were reinforced by another 300 men. After having stood there confronting each other, the two armies dispersed. Erizzo then sent one of his officers to stand guard "not only to defend himself and his men, but the public dignity as well."⁶⁰³ This was yet another reason why disputes became almost impossible to resolve in the sixteenth century. After incessant reprisals and harsh words exchanged between the captains, with the discourse moving from ordinary people, their land and animals, to matters of public dignity and princely honor, there was simply no way out of the dispute between two, relatively well-matched powers. Similarly, in the protracted negotiations between French and Spanish ministers concerning the Valley of Cerdanya, they admitted that it was

⁶⁰⁰ *esser quelli venuti in cinque squadre con tre huomini a cavallo non conosciuti da lui, et haver rovinato il tutto in un medesimo tempo havendo sparate molte arcobugiate.* ASV PCC 236, 142r, July 4, 1604.

⁶⁰¹ *essendovi in doi di quelli ville solamente dieci soldati.*

⁶⁰² *in tempo di notte con ogni circonspecta et cauta maniera.*

⁶⁰³ *et difender non pute lui et li suoi homini, ma insieme la pubblica degnita* ASV PCC 236/II, 146r-147r, July 6, 1604.

“a point of honor” and “reputation.”⁶⁰⁴ Ultimately, however, it was the subjects who suffered from these endless “frontier wars.” At best, they could enjoy a temporary reprieve achieved by the demarcations made between captains. The demarcations, that seem to have had at least a certain degree of effect in the time preceding the War of the League of Cambrai, appear to have lost their desired effect over the course of the sixteenth century. The captains were still suggesting meetings on the boundary in the traditional manner of dispute solving, but whereas the form remained the same, the content seems to have changed.

Peacemaking rituals emerged in a distant past and in societies that recognized few authorities above the rank of local communities. Christianity then managed to standardize them in the medieval West to promote a single concept of ethics at the expense of local traditions, a process that was completed by the Late Middle Ages.⁶⁰⁵ The “kiss of peace,” for instance, was still a valid and acceptable ritual in the resolution of family feuds in Italy, even though legislators in late medieval city states were already at work to dismantle the anachronistic subjective legal concepts that the “kiss” had evolved from.⁶⁰⁶ Similarly, a demarcation, consisting of a meeting between the representatives of both sides in a dispute and lead by their captains was outwardly similar in the late thirteenth and in the late sixteenth century, but like many early medieval rituals which changed their meaning over time, so too did the demarcation meeting on the boundary change in the sixteenth century.⁶⁰⁷

The meetings on the disputed boundary between the agents of the respective powers were, on a lesser scale, reminiscent of the meetings of kings and their ministers on the frontiers, which was, as Sahlins noted “part of a long-standing European tradition” dating back to as early as the

⁶⁰⁴ Sahlins, *Boundaries*, 48.

⁶⁰⁵ Kiril Petkov, *Kiss of Peace*, 8.

⁶⁰⁶ See Kiril Petkov, *Kiss of Peace*, 114-116.

⁶⁰⁷ For examples of changing rituals see: Gerd Althoff, *Die Macht der Rituale. Symbolik und Herrschaft im Mittelalter* (Darmstadt: Primus, 2003).

tenth century.⁶⁰⁸ The presence of a sovereign or his official representative on the boundary was, in effect, a symbolic expression of territoriality. Each side was honor bound to appear in person and thereby safeguard their liege's claim. In earlier times, however, this meeting was supposed to provide a sense of resolution, even if it was only illusionary and temporary. In *Istarski Razvod* and the demarcation between Mošćenice and Kožljak from 1395, the tone is generally peaceful and expresses a desire for compromise. In both cases, the lords and their subjects gathered after the meeting to share a dinner, a clear and visible symbol of peace and accord.⁶⁰⁹ In the dispute over the valley of Valbona in 1574, however, this illusion of "eternal peace" was completely shattered. Instead of ending the dispute with a dinner as a sign of peace, a verbal conflict erupted after it which ended in harsh words and threats from both sides, forcing Pesaro, the Venetian captain, to retreat on account of having fewer men with him in comparison with the inhabitants of Veprinac who accompanied d'Athemis.⁶¹⁰ Pesaro's anger at this breach of custom seems to be an indication of a general change in the understanding of demarcations as rituals that were, at least nominally, intended to resolve a dispute. Whereas they did not seem to have had a lasting effect in earlier times either, even their form began to break down in the second half of the sixteenth century. In contrast, breaking the bread together remained a central component of peace rituals among Morlaks as late as the eighteenth century.⁶¹¹

⁶⁰⁸ Sahlins, *Boundaries*, 27. Sahlins also notes that the representatives of neighboring rural communities held ritual encounters at their boundaries which is interpreted as an expression of territoriality.

⁶⁰⁹ *I tako se vsa gospoda i deželani vratiše v Barban k večeri* (and all the lords and witnesses went to Barban for dinner)... *i vsa gospoda se veseljahu takova obeta med njimi za ciča večnoga mira...* (and all the lords feasted joyfully as a sign of eternal peace). Bratulić, *Istarski razvod*, 32v. *I tako totu, kade ti muži sedošē, višē rečeni i drugi gosti poli te steni i totu se prnesošē jestvini i pitie. Najprvo prnesošē tovor kruha u Mošćenic, a tovor vina s Kožlaka* (and so it was that those men sat down, the aforementioned and other guests near that rock and there they brought food and drink. First they brought bread from Mošćenice and wine from Kožljak), Ivan Kukuljević *Acta Croatica*, 46-47, November 2, 1395.

⁶¹⁰ La sai parimente che doppo disnar dovendossi por fine alle giutitia contese state tra noi et venir a' una ferma amorevole et giuridica conclusione delle nostre differentie per il buon et parifio stato deli comuni sudditi, accio' vicinassero bene et ogn'uno senta alcun scropulo... non havendo alcun rispetto alla persona mia, che pur rapresentava in quel luogo (ancor che indegno) il mio principe, si messe tumultuorsamene a' contrastare con un mio suddito ASV PCC 236/I, 99v-103v, October 30, 1574.

⁶¹¹ **È di rito**, in qualche luogo, che gli uomini del partito offeso minacciando gli mettano alla gola armi da fuoco oda taglio, e dopo molta resistenza consentano finalmente a ricevere in denaro il prezzo del sangue sparso. Queste paci sogliono costare assai fra gli Albanesi; fra i Morlacchi alcuna volta s'accomodano senza molto dispendio, e in ogni luogo **poi si conchiudono con una buona corpacciata a spese del reo**. Fortis, *Viaggio*, 56-57.

The demarcation was changing to respond to new circumstances on the frontier. The enmity between the powers, the arming of the peasants, as well as a general unwillingness to resolve the disputes created the necessity to continuously muster and bring troops to the boundary for no other reason than to demonstrate a willingness to defend one's boundary.⁶¹² The aforementioned meeting of hundreds of armed men on the boundary in 1604 is, probably, the highlight of this new type of boundary ritual, as the musters of peasant militias became the norm and the old, relatively peaceful way of conflict resolution gave way to a new and more martial type. *Podesta* Bondumier suggested to his government in 1579 that a cash reserve should be made available to the *Rettori* in Istria to be used for extraordinary expenses. Among the many examples he cites, such as aid to the poor or reparations of fortifications, he also states the need to, occasionally, send men to "the field of the Imperials" as he had to do.⁶¹³ This suggests that a show of force and reprisals were, by the end of the sixteenth century, perceived by contemporaries as vital parts of a demarcation ritual.

⁶¹² The expense book of the community of Roč from 1580 mentions that the captain or Rašpor visited the boundary with several companies of soldiers. Vlahov, *Knjiga*, 223v.

⁶¹³ *in mio tempo nel mandar gente al campo di Arciducali, et mantenerli per circa dui mesi* Bondumier, 78-84.

The Economy of Boundary Disputes – Forests and Pastures

Istrian coastal cities, which had previously maintained trade relations with other ports on the Eastern Adriatic, were doomed to economic stagnation after their surrender to Venice in the thirteenth century, on account of her trade monopoly. Only the northwestern part of the Peninsula, with Koper at its center, managed to assert itself in the second half of the fourteenth century as a trading hub with its Austrian hinterland.⁶¹⁴ After the demographic disasters of the Late Middle Ages, the economy of rural Istria (but also of the wider region) rested predominantly on two main pillars: forestry and animal husbandry.

Forests were always vital for local communities as a source of building material and firewood. Considered and treated as a near unlimited resource in earlier times, in the Late Middle ages the idea developed of the need to preserve this natural resource. This was not done out of ecologic concern, but to ensure a steady supply for ore and salt mines, which were highly profitable industries.⁶¹⁵ In Austrian lands, the first forest ordinance (*Waldordnung*) was enacted by Ferdinand I. After issuing an ordinance for Styria in 1539, he issued one for Istria, Friuli and the Karst in 1541 which contains a description of the forests in the region, as well as the regulations for the management.⁶¹⁶ The importance of forests was noted explicitly in the rent rolls of Lupoglav, as the composers lamented the decision of the previous owners, the Herberstein, to sell off large tracts of forestland.⁶¹⁷ They also warned of the danger that some subjects might need to leave on account of the lack of wood, which was a great blow to the colonizing efforts undertaken in the region.⁶¹⁸ It is, therefore, unsurprising that the government tried to preserve the forests, mainly by allowing their

⁶¹⁴ See Darko Darovec, *Davki nam pijejo krv* (Taxes are drinking our blood) (Koper: Univerza na Primorskem, Znanstveno-raziskovalno središče: Zgodovinsko društvo za južno Primorsko, 2004), 29-33.

⁶¹⁵ See Sandgruber, *Ökonomie*, 81-83.

⁶¹⁶ Anko Boštjan, ed, *Gozdni red za Istro, Furlanijo in Kras, 151 = Forest ordinance for Istria, Friuli and the Karst, 1541*, tr. Anton Janko (Ljubljana: Biotehniška fakulteta, VTOZD za gozdarstvo, 1989) (henceforth Boštjan, *Gozdni red*).

⁶¹⁷ *Alles gehultz, groß und klein in diesem wald haben die von Herberstein abzuschlahen verkauffz vnd ist eins tails abgeschlachen. Darumb pleibt nit mer dan allein der ploß Berg*, ARS S1, *Urbar 1523*, 9r-v.

⁶¹⁸ *werden die pauern ire grundt und verzinsung auß nodt verlassen muesßen*, ARS S1, *Urbar 1523*, 38v.

subjects to exploit them for their personal use only.⁶¹⁹ The forest ordinance from 1541 made provisions to protect what was left of the forests in Lupoglav, but also addressed the specific circumstances of all of the major crown forests in the region. Of especial interest were the forests below Podgrad, which although conquered by Austrians in the War of the League of Cambrai, had to be returned to a Venetian nobleman. Ferdinand maintained his jurisdiction over the forests and because they were lay the boundary and were coveted by the Captain of Rašpor, he instructed his *Waldmeister* to “visit those forests as often as possible and let no Venetian cut trees without permit and fee.”⁶²⁰ Ferdinand did not stipulate a general ban on trade with Venice but he preferred not to let them exploit his forests if he had other options.⁶²¹

Venice could not survive without forests since she required a steady supply of wood to fuel the Arsenal that produced and maintained her huge fleets. Starting from 1471, the Council of Ten within its purview of state security took an interest in the state reserves intended for use by the Arsenal, and the Senate passed Forestry Laws in 1476 governing the use of communal forests. Among other things, these laws banned both pasturing animals in forests and the use of fire to clear sections of the forest. These laws were intended only for the *terra ferma* and did not apply to Istria, but they did symbolize the opinions of the Venetian government towards pastoralism in general.⁶²² The constant supply of wood was of such importance that its transportation comprised a special tax that was applied to all communities with forests exploited by the Arsenal.⁶²³ The archives of Rašpor contain several lists detailing the exact number of oxen driven carts that each community had to

⁶¹⁹ *holz zw irem gepaw vnd prennen hackhen, aber nit verkhauffen*, ARS S1, *Urbar 1523*, 25v.

⁶²⁰ *vmb souil öffter zu siolhem wald sehen* Boštjan, *Gozdni red*, 43.

⁶²¹ A Venetian by the name of Angelo delli Lantzzi (sic!) offered in one thousand ducats per year for a permit to cut as many trees as he wanted and transport them to the sea for export to Venice. Ferdinand decided to offer it to Mosconi for four hundred ducats, provided he allowed local subjects to use the forest for their personal needs. Boštjan, *Gozdni red*, 65.

⁶²² Karl Appuhn, *A Forest on the Sea: Environmental Expertise in Renaissance Venice* (Baltimore: John Hopkins University Press, 2009), 109, 114-119 (henceforth: Appuhn, *Forest on the Sea*).

⁶²³ See Danilo Klen, *Mletačka eksploatacija istarskih šuma i obvezan prevoz drveta do luke kao specifičan državni porez u Istri of 15. do kraja 18. stoljeća* (Venetian exploitation of Istrian forests and the mandatory transportation of wood to ports as a specific state tax in Istria from the fifteenth to the eighteenth century) (Rijeka: Sjevernojadanski institute JAZU, 1963).

make available for this duty.⁶²⁴ As the report read by the returning *podesta* of Koper, Alvise di Priuli from 1577 indicates, the villagers found this transport duty very onerous.⁶²⁵ Not only did they have to haul the wood for the Arsenal from their own forests, but they were also responsible for the transport of oars bought in Austrian lands. The captain further said that there were villagers leaving their jurisdiction and moving to other communities because they perceived that they were being burdened more than their neighbors.⁶²⁶ Even though they were paid 20 solidi for this work, they appeared unwilling to do it even for 2 ducats. Regardless of this special taxation, working in forests and the construction of oars were lucrative source of income for a number of Venetian subjects.⁶²⁷ Similarly to Austria, Venice also created an official in charge of its forests, the *Provveditore sopra le legne in Istria, Isole del Kvarnero e Dalmazia* in 1538. The first forest ordinance was commissioned in 1541.⁶²⁸ The ordinance shows that Istria was rich in oak trees, which were of excellent quality for shipbuilding and always reserved for the *Serene Republic*.⁶²⁹ The captaincy of Rašpor was also considered one of the richest in wood in all of Venice.⁶³⁰

Animal husbandry was the second most important motor of the Istrian economy. The rural population of Istria, especially the Morlak immigrants, maintained livestock to complement their income. Communities close to the Ćićarija and Učka mountain range depended even more on livestock because of the nature of the terrain. Valvasor noted that Veprinac, for example, was very poor in arable land and experienced frequent food shortages.⁶³¹ The climate and geography of Istria were well suited for transhumant pastoralism, meaning that livestock was taken to higher altitudes

⁶²⁴ *che Draguch fornì 75 bovi, Colmo 49, Pinguento 206, Verch 30, Terstenicco 10, Clenuschia 6, Cropignacco 4, Sovignacco 43, Slum 27, Danna 6, Rozzo 234, Brest 22, Praporchie 24, Bergodaz 23, Racievas 30, Podgachie 32, Lanischia 51 e Racizze 46.* See Vesnaver, *Indice, L'Istria*, December 1, 1891, 180-181, 1542/1543.

⁶²⁵ “Relazioni dei Podestà e Capitani di Capodistria - Alvise di Priuli, 1577,” *AMSI* 6 (1891): 75-79.

⁶²⁶ *chi si parte ad habitar in altre jurisdictioni parendoli di esser più angarizati de tutto'l restante dell' Istria.*

⁶²⁷ The witnesses in the examination from 1563 attest that a large portion of the local population was working in the forests of Mune before and after the War of the League of Cambrai producing oars which they then sold to the State. ASV PCC 236/I, 36-55.

⁶²⁸ Published in Ivan Pederin, “Il registro dei boschi dell'Istria occidentale del 1541/1542,” *Atti* 14 (1983-1984): 153-170.

⁶²⁹ *rovere, chi sono sempre risservati al particolar servizio della Serenissima Republica* ASV PCC 236/II 148, June 4, 1604.

⁶³⁰ Together with Feltre, Belluno and Conegliano. Appuhn, *Forest on the Sea*, 118.

in the summer and into the plains during spring and autumn leading in turn to the development of a curious economic symbiosis between Venetian and Austrian Istria. Generally, Austrian subjects would take their cattle for spring and autumn pasture into Venetian Istria, allowing them to graze on the extensive and, after the demographic disasters of the previous centuries, empty fields that belonged to the Venetian communities of Barban, Labin and Pula.⁶³² Venetian subjects, on the other hand, took their cattle to the mountains in the summer, mostly into Austrian territories. In exchange for the usufruct on this land, the shepherds paid the *herbaticum*.

Herbaticum was both a tax on the use of pastures and the leasing of land to foreign shepherds. It was known in Istria as early as the ninth century.⁶³³ *Istarski razvod* makes frequent mention of it as *arbadiga* but only in the sense that it is paid if cattle are found on common pasture over night.⁶³⁴ In the surrender charter of Barban from 1516, among the many customary privileges they submitted before the *Signoria* for confirmation was the right to accept as many animals as they wanted *in herbatico*, the profits from which went towards the financing of a number of activities including organizing the hunt, repairing the castle and so on.⁶³⁵ A similar provision was included when Labin surrendered to Venice in 1420 after the defeat of the Patriarchate.⁶³⁶ By the sixteenth century, the *herbaticum* became a major source of income for those who had the right to charge it. Ferdinand I proclaimed all pastures and forests on the territory of Veprinac “royal domain,” thereby forbidding the community from earning money in *herbatico* as they had in previous times.⁶³⁷ The Captain of Rašpor leased the state owned valley of Valbona (Croatian: Dobredol) at the eastern edge of his jurisdiction, probably drawing part of his salary from its revenue. The nobility of Pula

⁶³¹ Valvassor, *Die Ehre dess Herzogtums Krain*, 3:610.

⁶³² Pula had large tracts of previously inhabited but now desolate “Wüstungen.”

⁶³³ It is mentioned in the Rižanski placit from AD 804, when the envoys of Charlemagne tried to resolve the disputes arising after the Frankish conquest of Istria. CDI, I, 54, 804. In AD 879, Carloman confirmed the right of the subjects of the Patriarchate to use land in Istria for pasture without needing to pay the *herbaticum*. CDI, I, 63, 879.

⁶³⁴ *Arbadiga*. Bratulić, *Istarski razvod*, 7r. 8r, 9r, and so on.

⁶³⁵ *Dicto Comun et homeni havevano libertà de aceptar animali in herbatico: quanti a loro piaceva..* CDI, V, 1474, May 10, 1516, Venice.

⁶³⁶ *Item habemus consuetudinem, et jura nostra, quod herbaticum, et omnes alios redditus Communis exigere.* CDI, IV, 974, July 3, 1420, Venice.

⁶³⁷ Margetić, *Veprinački zapisnici*, 7r, December 28, 1528; 50, 1515.

appropriated the income from *herbaticum* in just the same way they had monopolized the local government. *Provveditore* Malpiero described the situation in Pula in his report from 1583. The nobles were actively and forcefully sabotaging the colonization of Pula's hinterlands which would have turned communal pastures they leased into arable land. After scaring away the colonists they would work the land until they acquired it through adverse possession, usually after the next *Provveditore* came to office and granted them a deed of ownership based on the situation in the field. Then they would let it go fallow again and lease it *in herbatico*.⁶³⁸ The lengths to which these nobles were willing to go to preserve their rent-fueled lifestyle at the expense of “the good of the Republic,” indicates that this was indeed a very lucrative arrangement. This process was, however, not limited to Istria. Thomas More wrote in his “Utopia” from 1516 of the exact same thing transpiring in England, concluding that the sheep “*may be said now to devour men.*”⁶³⁹

The Valbona Dispute

Given its sheer size, the valley of Valbona, located on Mount Ćićarija was a vital summer pasture (Map 5). With a diameter of nearly a kilometer, it was an inexhaustible source of grass in the summer months when the heat dried up the lowlands. Moreover, it contained a source of fresh water called “*Šušvodice*,” which marked the north-south boundary and divided the valley between Venice and Veprinac. So important was this valley to Orsato Giustiniani, the Captain of Rašpor during the War of the League of Cambrai, that according to one of the witness examined in 1563 he willingly sacrificed the seven villages lost to Fran Krsto Frankopan in 1509 in order to concentrate

⁶³⁸ *essendochè questo fanno hora, per haver la investitura di essi, dopo la quale cesseranno da questa diligentia e torneranno poi a lasciar andar incultri, per affittarli a pascoli quei terreni che doveriano esser riservati per concederli ai nuovi abitanti* Kandler, *Notizie*, 322-323.

⁶³⁹ In a fictional dialogue with the Archbishop of Canterbury, John Morton, Moore criticizes the nobles and prelates for evicting tenants and turning agricultural land into pastures. Thomas Moore, *Utopia* (Rockville MD: Manor, 2008), 20-21.

on the defense of the valley which was, at the time, contested by men from Podgrad.⁶⁴⁰ Venetian possession of the valley was anything but peaceful after the war. The Captain of Podgrad, Sebastian Pizzamano, tried to usurp control of the valley in 1533 but was thwarted by Captain Giovanni Erizzo.⁶⁴¹ The strongest challenge to Venetian presence in the valley came from the Austrian community of Veprinac.

Captain Marino Pesaro formed two processes, in 1571 and 1574 regarding this case.⁶⁴² In both cases, there was a lengthy exchange of letters between the captains detailing the progressive escalation of the conflict, including beatings, seizures, and even a torched forest.⁶⁴³ After an attempt to demarcate the valley in 1574 failed, Pesaro lost patience and ordered his soldiers to penetrate deep into Austrian territory and confiscate cattle belonging to men from Veprinac. Valvasor had described the inhabitants of Veprinac as lazy men who preferred to hunt game and, when opportunity presented itself, prey on people.⁶⁴⁴ The owners of the seized livestock mounted a nocturnal raid and took their cattle from Buzet where it was held by one of Pesaro's subjects. The Captain conducted a full investigation, finding it hard to accept that an armed retinue slipped into his jurisdiction and took the cattle without anyone noticing and alarming the authorities.⁶⁴⁵ It seems likely that the villagers, who guarded the cattle only with reluctance, did not want to get involved in

⁶⁴⁰ *Doppoi essendo dato molestia alli pastori erano in herbadego in la montagna di valbona da quelli di swerzenico, il Magnifico Orsato Giustiniani all' hora Capitano di Raspo per conservare ditto herbadego di Valbona non si curete di deffender la jurisdictione delle dette ville usurpate.* ASV PCC 236/I 36v, March 1, 1563.

⁶⁴¹ ASV PCC 236/I, 92v-94v, August 11, 1574.

⁶⁴² The first process (ASV PCC 236/I 57r-68v) *Processus formatus ex cause confinium Vallis Bonè cum Regijs* was analyzed by Miroslav Bertoša. See Miroslav Bertoša, "Transhumacije i granice: Gospodarski život i granične napetosti na istarskome sjeveru (mikropovijesna epizoda iz 1571.-1572)." (Transhumance and borders: Economic life and boundary disputes on the Istrian north (a microhistorical episode from 1571-1572)), in *Raukarov zbornik* (Raukar's compendium), ed. Neven Budak (Zagreb: FF press, 2005), 421-441. The second, lengthier process, is in the archival fund "*Processus secundus Vallis Bonè*," ASV PCC 236/I, 69r-124r.

⁶⁴³ Pesaro accused the men from Veprinac of having burned a large section of the forest, which is what shepherds did in order to secure more pastureland for their livestock. Leonardo d'Atthemis, the Captain of Rijeka, responded that it was likely to have been Venetian shepherds who started the fire to keep warm, a fire which then got out of control. Evidently, the deflection of blame could reach near comic levels.

⁶⁴⁴ *Die allhiesige Einwohner arbeiten nicht gerne sondern gehen lieber mit dem Rohr dem Wild und Vögel-Schiessen nach: und würde sie wann es zulässig in allerhand Räubereyen gleich denen andren frechmütigen Liburniern nichts ermangeln lassen.* Valvassor, *Die Ehre dess Herzogtums Krain*, 3:610.

⁶⁴⁵ Pesaro interrogated Juraj Kranco, whose task it was to guard the seized cattle and also his wife and mother. They all stated that the raid happened quickly while they were asleep. ASV PCC 236/I, 113-118m November 1574.

the dispute any more than they had to. Without active support from the community, Pesaro seems to have been clearly outmatched by the motivated and dedicated community of Veprinac.

The situation was not entirely one sided, however. Pesaro learned that it was the owners who had recovered the cattle from one Matija Kurelić. Matija, who was likely a first generation immigrant, lived in Venetian Brgudac but had a wife from Veprinac.⁶⁴⁶ His role as an informant against his wife's family and neighbors shows just how complex the familial and political ties could be on the frontier. Infuriated by the loss of the cattle, Pesaro sent troops to Pula to seize cattle belonging to Veprinac which grazed there in *herbaticum*.⁶⁴⁷ Initially, it was believed that he had ordered the Count (*Podesta*) of Pula to conduct the seizure although the latter distanced himself immediately from the whole affair, laying the blame solely on the Captain of Rašpor.⁶⁴⁸

What started in 1571 as a minor boundary dispute, in essence an attempt by the community of Veprinac to challenge Venetian jurisdiction over a lucrative valley in the mountains, had by 1575 transformed into a serious international scandal which had grave implications for the honor of everyone involved. Archduke Charles pressured the Doge for compensation. The Austrian ambassador and the Count of Pula, the latter likely at the insistence of his nobles, who earned money from the *herbaticum*, kept writing to Austrian officials that Pesaro was solely to blame.⁶⁴⁹ An outbreak of disease postponed the uncomfortable decision, but the imperial ambassador once again requested compensation in 1578, this time with the implied threat that the Captain of Rijeka might be “forced” to seize the cattle of the subjects of Pula who were in *herbaticum* in his

⁶⁴⁶ *lo so per parola de mathio curelich de bergodaz, qual e maridato in veprinaz e mi ha ditto di haversi imbatuto ivi in veprinaz quel giorno che furno ricondutti in detta villa.* ASV PCC 236/I, 122v-123r, February 5, 1574.

⁶⁴⁷ *dattogli dal Magnifico Conte di ordine del clarissimo capitano, nella villa de sissano ed de tre chiappi de anemali menuti che erano in essa villa de quelli de veprinaz giurisdizione di fiume, havemo tolto castradi trenta nuove et quelli condotti in dignano.* ASV PCC 236/I, January 30, 1575.

⁶⁴⁸ In a letter to the *Signoria* about this, the imperial ambassador states how the Count of Pula confirmed that Pesaro had the cattle seized personally, without any involvement of the officials from Pula. ASV PCC 236/I, January 13, 1575.

⁶⁴⁹ The letters of the imperial ambassador and Pesaro's response recapping the sequence of events in ASV PCC 234, May 1575.

jurisdiction⁶⁵⁰ No resolution seems to have been reached at that time either since Giacomo Pesaro's report from 1588 still mentions Valbona as a point of contention.

The Valbona dispute is exemplary for a number of reasons. Seemingly a simple dispute over one small valley, it was nevertheless very complex. On the one hand, there was a clear local interest for the people of Veprinac to take possession of an important piece of land for their own use. After having been prohibited from making money from *herbaticum* in their own territory and already paying for grazing rights in Pula, they probably thought they did not need to tolerate the Venetian captain earning income from land they considered theirs. Furthermore, there was a possibility for the Captain of Rijeka to earn revenue from leasing it in the future since the *herbaticum* in Veprinac was a royal monopoly. Marino Pesaro's indignation at what he called an "insult" to his valiant defense of *Serenissima's* jurisdiction, lead to a cascade of problems that endangered both the honor of the Count of Pula and the lucrative business of Pula's nobility. One can only assume that with mounting diplomatic pressure and the rise of the *giovani* in Venice's political circles and even further compounded by framing the discourse as a matter of honor and state prestige, it proved impossible to reach a solution of any kind that would not have been seen as a loss of face. Avoiding a firm resolution and accepting the situation in Valbona as an everyday source of local tensions seems to have been the only recourse available.⁶⁵¹ That this only postponed the problem was, however, not lost on contemporaries.⁶⁵²

⁶⁵⁰ *sia forzato il detto Captiano di far l'equivalenti represaglia nelli animali che dalli sudditi di Pola et altri della Serenita Vostra si mandano l'estade nelli Montagne nelli stati di Sua Altezza.* ASV PCC 234, May 2, 1578.

⁶⁵¹ The same thing happened on the plateau of Assagio near Vicenza at the end of the sixteenth century. There existed a reluctance to definitely divide the territory. This was explained by Venetian authorities as a means of containment of archducal pretensions while at the same time, both defending one's own claims and preventing a further escalation of the conflict. See Panciera, *Il confine*, 150.

⁶⁵² Giacomo Pesaro noted in his report that the *herbaticum* was not nearly as lucrative as it would have been without Austrian interference. Regardless, it seems that a *modus vivendi* of some sort was reached since the valley was still leased in 1588; more than a decade after the first incursions of the men from Veprinac took place. Bertoša, *Nemirne granice*, 18.

Conclusion

The boundary represented a solemn, and, to some extent, sacred marker of the territorial extent of a community as its imagined space. Boundaries had a material form and could be represented by stones, terrain features, pillars or trees. However, they also lived in the memory of the communities they demarcated. And both markers and memory could fade resulting in flare ups of boundary disputes. Sixteenth century Istria saw a marked change in the way the boundaries were perceived, contested and resolved. The change came on several fronts. On the outside, Austria was no longer willing to play a secondary role in Istria and Venice could no longer impose her own solutions as she could in earlier times when she faced weaker opponents. With the prestige of crowns at stake, as well as the general enmity that poisoned the relationship between the two powers, no one was willing to concede defeat and this in turn made peaceful demarcations of territories almost impossible. The once ritualistic meetings on the boundary continued in the sixteenth century, but because of a general militarization of the subject population they became demonstrations of power for their own sake. Incidents turned into reprisals which escalated into ever greater clashes that knew no end. Violence and grievances were not unheard of before this period, but they seem to have become almost the only language on the frontier in this later period. At the same time, this escalation of violence took place against the backdrop of changing politics and economic circumstances, pressuring the inhabitants to expand their control over forests and pastures on the frontier and thereby pitting them against each other. The captains, too, were locked in a struggle. Trapped between the need to defend their subjects as well as their liege's prestige and prerogatives, they could offer little in the way of compromise. At best, they managed to calm the disputes for a while. Often, however, in order to preserve their own honor, they were forced to engage in reprisals for no other reason than to safeguard their rights. The rise of the *giovanni*, a Venetian political faction desiring a return to former glory in the second half of the sixteenth

century, coupled with the ascendancy of a younger and more bellicose generation of Habsburgs following Ferdinand I on the throne, only created additional hurdles to peaceful settlements of disputes. It is, therefore, no surprise that the last decades leading to the war were an endless procession of disputes and reprisals.

CONCLUSION

The Istrian frontier in the sixteenth century was a mosaic of complexities. The two powers, Austria and Venice, were engaged in a protracted struggle driven by a number of factors from personal animosity to strategic necessities. Venice was used to being the dominant force on the Adriatic coast in the Late Middle Ages, after having defeated Emperor Sigismund of Luxemburg and conquered the Patriarchate of Aquileia. The ascension of the ambitious, but beleaguered, Ferdinand I, archduke of Austria, king of Hungary and ultimately Emperor of the Holy Roman Empire, signified a period of change in the region, as the Habsburgs were no longer willing to accept a secondary role to Venice. His reign, and that of his successors, was marked with policies that reflected this change in attitude. Whereas a direct confrontation was not possible on account of the Ottoman threat and the Reformation, the implied challenge poisoned the relationship between the two powers which in turn was especially reflected in the local sphere.

Boundary disputes are more of an anthropological than a historical phenomenon. By nature they are recurrent and, pitting diverging interests against one another, often require a compromise or an outside force to implement a solution. Both of these options were notably absent in the sixteenth century as Austria no longer agreed to allow Venice to be the one who decided on these matters. The officials had to abide by the wishes of their princes and to maintain their rights at all costs. With compromise being perceived as defeat, neither side was willing to back down as that was tantamount to loss of face. Furthermore, the changing economy and the consensual nature of rule on the periphery made the captains hostage to the desires and interests of their subjects, who in turn saw the contested areas – primarily pastures and forests – as an absolute necessity for their survival and prosperity. Locked between their subjects' interests and their princes' honor, the captains were relegated to a role of damage control. They needed to appear to be striving for compromise but had to avoid it at the same time. The disputes, therefore, devolved into a neverending spiral of reprisals.

Destruction of tilled lands, arson, seizure of cattle, physical harm and imprisonment became the norm on the frontier. Naturally, as in medieval feuds, the ones who suffered most were the peasants. They bore the brunt of these attacks and then manned the peasant armies that raided their neighbors in turn. This vicious cycle could only have contributed to the growth of tensions that ultimately exploded in the War for Gradisca, or the Uskok War as it was known in Istria.

Caught in the middle were the Morlaks. These Ottoman refugees were, at the same time, experts in life on the frontier as well as victims of it. Fleeing the dangers of the “Triplex Confinium” in Dalmatia, they sought refuge in Istria although they did not receive a warm welcome there. On Venetian soil, they constantly clashed with the old inhabitants who saw them as nothing more than barbarians and thieves. Often, their reputation was justified as they had a parallel, honor based justice system that threatened the very fabric of the Venetian state, but they were not above exploiting that very system when it suited them. In Austrian Istria, their presence, though not devoid of confrontation, did not seem to have caused as much trouble as it did on the other side of the boundary. Without the sense of a permanent home and seeing Istria as a temporary refuge, those among them who resorted to criminal behavior used the frontier to their advantage. They could steal on one side, usually the Venetian, and behave like law abiding citizens on the other. When reprisals in boundary disputes were conducted, they were probably the first to engage in them, with raiding being almost second nature to a number of Morlaks, provided, of course, that it was not their own people on the other side, as some Venetian officials had to learn. Ultimately, however, a Morlak was an ephemeral concept which lasted only as long as someone from the outside of the group recognized them for being Morlak. Within a few generations, those Morlaks that did not form large, cohesive groups blended in and became indistinguishable from other inhabitants.

These refugees were valued for their martial ability, expressed in their custom of walking about armed which caused a great deal of trouble for officials. The Morlaks were not, however, the only ones trained in handling weapons. There was a general trend of militarization in the sixteenth

century, starting with the creation of peasant armies, the *cernide*, who served as a territorial militia in the wars. Supplied and trained by professionals, even if not as adequately as they should have been perhaps, these peasants formed the backbone of the army and also changed the dispute resolution on the frontier. Whereas in previous times the peasants would follow their captain in the role of witnesses and, possibly, simply to participate in a social event, the peasants of the sixteenth century followed their captain armed to the teeth, as the example of Veprinac clearly shows. In light of this new militarized trend, compromise was no longer possible. Instead, the demarcation ritual became a demonstration of force, with negotiations giving way to intimidation.

And yet, despite the abundance of sources that list grievances and violence of all kinds, Istria was till a remarkably tolerant region. The example of Boljun shows quite well how a community in Austrian Istria, at a time of increased tensions and rising animosities between governments and communities alike, welcomed their Venetian neighbors as marriage partners, godparents and neighbors. Not only were they receptive to foreigners, but they also elected them as leaders if they integrated into the community. Labin, Roč, Veprinac, all show examples of integration and cooperation based on family, work or economic relationships. The Istrian community, just like their counterparts in other parts of Europe, was receptive and inclusive to individuals. Clashes arose only between neighboring communities with overlapping commercial interests. Ideologies or identities could only be a means to an end, a name invoked to solicit allies further up the hierarchy. A “Venetian” could be blamed for seized cattle to elicit a response from the captain, but another Venetian further away was treated the same as everyone else. Political affiliation or identity was, at best, just another weapon to be used on clearly defined battlefields such as the valley of Valbona, but had no deeper resonance. The count of Pula showed no solidarity with his colleague in Buzet. He was more interested in maintaining a solid economic relationship with Austrian subjects than defending the honor and territory of another *Podesta*.

The sixteenth century in Istria was a transitional period. Old customs were clashing with the new and new immigrants competed against and integrated into existing communities. The communities feuded over precious resources as they always did, only with added pressure from a changing economy and with masters who were determined not to compromise. As if by a quirk of fate and despite an atmosphere of hostility that inevitably lead to the devastating Uskok War, both the subjects and captains maintained good relations with their counterparts on the other side of the boundary – perhaps the best illustration that the Istrian frontier was a world of small paradoxes and great complexities.

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ABBREVIATIONS

AMSI	Atti e Memorie della Società Istriana di Archeologia e Storia Patria
ASV	Archivio di Stato di Venezia
CDI	Codice diplomatico Istriano
FHKA	Finanz und Hofkammerarchiv, Vienna
HHStA	Haus- Hof- und Staatsarchiv, Vienna
LB	<i>Liber baptizatorum</i>
LC	<i>Liber confirmationum</i>
LM	<i>Liber matrimoniorum</i>
PCC	<i>Provveditore soprintendente alla camera dei confini</i>

APPENDICES

Tables

Table 1. Exogamous Marriages in Boljun.

Date ⁶⁵³	Inhabitant of Boljun	Spouse	Origin of spouse ⁶⁵⁴	Distance from Boljun in km ⁶⁵⁵
1587	Grgur Vidčić	Fumia Češić	Paz	2,4
1589	Irina Gorak	Juraj Krbavac	Paz	
1603*	Pavle Sergović	Perka Perčić	Paz	
1586	Matija Belveder	Lucija Tominić	Paz	
1603*	Barić Žvanić	Fumija Šereb	Paz	
1596	Ivana Kočevlar	Juraj Barić	Vranja	2,9
1603*	Mihel Sandal	Margareta	Vranja	
1606	Polka Ruman	Grgur Sergo	Vranja	
1603	Gregora Knez	Ivan Sergo	Vranja	
1610*	Barić Knez	Uršana	Vranja	
1603*	Grgur Trošt	Lucija Baf	Brest	4,2
1600	Elena Trošt	Matej Špendić	Brest	
1603*	Ivan Belveder	Margareta Demark	Dolenja Vas	4,2
1578	Jeufražija Kovač	Leonardo Demark	Dolenja Vas	
1592	Perka Dušmanić	Luka Križmanić	Lesiščina	4,7
1607*	Luka Ilijašić	Elena Križmanić	Lesiščina	
1578	Lucija Ilijašić	Lovrenc Tominić	Lesiščina	
1584	Mihela Knezović	Martin Banošić	Letaj	5,2
1600	Marina Rogović	Grgur Brišević	Letaj	
1594	Elena Rogović	Tomaš Ilijašić ⁶⁵⁶	Letaj	
1585	Margareta Gorak	Grgur Ladetić	Letaj	
1591	Agnia Rogović	Vid Zorić	Letaj	
1606	Perka Tominić ⁶⁵⁷	Andrej Srnić	Borut	5,4
1603*	Ivan Benac	Lucija	Lupoglav	5,8

⁶⁵³ Dates without an asterisk are taken from the *Liber matrimoniorum* and refer to the exact year of the wedding. Dates with an asterisk come from either the *Liber baptizatorum* or *Liber confirmatorum* and signify a date in which the couple was already married.

⁶⁵⁴ Names in bold refer to a settlement under Venetian rule.

⁶⁵⁵ This is the approximate air distance (“as the crow flies”) from Boljun.

⁶⁵⁶ In the records it states “Elišić”

⁶⁵⁷ Widow, daughter of Petar Tominić from Paz

1599	Fumija Ilijašić	Matej Sergio	Lupoglav	
1610*	Matej Velan	Orsa	Lupoglav	
1580	Andrej Brozović	Elena Bičić	Sušnjeвица	6.1
1599	Bartul Čohil	Jelena	Semić	7.7
1603*	Mihel Ravnić	Fumia Demilani	Semić	
1592	Agnia Brozović	Grgur Perso	Semić	
1607	Marina Sergović	Juraj Ančić	Gologorica	8.4
1608*	Ivan Cinić	Elena	Gologorica	
1603	Agata Ilijašić ⁶⁵⁸	Šimun Gašparić	Gologorica	
1608*	Ivana Križmanić	Ivan Gortan	Gologorica	
1585	Klara Kovač	Anton Kaligarić	Gologorica	
1590	Grgora Matijašić	Gašparić	Gologorica	
1601	Elena Sandal	Vicenc Marinić	Novaki	10,8
1603*	Ivan Tonšić	Klara Rabčić	Roč	11,8
1600	Mauro Velan	Nastasia	Lanišće	11,8
1608	Lucija Čohil	Juraj Belac	Piće	12,6
1582	Marta Tonšić	Matej Šubić	Piće	
1612	Mareta Trentina	Ivan Brajšić	Piće	
1585	Katarina Belveder	Danijel Degonan	Gračišće	12,6
1603*	Stjepan Pecković	Orsa Momnoić	Mošćenice	13
1597	Orsa Frin	Ivan Edrečić	Lindar	14,6
1612	Lucija Mejak	Andrej Mečarić ⁶⁵⁹	Pazin	16,2
1603	Lucija Gortan	Andrej Pertić ⁶⁶⁰	Pazin	
1603*	Anton Mejak	Marica	Žejane	16,4
1603*	Šimun Žvanić	Fumija Lanča	Buzet	16,6
1603*	Bartul Belveder	Katarina Sotolić	Buzet	
1581	Klara Belveder	Danijel Ribar	Buzet	
1603	Juraj Matijašić	Franica Brtošić ⁶⁶¹	Plomin	18,9
1588	Vicenc Velanić	Klara Pošćić ⁶⁶²	Kastav	19,6
1607*	(Se)Baštijan Belveder	Domeniga Monzoni	Labin	23,1
1603*	Katarina Križmanić	Bartul Radović	Marčana	40,7
1592	Anton Komar	Margareta Stoparić	Jablanec	65
1610*	Jakov Čohil	Barbara Načinović	Senj	70,4

⁶⁵⁸ Martin Velan's widow.

⁶⁵⁹ "born in Pazin"

⁶⁶⁰ Originally from Kršan

⁶⁶¹ Widow of Ivan Kovač. The record states that Juraj was 86 at the time of the wedding and Franica 23.

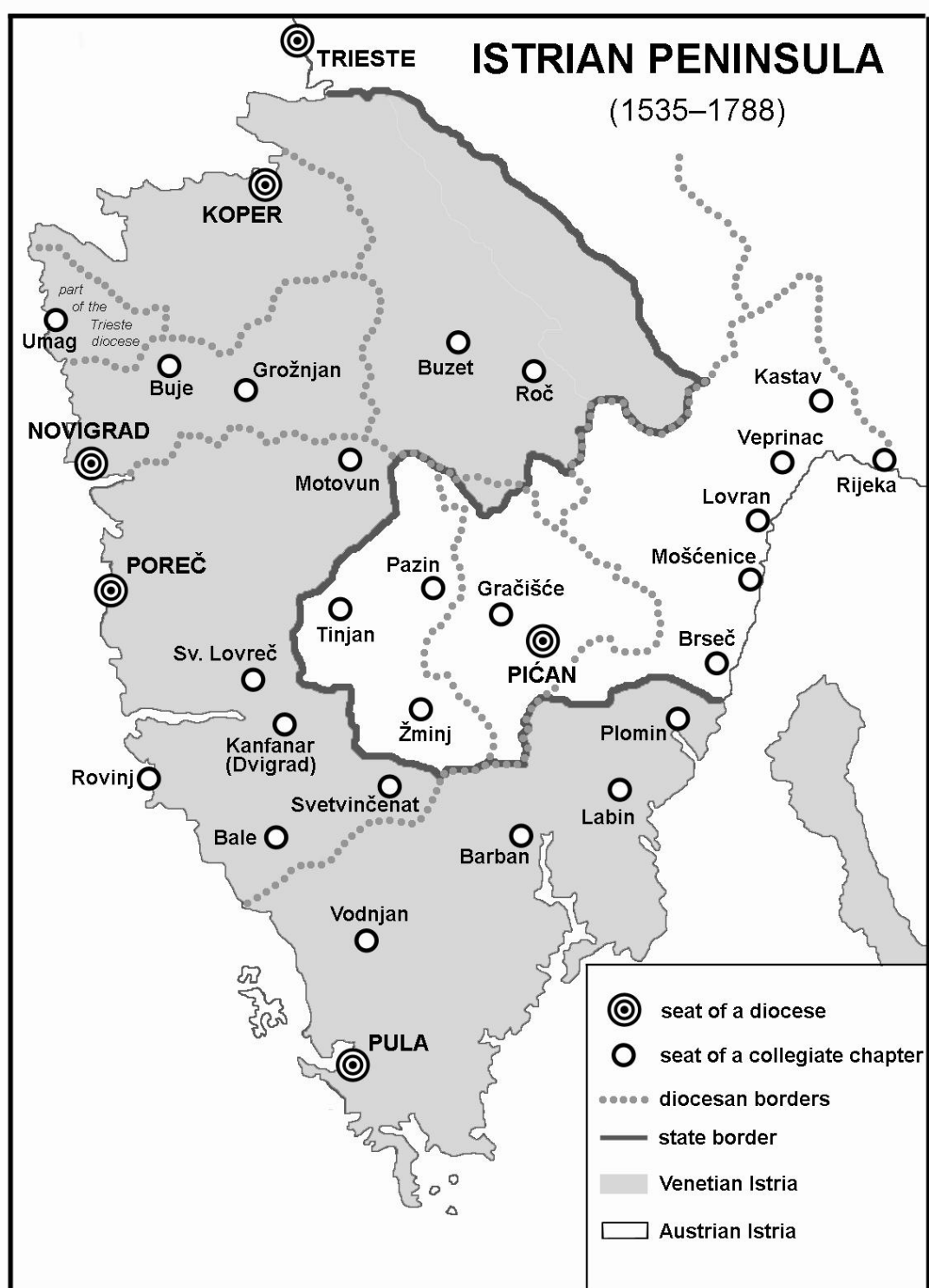
⁶⁶² Barnaba Mhlonić from Kastav brought the permit for the wedding.

Table 2. The Belvederi Chronology.

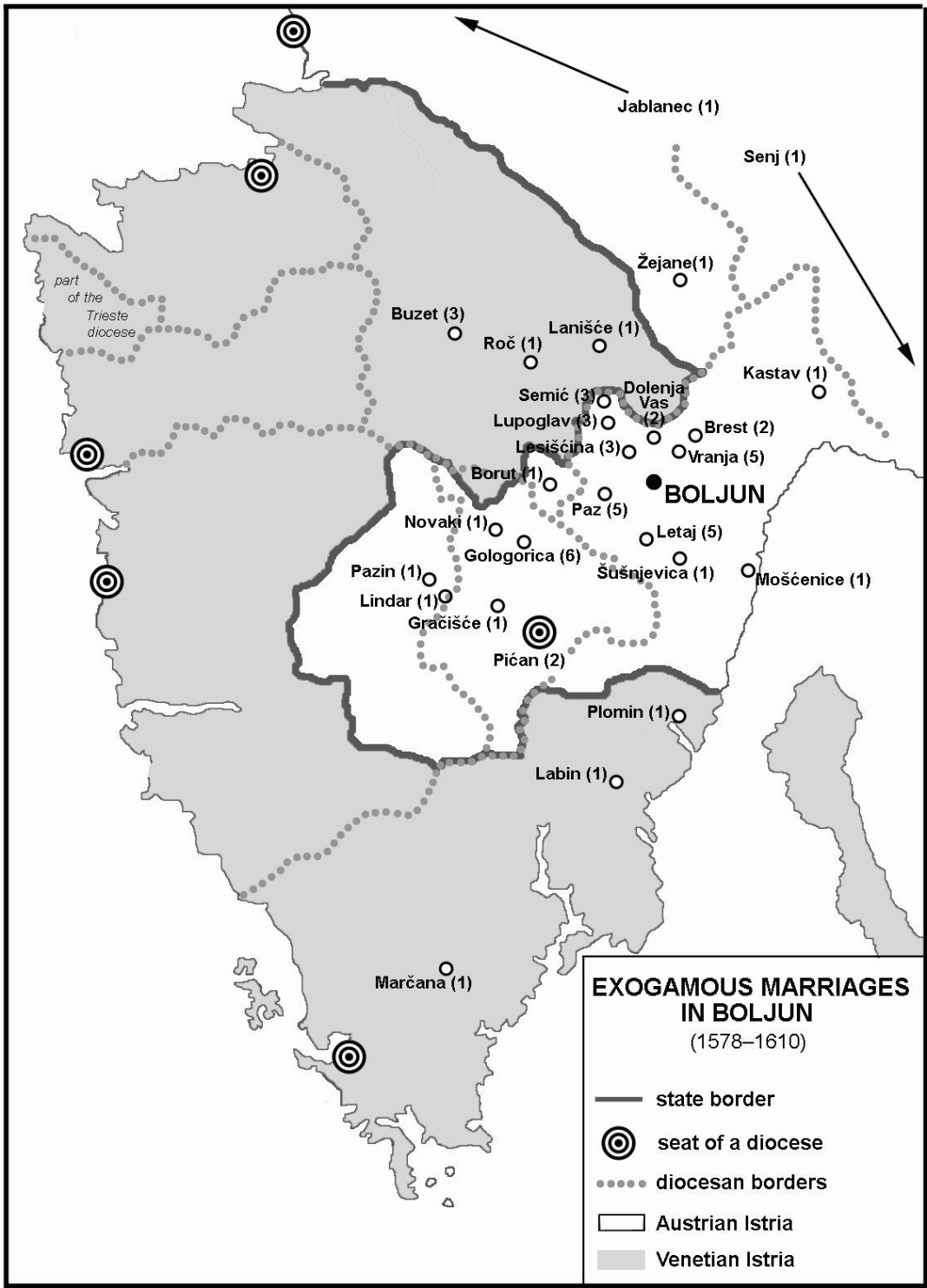
The Belveder Chronology	
Year	Event
1577	Batišta Belveder is witness in the wedding of the daughter of Pavle Matijašić
1579	Batišta Belveder is witness in the wedding of Andrej Sandrović
1581	Klara (Batišta) Belveder marries Danijel Ribar from Buzet
1584	Batišta Belveder is witness to the marriage of Štefan Kovač's daughter
1584	Baštijen Belveder and Matija Belveder are witnesses to the marriage of Martin Remac, the miller
1585	Katarina (Batišta) Belveder marries Daniel Degonan from Gračišće
1585	Matija Belveder marries Lucija Tominić
1586	Jakovica (Matija) Belveder marries Mihel Kurelić
1594	Bartol Belveder marries Katarina Sotolić of Buzet
<1599	Baštijen Belveder marries Dominica Manzoni of Labin
1599	Baštijan Belveder is godfather to Laura Barbara, daughter of baron Siegmund Barbo of Paz
1599	Matija Belveder iz <i>župan</i> of Boljun
1600	Matija Belveder is judge of Boljun / Juraj Matijašić <i>župan</i>
1600	Matija Belveder is witness in the marriage of Ivan (Štefan) Kovač and Franica Brtošić of Plomin
1603	Baštijan Belveder is witness to the marriage of <i>župan</i> Juraj Matijašić to Franica, widow of Ivan Kovač
1604	Baštijen Belveder baptises his son Batišta with Martin Kancijanić, the future <i>župan</i> , and Elena Kovač as godparents

Maps

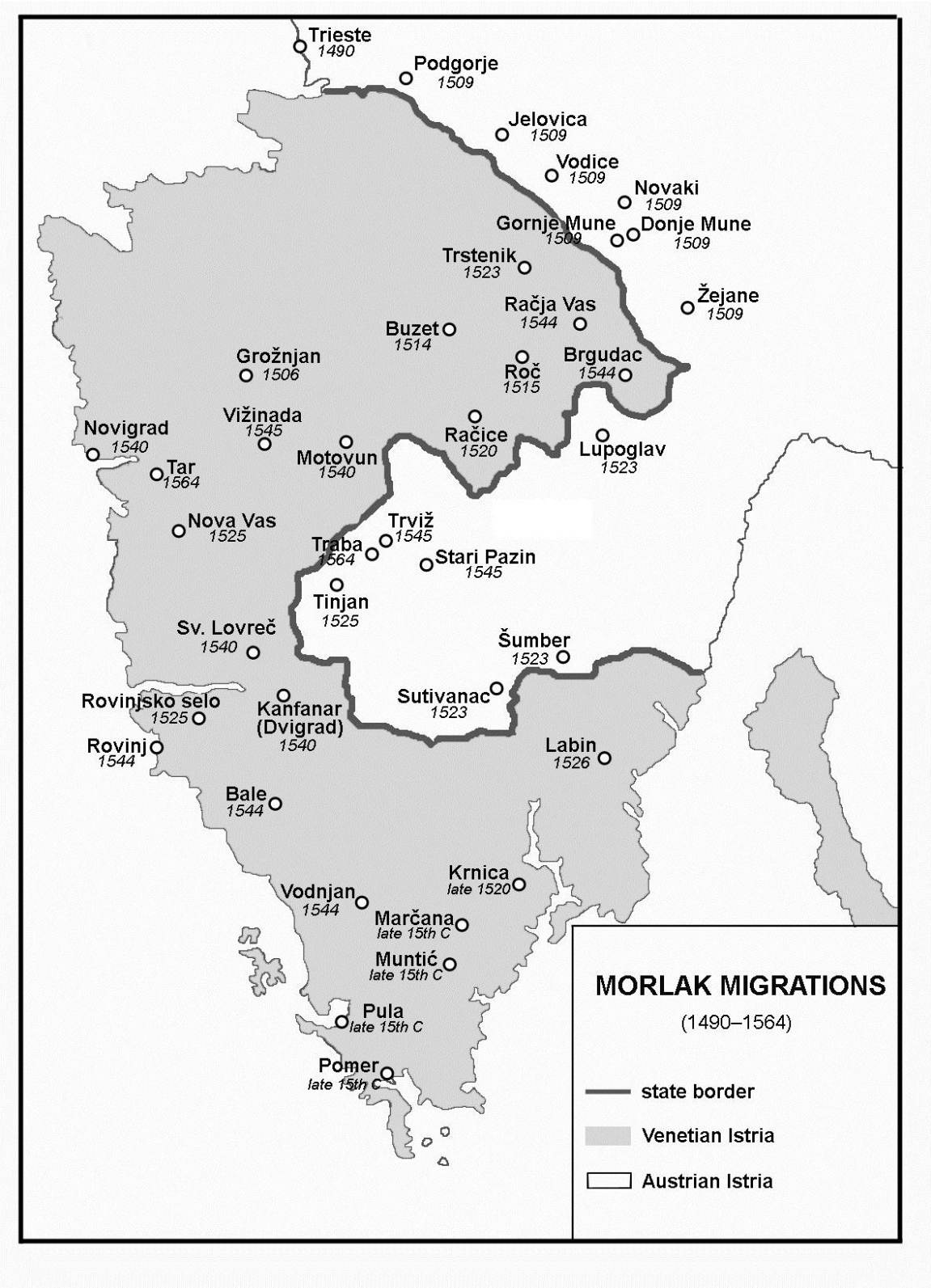
Map 1.



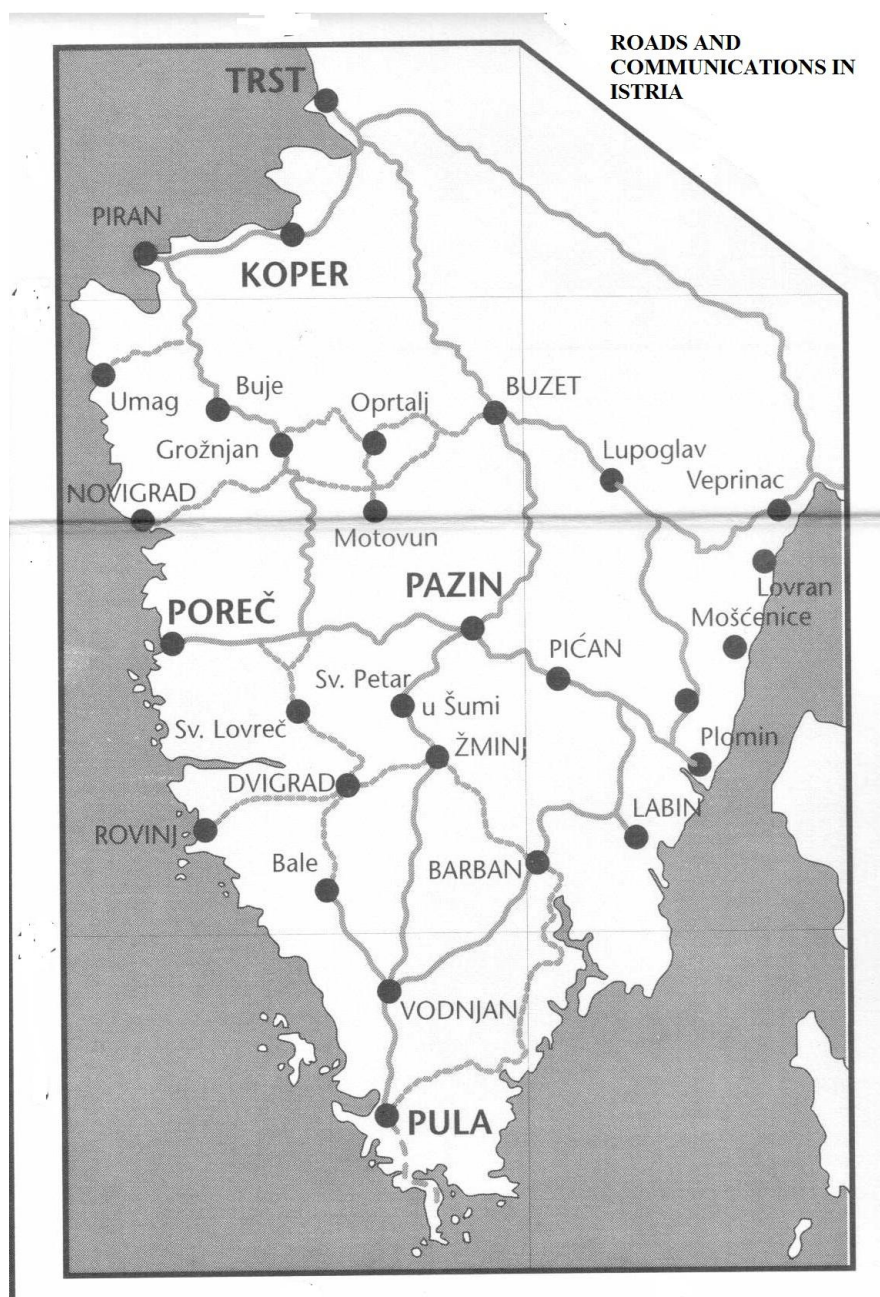
Map 2.



Map 3.

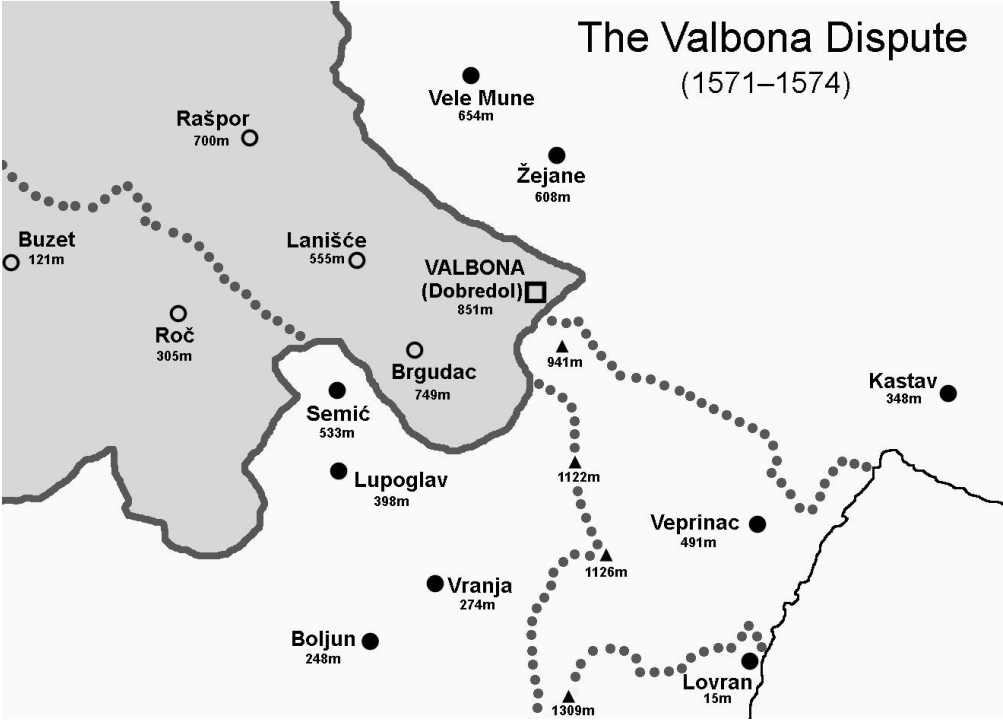


Map 4



Lovorka Čoralić, *Put, putnici, putovanja. Ceste i putovi u srednjovjekovnim hrvatskim zemljama* (Route, travelers, travels. Roads and paths in medieval Croatian lands) (Zagreb: AGM, 1997), 212.

Map 5.



Glossary

akinci – Ottoman light raiders used to terrorize the border regions and crush their willingness to fight in the wake of an oncoming invasion.

bravi (Latin *pravus* – “wicked”) – Thugs in the employ of northern Italian rural lords in the sixteenth century, and frequently used in feuds between the lords, but also to intimidate the commoners.

Captain of Rašpor – Title of the military governor of Venetian Istria. Created in 1394, after the conquest of the strategically important fortress of Rašpor, the Captain was the chief military officer of the Province, tasked with the defense of Venetian Istria, the maintenance of law and order in rural areas, mediation between Venetian communities and matters of boundary disputes. When Rašpor was pillaged by Austrian forces lead by Count Krsto Frakopan, Venice had it razed in 1511 and moved the seat of the captaincy to Buzet. The Captain, while keeping the title “of Rašpor,” also served as Podesta of Buzet from then on. He held jurisdiction over immigrants, in absence of a delegated Provveditore. From 1592 said jurisdiction became permanent.

Council of Ten (Italian *Concilio dei Dieci*) – Created as an extraordinary body in 1310, it became a permanent part of the Venetian government, tasked with the protection of the State, diplomacy, and the military. Over time is expanded its authority to cover nearly all aspects of government.

Ćići (German *Tschitschen*) – German term used interchangeably with Morlaks in the sixteenth century. In later centuries used exclusively for Istroromanians in Istria.

demarcation – construction of the boundary in the field as part of a peace process or dispute resolution.

differenze – Contested lands between Austria and Venice in Istria and Northern Italy. They were the result of the inability of the peace arbiters to decide on the exact boundary between the two states in many parts of Istria after the War of the League of Cambrai, leaving large parts of the land for joint use by subjects of both sides. The *differenze* were created mostly of strategically and economically important land (forests, pastures, water sources) which resulted in centuries of recurrent disputes for control over them as both sides periodically tried to move the boundary and thereby enclose a *differenza* as their undisputed possessions.

Erblande (German for “hereditary lands”) – designates the lands that the Habsburgs ruled based on hereditary right, mainly to distinguish them from the rest of the Holy Roman Empire which they ruled as Emperors repeatedly from 1273, and nearly continuously after 1438.

gastald (Latin *gastaldus*) – Term of Lombard origin, meaning an appointed official exercising military, judicial and executive powers. The *gastaldi* in Istria were appointed by the Patriarch of Aquileia. The term vanished from the peninsula with the fall of the Patriarchate in 1420.

herbaticum – Term stand for both the tax on pastures and for the fee levied from foreign shepherds for grazing rights.

League of Cambrai – Alliance formed in 1508 between Pope Julius II, Maximilian I of Austria, Louis XII of France and Ferdinand II of Aragon to conquer and divide Venice. After the French victory at Agnadello in 1509, the Pope switched sides, thereby ending the League.

loggia – Covered gallery which housed the table which served as a meeting place for the *župan* and the judges of Istrian communities.

meriga – Italian term for *župan*. Sometimes also used interchangeably.

Morlak (Greek Μαυροβλάχοι or Mauro-Vlach) – Venetian term with changing meaning throughout the centuries. Initially a designation for the remnants of Roman and romanized

population following the migration, by the sixteenth century it referred to the predominantly pastoral and Slavic speaking inhabitants of the Dalmatian hinterlands governed by their own customs and a code of honor.

Paisenatico (Venetian *pais*, Italian *paese* – “province”) – Term used for rural Istria. Sveti Lovreč received the suffix *del Paisenatico* when it was the seat of the provincial governor between (1304-1394) and maintained it even after the creation of the Captaincy of Rašpor.

podesta (from Latin *potestas* – “power”) – General term designating the head magistrates of Italian cities. Often used interchangeably with *rettore*. In Venice, the *podesta* was the chief Venetian official of a subject commune, either dispatched from the capital or selected among distinguished local families with strong ties of loyalty to Venice.

podžup – *Župan*’s deputy.

Provveditore – Senior Venetian official. The title could be assigned to a governor charged with a specific province (*Provveditore Generale di Dalmazia*), or task (*Provveditore sopra beni inculti*, *Provveditore soprintendente alla camera dei confini*). These titles were assigned to scions of prestigious and influential Venetian noble families.

relationes – Official reports delivered by a returning official before the Senate.

rent roll (German *Urbar*) – A register of all taxes and duties owed by tenants and subjects of a fief.

Serenissima (Italian, meaning “serene”) – Term indicating sovereignty, often used to designate Venice based on its official title “The Most Serene Republic of Venice” (Italian: *La Serenissima Repubblica di Venezia*).

Signoria (from Italian *signore* – “sir”) – Short for *Signoria* of Venice (*Serenissima Signoria*), the governing body of Venice created in 1423, which consisted of the Doge, the Minor

Council, and the leaders of the Supreme court (*Quarantia*). Jointly, they embodied the supreme sovereign power of Venice.

starješina – Elected headman of a fraternity.

Triplex Confinium – Term developed in recent historiography to denote the wider South-eastern European borderland area where three great powers – Venice, Austria and the Ottoman empire – met from the early sixteenth to the eighteenth centuries.

uskoks (from Croatian *uskočiti* – “jump in”) – Name given to Ottoman refugees who settled on the military border in Dalmatia, and predominantly in Senj. Resorting to raiding and piracy, they disrupted not only Ottoman shipping, but Venetian, as well. Their predations in the Adriatic were the leading cause for the increase of tensions between Austria and Venice in the second half of the sixteenth century, leading to the “Uskok War.”

vicedom of Carniola (Latin *vicedominus*) – The viceroy of the Habsburg duke serving for life. He was in charge of the princely demesne in the duchy and was the first appellate institution for royal towns and villages, and was answerable to the government of Inner Austria. Fiefs belonging to nobles were outside his jurisdiction.

Wüstungen – Abandoned peasant holding. Characteristic for the centuries following the Black Death.

zatka – Type of possession specific for Istria. Seems to have enjoyed certain tax exemptions and was probably hereditary.

župan – Term of uncertain origin designating a leader among Southwestern Slavs. The exact meaning varied in different parts of the Balkans. Among the Serbs the “grand župan” was the title borne by the ruling dynasty before the transformation into a kingdom in 1217. In Croatia the župan was, initially, an autonomous or semi-autonomous ruler of a county (*juppanus, comes*), and later an elected leader of the nobility of a county (*comes terrestris*).

In istria, the title applied to an elected village headman who represented the village in dealings with the feudal overlords.

Gazetteer of Place Names in and close to Istria

(All Places are in modern Croatia unless otherwise noted)

Croatian/Slovenian	Italian	German
Barban	Barbana	Barban
Beram	Vermo	Burgerdorf
Boljun	Bogliuno	Vinal
Buzet	Pinguente	Pinquent
Dane	Danne	-/-
Devin	Duino	Tybein
Dvigrad	Due Castelli	-/-
Gologorica	Moncalvo di Pisino,	Gologoritz
	Gologorizza	-/-
Gorica (It)	Gorizia	Görz
Gračisce	Gracischie Castelve di	Gallian
Grdo Selo	Pisino, Gherdosella	Grünenburg
Hum	Colmo	Cholm
Jelovica	Gelovizza	-/-
Kastav	Castua	Chästau
Koper (Sl)	Capodistria	Gafers
Kostanjica	Castagna	Kastan
Krajcarbreg	-/-	Sant Peters Berg
Kringa	Corridico	Khring
Kršan	Chersano	Karschan
Labin	Albona	Tüberg
Lanišće	Lanischie	-/-
Lindar	Lindaro	Lindar
Lovran	Laurana	Laurana
Lupoglav	Lupogliano	Mahrenfels
Momjan	Momiano	Momlan
Mošćenice	Moschiena	Moschenitz
Motovun	Montona	-/-
Mune	Mune	Munach
Novigrad	Cittanova	-/-
Nova Vas	Villanova di Parenzo	-/-
Novaki (Pazinski)	Novacco di Pisino	-/-
Novaki (Vodički)	Novacco di Vodizze	-/-
Paz	Passo, Castelpasso	Passberg
Pazin	Pisino	Piben
Piće	Pedena	Mitterburg
Plomin	Fianona	-/-
Podgorje (Sl)	Piedimonte di Taiano	-/-
Podgrad pri Vremah (Sl)	Nigrignano	Schwarzenegg
Pula	Pola	Polei
Poreč	Parenzo	Parenz
Postojna (Sl)	Postumia	Adelsberg

Croatian/Slovenian

Račja vas
Rakitovec (SI)
Rijeka
Roč
Rovinjsko Selo
Semić
Slum
Socerb (SI)
Sovinjak
Sutivanac
Sveti Lovreč
Šumber
Šušnjeveca
Tar
Traba
-/-
Trst (It)
Trstenik
Trviž
Umag
Vodice
Vodnjan
Vranja
Zamask

Italian

Villa Racia
Acquaviva della Vena
Fiume
Rozzo
Villa di Rovigno
Semi
Silùn
San Sérvolo
Sovignacco
-/-
San Lorenzo del Paesanatico
Sùmbero
Valdarsa
Torre
Traba
-/-
Trieste
Terstenico
Treviso
Umago
Vodizze
Dignano
Aurània, Vragna
Zumesco

German

-/-
-/-
St. Veit am Pflaum
Rotz
-/-
Zemitsch
Montaquila
Sankt Serff
Sowinach
Johannisberg
-/-
Schönberg
-/-
-/-
-/-
-/-
Tremaun*
Triest
-/-
Terveis
Humag
-/-
-/-
Frain
Zamasch