

Doctoral Dissertation

Venetian Istria in the Embrace of a Nascent *Dominium* (c. 1381 – c. 1470)

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Poreč, during the second year of the pandemic

Josip Banić

List of Abbreviations

ACrSR – *Atti di Centro di ricerche storiche Rovigno*

ADRA – Lajos Thallóczy, Konstantin Jireček, and Milan Šufflay, eds., *Acta et diplomata res Albaniae mediae aetatis illustrantia*, 2 vols. (Vienna: Adolf Holzhausen, 1913–1918)

AT – *Archeografo triestino*

AMSI – *Atti e memorie della Società istriana di archeologia e storia patria*

ASV – Archivio di Stato di Venezia

CS – Collegio, Secreti

CXMi – Consiglio di dieci, deliberazioni miste

MC – Maggior Consiglio, deliberazioni

SMi – Senato, deliberazioni, misti

SMar – Senato, deliberazioni, Mar

SP – Senato, deliberazioni, privilegi.

SSa – Senato, deliberazioni, secreti alfabetici

SS – Senato, deliberazioni, secreti

STer – Senato, deliberazioni, Terra

BCU – Biblioteca civica “Vincenzo Joppi” di Udine

ACU – Archivum civitatis Utini (Archivio comunale antico di Udine)

Annales – Annales civitatis Utini

FJ – Fondo Joppi

Doc. F 1397–1420 – ms. 374, Vincenzo Joppi, ed., *Documenti Friulani dal 1397 al 1420* (6 fascicles, unpaginated)

FP – Fondo principale

DF – ms. 899, Giuseppe Bianchi, ed., *Diplomatarium foroiuliense*

CB – *Concilium Basiliense: Studien und Quellen zur Geschichte des Concils von Basel*, 8 vols., vol. 1: *Studien und Dokumente zur Geschichte der Jahre 1431 – 1437*, ed. Johannes Haller (Basel: Reich, 1896), vol. 2: *Protokolle des Concils 1431 – 1433: Aus dem Manuale des Notars Bruneti und einer römischen Handschrift*, ed. Johannes Haller (Basel: Reich, 1897), vol. 3: *Protokolle des Concils 1434 und 1435: Aus dem Manuale des Notars Bruneti und einer römischen Handschrift*, ed. Johannes Haller (Basel: Reich,

1900), vol. 4: *Protokolle des Concils von 1436: Aus dem Manuale des Notars Bruneti und einer zweiten Pariser Handschrift*, ed. Johannes Haller (Basel: Reich, 1903), vol. 5: *Tagebuchaufzeichnungen 1431 – 1435 und 1438; Acten der Gesandtschaft nach Avignon und Konstantinopel 1437 – 1438; Brief des Enea Silvio 1433; Tagebuch des Andrea Gatari 1433 – 1435*, ed. Johannes Haller, Gustav Beckmann, Rudolf Wackernagel, Giulio Coggiola and Hermann Herre (Basel: Reich, 1904), vol. 6: *Die Concordate des Zwölferausschusses 1437: Die Concilsprotokolle Jakob Hüglin 1438 – 1439 ; Aus einer Pariser Handschrift und aus dem Manuale des Notars Jakob Hüglin*, ed. Johannes Haller and Gustav Beckmann (Basel: Reich, 1926), vol. 7: *Die Protokolle des Concils 1440 – 1443: Aus dem Manuale des Notars Jakob Hüglin*, ed. Johannes Haller and Hermann Herre (Basel: Reich, 1910), vol. 8: *Die Handakten des Konzilspräsidenten Cesarini: Enea Silvio, Descriptio altera urbis Basileae (1438); Stallrechnungen des Kardinals Ludwig Aleman aus dem Jahre 1445; Procès-verbal des conférences tenues en 1447 à Lyon et à Genève pour mettre fin au schisme de Bale*, ed. Heinrich Dannenbauer (Basel: Reich, 1936)

CDI – Pietro Kandler, ed., *Codice diplomatico istriano*, 5 vols., 2nd ed. (Trieste: Riva, 1986)

Cro. – Croatian, language

Cronaca Dolfina – Angela Caracciolo Aricò and Chiara Frison, eds., *Cronicha della nobil cità de Venetia et dela sua provintia et destretto: Origini–1458*, 2 vols. (Venice: Centro di studi medievali e rinascimentali “E. A. Cicogna,” 2007)

CrSR – Centro di ricerche storiche Rovigno

DAP – Državni arhiv u Pazinu [State archive in Pazin]

Poreč, Atti del podestà – HR-DAPA 5: Općina Poreč [the commune of Poreč], b. 1, reg.

Acta cancellariae Parentii, 1445–1446

Novigrad, Atti del podestà – HR-DAPA 4: Općina Novigrad [the commune of Novigrad],

b. 1, reg. *Acta cancellariae Emoniae, 1492–1494*

DAR – Državni arhiv u Rijeci [State archive in Rijeka]

JU – Javna uprava [Public administration]

Buzet, Atti del podestà 1/1 – 67: Općina Buzet [the commune of Buzet], b. 2, reg.

Atti del cancelliere del Comune di Pinguente Giovanni Nicolò del fu Cristoforo da Oderzo, 1457–1462

Buzet, Atti del podestà 1/2 – 67: Općina Buzet [the commune of Buzet], b. 4, reg.

Atti del podestà di Pinguente Simone Ferro 1462

Rovinj, Atti del podestà – 95: Općina Rovinj [the commune of Rovinj], b. 1, reg.

*Volumetto nobil uomo ser Lorenzo Zane podestà di Rovigno negli anni
1433 e 1434*

DBI – Dizionario Biografico degli Italiani

doc(s). – document(s)

DRTA – Deutsche Reichstagsakten

DRTA: Sigmund – Dietrich Kerler, Hermann Herre and Gustav Beckmann, eds., *Deutsche*

Reichstagsakten unter Kaiser Sigmund, 6 vols., vols. 1–3 ed. Dietrich Kerler, Deutsche Reichstagsakten 7–9 (Munich: Rudolph Oldenbourg, 1878; Gotha: Friedrich Andreas Perthes, 1883–87), vol. 4 ed. Hermann Herre, Deutsche Reichstagsakten 10 (Gotha: Friedrich Andreas Perthes, 1906), vols. 5–6 ed. Gustav Beckmann, Deutsche Reichstagsakten 11–12 (Gotha: Friedrich Andreas Perthes, 1898–1901).

EHM: MC – Engineering Historical Memory: The Morosini Codex (1095–1433),

<https://engineeringhistoricalmemory.com/MorosiniCodex.php> [last access: 19th of June, 2020]

Eng. – English, language

fasc. – fascicle

FIM – Josip Banić, ed., *Fontes Istrie medievalis*, <https://fontesistrie.eu/> [last access: 7th of May, 2021]

fol(s). – folio(s)

Germ. – German, language

Ital. – Italian, language

Irato animo: appendix – Josip Banić, “*Irato animo*: Performing Anger in Late Medieval Istria,” in

9. istarski povijesni biennale: Emotio, affectus, sensus...: O osjećajima u povijesti na jadranskom prostoru [9th Istrian history biennale: *Emotio, affectus, sensus...: On emotions in the history of Adriatic area*], ed. Marija Mogorović Crljenko and Elena Uljančić (Poreč: Zavičajni muzej Poreštine – Museo del territorio parentino, 2021), appendix 1: Critical editions of the judicial transcripts of selected case-studies, published only in digital format

by *Fontes Istrie medievalis*, https://fontesistrie.eu/separata/Anger_IPB9_Appendix.pdf
[last access: 7th of May, 2021]

JZ – *Jadranski zbornik* [Adriatic Miscellanea]

Lat. – Latin, language

LC – Riccardo Predelli, ed., *I libri commemoriali della Repubblica di Venezia: Regesti*, 8 vols.,
Monumenti storici pubblicati della Regia deputazione veneta di storia patria, serie prima:
Documenti (Venice: Deputazione veneta di storia patria, 1876–1914)

MEA – Bernardo Maria de Rubeis, *Monumenta Ecclesiae Aquileiensis commentatio historico-
chronologico-critico illustrata* (Venice: 1748)

MGH – *Monumenta Germaniae historica*

MSHSM – *Monumenta spectantia historiam Slavorum Meridionalium*

MHISM – *Monumenta historico-iuridica Slavorum Meridionalium*

MSF – *Memorie storiche forogiuliesi*

NPV – Bernardo Maria de Rubeis, ed., “Nonnullorum patriarcharum vite,” in Bernardo Maria de
Rubeis, *Monumenta Ecclesiae Aquileiensis commentatio historico-chronologico-critico
illustrata* (Venice: 1748), appendix 5: 15–19

OED – *Oxford English Dictionary*, 2nd ed. (Oxford: Oxford University Press, 1989), CD-ROM

SI PAK PI – Pokrajinski arhiv Koper, izpostava Piran [Regional archive of Koper, branch in
Piran]

Piran, Cathaveri – 9: Komuna Piran [the commune of Piran], Knjige komunskega urada
kataverjev 1354-1534 [Books of the communal cathaverii, 1354–1534], 13 vols.

r – recto

RI – *Regesta imperii*

reg. – register

RIS – *Rerum italicarum scriptores*

RVD – Benjamin G. Kohl, Andrea Mozzato, and Monique O’Connell, eds., “The Rulers of
Venice, 1332-1524,” rulersofvenice.org

SdF – Pio Paschini, *Storia del Friuli*, 3rd ed. (Udine: Arti grafiche friulane, 1975)

Slo. – Slovenian, language

- Spalato* – Ermanno Orlando, *Strutture e pratiche di una comunità urbana: Spalato, 1420-1479*, Schriften zur Balkanforschung 2 (Venice–Vienna: Österreichische Akademie der Wissenschaften, 2019)
- St. Bale* – Lujo Margetić, ed., *Statut grada Bala* [The statute of the city of Bale] (Rijeka: Adamić, 2007)
- St. Buje* – Mirko Zjačić, “Sačuvani fragment staroga statuta općine Buje iza 1412. godine” [The preserved fragment of the old statute of the commune of Buje after the year 1412], *Jadranski zbornik* 7 (1969): 365–416.
- St. Buzet* – Nella Lonza and Branka Poropat, eds., *Buzetski statut / Statuto di Pinguento*, Kolana od statuti / Collana degli Statuti 4 (Buzet: Humaniora, 2017)
- St. Dvigrad* – Nella Lonza and Jakov Jelinčić, eds., *Statuta communis Duorum castrorum / Statut dvigradske općine: Početak 15. stoljeća* [*Statuta communis Duorum castrorum / The statute of the Commune of Dvigrad: Beginning of the 15th century*], Kolana od statuti / Collana degli Statuti 1 (Pazin: Državni arhiv u Pazinu, 2007)
- St. Grožnjan* – Danilo Klen, “Statut Grožnjana” [The statute of Grožnjan] *Vjesnik historijskih arhiva u Rijeci i Pazinu* 8–9 (1963–1964): 205–56, and 10 (1965): 201–43.
- St. Izola* – Luigi Morteani, *Isola ed i suoi statuti* (Poreč: Gaetano Coana, 1888), 103–211.
- St. Koper* – Lujo Margetić, ed., *Statut koprškega komuna iz leta 1423 z dodatki do leta 1668 / Lo statuto del comune di Capodistria del 1423 con le aggiunte fino al 1668 / Statuta comunis Iustinopolis* (Koper: Pokrajinski arhiv, 1993)
- St. Labin* – Camillo de Franceschi, “Statuta communis Albonae,” *AT*, ser. 3, 32 (1908): 131–229.
- St. Lovreč* – Jakov Jelinčić, “Statut Svetog Lovreča Pazenatičkog sa posebnim osvrtom na jezične karakteristike” [The statute of Sv. Lovreč Pazenatički with a particular review of linguistic characteristics] *Vjesnik historijskih arhiva u Rijeci i Pazinu* 18 (1973): 71–151.
- St. Motovun* – Luigi Morteani, “Storia di Montona: con appendice e documenti,” *Archeografo triestino*, ser. 2, 19/2 (1894): 447–82, and 20/1 (1895): 5–123.
- St. Muggia 1* – Maria Laura Iona, ed., *Le istituzioni di un comune medievale: statuti di Muggia del sec. XIV*, Fonti e studi per la storia della Venezia Giulia 3 (Trieste: Deputazione di storia patria per la Venezia Giulia, 1972)
- St. Muggia 2* – Franco Colombo, ed., *Gli Statuti di Muggia del 1420*, Fonti e studi per la storia della Venezia Giulia 2 (Trieste: Deputazione di storia patria per la Venezia Giulia, 1971)

- St. Novigrad* – Nella Lonza and Jakov Jelinčić, eds., *Novigradski statut / Statuto di Cittanova*, Kolana od statuti / Collana degli Statuti 3 (Novigrad: Humaniora, 2014)
- St. Oprtalj* – Giovanni Vesnaver, “Notizie storiche del castello di Portole nell’Istria,” *Archeografo triestino*, ser. 2, 11/1–2 (1885): 131–81.
- St. Piran* – Miroslav Pahor and Janez Šumrada, eds., *Statut piranskega komuna od 13. do 17. stoletja / Gli statuti del comune di Pirano dal XIII al XVII secolo*, 2 vols. (Ljubljana: Slovenska akademija znanosti in umetnosti, 1987)
- St. Plomin* – Bernardo Stulli, “Fragment statuta plominske općine” [The fragment of the statute of the commune of Plomin], *Vjesnik historijskih arhiva u Rijeci i Pazinu* 14 (1969): 8–49.
- St. Poreč* – Mirko Zjačić, “Statut grada Poreča (statutum comunis Parentii) iz 1363. godine” [the statute of the city of Poreč (statutum comunis Parentii) from 1363], *Monumenta historico-iuridica Slavorum Meridionalium* 18 (1979): 5–203.
- St. Pula* – Bernardo Benussi, “Statuto del comune di Pola,” *Atti e memorie della Società istriana di archeologia e storia patria* 27 (1911): 108–449.
- St. Umag* – Nella Lonza and Jakov Jelinčić, eds., *Umaški statut / Statuto di Umago*, Kolana od statuti / Collana degli Statuti 5 (Umag: Humaniora, 2020)
- St. Vodnjan* – Nella Lonza and Jakov Jelinčić, eds., *Vodnjanski statut / Statuto di Dignano*, Kolana od statuti / Collana degli Statuti 2 (Vodnjan: Humaniora, 2010)
- Trattato* – Corrado Pin, *Venezia, il patriarcato di Aquileia e le "Giurisdizioni nelle terre patriarcali del Friuli" (1420-1620): Trattato inedito di fra Paolo Sarpi* (Udine: Deputazione di storia patria per la il Friuli, 1985)
- v – verso
- VDD RIS* – Marino Sanudo the Younger, “Le vite dei dogi,” in *Rerum italicarum scriptores*, ed. Lodovico Antonio Muratori, cols. 405–1282 (Milan: Societas palatinae in regia curia, 1733)
- Ven. – Veneto, language
- VEPA* – *Vitae episcoporum et patriarcharum Aquileiensium*, University of Pennsylvania, Kislak Center for Special Collections, Rare Books and Manuscripts section, ms. 934.
- Consultable online at
<http://bibliophilly.library.upenn.edu/viewer.php?id=Ms.%20Codex%20934> [last access: 1st of July, 2020]

VharRP – Vjesnik historijskih arhiva u Rijeci i Pazinu [Bulletin of historical archives in Rijeka and Pazin]

Note on Toponyms, Personal Names, and the Names of Institutions

All toponyms will be written following present-day conventions. E. g., it will be Bozcaada and not Tenedos, the Italian version of the place name. If a place has an official English toponym, then it will be written in that form. For example, it will be Turin and not Torino, Venice and not Venezia. Finally, all Istrian places have at least two official names, one Italian and the other Slovenian and/or Croatian. In order to unburden the text from the continuous writing of all the official names, each Istrian toponym will be given in the language of the nation state the place belongs to in the present day. Thus, it will be Muggia and not Milje (Slo./Cro. place name), Koper and not Capodistria (Ital. version) or Kopar (Cro. version), and Pula, but not Pola (Ital. version) or Pulj (Slo. version). The full list of all the Istrian toponyms mentioned in the study featuring all the official place names is given in the appendix.

All personal names will be written in their anglicized variant. E. g., an individual appearing in the primary source as *Iohannes Nicolaus de Vindobona* will be rendered as John Nicholas of Vienna. Toponymic bynames will be translated into English as well. For example, the 14th-century Aquileian patriarch appearing in primary sources as *Marquardus de Randeke* will be rendered as Marquard of Randeck. Conversely, patronymic bynames and surnames will not be translated. In that way, the 15th-century Istrian nobleman appearing in primary sources as *Vanto de Gravisi* will be rendered as such and not as Vanto of [the] Gravisi. Excepted from these rules are all the historical individuals whose names have been standardized in anglophone historiography in their non-anglicized forms. Thus, the 14th-century lord of Padua will be written as Francesco da Carrara and not as Francis of Carrara. Which non-anglicized personal names are considered standardized in anglophone historiography is a value judgment based exclusively on *meum honorabile arbitrium*.

All the names of institutions will also be translated into English. Accordingly, the Venetian *Maior Consilium* will be rendered as the Great Council and not as *Maggior Consiglio* as is sometimes done in anglophone historiography.

Note on the Names of Currencies, Moneys of Account, and on Conversion Rates

All the names of coins and moneys of account will be translated into English:

Lat. *ducatus (auri)*, Ven. *ducato (d'oro)* = Eng. a (golden) ducat

Lat. *libra (denariorum) parvorum*, Ven. *lira di (denari) pizoli* = Eng. a pound of pennies

Lat. *libra (denariorum) grossorum*, Ven. *lira di (denari) grossi* = Eng. a pound of groats

Lat. *libra (denariorum parvorum) ad grossorum*, Ven. *lira (di denari pizoli) a grossi* = Eng. a pound of pennies paid in groats

Lat. *solidus (denariorum) pravorum*, Ven. *soldo di (denari) pizoli* = Eng. a shilling of pennies

Lat. *marcha (denariorum)*, Ven. *marca (de denari)* = Eng. a mark

The relations between these currencies are the following:

1 pound of pennies = 20 shillings (of pennies) = 240 pennies

1 pound of groats = 20 shillings (of groats) = 240 groats

1 groat = 32 pennies [conversion rate fixed in 1282]

1 pound of pennies paid in groats = 9 groats and 5 pennies [in this money of account, the groat retained its 1254 conversion rate of $26 \frac{1}{9}$ pennies, thus $9 \cdot 26,11 + 5 = 240$]

1 mark = 8 pounds of pennies = 160 shillings (of pennies) = 1920 pennies

The conversion rate of the Venetian ducat changed throughout the Middle Ages until it became fixed at 6 pounds and 4 shillings of Venetian pennies per ducat in 1457; for the period under consideration in this study, the following conversion rates are relevant:

1382: 1 ducat = 4 pounds of pennies

1391: 1 ducat = 4 pounds and 4 schillings of pennies

1399: 1 ducat = 4 pounds and 13 schillings of pennies

1407: 1 ducat = 4 pounds and 16 schillings of pennies

1417: 1 ducat = 5 pounds of pennies

1421: 1 ducat = 5 pounds and 3 schillings of pennies

1429: 1 ducat = 5 pounds and 4 schillings of pennies

1443: 1 ducat = 5 pounds and 14 schillings of pennies

1456: 1 ducat = 6 pounds and 4 schillings of pennies

[Frederic C. Lane and Reinhold C. Mueller, *Money and Banking in Medieval and Renaissance Venice*, vol. 1: *Coins and Moneys of Account* (Baltimore, MD: Johns Hopkins University Press, 1985), 123–31, 362; Reinhold C. Mueller, *The Venetian Money Market: Banks, Panics, and the Public Debt, 1200–1500* (Baltimore, MD: Johns Hopkins University Press, 2019), 623, table D.I]

In order to unburden the reader from constantly having to convert between various moneys of account, all the sums expressed in groats, marks and ducats will be converted into pennies. In this way, the reader only has to deal with one currency, rendering the comparisons between the sums and the contextualization of the value of money much easier.

Note on Dating System

All the dates will be regularized and expressed in the Common Era system and with the year starting on the 1st of January (*stilus circumcisionis* or *stilus communis*). Since the Venetian year started on the 1st of March (*mos Venetus*), all the dates expressed *more Veneto* will be converted to the *stilus communis*.

[Jakov Stipišić, *Pomoćne povijesne znanosti u teoriji i praksi* [Auxiliary historical sciences in theory and practice], 3rd ed. (Zagreb: Školska knjiga, 1991), 195.]

Note on Referencing Venetian manuscripts

Most manuscripts of the Venetian State Archive containing the minutes of the sessions of Venetian councils feature two types of progressive numbering on their folios: an older sequential numbering written with ink in the upper right corner of the folios' header, and a newer numbering written with a pencil in the middle of the folios' footer. Unless otherwise noted, all the references will be exclusively to the newer sequential numbering, written by pencil in the middle of the folios' footer. Note that this numbering is not always consistent with the one featured in the *Divenire* webpage that allows for online viewing of some of these manuscripts.

[<http://archiviodistatovenezia.it/divenire/collezioni.htm?numPage=3>, last access: 10th of June, 2020.]

Note on Maps

Just like the vast majority of cartographic representations of jurisdictional territories of medieval polities and lordships, the appended maps are but a crude estimation and (over)simplification of a territorial divisions that were originally immeasurably more complex and unclear even for the medieval rulers and their subjects, let alone for the historians reconstructing them centuries apart based on the few surviving primary sources. Nevertheless, the maps still offer an informed schematized overview of the evolution of jurisdictional divisions of medieval Istria and the adjacent regions.

With the sole exception of map 6, all the other maps were designed by the author based on the following templates:

Girolamo Guerrino Corbanese, *Grande atlante storico-cronologico comparato*, vol. 1: *Il Friuli, Trieste e l'Istria dalla preistoria alla caduta del Patriarcato d'Aquileia* (Udine: Del Bianco, 1983), p. 295, tavola 175: "L'Istria – fine XIII secolo"; vol. 2: *Il Friuli, Trieste e l'Istria nel periodo veneziano* (Udine: Del Bianco, 1987), p. 11, tavola 3: "Territori della Repubblica di Venezia (anno 1381)," pp. 12–13, tavola 4: "Repubblica di Venezia – L'espansione in "terraferma" – 1395/1509," p. 16, tavola 6: "Repubblica di Venezia – Possedimenti continentali (in "terraferma") e marittimi (da "Mar") (secoli XI–XVIII)," p. 355, tavola 207: "Marchesato dell'Istria (al patriarca di Aquileia) – 1381 – Pace di Torino," all maps designed by Girolamo Guerrino Corbanese.

Peter Štih, *I conti di Gorizia e l'Istria nel Medioevo*, Collana degli Atti 36 (Rovinj: Centro di ricerche storiche Rovigno 2013), p. 63, figura 5: "Carta della Contea di Pisino e della Contea d'Istria," map designed by Mateja Rihtaršič;

Eric R. Dursteler, ed., *A Companion to Venetian History, 1400-1797*, Brill's Companions to European History 4 (Leiden: Brill, 2013), p. 87, map 3: "Venice's *Terraferma*," p. 126, map 4: "The *Stato da Mar*," both maps designed by Christopher Robinson.

Egidio Ivetić, ed., *Adriatico orientale: Atlante storico di un litorale mediterraneo*, Collana degli Atti 37 (Rovinj: Centro di ricerche storiche Rovigno, 2014), p. 154, mappa 45: "I possessi dei Conti di Gorizia 1250" and 46: "L'Istria nel 1230)", p. 162, mappa 62: "L'Istria veneta (1516-1797)," all maps designed by Egidio Ivetic.

Miha Kosi, *Spopad na prehode proti Jadranu in nastanek “dežele Kras”*, Thesaurus memoriae: Opuscula 6 (Ljubljana 2018), appendix: “Kras in sosednje dežele (od 14. do 16. stoletja / Karst and Neighboring Territories (14th–16th centuries),” all maps designed by Mateja Rihtaršič.

Ondřej Schmidt, *John of Moravia between the Czech Lands and the Patriarchate of Aquileia (ca. 1345–1394)*, trans. Graeme and Suzanne Dibble, East Central and Eastern Europe in the Middle Ages, 450–1450 56 (Leiden: Brill, 2019), XVII, map 2: “The Patriarchate of Aquileia at the end of the Trecento,” map designed by Jaroslav Synek.

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Prologue and Background

Venice – Istria – Aquileia

It was a moment of great triumph for Marquard of Randeck, the incumbent patriarch of Aquileia, as he issued a solemn privilege for the Commune of Genoa and to his trusted ally Pietro Doria, the general captain of the Genoese armada.¹ That day, the 1st of August, 1379, the ecclesiastical prince stood proudly in the recently conquered Venetian Grado and celebrated the victories of his alliance against their nefarious foe, the Republic of St. Mark. For it was no small feat that the allied Genoese and patriarchal forces accomplished: The Venetian towns on the western shore of Istria – Umag and Rovinj with fort Turnina – together with Grado on the easternmost bank of the Dogado were successfully conquered by Doria's forces and handed over to Marquard's expanding ecclesiastical principality.² But there was more to this victory for the Aquileian patriarch than mere pragmatic expansionism; the triumph was deeply symbolical, invested with a centuries-long history of conflicts over these very lands.

“All of these aforementioned places that rightfully belonged to us and to our Church in the past, with full jurisdictional rights, including the right to shed blood of any man or women therein living, old or young, are presently ours” auspiciously proclaimed the bellicose prelate.³ The aging Marquard was invoking the memories of a distant, but not forgotten past – the year 1209 when the Holy Roman Emperor Otto IV officially donated the entire Margraviate of Istria, an imperial

¹ The document is edited in Vittorio Lazzarini, “Lettere genovesi e friulane della guerra di Chioggia,” *Archivio veneto* 34–35 (1944): 24–26, doc. 3. The original is kept in Venice, in Archivio di Stato di Venezia (hereafter: ASV), Procuratori di San Marco *de citra*, b. 120, Commissaria di Pietro Tommasi, fasc. 3.

² “Cum magnificus vir dominus Petrus de Auria quondam domini Dorini civis Ianue generalis capitaneus felicis armate galearum Ianuensium castrum et terras Rubini, Humagi et Gradi per ducem et Comune Veneciarum emulos regie maiestatis Ungarie, Comunis Ianue, nostros et magnifici domini Francisci de Cararia domini Padue, nobis et Ecclesie nostre ... cum turri seu castro Boraye ... providit atque amicabili discretione conspiciens predicta loca omnia ... in manibus egregii militis domini Nicolai Gai marchionis nostri Istrie vice nomine nostre Ecclesie nostre et successorum nostrorum imperpetuum recipientis amicabiliter et benivole ac liberaliter duxerit assignandum per nos, successores nostros et Ecclesiam nostram de cetero tenenda, habenda et possidenda pacifice et quiete attentis precipue singularis dilectionis affectu et benivolencia speciali inter Comune Ianue et nos vigentibus ab antiquo.” Lazzarini, “Lettere genovesi,” 24–25.

³ “Predicta loca omnia de iure ad nos et Ecclesiam nostram antiquitus pertinuisse et presentialiter pertinere cum mero et mixto imperio in iurisdictione omnimoda atque gladii potestate hominibus et mulieribus ibidem existentibus parvis et magnis.” Lazzarini, “Lettere genovesi,” 25.

territory under the Duchy of Carinthia, to the Church of Aquileia and Patriarch Wolfger of Erla.⁴ From this point on, the patriarchs of Aquileia added another territory to their vast temporal possessions that included both Friuli and the March of Carniola, as well as a new title to their official list of honors: the margraves of Istria.⁵ These were the times of absolute peak for the expansive ecclesiastical principality, the pro-imperial bastion guarding the “eastern door to Italy” for the elected Roman kings and crowned Holy Roman emperors.⁶

But the incipient infighting between the ordained patriarchs and the hereditary advocates of the Aquileian Church, the counts of Gorizia, destined the mighty Patriarchate to an altogether different, far less glorious fate.⁷ These counts were the uncontested lords of Gorizia in Friuli and they also held considerable territories in Istria as hereditary advocates of the bishops of Poreč – the so-called County of Pazin with the center in the eponymous *castrum*.⁸

⁴ The Margraviate of Istria was donated to Patriarch Wolfger on the imperial Diet of Augsburg, during the month of January, 1209. Johann Friedrich Böhmer, ed., *Regesta imperii* (hereafter: *RI*), vol. 5: *Jüngere Staufer 1198-1272*, p. 1/1: *Die Regesten des Kaiserreichs unter Philipp, Otto IV, Friedrich II, Heinrich (VII), Conrad IV, Heinrich Raspe, Wilhelm und Richard 1198-1272* (Innsbruck: Wagner'sche Universitätsbuchhandlung, 1881), 83–84, doc. 258a. The donation was officially confirmed in a charter issued in Cremona on the 8th of May, 1210, after Otto IV had been crowned the Holy Roman emperor in Rome. The Cremonese charter is edited in Vincenzo Joppi, ed., *Aggiunte inedite al codice diplomatico istro-tergestino del secolo XIII*, (Udine: Giuseppe Seitz, 1878), 9–12, doc. 1.

⁵ The County of Friuli was conferred upon the patriarchs as their *iurisdictio in temporalibus* by King Henry IV already in 1077 while The March of Carniola was finally donated by the same monarch in 1093. Dietrich von Gladiss and Alfred Gawlik, eds., *Heinrici IV. diplomata / Die Urkunden Heinrichs IV.*, Monumenta Germaniae historica (hereafter: MGH), *Diplomata regum et imperatorum Germaniae* 6 (Hannover: Hahnsche Buchhandlung, 1941), 384–85, doc. 293, and 577–78, doc. 432.

⁶ On the Patriarchate of Aquileia as “the bridge connecting the German with the Italian part of the Empire” see Reinhard Härtel, “Il Friuli come ponte tra Nord e Sud,” in *Comunicazione e mobilità nel Medioevo: Incontri fra il Sud e il Centro dell'Europa (secoli XI-XIV)* (Bologna: Il Mulino, 1997), 495–518.

⁷ There are numerous studies detailing the origins, the course, and the consequences of these numerous conflicts. See e.g. Marija Wakounig, “‘Avvocato’ contro signore. Il ruolo dei conti di Gorizia nel patriarcato d'Aquileia,” in *Aquileia e il suo patriarcato. Atti del Convegno Internazionale di Studio (Udine 21-23 ottobre 1999)*, ed. Sergio Tavano, Giuseppe Bergamini, and Silvano Cavazza (Udine: Regione autonoma Friuli-Venezia-Giulia, Deputazione di storia patria per il Friuli, 2000), 339–54; Giordano Brunettin, “Una fedeltà insidiosa: La parabola delle ambizioni goriziane sul Patriarcato di Aquileia (1202-1365),” in *Da Ottone III a Massimiliano I: Gorizia e i conti di Gorizia nel Medioevo*, ed. Silvano Cavazza (Mariano del Friuli: Edizioni della Laguna, 2004), 281–338.

⁸ Peter Štih, *I conti di Gorizia e l'Istria nel Medioevo*, Collana degli Atti 36 (Rovinj: Centro di ricerche storiche Rovigno (hereafter: CrsR), 2013), 55–66.

beginning, winning over several important Istrian towns (Izola, Piran and Buje), their attack on Poreč marked the turning point of the conflict.¹² Unable to seek help from their *de iure* sovereign, the representatives of *Comune Parentii* turned to Venice for help. Although the Great Council of Venice was far from unanimous in their vote to send help and include Poreč into their growing state, the plea was eventually accepted; the Republic of St. Mark sent military aid to the besieged Istrian city and helped beat the attackers.¹³ The first defeat of Capodistrian-Gorizian forces marked the beginning of the end for the Patriarchate of Aquileia in Istria. As Poreč officially became part of the *Commune Veneciarum* in 1267, a domino effect ensued that resulted with additional towns and cities of the Peninsula pledging themselves to the protection of the mighty winged lion of St. Mark—Umag in 1269, Novigrad in 1270, and Sveti Lovreč in 1271.¹⁴ Finally, the Venetian forces besieged Koper, the center of Gorizian rebellion in Istria, and conquered the city in 1279.¹⁵ The war ended with almost the entire western coast of Istria, from Koper to Rovinj, in the hands of the Venetian Republic, thorn away from the worldly jurisdictions of Aquileian patriarchs.¹⁶ The final peace treaty that formally legitimized the new political map of the Peninsula was signed on the 11th of June, 1300, when Aquileian patriarchs officially ceded Koper, Izola, Piran, Umag,

¹² The act of submission of Buje to Koper is edited in Pietro Kandler, ed., *Codice diplomatico istriano*, 2nd ed., 5 vols., (Trieste: Riva, 1986), vol. 2, 573–74, doc. 348 (hereafter: *CDI*). The fact that Izola and Piran joined Koper is read from the later peace treaty edited in Kandler, ed., *CDI* 3: 596–604, doc. 361.

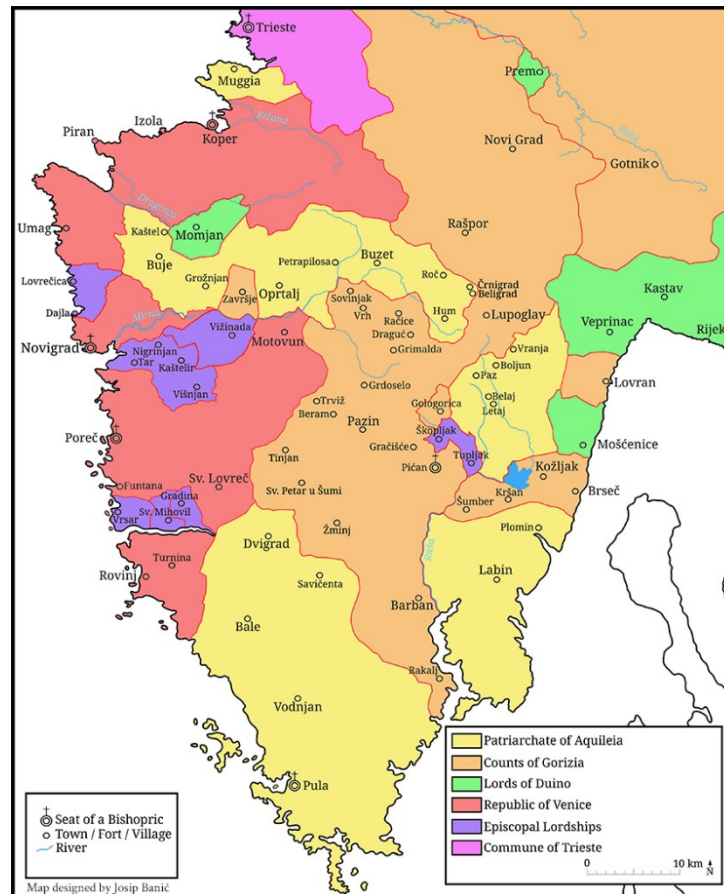
¹³ Roberto Cessi, ed., *Deliberazioni del Maggior Consiglio di Venezia*, vol. 2, Atti della Assemblée costituzionali italiane dal Medio Evo al 1831, 3/1: Parlamenti e Consigli Maggiori dei Comuni italiani (Venice: Zanichelli, 1931), 53, doc. 46. On this defeat see also Grego, “L’attività politica,” 34–36.

¹⁴ Their respective *patti di dedizione* are edited in Kandler, ed., *CDI* 2: 576, doc. 350 (Umag); Antonio Stefano Minotto, “Documenta ad Forumiulii, Istriam, Goritiam, Tergestum spectantia,” *AMSI* 9/1–2 (1894): 78; Antonio Stefano Minotto, ed., *Documenta ad Forumiulii Patriarchatum Aquileiensem, Tergestum, Istriam, Goritiam spectantia*, vol. 1 (Venice: Giovanni Cecchini, 1870), 138–39 (Sveti Lovreč). The facsimiles of the originals, as recorded by the Venetian Great Council, are appended in Rachele Denon Poggi, *Atti di dedizione a Venezia delle città dell’Adriatico orientale* (Trieste: Fondazione Scientifico Culturale Rustia Traine, 2009), 248 (Umag), 252 (Novigrad), 256 (Poreč), 299 (Sveti Lovreč). This edition, however, does not feature transcriptions of the documents while the author’s commentaries are plagued with unrepentant nationalistic bias and conspicuous irredentism.

¹⁵ Minotto, ed., *Documenta ad Forumiulii*, 1: 142; Andrea Dandolo, *Chronica per extensum descripta*, ed. Ester Pastorello, *Rerum Italicarum scriptores* (hereafter: *RIS*), ser. 2, 12/1 (Bologna: Zanichelli, 1958), 325–26.

¹⁶ Before the fall of Koper, Motovun pledged itself to Venice in 1278. Gian Rinaldo Carli, *Appendici di documenti spettanti alla parte quarta delle Antichità italiane* (Milan: Imperial Monistero di S. Ambrogio Maggiore, 1791), 42, doc. 21. Following the fall of Koper, Piran (in January of 1283), Rovinj (in June of 1283) and Izola (in May of 1292) also pledged themselves to Venice. Their *patti di dedizione* are edited in Kandler, ed., *CDI* 2: 707–08, doc. 405 (Piran); Minotto, ed., *Documenta ad Forumiulii*, 1: 34 (Rovinj), only a *regestum*; Minotto, ed., *Documenta ad Forumiulii*, 1: 43–44 (Izola), only a *regestum*. Aquileian patriarch Raymond della Torre agreed to an arbitrational sentence regarding the new state of the jurisdictional map of Istria with the Venetian doge Iacopo Dandolo in 1286. Kandler, ed., *CDI* 2: 739–42, doc. 417. According to the acts of the arbitrational proceedings that followed in 1289, Venice held, among the Istrian cities and towns that signed their acts of dedication, also Izola and Muggia. Kandler, ed., *CDI* 2: 757–70, doc. 428. Official peace between Venice and the Patriarchate of Aquileia was signed in Treviso on the 11th of November, 1291. Kandler, ed., *CDI* 2: 779–84, doc. 436.

Novigrad, Poreč, Sv. Lovreč, Motovun and Rovinj to Venice in exchange for the annual payment of 450 silver marks.¹⁷



Map 2: Istria after the first Venetian expansion and the Treaty of Treviso, c. 1300

The second wave of Venetian expansion in Istria was also motivated by the internal strife between the ministerials of the Aquileian patriarchate: the lords of Duino together with the lords of Petrapilosa rebelled against Patriarch Pagano della Torre and his supporters in Istria, the lords of Pula.¹⁸ The Castropola family thus plunged their city to war, engendering powerful Ghibelline enemies in Istria. Besieged by the anti-patriarchal forces with little chance for victory, the representatives of Pula decided to follow in Poreč's footsteps. Thus, the County of Pula, together with Vodnjan and Bale, pledged itself to Venice in order to avoid the continued destructive

¹⁷ Minotto, ed., *Documenta ad Forumiulii*, 1: 49–51. On this treaty see Pio Paschini, "Il patriarcato di Pietro Gera (1299-1301)," *MSF* 21 (1925): 95–98. The treaty was officially ratified by the pope only in 1307. Kandler, ed., *CDI* 3: 921, doc. 523.

¹⁸ This conflict is meticulously analyzed in Camillo de Franceschi, "Il comune polese e la signoria di Castropola," *AMSI* 19 (1903): 169–98.

infighting between the warring factions of the Patriarchate of Aquileia.¹⁹ In 1335, after prolonged and ultimately unsuccessful military campaigns against the Venetians, Patriarch Bertrand of Saint-Genies officially ceded the entire County of Pula to Venice for the annual recompense of 225 silver marks.²⁰

Finally, Marquard's predecessor, Ludwig della Torre, was also involved in a military conflict with his advocates, the counts of Gorizia to whom fighting with patriarchs became "somewhat of a family tradition".²¹ In this war Venice also further expanded in Istria at the cost of the Aquileian Church: on the 23rd of December, 1358, Grožnjan was bought for 4500 golden ducats from Ulrich of Rihemberk, the ministerial of the defeated Albert III of Gorizia.²² Moreover, the second half of the fourteenth century saw the rapid rise of power of the Austrian dukes, the Habsburgs, in the Patriarchate of Aquileia and in Istria as well; in 1374, Duke Leopold of Austria inherited all the Istrian possessions of the counts of Gorizia following the heirless death of count Albert III.²³

¹⁹ Pula pledged itself to Venice on the 28th of May, 1331. Carli, *Appendici*, 46–52, doc. 24. Bale followed in Pula's footsteps on the 23rd of September, 1332. Minotto, ed., *Documenta ad Forumiulii*, 1: 126–27.

²⁰ The treaty is edited *in extenso* in Camillo de Franceschi, "Il comune polese e la signoria di Castropola," *AMSI* 20/3–4 (1905): 17–22.

²¹ "Le guerre combattute tra i patriarchi e i loro avvocati, che erano diventate per così dire una tradizione familiare." Štih, *I conti di Gorizia*, 43. On this war see e.g. Brunettin, "Una fedeltà insidiosa," 328–33.

²² The transaction between Venice and Ulrich of Rihemberk regarding Grožnjan is edited *in extenso* in Giambattista Sardagna, "I signori di Reifenberg nei secoli 13. e 14. e più particolarmente di Ulrico di Reifenberg, 1307-1384," *Archivio veneto* 15/1 (1878): 155–59, doc. 9.

²³ Camillo de Franceschi, *Storia documentata della Contea di Pisino*, ed. Carlo de Franceschi (Venice: Società istriana di archeologia e storia patria, 1964), 43–44, 390–91, doc. 7. See also, Štih, *I conti di Gorizia*, 79–80. From this point onwards the County of Istria (*Grafschaft Ysterreich*) does not mean the same as the County of Pazin (*Grafschaft ze Mitterburg*). The latter connotes only the territory of Pazin with adjacent dependencies, including the bishopric of Pícan. The County of Istria, however, connotes all the Austrian territories on the Peninsula, including the County of Pazin, but also all the other dislocated jurisdictions such as Momjan, Završje, Lupoglav, Vranja, Boljun, Paz, Kožljak, Kršan, Sovinjak, Račice. See for example the wording of the 1379 investiture by Duke Leopold of Austria: "Davon haben wir dem egenanten Tybeiner [Hugo VIII, lord of Duino] und seinen erben das egenante land ze Isterreich mit der grafschaft ze Mitterburg und mit allen edeln Leuten mit allen Castellen dörffern urbarn vogtein gerichten und andern ampten gülden... versetzt." De Franceschi, *Storia documentata*, 391–92, doc. 8. On this distinction see Giovanni De Vergottini, "La costituzione provinciale dell'Istria nel tardo Medio Evo," *AMSI* 39/1 (1927): 39–40 (hereafter: "La costituzione II").

Thus, when Marquard sat upon the chair of St. Hermaghoras he took over the reins of a dwindling ecclesiastical principality, scarred by germinating factional warfare and reduced to mere *reliquia reliquiarum* in Istria. What was once a rich province under the secular *potestas* of the patriarchs of Aquileia and margraves of Istria, was by Marquard's time diminished to mere eight humble *castra* in the Peninsula's inland – Buzet with Roč and Hum in its district, Oprtalj, Buje, Dvigrad, and Labin with Plomin on the eastern shore – with a single fort, Petrapilosa, the seat of the delegated margrave, an official elected by the patriarch to serve as his representative in the Margraviate.²⁴ The only maritime commune on the western shore of Istria that officially remained

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Aquileian was Muggia, but the town was not included in the administrative organization of the Margraviate; it was directly subjugated to the patriarch.²⁵ However, even this *castrum*, the richest commune of Aquileian Istria, rebelled against the Patriarchate in December of 1372.²⁶

Yet, for Marquard of Randeck who stood triumphantly in Grado in the summer of 1379, this gloomy state of Aquileian affairs in Istria was but a bitter past. After all, the rebellion of Muggia had been quelled and the maritime commune was reintegrated into the Aquileian dominion;²⁷ the despicable Venetians who “unjustly occupied lands that rightfully belong to our Church” were crushed by the Genoese navy in the momentous Battle of Pula;²⁸ and, most importantly, the destined *reconquista* of Aquileian Istria was already well under way with Rovinj and Umag back under the rightful jurisdiction of the Aquileian patriarchate and safely in the hands of Nicholas Gal, his delegated *marchio Istrie*.²⁹ Things were indeed looking up for the aging prelate as it very well might be him who would accomplish what none of his predecessors could – the complete revendication of Aquileian lands in Istria, the return of his Church to its past days of glory.

This was one of the main motives why Marquard of Randeck readily joined the anti-Venetian alliance forged by the Hungarian King Louis I of Anjou, a league that also included the Commune of Genoa, Venice’s traditional enemy, and the lord of Padua, Francesco da Carrara.³⁰ All of the *colligati* had their own reasons for despising the Republic of St. Mark and all of them

²⁵ As such, Muggia does not appear in the above-cited list of the rights of Aquileia in the Margraviate of Istria and the town's representatives do not appear on the margraves' *placita*. Giovanni De Vergottini, *Lineamenti storici della costituzione politica dell'Istria durante il Medio Evo* (Trieste: Società istriana di archeologia e storia patria, 1974), 135–39.

²⁶ The so-called conspiracy of Raphael Steno. Kandler, ed., *CDI 3*: 1383, doc. 812, and 1386, doc. 815. On this episode, see Franco Colombo, *Storia di Muggia: Il comune Aquileiese* (Trieste: Libreria internazionale “Italo Svevo,” 1970), 64–71.

²⁷ Kandler, ed., *CDI 3*: 1387, doc. 816, and 1388, doc. 817.

²⁸ “Per ducem et Comune Veneciarum ... indebite occupatum et occupatas.” Lazzarini, “Lettere genovesi,” 25. On the Battle of Pula where Venetian general Vettor Pisani lost a decisive naval skirmish, see Vittorio Lazzarini, “La battaglia di Pola e il processo di Vettor Pisani,” *Nuovo archivio veneto* 25 (1913): 177–98.

²⁹ See fn. 1.

³⁰ The treaty of alliance against Venice between Patriarch Marquard of Randeck and King Louis I of Anjou was signed on the 21st of June 1376. In this treaty, Francesco da Carrara, *dominus Padue*, already appears as *calligatus regni Hungarie*. The document is edited in *extenso* in Lodovico Antonio Muratori, *Antiquitates Italicae medii aevi*, vol. 3 (Milan: Societas palatinae in regia curia, 1740), cols. 1223–26. See also Pio Paschini, *Storia del Friuli*, 3rd ed. (Udine: Arti grafiche friulane, 1975), 565–66 (hereafter: *SdF*); Benjamin G. Kohl, *Padua under the Carrara: 1318-1405* (Baltimore, MD: Johns Hopkins University Press, 1998), 205–6. The anti-Venetian alliance between King Louis I and Genova was signed on the 16th of February, 1378. The document is edited in *extenso* in Luigi Agostino Casati, *La guerra di Chioggia e la pace di Torino: Saggio storico con documenti inediti* (Florence: Successori Le Monnier, 1866), 17–26.

had important territories to gain from the *Serenissima's* envisioned fall. For the Genoese, who already fought Venice three times before, this was the island of Bozcaada (Lat. *Tenedus*, Ital. Tenedo) and the uncontested domination of the profitable Eastern Mediterranean trade routes.³¹ The *signore* of Padua wanted to get rid of the bitter taste left by the recently lost war against Venice, provoked by border disputes between the Paduan and Venetian territories; he also had his eyes on Venetian Treviso with its expansive district.³² Finally, King Louis I of Hungary was the most ambitious of the lot; already reconquering Dalmatia from Venice in 1358, the triumphant monarch wanted nothing less than the utter subjugation of the *Commune Veneciarum* to the crown of St. Stephen; according to contemporary chroniclers, Galeazzo and Bartolomeo Gatari, the king's official document declaring open hostility with Venice was furnished with eleven seals, each one presenting a dominion under his royal authority, and Louis I began the war by declaring that he would not back down until he added a twelfth – that of the Republic of St. Mark.³³

The war began in the summer of 1379 with Venice suffering heavy losses on sea and facing a colossal army comprised of Friulian, Paduan and Hungarian contingents on the land.³⁴ Moreover,

³¹ The literature on Genoese-Venetian conflicts is massive and an obligatory part of every overview of Venetian history, which are also numerous. See e.g. Michel Balard, “La lotta contro Genova,” in *Storia di Venezia dalle origini alla caduta della Serenissima*, vol. 3: *La formazione dello stato patrizio*, ed. Girolamo Arnaldi, Giorgio Cracco, and Alberto Tenenti (Rome: Treccani, 1997), 87–126; Ruthy Gertwagen, “Venice, Genoa and the Fights over the Island of Tenedos (Late Fourteenth and Early Fifteenth Centuries),” *Studi Veneziani*, n.s., 67 (2013): 35–88; Christine Shaw, “To Dominate the Mediterranean: Genoa and Venice,” in *Great Strategic Rivalries: From the Classical World to the Cold War*, ed. Jim Lacey (Oxford: Oxford University Press, 2016), 183–207.

³² On this “Border War,” see Gian Maria Varanini, “Venezia e l’entroterra (1300 circa–1420),” in *Storia di Venezia dalle origini alla caduta della Serenissima*, vol. 3: *La formazione dello stato patrizio*, ed. Girolamo Arnaldi, Giorgio Cracco, and Alberto Tenenti (Rome: Treccani, 1997), 199–200; Kohl, *Padua*, 119–25. The peace treaty was signed on the 21st of September, 1373. The very first chapter of the treaty demanded that Francesco acknowledges in front of the doge his sole blame in starting the war: “Primo, che la Signoria volle ch’el prefatto signore de Pado[a] debia andare a Venesia, e dinanzo dal doxe e del suo gienerale consiglio zurare per suo sagramento, che la guerra che l’ha fatto con la signoria di Venesia lui ha fatto contra ogni debita raxone.” The summary of the peace treaty is given in Galeazzo Gatari and Bartolomeo Gatari, *Cronaca carrarese*, ed. Antonio Medin and Guido Tolomei, RIS, ser. 2, 17/1 (Città di Castello: S. Lapi, 1931), 125–27. See also, Kohl, *Padua*, 126.

³³ “In questo propio di capitò in Trevixo uno messo del re d’Ungaria con una sua letera con XI sizilli; e con quella andava a Venexia. ... La Signoria avri la ditta letera inela quale se contenia come il prefatto re d’Ongaria era signore di quelle XI provenzie, di chi era quilli XI sigilli, e che le ditte proenzie ‘lo avea acquistate con la spada in mano e ch’egli era disposto d’aquistare il duodecimo sigillo, cioè quello di Venesia e ‘l suo teretorio con la spada in mano.” Galeazzo and Bartolomeo Gatari, *Cronaca carrarese*, 151–52. The full title of Louis I of Anjou was: *Lodovicus Dei gratia Hungariae, Poloniae, Dalmatiae, Croatiae, Ramae, Serviae, Galliciae, Lodomeriae, Bulgariae, Comaniaeque Rex, Princeps Salernitanus et Honoris Montis Sancti Angeli Dominus*. On Louis’s *reconquista* of Dalmatia, see e.g. Nada Klaić, *Povijest Hrvata u razvijenom srednjem vijeku* [The history of Croatians in the High Middle Ages] (Zagreb: Školska knjiga, 1976), 610–25.

³⁴ The course of the war is usually analyzed either in its maritime-Mediterranean, or in its continental-Veneto-Friulian component. For Istria, the latter one is of more importance. A good overview of the continental component of the war is Paschini, *SdF*, 567–82; Fabio Cusin, *Il confine orientale d’Italia nella politica europea del XIV e XV secolo*, 2nd ed. (Trieste: Lint, 1977), 82–86; Kohl, *Padua*, 205–20. A good overview of the entire conflict is provided in Frederic C.

the dukes of Austria, who were trying to stay neutral in this conflict, joined the anti-Venetian league in June of 1379, although rather halfheartedly.³⁵ As the Habsburgs had lost a war against Venice relatively recently, in 1376, they initially wanted to avoid another protracted skirmish with the Republic of St. Mark.³⁶ Moreover, even though they had their own jurisdictional region in Istria, the dukes of Austria were at the time not interested in expanding their Istrian possessions at the expense of Venice; after all, this was Marquard's goal. Nonetheless, Albert III of Austria sent one hundred lances to aid the anti-Venetian forces laying siege to Treviso while Leopold authorized his subjects and ministerials in Istria to attack the Venetian territories on the Peninsula; thus, the Habsburgs officially proclaimed open hostility to the Republic of St. Mark.³⁷

Lane, *Venice: A Maritime Republic* (Baltimore, MD: Johns Hopkins University Press, 1973), 189–96; Thomas F. Madden, *Venice: A New History* (New York: Viking Penguin, 2012), 219–28. The best account of the conflict from the viewpoint of Istria is provided in Bernardo Benussi, *Povijest Pule u svijetlu municipalnih ustanova do 1918. godine*, trans. Tatjana Peruško and Ivan Cukerić (Pula: Zavičajna naklada „Žakan Juri”, 2002), 264–72 (originally published as “Pola nelle sue istituzioni municipali sino al 1797,” in *Miscellanea veneto-tridentina della Regia Deputazione veneta di storia patria*, vol. 1 (Venice: Deputazione di storia patria per le Venezie, 1923), 1–516). The most informative primary sources are the five contemporary chronicles: the already cited *Cronaca Carrarese* penned by the Gataris, providing the Paduan view of the conflict; the account of Daniele Chinazzo titled *Cronaca della Guerra di Chioggia*, written from the Venetian point of view (edited in Daniele Chinazzo, *Cronaca della guerra di Chioggia*, ed. Giulio Antimaco, Biblioteca rara 59 (Milan: Daelli, 1865)); the same view is taken by another contemporary Venetian, Rafaino Caresini in his continuation of Andrea Dandolo's chronicle (edited in Rafaino Caresini, *Chronica a. 1344-1388*, ed. Ester Pastorello, RIS, ser. 2, 12/2 (Bologna: Zanichelli, 1922); the *Annals of Genoa* provide the Genoese perspective (edited in Giorgio Stella and Giovanni Stella, *Annales Genuenses*, ed. Giovanna Petti Balbi, RIS, ser. 2, 17/2 (Bologna: Zanichelli, 1975)); and the *Trevisan chronicle* by Andrea de Redusi of Quero gives a viewpoint from Venetian Treviso, the place laid under siege by the anti-Venetian league (edited in Andrea de Redusi, “Chronica,” in *RIS*, ed. Lodovico Antonio Muratori, vol. 19 (Milan: Societas palatinae in regia curia, 1731), cols. 741–866).

³⁵ In January of 1379 the Habsburgs were still explicitly maintaining their neutrality in the flaming war. For example, they wrote that “Lis et guerra que inter dictum dominum patriarcham et Venetos sevit et agitur ad presens in nullo penitus nos conteremit.” Document issued in Vienna on the 6th of January, 1379, stored in the manuscript collection of the museum of Cividale and quoted in Cusin, *Il confine orientale*, 84, fn. 80. The official proclamation of hostility to Venice was issued in June of the same year. Giambatista Verci, *Storia della Marca trivigiana e veronese*, vol. 15 (Venice: Giacomo Storti, 1790), appendix: 30–31, doc. 1718.

³⁶ On this conflict see Cusin, *Il confine orientale*, 76–78. The peace treaty, signed on the 7th of November, 1376, in Belluno is edited in extenso in Verci, *Storia della marca* 15: appendix, 9–11, doc. 1693. See also Christian Lackner and Claudia Feller, eds., *Regesta Habsburgica: Regesten der Grafen von Habsburg und der Herzoge von Österreich aus dem Hause Habsburg*, vol. 5: *Die Regesten der Herzoge von Österreich 1365-1395*, p. 3: 1376-1380, Publikationen des Instituts für Österreichische Geschichtsforschung (Vienna: Böhlau, 2019), 77–78, doc. 1449.

³⁷ The negotiations between the dukes of Austria and King Louis I of Hungary began in May, 1379, and the monarch originally sought two hundred lances from each of the two brothers for their participation in the anti-Venetian league. Gusztáv Wenzel, ed., *Magyar diplomáciai emlékek az Anjou-korból* [Hungarian diplomatic sources from the Angevin period], vol. 3, Monumenta Hungariae historica, Acta externa 3 (Budapest: Magyar Tudományos Akadémia Könyvtár és Információs Központ, 1876), 168–69, doc. 141/3. In the end, it would seem, they had agreed to one hundred lances as this is the amount Albert with the Braid sent from Vienna to Treviso. Wenzel, ed., *Magyar diplomáciai emlékek* 3: 183, doc. 141/11. On the 25th of May, 1379, Albert III informed his retainer, Rudolf of Walsee, that he would compensate all the damages incurred by the ensuing war against the Venetians. Lackner and Feller, eds., *Regesta Habsburgica*, 5/3: 220, doc. 1815. Leopold's attack in Istria is discussed in a letter sent from Sacile on the 9th of August, 1379, to the Venetian doge. Wenzel, ed., *Magyar diplomáciai emlékek*, 3: 190, doc. 143/6.

Following the Genoese conquest of Rovinj, Umag and Grado, and the subsequent bestowing of these territories to patriarch Marquard in exchange for jurisdictional and trading privileges, the anti-Venetian league continued to press on very successfully. Already on the 16th of August, 1379, the joint forces of Giacomozzo of Porcia, the leader of Marquard's forces, Francesco da Carrara and Pietro Doria successfully conquered Chioggia, the largest and richest city of the Venetian Dogado.³⁸ Never before had the mighty Republic of St. Mark come this close to being conquered by the invading forces; the shock of the takeover of Chioggia was so potent that the entire conflict would subsequently be dubbed the War of Chioggia. But this was not the end of Venetian woes: Treviso, the Venetian bastion guarding the city of the lagoons from mainland attacks, was under siege by joint Hungarian and Paduan armies and in the month of June, 1380, the patriarchal forces conquered the Venetian Trieste, annexing the rich port city to the their Church as the citizens cheered: "long live the patriarch of Aquileia!"³⁹ Moreover, the joint forces of Patriarch Marquard and the Genoese led several attacks against Venetian cities in Istria: on the 1st of July, 1380, Koper fell to the might of the anti-Venetian alliance, while Piran, Izola and Poreč managed to endure the invaders' attacks.⁴⁰ Finally, the entire County of Pula, together with Vodnjan, was conquered by the Genoese and patriarchal forces on the 16th of July.⁴¹ For Marquard of Randeck thing were indeed looking up. But it was not to be.

³⁸ The most detailed account of this takeover is provided in Vittorio Lazzarini, "La presa di Chioggia (16 agosto 1379)," *Archivio veneto* 48–49 (1951): 53–74.

³⁹ Trieste was besieged by Venice in 1369 and the commune pledged itself to the *Serenissima* on the 3rd of September. Kandler, ed., *CDI* 3: 1342–45, doc. 791. On this skirmish see De Vergottini, *Lineamenti*, 194–201; Donata Degrassi, "'Ad finem vincendi et habendi civitatem per viam obsidionis stricte et continuos stimulos': L'assedio di Trieste del 1368–69," *Reti medievali* 8 (2007): 249–306. For the Aquileian takeover of the city in June 1380, see Luigi Grandi, *Relazioni di Trieste con la Repubblica di Venezia, la Casa d'Asburgo ed il Patriarcato d'Aquileia: 1368–1382* (Trieste: Giuseppe Caprin, 1901), 48–50. The act of dedication of Trieste to Patriarch Marquard, issued on the 13th of July and featuring the vivid description of Marquard's takeover with ("Assignando eidem [Bertholdo de Honnecher, honorabili mareschalco dicti domini patriarche] die mercurii vigesima sexta iunii claves dicte civitatis Tergesti et assignantes eidem vexillum Sancti Iusti, quod est vexillum generale et commune dicte civitatis, nomine Aquilegensis Ecclesie et prefati domini patriarche unanimi voce et voluntate vocantes et dicentes: 'Viva lu patriarcha d'Aquileia.'"), is edited *in extenso* in Vincenzo Joppi, "Del dominio dei patriarchi d'Aquileia in Trieste dal 1380 al 1382," *AT* 15/1 (1889): 272–78, doc. 1.

⁴⁰ For Izola, see Vittorio Lazzarini, "Isola d'Istria nell'agosto 1379," *AMSI* 51–52 (1941): 109–18. The conquest of Koper and its subsequent conferment to Marquard is described in Chinazzo, *Cronaca della guerra di Chioggia*, 127. Very brief notices on this conquest are also in Caresini, *Chronica*, 50–51; Galeazzo and Bartolomeo Gatari, *Cronaca carrarese*, 195. See also Francesco Semi, *Capris, Iustinopolis, Capodistria: La storia, la cultura e l'arte* (Trieste: Lint, 1975), 156–57. Following the fall of Koper, the Genoese forces attacked Piran and Poreč, but failed to conquer them as they were "valorously defended". Chinazzo, *Cronaca della guerra di Chioggia*, 128.

⁴¹ Galeazzo and Bartolomeo Gatari, *Cronaca carrarese*, 196. The Annals of Genoa also report the conquest of Koper and Pula. Stella and Stella, *Annales Genuenses*, 181. See also, Benussi, *Povijest Pule*, 268.

Louis's anti-Venetian league soon succumbed to infighting between Francesco da Carrara and the Genoese regarding the jurisdictions over Chioggia, while Charles of Durrës (Ital. Durazzo, Cro. Drač), the official representative of the Hungarian king and the leader of his troops, was accused by the Paduan *signore* for taking bribes and selling victuals to the besieged Venetian forces.⁴² As winter months approached, the talks of peace commenced.⁴³ During the long negotiations that ensued and which lasted throughout the winter of 1379–80 without producing any result, the forces of St. Mark recuperated and readied themselves for the counter-offensive.⁴⁴ Admiral Vettor Pisani, the loser of the Battle of Pula who was incarcerated on the grounds of negligence for attacking the Genoese fleet unprepared and cowardice for fleeing the battle, was released and given command of Venetian galleys.⁴⁵ It was precisely this admiral who would crush Marquard's cherished dream.

In the summer of 1380, the Venetian forces, led by the aged doge Andrea Contarini himself, began the reconquest of Chioggia and on the 24th of June the island fell back into the hands of the *Serenissima*.⁴⁶ Soon thereafter, Koper was reconquered by the very Vettor Pisani on the 1st of August of the same year.⁴⁷ Moreover, the siege of Treviso was lifted by a brilliant diplomatic maneuver: the Republic of St. Mark ceded the besieged town to the dukes of Austria, seriously damaging the alliance between Francesco da Carrara, who dearly wanted the town for himself, and the rest of the League's allies.⁴⁸ Finally, on the 3rd of January, 1381, when the war was still not over and the Aquileian *reconquista* of Istria still inferable, Patriarch Marquard of Randeck died,

⁴² This incipient infighting is vividly described by the Gataris in several chapters of their chronicle. Galeazzo and Bartolomeo Gatari, *Cronaca carrarese*, 180 (the quarrel between Da Carrara and Doria), and 183 (the quarrel between Da Carrara and Charles of Durrës).

⁴³ Already in August of 1379 the Friulian Parliament discussed "the peace that should be made with the Venetians". Pier Silverio Leicht, ed., *Parlamento friulano*, vol. 1/2: (1228-1420), Atti della Assemblée costituzionali italiane dal Medio Evo al 1831, 1/6: Stati generali e provinciali: Parlamento friulano e stati provinciali goriziani (Bologna: Zanichelli, 1917), 306, doc. 283 (hereafter: *PF*).

⁴⁴ For the first round of negotiations, see Wenzel, ed., *Magyar diplomacziái* 3: 214–17, doc. 143/21, 217–19, doc. 143/22. See also Paschini, *SdF*, 575.

⁴⁵ "Veneziani per soddisfare al suo popolo, cavarono di prigionie, e liberarono Vettore Pisani con molti sopracomiti, che erano prigionieri i quali uscirono alli 19 agosto con gran concorso, e molta allegrezza di tutti." Chinazzo, *Cronaca*, 54. For the Venetian preparation for counter-offensive, Chinazzo, *Cronaca*, 61–72.

⁴⁶ Chinazzo, *Cronaca*, 77, 111–126 (a very detailed description of the Venetian takeover of Chioggia); Galeazzo and Bartolomeo Gatari, *Cronaca carrarese*, 191, 194–95.

⁴⁷ Chinazzo, *Cronaca*, 130–31; Verci, *Storia della Marca* 15: appendix: 44, doc. 1732.

⁴⁸ Verci, *Storia della Marca* 15: appendix: 62, doc. 1748; Galeazzo and Bartolomeo Gatari, *Cronaca carrarese*, 203; Paschini, *SdF*, 581; Cusin, *Il confine orientale*, 86. The Patriarchate of Aquileia stood on the side of the dukes of Austria and King Louis I who advised Da Carrara to accept the fact that he lost Treviso to the Habsburgs. Verci, *Storia della Marca* 15: appendix, 58–59, doc. 1745; Wenzel, ed., *Magyar diplomacziái*, 3: 426–28, doc. 206.

depriving the ecclesiastical principality of its leadership until the papal election of the new prelate.⁴⁹

Thus, when the peace talks commenced anew in the spring of 1381, Venice assumed a stance far superior than it could in the winter of 1379. Mediated by the *amicabilis compositor* Amadeo VI, the count of Savoy, the final peace treaty was not agreed upon until the 8th of August, 1381.⁵⁰ Named after the place of its signing, the Peace of Turin officially ended the War of Chioggia and ushered in a period of peace between Genoa, Francesco da Carrara, the Patriarchate of Aquileia and the Kingdom of Hungary on the one side, and Venice on the other.⁵¹ Although the Republic of St. Mark had to make a number of concessions to the members of the anti-Venetian league, including the annual payment of seven thousand golden ducats to King Louis I, the treaty did not improve the state of the Patriarchate of Aquileia in any way whatsoever; the jurisdictional map of Istria was to return to the *status quo ante bellum*. For Istria everything was supposed to remain as it had been, completely unchanged by the momentous, for Venice nearly fatal armed conflict. That, however, was also not to be.

⁴⁹ “Anno Domini MCCCLXXXI, die tertia mensis ianuarii obiit in Domino reverendus pater bone memorie Marquardus patriarcha Aquilegensis de genere nobilem de Randech de Augusta.” Quoted in Bernardo Maria De Rubeis, *Monumenta Ecclesiae Aquileiensis commentatio historico-chronologico-critico illustrata* (Venice, 1748), cols. 955–56 (hereafter: *MEA*). The leadership of the Patriarchate of Aquileia was bestowed upon Count Frederick of Porcia. On the 20th of January, 1380, *Federicus comes de Porcileis sede vacante Aquilegiensis Ecclesie vice dominus generalis*, nominated an Hartwig of Udine as the captain of Labin, Rovinj, Turnina, Dvigrad, Plomin, Vodnjan, Mutvoran, Pula and the entire district of Pula (*tota Pulesana*). Kandler, ed., *CDI* 3: 1409, doc. 832.

⁵⁰ The course of negotiations is detailed in Casati, *La guerra*, 180–246. Especially amusing are the demands of King Louis I who not only requested the entire Venetian Istria for his crown, but also the complete subjugation of Venice to the Kingdom of Hungary. His propositions are published in Casati, *La guerra*, 180–86, and 200–04. Venetian response to the second set of demands in Casati, *La guerra*, 212–15. The *patti* between the Patriarchate of Aquileia and Venice, that do not explicitly mention Istria at all, are also edited in Casati, *La guerra*, 215–22.

⁵¹ The text of the Peace of Turin has been edited multiple times. One of the better editions, based on the originals from ASV, is the one featured in Šime Ljubić, ed., *Listine o odnošajih između južnog Slavenstva i Mletačke Republike* [Charters on the relations between the southern Slavs and the Republic of Venice], vol. 4, *Monumenta spectantia historiam Slavorum meridionalium* (hereafter: *MSHSM*) (Zagreb: Jugoslavenska akademija znanosti i umjetnosti, 1868), 119–63, doc. 241.

The Dawn of the New Age: From *Commune* to *Dominium Veneciarum*

The aftereffects of the almost disastrous War of Chioggia ushered in a new era in the history of Venice. Brought to the very brink of defeat and humiliating subjugation to their mortal enemies, reduced to the mere *reliquia reliquiarum* of the once mighty Queen of the Adriatic, the governmental policies of the Venetian political stratum were bound to fundamentally change.



Map 4: Venice after the War of Chioggia, 1381

This transformation of Venice following the traumatic war against the mighty anti-Venetian alliance began on the 9th of September, 1381, with the admittance of thirty new families of the *popolani* into the closed ranks of Venetian nobility.⁵² New faces within the Great Council only

⁵² Already on the 1st of December, 1379, the Venetian Senate promised to reward thirty non-noble families who would help in the War of Chioggia the most with ennoblement and acceptance into the Great Council. ASV, Senato, Deliberazioni, Misti (hereafter: SMi), reg. 36, fol. 86r. The promise was indeed kept and on the 9th of September, 1381, thirty new families were accepted into the ranks of Venetian nobility. ASV, Commemoriali, reg. 8, fol. 42v–49v, regestum in *I libri commemoriali della Repubblica di Venezia: Regesti*, ed. Riccardo Predelli, vol. 3, Monumenti storici pubblicati della Regia deputazione veneta di storia patria, serie prima: Documenti 9 (Venice: Deputazione veneta di storia patria, 1883), 150, doc. 95 (hereafter *LC*). See also Samuele Romanin, *Storia documentata di Venezia*, 2nd ed., vol. 3 (Venice: Giusto Fuga, 1912), 280–1, 300–1. Venetian nobility was “closed” ever since the first so-called *serrata* (“closing”) of the Great Council in 1293, but the political stratum “opened” its door on several occasions after this date. On the *serrata* of the Venetian Great Council and subsequent “reopenings”, see Stanley Chojnacki, “La formazione della nobiltà dopo la Serrata,” in *Storia di Venezia*, vol. 3: *La formazione dello stato patrizio: Diritto*,

catalyzed the process of transformation during which a number of new laws and provisions were enacted, new governmental bodies were formed and reformed, and a completely new political trajectory surfaced.⁵³ For example, the ancient *arenga*, the council comprising all the male citizens of legal age in Venice, was finally abolished on the 7th of April, 1423, removing the last remnants of popular participation from Venetian government.⁵⁴ Furthermore, among the many legal, administrative and fiscal changes introduced during this period of metamorphosis, Venetians were, for example, banned from holding fiefs or any other type of benefice, receiving salaries, and serving as podestàs (rectors) in lands that were not directly subjected to the *Commune Veneciarum*.⁵⁵ At its surface, it would seem as if the law was meant to force the Venetians to keep to themselves, restraining them to their old territories and forbidding them from getting involved with neighboring polities and potentially detrimental alliances. However, the law was meant to foster completely the opposite. It was no longer sufficient simply to cultivate good relations with the neighboring forces by sending them officials such as podestàs and captains, or by entering their service as feudal lords, a policy that Venice practiced for centuries, especially from the thirteenth century onwards.⁵⁶ Instead, the new age required a far more direct control of neighboring territories—direct subjugation to Venice.⁵⁷

Indeed, beginning with 1386 Venice embarked on its largest territorial expansion yet, not only consolidating its dominance on the sea, specifically in the Adriatic (thus rightfully dubbed the Gulf of Venice), but also on the mainland as well:

finanze, economia, ed. Girolamo Arnaldi, Giorgio Cracco, and Alberto Tenenti (Rome: Treccani, 1997), 641–725; Gerhard Rösch, “The *Serrata* of the Great Council and Venetian Society: 1286–1323,” in *Venice Reconsidered: The History and Civilization of an Italian City-State, 1297–1797*, ed. John Martin and Dennis Romano (Baltimore, MD: Johns Hopkins University Press, 2000), 67–88; Dorit Raines, “Cooptazione, aggregazione e presenza al Maggior Consiglio: Le casate del patriziato veneziano, 1297-1797,” *Storia di Venezia - Rivista* 1 (2003): 1–64.

⁵³ A good, albeit not perfect list of new laws enacted from 1400 to 1550 is featured in Giuseppe Gullino, “L’evoluzione costituzionale,” in *Storia di Venezia*, vol. 4: *Il Rinascimento: Politica e cultura*, ed. Alberto Tenenti and Ugo Tucci (Rome: Treccani, 1996), 346–54.

⁵⁴ “Ordinetur quod partes capte usque ad presens in Maiori Consilio, in quibus sit mentio quod ponantur in Arengo, et ille que capientur tempore vocacionis, ducatur cum capte fuerint in Maiori Consilio, habeant illa firmitatem et eundem vigore ac si extitissent publicate in Arenga, nec publicentur amplius in Arengo, nec vocetur amplius Arengum, salve quod creato domino duce vocari Arengum, et publicari in illo oratio sua iuxta solitum. De parte 547, de non 116, non sinceri 41.” ASV, Maggior Consiglio, Deliberazioni (hereafter: MC), reg. 22: Ursa, fol. 56r.

⁵⁵ The law was passed on the 17th of June, 1403. ASV, MC, reg. 21: Leona, fols. 135v–136r. I have edited the *pars in extenso* in the appendix. See doc. A in appendix 5.

⁵⁶ Elisabeth Crouzet-Pavan, “Venise et le monde communal: Recherches sur les Podestats vénitiens,” in *I podestà dell’Italia comunale*, vol. 1: *Reclutamento e circolazione degli ufficiali forestieri (fine XII sec.-metà XIV sec.)*, ed. Jean-Claude Maire Vigueur, Nuovi studi storici 51 (Rome: Istituto storico italiano per il Medio Evo, 2000), 259–86.

⁵⁷ Gaetano Cozzi, “Politica, società, istituzioni,” in *La Repubblica di Venezia nell’età moderna: Dalla guerra di Chioggia al 1517*, *Storia d’Italia* 12/1 (Turin: Utet, 1986), 15–16.

- Corfu and Burtint were annexed in 1386;
- Argos, Nafplio, and Andros following in 1388;
- the islands Tinos and Mykonos in 1390 and that was also the year when Venice remained the only jurisdictional power on the entire Euboea;
- expansion over the non-Dalmatian area of the eastern Adriatic commenced with the subjection of Durrës in 1392 and continued with Lezhë in 1393, Shkodër and Drisht in 1396, the nucleus from which the region called Venetian Albania emerged;
- On the mainland, Venice subjected the communes of Vicenza, Feltre, and Belluno in 1404, Rovigo, Verona, and Padua a year later, in 1405;
- Nafpaktos and Patras were added to Venetian jurisdiction in 1407, Pylos in 1417;
- The purchase of Zadar and the regal rights over Dalmatia in 1409 started an avalanche of subjections in the eastern Adriatic: Zadar, Osor, Rab, Cres and Nin in 1409, Šibenik in 1412, Split, Trogir, Korčula, Brač, Hvar, Pag and Kotor in 1420;
- Finally, the mainland annexation of the Patriarchate of Aquileia in 1420, Brescia in 1426, and Bergamo in 1428 closed off this giant wave of Venetian expansionism.⁵⁸

During these fateful forty-two years (1386–1428), Venice transformed into an expansive *Dominium* stretching from eastern Lombardy in *Regnum Italicum*, covering virtually the entire eastern shore of the Adriatic, all the way to Crete, the Cyclades archipelago, and Euboea in the Aegean.

⁵⁸ Monique O’Connell, *Men of Empire: Power and Negotiation in Venice’s Maritime State* (Baltimore, MD: Johns Hopkins University Press, 2009), 22. I will return to many of these episodes of expansionism in greater detail later in the study.



Map 5: Venice after the War of Chioggia and the takeover of the Patriarchate of Aquileia, 1421

Thus, from the ashes of the Chioggian war a new Venice emerged, one that boldly decided to break away with its traditional politics of “cultivating the sea and leaving the land alone”, daringly entering the stage of broader European “international affairs”.⁵⁹ Hence, when in 1415 Jacobello del Fiore painted the quintessential Venetian motif—the winged lion of St. Mark, protector of Venice—the majestic creature was depicted with its rear paws in the sea, the traditional area of Venetian political and mercantile activity, but with its front set firmly on the mountainous land, unmistakably representing the new aspect of the Most Serene republic; maritime and continental dominance went “paw in paw”.⁶⁰

⁵⁹ The quotation is a translation of Rafaino Caresini’s famous line, originally written in Latin as “*proprium Venetiarum esse mare colere, terramque postergare*” and subsequently translated into Veneto as “*esser cosa propria de Venexia a coltivar el mar e lassar star la terra*.” Caresini, *Chronica*, 58. I am fully aware that the term “international” is utterly inappropriate for the Late Middle Ages, the era that was still centuries removed from the birth of contemporary nation states. Unbefitting as it is, I will use the term in the meaning of political relations between different geopolitical jurisdictions simply for the sake of narrative aesthetics, although “geopolitical relations” or simply “geopolitics” could (and will) be used as a synonym. On medieval geopolitics, to which I will return recurrently throughout the study, I have been influenced the most by Andrew A. Latham, *Theorizing Medieval Geopolitics: War and the World Order in the Age of Crusades*, Routledge Research in Medieval Studies 3 (New York: Routledge, 2012).

⁶⁰ See image 1 below. Marco Pozza, “I proprietari fondiari in terra ferma,” in *Storia di Venezia: Dalle origini alla caduta della Serenissima*, vol. 2: *L’età del Comune*, ed. Giorgio Cracco and Gherardo Ortalli (Rome: Treccani, 1995), 661. The image is taken from Maria Pia Pedani, “Mamluk Lions and Venetian Lions 1260–1261,” *Electronic Journal of Oriental Studies* 7, no. 21 (2004): 17, and I will return to it in chapter III. The scholarship on the motifs on the



Image 1: Jacobello del Fiore, *The Lion of St. Mark, Venice, Ducal Palace, 1415.*

This newborn likeness of Venice was also mirrored in local poetry as attested in a quatrain of a lengthy patriotic poem composed in 1420:

The great lion has one paw in the meadow,
The other on the mountain, the third on the plain,
The fourth is set in the sea,
So as to make a wide passage.⁶¹

Moreover, in 1440 Venetian territories were officially split between the so-called *Stato da Mar*, comprising maritime possessions on the Adriatic and the Eastern Mediterranean, and the *Terraferma*, the newly annexed jurisdictions on the continent.⁶² Finally, this metamorphosis even brought about the official renaming (or “rebranding”) of Venice: on the 9th of May, 1462, the *Commune Veneciarum* formally changed its name to *Dominium Veneciarum*.⁶³

winged lion in Venetian history is abundant. See e.g. Weiprecht Hugo Rüdert von Collenberg, “Il leone di San Marco: Aspetti storici e formali dell’emblema statale della Serenissima,” *Ateneo veneto*, n.s., 27 (1989): 57–84.

⁶¹ “El gran lion un pe tien in sul prato / Laltro nel monte el terzo in piana terra / El quarto al mar saferra / Per modo che la fato un largo vargo.” Bartolomeo Gamba, ed., *Raccolta di poesie in dialetto veneziano d’ogni secolo* (Venice: Giovanni Cecchini, 1845), 4 (the entire poem on 3–10). The translation into English is taken from Patricia Fortini Brown, *Venice and Antiquity: The Venetian Sense of the Past* (New Haven: Yale University Press, 1996), 99.

⁶² From 1440 the official registers of the Venetian Senate are split into those concerning *Terra* and those concerning *Mar*. Giorgio Zordan, *L’ordinamento giuridico veneziano* (Padua: Imprimerie, 2005), 193. See also Benjamin Arbel, “Colonie d’Oltremare,” in *Storia di Venezia dalle origini alla caduta della Serenissima*, vol. 5: *Il Rinascimento: Società ed economia*, ed. Alberto Tenenti and Ugo Tucci (Rome: Treccani, 1996), 954.

⁶³ “Promissio principis nostri corrigatur et reformetur in omni parte ubi dicitur *Comune Veneciarum* loco quorum verborum dicatur *Dominium Veneciarum*, fiatque et rescribatur unus novus liber promissionis eiusdem.” ASV, MC,

Interregional Discrepancies

This Venetian transformation has traditionally been viewed in the context of a broader Italian phenomenon of the Late Middle Ages: the birth of the so-called “regional” or “territorial states” (*stati territoriali* or *stati regionali*).⁶⁴ This process, insightfully and elegantly outlined by Isabella Lazzarini, resulted in the middle of the fifteenth century with the effective division of the Apennine peninsula to no more than five “regional states”: the Duchy of Milan, the Commune of Florence, and the newly titled *Dominium* of Venice in the north, the Papal states in the center, and the Kingdom of Naples in the south.⁶⁵

reg. 23: *Regina*, fol. 43v [italics added by the author]. This law marks the official renaming of Venice from *Commune* to *Dominium*, and this was correctly stated by Gaetano Cozzi. Cozzi, “Politica, società, istituzioni” 100. Many authors incorrectly state that this change of name happened in 1423, more precisely on the 7th of April. E.g. Robert Finlay, *Politics in Renaissance Venice* (London: Ernest Benn, 1980), 43; Gullino, “L’evoluzione,” 349; Michael E. Mallett, “La conquista della Terraferma,” in *Storia di Venezia dalle origini alla caduta della Serenissima*, vol. IV: *Il Rinascimento. Politica e cultura*, ed. Alberto Tenenti and Ugo Tucci, (Rome: Treccani, 1996), 219 (citing Cozzi who does not date the change to 1423, but, correctly, to 1462). This is plain wrong; it is based on a reading of Samuele Romanin who wrote between 1853 and 1861, that the final abolition of Venetian *arena* marked the end of the transformation from *Commune* to *Dominium*. Samuele Romanin, *Storia documentata di Venezia*, 2nd ed., vol. 4 (Venice: Giusto Fuga, 1913), 98. It is true that the name *Dominium Veneciarum* began to be used increasingly in official documents already in the first half of the 15th century and the Venetian *arena* was indeed abolished precisely on the 7th of April, 1423 (see fn. 54), but the official change of name was formally accepted only in 1462. Thus, Francesco Foscari’s *promissio* (a sacred oath ceremoniously sworn by every newly elected doge upon being elected), taken in 1423, regularly features the name *Commune Veneciarum*, not *Dominium*. E.g. “De bono regimine et conservatione boni status Communis Venetiarum.” In chapter 112 of the *promissio*, however, the phrase “Pro honore nostri Dominii” snuck in. Dieter Girgensohn, *Francesco Foscari: Promissione ducale 1423* (Venice: La Malcontenta, 2004), 119–121, chap. 112 on 119–121, (quotation on 121, facsimile of the original on 120).

⁶⁴ I put the terms between quotation marks because I do not subscribe fully to their usual semantic fields. I will discuss them in more detail later in the chapter.

⁶⁵ Isabella Lazzarini, *L’Italia degli Stati territoriali: Secoli XIII–XV* (Rome: Laterza, 2003), 75–127, 138–169. The following map is taken from Andrea Gamberini, *The Clash of Legitimacies: The State-Building Process in Late Medieval Lombardy*, trans. Stuart Wilson (Oxford: Oxford University Press, 2018), 103, map II.1.1: Italy in 1454. I have modified it only slightly and only the part pertaining to Istria. This effective partitioning of the Apennine peninsula was catalyzed by the Peace of Lodi, signed between Milan and Venice on the 9th of April, 1454, and sanctioned by the creation of the so-called Italian League soon thereafter. The treaty of the Peace of Lodi is edited in Jean Dumont, ed., *Corps universel diplomatique du droit des gens*, vol. 3/1 (Amsterdam: Brunel, Wetstein, Janssens, Waesberge, l’Honore and Chatelain, 1726), 202–6, doc. 150. See also, Isabella Lazzarini, “Peace of Lodi (1454) and the Italian League (1455),” in *The Encyclopedia of Diplomacy*, ed. Gordon Martel (Chichester: John Wiley & Sons, 2018), <https://doi.org/10.1002/9781118885154.dipl0282> [last access: 7th of May, 2021].



Map 6: Italy after the signing of the Peace of Lodi (1454)

In a nutshell, the transformation from a loosely organized commune typical of the High Middle Ages into a late medieval “territorial state” (I will return to this concept later) implied processes such as the consolidation of territorial dominions—achieved through a combination of more rigid demarcation with neighboring polities, mapping, and, most importantly, stricter control over subject centers (achieved primarily through the administration of justice); a more centralized and bureaucratized taxation aimed at upkeeping the expensive mercenary companies upon which the fate of the wars came to depend upon; and institutional reformation coupled with (re)hierarchization of social strata in the major centers (a process that was at times capillary

diffused in the subject minor centers as well).⁶⁶ In the European continent—what is nowadays termed Western and Central Europe—a similar process took place, overviewed by John Huxtable Elliott in another piece of classic scholarship that dubbed these new types of kingdoms “composite monarchies.”⁶⁷

For Venice, this period of transformation to a “territorial state” was famously delimited by the great Gaetano Cozzi to 1381 (the end of the War of Chioggia) and 1517 (the end of the War of the League of Cambrai)—the most turbulent, decisive and, above all, triumphant age in Venetian storied history.⁶⁸ Not only would the *Serenissima* completely recover from the devastating War of Chioggia, but it would enlarge its territories both on the mainland and on the sea to such an extent that it would become the absolute ruler of the Adriatic, the dominator of the Eastern Mediterranean and the most dangerous force on the Apennine peninsula. The nascent *Dominium* was also rapidly changing, concocting new formulae and solutions in their bustling state-building laboratory and continuously morphing under the influence of budding transculturation processes ushered in by new relations with their novel subjects in the *Regnum Italicum*.⁶⁹

This period of Venetian history has received ample attention from historians, especially concerning the various aspects of Venetian *Terraferma*. Rightfully enjoying their privileged places in the pantheon of classics are the penetrative analysis of Gaetano Cozzi on the aspects of justice administration and Angelo Ventura on the effects of this nascence on the social stratification, both overviewing the entirety of the Venetian *Dominium*, but focusing more closely on the mainland state.⁷⁰ Cozzi’s thesis on the centrality of justice administration in late medieval Venice remains uncontested to date, followed and built upon by a legion of Venetianists—Alfredo Viggiano,

⁶⁶ Giorgio Chittolini, “Introduzione,” in *La crisi degli ordinamenti comunali e le origini dello stato del Rinascimento*, Istituzioni e società nella storia d’Italia 2 (Bologna: Il Mulino, 1979), 7–50, esp. 32–40.

⁶⁷ John H. Elliott, “A Europe of Composite Monarchies,” *Past & Present* 137 (1992): 48–71.

⁶⁸ Gaetano Cozzi and Michael Knapton, *La Repubblica di Venezia nell’età moderna: Dalla guerra di Chioggia al 1517*, Storia d’Italia 12/1 (Turin: Utet, 1986). For Venice, the War of the League of Cambrai officially ended only on the 17th of January, 1517, when they ceremoniously entered Verona, a much contested city during this phase of the so-called Italian Wars. Michael E. Mallett and Christine Shaw, *The Italian Wars, 1494–1559: War, State and Society in Early Modern Europe* (London: Routledge, 2012), 134.

⁶⁹ I define the concept of transculturation according to Fernando Ortiz, as a multilinear process of cultural transformation resulting from the contact and exchange between two or more societies. Culture is here defined in its broadest possible meaning. Fernando Ortiz, *Cuban Counterpoint: Tobacco and Sugar*, trans. Harriet de Onís (Durham: Duke University Press, 1995), 97–103. I will define the concept of state-building later in the chapter.

⁷⁰ Gaetano Cozzi, “La politica del diritto della Repubblica di Venezia,” in *Stato, società e giustizia nella Repubblica Veneta (sec. XV–XVII)*, ed. Gaetano Cozzi, vol. 1 (Rome: Jouvence, 1980), 17–152 (republished in Gaetano Cozzi, *Repubblica di Venezia e Stati italiani: Politica e giustizia dal secolo XVI al secolo XVIII* (Turin: Einaudi, 1982), 217–318); Angelo Ventura, *Nobiltà e popolo nella società veneta del ’400 e ’500*, 2nd ed. (Milan: Unicopli, 1993; 1st ed. Bari: Laterza, 1964). I shall be citing Cozzi’s paper from the 1982 edition.

Ermanno Orlando, and Claudio Povolo being the leading names—demonstrating that the most privileged point of view to discern the so-called “Venetian impact” on their subjects is precisely through detailed analyses of the administration of justice, a paramount sphere of jurisdiction systematically entrusted to delegated Venetian noblemen.⁷¹ Viggiano’s study on Venetian appellate jurisdictions and their interactions with the subject communes of the Venetian Terraferma and their delegated rectors is exemplary in this context, offering a keen insight into the functioning of a nascent “territorial state” and the struggle between the predominance of custom vs. law.⁷² Moreover, John Easton Law, Gian Maria Varanini and Michael Knapton ushered in a completely new phase of research on the Venetian *Terraferma*, creating perfectly fertile soil for subsequent studies of Venice within the broader context of the emerging Italian “regional states”.⁷³ Another praiseworthy scholarly endeavor is the recent publication of Karl Appuhn on the Venetian forestry laws and the dynamic interplay between woodland exploitation and conservation to which the *Dominium Veneciarum* devoted ample attention.⁷⁴ Appuhn’s study covers a large chronological span—from the mid-fourteenth all the way to the eighteenth century—and it also focuses almost exclusively on the easternmost part of the Venetian *Terraferma*. Finally, numerous case studies of single cities and/or jurisdictional microregions of the *Serenissima*’s mainland state have considerably furthered Venetian historiography, clearly demonstrating the above-mentioned processes of transculturation to which both the subject centers and the capital were clearly exposed.⁷⁵

⁷¹ Most notably appropriated by the prolific venetianists Ermanno Orlando and Claudio Povolo. See e.g. Ermanno Orlando, “Politica del diritto, amministrazione, giustizia: Venezia e la Dalmazia nel basso medioevo,” in *Venezia e Dalmazia*, ed. Oliver Jens Schmitt and Uwe Israel (Rome: Viella, 2013), 9–61; Claudio Povolo, “Un sistema giuridico repubblicano: Venezia e il suo stato territoriale (secoli XV–XVIII),” in *Il diritto patrio tra diritto comune e codificazione (secoli XVI–XIX)*, ed. Italo Birocchi and Antonello Mattone (Rome: Viella, 2006), 297–353.

⁷² Alfredo Viggiano, *Governanti e governati: Legittimità del potere ed esercizio dell’autorità sovrana nello Stato veneto della prima età moderna* (Treviso: Edizioni Canova, 1993).

⁷³ The salient publications on Venice of all three of these great venetianists are republished in the authors’ respective collection of studies. Gian Maria Varanini, *Comuni cittadini e stato regionale: Ricerche sulla Terraferma veneta nel Quattrocento* (Verona: Libreria Editrice Universitaria, 1992); John E. Law, *Venice and the Veneto in the Early Renaissance* (Aldershot: Ashgate, 2000); Michael Knapton, *Una repubblica di uomini: Saggi di storia veneta*, ed. Andrea Gardi, Gian Maria Varanini, and Andrea Zannini (Udine: Forum, 2017).

⁷⁴ Karl Appuhn, *A Forest on the Sea: Environmental Expertise in Renaissance Venice* (Baltimore, MD: Johns Hopkins University Press, 2009).

⁷⁵ The classic is the study of James S. Grubb on 15th-century Vicenza, an urban commune steeped in the juridical culture of *ius commune* that became part of *Dominium Veneciarum*, a dominion that developed outside of this legal system. James S. Grubb, *Firstborn of Venice: Vicenza in the Early Renaissance State* (Baltimore, MD: Johns Hopkins University Press, 1988). Other notable monographs on single Venetian cities during the era are Alfredo Pino Branca, “Il comune di Padova sotto la Dominante nel secolo XV: Rapporti amministrativi e finanziari” *Atti del reale Istituto veneto di Scienze, lettere ed arti* 93/2 (1933–1934): 325–90, 879–940, 1249–1323 (part I), 94 (1936–1937): 739–74

Unlike the *Terraferma*, the maritime part of the Venetian dominium received a rather different treatment. Coastal cities of Dalmatia, present-day Albania and Greece are usually analyzed in the context of modern-day nation states. From this point of view, Venetian administration is regularly conceptualized as “foreign” and, in more extreme cases, “colonial”.⁷⁶ There are notable exceptions: the voluminous monograph on Venetian Albania penned by the polyglot Oliver Jens Schmitt and Monique O’Connell’s concise treatment of *Stato da Mar* from the perspective of the interplays between Venetian rectors and subject communities.⁷⁷ The latter work is a first monograph-length account synthesizing the achievements of scholars dealing with *Terraferma* and “territorial states” of Italy in general, in the context of the maritime parts of the *Dominium Veneciarum*. Thus, O’Connell successfully demonstrates, in complete synchrony with the classic hypotheses of Giorgio Chittolini—who based his model on late medieval Milan—that Venetian administration in the maritime subject centers functioned through the nexus of both public (official) and private (individual) affairs, interlocking the Venetian noblemen delegated to serve as rectors with the local populace, thus creating a fertile soil for the delegated podestàs to cultivate private interests (economic and/or social) in the area under their administration.⁷⁸ Superimposed upon this structure were the Venetian appellate jurisdictional bodies, available to the population in cases where rectors’ conduct was deemed inappropriate.⁷⁹ Thus, the entire system was maintained through a continuous synthesis of public and private, generating a type of statehood typical for late medieval “territorial states”. As such, the study presents a great advancement in Venetian studies (Ital. *venezianistica*).

(part II/1), 97 (1937–1938): 71–100 (part II/2); Giuseppe Del Torre, *Il Trevigiano nei secoli XV e XVI: L’assetto amministrativo e il sistema fiscale* (Venice: Il Cardo, 1990); Stephen D. Bowd, *Venice’s Most Loyal City: Civic Identity in Renaissance Brescia* (London: Harvard University Press, 2010). Friuli is usually treated regionally and not through single city case-studies. Giuseppe Trebbi, *Il Friuli dal 1420 al 1797: La storia politica e sociale* (Udine: Casamassima, 1999).

⁷⁶ A textbook example of this sort of negative interpretation of Venice as “the exploiter” remains Freddy Thiriet, *La Romanie vénitienne au Moyen Âge: Le développement et l’exploitation du domaine colonial vénitien (XIIIe-XVe siècle)* (Paris: De Boccard, 1959). For similar interpretative lines in Dalmatian history, see Egidio Ivetic, “Storiografie nazionali e interpretazioni della Dalmazia medievale,” in *Venezia e la Dalmazia anno mille: Secoli di vicende comuni. Atti del Convegno di studio Venezia, 6 ottobre 2000*, ed. Nedo Fiorentin (Canova: Regione del Veneto, 2002), 95–134.

⁷⁷ Oliver Jens Schmitt, *Das venezianische Albanien (1392–1479)*, Südosteuropäische Arbeiten 110 (Munich: Oldenbourg, 2001); O’Connell, *Men of Empire*.

⁷⁸ Giorgio Chittolini, “The ‘Private,’ the ‘Public,’ the State,” in *The Origins of the State in Italy: 1300–1600*, ed. Julius Kirschner (Chicago: University of Chicago Press, 1995), 34–61.

⁷⁹ O’Connell, *Men of Empire*, 119–39.

Notwithstanding these praiseworthy expectations, *Stato da Mar* remains far from enjoying the enviable position in historiography as its continental counterpart. This state in historiography was recently noticed by the very O’Connell who rightfully concluded that there is a “remarkably wide gulf in the scholarship between the Venetian *Stato da Mar* and *Terraferma* realms.”⁸⁰ But there is one particular region of the Venetian dominium that suffers an even viler faith.

⁸⁰ Monique O’Connell, “Individuals, Families, and the State in Early Modern Empires: The Case of the Venetian *Stato Da Mar*,” *Zgodovinski Časopis* 67, no. 1–2 (2013): 18.

Chapter I: Venetian Istria

A Forlorn Region

Venetian Istria, a jurisdictional region briefly outlined in the *Prologue*, is a quintessential possession of the Republic of St. Mark, harboring political, social, economic, and cultural relations with the Dominant since the Early Middle Ages.⁸¹ The coastal cities of the Peninsula became part of the *Commune Veneciarum* already during the thirteenth century and the Queen of the Adriatic only expanded its jurisdictions in Istria throughout the subsequent medieval centuries. However, Istria enjoyed a unique position in the Venetian nascent dominium: it was sitting somewhere between the newly born *Terraferma* and the *Stato da Mar*, although leaning more heavily towards the latter. For example, decrees concerning the Peninsula are regularly recorded in the *Mare* registers of the Senate deliberations, but at the same time the syndics for mainland state (*sindici di Terraferma*) were responsible for Istria as well.⁸² It is precisely this unique position that resulted with Istria being so neglected in contemporary scholarship: both the studies focusing solely on the mainland, as well as those dealing only with the maritime state of *Dominium Veneciarum* ignore the Peninsula.⁸³ Moreover, the fact that Istrian urban and semi-urban centers are significantly

⁸¹ For the 10th and 11th- century relations between Istrian towns and cities with Venice, a good overview is Giovanni de Vergottini, “Venezia e l’Istria nell’alto Medioevo,” in *Storia della civiltà veneziana*, vol. 1: *Dalle origini al secolo di Marco Polo*, ed. Vittore Branca (Florence: Sansoni, 1979), 72–83. For the 12th century, a period of “the oaths of *fidelitas*”, see Darko Darovec, “I giuramenti di *fidelitas* delle città istriane nel XII° secolo,” in *Atti del convegno internazionale Venezia e il suo Stato da mar / Venice and its Stato da Mar, Venezia / Venice, 9-11 marzo / March 2017*, Stato da Mar: Collana della Società Dalmata di Storia Patria 1 (Rome: Società Dalmata di Storia Patria, 2018), 21–49.

⁸² On this unique position of Istria see Alfredo Viggiano, “Note sull’amministrazione veneziana in Istria nel secolo XV,” *Acta Histriae* 3 (1994): 9 (conceptualizes Istria as closer to *Terraferma*); Arbel, “Colonie d’Oltremare,” 954–55 (conceptualizes Istria as closer to *Stato da Mar*); Giuseppe Trebbi, “Introduzione,” ed. Miriam Davide and Giuseppe Trebbi, *Quaderni Giuliani di Storia: Le relazioni tra il Friuli e l’Istria fra tardo medio evo e prima età moderna* 40, no. 2 (2019): 345–66 (best overview of the problem).

⁸³ On the one hand, for example, Zamperetti’s landmark study on the Venetian *Terraferma* in the 15th and 16th centuries, synthesizing the entirety of Venice’s continental possessions, completely ignores Istria, obviously conceptualizing the region as pertaining to *Stato da Mar*. Sergio Zamperetti, *I piccoli principi: Signorie locali, feudi e comunità soggette nello stato regionale veneto dall’espansione territoriale ai primi decenni del ’600* (Venice: Il Cardo, 1991). On the other hand, Monique O’Connell’s often cited monograph on 15th-century Stato da Mar does the same, explicitly stating that “[t]he Istrian peninsula, suspended between [T]erraferma and maritime regions, is also excluded [from the study].” O’Connell, *Men of Empire*, 8. In connection to the aforementioned “remarkably wide gulf in the scholarship between the Venetian [S]tato da [M]ar and [T]erraferma realms,” O’Connell rightfully concluded that Istria “on the archival as well as physical border between the two realms, often is lost in the gap.” O’Connell, “Individuals, Families, and the State,” 18. Two exceptions to this case are the mentioned studies by Viggiano and Appuhn who include Istria in their analyses as part of the Venetian *Terraferma*.

smaller and less populous than the principal cities of the Venetian *Terraferma* such as Treviso, Vicenza, Verona and Padua, surely contributed to the noticeable disinterest of extra-regional scholars in studying these subjected communities. As the following table clearly demonstrates, the vast majority of Istrian (semi-)urban centers were of modest size and with the lone exception of Koper, none of them are estimated to have had more than ten thousand inhabitants, at least not in the fifteenth and sixteenth centuries. For comparisons sake, Verona had a population of thirty thousand in 1470s, Vicenza and Padua around nineteen thousand in late *Quattrocento*, whereas Venice boasted around eighty-five thousand people in 1422 and a hundred and fifty thousand in 1548.⁸⁴

Venetian subject Centre in Istria	Relative population (1477)	Estimated population of a city / town (c. 1477)	Estimated population of the accompanying district (c. 1477)	Estimated total population (c. 1477)	Exact population number as registered in 1554 (town/city+district)
Koper	1301	6500	4500	11000	11294
Muggia	264	1300	150	1450	1548
Izola	188	750	150	900	1700
Piran	422	2000	1000	3000	3100
Umag	178	750	150	900	700
Novigrad	179	750	600	1350	1008
Poreč	427	2000	450	2450	1120
Rovinj	288	1200	/	1200	1919
Bale	150	600	1000 (including Savičenta)	1600	904 (+ 2000 from Savičenta)
Dvigrad	118	450	200	650	/
Sveti Lovreč	200	850	250	1100	1200
Buje	190	750	700	1450	1614
Grožnjan	112	450	150	600	928
Motovun	350	1200	2300	3500	4263
Buzet	151	600	300 (including Petrapilosa)	900	4844 (including Hum and Roč, Sovinjak, Vrh and Draguč, and the villages around Rašpor)
Oprtalj	112	450	/	450	1166

⁸⁴ Grubb, *Firstborn of Venice*, 75; Maria Ginatempo and Lucia Sandri, *L'Italia delle città: Il popolamento urbano tra Medioevo e Rinascimento (secoli XIII-XVI)* (Florence: Le Lettere, 1990), 81–83.

Rašpor (including Roč and Hum)	226	900	/	900	See Buzet
Pula	/	1500	2500	4000	3251
Vodnjan	/	1500	/	1500	1845
Labin (with Plomin)	/	1300	2000	3300	2854
TOTAL		25800	16400	42200	47258 (52765)

Table 1: Estimated Demographic Picture of Venetian Istria, c. 1477⁸⁵

State of Scholarship

Neglected in the broader studies of late medieval Venice and Italian “territorial states” as it is, regional historiography is nonetheless regularly enriched by new studies of Venetian Istria. However, the majority of the publications focus on the period of mid-sixteenth century onwards, the age of early modernity, leaving the late fourteenth and fifteenth century aside. The reason for such a discrepancy between the popularity of the Early Modern period over the late medieval one is certainly manifold. On the one hand, the primary sources are immeasurably more numerous for the period between the mid-sixteenth and eighteenth century than they are for the late Middle Ages and Venetian Istria is no exception to this rule. Moreover, from the middle of the sixteenth century onwards these primary sources are regularly, with extremely few exceptions, written in *volgare*, that is in Veneto, the conversational language of both Venetians and Istrians alike that is still

⁸⁵ Notes on table 1: The table is constructed by taking the median values of population estimates as calculated by Egidio Ivetic (see fn. 88). The “Relative population” field is based on the numbers of workers that each Istrian commune had to provide—relative to the total number of their inhabitants—for canal digging and other manual labours in the woods of Motovun in 1477, as composed by the Venetian podestà of Motovun Antonio da Canal. This document was reported, but not edited, by Luigi Morteani, consulted from the communal archive of Motovun that is nowadays lost. Luigi Morteani, “Storia di Montona con appendice e documenti,” *AT*, ser. 2, 19, no. 1 (1894): 301–2, fn. 2. This relative population index was used by Ivetic in conjunction with the data on population as described by Marino Sanudo in 1483 in his famous Itinerary and as described by the Venetian syndics for *Terraferma* in 1554. The results of the estimation were then filtered through the lenses of the respective dependencies of each commune, taking into account the expanses of their districts—this stage of calculation is by far the most speculative and rests on the presupposition that the 1477 numbers only referred to the walled town/city itself (and immediate district), but not the entire communal *contado*. The estimated population of feudal jurisdictions of Petrapilosa and Svetvinčenat were added to Buzet’s and Bale’s district, respectively. Ivetic concluded that the overall population of Venetian Istria around 1477 amounted to a number between 36 000 and 47 000 people. By taking the median values proposed by Ivetic for each commune and its respective *contado*, the total number of 42 200 people is reached. Note that the far-right column, noting the numbers registered by the three syndics in 1554, features another total in parenthesis—this total includes the population of territories that were newly annexed to Venice after the War of the League of Cambrai and these jurisdictions, such as Vižinada, Završje and Barban, are not featured in this table. Finally, it must be noted that depopulation effects of the Italian Wars were countered in Istria by way of state-organized colonization of population from the Balkans, the so-called Morlachi. This phenomenon, however, falls outside the scope of this study.

spoken, or at least easily understood, by a considerable number of present-day Istrian population; conversely, throughout the fifteenth century the primary sources are still predominantly written in Latin.⁸⁶ These circumstances, coupled with the fact that the sources are written in humanistic script with far less contractions and abbreviations than its late gothic counterpart, would definitely explain why the Early Modern period enjoys much higher popularity in Istria than the late medieval one.

On the other hand, however, two prolific Istrian historians of the Early Modern Age created fertile soil for new studies, opening numerous research topics with their penetrative analyses of various aspects of political, social, economic, and cultural history of Venetian Istria: Egidio Ivetic and Miroslav Bertoša. Both of these respected venetianists contributed to the field of Early Modern Venice and Istria in their own right, Ivetic favoring topics related to social history and demography in general, while Bertoša focused on a myriad of social and cultural phenomena inspired by the methodological frameworks devised in the *Annales* school of historiography. Their respective voluminous monographs form the basic starting point for any inquiry into the early modernity of Venetian Istria and as such enjoy their rightful position as the absolute classics of Istrian historiography.⁸⁷ Unfortunately, such studies are utterly lacking for the late medieval period.

⁸⁶ Veneto is nowadays considered a distinct language, not an Italian dialect. As such it is recognized by the UNESCO under the signature *ISO 639-3 vec* and the catalogue of world languages *Ethnologue. Atlas of the World's Languages in Danger*, ed. Christopher Moseley, 3rd ed. (Paris: UNESCO, 2010) [I used the online edition available at <http://www.unesco.org/languages-atlas/>, last access: 1st of February, 2019]; <www.ethnologue.com/language/vec> [last access: 1st of February, 2019]. See also Paola Benincà et al., "Italo-Romance Languages," in *Encyclopedia of the Languages of Europe*, ed. Glanville Price (Oxford: Blackwell, 2000), 254–78, especially the paragraph titled "Venetan" on 266–7 authored by Paola Benincà.

⁸⁷ The seminal monographs are Miroslav Bertoša, *Istria: Doba Venecije (XVI.-XVIII. stoljeće)* [Istria: The age of Venice (16th – 18th centuries)] (Pula: Zavičajna naklada „Žakan Juri”, 1995); Miroslav Bertoša, *Doba nasilja, doba straha: Vojnici-pljačkaši, seljaci-razbojnici i doseljenici-nasilnici u Istri XVII. i XVIII. stoljeća* [The age of violence, the age of fear: Soldiers-robbers, peasants-bandits and migrants-bullies in seventeenth- and eighteenth-century Istria] (Zagreb: Duriex, 2012); Egidio Ivetic, *L'Istria moderna: Un'introduzione ai secoli XVI–XVIII*, Collana degli Atti 17 (Rovinj: CrsR, 1999); Egidio Ivetic, *Oltremare: L'Istria nell'ultimo dominio veneto* (Venice: Istituto Veneto di Scienze, Lettere ed Arti, 2000); Egidio Ivetic, *Un confine nel Mediterraneo: L'Adriatico orientale tra Italia e Slavia (1300–1900)* (Rome: Viella, 2014). The followers of both Bertoša and Ivetic continue the work on numerous aspects of Early Modern history of Venetian Istria: Marija Mogorović Crljenko focusing on gender history, marriage and women studies in particular; Danijela Doblanović Šuran publishing extensively on demographic history; and Elena Uljančić investigating various aspects of early modern Poreč. Their seminal publications include Marija Mogorović Crljenko, *Nepoznati svijet istarskih žena. Položaj i uloga žene u istarskim komunalnim društvima: primjer Novigrada u 15. i 16. stoljeću* [The unknown world of Istrian women: The status and the role of women in Istrian communal societies: Examples from Novigrad in the fifteenth and sixteenth centuries] (Zagreb: Srednja Europa, 2006); Marija Mogorović Crljenko, *Druga strana braka: Nasilje i ilegitalnost u (izvan)bračnim vezama na području Porečke biskupije u prvoj polovici 17. stoljeća* [The other side of marriage. Violence and illegitimacy in extra-marital bonds in the Poreč diocese in the first half of the 17th century] (Zagreb: Srednja Europa, 2012); Danijela Doblanović Šuran, *Žrvanj života: Stanovništvo Savičente od početka 17. do početka 19. stoljeća* [The grindstone of life: Population of Savičenta from the early 17th to the early 19th centuries] (Zagreb: Srednja Europa, 2017); Elena Uljančić, *U modi:*

Among the few studies dealing with Istrian fifteenth century are the already mentioned monographs penned by Viggiano and Appuhn, both authors contextualizing the Peninsula as part of the Venetian *Terraferma*. Both works are of immense importance for Istrian historiography, the former shedding light on the interplay between central institution, the delegated rectors and the subject community through the study of appellate jurisdictions, the latter successfully challenging the Marxist-inspired historiographical myth of “Venice the Exploiter.”

Another important contribution is the first chapter of Ivetic’s monograph on demography, a piece of scholarship that remains unsurpassed as the analysis of the demographic picture of late fifteenth-century Venetian Istria to this day.⁸⁸ Analyzing various published sources of both local Istrian and central Venetian provenance, the Pula-born historian concluded that in around 1477 the entire population of Venetian Istria can be estimated to circa 42000 people (cf. Table 1: Demographic Picture of Venetian Istria, c. 1477).⁸⁹ Notwithstanding this original research, Ivetic generally relies on secondary literature when discussing the Peninsula’s Late Middle Ages. In one of his more recent contributions, the prolific author stated that this particular period of Istrian history is still dominated by the old, late nineteenth- and early twentieth-century historiography; unfortunately, he was absolutely right.⁹⁰

The medieval era of Istrian history was most intensely researched in the late nineteenth century by local historians identifying with Italian nationality. Among them tower three figures in particular: Bernardo Benussi, Giovanni de Vergottini and Camillo de Franceschi. All three of them authored classic studies that are to this day essential starting points for any inquiry into the Istrian Middle Ages: Benussi’s thickly annotated synthesis of Istrian Early Middle Ages, De Vergottini’s monograph on medieval constitution of Istria, and De Franceschi’s voluminous study of the

Kultura odijevanja porečkih plemenitih građana (1650.-1720.) [In fashion: The culture of dressing of the noble citizens of Poreč (1650-1720)] (Zagreb: Srednja Europa, 2020).

⁸⁸ Egidio Ivetic, *La popolazione dell’Istria nell’età moderna: Lineamenti evolutivi* (Rovinj: CrsR, 1997), 68–72.

⁸⁹ Ivetic, *La popolazione*, 71.

⁹⁰ “Per l’Istria medievale ci dobbiamo affidare agli studi di Bernardo Benussi, Carlo De Franceschi e Giovanni De Vergottini, a una stagione lontana, tutta italiana di ricerche. ... La parcellizzazione [of Istria into three distinct national histories] divenne una regola per studi circoscritti e incapaci di proporre un medioevo diverso da quanto indicato da Benussi e De Vergottini. Oggi ci rendiamo conto che le tre storiografie, l’italiana, la slovena, la croata, non erano culturalmente preparate per affrontare il passato plurimo di una regione per secoli al confine di qualcosa, in senso politico e culturale.” Egidio Ivetic, “Ai limiti d’Italia: L’Istria dei comuni,” *Atti del Centro di ricerche storiche Rovigno* (hereafter *ACrsR*) 42 (2012): 73–74.

County of Pula during the lordship of the Castropola family.⁹¹ Unfortunately, yet again, fifteenth-century Venetian Istria is also largely ignored by the three greats of Istrian medieval studies.

Even though the Late Middle Ages was not systematically analyzed in published monographs, a huge number of primary sources pertaining precisely to the fourteenth and fifteenth century were edited and published precisely during this blooming era of Istrian historiography. Benussi edited the fifteenth-century statute of Pula and the instructions to Istrian rectors issued by the Venetian central government, De Franceschi published a great number of charters from the communal archive of Piran, but the most prolific and awe-inspiring remains the editorial work of Tomaso Luciani.⁹² This diligent archivist published the *regesta* of the deliberations of Venetian Senate concerning Istria from the fourteenth century onwards, including the *Senato misti* and *Senato Mare* registers.⁹³ These *regesta* remain the best research resource for any inquiry into the late medieval Venetian Istria to this day.

It must be noted, however, that this generation of scholars was marked by their unrepentant nationalism, often turning to the Middle Ages to “prove” that the Istrian peninsula “rightfully belonged” to the nascent Italian national state.⁹⁴ Such an approach to history was not unusual in the buoyant era of the nineteenth-century romantic nationalisms, but it distorted and obscured

⁹¹ Bernardo Benussi, *Nel Medio Evo: Pagine di storia istriana*, 2nd ed., Collana degli Atti 23 (Rovinj: CrsR, 2004; 1st ed. Poreč: Gaetano Coana, 1897); Bernardo Benussi, *L'Istria nei suoi due millenni di storia* (Trieste: Zanichelli, 1924); De Vergottini, *Lineamenti*, along with the two studies on Istrian constitution cited in footnotes 23 and 24; Camillo de Franceschi, “Il comune polese e la signoria di Castropola,” published in five parts in *AMSI*, 18/1–2 (1902): 168–212; 18/3–4 (1902): 281–361; 19 (1903): 147–227; 20/1–2 (1905): 95–130; 20/3–4 (1905): 1–39.

⁹² Bernardo Benussi, “Lo statuto del comune di Umago,” *AMSI* 8/3–4 (1892): 227–313; Bernardo Benussi, “Statuto del comune di Pola,” *AMSI* 27 (1911): 108–449; Bernardo Benussi, “Commissioni dei dogi al podestà veneti nell'Istria,” *AMSI* 3/1–2 (1887): 3–109. All of these editions are superseded by more recent, better critical editions. For the statutes, see fn. 122, for the *comissiones*, fn. 124. Camillo de Franceschi, “*Chartularium Piranense*: Raccolta di documenti medievali su Pirano con una dissertazione sulle origini e lo sviluppo del comune di Pirano: vol. 1 (1062–1300),” *AMSI* 36 (1924): 1–361. Vol. 2 (1301–1350) was published in the same journal in six installments: 43 (1931–1932): 19–96; 44 (1932–1933): 271–320; 45 (1933–1934): 255–320; 46 (1934): 107–192; 47 (1935–1937): 123–230; 50 (1938–1940): 171–200.

⁹³ “Senato secreti - cose dell'Istria,” *AMSI* 4/3–4 (1888): 265–301 (hereafter Senato secreti I); 6/3–4 (1890): 277–382 (hereafter Senato secreti II); “Senato misti - cose dell'Istria,” *AMSI* 3/3–4 (1887): 209–94 (hereafter: Senato misti I); 4/1–2 (1888): 13–153 (hereafter Senato misti II); 5/1–2 (1889): 3–83 (hereafter Senato misti III); 5/3–4 (1889): 265–318 (hereafter Senato misti IV); 6/1–2 (1890): 3–43 (hereafter Senato misti V); “Senato Mare - cose dell'Istria,” *AMSI* 7/3–4 (1891): 223–78 (hereafter Senato Mare I); 9/1–2 (1893): 83–150 (hereafter Senato Mare II). The series *Senato Mare* continues all the way to the 18th century, but I have cited here only the two parts that are relevant in the context of the study.

⁹⁴ John E. Ashbrook, *Istria Is Ours and We Can Prove It: An Examination of Istrian Historiography in the Nineteenth and Twentieth Century*, Carl Beck Papers in Russian and East European Studies 1707 (Pittsburgh: The Center for Russian and East European Studies, 2006), 6–13 (general overview, very brief); Marino Zabbia, “Ricerca medievistica e urgenza politica al confine nord-orientale d'Italia (1881–1915),” *Reti medievali* 16/1 (2015): 221–41 (focusing on Medieval Studies in particular, much more in-depth).

various aspects of Istrian history. Since Venice was conceptualized as the seminal marker of the peninsula's "Italianity," the relationships between Istrian urban centers and the Most Serene Republic were often not studied critically or in much detail. Nonetheless, it was precisely in this age that the largest amounts of primary sources were transcribed and published, primarily in the journal of the Istrian Society for Archaeology and Homeland History (*Società istriana di archeologia e storia patria*) that counted among its members all of the abovementioned Istrian-Italian historians. The journal *Atti e memorie della Società istriana di archeologia e storia patria* continues to be actively issued to this day and a number of important editions of primary sources have been published in it throughout the course of the twentieth century, for example, the *regesta* of the secret letters of the Venetian College (*Collegio*) covering the period from 1308 to 1627, and the oldest fragment of the deliberations of the communal council of Poreč (1484–1485).⁹⁵

This fruitful period of study abruptly ended following the Second World War and the subsequent horrors the Italian population in Istria had to endure during the 1940s and 1950s. After the so-called Great Exodus of Italians from Istria, studies dealing with medieval history of the peninsula, especially the High and late Middle Ages, plummeted.⁹⁶ Croatian historians rarely dealt with medieval Istria and when they did the subjects would regularly be limited to issues such as the migrations of Slavs, the culture of glagolitic literacy and the famous Istrian partitioning from 1502, a source written in Croatian (in Čakav to be precise) and in glagolitic script—the purported “markers” of “Croatian national identity in Istria.”⁹⁷ An exception to this case was Danilo Klen.

⁹⁵ “Regesti di documenti dell’Archivio di Stato in Venezia riguardanti l’Istria: Lettere segrete di Collegio (1308–1627),” *AMSI* 45 (1933): 105–60 (hereafter: Lettere segrete I); 46 (1934): 65–105 (hereafter: Lettere segrete II); Antonio Pogatschnig, “Divagazioni parentine,” *AMSI* 32 (1920): 129–81.

⁹⁶ This is definitely not the place to discuss the aftereffects of the Second World War in Istria and I will only cite one publication on these subjects, to this day still very emotionally received by both the Croatian/Slovenian (once Yugoslavian) partisans on the one side, and the local Istrian-Italian populace on the other. Gustavo Corni, “The Exodus of Italians from Istria and Dalmatia, 1945–56,” in *The Disentanglement of Populations: Migration, Expulsion and Displacement in Post-War Europe, 1944–9*, ed. Jessica Reinisch and Elizabeth White (Basingstoke: Palgrave Macmillan, 2011), 71–90.

⁹⁷ A textbook example of such a reduction of Istrian medieval history to fit the framework of Croatian national history is Tomislav Raukar, *Hrvatsko srednjovjekovlje: prostor, ljudi, ideje* [Croatian Middle Ages: Space, People, Ideas] (Zagreb: Školska knjiga, 1997), an otherwise brilliant piece of scholarship and often dubbed a masterpiece of Croatian historiography. This reduction was brought to tragical extremes in the utterly useless publication Dušan Tumpić, *Hrvatska Istra* [Croatian Istria] (Zagreb: Alinea, 1993). Unfortunately, these historiographical tendencies to “morph” Istrian Middle Ages to fit the Croatian national paradigm are not curbed to this day. E.g. the newly published *Lexicon of the Croatian Middle Ages* features tragi-comical entries on Istria, such as summarizing the famous placitum of Rižana, held in 804, as “Croatian Istrians seek the confirmation of their old indigenous rights.” Moreover, a large majority of important dates, persons, structures and processes of Istrian Middle Ages are simply ignored in the *Lexicon. Leksikon hrvatskoga srednjovjekovlja* [Lexicon of the Croatian Middle Ages], ed. Franjo Šanjek and Branka Grbavac (Zagreb: Školska knjiga, 2017), 804.

This lawyer dedicated to archival work and studies pertaining to medieval Istria and Kvarner region devoted several excellent studies dealing with Venetian Istria.⁹⁸ Klen's biggest fault was, however, his overreliance on Marxist paradigms and Venice was thus constantly conceptualized as the "ruthless exploiter" of "Istrian people."⁹⁹ Klen's thesis on the Venetian exploitation of Istrian wood, for example, was recently disproved by the abovementioned Karl Appuhn. In more recent times, various aspects of Venetian Istria during the late Middle Ages are researched by Gaetano Benčić and Zoran Ladić. From among the former's many important publications, especially important is Benčić's study on the exportation and of Istrian stone and stonemasonry, demonstrating the symbiotic relationship between the capital and its subject communities in Istria in this particular economic and artisanal aspect.¹⁰⁰ The latter deals primarily with notarial registers, travel accounts, and documents such as last wills, publishing papers dealing with material culture, religiosity, and social stratification; especially important are his contribution focusing on late medieval Poreč.¹⁰¹ Finally, relative to the fifteenth-century Venetian Istria—even though the

⁹⁸ Among the important publications are Danilo Klen, "Galijske i galijoti iz Istre i otoka nekadašnje sjeverne Dalmacije za mletačku armadu (XI. - XVIII. st.)" [Galley-rows and galley-rows from Istria and the islands of the former Northern Dalmatia for the Venetian armada (11th – 18th centuries)], *Rad JAZU* 318 (1959): 199–286; Danilo Klen, "Mletačka eksploatacija istarskih šuma i obvezan prevoz drveta do luke kao specifičan državni porez u Istri od 15. do kraja 18. st." [Venetian exploitation of Istrian forests and the mandatory transport of wood to ports as a specific state tax in Istria from the 15th to the end of the 18th century], *Problemi Sjevernog Jadrana* 1 (1963): 199–279; Danilo Klen, *Fratriza: Feud opatije sv. Mihovila nad Limom u Istri i njegova sela (XI - XVIII st.)* [Fratriza: The fief of the monastery of St. Michael by Lim Bay in Istria and its villages (11th–18th centuries)] (Rijeka: Historijski arhivi u Rijeci i Pazinu, 1969); Danilo Klen, "Uvjeti i razvitak odnosa između pučana i građana u mletačkoj Istri" [Causes and the development of the relations between commoners and citizens in Venetian Istria], *Radovi Zavoda za hrvatsku povijest* 10 (1977): 305–34. He also edited several important primary sources among which are the statute of Grožnjan (for which see fn. 122) and Danilo Klen, "Prodaja Rašpora Veneciji (1402. g.)" [The selling of Rašpor to Venice (year 1402)], *Vjesnik historijskih arhiva u Rijeci i Pazinu* (hereafter *VhaRP*) 17 (1972): 7–29; Danilo Klen, "Urbar Petre Pilose iz 1425. godine" [The tax roll of Petrapilosa from 1425], *Starine* 58 (1980): 85–124; Danilo Klen, "Urbar Roča iz prve polovice XV. stoljeća" [The tax roll of Roč from the first half of the 15th century], *Jadranski zbornik* (hereafter *JZ*) 12 (1982–1985): 253–69.

⁹⁹ Most forcefully made in "Mletačka eksploatacija" and "Uvjeti i razvitak".

¹⁰⁰ Gaetano Benčić, "Note sulla lavorazione ed estrazione della pietra d'Istria nel Medioevo," in *8. Istarski povijesni biennale: Artisan et mercatores: o obrtnicima i trgovcima na jadranskom prostoru: Zbornik radova s međunarodnog znanstvenog skupa održanog u Poreču od 11. do 13. svibnja 2017* [8th Istrian historical biennale: Artisan et mercatores: Artisans and merchants in the Adriatic area: Collected papers from the international scientific conference], *Istarski povijesni biennale* 8 (Poreč: Zavičajni muzej Poreštine - Museo del territorio parentino, 2019), 100–117.

¹⁰¹ Zoran Ladić, "Hodočašća kao izraz pobožnosti stanovnika kasnosrednjovjekovne porečke komune" [Pilgrimages as an expression of piety of the citizens of the late medieval commune of Poreč], *Histria* 5 (2005): 15–41; Zoran Ladić, "Neki aspekti kasnosrednjovjekovne društvene i religiozne povijesti Poreča u zrcalu oporuka i kodica" [Some aspects of social and religious history of the late medieval Poreč according to last wills and codicils], in *Humanitas et litterae: Zbornik u čast Franje Šanjeka* [Humanitas et litterae: Miscellanea in honor of Franjo Šanjek], ed. Lovorka Čoralić and Slavko Slišković (Zagreb: Kršćanska sadašnjost, 2009), 347–74; Zoran Ladić, "Neki aspekti materijalne kulture Buzeta na razmeđu kasnog srednjeg i ranog novog vijeka" [Some aspects of material culture of the inhabitants of Buzet on the brink between the Late Middle Ages and Early Modern times], in *Bertošin zbornik: Zbornik u čast Miroslava Bertoše* [Bertoša's miscellanea: Miscellanea in honor of Miroslav Bertoša], vol. 2, ed. Ivan Jurković, (Pula:

monograph deals primarily with the mid- and late sixteenth century—is Robert Kurelić’s recently published study on the various aspects of bordering and border disputes between the Venetian and Austrian population of Istria, another valuable contribution to the field.¹⁰²

The edition of primary sources did not follow the buoyant rhythm of the pre-Second World War Istrian historiography, but such publications did not cease to be printed altogether. Among the editors of late medieval primary sources pertaining to Venetian Istria two names in particular stand out: Mirko Zjačić and Jakov Jelinčić. The former edited the statutes of Poreč (1363), Buje (dated to after 1412), and Buzet (1434), as well as the oldest surviving minutes of Buzet’s communal councils and the entire notarial register of Martin Sotolić, a public notary who worked in Buzet in a period between 1492 and 1517.¹⁰³ The industrious Zjačić was followed by a diligent archivist, Jakov Jelinčić, who also published (and continues to publish) an impressive number of important primary sources. For late medieval Venetian Istria these are primarily the statutes of Istrian communes (Dvigrad, Vodnjan, Sveti Lovreč, Buzet, Novigrad), but also the compendium of regesta of the laws of the commune of Novigrad (1481–1794), the regesta of the oldest surviving

Sveučilište Jurja Dobrile u Puli, 2013), 155–73; Zoran Ladić, “Doseljenici i stranci iz Hrvatske, Slavonije i istočnojadranskih komuna u kasnosrednjovjekovnom Poreču” [Immigrants and foreigners from Croatia, Slavonia and East Adriatic communes in late medieval Poreč], in *Ascendere historiam: Zbornik u čast Milana Kruheka* [Ascendere historiam: Miscellanea in honor of Milan Kruhek], ed. Damir Karbić et al. (Zagreb: Hrvatski institut za povijest, 2014), 95–112; Zoran Ladić, “Društvo i gospodarstvo Poreča u kasnom srednjem vijeku na temelju analize bilježničke knjige Antuna de Teodorisa” [Society and economy of the commune of Poreč in the Late Middle Ages on the basis of examination of the notary book of Anthony de Teodoris], in *Zbornik radova međunarodnog znanstvenog skupa Istarsko gospodarstvo: Jučer, danas, sutra* [Proceedings of the international conference Istrian economy: Yesterday and tomorrow], ed. Danijela Križman Pavlović et al., Posebna izdanja 38 (Pazin: Državni arhiv u Pazinu, 2015), 213–29; Zoran Ladić, “Religioznost kao pokretač društvenih i intimnih promjena u srednjem vijeku - primjer dominacije ‘socijalnog i laičkog kršćanstva’ u urbanim društvima istočnojadranske obale” [Religiosity as the impetus of social and intimate changes in the Middle Ages: An example of the dominance of “social and laic Christianity” in the urban societies of the Eastern Adriatic], in *7. Istarski povijesni biennale: Religio, fides, superstitiones...: O vjerovanju i pobožnosti na jadranskom prostoru* [7th Istrian historical biennale: Religio, fides, superstitiones...: Faith and piety in the Adriatic area], ed. Elena Uljančić-Vekić and Marija Mogorović Crljenko, Istarski povijesni biennale 7 (Poreč: Zavičajni muzej Poreštine - Museo del territorio parentino, 2017), 78–109.

¹⁰² Robert Kurelić, *Daily Life on the Istrian Frontier: Living on a Borderland in the Sixteenth Century*, Studies in the History of Daily Life (800-1600) 7 (Turnhout: Brepols, 2019).

¹⁰³ Mirko Zjačić, “Statut buzetske općine” [The statute of the commune of Buzet], *VhaRP* 8–9 (1963–1964): 71–137; Mirko Zjačić, “Sačuvani fragment staroga statuta općine Buje iza 1412. godine” [The preserved fragment of the old statute of the commune of Buje from after 1412], *JZ* 7 (1969): 365–416. Both of these editions are nowadays superseded. See fn. 122 (including Zjačić’s edition of the statute of Poreč). Mirko Zjačić, “Notarska knjiga Martina Sotolića (Registrum imbreviaturarum Martini Sotolich notarii Pinquentini) 1492.-1517. godine” [Notarial register of Martin Sotolić (Registrum imbreviaturarum Martini Sotolich notarii Pinquentini) 1492–1517], *Monumenta historico-iuridica slavorum meridionalium* (hereafter: MHISM) 18 (1979): 295–507; Mirko Zjačić, “Zaključci buzetskog općinskog vijeća (Consilia comunis Pinguenti) 1502.-1523.” [The minutes of the communal council of Buzet (Consilia comunis Pinguenti) 1502–1523], *MHISM* 18 (1979): 207–92.

minutes of the communal council of Labin, and the book of privileges of the commune of Labin.¹⁰⁴ Finally, a series devoted to editing the oldest surviving notarial registers of Istrian notaries has been started by the Croatian State archive in Pazin, and two registers have thus far been published: that of notary Bartholomew Gervazi working in Labin (1525–1550), and that of Anthony de Teodoris working in Poreč (1433–1449).¹⁰⁵

Slovenian historians focused on analyses of archival sources pertaining to Piran, one of the richest Istrian communes that developed under Venice. Studies of Darja Mihelič and Ferdo Gestrin on high and late medieval Piran, especially its economic component, are exemplary publications in this regard.¹⁰⁶ The latter's work especially concerns the period of the fifteenth century as well, whereas Mihelič delimited the majority of her studies to the thirteenth and the first half of the fourteenth century.¹⁰⁷ Moreover, the studies of the salt pans and salt trade of Piran—keenly analyzed by Jean-Claude Hocquet, the utmost authority on Venetian salt economy—were considerably enriched by Flavio Bonin's critical edition of all the trading deals regarding this

¹⁰⁴ For the editions of statutes see fn. 122. Jakov Jelinčić, "Knjiga privilegija labinske komune (regeste svih dokumenata od 1325. do 1719)" [The book of privileges of the commune of Labin (regesta of all the documents from 1325 to 1719)], *VhaRP* 27 (1986): 149–204; Jakov Jelinčić, "Prva knjiga zapisnika sjednica Vijeća labinske komune (Libro consigli I) (1566–1578)" [The first book of the minutes of the communal council of Labin (Libro consigli I) (1566–1578)], *VhaRP* 29 (1987): 75–159; Bortolamio Rigo, *Sažeci propisa novigradske općine 1481. – 1794. / Compendio delle leggi del comune di Cittanova dal 1481 al 1794*, ed. Jakov Jelinčić, Kolana od statuti / Collana degli Statuti, 3/2 (Novigrad: Grad Novigrad, 2010).

¹⁰⁵ Zoran Ladić and Elvis Orbančić, eds., *Knjiga labinskog bilježnika Bartolomeja Gervazija (1525.–1550.)* [The deeds of the public notary of Labin Bartholomew Gervazi (1525–1550)], *Spisi istarskih bilježnika 1* (Pazin: Državni arhiv u Pazinu, 2008); Zoran Ladić, ed., *Registri porečkih bilježnika Henrika de Artizanibus (1433.–1434.) i Antuna de Teodoris (1435.–1449.)* [The deeds of the public notaries of Poreč Henry de Artizanibus (1433–1434) and Anthony de Teodoris (1435–1449)], vol. 1, 2 vols., *Spisi istarskih bilježnika 2* (Pazin: Državni arhiv u Pazinu, 2018) (the second volume is in preparation).

¹⁰⁶ From among the giant opus of Darja Mihelič, the following is but a selection, based on *arbitrium meum*, of the most important works, i.e. those most pertaining to the study of late medieval Istria. Darja Mihelič, "Agrarno gospodarstvo Pirana" [Agrarian economy of Piran], *Zgodovinski časopis* 38 (1984): 193–224; Darja Mihelič, *Neagrarno gospodarstvo Pirana od 1280 do 1340* [Non-agrarian economy of Piran from 1280 to 1340] (Ljubljana: Slovenska akademija znanosti in umetnosti, 1985); Darja Mihelič, "Krvava rihta v Piranu 14. stoletja" [Bloody courts in 14th-century Piran], *Acta Histriae* 10/1 (2002): 147–60; Darja Mihelič, "Sporazumi o mejah srednjeveških mestnih teritorijev (Piran in njegovi sosedje)" [Border negotiations on medieval town districts (Piran and its neighbours)], *Histria* 1 (2011): 37–59; Darja Mihelič, "Notarska knjiga – vir za raziskavo mestnega prebivalstva Buzeta (1492. – 1517.)" [The notary book – source for exploration of the population of the town of Buzet (1492–1517)], *Histria* 3 (2013): 15–38. It should be noted that Mihelič edited numerous volumes of notarial registers of Piran's notaries, from late 13th to the beginning of the 14th century, but these will not be used in the study as they do not fit the chronological framework of the study.

¹⁰⁷ Ferdo Gestrin, *Trgovina slovenskega zaledja s primorskimi mesti od 13. do konca 16. stoletja* [The trade between the Slovenian hinterland and coastal towns from the 13th to the end of the 16th century] (Ljubljana: Slovenska akademija znanosti in umetnosti, 1965); Ferdo Gestrin, "Piranska popotovanja v 15. stoletju" [Piranese travels in the 15th century], *Kronika* 23/2 (1975): 74–80; Ferdo Gestrin, "Karitativna dejavnost v Piranu v poznem srednjem veku" [Charitable activity in late medieval Piran], *Kronika* 24/2 (1976): 79–84.

precious resource and a comprehensive monograph on the topic, covering the period from the thirteenth all the way to the eighteenth century from the viewpoint of the Northern Adriatic, primarily *Commune Pirani*.¹⁰⁸ Finally, Darko Darovec authored several important studies dealing with medieval Venetian Istria among which the most important one remains the monograph on taxation and economy in general in Venetian Istria, covering the period from the late Middle Ages to the very end of the Early Modern period (but primarily focusing on the seventeenth and eighteenth century).¹⁰⁹ This publication remains another classic study of Istrian historiography.

Finally, the topics from Venetian Istria most recently started occupying the attention of international scholars: Monique O'Connell, Katja Puppe, and Erin Maglaque to be precise. O'Connell primarily warned the scholars dealing with Venice and/or maritime components of its dominion to study their subjects *in toto*, stating that Istria must be conceptualized within the late medieval Venetian "empire".¹¹⁰ Katja Puppe dedicated a PhD dissertation on the "Long Way to Istria", that is the Venetian expansionism over the Peninsula from the late thirteenth to the mid-fourteenth century with a focus on Koper.¹¹¹ For the fifteenth-century history the most important is Maglaque's recently published monograph on family relationships catalyzed through the prism of the Venetian "Empire".¹¹² Among the two case-studies is the one on the Istrian Pietro Coppo, known in historiography as the author of the first concise medieval map of the Peninsula, whose life is vividly described—from an imperial notary, to a citizen of Izola married to an elite local family, rising in the ranks of "the empire" as a valued bureaucrat. Central to Maglaque's thesis is the fact that the Istrian cartographer received humanist education typical of the learned strata of

¹⁰⁸ Jean-Claude Hocquet, *Il sale e la fortuna di Venezia*, trans. Gianni Iotti and Laura Megna (Rome: Jouvence, 1991) (original edition: *Le sel et la fortune de Venise: Voiliers et commerce en Méditerranée 1200- 1650*); Flavio Bonin, *Piranske Solne Pogodbe (1375–1782)* [Piran's salt contracts (1375–1782)], *Viri 33* (Ljubljana: Arhivsko društvo Slovenije, 2011); Flavio Bonin, *Belo zlato krilatega leva: Razvoj severnojadranskih solin v obdobju Beneške republike* [White gold of the winged lion: The development of the northern Adriatic salt pans in the Venetian areal] (Piran: Pomorski muzej "Sergej Mašera," 2016).

¹⁰⁹ Darko Darovec, *Davki nam pijejo kri: Gospodarstvo severozahodne Istre v novem veku v luči beneške davčne politike* [The taxes are sucking our blood: Economy of northwestern Istria in the Early Modern period in light of Venetian fiscal policy] (Koper: Univerza na Primorskem, 2004).

¹¹⁰ O'Connell, "Individuals, Families, and the State," 18–19.

¹¹¹ Katja Puppe, "Der lange Weg nach Istrien: Die venezianische Unterwerfung der Halbinsel, vornehmlich am Beispiel Kopers (1279-1349)" PhD dissertation (Leipzig, Fakultät für Geschichte, Kunst- und Orientwissenschaften der Universität Leipzig, 2017).

¹¹² Erin Maglaque, *Venice's Intimate Empire: Family Life and Scholarship in the Renaissance Mediterranean* (Ithaca, N.Y.: Cornell University Press, 2018). See the valid critique of the work in Daniele Dibello, "Recensione: Erin Maglaque, *Venice's Intimate Empire. Family Life and Scholarship in the Renaissance Mediterranean*, Cornell University Press, Ithaca and London, 2018.," *Archivio veneto*, ser. 6, 17 (2019): 139–43.

his age, and it is precisely through the lenses of humanism that Coppo was able “to imagine, map, and interrogate the space and history of the empire.”¹¹³

These recent studies undoubtably ameliorate the sorrowful state of historiography on late medieval Venetian Istria, but none of them focuses fully on this particular region during the fifteenth century from a broader point of view. Thus, there are still no studies that would follow in Cozzi’s footsteps and study the seminal aspect of Venetian sovereignty in their subject territories—the administration of justice. Likewise, and with an expectation of a lone case-study dealing with Buzet, Ventura’s key arguments were not scrutinized or even properly contextualized within Istrian historiography.¹¹⁴ In summary, a detailed account of the Peninsula’s historical trajectory during the Venetian metamorphosis into a *Dominium* is still desperately lacking. The reason behind this hiatus is primarily to be found in the lack of published primary sources that would allow for inquiries as advocated by Cozzi, Ventura, and O’Connell. Unknowingly to many, however, there is a treasure trove of unedited source material that would lend itself precisely to such analyses.

Primary Sources: Quantity and Quality

According to Cozzi, Orlando and Povoio, the best way to probe into the nature of the relationship between Venice and an urban center under its government is through the study of acts concerning justice administration. Until very recently, sources that could allow an insight into these dynamics in medieval Istria were unknown. The very first book of acts of a Venetian podestà from fifteenth-century Istria was relatively recently discovered in the Croatian State archive in Rijeka by the author of this prospectus.¹¹⁵ This book, compiled during the rectorship of Simone Ferro (1457–1462) contains over fifty judicial sentences along with lawsuits, witness testimonials and defenses of the accused parties.¹¹⁶ Another fifteenth-century book of Venetian podestà

¹¹³ Maglaque, *Venice’s Intimate Empire*, 17.

¹¹⁴ Josip Banić, “Elitni društveni slojevi kasnosrednjovjekovne buzetske komune” [Elite social strata of the late medieval commune of Buzet], *Histria* 5 (2015): 43–78.

¹¹⁵ Hrvatski Državni arhiv u Rijeci [Croatian State archive in Rijeka] (hereafter DAR), Javna uprava [Public administration] (hereafter JU) 67, b. 2, register titled *Atti del cancelliere del Comune di Pingente Giovanni Nicolò del fu Cristoforo da Oderzo, 1457–1462* (hereafter Buzet, Atti del podestà 1/1) and b. 4, register titled *Atti del podestà di Pingente Simone Ferro 1462* (hereafter Buzet, Atti del podestà 1/2).

¹¹⁶ This valuable primary source was transcribed and analyzed in detail in my M.A. thesis. Josip Banić, “Justice in Flux: The Introduction of Venetian Jurisdiction in the Former Margraviate of Istria (1420-1470),” MA thesis (Budapest, Central European University, 2016).

governing an Istrian commune was also recently found—the acts of Lorenzo Zane, podestà in Rovinj—covering the period between 1433 and 1434.¹¹⁷ Moreover, the book of acts of the Venetian podestà of Poreč, Matteo Gradenigo, featuring ninety-three cases over the period between the August of 1445 and January of 1446, was found in the Croatian State archive in Pazin.¹¹⁸ The same archival institution holds the book of the podestà of Novigrad from 1492 to 1494, Lorenzo Giustinian, that also features ample cases of justice administration.¹¹⁹ Furthermore, there are seven such books of podestàs of Koper that feature records concerning justice administration covering the period between 1448 and 1487 which were very recently moved from Marciana library into the State archive in Venice.¹²⁰ Finally, the books of so-called *cataveri* of Piran cover the period from the mid-fourteenth to sixteenth century and feature only the sentences for grave criminal cases.¹²¹ As such, they are not as detailed and wide encompassing as the cases registered in the books of rectors, but they are voluminous and a valuable primary source nonetheless.

These local sources, produced in the chancelleries of subjected Istrian communities, will be used together with those that originated from the central government's magistracies. Besides the already mentioned deliberations of the Venetian Senate, or *Libri commemoriali* (likewise published as *regesta* by Riccardo Predelli), these primary sources will primarily be narrowed down to Venetian appellate jurisdictions: the state attorneys (*avogadori di comun*), the auditors of appeals from *Terraferma* (*auditori novi*) and the Council of Ten. By combining both the sources produced by local offices with those of central government, it is possible to go beyond Viggiano's landmark publication—that focused exclusively on the latter sources—and gain an unprecedented view of the functioning of Venetian justice administration in fifteenth-century Istria.

¹¹⁷ DAR, JU 95, b. 1, register titled *Volumetto nobil uomo ser Lorenzo Zane podestà di Rovigno negli anni 1433 e 1434* (hereafter: Rovinj, Atti del podestà).

¹¹⁸ Hrvatski Državni arhiv u Pazinu [Croatian State archive in Pazin] (hereafter: DAP), HR-DAPA 5: Općina Poreč [the commune of Poreč], b. 1, register titled *Acta cancellariae Parentii, 1445–1446* (hereafter: Poreč, Atti del podestà).

¹¹⁹ DAP, HR-DAPA 4: Općina Novigrad [the commune of Novigrad], b. 1, register titled *Acta cancellariae Emoniae, 1492–1494* (hereafter: Novigrad, Atti del podestà).

¹²⁰ ASV, Antico Archivio Municipale di Capodistria, Atti della comunità, reg. 575: *Podestà e capitano David Contareno 1448–1449*, reg. 577: *Podestà e capitano Mario da Lezze, 1450–1451*, reg. 579: *Sub regimine Donati Cornario, 1458*, reg. 580: *Podestà e capitano Hieronimo Diedo*, reg. 581: *Hieronimo Diedo, Criminalium liber*, reg. 582: *Podestà e capitano Ioanne Victorio, 1481–1482*, reg. 585: *Podestà e capitano Matteo Loredan, 1485–1487*.

¹²¹ Pokrajinski arhiv Koper, izpostava Piran [Regional archive in Koper, branch in Piran] (hereafter: SI PAK PI), 9: Komuna Piran [the commune of Piran], Knjige komunskega urada kataverjev 1354–1534 [Books of the communal cataverii, 1354–1534], 13 vols (hereafter: Piran, Cathaveri).

Finally, these unpublished archival sources, primarily detailing the processual aspects of justice administration, can be combined with the already published material pertaining to its normative facets. These sources include the written statutes of Istrian towns and cities (all of them are today published, some even in monumental editions with detailed introductory studies, photographs of the original manuscripts and translations into modern Croatian),¹²² the proclamations of the newly elected podestàs,¹²³ and the Venetian instructions (*commisiones*) to Istrian rectors issued by the central government in Venice.¹²⁴ All of these sources concern the codified rules and established legal frameworks within which the Venetian justice system operated (or was meant to operate at least). As such, they have the potential, untapped to this day, to

¹²² The following is the list of the most recent and best edition of medieval statutes of Istrian communes under Venice: Maria Laura Iona, ed., *Le istituzioni di un comune medievale: statuti di Muggia del sec. XIV*, Fonti e studi per la storia della Venezia Giulia 3 (Trieste: Deputazione di storia patria per la Venezia Giulia, 1972) (hereafter: *St. Muggia 1*); Franco Colombo, ed., *Gli Statuti di Muggia del 1420*, Fonti e studi per la storia della Venezia Giulia 2 (Trieste: Deputazione di storia patria per la Venezia Giulia, 1971) (hereafter: *St. Muggia 2*); Lujo Margetić, ed., *Statut koprškega komuna iz leta 1423 z dodatki do leta 1668 / Lo statuto del comune di Capodistria del 1423 con le aggiunte fino al 1668 / Statuta comunis Iustinopolis* (Koper: Pokrajinski arhiv, 1993) (hereafter: *St. Koper*); Miroslav Pahor and Janez Šumrada, eds., *Statut piranskega komuna od 13. do 17. stoletja / Gli statuti del comune di Pirano dal XIII al XVII secolo*, 2 vols. (Ljubljana: Slovenska akademija znanosti in umetnosti, 1987) (hereafter: *St. Piran*); Luigi Morteani, *Isola ed i suoi statuti* (Poreč: Gaetano Coana, 1888), 103–211 (hereafter: *St. Izola*); Nella Lonza and Jakov Jelinčić, eds., *Umaški statut / Statuto di Umago*, Kolana od statuti / Collana degli Statuti 5 (Umag: Humaniora, 2020) (hereafter: *St. Umag*); Nella Lonza and Jakov Jelinčić, eds., *Novigradski statut / Statuto di Cittanova*, Kolana od statuti / Collana degli Statuti 3 (Novigrad: Humaniora, 2014) (hereafter: *St. Novigrad*); Mirko Zjačić, “Statut grada Poreča (statutum comunis Parentii) iz 1363. godine” [the statute of the city of Poreč (statutum comunis Parentii) from 1363], *MHISM* 18 (1979): 5–203 (hereafter: *St. Poreč*); Jakov Jelinčić, “Statut Svetog Lovreča Pazenatičkog sa posebnim osvrtom na jezične karakteristike,” *VhaRP* 18 (1973): 71–151 (hereafter: *St. Sveti Lovreč*); Luigi Morteani, “Storia di Montona: con appendice e documenti,” *AT*, ser. 2, 19/2 (1894): 447–82, and 20/1 (1895): 5–123 (hereafter: *St. Motovun*); Nella Lonza and Branka Poropat, eds., *Buzetski statut / Statuto di Pinguente*, Kolana od statuti / Collana degli Statuti 4 (Buzet: Humaniora, 2017) (hereafter: *St. Buzet*); Giovanni Vesnaver, “Notizie storiche del castello di Portole nell’Istria,” *AT*, ser. 2, 11/1–2 (1885): 131–81 (hereafter: *St. Oprtalj*); Danilo Klen, “Statut Grožnjana” [the statute of Grožnjan] *VhaRP* 8–9 (1963–1964): 205–56, and 10 (1965): 201–43 (hereafter: *St. Grožnjan*); Lujo Margetić, ed., *Statut grada Bala* (Rijeka: Adamić, 2007) (hereafter: *St. Bale*); Nella Lonza and Jakov Jelinčić, eds., *Statuta communis Duorum castrorum / Statut dvigradske općine: Početak 15. stoljeća [Statuta communis Duorum castrorum / The statute of the Commune of Dvigrad: Beginning of the 15th century]*, Kolana od statuti / Collana degli Statuti 1 (Pazin: Državni arhiv u Pazinu, 2007) [hereafter: *St. Dvigrad*]; Nella Lonza and Jakov Jelinčić, eds., *Vodnjanski statut / Statuto di Dignano*, Kolana od statuti / Collana degli Statuti 2 (Vodnjan: Humaniora, 2010) (hereafter: *St. Vodnjan*); Mate Križman, ed., *Pulski statut / Statuta Polae*, 2 vols. (Pula: Grad Pula, 2000), although I shall be citing from Benussi, “Statuto del comune di Pola,” 108–449 (hereafter *St. Pula*); Camillo de Franceschi, “Statuta communis Albonae,” *AT*, ser. 3, 32 (1908): 131–229 (hereafter: *St. Labin*); Bernardo Stulli, “Fragment statuta plominske općine,” *VhaRP* 14 (1969): 8–49 (hereafter: *St. Plomin*). The statute of Buje from 1428 is currently in preparation and it will be published as the sixth volume in the Kolana od statuti series, edited by Nella Lonza and Josip Banić.

¹²³ Jakov Jelinčić, “Proclami dei neoletti podestà,” *ACrSR* 19 (1988–1989): 197–206.

¹²⁴ Alessandra Rizzi, ed., *Le commissioni ducali ai rettori d’Istria e Dalmazia (1289-1361)*, Deputazione di Storia Patria per le Venezie. Testi 2 (Rome: Viella, 2015) (hereafter: *Le commissioni 1*); Alessandra Rizzi, ed., *Le commissioni ducali ai rettori d’Istria (1382-1547)*, Deputazione di Storia Patria per le Venezie. Testi 3 (Rome: Viella, 2017) (hereafter: *Le commissioni 2*).

complement the analyses of the judicial processes contained in the books of podestàs, allowing for a synthesis of both rule-centered and processual analyses of justice administration.¹²⁵

Illuminating a Tenebrous Path: Notes on Methodology and Theoretical Framework

By focusing on the analysis of the abovementioned primary sources the present study aims to fill a gaping hole in Venetian historiography, not in an utterly quixotic hope of constructing a “wall of historiography” that will one day be complete and allow us to know “everything”, but to broaden the understanding of the structures and functioning of a newborn *Dominium Veneciarum* from a novel and original point of view—that of Istria. The research is thus conceptualized as a case-study approach to the history of Venice in the period of its most radical transformation and greatest geo-political creativity. Even though case-studies constitute a lion’s share of investigations in social sciences and humanities, the precise methodological framework pertinent to this model of inquiry is very rarely explicated, thus leading to studies with flawed, or at the very least limited heuristic potential, and needlessly blunted analytical tools. Aware of this detrimental error, the salient points of case-study methodology must be elucidated and discussed.

Following John Gerring’s shrewdly outlined methodological compendium on the topic, the case-study approach will be defined as a “synecdochic style of investigation, studying the whole through intensive focus on one (or several) of its parts.”¹²⁶ The “part(s)” in this definition refers to a specific case of the case-study, whereas the broader “whole” to which the results of the study must refer to, at least partly, is usually termed “population”.¹²⁷ This definition clearly reveals the two synergetic planes upon which every case-study must rest: the unit under microscopic analysis—the case—and the broader framework within which the analysis will be take place—the population. Thus, every case-study must constantly switch between within-case and cross-case observations for “[t]he case study is, by definition, a study of some phenomenon broader than the unit under investigation.”¹²⁸

¹²⁵ Such an approach was advocated by Simon Roberts and it remains dominant among the historians studying the administration of justice from the legal anthropological perspective. I will discuss this methodological framework and the theoretical paradigms of legal anthropology in detail in chapter 4.

¹²⁶ John Gerring, *Case Study Research: Principles and Practices* (Cambridge: Cambridge University Press, 2006), 83.

¹²⁷ See the definitions in Gerring, *Case Study*, 211–12, 216.

¹²⁸ Gerring, *Case Study*, 85.

For these reasons, it is crucial to precisely define the exact population of every case-study. In this study, the population could be limited to only *Stato da Mar* or *Terraferma* (just one part of the Venetian dominium), or include Venice as a whole; it could be placed outside of strictly Venetian ambient and include the entire Adriatic region, or even the “regional states” of fourteenth- and fifteenth-century Italy; it could even go beyond the Mediterranean frames and include late medieval European polities in general—a different choice of population will necessitate a different array of cross-case comparisons. While all of the abovementioned choices of population present a viable choice for this specific case-study, the study will situate Venetian Istria (case) within *Dominium Veneciarum*, including both of its *Terraferma* and *Stato da Mar* aspects (population).¹²⁹ The reason behind this specific delimitation of the respective population is manifold: on the one hand, focusing only on a single constituent of the Venetian dominium is not viable because, as was noted before, Istria did not fully belong to either of the two parts of the *Stato*; on the other, however, going beyond Venice itself and including other European polities of the era, either limited to the Apennine peninsula or not, would necessitate a much larger study, going far beyond the limits of a contemporary PhD dissertation and coming dangerously close to a Braudelian type of research that is rightfully discouraged among the twenty-first-century doctoral students.¹³⁰ A comparison between Venice and Austria in the fifteenth-century is indeed a feasible and much desired research, but an Istrian case-study must first be contextualized within the Venetian dominium itself as too little is currently known about this specific region for it to be used for analyses going beyond that limit. Thus, as the case-studies population is limited to the nascent *Dominium Veneciarum*, the cross-case units will feature the March of Treviso and Friuli in the *Terraferma*, Dalmatia and “Venetian Romania” in the *Stato da Mar*, and, enjoying an opaque position in the *Stato* similar to Istria, the Venetian Dogado.¹³¹ Due to the Peninsula’s geographical

¹²⁹ A different approach was recently undertaken by Egidio Ivetic who positioned Istria within the population of the Adriatic region, thus going beyond a strictly Venetian areal. That study also featured quite different temporal boundaries, extending from the Early Middle Ages all the way to the 21st century. Egidio Ivetic, *Storia dell’Adriatico: Un mare e la sua civiltà* (Bologna: Mulino, 2019).

¹³⁰ Cornel Zwierlein, “Early Modern History,” in *Handbuch der Mediterranistik: Systematische Mittelmeerforschung und disziplinäre Zugänge*, ed. Mihran Dabag et al., *Mittelmeerstudien* 8 (Munich: Wilhelm Fink, 2015), 88, fn 2, stating that “Braudel would not be supportable today as a PhD student.”

¹³¹ The Venetian Dogado (from Latin *Ducatus*) included the immediate maritime “hinterland” of Rialto, the center of the lagoons that would grow into the capital of the *Commune Veneciarum*. The towns of the Dogado extended from Grado to the east to Cavarzere to the west, including Chioggia—the Venetian salt capital—and Torcello. On the Dogado see Richard J. Goy, *Chioggia and the Villages of the Venetian Lagoon: Studies in Urban History* (Cambridge: Cambridge University Press, 1985). The best overview of the medieval Dogado remains Ermanno Orlando, *Altre Venezie: Il Dogado veneziano nei secoli XIII e XIV (giurisdizione, territorio, giustizia e amministrazione)* (Venice:

position and historical development, the study will privilege Friuli, Dalmatia and the Dogado in the cross-case analyses.

Regarding the temporal boundaries of the study, the period under investigation will be limited to the years between the signing of the Peace of Turin (8th of August, 1381) and the onset of open warfare pitting Venice against Trieste and House Habsburg in 1460s.¹³² This war marked the prelude to the story arc that will ultimately result with the War of the League of Cambrai and end only in 1535 with the signing of the arbitrational sentence of Trento. Although the study originally endeavored to include the War of the League of Cambrai as well, it was ultimately decided to delimit the period in question to c. 1470 and exclude the story of Veneto-Austrian war which would drastically increase the volume of the study and the time needed to complete it.¹³³ In this regard, the study follows the Venetian transformation from the *Commune* to *Dominium* taking place between the end of the War of Chioggia and 1460s, before the beginning of military operations in Istria. For the sake of narrative elegance, I will refer to this period as the Late Middle Ages, the Age of Transformation, and simply as the fifteenth century or the *Quattrocento*.

Having precisely outlined the population of the case-study it remains to define the specific type of case that Istria presents to the study of late medieval Venice and precisely why it was picked. This is also a crucial step in research as different types of cases will predispose the study to either hypothesis generation or hypothesis testing analyses. First, there are several reasons for choosing precisely Istria as a case-study: The enigmatic position of the Peninsula within late medieval *Dominium Veneciarum* coupled with the poor state of research and copious unanalyzed primary sources is enough to warrant the selection of this specific unit as a case-study. There are, however, more pragmatic forces guiding this selection: the author is Istrian born and bred, deeply enamored with his *Heimat*, equipped with working knowledge of the languages necessary for such

Istituto veneto di scienze, lettere ed arti, 2008). For Chioggia and Torcello there are two exhaustive monographic treatments that will form the basis for comparative analyses in this study: Sergio Perini, *Chioggia al tramonto del Medioevo* (Sottomarina: Il Leggio, 1992); Elisabeth Crouzet-Pavan, *Torcello: Storia di una città scomparsa*, trans. Elisabetta Bonasera, Storia 42 (Rome: Jouvence, 2002).

¹³² Amply discussed in Cusin, *Il confine orientale*, 373–417.

¹³³ Thus, it will be possible to find references in secondary literature citing the old title with the timespan “c. 1381 – c. 1517” in the title. Cf. Ermanno Orlando, *Strutture e pratiche di una comunità urbana: Spalato, 1420-1479*, *Schriften zur Balkanforschung* 2 (Venice: Österreichische Akademie der Wissenschaften, 2019), 6, 359 (hereafter *Spalato*). I will eventually deal with the period between 1460s and 1517 (maybe even up to 1535) in a future publication.

an investigation and close to the relative archival institutions storing the primary sources necessary for the research.¹³⁴

Second, from among the nine classes of cases recognized by Gerring, Istria constitutes, as do a majority of units in case-studies, a mixed type.¹³⁵ On the one hand, the Peninsula is a “typical case”, perfectly representative of Venice’s subject centers in the Late Middle Ages, governed by the Venetian nobles elected by the Great Council for a fixed term as rectors.¹³⁶ As such, analyzing Istria within the nascent *Dominium Veneciarum* enables the testing of hypotheses reached by generations of scholars studying its mainland and/or maritime possessions. Moreover, as was insightfully noted by Gerring, it is often times impossible to convincingly infer whether specific observations made on the basis of “typical case” present a “typical” or a “unique” phenomenon within the respective population. Thus, the solution proposed by Gerring and emphatically embraced by the author of the study is “to report all facts and hypotheses that might be relevant—in short, to overreport” as “[m]uch of the detail provided by the typical case study may be regarded as ‘field notes’ of plausible utility for future researchers, perhaps having rather different agendas.”¹³⁷

On the other hand, Istria sits between to so-called “deviant” and “influential case”; both types represent a unit that is in some respects unique within its population, but they differ in the quality of this supposed “uniqueness”.¹³⁸ If the observed case falls so far out of the features deemed typical for the population so that the existing model must be abandoned and new hypothesis forged, the unit will constitute a “deviant case”. If, however, the observation based on the unit under observation only seemingly disproves an existing theory, but to such an extent that a simple modification of the dominant model fixes this discrepancy, then the case is classified as being “influential”, the one that in essence “proves the rule.”¹³⁹ The fact that Istria did not belong

¹³⁴ I use the German word *Heimat* as there is no English equivalent for it; *paese* in Italian and *zavičaj* in Croatian are both good translations, but the English *region* does not connote the same cultural and identity-constituting force as *Heimat* does. In very broad strokes, *Heimat* can be defined as a territorial unit above strictly local, but below national level upon which collective identities are constructed and maintained through (the perceived) common culture (in its broadest possible meaning), language (dialect if viewed from the viewpoint of nation states), and shared historical experience, transcending contemporary state borders. On the term see Jens Jäger, “Heimat (English Version),” *Docupedia-Zeitgeschichte*, August 13, 2018, http://docupedia.de/zg/Jaeger_heimat_v1_en_2018 (last access: 19th of November, 2019).

¹³⁵ Gerring, *Case Study*, 147–48.

¹³⁶ On the “typical case” see Gerring, *Case Study*, 91–97.

¹³⁷ Gerring, *Case Study*, 79.

¹³⁸ On the “deviant case” see Gerring, *Case Study*, 105–8. On the “influential case” see Gerring, *Case Study*, 108–15.

¹³⁹ Gerring, *Case Study*, 108.

exclusively to either *Terraferma* or the *Stato da Mar* qualifies it for both deviant and influential case, but each one will engender a different analytic approach. An influential case will be done in the confirmatory/disconfirmatory mode, seeking to test and modify the existing hypotheses. Conversely, a deviant case presupposes an exploratory mode of investigation, seeking to generate new hypotheses based on a study of an exceptional case that nonetheless sheds new light on the aspects relatable to “the whole”.

Throughout the analytic chapters of the study, both above-described positions will be adopted: exploratory and confirmatory/disconfirmatory. Thus, Istria will be conceptualized as a mixed class of both regular, deviant and influential type in the context of the Venetian *Quattrocento*. The working hypothesis is that by the end of the study only one of these types will emerge as more fitting than the others; that is, following the analytic chapters, the author will be able to conclude whether the microscopic analysis of Venetian Istria largely confirmed or modified the existing hypotheses, or generated new ones—the first case will depict Istria as a typical case, the second as an influential, and the last as a deviant one. The author does not expect that either of the three types will absolutely triumph over the others, but the majority of the observations and conclusions will fall within one of the three classes.

Research Questions and the Structure of the Study

Based on the mode of research outlined above, the study aims to explore and answer the following questions:

- what was the nature and intensity of the Venetian impact on the late medieval Istrian communal societies? (exploratory, enclosing all the subsequent research questions);
- can the studies of the *Terraferma* and the *Stato da Mar* be methodologically applied to the study of Istria? (hypothesis testing);
- what was the Venetian influence on the institutions deploying justice and what was the degree of communal autonomy with regards to justice administration (hypothesis testing)?
- what was the significance of local notables in the overall government of the Venetian communes in Istria (hypothesis testing)?
- did Venice in any way affect social stratification in Istria (hypothesis testing)?

- what was the relationship between the Venetian delegated rectors and the local civic elite and how did their interplay look like in a quotidian setting? (predominantly hypothesis testing, but also exploratory);
- how did the identity of the Istrian subjects of the Republic develop with regards to the Venetian state as a whole? (hypothesis testing);
- finally, was there a separate, independent, or at least a specific process of integration in Istria? (conclusion, it will be either predominantly hypothesis-confirmatory, with a bigger or lesser degree of added modifications, or disconfirmatory and thus hypothesis-generating).

Finally, having delineated both the case and the population of the study, the temporal and spatial boundaries of the investigation, and the guiding research questions, one last step remains in the overview of case-study methodology: the definition of the so-called “within-case observations”. In simplified language, this concept refers to the topics that will be intensely analyzed within the case itself; by necessity, these have to be relatable to the study’s population.¹⁴⁰ This entails that only those topics that link Venice to Istria and vice-versa, i.e. the mechanisms connecting the major with the minor centers on the Peninsula, will be taken under scrutiny in the study. Although there are not many phenomena (perhaps none at all) that would automatically be disqualified from investigation due to this methodological caveat, there are subjects that are more under the influence of this nexus than the others. Thus, the selection of the within-case observations is predominantly governed by the above-listed set of research questions, the current state of scholarship, as well as—perhaps most decisively—by the quality and quantity of available primary sources.

The first set of within-case observations will focus on the internal functioning of Venetian Istria as a region, a concept that will be meticulously defined in the following pages. In that way, the analysis will focus on the structures and processes that engendered the Venetian possessions in Istria to function, or at least to be conceptualized both from the point of view of local population and the ruling Venetians, as a distinct geo-administrative region. These observations will also be measured temporally, t_1 constituting the period before the War of Chioggia, t_2 the period

¹⁴⁰ Gerring, *Case Study*, 21, 217.

afterwards. This analysis aims to demonstrate the putative changes in the conceptualization of Venetian Istria as an administrative region following the transformation of Venice from *Commune* to *Dominium*.

The second set will narrow the scope even further and focus on several distinctive individuals and their places in the *Dominium Veneciarum* from the viewpoint of Istria. These historical personas include Andrea Ferro, a Venetian nobleman who served as a podestà in Istria on several occasions and even married an Istrian widow; the De Gravisi family, members of the very peak of Istrian nobility; and local elites such as the De Germanis, De Artizanibus and Scampicchio family clans. By narrowing the observations even further, these investigations will demonstrate how the nascent Venetian *dominium* engendered the birth of new ideas regarding Venice or Istria, how it influenced social mobility, and what opportunities it provided to both Venetians and Istrians. These observations will also shed light on the (re)construction of collective identities of various social strata inhabiting late medieval Venetian Istria, a standard *topos* of Istrian historiography suffering from outdated methodological approaches and/or antiquated theoretical paradigms.¹⁴¹

The final set of within-case observations will focus on the functioning of Venetian administrative system in Istrian local centers such as Piran, Poreč, Rovinj and Buzet. The observations will home in on the actions of the delegated Venetian rectors and their interactions with the political and social environment of the communities entrusted to their administration. Likewise, the functioning of Venetian appellate jurisdictions in Istria will also be analyzed in this context.

These three sets of within-case observations engender the three corresponding analytical chapters: *Performing the Region*, *Performing Identities*, and *Performing the State*, respectively. Thus, the sets of within-case observations and analytical chapters are both grouped so that they

¹⁴¹ Darja Mihelič, "Die Bezeichnung der Slawen und Romanen in Istrien," in *Personennamen und Identität: Namengebung und Namengebrauch als Anzeiger individueller Bestimmung und gruppenbezogener Zuordnung: Akten der Akademie Friesach "Stadt und Kultur im Mittelalter," Friesach (Kärnten), 25. bis 29. September 1995*, ed. Reinhard Härtel (Graz: Akademische Druck- u. Verlagsanstalt, 1997), 363–79; Miroslav Bertoša, "U znaku plurala: Višebrojni i višeslojni identiteti istarski (Kroki ranoga novovjekovlja: XVI.–XVIII. stoljeća)" [In the sign of plural: Multiple and multilayered Istrian identities (a sketch of the Early Modern Era: 16th to 18th century)], in *Identitet Istre: Ishodišta i perspektive* [Identity of Istria: Starting points and perspectives], ed. Marino Manin et al. (Zagreb: Institut društvenih znanosti Ivo Pilar, 2006), 17–32. A more methodologically and theoretically up-to-date approach to these phenomena is Sandi Blagonić, *Od Vlaha do Hrvata: Austrijsko-mletačka politička dihotomija i etnodiferencijski procesi u Istri* [From Vlachs to Croats: Austro-Venetian Political Dichotomy and Ethno-Differential Processes in Istria] (Zagreb: Jesenski i Turk, 2013).

form an inverted pyramid shape, that is, broader topics (such as the formation of the geopolitical map of Venetian Istria in the fifteenth century) precede the narrower (such as microscopic observations of certain individuals operations within a web of Istrian-Venetian relations).

Throughout the three main analytical chapters will be sprinkled the so-called *episodes*: historical events, temporally and spatially bounded to a single place within a single point in time, that exemplify phenomena of paradigmatic significance in the context of the study. These episodes will first be narratively reconstructed and then subjected to microhistorical analysis and “thick description” as advocated by the likes of Carlo Ginzburg, Giovanni Levi and Clifford Geertz, inferring the “web of meaning” within which these events—mostly drawn from the quotidian setting—take place.¹⁴² The value of these episodes (which will at times take the shape of informed conjectures) is twofold: aesthetic—endowing the analytical parts with vivid narratives of everyday experiences of the study’s protagonists—and heuristic—unveiling the “relationship (about which we know so little) between individual lives and the contexts in which they unfold.”¹⁴³

This multipronged approach to the topic necessitates that each analytical chapter be endowed with its own theoretical framework and conceptual apparatus; these will be detailed at the very beginning of each of the three analytical parts. As inferred from their titles, however, there is one theoretical paradigm that all three chapters have in common: the theory of performativity.

According to Judith Butler, the leading name in the field, performativity stands for “that reiterative power of discourse to produce the phenomena that it regulates and constrains.”¹⁴⁴ A simple definition for a potent analytical perspective. What it entails is that every historical phenomenon—in the context of this study these would be the formation of a region, the state, collective identities, etc.—has to be performed through some kind of reiterative discourse. This discourse can take a myriad of forms, from quotidian administration of justice to celebrations of the elections of a new doge, but it will always have a disciplining function as well as a formative one. In other words, when Venetian officials write of “Our lands in Istria”, they are effectively producing “Istria” as a specific region. Without such utterances, following John Langshaw Austin

¹⁴² Clifford Geertz, “Thick Description: Toward an Interpretative Theory of Culture,” in *The Interpretations of Cultures: Selected Essays* (New York: Basic Books Inc., 1973), 3–30; Carlo Ginzburg, “Clues: Roots of an Evidential Paradigm,” in *Clues, Myths and the Historical Method*, trans. Anne C. Tedeschi and John Tedeschi (Baltimore, MD: Johns Hopkins University Press, 1990), 96–125; Giovanni Levi, “On Microhistory,” in *New Perspectives on Historical Writing*, ed. Peter Burke (Cambridge: Polity Press, 1991), 93–113; Carlo Ginzburg, “Microhistory: Two or Three Things That I Know about It,” trans. John Tedeschi and Anne C. Tedeschi, *Critical Inquiry* 20/1 (1993): 10–35.

¹⁴³ Carlo Ginzburg, “Checking the Evidence: The Judge and the Historian,” *Critical Inquiry* 18/1 (1991): 90.

¹⁴⁴ Judith Butler, *Bodies that Matter: On the Discursive Limits of “Sex”* (New York: Routledge, 1993), 2.

they are called “performatives”, there would be no Istria.¹⁴⁵ Similarly, a Venetian rector administering justice in Poreč “for the honor and well-being of our Venetian dominium” effectively produces *Dominium Veneciarum* in Istria. What follows from this theoretical perspective is that all of these performances must be reiterative as the production of the phenomena they perform must be sedimented through repetition. If a performance is repetitive, it is necessarily prone to failures in enactment, what Butler terms “gaps and fissures” that “contest and challenge” the effects of a performative.¹⁴⁶ If the Venetian Great Council levies a special tax to be collected in Istria, but Muggia refuses to pay it on the grounds that the law does not pertain to it, the production of Istria as a region is contested and prone to change. In this highly fictionalized scenario, if Muggia indeed manages to avoid paying the tax levied in Istria, all the subsequent performatives of Venetian Istria have the potential not to pertain to Muggia as well. Consequently, the production of Istria as a region changes and its boundaries shrink. Thus, performativity theory is particularly useful for studying dynamic phenomena as all the products of enactment are necessarily prone to changes. The study will rely on Butler’s theoretical paradigm and conceptual apparatus, analyzing both the discursive production of various phenomena through performatives, as well as their contestation through “gaps and fissures.”

An attentive reader will surely notice the utmost lack of aspects of economic history in the presented outline of the study. There are several reasons for this purposeful omission, two of them principal. First, the quality of available primary sources does not allow for a more nuanced approach to economic relationships between Istrian subject centers and Venice; the type and sheer quantity of source material that was available to, for example, Pino-Branca in his penetrative analysis of Venetian economic activity in fifteenth-century Padova is utterly lacking for Istria.¹⁴⁷ Moreover, those topics that could be approached that are related to economy, such as the salt industry of Piran and aspects of Venetian taxation, have already been very successfully analyzed by other historians, Gestrin, Hocquet, and Darovec more precisely. Thus, themes from economic history will be largely, but not completely excluded from the study in order to make room for the analyses of political, social, and juridical aspects of Venetian Istria’s late medieval history—topics

¹⁴⁵ John L. Austin, *How to Do Things with Words* (Oxford: Clarendon Press, 1962), 4–11 and passim.

¹⁴⁶ Butler, *Bodies that Matter*, 10.

¹⁴⁷ Pino Branca, “Il comune di Padova I,” 879–940, 1249–1323.

that can be deeply researched on the basis of presented primary sources, offering a privileged view on the functioning of the nascent *Dominium Veneciarum* on the Istrian peninsula.¹⁴⁸

To summarize this extensive introductory chapter in the briefest possible manner: in the form of a case-study and through the examination of official records issued by the Venetian central government and Istrian communal bodies, sources that deal with a variety of topics ranging from official governmental politics to everyday behavior, the study will explore the multiform processes and mechanisms of state-building operating in Venetian Istria during the first age of the nascent *Dominium Veneciarum* (c. 1381–c. 1470) by analyzing the state's impact on the region in matters of governmental politics, jurisprudence, social stratification and identity-building; at the same time, it will question whether the introduction of the Istrian case into the body of existing scholarship pertaining to Venice might cast new light on the processes of state transformation that transpired in the region during the *Quattrocento*.

¹⁴⁸ Absolutely the same was done by Ermanno Orlando in his classic study of the Venetian Dogado where he concluded that “[l]a dimensione economica delle lagune ha avuto una considerazione marginale in questo libro; e non avrebbe potuto essere altrimenti, vista la natura delle fonti maggiormente consultate – cronache; statuti; atti e deliberazioni di consigli e uffici; scritture giudiziarie – e le prospettive storiografiche privilegiate nel lavoro – le istituzioni, la giurisdizione, il territorio, la giustizia.” Orlando, *Altre Venezie*, 357.

Excursus: Harmonizing Terminological Dissonance – Defining Key Concepts

Before closing the preliminary passage and opening the analytical chapters, there are several crucial terms that deserve special treatment in the very introduction of the study as they are often invoked, but rarely explicated, thus creating a morass of impotent concepts inhibiting the heuristic potential of the analyses.

The crux of all the following debates lies in the perennial dilemma of the historians' craft: should one strive to remain faithful to the concepts employed in the primary sources, ambiguous as they may be, or is it analytically less detrimental to adopt deliberately anachronic terms? There are pros and cons to both approaches: exclusively retaining "indigenous" terminology—to adopt anthropological vocabulary—reduces the risks of distorting the analysis with anachronistic biases that are inherent to ahistorical terms, but it does so at the expense of a reduced comparative potential and diminished intelligibility to present-day readers. This approach was famously advocated by Otto Gierke back in 1873 who wrote with conviction that "[i]n order to understand an age whose way of thinking is different from our own, we must operate only with the concepts of that age."¹⁴⁹ However, these "indigenous" concepts are themselves more often than not "worn out and deformed by long usage" and "like any system of expression which has not derived from the rigorously organized efforts of technical experts semantically ambiguous," as was keenly noted by Marc Bloch.¹⁵⁰ Moreover, historical terms are also, in the evocative words of Gottfried Wilhelm Leibniz, "pregnant with the future and laden with the past."¹⁵¹ Therefore, even the strict adherence to the employment of the terms read exclusively from the primary sources runs the risk of semantic ambiguity—and consequently, analytical impotence—if these concepts are not clearly explicated

¹⁴⁹ Otto von Gierke, *Das deutsche Genossenschaftsrecht*, vol. 2: *Geschichte des deutschen Körperschaftsbegriff* (Berlin: Weidmannsche Buchhandlung, 1873), 6 (English translation of the German original is taken from Howard Kaminsky–James Von Horn Melton, "Translators' Introduction," in *Land and Lordship*, xlix, fn. 23).

¹⁵⁰ Marc Bloch, *The Historian's Craft*, trans. Peter Putnam (Manchester: Manchester University Press, 2006), 158.

¹⁵¹ "Plein de l'avenir, et chargé du passé." Gottfried Wilhelm Leibniz, "Nouveaux essais sur l'entendement humain," in Gottfried Wilhelm Leibniz, *Sämtliche Schriften und Briefe*, vol. 6/6: *Philosophische Schriften*, ed. André Robinet and Heinrich Schepers (Berlin: Akademie-Verlag, 1990), 55. In the most recent translation of this work into English this line is translated as "big with the future and burdened with the past." Gottfried Wilhelm Leibniz, *New Essays on Human Understanding*, trans. Peter Remnant and Jonathan Bennett, Cambridge Texts in the History of Philosophy (Cambridge: Cambridge University Press, 1996), 55.

and if their semantic polyvalence is not curbed—that is, if they are not “sterilized” as Carlo Ginzburg terms this practice.¹⁵²

Conversely, if one chooses to employ tools from the present-day conceptual apparatus, the study may benefit from improved intelligibility to a wider range of present-day readers and greater potential for comparative studies, but at the expense of anachronism—“the most unpardonable of sins in a time-science”—and semantic nominalism—“the unreflected transfer of a concept from one historical context to another and the use of the concept only in retrospect, thereby neglecting the diachronic change and synchronic diversity of meanings.”¹⁵³

Consequently, there is no simple answer to this perennial conundrum and each historian should decide which of the two approaches to embrace. For example, Carlo Ginzburg was influenced by Kenneth L. Pike’s theory of *etic* and *emic* levels of analysis—the former guided by deliberately anachronistic, present-day terms, meant to engender broader comparative perspectives, the latter “culturally specific, applied to one language or culture at a time”—as he recommended to begin the analysis and form research questions based on present-day, anachronistic terms (*etic* level); as the study progresses, the answers to these questions should be termed in “indigenous” concepts and categories (*emic* level).¹⁵⁴ What follows is a detailed, informed explication of personal preferences that lean more heavily towards Gierkean maxim than to ecumenical interpretative frameworks, preferring to “sterilize” historical terms and transform “indigenous” concepts into analytical categories rather than to adopt anachronistic terminology and risk contaminating the interpretative framework with contemporary biases.

Status vs. State

¹⁵² Carlo Ginzburg, “Our Words and Theirs: A Reflection on the Historian’s Craft, Today,” *Cromohs* 18 (2013): 104.

¹⁵³ The definition of anachronism is taken from Bloch: “If ill-chosen or too mechanically applied, the symbol (which was there only to assist in the analysis) ends by dispensing with analysis. Thereby, it promotes anachronism: the most unpardonable of sins in a time-science.” Bloch, *The Historian’s Craft*, 143. The definition of semantic nominalism is quoted from Jörn Leonhard, “The Longue Durée of Empire: Toward a Comparative Semantics of a Key Concept in Modern European History,” *Contributions to the History of Concepts* 8/1 (2013): 12.

¹⁵⁴ “One starts with *etic* questions aiming to get *emic* answers.” Ginzburg, “Our Words and Theirs,” 105. Pike’s system of *emic* and *etic* levels of analysis is best explicated in Kenneth L. Pike, *Language in Relation to a Unified Theory of the Structure of Human Behavior*, 2nd revised ed., Janua Linguarum (The Hague: Mouton, 1967), 37–58 (quotation on 37).

The first point of contention in scholarship regards the qualification of late medieval *Dominium Veneciarum* and other contemporary expanding polities: can they be dubbed “states” and if so, is the term emic or etic?

In a nutshell, there are two schools of thought regarding this conceptual conundrum: the “presentist” that bears in mind the contemporary (nation)state as the ideal type;¹⁵⁵ and the “historicist” that defines this type of geo-political unit in Weberian terms as “an organization of human society within a more or less fixed area in which the ruler or governing body more or less successfully controls the legitimate use of physical force.”¹⁵⁶ Wary of all the implicit semantic dimensions of the term and its potential to impair the analyses of medieval societies, the author of the study will employ the concept of the *state* to qualify the late medieval *Dominium Veneciarum*.¹⁵⁷ After all, even the fifteenth-century Venetians regularly employed the Latin term *status* to refer to their polity, although its meaning was broad enough to encompass the ethical principles of government, the welfare and standing of the entire *Dominium*, as well as jurisdictional forms.¹⁵⁸ Such a wide conceptualization of the term *status* (*stato* in medieval *volgare*) was representative of very much the entire late medieval Apennine peninsula, receiving its canonical interpretation with the likes of Niccolò Machiavelli who famously stated that “All the *stati*, all the dominions that have had or now have power over men have either been or are republic or principalities.”¹⁵⁹ Comparing this statement with that of the one recorded in the minutes of the Council of Ten on the 5th of July, 1447, where the doge was likened to an *imago* “by whose means the entire government of our *status* is administered,” it must be concluded that both the term *stato* employed by Machiavelli and *status* invoked by the Venetian executive body can only be

¹⁵⁵ Latham, *Theorizing*, 54. A good intro to the debate is Rees Davies, “The Medieval State: The Tyranny of a Concept?,” in *Twenty Years of the Journal of Historical Sociology*, ed. Yoke-Sum Wong and Derek Sayer, vol. 1: Essays on the British State (Oxford: Blackwell, 2008), 294–314, esp. 294–307.

¹⁵⁶ Susan Reynolds, “The Historiography of the Medieval State,” in *Companion to Historiography*, ed. Michael Bentley (London: Routledge, 1997), 110.

¹⁵⁷ Thus, I follow Susan Reynolds, “There Were States in Medieval Europe: A Response to Rees Davies,” *Journal of Historical Sociology* 16, no. 4 (2003): 550–55.

¹⁵⁸ Grubb, *Firstborn of Venice*, 21.

¹⁵⁹ “Tutti gli stati, tutti e’ dominii che hanno avuto e hanno imperio sopra gli uomini, sono stati e sono repubbliche o principati.” Niccolò Machiavelli, “Il Principe,” in *Il Principe: Testo e saggi*, ed. Giorgio Inglese (Rome: Treccani, 2013), 71, chap. 1. The translation into English is appropriated from Quentin Skinner, “The State,” in *Political Innovation and Conceptual Change*, ed. Terence Ball, James Farr, and Russell L. Hanson, Ideas in Context (Cambridge: Cambridge University Press, 1989), 99. On the various semantic dimensions of the term *lo stato* as used by Machiavelli, see Jeremy Larkins, *From Hierarchy to Anarchy: Territory and Politics before Westphalia*, The Palgrave Macmillan History of International Thought (New York: Palgrave Macmillan, 2010), 123–44.

translated with the English word *state*.¹⁶⁰ Consequently, it can be concluded that state is indeed an emic concept in this context. At the same time, however, it must be borne in mind that the *stato* of the *Quattrocento* is not a conceptual equal of the modern-day (nation)state, as the presentists eagerly point out.¹⁶¹

An often-invoked solution to bridge the gap between the “presentist” and the “historicist” schools is “encrusting” the term *state* with various adjectives (“regional,” “premodern,” “territorial,” et cetera) in order to conceptually separate it from the (nation)states of the modern age.¹⁶² The problem is that most of these “encrustations” are problematic concepts themselves. For example, the syntagm “regional state,” often used in Italophone historiography, is an inherently teleological concept: a “regional state” is precisely “regional” because it is not “the state”—the nation state of contemporary era; it is “regional” because it is not “unified” as the contemporary era Italy is. Therefore, this standard term of Italian historiography—*lo stato regionale*—will be shunned in this study due to its inborn teleological character.

More felicitous is the concept of the “territorial state,” originally devised for late medieval Florence and subsequently “imported” to Milanese and Venetian historiographies.¹⁶³ The term

¹⁶⁰ “Dominus dux sit illa imago, que representat Dominium Venetiarum, et ad quem tamquam ad primum omnia referuntur, et per cuius medium universum regiminem nostri status ministratur.” ASV, CXMi, reg. 13, reg. 78v. This part of the proposal was translated (but not transcribed) in Dennis Romano, *The Likeness of Venice: A Life of Doge Francesco Foscari, 1373-1457* (New Haven: Yale University Press, 2007), xxi and this is the translation I have used here as well.

¹⁶¹ According to the presentists —such as Paolo Grossi and Victor Crescenzi to name but a few—the states of the modern age cannot be conceptually equated with medieval polities as the Middle Ages lacked “a specific and unequivocal scheme ordinating their political and juridical contents,” “a rigorously unitary reality,” “effective power over a specific territory guaranteed by a centripetal apparatus capable of ordering and coercing,” or “a stable social aggregation, firmly established in the ambient of a specific territory, led by a government that aims to pursue public goals, common to the co-citizens, assuming an institutional dimension in order to transcend individual interests.” Instead, the critics point out, the Middle Ages were more inter-personal than institutional, utmost authority lying outside the strictly geo-political sphere, clumsily tucked in the distant hands of the Roman popes and (Holy) Roman emperors, the two universal—and thus by necessity un-stately—reservoirs of medieval sovereignties. The quotations are taken from the two definitions featured in Paolo Grossi, “Un diritto senza stato: La nozione di autonomia come fondamento della costituzione giuridica medievale,” *Quaderni fiorentini per la storia del pensiero giuridico moderno* 25 (1996): 270 and Victor Crescenzi, “Esiste un problema storico della statualità medievale?,” *Diritto romano attuale* 19 (2008): 173. Cf. the response to Grossi’s article, criticizing his approach and revindicating the term *state* for medieval polities, most prominently Italian communes, Mario Ascheri, “Un ordine giuridico senza stato? Tra miti e disconoscimenti,” *Rechtshistorisches Journal* 15 (1996): 360–72. See also Ermanno Orlando, “Alla ricerca della statualità medievale,” *Le Carte e la Storia* 15/1 (2009): 107, 113–14 (negating statehood), 109 (Ascheri’s account). See also, Andrew A. Latham et al., “Forum: In the Beginning There Was No Word (for It): Terms, Concepts, and Early Sovereignty,” *International Studies Review* 20/3 (2018): 485–519, esp. Latham’s chapter titled “IR’s Medieval-Sovereignty Debate: Three Rival Approaches: Introduction”.

¹⁶² Davies, “The Medieval State,” 301.

¹⁶³ Luca Mannori, “Effetto domino: Il profilo istituzionale dello Stato territoriale toscano nella storiografia degli ultimi trent’anni,” in *La Toscana in Età Moderna (secoli XVI-XVIII): Politica, istituzioni, società: Studi recenti e prospettive*

could be extended to *Quattrocento* Venice whose territory not only drastically expanded, but was also becoming more tightly surveilled from the state's center: this is exemplified both by the previously mentioned provision from 1403 banning the reception of foreign offices and benefices, as well as by the commissioning of detailed maps of the entire *Dominium*, voted on the 27th of February, 1460, by the Council of Ten “so that if anyone wants to deliberate or decide about any of our cities, towns, forts, provinces or places, they would have real and detailed knowledge in front of their eyes.”¹⁶⁴ This wide-ranging mapping project that was meant to encompass the entirety of the *Dominium Veneciarum* was recently evaluated by Alfredo Viggiano as an action that was meant “to transmit to those in power an illusion of control over cities, seigniorial and ecclesiastical jurisdictions, and distant lands which, in reality, enjoyed a significant degree of autonomy.”¹⁶⁵ However, even though the idea of a territorially exclusive sovereignty—the main building block of modern statehood—was gaining ground precisely throughout the fourteenth and the fifteenth centuries, it remained more theoretical than practical in many cases.¹⁶⁶ Thus, the very concept of “territoriality,”—“the attempt by an individual or group to affect, influence, or control people, phenomena, and relationships, by delimiting and asserting control over a geographic area”—does not aptly describe the nature of *Quattrocento* politics such as the Duchy of Milan or the Dominion of Venice who had a whole array of jurisdictional islands under the control of various retainers—aptly dubbed *piccoli principi* by Sergio Zamperetti—within the boundaries of their “territorial states.”¹⁶⁷ For these reasons, it has been decided to jettison this concept as well.

di ricerca. Atti del Convegno (Arezzo, 12-13 ottobre 2000), ed. Mario Ascheri and Alessandra Contini (Florence: Leo S. Olschki, 2005), 59–90, esp. 67–71.

¹⁶⁴ ASV, Consiglio di dieci, Deliberazioni miste (hereafter: CXMi), reg. 15, fol. 197r. The deliberation is edited *in extenso* in Giuliana Mazzi, “Governo del territorio e cartografia veneta tra Quattrocento e Cinquecento,” in *Verona e il suo territorio nel Quattrocento. Studi sulla carta dell’Almagià*, ed. Stefano Lodi and Gian Maria Varanini, Nordest nuova serie 122 (Verona: Cierre, 2014), 19, fn. 1 (= Josip Banić, ed., *Fontes Istrie medievalis* (hereafter: *FIM*), doc. 1460_CXVP, https://fontesistrie.eu/1460_CXVP, last access: 7st of May, 2021]). Note on *FIM* editions: all webpages of *FIM* database have been last accessed on the 7st of May, 2021, just before the submission of the thesis. Therefore, I will not reference the “last access” dates when referring to these editions from hereon.

¹⁶⁵ Alfredo Viggiano, “Politics and Constitution,” in *A Companion to Venetian History, 1400-1797*, ed. Eric R. Dursteler (Leiden: Brill, 2013), 63.

¹⁶⁶ Stuart Elden, *The Birth of Territory* (Chicago: University of Chicago Press, 2013), 99–241, esp. 218–41.

¹⁶⁷ The definition is quoted from Hans Vollaard, “The Logic of Political Territoriality,” *Geopolitics* 14/4 (2009): 691 who in turn quotes Robert Sack, *Human Territoriality: Its Theory and History*. See also, Elden, *The Birth of Territory*, 218–41; Zamperetti, *I piccoli principi*, 41–44. Similar criticism has been levied against the concept of the “territorial state” on the basis of evidence from the late medieval Reggio in Andrea Gamberini, “La territorialità nel Basso Medioevo: un problema chiuso? Osservazioni a margine della vicenda di Reggio,” in *Poteri signorili e feudali nelle campagne dell’Italia settentrionale fra Tre e Quattrocento: Fondamenti di legittimità e forme di esercizio: Atti del Convegno di studi Milano, 11-12 aprile 2003*, ed. Federica Cengarle, Giorgio Chittolini, and Gian Maria Varanini, Reti Medievali E-Book: Quaderni 4 (Florence: Firenze University Press, 2005), 47–71.

There is one “encrustation” that fits the age and the Venetian context perfectly: “the jurisdictional state.” According to Maurizio Fioravanti, a jurisdictional state (Ital. *lo stato giurisdizionale*) is a composite geo-polity of major and minor centers characterized by the three following features:

- “the central government [that] is always obliged to presuppose the existence of a multitude of subjects, ranging from towns to rural communities,”
- “a legal system that is not automatically translated into law hierarchically superordinate to the rights of the parts and the single components,” and
- “a government that does not work through an administration appointed to express the presence and the force of the *imperium* in every place, in the center as in every point of the periphery, except for the means of its jurisdiction, which allows it to govern with far more flexibility a territorially complex unity, essentially with the intention of keeping the peace, and of bringing together and holding in equilibrium the concretely existing forces.”¹⁶⁸

This concept stems from the Machivellian *principatus mixtus*, a “composite state” formed of various “appendages” (*membri*)—jurisdictional islands of varying autonomies and cultural backgrounds—loosely linked to the central government.¹⁶⁹ Thus, a *jurisdictional state* is a form of this *stato misto*, the constituting link between the capital and subjected centers assuming the form of both the upholding of social equilibriums and existing juridical systems, as well as the administration of the justice apparatuses, processes in which both the central and local, subjected factors assume crucial roles. Consequently, the concept of the *jurisdictional state* posits at the very center of analysis precisely what historians such as Davies and Chittolini accentuate as crucial for every discussion on medieval polities: the distribution of jurisdictional prerogatives between the capital and the subjected center, the interplay between local and central powers (both institutionalized and interpersonal), and the context within which these interactions perform authority (monopolize violence, tax, conscript, et cetera). At the same time, the qualification of late medieval Venice as a *jurisdictional state* positions the study firmly within the contemporary

¹⁶⁸ Maurizio Fioravanti, “Stato e costituzione,” in *Lo Stato moderno in Europa*, ed. Maurizio Fioravanti (Bari: Laterza, 2002), 8–9. The English translation is taken and slightly modified from Claudio Povolo, “Tradition and Jurisdiction in the Writings of a ‘Consultore in Iure’ (Giovan Maria Bertolli, 1631-1707),” in *The Emergence of Tradition: Essays in Legal Anthropology (XVI-XVIII Centuries)* (Venice: Libreria Editrice Cafoscarina, 2015), 67–68.

¹⁶⁹ Machiavelli, “Il Principe,” 72, chap. 3. See also Alissa M. Ardito, *Machiavelli and the Modern State: The Prince, the Discourses on Livy, and the Extended Territorial Republic* (Cambridge: Cambridge University Press, 2015), 44–49, 104–5, 109–12.

scientific discourse of (historical) statehood and state formation, opening up the results of the study to further cross-disciplinary comparative analyses, as advised by Reynolds. For the sake of narrative elegance, this particular type of geo-political organization will be referred to as “the late medieval state”, “the *Quattrocento* state,” or, at times, simply “the state”; the reader should bear in mind that the definition of the *jurisdictional state* as given above is implied.

Accordingly, the process through which the central government creates new (or modifies existing) power structures—which can be both administrative and jurisdictional, as well as social, thus including, according to Michael Mann, ideological, economic, and military-political components—will be dubbed *state-building*.¹⁷⁰ Such a broad definition of this process implies that actions such as the commissioning of the statues portraying the winged lions of St. Mark and their placement on the civic squares of subject towns will also be viewed as an example of state-building, just as the creation of new appellate jurisdictions or the reformation of local statutes will be—all of these governmental interventions (re)shape power structures with the ultimate aim of improving jurisdictional force of the capital, the *state*. Defined in this way, state-building is the very focal point of the present study.

Imperium vs. Empire

Utterly contrary to Gierke’s and Davies’s sensible proposals and Reynold’s circumspect definitions is the appropriation of the term *Empire* for late medieval Venice. This scholarly trend has been inaugurated by anglophone historians writing on late medieval Venice and subsequently popularized by American venetianists. Among the first to promote the painfully ahistorical syntagm “Venetian Empire” and “Imperial Venice” was David Sanderson Chambers in his synthetic account of Venice in the period between 1380 and 1580, “its imperial centuries.”¹⁷¹ From this point onwards the qualification of *Dominium Veneciarum* as an *Empire* gained life of its own

¹⁷⁰ Thus, I do not define this term, as is sometimes the case in international relations, as “the development of international regulatory mechanisms aimed at addressing cases of intra-state conflict and state ‘collapse’, or at shoring up ‘failing states’.” David Chandler, “Post-Conflict Statebuilding: Governance Without Government,” in *Whose Peace? Critical Perspectives on the Political Economy of Peacebuilding*, ed. Michael Pugh, Neil Cooper, and Mandy Turner (London: Palgrave Macmillan, 2008), 337. On the conceptualization of social power, to which I will recurrently return to, I follow Michael Mann, *The Sources of Social Power*, vol. 1: *A History of Power from the Beginning to A.D. 1760* (Cambridge: Cambridge University Press, 1986), esp. 1–33.

¹⁷¹ David S. Chambers, *The Imperial Age of Venice, 1300-1580* (London: Thames and Hudson, 1970), 33–71.

and penetrated both American and Italian scholarly discourse, as well as popular literature.¹⁷² Most recently this unfortunate qualification of Venice as an *Empire* has been further disseminated in an influential introductory study penned by Dennis Romano and John Martin, and subsequently appropriated by historians such as Monique O’Connell, Erin Maglaque, and Maria Fusaro.¹⁷³ The problem with this syntagm is twofold: it is ahistorical in the context of late medieval Venice and Latin Christendom, and the present-day concept of *Empire* as a category of analysis is ill-conceived to be successfully employed in the context of the European (Late) Middle Ages.

Starting with the first point, Venice never formally fashioned itself as an Empire for a simple reason: the term was reserved for the two universal *Imperia* of the Christian world: the Holy Roman Empire for the Latin Christendom, the Byzantine Empire for the Orthodox.¹⁷⁴ True, as O’Connell recently pointed out, many fifteenth-century authors, including some Venetians (most famously Marin Sanudo the Younger) and Venetian subjects (including Istrians), likened Venice to an Empire, most often invoking the splendor of the Roman Empire of the classical antiquity;¹⁷⁵ even the doges did not shy away from such imagery.¹⁷⁶ However, Venice was not exceptional in this case: Leonardo Bruni likened the Duchy of Milan to an *imperium* even before

¹⁷² E.g. David Nicolle, *The Venetian Empire: 1200–1670*, Men-at-Arms (London: Osprey, 1989); Jan Morris, *The Venetian Empire: A Sea Voyage* (Harmondsworth: Penguin, 1990); Alvise Zorzi, *Venice, 697-1797: A City, a Republic, an Empire*, Revised (Woodstock: Overlook Press, 2001). See also the exhaustive bibliography provided in Georg Christ and Franz-Julius Morche, “Introduction,” in *Cultures of Empire: Rethinking Venetian Rule, 1400–1700: Essays in Honour of Benjamin Arbel*, ed. Georg Christ and Franz-Julius Morche, The Medieval Mediterranean: Peoples, Economies and Cultures, 400-1500 122 (Leiden: Brill, 2020), 3–4.

¹⁷³ Dennis Romano and John Martin, “Introduction,” in *Venice Reconsidered: The History and Civilization of an Italian City-State, 1297–1797*, ed. John Martin and Dennis Romano (Baltimore, MD: Johns Hopkins University Press, 2000), 1–2, 10, 14; O’Connell, *Men of Empire*, esp. 1–12; Maglaque, *Venice’s Intimate Empire*, esp. 6–19; Maria Fusaro, *Political Economies of Empire in the Early Modern Mediterranean: The Decline of Venice and the Rise of England, 1450-1700* (Cambridge: Cambridge University Press, 2015), 3–23; Maria Fusaro, “Venetian Empire,” in *The Encyclopedia of Empire*, ed. John M. Mackenzie (New York: John Wiley & Sons, 2016), online edition.

¹⁷⁴ Cf. Fusaro, *Political Economies*, 8; O’Connell, “Individuals, Families, and the State,” 21. On the same page O’Connell correctly asserts that “Venetian legislators consistently used dominion (*dominio*), territory, (*territorio*) or state (*stato*) to describe their overseas holdings.”

¹⁷⁵ Monique O’Connell, “Venetian Empire in Oratory and Print in the Later Fifteenth Century,” in *Cultures of Empire: Rethinking Venetian Rule, 1400–1700: Essays in Honour of Benjamin Arbel*, ed. Georg Christ and Franz-Julius Morche, The Medieval Mediterranean: Peoples, Economies and Cultures, 400-1500 122 (Leiden: Brill, 2020), 40–62, esp. 54 and fn. 65 for an example of a Capodistrian subject likening Venice to an Empire. Highly unfortunately, COVID-19 pandemic has prevented me from consulting the manuscript; I will consult it and edit it as soon as possible in an upcoming publication. For Marino Sanudo’s phrase “l’impero veneto,” Marino Sanudo, *Itinerario per la Terraferma veneziana*, ed. Gian Maria Varanini (Rome: Viella, 2014), 150. See also, Michael Knapton and John E. Law, “Marin Sanudo e la Terraferma,” in *Itinerario per la Terraferma veneziana*, ed. Gian Maria Varanini (Rome: Viella, 2014), 42, 53. Fortini Brown, *Venice and Antiquity*, 156–60.

¹⁷⁶ Romano, *The Likeness of Venice*, 47–51, 117–78, and esp. 149–54; Fortini Brown, *Venice and Antiquity*, 97–115.

Sanudo's famous description of his journey across the *Terraferma* in 1483.¹⁷⁷ Moreover, under the influence of humanistic discourse and the revival of culture of classical Roman antiquity, any "contemporary state which was remarkable for territorial aggrandisement deserved to be called imperium," especially when the words came from the mouths (or pens) of eulogists.¹⁷⁸ In a non-strictly official discourse, therefore, "Italian humanists... could use *imperium* as interchangeable with *dominium*."¹⁷⁹

However, in official discourse, Venice never dubbed itself an Empire. On the contrary, in 1437 Venice became a *de iure* (if not *de facto*) retainer of the Holy Roman Empire as Doge Foscari received the formal investiture of the imperial vicariates over a number of cities in the *Regnum Italicum*.¹⁸⁰ When Venice did use the term *imperium*, it was regularly in its other meaning: to denote jurisdictional prerogatives—"imperium is to have the power to shed blood and to coerce" according to the fifteenth-century Venetian jurist Pietro del Monte (as in *merum et mixtum imperium*).¹⁸¹

¹⁷⁷ Leonardo Bruni, "Rerum suo tempore gestarum," ed. Carmine Di Piero, in Leonardo Bruni, *Historiarum Florentini populi libri XII; Rerum suo tempore gestarum commentarius*, RIS, ser. 2, 19/3 (Bologna: Zanichelli, 1926), 429 (discussing Giangaleazzo's expansion of the Duchy of Milan: "Verona primo, deinde Patavium, urbes magnae ac potentes ad imperium additae").

¹⁷⁸ Richard Koebner, *Empire* (Cambridge: Cambridge University Press, 1961), 47. This elasticity of the term imperium is best mirrored in the writings of Enea Silvio Piccolomini (pope Pius II) who extended the qualification of an imperium to the Kingdom of Hungary, Bohemia, England, to Republic of Venice, and even to the lordships of the Landgrave's of Hesse—those were imperia parva as opposed to the Imperium magnum, the Holy Roman Empire. Cf. Enea Silvio Piccolomini, "De Europa," in Enea Silvio Piccolomini, *Opera geographica et historica* (Helmstedt: Sustermann, 1699), 219 (*imperium gentis Hungarie*), 271 (*imperium Bohemorum*), 318 (*imperium Anglicanum*), 330 (*imperium Venetum*), 298 (Landgrave of Hesse, *parvum* and *magnum imperium*). See also Koebner, *Empire*, 50. Unfortunately, I was not able to procure the best edition of Piccolomini's *De Europa*, edited by Adrian van Heck (Vatican: Biblioteca apostolica vaticana, 2001). Similar is the case with Girolamo Priuli, a Venetian diarist writing between 1494 and 1512, who employed the term "imperio veneto," both with the meaning of jurisdictional prerogatives and a type of polity (e.g., he writes of the "imperio del senato veneto," and of the great harm befalling the "imperio veneto"), but who extended this qualification to the Papal states and the Kingdom of France as well. Girolamo Priuli, *I diarii aa. 1494-1512*, ed. Arturo Segre, vol. 1, 3 vols., RIS, ser. 2, 24/3 (Bologna: Zanichelli, 1921), 29, l. 19 (first quotation), and 191, l. 4 (here the term is indeed used as a type of polity, "la destrution delo imperio venetto"), 225, l. 6–7 ("gram vergogna, vituperio et danno delo imperio veneto"), 250, l. 3 ("Cessena sia cità subdita alo imperio dela chiessia"), 294, l. 38 ("populli de Milano se sotometevanno alo imperio francexe").

¹⁷⁹ Nicolai Rubinstein, "Italian Reactions to Terraferma Expansion in the Fifteenth Century," in *Renaissance Venice*, ed. J. R. Hale (London: Faber & Faber, 1973), 201. Another example of this practice is featured in the correspondence of two Venetian statesmen and humanists, Ludovico Foscari and Francesco Barbaro, where the former wrote to the letter in September of 1449: "Cognoscent omnis Italia maximam animi nostri ingenuitatem, qui curas vigiliasque nostras in liberanda Italia colimus, ditione nostra contenti, cum possumus nostrum prorogare imperium." Gianni Zippel, "Ludovico Foscari ambasciatore a Genova, nella crisi dell'espansione veneziana sulla terraferma (1449-1450)," *Bullettino dell'Istituto storico Italiano per il Medio Evo e Archivio Muratoriano* 71 (1959): 229 (quoted from Rubinstein, "Italian Reactions," 216, fn. 82).

¹⁸⁰ Romano, *The Likeness of Venice*, 125–28. I will return to this event later in the study.

¹⁸¹ "Imperium est habere gladii potestatem et coheritionem." Pietro Del Monte, *Repertorium utriusque iuris* (Bologna: Andrea Portilia, 1475), s.v. "Imperator, Imperium," (the edition is not paginated). Grubb translated the passage as "the

Therefore, it must be concluded that dubbing *Quattrocento* Venice an Empire is anachronic, but can Empire be employed as a consciously etic analytical concept? For Fusaro and O'Connell the answer is a resounding "yes:" the term enables a holistic view of the Venetian state and fosters comparison with a multitude of other synchronic and diachronic polities within the growingly popular "global history" paradigm.¹⁸² While these scholarly trajectories are indeed praise-worthy, the concept of "Empire" is not only unnecessary but actually quite impeding.

Fusaro's definition of Empire is too broad and applicable to essentially every polity with a subject territory;¹⁸³ O'Connell's—appropriated from Karen Barkey—essentially differs from Fioravanti's *stato giurisdizionale* in only one aspect: "the relations over groups ethnically different from itself."¹⁸⁴ The centrality of ethnic diversity as a key component of an *Empire* reflects a clearly

capacity to coerce and the power to punish." Grubb, *Firstborn of Venice*, 21. On Pietro del Monte see Roberto Ricciardi, "Del Monte, Pietro," in *DBI* 38, [http://www.treccani.it/enciclopedia/pietro-del-monte_\(Dizionario-Biografico\)/](http://www.treccani.it/enciclopedia/pietro-del-monte_(Dizionario-Biografico)/) (last access: 5th of February, 2020). An insightful and still very much relevant overview of the semantic evolution of the term *imperium* is Richard Koebner, *Empire* (Cambridge: Cambridge University Press, 1961), 1–17 (the classical Latin usage during the Roman period), and 18–60 (its subsequent evolution from the late antiquity to the Early Modern period). The term *merum et mixtum imperium* stems from Justinian's Digest (book 2, chap. 1.3): "Imperium aut merum aut mixtum est. Merum est imperium habere gladii potestatem ad animadvertendum facinorosos homines, quod etiam potestas appellatur. Mixtum est imperium, cui etiam iurisdictio inest, quod in danda bonorum possessione consistit. iurisdictio est etiam iudicis dandi licentia." ("*Imperium* is simple or mixed. To have simple *imperium* is to have the power of the sword to punish the wicked and this is also called *potestas*. *Imperium* is mixed where it also carries jurisdiction to grant *bonorum possessio*. Such jurisdiction includes also the power to appoint a judge.") Translation is taken from Alan Watson, trans., *The Digest of Justinian*, vol. 1 (Philadelphia: University of Pennsylvania Press, 1998), 40. Watson defines *imperium* as "[t]he power of the higher republican magistrates, including the *praetor* [q.v.], and later the emperor to issue orders and enforce them, in particular the right to administer justice and to give military commands." Watson, *The Digest*, glossary, s.v. "Imperium" (unpaginated). As was noted by Koebner, "[b]oth terms, and *merum imperium* in particular, were from late in the thirteenth century seen to be appropriate for defining the powers conceded to princes and communities who legally depended on a higher authority but had full control within their territorial confines. They were adopted in this meaning by the imperial chancellery itself. *Merum imperium* could certainly be attributed to independent princes outside the Reich as well." Koebner, *Empire*, 37. For some examples: Verci, *Storia della Marca* 17: 98–110, doc. 1965 (quotation on 102); Ljubić, ed., *Listine*, 10: 7, doc. 10.

¹⁸² Fusaro, *Political Economies*, 22; O'Connell, "Individuals, Families, and the State," 19–22. On the concept of empire within global history: Sebastian Conrad, *What Is Global History?* (Princeton: Princeton University Press, 2016), 193; Leonhard, "The Longue Durée," 7–10.

¹⁸³ Fusaro appropriated the definition from Kenneth Pomeranz and defined an empire as "a polity in which leaders of one society also rule directly or indirectly over at least one other society, using instruments different from (though not always more authoritarian than) those used to rule at home." Kenneth Pomeranz, "Social History and World History: From Daily Life to Patterns of Change," *Journal of World History* 18, no. 1 (2007): 87 (on the same place the author admits that "'Empire' is itself a fairly fuzzy concept," and that her definition is "fairly minimal"). Fusaro, *Political Economies*, 5. This is a textbook case of an utterly impotent analytical tool: it is so broadly defined that the vast majority of late medieval European polities fits the profile of an Empire—the Papal States, the Duchy of Milan, the Republic of Florence, even the highly unstable Patriarchate of Aquileia were all geo-political units whose jurisdictions extended beyond their core regions (Rome, Milan, Florence, Friuli, respectively) and who governed their subject territories through a heterogenous mix of administrative apparatuses and local institutions that differed from those of the central government.

¹⁸⁴ This definition of an empire is "a large composite and differentiated polity linked to a central power by a variety of direct and indirect relations, where the center exercises political control through hierarchical and quasi-monopolistic

contemporary, post-1800 world view that was very much alien to the European Middle Ages, the period in which ethnic collective identities did not absorb (or even tower above) social and local forms of identification; for Venice, their subjects in Verona, Udine, Buzet, Split, Kotor, or Crete were not conceptually compartmentalized into the putative Romance-Italian, Slavic (or, more narrowly, Slovenian, Croatian, Serbian, Montenegrin, etc.), or Greek ethnic groups; instead, all of them were simply “subjects,” “not-Venetians,” “the governed,” with their own local or, conceptualized in the broadest possible sense, regional contexts.¹⁸⁵ Therefore, maintaining an ethnic-based framework for medieval *Empires* as analytical categories is also highly anachronistic and heuristically detrimental, distorting and contaminating the analyses with present-day biases.

For all these reasons, the qualification of Venice as an *Empire* is utterly rejected in this study; this term—and its derivative adjective, *imperial*—will be used exclusively in the context of the Holy Roman Empire, the Byzantine Empire or the Ottoman Empire—the only three polities that are rightfully titled as *Empires* in the context of late medieval Europe and the Mediterranean Basin. If one seeks a more comparatively compelling term than the *state* (encrusted with qualifications *composite* and *jurisdictional*, of which the latter is, admittedly, anachronistic to the Late Middle Ages), the concept of *dominion* seems the most fitting—a term that was universally used throughout the medieval and Early Modern age by a variety of expansive geo-political units and that is at the same time devoid of the sacrosanct, universalistic dimensions inherently vested in the term *Empire*.

In late medieval Venetian jurisdictional discourse, the term *dominium* was polyvalent: it was the name of a an executive governmental magistracy—the doge plus his six councilors and the three “heads” of the Council of Forty—and it was also used in the sense of “a vague, open-ended capacity to govern,” a prerogative acknowledged both to the capital, as well as to subject

relations over groups ethnically different from itself.” Karen Barkey, *Empire of Difference: The Ottomans in Comparative Perspective* (Cambridge: Cambridge University Press, 2008), 9; O’Connell, “Individuals, Families, and the State,” 20.

¹⁸⁵ “The only subdivision that mattered within the Venetian state was that between the Dominant and its various dominions” (orig. “L’unica suddivisione che contava all’interno dello Stato veneziano era quella tra la Dominante e i suoi diversi domini”). Arbel, “Colonie d’Oltremare,” 954. This was also noted by O’Connell herself: “In the Venetian case, one of the fundamental distinctions the state drew was between Venetian and non-Venetian, categories that could apply equally to subjects from the mainland or maritime territories.” O’Connell, “Individuals, Families, and the State,” 21. See also Grubb, *Firstborn of Venice*, 175; Michael Knapton, “The Terraferma State,” in *A Companion to Venetian History, 1400-1797*, ed. Eric R. Dursteler (Leiden - Boston: Brill, 2013), 92; Sandra Toffolo, “Constructing a Mainland State in Literature: Perceptions of Venice and Its ‘Terraferma’ in Marin Sanudo’s Geographical Descriptions,” *Renaissance and Reformation / Renaissance et Réforme* 37, no. 1 (2014): 19–23.

centers.¹⁸⁶ However, *Dominium Veneciarum* (translated into medieval *volgare* as *Signoria*) was also conceptualized as *res publica* and as “the entire state of the Venetians.”¹⁸⁷ Thus, for the fifteenth-century Venetians, the terms *Dominium* and *Status* could be and had been used as synonymous.¹⁸⁸ For these reasons, the Latin *Dominium* can be and will be translated as English *dominion* with the meaning of the entirety of jurisdictions and territories subjected to a certain ruler/polity. The reader must be aware that the English term *dominion* also has several other meanings including “[t]he power or right of governing and controlling; sovereign authority; lordship, sovereignty; rule, sway; control, influence.”¹⁸⁹ While there were practical reasons behind the Venetian deliberate, suitable vagueness with which they employed the term *Dominium*, leaving it “rich in implication yet versatile in application, hinting at central command without necessarily stripping subjects of traditional self-perceptions,” present-day scientific discourse ought to be graced with terminological precision.¹⁹⁰ Consequently, semantic dimensions inherent to the term as polyvalent as English *dominion* must be curbed. Therefore, in this study the term *Venetian dominion* (direct translation of the Latin *Dominium Veneciarum*) will be used in the meaning of the totality of Venice’s jurisdictions—heterogenous and ununified as they were—and thus largely synonymous with the above discussed syntagm *Venetian state*.¹⁹¹ Notwithstanding the reductions

¹⁸⁶ Grubb, *Firstborn of Venice*, 20. Thus, e.g., Venice officially sanctioned the acts of submissions of Padua, Vicenza, and Verona, officially recognizing the *Dominium civitatis Padue*, *Dominium civitatis Vicentie*, and *Dominium civitatis Verone*. In all of these cases, the *Dominium* seems to refer to the entirety of jurisdictional prerogatives of the civic communes in question. Francesco Scipione, *Dissertazione ottava sopra l’istoria ecclesiastica di Padova* (Padua: Tipografia del Seminario, 1815), appendix, 276–79, doc. 147 (submission of Padua, 22nd November, 1405, quotation on 277); Verci, *Storia della Marca* 10: 150–51, fn. 4 (*Dominium civitatis Padue* on 151); *Ius municipale Vicentinum* (Vicenza: Tommaso Lavezzari, 1706), 306–313 (pacts of submission of Vicenza, May, 1404, quotation on 307); Verci, *Storia della Marca* 18: appendix, 81–83, doc. 2058 (submission of Verona, 12th of July, 1405, quotation on 81).

¹⁸⁷ The definition comes from the anonymous early-16th century French writer of the treatise *Traicte du gouvernement et régime de la cité et seigneurie de Venise* where it is stated that “[l]a Seigneurie de Venise se peult entendre par troys manieres: la premiere est que la Seigneurie de Venise est entendue pour toute la chose publique de Venise et pour tout l’estat des Venissiens; la 2^e est que la Seigneurie de Venise est entendue pour tout le colliege duquel se traicte de présent; la 3^e est que la Seigneurie de Venise est entendue seulement pour le Duc et ses conseillers et cheffz de Quarante.” This author was quoted and discussed by Cozzi, from which I have quoted as well. Cozzi, “Politica, società, istituzioni,” 101. Unfortunately, I was not able to procure the contemporary critical edition of this text, Philippe Braunstein and Reinhold C. Mueller, eds., *Descripcion ou traicte du gouvernement et régime de la cité et seigneurie de Venise: Venezia vista dalla Francia ai primi del Cinquecento*, *Histoire ancienne et médiévale* (Paris: Éditions de la Sorbonne, 2016).

¹⁸⁸ Alberto Tenenti, “Il senso dello stato,” in *Storia di Venezia*, vol. 4: *Il Rinascimento: Politica e cultura*, ed. Alberto Tenenti and Ugo Tucci, (Rome: Treccani, 1996), 317; Viggiano, “Politics and Constitution,” 63.

¹⁸⁹ “Dominion,” in *Oxford English Dictionary*, 2nd ed. (Oxford: Oxford University Press, 1989), CD-ROM version (hereafter: *OED*).

¹⁹⁰ Grubb, *Firstborn of Venice*, 21.

¹⁹¹ I thus agree with the observation made by Gian Maria Varanini who stressed that “in no case can it be argued that the use of *dominium*... refers to the assumption of homogeneity in the exercise of governmental prerogatives.” [“Ma in nessun caso si può sostenere che l’uso di *dominium* ... rinvii a presupposti di omogeneità nell’esercizio delle

of their original semantic polyvalence (their “sterilization”), the translations of the words *Dominium* and *Status* as *dominion* and *state*, respectively, are nonetheless in complete harmony with Gierke’s postulate to employ the concepts of the age one writes about.

Center vs. Periphery

The second set of conceptual difficulties arise from the qualification of Venetian subjected territories: are they peripheries, colonies, or members of the putative “Venetian Commonwealth”?

Starting with the first and perennially present classification in Venetian studies, the term *periphery* has rightfully been shunned in the context of more recent studies on the late medieval and Early Modern geo-polities. The strongest argument for abandoning the dichotomy *center-periphery* as an analytical approach stems from the pluralistic nature of medieval governments, highlighted multiple times throughout the discussions on the conceptualizations of composite states. The *center-periphery* framework privileges a clear separation between what is a “center”—in this case Venice—and everything that it is not—the rest of the *Dominium Veneciarum*. This dualistic approach thus completely flattens the jurisdictional geography of composite states, distorting their heterogenous jurisdictional geography and deleting the multiform connections between various subject communities and their corresponding territories.¹⁹²

Yet, it is undeniable that centers existed in all medieval dominions and that they were superordinate to a number of polities subjected to their jurisdictions, vested with the prerogatives to “modify equilibriums on various levels.”¹⁹³ Thus, some sort of an interpretative paradigm must replace the shunned *center-periphery* framework that would take both sides of the same coin into consideration.

The answer to this problem comes in the form of central place theory originally devised by Walter Christaller and subsequently appropriated by generations of scholars from various

prerogative di governo.”] Gian Maria Varanini, “I nuovi orizzonti della Terraferma,” in *Il Commonwealth veneziano tra 1204 e la fine della Repubblica: Identità e peculiarità; [convegno, Venezia, 6 - 9 marzo 2013]*, ed. Gherardo Ortalli, Oliver Jens Schmitt, and Ermanno Orlando (Venice: Istituto Veneto di Scienze, Lettere ed Arti, 2015), 35.

¹⁹² Marco Gentile, “Leviatano regionale o forma-stato composita? Sugli usi possibili di idee vecchie e nuove,” *Società e Storia* 89 (2000): 568; Elena Fasano Guarini, “Center and Periphery,” in *The Origins of the State in Italy: 1300-1600*, ed. Julius Kirschner (Chicago: University of Chicago Press, 1995), 89–96.

¹⁹³ “Un centro esiste e conserva un peso decisivo nella modificazione degli equilibri a vari livelli.” Gentile, “Leviatano regionale,” 568. For the Venetian context, Claudio Povolo, “Centro e periferia nella Repubblica di Venezia: Un profilo,” in *Origini dello Stato: Processi di formazione statale in Italia fra medioevo ed età moderna*, ed. Giorgio Chittolini, Anthony Molho, and Pierangelo Schiera (Bologna: Il Mulino, 1994), 207–21, 568.

disciplines.¹⁹⁴ According to this paradigm—and this is the briefest possible outline, extracting from the entire model only the most seminal parts applicable to medieval contexts—the static concept of a *center* is replaced by that of *centrality*: the gravitational pull of a place that produces its respective complementary field, engendering the hierarchization of sites upon which it acts as a center. Centrality is proportional to central functions and institutions of a particular place which can be divided into ten categories:

- (1) political and administrative functions and institutions; (2) institutions of law;
- (3) institutions of security; (4) cultic and spiritual institutions; (5) cultural institutions;
- (6) institutions of charity; (7) institutions of agricultural economy and administration;
- (8) institutions of craft and production; (9) institutions of trade; and (10) institutions of traffic and transport.¹⁹⁵

The central places paradigm greatly improves upon the center-periphery framework in three major aspects: first, it offers a dynamic and relational interpretative system in which both major and minor centers can be studied synchronically and diachronically, the centrality of a place changing through the so-called processes of “significance overflows” (orig. *Bedeutungsüberschuss*) which can take the forms of newly issued market privileges, or the transfers of a ruler’s residence; second, it does not flatten the landscape of “a periphery,” but illuminates the highly heterogeneous system of interrelations between various administrative, economic and cultural centers—Treviso is not simply a Venetian “periphery,” but simultaneously a minor center subjected to Venice and a major center superordinate to Noale (which is itself superordinate to Moniego, for example);¹⁹⁶ third, it is perfectly fitted to study the functioning of

¹⁹⁴ Walter Christaller, *Die zentralen Orte in Süddeutschland: Eine ökonomisch-geographische Untersuchung über die Gesetzmässigkeit der Verbreitung und Entwicklung der Siedlungen mit städtischen Funktionen* (Jena: Gustav Fischer, 1933); Giorgos Papantoniou and Athanasios K. Vionis, “Central Place Theory Reloaded and Revised: Political Economy and Landscape Dynamics in the Longue Durée,” in *Central Places and Un-Central Landscapes: Political Economies and Natural Resources in the Longue Durée*, ed. Giorgos Papantoniou and Athanasios K. Vionis (Basel: MDPI, 2019), 1–21.

¹⁹⁵ Daniel Knitter and Oliver Nakoinz, “The Relative Concentration of Interaction—A Proposal for an Integrated Understanding of Centrality and Central Places,” in *Central Places and Un-Central Landscapes: Political Economies and Natural Resources in the Longue Durée*, ed. Giorgos Papantoniou and Athanasios K. Vionis (Basel: MDPI, 2019), 29.

¹⁹⁶ The centrality of Treviso and Noale within the Venetian dominion changed throughout the Late Middle Ages. For the 14th century, see Federico Pigozzo, “Noale da signoria rurale a podestaria veneziana: Dinamiche e forme di un processo secolare (1337-1390),” *Archivio veneto*, ser. 5, 154 (2000): 5–38, esp. 18–30. Even after it had been erected into a podestaria of its own, Noale still had to be governed according to the statutes of Treviso. Cozzi, *Repubblica di Venezia e Stati italiani*, 275.

regions and microregions by highlighting the (re)constructions and performances of sites' hierarchies, making it particularly appealing in the context of this case-study.¹⁹⁷

Colonies vs. Commonwealth

Finally, can the subjects of the nascent *Dominium Veneciarum* be designated as Venetian exploitive colonies, or are they better conceptualized as members of the putative “Venetian Commonwealth?”

A detailed overview of these two conflicting scholarly positions—“colonial” favored by Benjamin Arbel, “Commonwealth” by the likes of Ermanno Orlando, Gherardo Ortalli, and, the original inventor of the syntagm, Stephan K. Sander-Faes—, their deconstruction, and criticism would require a separate paper, one stretching far beyond the temporal, spatial, and thematic scopes of this study.¹⁹⁸ At this point it will suffice to note that both concepts cannot be divorced from their present-day normative positions: “colonial” being inherently negative, “commonwealth” being innately positive. Contrary to the polarized relationship between the colonies and the colonial powers—characterized by a disparity of power and a sharp contrast between the local and “colonial” culture, the latter oppressing the former in a domineering fashion—the members of a commonwealth are harmoniously united by a shared culture and a common system of values, the capital assuming the role of a *primus inter pares*.¹⁹⁹ Commonwealth is thus a colonial empire converted to the path of righteousness and the term, regardless of its late medieval and early modern connotations, cannot shed its post-1920s semantic dimensions that arose with the official transformation of the *British* (colonial) *Empire* into the *British Commonwealth of Nations*.

¹⁹⁷ For a successful employment of Christaller's theory in the context of medieval studies, see e.g. Neven Budak, *Gradovi Varaždinske županije u srednjem vijeku* [The Towns of the Varaždin County in the Middle Ages] (Zagreb: “Dr. Feletar” Koprivnica, 1994), esp. 15–16 for methodological observations.

¹⁹⁸ Benjamin Arbel, “Una chiave di lettura dello Stato da mar veneziano nell'Età moderna: La situazione coloniale,” in *Il Commonwealth veneziano*, 155–79; Gherardo Ortalli, “Beyond the Coast – Venice and the Western Balkans: The Origins of a Long Relationship,” in *Balcani occidentali, Adriatico e Venezia fra XIII e XVIII secolo / Der westliche Balkan, der Adriaraum und Venedig (13.-18. Jahrhundert)*, ed. Gherardo Ortalli and Oliver Jens Schmitt (Vienna: Österreichischen Akademie der Wissenschaften, 2009), 23; *OED*, s.v. “commonwealth”; Stephan K. Sander-Faes, *Urban Elites of Zadar: Dalmatia and the Venetian Commonwealth (1540-1569)* (Rome: Viella, 2013), 24, fn. 38; Gherardo Ortalli, “The Genesis of a Unique Form of Statehood: Between the Middle Ages and the Modern Age,” in *Il Commonwealth veneziano*, 11; Varanini, “I nuovi orizzonti”; Ermanno Orlando, “Mobilità, migrazioni, intrecci,” in *Il Commonwealth veneziano*, 405–30. See also, Ermanno Orlando, *Venezia e il mare nel Medioevo* (Bologna: Il Mulino, 2014), 162–63.

¹⁹⁹ Barbara Bush, *Imperialism and Postcolonialism* (Harlow: Pearson, 2006), 2–3, 133.

For these reasons, the concept of a “Venetian commonwealth” is also shunned in this study, primarily due to its congenital positive connotations, very much like the inherently negative overtones of its conceptual antonym, the “colonial Empire.” In order to maintain a value-neutral analytical framework, the term that will be employed throughout the study for Venetian subject territories will be *dominions*, direct derivative of the syntagm Venetian dominion (that is, in turn, a direct translation of the Latin *Dominium Veneciarum*). Unlike “colonies” or “members of a commonwealth,” the term “dominions” is neither inherently positive nor negative; it does not presuppose exploitation or benevolence, antagonism or harmony, parasitism or synergism. Moreover, the term is holistic, pertaining both to the entirety of the *Stato da Mar* and *Terraferma* alike; it even transcends Venice itself and is equally employable both in the studies dealing with other medieval polities with subjected centers, as well as in global histories of various dominions whose jurisdictions stretched across expansive territories. The fact that the concept achieves this analytic potency without being anachronic to late medieval period, especially concerning Venice, is yet another advantage.

The value-neutrality of the term “dominions” is, however, simultaneously its greatest strength and weakness as the term lacks any sort of normative potential. In order to rectify this analytic defect, the term can be further qualified by two Weberian *ideal types*, each representing a polar opposite: a dominion can lean more towards a *colonial ideal*—exploiting and domineering its subjects—or towards a *commonwealth ideal*—protecting and ameliorating its constituents.²⁰⁰ Venetian actions, deliberations and policies can thus be judged on this normative axis—the closer to commonwealth ideal-type the better—while still retaining a value-neutral and non-anachronic concept of dominions. Moreover, qualifying a value-neutral term with two normative ideal-types creates a dynamic analytical tool, capable of measuring the degrees of steering towards one or the other polar opposite and the contexts in which these changes of governing principles occur. Thus, a subject could be governed closely to a commonwealth ideal in the 1440s, but the method could change more towards the colonial ideal in the 1510s; instead of static interpretative frameworks offered by the previously discussed concepts, the *ideal-type-infused-dominion* highlights the

²⁰⁰ Max Weber, *The Methodology of the Social Sciences*, trans. Edward A. Shils and Henry A. Finch (Glencoe, IL: Free Press, 1949), 90–103. It should be noted that ideal type is an “analytical construct” that “[i]n its conceptual purity... cannot be found empirically anywhere in reality.” Weber, *The Methodology*, 90.

dynamic underlying factors guiding the governmental principles both synchronically and diachronically.

The hypothesis is that by the end of the study Venetian Istria will be illuminated as generally leaning towards either one or the other ideal type of a dominion and that an underlying set of determinants—based on dynamic factors of both broader, international, and regional, as well as more local scale—influences the changes in Venetian governmental policies in Istria.

To summarize the discussion of concepts: the author of the study endeavors to avoid semantic nominalism as much as possible and shuns the use of anachronic terms such as *Empire*, (*exploitation*) *colonies* and *commonwealth* when discussing late medieval Venice and its subjects. Instead, the concepts that will be employed throughout the study are: *jurisdictional state* (a conceptualization of the Machiavellian term *principatus mixtus*, translated as composite principality/state), *lordship*, and *dominion* (used to qualify both “the entire state of the Venetians,” as well as its subject territories). In the context of the perennial dilemma of whether to favor “indigenous” and less universally applicable/intelligible terms over anachronistic but more comparatively and interdisciplinary ecumenical ones, the proposed conceptual apparatus aims to achieve “the best of both worlds,” retaining native concepts and “sterilizing” them by curbing their inherent semantic ambiguity, rendering them applicable to both synchronically and diachronically broader comparative studies.

Chapter II: Performing the Region

The expansion of Venetian jurisdictions over the Istrian peninsula was a process that began already in the tenth century with oaths of fidelity—legal instruments whose purpose was both to foster amicable relations between Venice and the coastal urban centers of Istria, as well as to cull detriments to maritime trading in the Northern Adriatic, mainly piracy—and officially ended in 1535 with the signing of the arbitral sentence of Trento that ossified the geographical boundaries of *Dominium Veneceiarum* in Istria.²⁰¹ Over these six centuries of dynamic diplomatic, political, social, economic and cultural relationships between the Republic of St. Mark and Istrian communities, Venice's attitude towards their *fideles* in Istria underwent several seminal changes, the first of which took place in the second half of the thirteenth century when informal pacts of reciprocal aid and oaths of loyalty came to be replaced by direct subjection to the *Commune Veneciarum*. Thus, from the ashes of the wars waged between the Aquileian Patriarch Gregory of Montelongo and the counts of Gorizia, conflicts that engulfed the Patriarchate of Aquileia and its dependency, the Margraviate of Istria, a new jurisdictional region emerged in the Northern Adriatic: Venetian Istria, a territorial complex of nine urban centers stretching along the western coast of the Istrian peninsula from Koper to Rovinj and into the hinterlands up to the walled hill-top towns of Sv. Lovreč and Motovun that were ripped away from the worldly prerogatives of the Aquileian patriarchs / Istrian margraves and annexed to the expanding Commune of Venice.²⁰²

However, this new geo-political creation that is here unreservedly dubbed “Venetian Istria” did not function as a centralized administrative region. Instead, as was keenly demonstrated by De Vergottini, Venice organized its administration on the Istrian peninsula on a local basis—each community was directly subjected to the central government and each negotiated its position and degrees of local autonomies independently; each urban center received its own rector, a podestà elected in the Venetian Great Council among the Venetian nobility; finally, there was no regional homogenization of administrative frameworks as each subject community continued to be governed by its own distinct customs and laws.²⁰³ Therefore, the very term “Venetian Istria” might at first seem somewhat inappropriate when discussing this jurisdictional microregion.

²⁰¹ See fn. 81 for oaths of fidelity. What follows is largely based on the observations expressed in De Vergottini, “La costituzione II,” 11–24 with whom I agree on the majority of points.

²⁰² See fns. 13–17.

²⁰³ De Vergottini, “La costituzione II,” 13–14.

Yet, there was a *sense* of a region—the regional name did not disappear from the governmental discourse and the neighboring communities borrowed administrative schemes from each other, looking to their neighbors as they modelled their relations with the capital. In these textbook examples of peer polity interactions, Poreč asked Venice to accept their commune under the same terms as they had incorporated Grado, the easternmost town of the Dogado; Umag and Novigrad asked to be treated the same as Poreč, and so forth.²⁰⁴ Thus, when the subjection of Motovun was accepted in the Great Council, it was decreed that “the town of Motovun is to be accepted under the protection of the lord doge and the Commune of Venice so that... it is to be given a rector as it is given to others in Istria, namely Poreč.”²⁰⁵

Moreover, Venetian subject centers in Istria were regionally united in terms of military command and defense as these prerogatives resided in the captain of the province, the so-called *capitanues Paysenatici Istrie* or *capitano del Paisenatico*.²⁰⁶ This official—created in 1301 following the final treaty between Venice and the Patriarchate of Aquileia that *de iure* sanctioned Venetian expansion in Istria—was vested with the powers to organize and command provincial militia, lead military operations, and even adjudicate inter-communal disputes, legal cases in which he acted as centrally appointed judge (*Paisanatici Istriae capitanus ac iudex ordinarius*).²⁰⁷ This captain resided first in Poreč, in 1304 it moved to Sv. Lovreč where the office of the podestà of this community was finally fused with that of the captain in 1310.²⁰⁸ In 1356 the office was split

²⁰⁴ Cf. the supplication of Umag: “[N]os Bertolotus et Margarita ambaxadores Communis Humagi supliciter deprecatur, quod vobis placeat terram Humagi ad mandata vestra recipere eo modo et forma quibus recepistis terram Parentii, et pro manu vestra nobis dare rectorem sicut datis illis de Parentio.” Kandler, ed., *CDI* 2: 576, doc. 350. The supplication of Novigrad: “Cum episcopus Civitatis Nove de Istria et Comune eius nuntios Venetias transmisissent ob dictam Civitatem domino duci libere presentare, ita ut sit eidem duci et Commune Veneciarum subiecta sicut alie terre ducatus et terra Parentii.” Minotto, “Documenta II,” 78. The subjection of Sv. Lovreč: “Fuit capta pars in Maiori Consilio, quod locus et castrum Sancti Laurencii de Ystria recipatur per dominum ducem et Commune Veneciarum eo modo, quo recepte sunt Parencium et alie terre de Ystria.” Minotto, ed., *Documenta*, 138. On peer polity interaction, see Colin Renfrew, “Introduction: Peer Polity Interaction and Socio-Political Change,” in *Peer Polity Interaction and Socio-Political Change*, ed. Colin Renfrew and John F. Cherry (Cambridge: Cambridge University Press, 1986), 1–18.

²⁰⁵ “Castrum et terra Montone recipiatur in protectione domini ducis et Communis Veneciarum ita quod... detur eis rector, sicut datur aliis de Istria, videlicet de Parencio.” Minotto, ed., *Documenta*, 140.

²⁰⁶ From Venetian *pais* (Ital. *paese*), with the meaning province. See Kurelić, *Daily Life*, 220, s.v. “Paisenatico.” On this official the indispensable studies are still Beniamino Pagnin, “Origine e funzione del capitano del paisanatico in Istria,” *Atti del Reale Istituto Veneto di Scienze, Lettere ed Arti* 96/2 (1936): 447–58; De Vergottini, “La costituzione II,” 16–23.

²⁰⁷ Antonio Stefano Minotto, “Documenta ad Forumiulii, Istriam, Goritiam, Tergestum spectantia,” *AMSI* 10/1–2 (1895): 14 (hereafter: Documenta III); De Vergottini, “La costituzione II,” 19–20; Pagnin, “Origine e funzione,” 456.

²⁰⁸ Antonio Stefano Minotto, “Documenta ad Forumiulii, Istriam, Goritiam, Tergestum spectantia,” *AMSI* 10/3–4 (1895): 264–65 (hereafter: Documenta IV); De Vergottini, “La costituzione II,” 18; Pagnin, “Origine e funzione,” 452–53.

into two, the captain “above the river Mirna” who resided first in Umag and from 1359 in Grožnjan, and the captain “below river Mirna” who remained in Sv. Lovreč.²⁰⁹ Koper, the largest and most populous of the Istrian centers under Venice, remained outside the jurisdictions of the provincial captain; this commune was directly subjected to Venice and the podestà of Koper adjudicated disputes between Izola and Piran; from 1348 onwards the rectors of *Commune Iustinopolis* began bearing the title of *potestas et capitaneus*.²¹⁰

Finally, the cooperation between the Istrian rectors was encouraged by the central government as reflected in a Great Council’s deliberation emanated on the 6th of June, 1276:

All the podestàs who are in Istria, are bound to be together as one and aid each other if anyone in their lands or any of their men commits any crime, theft or robbery in any of the communes or to anyone in the lands of Istria who are not the subject of lord doge in order to restore the stolen and punish the perpetrators of the crime, theft or robbery for the honor of lord doge and the wellbeing of these lands.²¹¹

All of these aspects of Venetian administration in Istria fostered the functioning of this complex of subjected centers as a distinct jurisdictional region; the term “Venetian Istria” is thus not as unfitting as it would seem at first glance, even though its marked heterogeneity must be borne in mind.

Another aspect of Venetian administration in Istria was its distinctive reluctance to initiate processes of territorial expansion—there was absolutely no initiative to complete or round-up the subjection of the *terre Istrie* that remained outside of Venetian jurisdictions. Even in military skirmishes that presented ideal opportunities for further expansion, such as the military actions of April 1309 when the Venetian forces occupied Aquileian Buzet and Labin, the *Serenissima* decided to relinquish the towns and pacify the conflict rather than to annex them and provoke further warfare.²¹² If Buzet did not interest the Queen of the Adriatic as a mainland fort remote

²⁰⁹ “Senato misti II,” 109–11; De Vergottini, “La costituzione II,” 21–22.

²¹⁰ Similar was the case with Venetian Dalmatia, as highlighted by De Vergottini, where the count of Zadar, the largest, richest, and most populated community of Dalmatia, was put outside of jurisdictions of the Dalmatian captain of the province (*capitaneus in Sclavonia*, *capitaneus paysnaticum Sclavonie*, *capitaneus Dalmatie*) who was instituted in 1349 and was vested with similar prerogatives as the Istrian captain of the province. Ljubić, ed., *Listine* 3: 129–30, docs. 197–98. De Vergottini, “La costituzione II,” 16, 20–21.

²¹¹ “Omnes potestates qui erunt in Ystria, teneantur esse unum simul et adiuvere se ad invicem si alicui suarum terrarum vel hominibus ipsarum fieret aliquod forcium, furtum sive raubarum per Comune aliquod vel homines terrarum Ystrie, qui non sunt fideles domini ducis ad recuperandum et vendicandura illud forcium, furtum aut raubarum ad honorem domini ducis et bonum statum illarum terrarum.” Minotto, ed., *Documenta*, 140.

²¹² Giuseppe Giomo, “Lettere di Collegio, rectius Minor Consiglio: 1308-1310,” in *Miscellanea di storia veneta della Regia Deputazione veneta di storia patria*, ser. 3, vol. 1 (Venice: Premiata tipografia Emiliana, 1909), 320–21 (Buzet),

from the coast, the same cannot be said of Aquileian Muggia in the northwest or Labin with Plomin in the very southeast of the Peninsula, yet both of these maritime communes were left to the Patriarchate of Aquileia and Venice never tried to self-initiatively subject these coastal urban centers. Finally, even Pula, by far the largest and richest urban center of the dwindled Margraviate of Istria, was not subjected on Venetian initiative, but on that of the local population who officially sought Venetian protection from the detrimental infighting between pro-patriarchal and pro-gorizian forces of the Aquileian Church, very much like Poreč had done before.²¹³ Venetian expansion in Istria was therefore exclusively reactive and never proactive; both the Patriarchate of Aquileia and the County of Gorizia were left to coexist with Venetian jurisdictional enclaves in Istria and Venice did not generally interfere with its neighbors' internal and external policies.

The following chapter will investigate whether these Venetian policies changed following the conclusion of the War of Chioggia and the subsequent metamorphosis into the *Dominium Veneciarum*. The hypothesis is that the changes in governmental attitudes provoked by the nearly fatal experience of the Chioggian war somehow reflected in the Venetian administration of Istria as well; these putative transformations would thus have to be mirrored both in the aspects of regional centralization as well as in Venetian attitudes towards territorial consolidation in Istria. The chapter will also frame the study chronologically by providing a diachronic overview of Venetian diplomacy, administrative policies and military operations in Istria during the period from 1381 to the end of the War of the League of Cambrai. Before the hypotheses are tested, however, the preferred conceptual apparatus and analytical framework ought to be briefly outlined.

Theoretical and Methodological Framework I: Performing the Regional Scale

The following analysis is framed within the analytical paradigm elaborated by Robert Kaiser and Elena Nikiforova: the performance of a scale, an elegant solution to a methodological conundrum of defining the broadly applied concept of a “region.”²¹⁴ Namely, like many habitually employed terms in both academic and everyday discourses, “region” is likewise imbued with a

328 (Labin). On this specific war between Venice and the Counts of Gorizia in Istria see De Vergottini, *Lineamenti*, 132–33; Banić, “Pinguente,” 128–29.

²¹³ See fns. 18–20.

²¹⁴ Robert Kaiser and Elena Nikiforova, “The Performativity of Scale: The Social Construction of Scale Effects in Narva, Estonia,” *Environment and Planning D: Society and Space* 26 (2008): 537–62.

plethora of various semantic dimensions that blur the precise meaning behind the notion and, consequently, render it a blunt analytical tool.²¹⁵ This poor analytical potency is mirrored in open-ended definitions of the concept such as that of Erving Goffman as “any place that is bounded to some degree by barriers of perception;”²¹⁶ the one of Peter Ainsworth and Tom Scott who defined it as a “product of both reality (or nature) and of imagination (of human agency);”²¹⁷ and the macabre definition offered by Pierre Bourdieu:

The *regio* and its frontiers (*fines*) are merely the dead trace of the act of authority which consists in circumscribing the country, the territory (which is also called *fines*), in imposing the legitimate, known and recognized definition (another sense of *finis*) of frontiers and territory—in short, the source of legitimate division of the social world.²¹⁸

Even though all the above-presented definitions highlight the constructionist aspect of “regions”, none of these conceptualizations sharpen this blunted term well enough for it to perform complex analytical operations.

A potential solution to this detriment comes in the guise of an analytical concept derived directly from Butler’s theory of performativity: the performance of the scalar stance. According to Kaiser and Nikiforova, any geographical scale is also a category of practice “performed by sets of actors through the scalar stances they take within particular sociospatial contexts as they engage in politics of everyday life.”²¹⁹ That means that every type of reiteration of specific scale—such as for example *terre nostre Istrie* when referring to a particular locality on the Istrian peninsula—effectively enacts and produces “the phenomena that it regulates and constrains.”²²⁰ In other words, all regions and provinces exist only insofar as they are discursively produced through sedimented reiterations; without their respective performatives—scalar stances—these geographical units would disappear from conceptual vocabulary and effectively cease to exist. Moreover, scales are “discursively deployed to naturalize and sediment a set of sociospatial relationships through everyday practices;” every reiteration of a particular scalar stance—such as

²¹⁵ See e.g., Paul Claval, “Regional Geography: Past and Present (A Review of Ideas, Approaches and Goals),” *Geographia Polonica* 80/1 (2007): 25–42.

²¹⁶ Erving Goffman, *The Presentation of Self in Everyday Life* (New York: Doubleday, 1959), 106.

²¹⁷ Peter Ainsworth and Tom Scott, “Introduction,” in *Regions and Landscapes: Reality and Imagination in Late Medieval and Early Modern Europe*, ed. Peter Ainsworth and Tom Scott (Oxford: Peter Lang, 2000), 19.

²¹⁸ Pierre Bourdieu, *Language and Symbolic Power*, ed. John B. Thompson, trans. Gino Raymond and Matthew Adamson (Cambridge: Polity Press, 1991), 222.

²¹⁹ Kaiser and Nikiforova, “The Performativity of Scale,” 541.

²²⁰ Butler, *Bodies that Matter*, 2.

the performative rescaling of Motovun as *terra Istrie*, for example—carries with itself a disciplining, regulating aspect: if Motovun is indeed a *terra Istrie*, then it is to be treated (roughly) the same way as other *terre Istrie* are.²²¹ It is through these reiterative practices that Istria (and Venetian Istria consequently) is animated as a distinct region.

Conceptualized in this way, the performance of a scale becomes a powerful analytical tool capable of analyzing the (re)construction(s) of a region in both synchronic and diachronic setting, investigating the causes and effects of particular performative rescalings. Moreover, scale as a category of practice is a dynamic concept, capable of highlighting the evolution of specific scalar performances resulting from “gaps and fissures,” that “contest or challenge” the effects of these performatives.²²²

Venetian performative rescalings of their subjects to a specific regional level—*terre Istrie*—will be meticulously analyzed in this chapter, investigating both the underlying motives for the assumption of this scalar stance as well as the expected (and potentially unexpected) products of these reiterative enactments from a diachronic perspective, covering the period from 1381 to 1470.

Chapter II.1

After the War of Chioggia: Phase 1 – Indirect Interventionism

In the immediate aftermath of the War of Chioggia the Venetian subject communities in Istria were primarily preoccupied with recuperating from the detrimental consequences of warfare while the central government in Venice prioritized the rebuilding of damaged fortifications and the refurbishment of their military-defensive capabilities.²²³ During this period, the 1380s, the capital’s policies towards their subjects in Istria did not markedly change from their old, customary practices: each subject center negotiated with the central government independently, each case was viewed separately, and these negotiations continued to be catalyzed through peer polity interactions. For example, the ambassadors of Piran negotiated a lucrative deal for their commune when the Senate agreed to their demands, allowing them, among other, to sell their oil, garlic, and

²²¹ Kaiser and Nikiforova, “The Performativity of Scale,” 537–38.

²²² Kaiser and Nikiforova, “The Performativity of Scale,” 542; Butler, *Bodies that Matter*, 10.

²²³ Numerous examples in the minutes of the Venetian Senate, see for example, “Senato misti II,” 73 (29th of October, 1381, the case of Pula), 74–75 (5th of January, 1382, the case of Koper), 75 (28th of January, 1382, the case of Umag, and 1st of March, 1382, the case of Izola), 77 (17th of November, 1382, the case of Grožnjan), etc.

onions in Umag, Novigrad, Poreč, Rovinj and Pula, “in the same way as our subjects from Caorle, Grado and our other Venetian territories can”.²²⁴ Similarly, Motovun was allowed, based on the request of their ambassadors, to sell their wine in Venice on the condition that they “pay such a fee as is paid by those of Pula, Novigrad and Umag.”²²⁵

Moreover, the capital’s policies towards Istrian communities continued to be governed by traditional Venetian conservatism: “We do not intend to introduce innovations” was the Senate’s reply in the November of 1381 to the ambassadors of Vodnjan who begged Venice to be elevated to a higher jurisdictional level by being removed from the district of Pula and given its own rector, thus constituting a separate, new podestaria in Istria.²²⁶ For the time being, this was not to be.

Indeed, everything seemed to have remained as it had been before the momentous conflict, unchanged by the nearly fatal War of Chioggia. This was, however, only on the surface. Beneath the traditional negotiations between the subjects and the capital, behind the traditional peer polity interactions and Venetian time-honored conservatism lay an altogether new political trajectory that

²²⁴ “Cum ambaxatores nostri Pirani comparuerint coram nostro Dominio et inter alia capitula petant, quod pro usu terre nostre Pirani dignemur eis gratiose concedere, quod possint se fulcire di frumento, blado et legumine de quatumque parte et cetera, vadit pars, considerata maxima fidelitate eorum tantum probata in factis nostris, ut est omnibus manifestum, quod concedatur eis, quod pro usu dicte terre... concedatur nostris fidelibus Pirani, quod oleum suum Piranii possint navigare et portare et facere navigari per mare, sicut possunt fideles nostri, Humagi, Emonie, Parentie et Pole, et portari solvendo datium nostro Communi, quod solvint in locis nostris predictis, et istud etiam duret per duos annos, ut superius dictum est. Item concedatur dictis nostris fidelibus Pirani, quod possint navigare aleum et cepas ad illas terras et loca et illum modum et sicut possunt nostri fideles de Caprolis, Grado et aliarum contractarum nostrarum Veneciarum, et istud duret etiam per duos annos, ut de alliis superius dictum est.” ASV, SMi, reg. 37, fol. 35v. Regestum in “Senato misti III,” 73 (21st of November, 1381).

²²⁵ “Quod ad supplicationem ambaxatoris communis et hominum Montone fidelium nostrorum concedatur eis de gratia speciali, quod possint facere conduci Veneciarum de vino nato in Montona sive districtu ad vendendum, solvendo de datio tantum quantum solvunt illi de Pola, Emonia et Humago de vino dictarum terrarum, quod conducunt Veneciis ad vendendum, cum dictum vinum de Monthona sit eiusdem condicionis cuius est vinum dictorum locorum.” ASV, SMi, reg. 39, fol. 81r. Regestum in “Senato misti III,” 81 (written under the date 25th of May, 1385, although the correct date seems to be the 6th of May).

²²⁶ “Cum sint hic in Veneciis iam multis diebus preteritis quidam ambaxatores Adignani petentes eum maxima instantia rectorem per se, sicut habent illi de Pola comitem per se, et offerunt solvere salarium dicti rectoris et cetera, sicut in eorum ambaxata latus continetur, vadit pars, quod respondatur eis, quod omnibus consideratis non intendimus facere novitatem, ymo est nostra intentione quod ipsi omnes tam de Pola quam de Adignano vivant inter se pacifice et quiete, ita quod nulla novitas, briga vel scandalum sit inter eos ullo modo, et sic dicatur exprese omnibus predictis, cum illis verbis que ducali Dominio utilia videbuntur, verum ex nunc sit captum, quod si per illos de Pola fiet aliqua molestia, novitas vel iniuria [lapsus calami for iniuria] illis de Adignano, quod ipsi de Adignano possint et debeant se conquerri in Venecias coram nostris advocatoribus comunis et auditoribus sententiarum, et quod ipsi fideles nostri Adignani audiantur benigne, et quod fiat eis ius et iustitia, sicut sit de omnibus aliis regimibus nostris, non obstante aliquo ordine quem fecissent illi de Pola super facto predicto.” ASV, SMi, reg. 37, fol. 37v. Regestum in “Senato misti III,” 74 (29th of November, 1381).

was bound to reflect in Istria as well. For the Istrian peninsula, the effects of these new policies were mirrored in the political career of a Friulian nobleman, Domnius of Castello.²²⁷

In the month of April, 1385, Doge Antonio Venier issued an official ducal letter (*ducale*) to “his dear friend,” “the distinguished and noble man Domnius of Castello.”²²⁸ The lengthy letter addressed to this prominent Friulian noble features a detailed description of a highway robbery that occurred, according to the report of a Venetian rector, in the district of Koper, thus on jurisdictionally Venetian soil in Istria. The robbery was committed by the people of Petrapilosa, thus the subjects of the Patriarchate of Aquileia as the fort remained part of the Aquileian Margraviate of Istria.²²⁹ Since Doge Venier refers to these robbers as “your men” (*gentes vestra*) in the letter addressed to Lord Domnius, it is clear that this progeny of the noble House Castello acted as the ruling margrave of Istria at the time, elected Aquileian deputy in charge of administering and overseeing the temporal possessions of the Patriarchate of Aquileia in Istria. This fact is corroborated by a document issued on the 4th of March, 1385, in which the same lord is titled “noble man, Lord Domnius of late Ulrich of Castello, currently the margrave of Istria.”²³⁰ Thus, the Venetian doge was writing to an Aquileian official operating in Istria, an individual of high standing with whom he was apparently on good terms. However, the contents of the letter illuminate a far tighter bond between the two.

Not only did Doge Venier ask Lord Domnius to discipline his subjects “so that similar excesses do not come to pass again,” but he also asked that he remunerate the losses suffered by the robbed merchants from among the possessions of his own subjects in Istria.²³¹ Implicitly, the

²²⁷ The family byname “of Castello” (Lat. *de Castello*) comes from the toponym of their seat of power, the fort Porpetto in Friuli that was traditionally dubbed Castel Porpetto. See more in Doimo Frangipane, “Le sedi feudali dei Frangipane di Castello,” in *Fortificazioni e dimore nel Friuli centrale attraverso i secoli*, Studi e ricerche 9 (Udine: Istituto italiano dei castelli, 1990), 77–90. What follows is largely based on my paper “Okupacija ili protektorat? Markgrofovija Istra pod Dujmom od Castella osamdesetih godina 14. stoljeća” [Occupation or Protectorate? The Margraviate of Istria under Domnius of Castello in the 1380s], *Zbornik Odsjeka za povijesne znanosti Zavoda za povijesne i društvene znanosti Hrvatske akademije znanosti i umjetnosti* 37 (2019): 1–34.

²²⁸ Biblioteca civica “Vincenzo Joppi” di Udine (hereafter: BCU), Fondo principale (hereafter: FP), ms. 899: Giuseppe Bianchi, ed., *Diplomatarium foroiuliense* (hereafter: *DF*), doc. 5059. The document is edited in Banić “Okupacija,” 30–31, doc. 2; *FIM*, 5: doc. 1385_DCP, https://fontesistrie.eu/1385_DCP. The subsequent references are to the *FIM* edition.

²²⁹ As stated in a peace treaty from the 22nd of September, 1355, Petrapilosa was to incontestably remain under the supreme jurisdiction of the Aquileian patriarchs. Vincenzo Joppi, “Documenti goriziani del secolo XIV” (hereafter: DG 10), *AT*, ser. 2, 16/1 (1890): 23–27, doc. 225 (Petrapilosa on 25–26).

²³⁰ “Nobilis vir dominus Doymus quondam domini Odorlici de Castello nunc marchio Istrie.” BCU, FP, *DF*, doc. 5052. I will return to this document later in the chapter.

²³¹ “Rogamus benignitatem vestram quatenus in residuo damni suprascripti placeat taliter providere, quod reficiatur et solvatur istis quatuor pauperibus hominibus spoliatis sicut scriptum est, ac taliter regulare gentes vestras, quod talia de cetero nec similia non contingant eis.” *FIM*, 5: doc. 1385_DCP.

Doge also asked that the actions of the Venetian podestà and captain of Koper who organized a raid on the subjects of Petrapilosa and stole ten heads of cattle that he later sold on the auction, conferring the money from this sale to the robbed merchants in order to partly compensate them for their losses.²³² Finally, Doge Venier made it explicitly clear that he expects his “dear friend” to keep order in the parts of Istria entrusted to his administration as “nothing displeases us more than to see the roads of Istria wrecked.”²³³

Although these pleas can be read both as threats under the guise of a courteous discourse and as an honest attempt at a friendly cooperation between two jurisdiction-holders in Istria, it is nonetheless clear that the central government in Venice actively interfered in the administration of the Aquileian *Marchionatus Istrie*. Even more importantly, Doge Venier assumed a holistic scalar stance when he expressed his desire to keep “the roads of Istria” safe from brigands; Venice thus expressed concern over the wellbeing of the entire peninsula, and not just its own subject centers. All of this presents a markedly new political attitude towards Istrian affairs that Venice now boldly undertook by interfering with the administration of Aquileian dominions and seeking full cooperation from Lord Domnius of Castello. Traditional Venetian passivity regarding the broader context of Istrian affairs, one that included the political horizons of both the Patriarchate of Aquileia and the dukes of Austria, started giving way to a more proactive approach.

The motives behind this Venetian cooperation with Lord Domnius and the newly enacted proactivity in Istria come to light when the ducal letter of 1385 to the Istrian margrave is placed in a larger context. Namely, Domnius of Castello was elected margrave of Istria already in 1379, during the reign of Patriarch Marquard of Randeck, the ardent enemy of the Republic of St. Mark.²³⁴ However, the office of a margrave was customarily pledged for an annual recompense of one thousand pounds of pennies and, most importantly, for a fixed term that was usually set at one

²³² “Unde potestas noster predictus videns non posse cuiquam in iuribus suis deficere, fecit intromitti decem capita bovina inter grossa et minuta illorum de Petrapilosa, ipsaque vendi ad publicum incantum pretio ducatorum triginta duorum, et dari musolatis predictis conquerentibus, licet dicti ducati triginta duo non sufficerent ad tertiam partem valoris damni dati eisdem contra Deum et equitatem et contra honorem nostri Dominii.” *FIM*, 5: doc. 1385_DCP.

²³³ “Quia nihil displicibilius nobis posset accidere, quam strate Istrie rumpentur.” *FIM*, 5: doc. 1385_DCP.

²³⁴ “[Die XVIII mensis septembris, anno 1379] Super expositis pro parte domini nostri [patriarche] quod de aliqua societate armatoria subveniatur domino Doymo de Castello Porpeti, qui est electus et creatus marchio in Instria, ad sociandum eundem per unum mensem.” BCU, Archivium civitatis Utini (hereafter: ACU), Annales civitatis Utini (hereafter: Annales), reg. 6, fol. 241r.

year.²³⁵ Yet, Lord Domnius is last mentioned as *marchio Istrie* only in July of 1388.²³⁶ How is it possible then, that a single individual occupied such a prominent office of the Aquileian patriarchate—an office that was meant to regularly rotate among the faithful retainers of the Aquileian Church—for almost a decade?

One answer to this question is given by Odoric Susanna of Udine, both the general notary of the Aquileian patriarchs from the time of Lodovico della Torre (1359–1365), Marquard of Randeck (1365–1381), and Philip of Alençon (1381–1387), as well as the curator of the patriarchal archive.²³⁷ This prolific scribe composed, among other, a famous document that enumerated and explicated all the spiritual and temporal prerogatives enjoyed by the Church of Aquileia in a concise format. This *vademecum*, subsequently dubbed *Lucifer Aquileiensis* as it illuminates all the rights and privileges of this Church, features a revealing line on Istria:

The Margraviate of Istria and the whole of Istria was accustomed to obey [the patriarchs of Aquileia] and was obedient based on the privileges granted with full authority to the holy Church of Aquileia and its patriarchate, pastors and prelates, whoever they might be at the time. However, a long time ago Venetians had violently and forcefully occupied and continue to occupy many cities, lands and places of the said Margraviate, namely Pula, Koper, Poreč, Novigrad, Pićan, Motovun and many other towns of this Margraviate, paying for this a small and insignificant tribute to the patriarch and pastor for the regalian rights, privileges and jurisdictions over these cities, lands, and places.²³⁸

²³⁵ E.g. Kandler, ed., *CDI* 3: 1175, doc. 685 (and cf. Carli, *Appendici*, 123), 3: 1214, doc. 716, 3: 1269, doc. 750, 3: 1292, doc. 767. See also a document from 1360 titled *Clarum me fac* that lists the incomes of the Aquileian patriarchs featuring the line: “Primo namque concessus fuit Marchionatus Istrie nobili militi domino Simoni de Walvesone ad annum pro libris mille Veronensis.” Carli, *Appendici*, 133–39, doc. 166 (*Marchionatus Istrie* on 133).

²³⁶ BCU, FP, *DF*, doc. 5381. I will return to this document later in the chapter.

²³⁷ Pietro Someda de Marco, *Notariato Friulano* (Udine: Arti grafiche friulane, 1958), 44–46; Laura Casella, “Susanna Odorico,” in *Nuovo Liruti: Dizionario Biografico dei Friulani*, vol. 1: *Il Medioevo*, ed. Cesare Scalton (Udine: Forum, 2006), <http://www.dizionariobiograficodeifriulani.it/susanna-odorico/> [last access: 7th of July, 2019].

²³⁸ “Marchionatus Istrie et tota Istria obedire consuevit et obedivit ex privilegiis pleno iure concessis sancte Aquileiensi Ecclesie eiusque patriarchis et presulibus qui fuerunt pro tempore. Sed Veneti per vim et potentiam pluribus retroactis temporibus occupaverunt et occupant plures civitates, terras et loca predicti marchionatus scilicet Polam, Iustinopolim, Parentium, Emoniam, Petenam, Montonam pluraque alia castra et bona in ipso marchionatu existentia solvendo tamen annuatim parvum et levem censum ipsi patriarche et pastori pro regalibus, iuribus et iurisdictionibus civitatum, terrarum et locorum predictorum.” Odoric’s original autograph is nowadays presumed lost. The best critical edition remains the one published by Arnold Luschin von Ebengreuth that is based on several copies, all stemming from two 16th-century manuscript traditions: the copy made by the Udinese notary David of San Felice and the copy made by Francis Lippold (Lat. *Franciscus Lippoldus*). Arnold Luschin von Ebengreuth, “I memoriali ‘Nobilis patriae forojulii’ dell’anno 1386 (Lucifer Aquilejensis),” *AT*, ser. 2, 16 (1890): LXI–LXXXVI. I have discovered an older copy, made in 1481 by the decree of the Venetian luogotenente of Friuli Giacomo Venier, in ASV, Consultori in iure, b. 366/3, fol. 37v–46r (hereafter: *Lucifer Aquileiensis*). This copy, however, seems to be worse than the one used by Luschin von Ebengreuth, featuring many grammatical errors. In any case, a new critical edition of *Lucifer Aquileiensis* remains a historiographical *desideratum*. The quoted line is featured in Luschin von Ebengreuth, “I memoriali,” LXXVII; ASV, *Lucifer Aquileiensis*, fols. 43r–43v. Note that Pićan has never been a part of Venetian Istria but remained under

Following the two subsequent chapters on the arbitrational sentence of Turin from August of 1381 and the jurisdictional position of Trieste following the War of Chioggia, Odoric Susanna returns to the Margraviate of Istria:

Lord Domnius of Castello, or those of his house, hold in pledge the fort Petrapilosa that belongs to the patriarchal treasury and, what is more, a long time ago he violently and factually occupied and continues to occupy the abovesaid Margraviate with its rights, jurisdictions and all of its dependencies. To this Margraviate, beside that what is occupied by the Venetians as noted above, to this point belonged and continue to belong eight towns that owe obedience and bow to full superiority of the Aquileian Church and patriarchs, whoever they might be at the time, namely the towns Buje, Oportelj, Buzet, Labin, Plomin, Hum, Roč and Dvigrad.²³⁹

Thus, according to the official notary of the Aquileian patriarchs, the “dear friend” of the Venetian Doge Venier *de facto* occupied the Margraviate of Istria against the will of his superior. If that was indeed the case, why would Venice decide to collaborate with an illegitimate usurper of Aquileian Istria? What was Doge Venier aiming to achieve and what lay in the background of Domnius’s alleged “occupation” of the Istrian margraviate?

The crux of the whole matter lay in the papal appointment of the heir to the late Marquard of Randeck, a choice that shook the very foundations of the Patriarchate of Aquileia and ushered in an era of extreme instability in this quaint ecclesiastical principality. Unlike all the previous nominations of Aquileian patriarchs, Pope Urban VI relinquished the entire Patriarchate of Aquileia as an ecclesiastical benefice *in commendam* to his trusted ally and recently appointed cardinal, Philip of Alençon.²⁴⁰ Not only did such a nomination allow Philip to govern the vast ecclesiastical principality without being personally present in Friuli, but he would also be able to keep all the incomes generated by the Patriarchate of Aquileia, which were substantial, to

the jurisdictions of the Counts of Gorizia and, later, the (arch)dukes of Austria. The scribe must have made an error in enumerating the towns and cities held by Venice by simply listing Istrian episcopal sees.

²³⁹ Dominus Doimus de Castello, seu illi de domo sua pignoratice nomine tenent castrum Petre Pilose ad mensam patriarchalem spectans et ultra hoc per violenciam et de facto pluribus retroactis temporibus occupavit et occupat marchionatum supradictum cum iuribus, iurisdictionibus et omnibus pertinentiis suis. In quo Marchionatu ultra occupata per Venetos, ut superius notatum est, adhuc extabant et extant castra octo Aquilegensi ecclesie et patriarchis, qui fuerunt pro tempore, obedientiam debitam et plenam prestantia, scilicet castra de Buleis, Portulis, Pinguento, Albona, Flanona, Colmo, Rocio et Duobus Castris.” ASV, *Lucifer Aquileiensis*, fols. 44r-44v. Cf. Luschin von Ebengreuth, “I memoriali,” LXXVIII where the word “Colmo” is left out.

²⁴⁰ De Rubeis, *MEA*, cols. 960–61; Paschini, *SdF*, 586; Dieter Girgensohn, “Alençon (Di) Filippo,” in *Nuovo Liruti* 3: <http://www.dizionariobiograficodeifriulani.it/alencon-d-filippo/> [last access: 7th of July, 2019].

himself.²⁴¹ This creation of a commendatory patriarch was immediately greeted by universal protest throughout Friuli as the regional nobility and ecclesiastical retainers felt belittled by the papal election; they adamantly demanded “a real patriarch,” one that would be obliged to take residence in the Patriarchate and dispose of the incomes the same way all the previous patriarchs had done before.²⁴² Besides, behind the apparent cry for a non-commendatory patriarch was a hope that a new patriarch would be appointed, one who would have stronger ties with the court of Louis I Anjou—such as Louis of Helfenstein, the son of Count Ulrich of Helfenstein and the Bosnian Duchess Mary Kotromanić, the sister of Hungarian Queen Elizabeth—as a good part of Friulian nobles still harbored loyalty to the Hungarian crown and their former allies against Venice.²⁴³

Friulian cries fell on deaf ears and the pope remained uncompromising in his choice: Philip of Alençon was to remain commendatory patriarch, officially titled “by the divine providence the Bishop of Sabina, the Cardinal of the holy Roman Church, the Patriarch of Aquileia.”²⁴⁴ Notwithstanding Philip’s promises to govern the Patriarchate justly and from Friuli, despite the fact that the Friulian Parliament officially recognized this prelate as the rightful ruler of the Aquileian Church, handing him over the jurisdictions over the entire Patriarchate on the 3rd of August, 1381, the civic elite of Udine led by the mighty noble House Savorgnan remained loyal to the Hungarian monarch and unrelenting in their insistence of a new papal election and a patriarch appointed *in titulum*.²⁴⁵ It was precisely this unbending attitude of Savorgnan’s Udinese party

²⁴¹ Michael Ott, “In Commendam,” in *The Catholic Encyclopedia*, vol. 7 (New York: Robert Appleton, 1910), <http://www.newadvent.org/cathen/07719a.htm> [last access: 7th of July, 2019].

²⁴² “La nomina del d’Alençon provocò un senso di disgusto in Friuli.” Paschini, *SdF*, 587. See also, Cusin, *Il confine orientale*, 88–89.

²⁴³ Cf. the letters sent by Queen Elizabeth to the Friulians, by King Louis to Friulians and to Pope Urban VI and by John of Krk to the citizens of Udine in BCU, FP, *DF*, docs. 4856 (Queen Elizabeth), 4857–4858 (King Louis), and 4859 (John of Krk). All the letters were sent in the month of April of 1381. On Bosnian queen Mary Kotromanić and her ties to the Counts of Helfenstein, Nedim Rabić, “Maria ...von Bosnien: bosanska vojvotkinja - njemačka grofica” [Maria ...von Bosnien: Bosnian Duchess - German Countess], *Radovi Filozofskog fakulteta u Sarajevu* 17/3 (2014): 105–29. On the family of Ludwig of Helfenstein, Heinrich Friedrich Kerler, *Geschichte der Grafen von Helfenstein*, vol. 1 (Ulm: Stettinsche Buchandlung, 1840), esp. 67–68; Detlev Schwennicke, ed., *Europäische Stammtafeln: Stammtafeln zur Geschichte der Europäischen Staaten, Neue Folge*, vol. 12: *Familien des alten Herzogtums Schwaben* (Marburg: Stargardt, 1992), table 58.

²⁴⁴ “Miseratione divina episcopus Sabinensis, Sancte Romane Ecclesie cardinalis, patriarcha Aquilegensis.” Leicht, ed., *PF* 1/2: 337–38; Paschini, *SdF*, 588.

²⁴⁵ Leicht, ed., *PF* 1/2: 334, 337–38; De Rubeis, *MEA*, cols. 962–63; Paschini, *SdF*, 589, 591–92. See also the lines of the contemporary Friulian chronicler John of late Ailino of Maniago (Lat. *Iohannes quondam Aylini di Maniago*) who wrote that “Terra vero Utini ipsum dominum Philippum cardinalem in commenda acceptare recusavit. ... Et super his per Utinenses et eorum partem missi fuerunt ambasciatores sepius ad summum Pontificem, ut verum dominum patriarcham deberet mittere in Patria, more antiquitus observato, vel quod iste dominus cardinalis ejiceret cappellum cardinalatus.” John of Maniago, “Historia belli Foroiuliensis,” in *Antiquitates Italicae Medii Aevii*, ed. Lodovico Antonio Muratori, vol. 3 (Milan: Societas palatinae in regia curia, 1740), col. 1193.

towards Patriarch Philip of Alençon that started a destructive avalanche of infighting across the ecclesiastical principality of the Aquileian prelates. “And in this way great conflicts arose in each and every city, town, and village” writes the contemporary Friulian chronicler John of the ensuing factional warfare, “between brother and brother, husband and wife, father and son, and not only between men, but between women as well, as between the city dwellers so between the villagers alike, as between the noble so between the ignoble as well.”²⁴⁶

The conflict assumed new proportions when the old King Louis I of Anjou abandoned the hopes of installing Louis of Helfenstein as the new patriarch and agreed to accept Cardinal Philip as the new head of the Aquileian Church; the Hungarian monarch even recommended to his old associate, Francesco I da Carrara, the lord of Padua, to forge an alliance with the newly elected Aquileian prelate.²⁴⁷ For Cardinal-patriarch Philip, this coalition with the mighty Da Carrara offered a unique opportunity to solidify his power-base in Friuli and quell the incessant protests of the Udinese party. Indeed, soon after the proposed alliance and the death of King Louis I of Anjou († September of 1382), Philip of Alençon cemented his alliance with the lord of Padua by selling him the strategically important fort of San Polo di Piave, bequeathing to Francesco I da Carrara a great base of operation in his quest to occupy his coveted Treviso, a town with an expansive district that was now in the hands of the Austrian dukes.²⁴⁸

Contrary to Philip’s hopes, his union with the lord of Padua did not bring about the end of infighting throughout Friuli; quite the contrary, it only fueled new rumors that Philip would return to Rome and leave the Patriarchate of Aquileia to Francesco’s illegitimate son Conte to whom an ecclesiastical career was indeed intended.²⁴⁹ Fed up with the unrelenting protests, the cardinal-

²⁴⁶ Et hoc modo in quacumque civitate, castro, et villa, partes magne orte sunt de fratre ad fratrem, de consorte ad consortem, de patre cum filio, et non solum inter homines, verum etiam inter mulieres, tam civiles, quam rurales, tam parvas quam maiores. John of Maniago, “Historia belli Foroiuliensis,” col. 1193.

²⁴⁷ Verci, *Storia della Marca* 16: appendix, 11–12, doc. 1765 (issued on the 15th of October, 1381). See also, Cusin, *Il confine orientale*, 89.

²⁴⁸ “Dominus Padue habuit castrum Sancti Pauli domini Patriarche.” Verci, *Storia della Marca* 16: appendix, 44–46, doc. 1789 (quotation on 46); Paschini, *SdF*, 595.

²⁴⁹ “Tenor cedularum et informationum datarum Thomo de Bonicontrario notario nostro. Dixit Amicus Baysino notario potestatis et capitanei Mestre silicet dominus Brizaia, quod habet acerto, quod dominus Nicolaus de Spinimbergo [refering to Spilimbergo] ad petitionem domini Padue tractavit cum domino cardinali de Alencono patriarcha Aquilegiensi, quod ipse dominus Padue promittit eum de tractando, quod obtinebit Patriarchatum suum pacifice tali conditione, quod postquam steterit mensis V vel VI in dominio Patriarchatus, tenebit modum, quod quodam filius naturalis domini Padue remanebat vicarius, et quod omnes fortificia Foroiulii invenient ad manus suas, donec ipse dominus cardinalis procurabit confirmationem a summo pontifice, quam confirmationem promittit cum parva quantitate pecunie facere obtineri considerata conditione Sancte Matris Ecclesie, que pro denariis ad presens omnia faceret, quod facta confirmatione debet dominus Padue dari dicto domino cardinali florenos XXV^m.”ASV, Collegio,

patriarch officially excommunicated Udine and all the other Friulian communities that did not acknowledge his lawful authority. The stage was set for open military conflicts that ensued soon thereafter.

As Udine attacked Gemona, one of the bastions of Cardinal-patriarch Philip, in the autumn of 1383, the infighting finally grew into an open warfare between two opposing Friulian factions.²⁵⁰ On the one side was the Udinese party led by the Savorgnan clan; on the other stood the Cardinal-patriarch, backed by his powerful ally, the lord of Padua, and the civic elite of Cividale.²⁵¹ In the midst of these military skirmishes that engulfed the ecclesiastical principality of Aquileia into a destructive flame of warfare, Francesco I da Carrara achieved his long yearned for dream and subjected Treviso to his rule.²⁵² Moreover, on the 31st of July, 1384, the lord of Padua promulgated an arbitrational sentence that was meant to pacify the Patriarchate of Aquileia and usher in a new era of peace, an age of Philip of Alençon's *de iure* reign, but Da Carrara's *de facto* authority. According to this arbitration, all the military operations were to cease, the hostages were to be released, the occupied territories relinquished, the authority of Cardinal-patriarch Philip of Alençon unanimously acknowledged, and, most importantly, Francesco da Carrara was to be designated the sole arbiter in all the future conflicts in the Patriarchate of Aquileia.²⁵³ Finally, in August of 1384 Savorgnan and the Udinese party officially accepted Da Carrara's arbitrational sentence and signed a truce with Philip of Alençon.²⁵⁴ The conflict in Friuli was pacified and the lord of Padua emerged victorious.

The new alliance between Francesco I da Carrara and the patriarch of Aquileia, made at the behest of Hungarian King Louis I of Anjou nonetheless, eerily reminded of the anti-Venetian coalition that nearly conquered Venice in the traumatic War of Chioggia. Moreover, the lord of Padua, die-hard enemy of Venice, even managed to subject Treviso, a feat he was unable to achieve

Secreti (hereafter: CS), reg. 1382–1385, fol. 30r. See also Roberto Cessi, "Venezia e la preparazione della guerra friulana (1381-1385)," *MSF* 10 (1914): 427; Kohl, *Padua*, 230; Paschini, *SdF*, 602–3.

²⁵⁰ BCU, FP, *DF*, doc. 4965; Paschini, *SdF*, 598.

²⁵¹ BCU, FP, *DF*, docs. 4970 and 5005 (an Udinese decree sanctioning the continuation of war against Cividale, 11th of April, 1384.).

²⁵² Galeazzo and Bartolomeo Gatari, *Cronaca carrarese*, 220–26; Kohl, *Padua*, 228; Paschini, *SdF*, 596.

²⁵³ Verci, *Storia della Marca* 16: appendix, 77–81, doc. 1822; Federico Seneca, "L'intervento veneto-carrarese nella crisi friulana (1384-1389)," in *Studi di storia padovana e veneta*, ed. Paolo Sambin, Federico Seneca, and Maria Cessi Drudi, Deputazione di storia patria per le Venezie: Miscellanea di studi e memorie 8 (Venice: La Deputazione, 1952), 6; Cessi, "Venezia e la preparazione," 430; Paschini, *SdF*, 604; Kohl, *Padua*, 230.

²⁵⁴ Verci, *Storia della Marca* 16: appendix, 81–82, doc. 1823; BCU, FP, *DF*, docs. 5026–27; Seneca, "L'intervento veneto-carrarese," 7.

in the earlier war.²⁵⁵ Da Carrara's traditional hostility towards Venice continued unabated as he promptly denied the customary trading privileges that the Venetians enjoyed in Treviso, the prerogatives that were formerly readily acknowledged by the Austrian dukes.²⁵⁶ Finally, with the situation in Friuli resolved in Da Carrara's favor, the enemies of Venice were once again allied in the close proximity of the Republic's very center—the well-known scenario of the War of Chioggia seemed to be repeating.

Due to all of this and determined not to allow another anti-Venetian league to threaten the very existence of their state, Venice decided to undertake a new, revolutionary political trajectory: no longer would it passively observe the conflicts and factionalisms in its very vicinity, but it would now assume an active role in these foreign affairs, seeking to resolve the situation to “the benefit and the wellbeing of the Venetian state.”

Already on the 10th of July, 1384, before Francesco I da Carrara issued his arbitrational sentence, the Venetian College decided to bestow upon Federico Savorgnan, the leader of the Udinese party, a monthly stipend in the amount of two hundred golden ducats (eight hundred pounds of pennies according to the 1382 conversion rates) for as long as the war against the cardinal-patriarch lasts.²⁵⁷ However, this reliance on Savorgnan clan and his party to defeat the lord of Padua while Venice officially remains neutral in the conflict did not bore fruit. Following the official pacification of August 1384 Venice knew that it had to undertake a more active role in the affairs of the Patriarchate of Aquileia. The original plan was to win over the affection of the universally acknowledged cardinal-patriarch, but that strategy also failed as Philip of Alençon abandoned diplomatic negotiations with Venice in December of 1384.²⁵⁸ Finally, a bold new project was put into operation: the creation of a formal alliance in the ecclesiastical principality of the Aquileian prelates under officially disclosed Venetian patronage with the main goal of destroying the threatening power base of Francesco I da Carrara.

²⁵⁵ Galeazzo and Bartolomeo Gatari, *Cronaca carrarese*, 214; Verci, *Storia della Marca* 16: 63–64; Cusin, *Il confine orientale*, 96

²⁵⁶ ASV, SMi, reg. 38, fol. 142r; Cessi, “Venezia e la preparazione,” 425; Paschini, *SdF*, 601.

²⁵⁷ BCU, FP, *DF*, doc. 5014; Paschini, *SdF*, 606.

²⁵⁸ ASV, SMi, reg. 39, fols. 33v–34r (29th of December, 1384). Venice retried to win over the support of Cardinal-patriarch Philip of Alençon at least two additional times, in January and February of 1385, but failed on both occasions. ASV, CS, 59r (January, 1385), and fol. 63v (February, 1385). I have edited all three of these documents (instructions for ambassadors) in the appendix as they revealingly demonstrate the manner in which Venice represented its alliance. See Docs I.1/A, I.1/B and I.1/C in appendix 5. See also Gaetano Cogo, “Il Patriarcato d’Aquileia e le aspirazioni de’ Carraresi al possesso del Friuli (1381-1389),” *Nuovo archivio veneto* 16/2 (1898): 244; Cessi, “Venezia e la preparazione,” 441–42; Cusin, *Il confine orientale*, 97; Seneca, “L’intervento veneto-carrarese,” 10.

The negotiations on the forging of this alliance commenced in January of 1385 and soon thereafter the manifesto of the “League for the Defense of Friuli” was hammered out: Federico Savorgnan and his allies were now officially in league with Venice and this alliance was to last for five years with the aim of “defending” the Patriarchate of Aquileia against any who would dare to “invade the lands and places of the homeland of Friuli and the Church of Aquileia, except to most holy pope, the most illustrious Roman emperor, the crown and the Kingdom of Hungary, the lords dukes of Austria, and the lord count of Gorizia.”²⁵⁹ Finally, on the 8th of February, 1385, this alliance under the Venetian protectorate was officially signed between Venice and the Udinese party in Grado, the very town in which Patriarch Marquard of Randeck once proudly stood in triumph against the Republic of St. Mark.²⁶⁰

This was a new Venice, one that was substantially transformed by the embittering experience of the War of Chioggia. By prompting the creation of the anti-Carrarese alliance, Venice effectively assumed the role of the “paladin” of the Patriarchate of Aquileia, a dedicated fighter for the “liberty” of Friuli.²⁶¹ Federic Savorgnan, the leader of the Venetian League in Friuli, was even officially admitted to the Great Council as the honorary nobleman of the Most Serene Republic.²⁶² The stage was set for the beginning of a momentous battle between the two opposing factions.

²⁵⁹ “Ipsa liga et unio esse debeat ad deffensionem patrie Foroiulii contra quoscumque dominos, comunitates et personas cuiuscumque conditionis exstant invadentes terras et loca patrie Foroiulii et Ecclesie Aquilegiensi exceptis sanctissimo domino papa, serenissimo domino imperatore Romanorum, chorona et Regno Hungarie, dominis ducibus Austrie et domino comite Goritie.” ASV, SMi, reg. 39, fols. 41v–43r (quotation on 41v). Paschini’s statement that is all too often taken for granted, that Udine and the Savorgnan clan created the “League for the defense of Friuli” already on the 20th of January, 1384, without Venetian interference, is completely wrong. Cf. Paschini, *SdF*, 600; Giordano Brunettin, “L’evoluzione impossibile. Il principato ecclesiastico di Aquileia tra retaggio feudale e tentazioni signorili (1251-1350),” in *Il patriarcato di Aquileia. Uno stato nell’Europa medievale*, ed. Paolo Cammarosano (Udine: Casamassima, 1999), 219, fn. 641. Paschini did not cite any primary source for this claim, but he did describe in details the minutes of the Venetian Senate regarding the conclusion of the League that were discussed on the 20th of January, 1385. Thus, Paschini simply made an error in the dating of the document and forgot to take note that 20th of January, 1384 is actually dated *more Veneto* and should thus be converted to the year 1385. The contract cited by Paschini is thus nothing else than the first sketch, deliberated in the Venetian Senate, that preceded the final conclusion of the pro-Venetian League.

²⁶⁰ The original act of the establishment of this League is kept in ASV, Miscellanea atti diplomatici e privati, busta 25, doc. 766. According to my knowledge, this document has still not been edited *in extenso*. Cessi, “Venezia e la preparazione,” 442–45; Paschini, *SdF*, 607; Seneca, “L’intervento veneto-carrarese,” 13.

²⁶¹ “Venezia prese dunque a atteggiarsi a paladina dei diritti patriarcali e dell’autonomia del Friuli”; Brunettin, “L’evoluzione impossibile,” 219.

²⁶² BCU, FP, *DF*, doc. 5062 (3rd of April, 1385., the document is edited *in extenso* in Benedetto Vollo, *I Savorgnani: Storia* (Venice: Giovanni Cecchini, 1856), 220); Paschini, *SdF*, 608.

Refusing to acknowledge Da Carrara's arbitrational sentence, the pro-Venetian alliance, that called itself the "Happy League" (*Unio Felix, Felix Liga, Liga Felici*), soon provoked an open military conflict with the lord of Padua and the incumbent cardinal-patriarch.²⁶³ Moreover, the war that ensued soon engulfed the neighboring regional potentates: the lords of Duino tacitly aiding Da Carrara;²⁶⁴ and Giangaleazzo Visconti allying with Venice in a bid to expand his lordship over Padua.²⁶⁵ During the many armed skirmishes that ensued, raging throughout Friuli for years to come even after Philip of Alençon had left the seat of St. Hermagoras and a new patriarch *in titulum* was appointed,²⁶⁶ Venice managed to improve its position: following the riot of the Trevisans against Francesco I da Carrara that took place on the 29th of November, 1388, the Venetians regained the dominion of Treviso and all of its dependencies soon thereafter.²⁶⁷ The war between the two opposing factions of the Patriarchate of Aquileia officially ended on the 21st if

²⁶³ For example, the councilors of Udine called the alliance *Unio felix* and *Liga felici* in the same deliberation. Seneca, "L'intervento veneto-carrarese," 37, fn. 64). *Liga felici* also in Verci, *Storia della Marca* 16: appendix, 106–7, doc. 1846; Banić, "Okupacija," 31, doc. 3.

²⁶⁴ Hugo VIII, the lord of Duino, never officially professed open hostility to Venice during this war. However, the lord of Duino retained active correspondence with Francesco I da Carrara throughout the conflict. Already in January of 1384, a year before the signing of the *Unio felix*, Da Carrara's troops found refuge in the in Austrian Rakalj in Istria, a fort that was under the administration of Hugo VIII of Duino. From Rakalj, the Da Carrara's troops sacked the Venetian subjects of Pula, prompting Doge Venier to send a letter of reproach to the lord of Padua. Verci, *Storia della Marca* 16: appendix, 67, doc. 1810. The lord of Duino even launched an attack on the pro-Venetian Monfalcone the following year. Cusin, *Il confine orientale*, 108–10; Marialuisa Bottazzi, "Legislazione e politica nel Patriarcato di Aquileia del tardo medio evo: Note su una recente edizione degli Statuti di Monfalcone," *Quaderni Giuliani di Storia* 27 (2006): 379–81.

²⁶⁵ The treaty of alliance between Giangaleazzo and Venice in which they agreed on the partitioning of the Carrarese lordship was signed on the 29th of May, 1388. It is edited *in extenso* in Ester Pastorello, *Nuove ricerche sulla storia di Padova e dei principi Da Carrara al tempo di Gian Galeazzo Visconti* (Padua: Università dei Fratelli Gallina, 1908), 156–69, doc. 13. On this alliance see Roberto Cessi, "Venezia e la prima caduta dei Carraresi," *Nuovo archivio veneto* 17 (1909): 311–37; Daniel Meredith Bueno de Mesquita, *Giangaleazzo Visconti: Duke of Milan: 1351-1402: A Study in the Political Career of an Italian Despot* (Cambridge: Cambridge University Press, 1941), 79–81. With Giangaleazzo Visconti, Venice also gained Francesco Gonzaga, the lord of Mantua, and Alberto III of Este as allies. Galeazzo and Bartolomeo Gattari, *Cronaca carrarese*, 309–11; Cessi, "Venezia e la prima," 311, fn. 2. Even the dukes of Austria gave their support to the Veneto-Viscontian alliance. Verci, *Storia della Marca* 17: appendix, 15–17, doc. 1915 (2nd of November, 1388). See also, Kohl, *Padua*, 249–50.

²⁶⁶ On the course of military and diplomatic missions see Paschini, *SdF*, 611–29; Seneca, "L'intervento veneto-carrarese," 27–65. Insightful episodes from conflict from the angle of Monfalcone are provided in Bottazzi, "Legislazione e politica," 377–82. On the age of Patriarch John Soběslav of Moravia see Ondřej Schmidt, *Jan z Moravy: Zapomenutý Lucemburk na aquilejském stolci* [John of Moravia: A Forgotten Luxembourg on the Aquileian Throne] (Prague: Vyšehrad, 2017). This book was recently translated into English as *John of Moravia between the Czech Lands and the Patriarchate of Aquileia (ca. 1345–1394)*, trans. Graeme and Suzanne Dibble (Leiden: Brill, 2019). For John of Moravia and Friulian infighting see also Seneca, "L'intervento veneto-carrarese," 66–93; Federico Seneca, "Il conflitto fra Giovanni di Moravia e gli Udinesi (1389-1394)," *Archivio veneto*, ser. 5, 46–47 (1950): 45–68.

²⁶⁷ Verci, *Storia della Marca* 17: 22–23, doc. 1917, and 29, doc. 1921. Roberto Cessi, "Il tumulto di Treviso (1388)," in *Dopo la Guerra di Chioggia: Il nuovo orientamento della politica veneziana alla fine del secolo XIV*, ed. Marina Zanazzo, Deputazione di storia patria per le Venezie: Miscellanea di studi e memorie 36 (Venice: La Deputazione, 2005), 87–115.

February, 1391, with the signing of a peace treaty between Cividale and Udine arbitrated by the Venetian ambassador Giacomo Gradenigo.²⁶⁸ Alas, the peace was not to last for the subjects of the Aquileian Church as new factional strives between the supporters of Patriarch John of Moravia on the one side and those faithful to the Savorgnan clan on the other continued to rage on.²⁶⁹ However, with the threat of Da Carrara neutralized and with Treviso safely in the hands of the expanding *Commune Veneciarum*, the Venetian-sponsored “Happy League” had achieved its purpose and Venice decided, at least for the time being, not to directly interfere in Friulian affairs any further.²⁷⁰

This entire episode of Venetian intervention into the factional warfare in the Patriarchate of Aquileia can be elegantly interpreted within the paradigm of the collaboration theory as devised by Ronald Robinson.²⁷¹ According to this influential theoretical framework, interventionist forces—in this case Venice—act out in order to pacify their *frontiers of insecurities*—the growingly unstable regions neighboring the interventionists in which the threat of potentially hostile forces is progressively gaining ground—in this case the Patriarchate of Aquileia under Cardinal Philip of Alençon and Da Carrara.²⁷² These interventions are carried out within a *collaboration system*—a tripartite matrix managing the demands of the interventionist force (external factors, in this case Venice), the interests of the local communities (internal factors, here

²⁶⁸ The text of the peace treaty has not been conserved. However, later documents attest that it had indeed been reached in February, 1391. BCU, FP, *DF*, docs. 5577 and 5680. See more on this peace and its dating in Schmidt, *Jan z Moravy*, 122 (correcting the dating from the 22nd to the 21st of February).

²⁶⁹ Namely, on the 15th of February, 1389, Federico Savorgnan was cruelly murdered by a band of conspirators as he was attending Mass in the Church of St. Stephen, next to his family home in Udine. Included in the conspiracy was the marshall (*marescalcus*) of Patriarch John of Moravia. BCU, FP, *DF*, doc. 5453; Vollo, *I Savorgnan*, 234–36; Paschini, *SdF*, 639–40; Pier Silverio Leicht, “La giovinezza di Tristano di Savorgnano,” in *Studi di storia friulana* (Udine: Società filologica friulana, 1955), 16–17. This murder, despite the subsequent peace accords, was not forgotten and Federico’s heir, Tristano Savorgnan, along with his cousin Niccolò, avenged the death of his father by murdering the bishop of Concordia (Pordenone), one of Patriarch John’s allies and the supposed instigator of Federico’s assassination. In the end, on the 13th of October, 1394, the Savorgnan clan even murdered the very Patriarch John. An anonymous Aquileian chronicler described the murdered with the following words: “et sic vindicta facta fuit de morte ipsius domini Frederici Savorgnani.” De Rubeis, *MEA*, appendix, 15. See also BCU, FP, *DF*, docs. 5631–5632 (on the murder of the bishop of Concordia), docs. 5753–5754 (on the murder of Patriarch John); Paschini, *SdF*, 654–55, 659–60; Leicht, “La giovinezza,” 23–24; Brunettin, “L’evoluzione impossibile,” 222; Casella, *I Savorgnan*, 25–26; Andrea Tilatti, “Tra santità e oblio: storie di vescovi uccisi in Italia nordorientale (secoli XIII–XIV),” in *L’évêque, l’image et la mort. Identité et mémoire au Moyen Âge*, ed. Nicholas Bock, Ivan Foletti, and Michele Tomasi (Roma: Viella, 2014), 617–19; Schmidt, *Jan z Moravy*, 147.

²⁷⁰ On Da Carrara’s defeat, see Kohl, *Padua*, 245–55.

²⁷¹ Ronald Robinson, “Non-European Foundations of European Imperialism: Sketch for a Theory of Collaboration,” in *Studies in the Theory of Imperialism*, ed. Roger Owen and Bob Sutcliffe (London: Longman, 1972), 117–42.

²⁷² On the frontiers of insecurity, Ronald Robinson, “New Frontiers of Insecurity,” in *Africa and the Victorians: The Climax of Imperialism*, ed. Ronald Robinson, John Gallagher, and Alice Denny (Garden City, N.Y.: Anchor Books, 1968), 274–89; John S. Galbraith, “The ‘Turbulent Frontier’ as a Factor in British Expansion,” *Comparative Studies in Society and History* 2/2 (1960): 150–68.

the communities and subjects of the Patriarchate of Aquileia), and the collaborationist elite with the role of mediators between the internal and external elements (Udine and the Savorgnan party).²⁷³ Furthermore, the modality of collaboration is largely dictated by the institutional and social frameworks of the local communities in which the external force intervenes; collaborationists achieve the objectives of the interventionists more easily when operating within (or under the guise of) legitimate prerogatives of local jurisdictional structures.²⁷⁴ Finally, the breakdown of an established collaborative scheme will either result with the failure of the interventionist forces achieving their desired outcomes, or it will necessitate an evolution into a new phase of interventionism through a re-forged collaboration system.²⁷⁵

The *Unio Felix* is thus a result of the newly undertaken Venetian policy of intervening in their frontiers of insecurity, a policy forged as a direct consequence of the nearly fatal War of Chioggia. Originally, Venice attempted to establish a very weak and informal collaborative system by merely providing a monetary stipend to a local party that defied the potentially dangerous alliance of the cardinal-patriarch and the lord of Padua. However, this collaborative matrix broke down in the August of 1384 when both Udine and the Savorgnan clan officially accepted Da Carrara's arbitrational ruling and signed a peace treaty with their *de iure* sovereign, Philip of Alençon. As postulated by Robinson's theory, Venetian intervention had to transition to a new phase of interventionism and restructure their collaborative system—the outcome of this process was a more direct type of involvement. Moreover, and again in accordance with Robinson, Venice first tried to gain the support of the cardinal-patriarch himself as intervention through Philip of Alençon—the head of the existing local jurisdictional hierarchy—would be the easiest road to an effective collaboration system, one that would not usurp the traditional governmental framework. It is only when this attempt failed that Venice proceeded to ally itself with the Savorgnan party, in

²⁷³ Collaboration systems are thus comprised of two mutually intertwined sets: the external one, defined as “arrangements between the agents of industrial society [interventionists] and the indigenous elites drawn into cooperation with them;” and the internal one “connecting these elites to the rigidities of local interests and institutions.” Robinson, “Non-European Foundations,” 121.

²⁷⁴ “At the outset it [interventionism] depended on the absence or presence of effective indigenous collaborators and the character of indigenous society.” Robinson, “Non-European Foundations,” 139. “The kind of arrangement possible in the one [the internal set] thus determined the kind of arrangement possible in the other [the external set].” Robinson, “Non-European Foundations,” 122. Similar remarks are featured in later studies. See for example Patrick M. Regan, *Civil Wars and Foreign Powers: Outside Intervention in Intrastate Conflict* (Ann Arbor, MI: University of Michigan Press, 2002), 69 where the author states that “[t]he makeup of the participants to the conflict affects the strategy for and likelihood of successful third-party intervention.”

²⁷⁵ “The transition from one phase of imperialism to the next was governed by the need to reconstruct and uphold a collaborative system that was breaking down.” Robinson, “Non-European Foundations,” 139.

essence a faction of defeated rebels. This old rebel alliance was reanimated, restructured, financially supported—Venice obliged itself to cover one half of all the military expenses—and discursively transformed into the “League for the Defense of the Homeland of Friuli and the Liberties of the Aquileian Church.”²⁷⁶ Such a transformation was necessary for the collaboration system to assume the obligatory sacrosanct dimensions of operating within the existing, time-honored jurisdictional hierarchy and upholding the traditional prerogatives of the local factors.²⁷⁷ Analyzed through the conceptual apparatus of Ronald Robinson, Venetian intervention in the Patriarchate of Aquileia during the 1380s is a result of the pericentric pressure generated by Da Carrara’s success in Friuli and it was effectuated through the collaboration with the Udinese front led by the Savorgnan clan. Although both the interventionists and the collaborationists profited from the creation of the *Lega Felici*, in the end it was Venice who gained the most from the entire enterprise by neutralizing the threat of Da Carrara and reclaiming the strategically important Treviso.²⁷⁸

It is within this complex political background that the role of Domnius of Castello comes to light. Namely, the head of patriarchal chancery, Odoric Susanna of Udine, remained loyal to his *de iure* lord, the Cardinal-patriarch Philip of Alençon. The notary paid for his unwavering allegiance by having all his goods on the territories under the control of the pro-Venetian League confiscated by the Udinese party.²⁷⁹ Thus, the lines of *Lucifer Aquileiensis*—written after the decisive Venetian entrance on the Friulian scene as the main allies of the anti-Alençon party, after the confiscation of Odoric’s goods and during the scribe’s imposed exile from Udine—have to be conceptualized as an utterly biased text. Therefore, when Odoric Susanna noted in 1386 that Domnius of Castello “occupied and continues to occupy the entire Margraviate of Istria,” he was writing from a politically determined position, as a faithful supporter of the commendatory

²⁷⁶ Cessi, “Venezia e la preparazione,” 444. Conversely, the chronicler Caresini wrote how Venice covered all the expenses of the League: “totum expensarum onus remansit ducali Dominio.” Caresini, *Chronica*, 63.

²⁷⁷ Thus, the Venetian Caresini, contemporary to these events, described Da Carrara’s actions as “occupation” and of Alençon’s allies as “rebels”. “Ducale Dominium ad reconciliandum controversiam praedictam pro tranquillo statu patriae Foroiulii amicabiliter laborabat; sed ipse cardinalis, suasionibus, immo deceptionibus Francisci de Carraria, omissa amabili eiusdem dominii interpositione adhaesit Paduano, qui, non ad finem reconciliandi Patriam, sed ut callide eam occuparet, ... ligam contraxit cum eodem cardinale, qui se Paduam transtulit.” “Firmata unione inter ipsum Dominium et caetera loca Foro Iulii, exceptis Civitate Austriae, Portogruario, Valvasono et Sancto Vito, quae suae ecclesiae et Patriae rebellia extiterant.” Caresini, *Chronica*, 63.

²⁷⁸ Even the mutual obligations between Venice and the collaborationists were not equal. For example, Venetian contingents were to serve only within the boundaries of the Aquileian patriarchate whereas the Udinese forces had to wage war wherever necessary. Cessi, “Venezia e la preparazione,” 444.

²⁷⁹ BCU, FP, *DF*, doc. 5312.

patriarch whose authority was acknowledged only by a part of the subjects of the Aquileian Church.

Very much unlike the patriarchal head notary Odoric, Domnius of Castello found himself on the very opposite end of the Friulian schism. Although the lords of Castel Porpetto often allied with the Ghibelline forces and the counts of Gorizia, Domnius changed the family's traditional political affiliation and sided with Udine. Thus, already in June of 1382 it was Domnius of Castello who represented Udine as an ambassador with Cardinal Pileo of Prata who was trying to reconcile the two opposing Friulian factions.²⁸⁰ Furthermore, Domnius was personally present in Grado during the January of 1385 when the negotiations with Venice were being held and his name is featured among the signatories of the official deed that resulted with the creation of the *Unio Felix*.²⁸¹ The official embassy that the pro-Venetian League sent to the Holy See on the 31st of October, 1385, also acted on the behalf of the lord of Castel Porpetto.²⁸² As a notable representative of the Venetian Happy League and a noble knight (*nobilis miles*), Domnius of Castello led the military forces of his alliance along with the Venetian representative Francesco Zane in the siege of Portogruaro, a fort that had been conquered by the pro-Carrarese party.²⁸³ Moreover, as a steadfast supporter of the Udinese coalition and the Savorgnan clan, Domnius of Castello “and all the descendants of his house” were officially accepted as the citizens of Udine on the 10th of July, 1387.²⁸⁴ Although a large quantity of Savorgnan's and Venetian supporters were bestowed Udinese citizenship on that day, Domnius of Castello is featured at the very top of that long list. As decisive supporters of the pro-Venetian *Unio Felix*, the lords of Castel Porpetto “appropriated a political position adequate to the power of their house.”²⁸⁵ Finally, on the 3rd of July, 1402, for his many

²⁸⁰ “Deliberationem fuit quod domini Rizardus de Valvesono et Doymus de Castello et Nicolaus notarius Manini debent continuo esse penes dominum cardinalem de Pratta qui est penes dominum comitem de Goricia ad tractandum supra factis nostris cum domino cardinali de Alenchonio et pro expensis per eos fiendis debeant accipi de canipa Utinensis XX marchas denariourum dandas eisdem.” This is a deliberation of the Udinese communal council, edited in Attilio Hortis, *Giovanni Boccacci ambasciatore in Avignone e Pileo da Prata proposto da' Fiorentini a Patriarca di Aquileia* (Trieste: Herrmanstorfer, 1875), 71. See also Cessi, “Venezia e la preparazione,” 422–23.

²⁸¹ ASV, SMi, reg. 39, fol. 43r. See also Cessi, “Venezia e la preparazione,” 442.

²⁸² De Rubeis, *MEA*, col. 970; Paschini, *SdF*, 612.

²⁸³ John of Maniago, “Historia belli Foroiuliensis,” col. 1195; Paschini, *SdF*, 613.

²⁸⁴ “Dominus Doymo di Castello pro se et omnibus suis censentibus (sic!) de domo sua”. Everywhere else the phrase is “et suis discedentibus”, so this must be a case of a *lapsus calami*. BCU, FP, *DF*, doc. 5279.

²⁸⁵ “Assorbiti dal neonata centralismo udinese, i di Castello occuparono uno spazio politico consono all'altezza del loro lignaggio praticando, al pari di altri gruppi consortili, una deriva filoveneziana capitanata dai Savorgnano che aveva per obiettivo il contenimento della potenza carrarese.” Michele Zacchigna, *La società castellana nella patria del Friuli: Il dominium dei di Castello (1322-1532)*, Studi 1 (Trieste: CERM, 2007), 27.

services and unfaltering loyalty to Venice, Domnius of Castello and all of his sons and heirs were officially rewarded with Venetian citizenship *de intus*.²⁸⁶

Based on all of the above, it must be concluded that notary Odoric Susanna and noble knight Domnius of Castello belonged to two opposing factions of their day: the former following commendatory patriarch Philip of Alençon and his ally, Francesco I da Carrara, the latter being, to employ the vocabulary of the era, a fully-fledged *colligatus* of the Happy League, a pro-Venetian *adherentia*.²⁸⁷ It was precisely through the intervention in this factional strife and the restructuring of its collaboration system that included Domnius of Castello as their collaborationist that Venice opened to itself another door: free interventions in the neighboring Aquileian Margraviate of Istria.

As was noted, Domnius of Castello was elected *marchio Istrie* already in September of 1379 by Patriarch Marquard of Randeck. Although the text of his official investiture has still not been found, it is very probable that Domnius's term did not end before Marquard's death in January of 1381. However, since Marquard's heir was not universally acknowledged, there was no *de facto* authority that could have stripped Domnius of his prerogatives in Aquileian Istria and appoint a new margrave. Indeed, the factional infighting in Friuli allowed Domnius to keep fulfilling the function of *marchio Istrie* throughout all the years of crisis in the Patriarchate of Aquileia. At the same time, though, Domnius of Castello pledged himself to pro-Venetian *Unio Felix* and thereby agreed to collaborate with Venice. Thus, refusing to acknowledge the authority of Cardinal-patriarch Philip of Alençon and pledging his allegiance to Venetian-sponsored *League* allowed him to keep the title of the Istrian margrave, but it came with a price: Domnius of Castello had to carefully balance between the demands of interventionist force, Venice, and the expectations of the local populace subjected to his rule, both in Friuli and in Aquileian Istria alike. As the following documents demonstrate, it was precisely through Domnius that Venice began actively interfering in Istrian territories outside of its jurisdictional enclaves on the Peninsula and this type of interventionism marked a decisively new approach to the affairs of Venetian Istria, a direct

²⁸⁶ ASV, Senato, Deliberazioni, Privilegi (hereafter: SP), reg: 1374–1425, fol. 169v.

²⁸⁷ Isabella Lazzarini described the ties such as those of *adherentie* as “halfway between a political alliance and a feudal submission.” Isabella Lazzarini, *Communication and Conflict: Italian Diplomacy in the Early Renaissance, 1350-1520* (Oxford: Oxford University Press, 2015), 107. See also Giovanni Soranzo, “Collegati, raccomandati, aderenti negli Stati italiani dei secoli XIV e XV,” *Archivio storico italiano* 99 (1941): 3–35; Ugo Petronio, “‘Adhaerentes’: Un problema teorico del diritto comune,” in *Scritti in memoria di Domenico Barillaro* (Milan: Giuffrè, 1982), 40–82.

consequence of the War of Chioggia and the new political trajectory that ultimately transformed the *Commune* into a *Dominium Veneciarum*.

Already on the 4th of March, 1385, not even a full month following the official forging of the pro-Venetian *Unio Felix*, Domnius of Castello issued an order to his subjects in Labin: the reigning margrave of Istria demanded that “some prisoners” be released and entrusted to his care.²⁸⁸ The citizens of Labin followed traditional procedure and held a solemn judicial session in which the judges and jurors “wanting to heed the orders of the most reverend patriarch and Lord Domnius, margrave of Istria,” released their prisoners, handing them over to the lord of Castello.²⁸⁹ The meaning behind these orders comes to light in the minutes of the sessions of Venetian councils. Namely, already on the 17th of February 1385 (1384 *more Veneto*), the Venetian Senate deliberated on the possible ways through which a certain Nicoletto Rizo and his accomplices—all of them Venetian citizens—could be restituted to Venice following their apprehension for piracy in Aquileian Labin.²⁹⁰ On the very next day the issue of Rizo’s restitution to Venice was tackled by the Venetian College where it was decided that it would be best that Gerardo de Guaconi, the Venetian ambassador to Count Giacobuccio of Porcia, another prominent Friulian nobleman, deals with the entire situation.²⁹¹ The deliberation resulted with the letter issued in the name of Doge Antonio Venier to the ambassador Gerardo. This letter features detailed instructions on how to proceed in obtaining the restitution of Rizo who was apprehended on the sea, in the Kvarner gulf, by the “subjects of the Aquileian Church.”²⁹² Gerardo was thus to seek an audience with the Cardinal-patriarch Philip of Alençon and explain to his Holiness that the pirates were not apprehended on the territories of his Church, but on the sea, and that sea—the Adriatic—is a

²⁸⁸ BCU, FP, *DF*, doc. 5052, edited *in extenso* in Banić, “Okupacija,” 30, doc. 1; *FIM* 5: doc. 1385_DCA, https://fontesistrie.eu/1385_DCA. Subsequent references are to *FIM* edition.

²⁸⁹ “Habita deliberatione ab ipsis iudicibus cum hominibus et vicinis de Albona, volentes obedire preceptis tam reverendissimi patriarche quam ipsius domini Doymi marchionis Istrie et fideliter parens, antescriptos captivos in manibus predicti domini Doymi marchionis in Istria ibidem consignarunt et dederunt.” *FIM* 5: doc. 1385_DCA.

²⁹⁰ “Die ultimo februaris. Capta. Quod pro honore et conservatione iurisdictionis nostre dominus, consiliarii, capita de XL et sapientes consilii ac sapientes ordinum habeant per maiorem partem libertatem scribendi et mittendi nuntium seu nuntios ad illos de Albona, et ad alios qui videbuntur, cum illis commissionibus que videbuntur, aggranando factum et modum quem tenuerunt et tenent in nolendo assignare nobis Nicoletum Rico et sotios, que commiserunt piratiam in iurisdictione nostra, et personas et bona capta per eos, quia ad nos spectat et non ad alios facere iusticiam de predictas, et habita eorum responsione erimus hic, et fiet sicut videbitur.” ASV, SMi, reg. 39, fol. 51r. Regestum of the document in “Senato misti III,” 80.

²⁹¹ ASV, CS, reg. 1382–1385, fol. 63r. Regestum in “Lettere segrete I,” 136. I have edited the document *in extenso* in the appendix. See doc. II/A in appendix 3. Giacobuccio of Porcia was at the time serving as the captain of Sacile, a strategically important Friulian stronghold coveted by Francesco da Carrara. Paschini, *SdF*, 606.

²⁹² Doc. II/A in appendix 3.

Venetian domain because “from time immemorial we have defended and guarded this sea against pirates with the blood, sweat, and expenses of ours and our forefathers.”²⁹³ Hence, Gerardo was to politely ask for Rizo’s restitution, since he was in essence apprehended on Venetian “soil”; if the patriarch would for any reason refuse to obey, the ambassador was to remain unfaltering in his demands, adamantly refusing to accept “no” for an answer and reminding the patriarch that it would be wise to appease Venice in this case.²⁹⁴ The outcomes of Gerardo’s diplomatic missions to Cardinal-patriarch Philip’s court are unknown, but it seems that they did not result with the hoped-for conclusion. It is due to these failed negotiations with Philip of Alençon that Doge Venier finally decided to entrust his collaborator Domnius of Castello with this apparently important task; and indeed, where ambassador Gerardo failed, the pro-Venetian margrave of Istria succeeded—pirate Rizo was safely released from Labin’s jail and restituted to Venice.

This episode exemplifies perfectly the modalities of Venetian interventionism in the Aquileian Margraviate of Istria. Unlike the interventionism in Friuli that was carried out through a makeshift collaboration system based on the *de facto* rebellious front that had to be discursively transformed into the “defenders of Aquileian liberties,” but that in essence opposed the traditional, *de iure* sovereign (the patriarch), the situation in Istria was markedly different. Here, the collaboration system was based on the traditional, time-honored and perfectly legitimate office of the margrave that happened to be in the hands of a Venetian *colligatus*. Thus, all the customary administrative institutions, ritual processes and “the good old laws from times immemorial” could be given their due and respected while still performing interventions. This explains why Margrave Domnius issued an order to his subjects in Labin, let them carry out their scripted performance of a solemn judicial session performed by the distinguished locals in a public setting, and finally concluded the process—the intervention that is—by following the time-honored processual rites and acknowledging, at least on the surface, the autonomies of his subjects. The fact that Philip of Alençon did not even try to appoint his own margrave of Istria, or at least openly challenge Domnius’s authority, is a testament to this ruler’s disinterest in his Istrian dominions. To Venice,

²⁹³ “[Q]uod mare a tempore cuius non est memoria in contrarium, cum sanguine, sudore et expensis nostris et nostrorum semper custodiri fecimus et facimus specialiter propter piratas.” Doc. II/A in appendix 3.

²⁹⁴ “Facta vero experientia possibili non possendo obtineri nostram intentionem predictam in fine dicas domino cardinali et patriarche, quod non conplacendo nobis de re tantum iusta et rationabiliter esset nobis importabile, nec possemus talia tolerare ullo modo pro conservatione honoris et status nostri et iurium et iurisdictionum nostrorum acquistarum cum tanto sanguine, expensis nostris et nostrorum, ut superius dictum est.” Doc. II/A in appendix 3.

however, this Cardinal-patriarch's indifference enabled a very smooth path to interventions on the jurisdictionally divided Peninsula.

The second episode of Domnius's role as a Venetian collaborator in Istria comes from the case of highway robbery as narrated by Doge Venier in a letter that was presented in the opening paragraph of this chapter. Similarly to the case of pirate Rizo, Venice once again intervened in Aquileian Istria through its collaboration system in which the role of the collaborationist was played by the lord of Castello. In essence, this conflict boils down to the issues of unclear geographical boundaries between Venetian and Aquileian jurisdictions on the Peninsula—the podestà of Koper claimed the robbery happened in Capodistrian district, thus Venetian soil, whereas Domnius's official, the captain of Petrapilosa, claimed that it in fact took place on the dependencies of the Margraviate, thus outside of Venetian grounds.²⁹⁵ These traditional conflicts over territorial demarcations were very much standard in medieval Istria; they can be traced from the thirteenth all the way to the eighteenth century, taking place both between communities under different jurisdictions—as in this case, between Venetian Koper and Aquileian Petrapilosa—as well as between communities under the same dominion—as between Venetian Poreč and Motovun, just to name one example in the veritable ocean of similar boundary disputes.²⁹⁶

Unlike in previous cases, where Venice would elect commissioners from among their own officials in Istria to arbitrate with the Aquileian representatives over similar issues regarding their respective borders, the age of *Unio Felix* brought about a new dynamic of resolving these traditional conflicts. Venice would now intervene in these local disputes by tasking its collaborator to resolve the conflict for primarily Venetian benefit. Domnius was not only asked to restitute the remaining value of the stolen wine, but also to both completely neglect the robbery committed by the Capodistrians who stole livestock from Aquileian subjects, as well as to exemplarily punish his subjects, thereby officially acknowledging Venetian territorial pretensions. Similar demands were made two additional times, albeit not involving the Margraviate of Istria, as Venice demanded that Domnius punishes his subjects who robbed a friar William, the procurator of St.

²⁹⁵ *FIM*, doc. 1385_DCP.

²⁹⁶ E.g., Kandler, ed., *CDI* 3: 1300–3, doc. 771. Numerous examples in Kurelić, *Daily Life*, esp. 160–95. A classic historiographical account on these processes of demarcation, albeit for a later period of the Early Modern era, is Miroslav Bertoša, “Između gospodarske kategorije i socijalne napetosti (Sukobi na mletačko-austrijskoj granici u Istri od XVI. do XVIII. stoljeća)” [Between economic category and social tensions (Conflicts on the Veneto-Austrian border in Istria from the 16th to the 18th centuries)], *Problemi sjevernog Jadrana* 5 (1985): 89–146 (republished in somewhat modified form in Bertoša, *Istra*, 456–528).

Anthony's monastery in Venice, and to help the "German merchants" (*mercatores Theotonicis*) who were robbed in Friuli by restituting to them the stolen goods and enabling them safe passage to the Venetian capital.²⁹⁷ This is how Venice "charged" its sponsorship of the *Lega Felici*. Domnius, personifying a textbook example of Robinson's collaborator of an intervening force, was locked in a thankless role whereby he had to balance the demands of the interventionists with the expectations of the local population.

Notwithstanding its mysteriousness, the case of secret project proposed to Venice by their former rector of Pula, Domenico Bon is also telling of this dynamic. Namely, on the 17th of July, 1388, Doge Venier sent yet another letter to Margrave Domnius of Castello, beseeching him to support Bon's project to annex a "certain place" and provide his "help, council, and favor."²⁹⁸ While it cannot be ascertained from the letter itself what place was in question and why Domnius would benefit from this Venetian expansion in Istria as the doge claimed, the project seemed to have failed as the political map of Istria remained unchanged until 1394 and the purchase of Rašpor from Countess Anne of Gorizia, an acquisition that, it is believed, had nothing to do with the Patriarchate of Aquileia or Domnius of Castello.²⁹⁹ Fortunately, the minutes of the Venetian Senate's session shed additional light on the matter—the "certain place" that Bon had in mind was indeed none other than Rašpor.

Namely, on the 18th of February, 1389 (1388 *more Veneto*), the senator's composed a lengthy set of instructions to Gabriele Emo, their ambassador to the court of the newly elected Aquileian patriarch, John of Moravia.³⁰⁰ Among the numerous instructions, the senators beseech Gabriel to "most urgently ask lord Domnius of Castello, who agreed to work in the service of Domenico Bon with the lord bishop of Gurk, if he can have fort Rašpor, situated in the Istrian frontier, for a certain amount of money."³⁰¹ The bishop of Gurk was John Mayerhofer, the legal

²⁹⁷ BCU, FP, *DF*, docs. 5245 and 5254. Both documents are published in extenso in Banić, "Okupacija," 32, docs. 4–5; *FIM* 5: doc. 1387_DC151 and doc. 1387_DC212. Subsequent references are to *FIM* edition.

²⁹⁸ BCU, FP, *DF*, doc. 5381, edited in extenso in Banić, "Okupacija," 33, doc. 6; *FIM* 5: doc. 1388_DCMI, https://fontesistrie.eu/1388_DCMI. Subsequent references are to *FIM* edition. Domenico Bon served as the count of Pula from February 1387. Benjamin G. Kohl, Andrea Mozzato, and Monique O'Connell, "The Rulers of Venice, 1332-1524: Database," <http://rulersofvenice.org/>, record 8864 [last access: 1st of February, 2019].

²⁹⁹ See the following subchapter II.2.

³⁰⁰ "MCCCLXXXVIII, die XVIII februaris. Commissio data nobili viro Gabrieli Aymo militi ambaxiatori ad partes Foroiulii." ASV, SMi, reg. 40, fols. 160r–160v.

³⁰¹ "Insuper quia alias dominatio nostra rogavit instantissime dominum Doymum de Castello, quod in servicie nobilis viri ser Dominici Bono placeret laborare apud dominum episcopum Gurbensem, si posset habere castrum Raspurch, quod est in confinibus Istrie, pro certa quantitate pecunie; volumus, quod in ista via tua debes dare tibi locum de essendo cum ipso domino Doymo, et dicere sibi, quod pridie quando fuit Venecias, nos volumus sibi dicere hec verba,

guardian of the two minor sons of the late Count Maynard VI of Gorizia († 1385)—Henry IV and John Maynard, the *de iure* owners of the Gorizian patrimonial estates in Karst and Friuli.³⁰² How precisely did Domenico Bon get in touch with Bishop John and what role was the lord of Castello meant to play in the negotiations regarding Rašpor cannot be ascertained. One possible link between Margrave Domnius and the counts of Gorizia is certainly through John V, the count of Krk, Modruš and Senj, who was married to Maynard VI's daughter, Countess Anne of Gorizia.³⁰³ Domnius's family clan had traditionally harbored very close and amicable relationship with the counts of Krk—the two noble houses were perhaps even related to each other as both clans assumed the surname Frankapan / Frangipane (*de Frangepan*) in the fifteenth century—and that could be the main reason why the Istrian margrave was included in these negotiations.³⁰⁴

Be that as it may, Bon and Domnius of Castello were not immediately successful in this project; the only thing that the duo managed to procure was the written testimony of Bishop John, issued on the 1st of May, 1392, that the fort Rašpor, along with fort Novi Grad [Ital. Castronovo, Germ. Neuhaus] in Karst, were pledged to Countess Anne for a sum of thirteen thousand golden

et misimus pro eo, sed iam tempore recesserat. Et propterea commisimus tibi, quod sibi ipsa diceret, videlicet, quod verba, que alius sibi dici fecimus per ser Dominicum Bono, ipse dabas nostro nomine, et quicquid tractabat, tractabat pro nobis, et propterea consideratis amplissime de hoc facto et de omnibus aliis de nobilitate sua rogamus eum instantissime, quod procuret dare principium huic facto secundum informationem quam ab eo habuit, procurando facere tamquam si res sua esset et informando nos de omnibus de hora in horam, quia in hoc complacit valde nobis utendo hiis et aliis verbis, que circa hoc tibi utilia videbuntur." ASV, SMi, reg. 40, fol. 160v.

³⁰² On Bishop John Mayerhofer see Christine Tropper, "Johann Mayerhofer," in *Die Bischöfe des Heiligen Römischen Reiches: 1198 bis 1448*, ed. Erwin Gatz (Berlin: Duncker & Humblot, 2001), 215. On the death of Maynard VI and the guardianship of his minor sons, Štih, *I conti di Gorizia*, 51, 68–69, fn. 77. See also Paschini, *SdF*, 669.

³⁰³ On this marriage see, Milko Kos, "Odnosaji medju goričkim grofovima i hrvatskim plemstvom u srednjem vijeku" [The relations between the counts of Gorizia and the Croatian nobility in the Middle Ages], *Vjesnik Zemaljskog arkiva* 1/1–2 (1917): 290–92.

³⁰⁴ For example, when on the 29th of May, 1354, Richard of Castello swore an oath of fealty to the counts of Gorizia, he explicitly stated that he will provide military aid to the counts against whomsoever, except against Count Bartholomew of Krk, his sons and his heirs ("excepto tamen et excluso domino comite Bartolomeo et eius filiis e heredibus, comite Vegle, Modrusse, Umodoli [should be Vinodoli, probably an error in transcription] atque Sazche"). Joppi, "DG 10," 16–18, doc. 221. On the relations between the lords of Castello and the counts of Krk, see Doimo Frangipane and Ivan Mirnik, "Frankapanske medalje" [The Frankapan medals], *Peristil: Zbornik radova za povijest umjetnosti* 44/1 (2001): 20–24; Doimo Frangipane, "La famiglia Frangipane," *Harmonia* 5 (2007): 35–41. Although it still cannot be ascertained if the lords of Castello were related to the counts of Krk, it has been demonstrated that neither of the noble houses had any family ties to the eponymous Roman family. Luka Špoljarić, "Illyrian Trojans in a Turkish Storm: Croatian Renaissance Lords and the Politics of Dynastic Origin Myths," in *Portraying the Prince in the Renaissance: The Humanist Depiction of Rulers in Historiographical and Biographical Texts*, ed. Patrick Baker et al., *Transformationen Der Antike* 44 (Berlin: De Gruyter, 2016), 124–42. The first count of Krk to assume the surname Frankapan was Nicholas IV, the son of John V and Countess Anne of Gorizia, in 1422. Špoljarić, "Illyrian Trojans," 126. The first member of the lords of Castello to assume the surname was Giacomo in 1487 (*ex nobilissima Francapanum familia*). Frangipane, "La famiglia," 39.

ducats (54 600 pounds of pennies according to 1391 conversion rates).³⁰⁵ The *Serenissima* took it from there on its own.³⁰⁶

Although this case leaves some questions open, it nonetheless presents the lord of Castello as a quintessential collaborator of an interventionist force. As a *colligatus* of the *Dominium Veneciarum*, the margrave of Istria was reminded that he was to support with all his resources and unwavering dedication not only the projects of the *Unio Felix*—as Doge Venier explicitly wrote to him in a letter issued on the 20th of January, 1386—but also those of Venice, such as this venture devised by Domenico Bon.³⁰⁷ Like all the members of “League for the Defense of Aquileian Liberties,” Domnius of Castello could count on substantial subventions and provisions coming from Venice, but in return he had to unreservedly express his loyalty to the Most Serene Republic and readily remain at its disposal whenever deemed necessary.

Finally, Domnius was also called upon to help settle boundary disputes between Venetian, Aquileian and Austrian subjects in Istria. Thus, on the 13th of May, 1388, the Venetian Senate elected a special commission that was to investigate the disputed boundaries and finally resolve the conflicts over territorial demarcation between the jurisdictional enclaves of Venice and the dukes of Austria on the Peninsula. Domnius of Castello was included in this ambitious project as a nominally independent party and the Venetian commission was tasked to arbitrate a boundary dispute between Aquileian Oprtalj and Habsburg’s Captainate of Pazin.³⁰⁸ In this way and through the lord of Castello, the Venetian “long arm” reached even beyond the confines of its territories in Istria and began intervening in Aquileian-Austrian affairs. Thus, in matters relating to demarcation

³⁰⁵ Predelli, ed., *LC* 3: 215, doc. 378.

³⁰⁶ See the following subchapter II.2 for the unraveling of the whole story regarding Rašpor.

³⁰⁷ “Semper tenuimus pro constanti et firmiter tenemus propter laudabilia opera vestra, quod voluntas et propositum vestre nobilitatis semper fuit, est et erit ad perseverandum efficacissime et constantissime in bono proposito defendendi et conservandi vos et in libertatem vestram ac patria Foriulii, nihilominus qui a nobis continue et amplissime habuistis omnem subventionem et auxilium opportunum et plus modo quoque, sicut satis est notorium, ad abundantem cauthelam nobilitatem et sincerissimam amicitiam vestram rogamus et hortamur ex corde quantum plus possumus quod in hoc puncto, in quo pendet salus, vita, libertas et franchisia vestra et successorum vestrorum, debeatis vos viriliter disponere cum habere et personis, ac diligenter et sollicite adimplere et facere ex parte vestra quidquid fieri potest sicut tenemini et debeatis, ita quod agenda Felicis Unionis et Lige mediante gratia Salvatoris feliciter et laudabiliter ac expedite concludantur, sicut de nobilitate et carissima amicitia vestra plene confidimus et speramus.” *FIM*, 5: doc. 1386_DC201, https://fontesistrie.eu/1386_DC201.

³⁰⁸ “Insuper quia inter nobilem virum dominum Doymum de Castello marchionem Istrie et illos de Portulis ex una parte et dominum Duini ex altera fuerint et sint alique differentie et novitates, de quibus dominus Doymus nobis [Kandler read this as *vobis*] dedit ordinate informationem, committimus vobis, quod suo loco et tempore et sicut et quando vobis videbitur, procuretis toto vestro posse aptare et concordare dictas differentias, et reducere predictos ad concordiam et quietem sicut de personis vestris plene speramus.” ASV, Senato, Deliberazioni, Secreti alfabetici (hereafter: SSA), reg. R (e), fol. 21r. The entire deliberation is edited in Pietro Kandler, *Notizie storiche di Montona* (Trieste: Lloyd austro-ungarico, 1875), 175–77.

and disputes with the neighboring Austrian jurisdictions, the collaboration system between Domnius of Castello and Venice worked in both ways, the Venetian-sponsored margrave of Istria helping Venetian cases and vice versa. However, once again the precise boundaries between the three jurisdictional enclaves proved impossible to precisely fix and demarcate; these “grey zones” that ran along the frontier territories of Istrian dominions remained something of a “no-man’s land” for centuries to come, doggedly enduring as fertile soil for banditry, highway robbery and smuggling operations deep into the Early Modern period.³⁰⁹

Doge Venier’s cryptic letter to Domnius on Domenico Bon’s plan is also the last mention of the lord of Castello as the margrave of Istria. As the tumultuous period of Cardinal-patriarch Philip of Alençon came to a close in 1387 and with the official papal election of John of Moravia as the new *in titulum* patriarch of Aquileia, the Venetian-sponsored *League for the Defense of the Homeland of Friuli* disbanded. With a long-coveted peace in Friuli finally achieved, the threat of Francesco I da Carrara once more neutralized, and with strategically important Treviso safely tucked in their hands, Venice had little reason to resume its politics of interventionism in the Patriarchate of Aquileia—this traditionally unstable ecclesiastical principality ceased to be, at least for the moment, their frontier of insecurity. Even though the nascent discords between the newly elected patriarch and the Udinese party reignited the flames of discord between the traditionally bellicose Friulian factions, Venice chose to remain on amicable terms with both parties, preferring to don the role of an amicable mediator and peacemaker.³¹⁰ Thus, when Giangaleazzo Visconti, the Venetian ally in their fights against Francesco I da Carrara, proposed to seek the deposition of Patriarch John by the pope and offered another alliance to the *Serenissima* aimed against Francesco II Novello da Carrara and John of Moravia’s followers, Venice politely refused it, stating that “as it is known throughout the world, our city lives off trade, especially with the Germans and

³⁰⁹ Kurelić, *Daily Life*, 144–46; Bertosa, *Istra*, 463. On these “grey zones” as fertile soil for banditry, see Bertosa, *Doba nasilja*, 251–443.

³¹⁰ Quod illud quid cum tantis expensis et laboribus nostris quesivimus, fuit de ponendo illam patriam in quite concordio, pace et bona voluntate taliter totis viribus operando, quod nulla suspicio posset cadere de nobis in mentem alicuius nec vellemus modo, quod per Dei gratiam patria est in statu tranquillo sub suo pastore, facere aliquid per quid in mentem ipsius domini patriarche vel aliquorum aliorum posset cadere aliqua rubigo vel aliquid dubium de nobis, et propterea non videtur nobis de faciendo intromissiones predictam [Venetian Senate’s response to the plea of Federico Savorganan’s widow asking Venetian protection and aid, i.e. intervention in her and Udinese struggles with Patriarch John]. ASV, SMi, reg. 40, fol. 175r. See also Roberto Cessi, “La politica veneziana di terraferma dalla caduta dei Carraresi al lodo di Genova (1388-1392),” *MSF* 5 (1909): 135–135, 137–38, 142–43, 194.

Hungarians, to whom the patriarch is very closely related and who would not be pleased by such an exchange.”³¹¹

Consequently, Domnius of Castello had to finally relinquish his title of the margrave of Istria, the one he held for almost a decade, longer than any other delegated *marchio* before him. Petrapilosa, the fort from which Domnius ruled over Aquileian Istria, was subsequently handed over to a Hordiborg of Moravia, Patriarch John’s newly appointed Istrian margrave.³¹² Venetian collaboration system thus officially ceased to exist, in Friuli and in Istria alike, but the *Serenissima* could nevertheless count on the loyalty of powerful noble houses such as the Savorgnan and the Castello clans who were molded into steadfast pro-Venetian factors by the seminal roles they played within the *Unio Felix*.

Finally, a look at Aquileian Muggia is in order before concluding the chapter. Unlike all the other Istrian jurisdictions that were subjected to the worldly authority of the Church of Aquileia, Muggia did not answer to the delegated Istrian margraves.³¹³ Instead, this maritime Aquileian commune was subjected directly to the ruling patriarchs; the communal council enjoyed a high degree of jurisdictional autonomy, electing the local judges and inviting distinguished foreigners to serve as the town’s podestàs for a fixed term.³¹⁴ Moreover, in order to clearly and fully separate itself from the neighboring Margraviate of Istria, in 1405 the communal council of Muggia forbade both the election of a podestà that was simultaneously serving as Istrian margraves as well as the conferment of the margraval title upon their incumbent rectors.³¹⁵ Thus, Domnius of Castello had no authorities in Aquileian Muggia.

Nonetheless, this Aquileian maritime commune in Istria was still very much tied to Venice and the *Unio Felix* in this period, maybe even more so than any community of the *Marchionatus Istrie*. Already on the 21st of November, 1384, the delegated podestà and captain of Koper was given instructions by the Venetian College to reassure the people of Muggia that Venice only wants to provide “aid, council and favor” in their momentous struggle to “conserve their liberties,

³¹¹ “[S]icut toti mundo notorium est, quod civitas nostra vivit de exercicio mercancie et pro maiori parte cum Teothonicis et Hungaris, cum quibus [patriarcha] est in strictissimo gradu parentele coniunctus, quibus non placeret ut talis privatio seu permutatio procuraretur.” ASV, SSa, reg. R (e), fol. 54v (also transcribed in Cessi, “La politica veneziana,” 195). The English translation is largely taken from Schmidt, *John of Moravia*, 130–31.

³¹² “Senato misti IV,” 288–89.

³¹³ De Vergottini, “La costituzione I,” 122.

³¹⁴ Colombo, *Storia di Muggia*, 113–222, esp. 149–63 for the communal councils.

³¹⁵ The decree was inserted as an addition to chap. 51 of book 1 of the 14th-century communal statutes. It is edited in Marino Szombathely, “I podestà di Muggia,” *AMSI* 55 (1954): 174. See also Colombo, *Storia di Muggia*, 135 and fn. 105 for additional remarks on this decree.

lest they fall into servitude and tyranny.”³¹⁶ The diplomatic mission seems to have borne fruit as already in October of 1385 the military contingents of Muggia, captained by an Andreas Testa, were present in Udine and conjoined with the rest of the pro-Venetian forces.³¹⁷

For Muggia, this course of action and adherence to the *Unio Felix* was dictated not only by its good relations with Venice (right after the end of the War of Chioggia the two polities made peace with each other and consensually decided to resume amicable relations), but also due to recent events that transpired in the very vicinity.³¹⁸ Namely, the neighboring Trieste subjected itself to Austrian dukes in 1382, effectively cutting off Muggia from the rest of the Aquileian territories in Friuli.³¹⁹ To make matters worse, in 1386 a conspiracy was led by a Bonassuto of Izola who tried to subjugate Muggia to Trieste; the plot failed, Bonassuto was captured, and Venice officially allowed the conspirator—their subject from Venetian Izola—to be tried for treason in Udine “according to God and according to law and justice.”³²⁰

Thus, Muggia proceeded to remain faithful to the Udinese front and Venice: not only did the communal council elect a podestà from among the distinguished members of the pro-Venetian alliance (Bernard of Strassoldo, much like Domnius of Castello, one of the original signees of the 1385 document forming the League for the Defense of Friuli), but it also continued to provide

³¹⁶ “Potestati et capitaneis Iustinopolis. Hodie XXI presentis mensis novembri recepimus litteras vestras datas VIII et XIII mensis eisdem continentes nova habita per vos de diversis locis, et etiam ea que habuistis in secreto a iudicibus Mugle, et eam que respondistis eisdem, pro quibus omnibus nostram sollicitudinem merito comendamus. Et quia inter cetera scripsistis nobis, quod illi de Mugla dubitantes de se instanter requisiverunt nos de auxilio et consilio in casu opportuno, volumus ut dextro modo faciatis oretenus respondere sibi et efficaciter ortari parte nostra et vestra, quod debeant stare constantes et fortes et unanimes ad conservandum libertatem suam, ut non perveniant in servitutem et tyrandem, et quod in omni casu habebunt a nobis et a vobis et sic sibi offeratis auxilium, consilium et favorem; et clarificetis eos, quod aliqua discordia non est inter Iacobucium de Poreciliis, capitaneum castri Sacilli et communitatem Sacili, ymo scimus a certo, quod sunt constantissimi et bene concordet et unanimes ad conservandum se in libertate et ad non dandum castrum nec locum in manibus alicuius. Et similiter alie comunitates et nobiles Patrie Foroiulii habent eandem voluntatem ad conservandum se in libertate. Similes exortationes et informationes dextro modo oretenus dari faciatis Tergestinis pro parte nostra et vestra. Datum XXI novembris. Replicata die XXIII novembris.” ASV, CS, reg: 1382–1385, fol 58v. Regestum in “Lettere segrete I,” 135 (albeit wrongly referencing fol. 52 instead of 58).

³¹⁷ Vincenzo Joppi, “Relazioni di Udine con Trieste e l’Istria nel secolo XIV: Spogli dall’archivio comunale di Udine,” *AT*, n.s., 10 (1884): 14–15.

³¹⁸ Predelli, ed., *LC* 3: 152, doc. 105, and 153, doc. 108.

³¹⁹ Kandler, ed., *CDI* 3: 1448–51, doc. 844; Cusin, *Il confine orientale*, 92–94; Renzo Arcon et al., *1382: Appunti sulla dedizione di Trieste al’duca d’Austria* (Trieste: Società di Minerva, 1982), 9–20; Paolo Cammarosano, “Trieste nell’Italia delle città e la dedizione all’Austria del 1382,” in *Medioevo a Trieste: Istituzioni, arte, società nel Trecento*, ed. Paolo Cammarosano (Rome: Viella, 2009), 25–26.

³²⁰ “Hortantes nobilitatem vestram [Federicum de Savorgnano] ad faciendum in hoc id quod sit secundum Deum et secundum ius et iustitiam.” Vincenzo Joppi, “Documenti inediti sulla storia di Muggia nel secolo XIV,” *AT*, n.s., 5 (1877–1878): 309–10, doc. 12 (quotation on 310).

military contingents to Udine, thereby aiding the war effort.³²¹ Lastly, the commune of Muggia also remained in close contact with Venetian authorities, Doge Venier and the podestà of Koper, with whom they corresponded throughout the crisis of Philip of Alençon's turbulent reign.³²²

The decade directly proceeding the War of Chioggia is thus characterized in Venetian Istria as a period of Venice's indirect interventionism in the neighboring Patriarchate of Aquileia. The interventionism is classified as indirect as Venice did not openly intervene in either Friuli or the Margraviate of Istria on its own, but it did so through its collaboration system, the *Liga Felici* that also included the reigning margrave of Istria, Domnius of Castello. This type of interventionism in the neighboring regions was a newly forged policy on foreign affairs that was resolutely inaugurated in Venice lest the nearly fatal situation of the Chioggian war ever happens again. For Venetian Istria the main change this new political attitude brought about was mirrored in the partnership with the pro-Venetian margrave Domnius who assumed the seminal role of a *colligatus* in the tripartite collaboration system, a role in which he had to harmonize the demands of the interventionist force with the interests of the local communities under his jurisdictions. This collaboration with the lord of Castello thus enabled Venice to more aggressively pursue its policies in Istria by directing the settlements of inter-jurisdictional conflicts in its favor, by extending its reach in matters of highway control, and by influencing the nominally trilateral demarcation negotiations.

Yet, this seemingly "new Venice" was at this stage still an ephemeral phenomenon: the collaboration system that allowed for such interventions was willingly abandoned as soon as the looming threat subsided. Venice was at this point still carefully probing its new policies, unsure whether to commit fully to its new political trajectory. This explains why Venetian Istria largely continued to function within the traditional pre-War of Chioggia framework. However, a new dawn was on the horizon and in the following decades Venetian policies significantly reshaped the outlook of the Peninsula by boldly venturing beyond the type of indirect interventionism that was

³²¹ Bernard of Strassoldo is attested as the podestà of Muggia in an addition to the 28th chap. of book 1 of the 14th-century statutes (addition dated December, 1387). Colombo, *Storia di Muggia*, 143, fn. 150. On Bernard of Strassoldo's adherence to the pro-Venetian League, see BCU, FP, *DF*, doc. 5074; ASV, SMi, reg. 39, fol. 43r; Paschini, *SdF*, 612.

³²² Kandler, ed., *CDI* 3: 1460, doc. 850. See also, Colombo, *Storia di Muggia*, 83.

practiced in the 1380s. The first “act” of this reshaping took place in 1394 by way of a deal struck with a piteous noble widow.

Chapter II.2

Episode: Centralizing Regional Administration – The Purchase of Rašpor

In the month of December of 1393, two legal representatives of Countess Anne of Gorizia were in Venice, patiently awaiting audience with the Venetian authorities. After several days of “knocking on their doors” and unabatingly waiting to be received, the Venetian Senate finally found the time to review their proposals and deliberate on the matter. “For many days now the two ambassadors of lady Anne, the countess of Senj, and her children were here, and they are still here now”—begins the faithful minute of the Venetian Senate—“wanting to give us in pledge forts Rašpor and Novi Grad that are in their hands.”³²³ Both of these *castra* had been in the hands of the counts of Gorizia for centuries and unlike the County of Pazin and all the other Gorizian possessions in Istria, they were not inherited by the dukes of Austria following the death of Count Albert III.³²⁴ Instead, the *de iure* owners of Rašpor and Novi Grad remained the heirs of Count Maynard VI, Henry IV and John Maynard who were still minor when their father died and under the care of their legal guardian John, the bishop of Gurk.³²⁵

As was demonstrated, Venice tried to acquire Rašpor already during the final years of the *Unio felix*, tasking their faithful collaborationist Domnius of Castello to seal the deal with Bishop John of Gurk. It seems that the negotiations did not bear fruit as the bishop of Gurk simply redirected the Venetian agents to Countess Anne who held the fort in question in pledge. It remains unknown how the countess found out that Venice had been interested in acquiring Rašpor and who—if anyone—persuaded her to contact the Most Serene Republic. However, the death of her

³²³ “Cum iam multis diebus fuerunt et sint hic duo ambasiatores magnifice domine Anne comitisse Segne et eius nati volentes nobis dare in pignus castrum Raspurch et Castrum Novum, que sunt in manibus suis.” ASV, SMi, reg. 42, fol. 143v. The entire *pars* is edited in Ljubić, ed., *Listine* 4: 320, doc. 457.

³²⁴ On Rašpor see Štih, *I conti di Gorizia*, 197–202. On Novi Grad, sometimes called Podgrad in secondary literature (which is in essence incorrect as Podgrad is the name of the settlement that sprang beneath the *castrum*), Miha Kosi, *Spopad na prehode proti Jadranu in nastanek “dežele Kras”* [The clash for the passes towards the Adriatic and the formation of the “territory of the Karst”] (Ljubljana: Založba ZRC, 2018), 44. The Venetian acquisition of Rašpor is a standard trope in Istrian historiography, narrated in more or less detail in every single overview of regional history. The most detailed account remains Klen, “Prodaja Rašpora,” 7–29. None of the existing studies provide all the necessary primary sources and the necessary elucidation of the context behind this acquisition in a manner that I deem necessary for a more complete understanding of this episode. What follows is such an account.

³²⁵ Štih, *I conti di Gorizia*, 51, 68–69, fn. 77; Paschini, *SdF*, 669.

powerful husband, Count John V of Krk († 29th of November, 1393), could have left the noble widow in need for monetary means to secure the wellbeing of her children and herself.³²⁶ Be that as it may, the recently widowed countess was in need of cash and with the strategically valuable Rašpor and Novi Grad in her hands she turned to Venice, the merchant republic that had been on good terms with her late husband who had even been granted the coveted Venetian citizenship *de extra* and made an honorary member of the Venetian Great Council in 1387.³²⁷

For Venice, however, neither helping the noble Anne with her financial troubles nor honoring the good memory of the late Count John V mattered as much as the possessions that were finally put on the table. For these were not just any strongholds that the countess was offering: “these forts, especially Rašpor, as something that our elders had always known and as it is presently most clearly known, is such and located in such a place that it can be dubbed the key of entire Istria,” state the minutes of the Venetian Senate.³²⁸ Indeed, Rašpor’s strategic position was invaluable, the fort being situated on the karstic slopes of the Čićarija mountain range, on top of a hill of over eight hundred meters altitude overlooking highway routes leading from Karst and Carniola into Istria.³²⁹ For the counts of Gorizia the control of this territory was of seminal importance as it connected their Istrian possessions with their patrimonial lands in Friuli. However, following the death of Count Albert III and the passing of the entire Gorizian patrimony in Istria

³²⁶ Vjekoslav Klaić, *Krčki knezovi Frankapani* [The counts Frankapan of Krk], vol. 1: *Od prvih vremena do gubitka otoka Krka (od god. 1118. do god. 1480.)* [From the first times to the loss of the island Krk (from the year 1118 to the year 1480)] (Zagreb: Matica hrvatska, 1901), 188–89.

³²⁷ “Anthonius Venerio Dei gratia dux Veneciarum et cetera, universis et singulis presens privilegium inspecturis salutem et sincere dilectionis affectum. ... Unde cum magnificus et potens dominus magnifici domini Nicolai Iohannes comes Vegle, Segnie, Modrusie, Geche et cetera, fecerit nostre magnificentie exponi, ut ipsum eiusque heredibus et filios dignaremur in aliorum nobilium Veneciarum nostrorum et fidelium numero gratiosius aggregare, ut beneficiis citadinantus Venetorum dotati nobilium et civium Veneciarum privilegio congauderent quodquod assumeremus ipsum eiusque filios et heredibus ad honorem nostri Maioris Consilii, nos attendentes dilectionem et gratiam devotionem et fidem quam prefatus magnificus dominus Iohannes comes ad nos et nostrum ducatum et singulares personas eiusdem serventer habere et laudabiliter se ostendit petitiones eiusdem duximus gratiosius acceptandas. Notum igitur fieri volumus universis et singulis tam presentis quam futuris, quod... prefatum magnificum dominum Iohannem comitem cum eius filiis et heredibus in Venetos et cives nostros et de numero nobilium nostri Maioris Consilii recepimus atque recipimus, et Venetus et cives nostros et de nostro Maiori Consilio fecimus et facimus, et pro Venetis et civibus nostris et de nobilibus de nostro Maiori Consilio in Venecias et extra ubilibet volumus et tractari.” ASV, SP, reg. 1374–1425, fol. 107v. John V’s supplication to be accorded Venetian citizenship and its subsequent approval by the Great Council is registered in ASV, MC, reg. 21: Ursa, fols. 19r–19v. On the relations between the counts of Gorizia and the counts of Krk see, Milko Kos, “Odnosaji medju goričkim,” 289–95, esp. 290–92 for Countess Anne. On Count John V of Krk see, Klaić, *Krčki knezovi*, 166–88.

³²⁸ “Que castra et specialiter Raspurch, per ea que semper antiqui nostri cognoverunt, et que clarissime presentialiter cognoscuntur, est talis et in tali loco situatum, quod dici potest clavis totius Istrie.” Ljubić, ed., *Listine* 4: 320, doc. 457.

³²⁹ Slaven Bertoša, *Rašpor i Rašporski kapetanat* [Rašpor and the Captainate of Rašpor] (Pazin: Čakavski sabor, 2005), 7, 22.

to House Habsburg, Rašpor lost much of its original importance to the heirs of Count Maynard VI of Gorizia. For Venice, however, the control of this passageway remained as alluring as ever.

“Through this key”—continues the Senate’s minute—“all our territories will be safeguarded and protected from the usual plundering and robberies. Therefore, much would be done for us and for the wellbeing and peaceful state of those parts by having precisely this place, because the district will be better populated and cultivated with a notable benefit of our land and of those parts of Istria.”³³⁰ For these reasons, the Senate decided that the negotiations with the countess’s representatives must commence and that either both forts or only Rašpor should be gained in pledge for a sum not exceeding ten thousand golden ducats (42 000 pounds of pennies according to 1391 conversion rates).³³¹

Indeed, soon thereafter, on the 5th of January, 1394, the negotiations reached a satisfying conclusion for both sides as the deal between Venice and the countess had officially been struck: Anne of Gorizia formally pledged Rašpor, with all its incomes, privileges and dependencies, to *Commune Veneciarum* for a sum of ten thousand golden ducats.³³² On the 20th of the same month Anne’s representatives solemnly handed over the strategic fort to Venice and both the countess and Bishop John notified the Venetian authorities that they were satisfied with the deal.³³³ Domenico Bon’s secret project that once involved Domnius of Castello finally came to fruition, six years after it had originally been devised.

A month upon finalizing the deal with the widowed countess, on the 10th of February, the Venetian Senate sent their Istrian captain of the province and the podestà of Sv. Lovreč, Paolo Zulian, to take possession of Rašpor and install constables to safeguard and manage the newly acquired fort.³³⁴ Shortly after, on the 13th of March, the Senate decreed that a special commission of two elected overseers (Lat. *provisores*, Ital. *provveditori*) be sent to Rašpor and to other strategic

³³⁰ “Per quam [clavis] salvabuntur et custodientur omnia loca nostra a rapinis et latrociniiis solitis, ita quod multum faceret pro nobis et bono ac quieto statu illarum partium habere specialiter ipsum locum, quia contrata melius habitabitur et cultivabitur cum notabili comodo terre nostre et illarum partium Istrie.” Ljubić, ed., *Listine* 4: 320, doc. 457.

³³¹ “Vadit pars, quod collegium domini, consiliariorum, capitum et sapientum habeat libertatem tractari et tractari faciendi cum ipsis ambasiatoribus de habendo per viam pignoris dicta duo castra vel castrum Raspurch solummodo... possendo expendere usque ad quantitatem ducatorum decem millia pro ipsis duobus locis, vel pro castro Raspurch solo.” Ljubić, ed., *Listine* 4: 320, doc. 457.

³³² The lengthy document is edited in extenso in Ljubić, ed., *Listine* 4: 320–23, doc. 458.

³³³ Predelli, ed., *LC* 3: 221, doc. 399 (the official handing over of Rašpor), 222, doc. 403 (the response of Bishop John), doc. 404 (the response of Countess Anne).

³³⁴ ASV, SMi, reg. 42, fol. 152r. Regestum in “Senato misti IV,” 282.

forts in Istria—namely Sv. Lovreč and Grožnjan, but to others as well—with a task to examine the conditions of the fortifications along with the incomes of the said places and to calculate which of the strongholds would serve best as the seat of a provincial captain “first, for the security and preservation of our places and faithful subjects in Istria, and second, in order to diminish the expenses and, if possible, augment the incomes of our Commune.”³³⁵ The two overseers were to be elected from among the Venetian noblemen skilled in the military arts who would tour across the inland regions of Venetian Istria accompanied with their retinue (three servants for each and a notary with his own servant), inspect the fortifications, interview the locals, and finally report back to the Senate with their findings in order to fuse the two existing provincial captainates in a single center.³³⁶

Although this proposal was approved as the majority of the senators voted in its favor, there were problems with the designation of the two delegated overseers. Namely, the Senate’s deliberation features the name of four Venetian noblemen who had been elected to undertake this task and journey to Istria, yet all four of them seemed to have refuted their designated roles.³³⁷ Whether or not the two overseers were in the end elected and sent off to their inspection of Rašpor and of the other strategic fortifications in Istria cannot be definitely ascertained, but after two months, on the 12th of May, the Venetian Senate again deliberated on the matter, this time in more minute details.³³⁸

“One of the principal reasons why our Dominion wanted to have fort Rašpor was to fuse the provincial captainates in that very place, both for the better protection of entire Istria as well as to diminish the expenses, as this place most aptly provides such protection,” state the minutes of the Venetian Senate.³³⁹ Thus, the senators decided to finally abolish the two captainates in Sv. Lovreč and Grožnjan and institute a new provincial captain for Istria—the captain of Rašpor. This

³³⁵ “[I]psum [castrum Raspurch] acceptus fuit duabus de causis principaliter et ad duos fines: primo pro securitate et conservatione terrarum et fidelium nostrorum Istrie, secundo pro possendo scansare expensas et augere si possibile foret introitus nostri Communis.” ASV, SMi, reg. 42, fol. 154v. Regestum and partial transcription in “Senato misti IV,” 282–83. I have edited the document *in extenso* in the appendix. See doc. II/B in appendix 3.

³³⁶ “[E]t ibi diligenter et solcite examinare debeant condicionem et situm eius et omnes introitus loci, ac quot gentes forent necessarie et cuius condicionis ad implendum nostrum intentionem, scilicet: de reducendo ibi paysanatica.” Doc. II/B in appendix 3.

³³⁷ See their names in doc. II/B in appendix 3.

³³⁸ ASV, SMi, reg. 43, fols. 2r–2v. Partial transcription in “Senato misti IV,” 283–84. I have edited the document *in extenso* in the appendix. See doc. II/C in appendix 3.

³³⁹ “Quia una de principalibus causis, propter quas Dominatio nostra habere voluit castrum Raspurch, fuit pro reducendo ibi pasanatica nostra tam pro meliori custodia totius Istrie quam etiam pro scasando expensas, quia locus est aptissimus ad ipsam custodiam.” Doc. II/C in appendix 3.

newly instituted Venetian official was to be elected in the Great Council—like all the other rectors sent to administer Venetian dominions—for a fixed term of two years and with a yearly salary of sixty pounds of groats (1800 pounds of pennies according to 1374 conversion rates).³⁴⁰ With the creation of a new provincial captainate of Istria in Rašpor, Sv. Lovreč and Grožnjan were devolved into mere podestarias. In Christaller's central places theory language, these two communities lost their military-defensive central functions. Consequently, that loss of centrality was mirrored in the loss of prestige of the rectors delegated therein; the Senate decreed to lower the yearly wages of the noblemen elected to govern these two Istrian communities: the podestà of Sv. Lovreč would henceforth receive a yearly salary of thirty pounds of groats and the podestà of Grožnjan twenty-five pounds of groats; converted to pennies according to the Senate's conversion rates of 1374, these salaries would amount to 960 and 800 pounds, respectively.³⁴¹

Already by the height of the captain of Rašpor's salary it becomes obvious that the delegated rector was destined to be one of the most important Venetian officials in Istria. Namely, this yearly wage nearly tops the amount of salaries that all the other Istrian rectors received, only the captain and podestà of Koper coming above him with two thousand pounds of pennies and the count of Pula right below him, in the third place, with 1320 pounds of pennies a year.³⁴² For comparisons sake, on the 8th of January, 1389, the yearly salary of the delegated Venetian podestà of the newly annexed Treviso was fixed at 4300 pounds of pennies; the podestà of Conegliano

³⁴⁰ "[I]n bona gratia eligi debeat unus capitaneus dicti loci per quatuor manibus electionum in Maiori Consilio, probando electos ad unum ad unum et illic, que habuerit plures ballotas aliis transeundo medietatem consilii, sit firmus per duos annos et tantum plus, donec successor suus illuc ire distulerit. Et habeat de salario in anno et ratione anni libras sexaginta grossorum." Doc. II/C in appendix 3. See the following footnote for the explanation of conversion rates.

³⁴¹ The 1374 conversion rate is read from the following minute of the Venetian Senate: "Cum potestas Insule habeat de salario in anno a Communi dicte terre libras VI^C parvorum, computando sibi grossum pro XXX denariorum et recipiunt in totum circa libras XXI grossorum." ASV, SMi, reg. 35, fol. 108v. I have edited this minute *in extenso* in the appendix (doc. IV/A in appendix 3) and I will return to it later in the study. According to this equation, 21 pounds of groats for 600 pounds of pennies, it seems that a groat was valued at 28,5 pennies, and not at 30 as the Senate's minute states. Be that as it may, I have retained the conversion rate of 1:30 when converting the yearly wages expressed in groats to pennies. The reductions of the salaries of the rectors of Sv. Lovreč and Grožnjan are read from "Senato misti IV," 285. See also appendix 2 for a table of the yearly wages of all the Venetian rectors in Istria.

³⁴² During the dogeship of Antonio Venier (1382–1400), a new set of ducal instructions to the delegated captains and podestàs of Koper was promulgated. In these instructions, the yearly wage of these rectors is formulated in the following words: "habere debes de salario ducatos quadringentos auri in anno et ratione anni <ad rationem soldorum centum pro ducatu>." The phrase in angle brackets is added on the right margin of the original manuscript. Rizzi and Zuccarello, eds., *Le commissioni* 2, 56, fn. 8, doc. 1. The counts of Pula had their yearly salary adjusted in 1402 when it was raised to 44 pounds of groats. Using the 1374 conversion rates cited in the footnote above, that would amount to 1320 pounds of pennies. "Senato misti IV," 300–1. See also appendix 2 for the yearly wages of all the Venetian rectors in Istria.

received 2200 a year and the same was the yearly salary for the podestà of Serravalle (Vittorio Veneto); the podestà of Oderzo banked 1200 and the same went for the podestà of Asolo, for the podestà of Castelfranco, for the podestà of Noale and for the podestà of Portobuffolè; finally, the podestà of Valmareno and the podestà of Cordignano received a salary of no more than one thousand pounds of pennies a year.³⁴³

The retinue of the newly constituted captain of Rašpor was similar that of the rectors of Conegliano or Serravalle: the new Istrian captain of the province had to keep five household servants, two stable boys, six horses, a Venetian assistant “who pleases our Dominion [i.e. Venice],” and a public notary.³⁴⁴ Compared to other Venetian rectors delegated to Istria, the size of the captain’s household was slightly larger than that of the podestà of Poreč (one assistant, six servants, three horses and a notary) and somewhat smaller than the one assigned to the podestà and captain of Koper (four assistants, fourteen servants, four horses and a notary).³⁴⁵

Venice, however, invested much more in Rašpor than just a yearly salary for its delegated official. The newly constituted captain of Rašpor had the command of the garrison comprised of twelve crossbowmen united under a single captain, twenty lancemen and an additional number of either twenty crossbowmen or twenty archers united under five constables (accompanied by a trumpeter) of which two should be drafted from among the Istrians and three would be elected by the Venetian Senate.³⁴⁶ The yearly wages for all of these soldiers, captains and constables amounted to over eighteen thousand pounds of pennies, a sum of money that the incomes from Rašpor itself, including all of its dependencies, could never cover completely.³⁴⁷

Venice was thus disposed to invest ample funds in the restructuring of its military-defensive organization in Istria. Moreover, the newly elected captain of Rašpor was given state

³⁴³ The salaries are indicated in a deliberation of the Venetian Senate that has been edited in Verci, *Storia della Marca* 17: appendix, 24–26, doc. 1919.

³⁴⁴ Doc. II/C in appendix 3. Similarly, the rectors of Conegliano or Serravalle, whose yearly wage was a bit larger than that of the captain of Rašpor, had to provide for four house servants, two stable boys, five horses, two assistants and one public notary; the podestàs of Valmareno, Asolo, Noale, Oderzo and Castelfranco—whose yearly salaries were somewhat smaller than that of the new Istrian captain of the province—only had to pay for one assistant, two house servants, two horses, one stable boy and one public notary. Verci, *Storia della Marca* 17: appendix, 25, doc. 1919.

³⁴⁵ “Senato misti III,” 64–65. See doc. IV/A in the appendix.

³⁴⁶ Doc. II/C in appendix 3.

³⁴⁷ All the incomes generated by Rašpor and its dependencies were meticulously investigated and filed in a report already in January of 1394 (and not in 1395 as Klen originally dated it). This document is nowadays known as the tax-roll (Lat. *urbarium*) of Rašpor; it is stored in the *Libri commemoriali* of the Venetian State Archive and it has been edited *in extenso* in Danilo Klen, “Rašporski urbar iz 1395.” [The tax-roll of Rašpor from 1395] *VharRP* 15 (1970): 15–27. Regestum in Predelli, ed., *LC* 3: 221, doc. 401.

funds to erect additional buildings for the soldiers and for refurbishing the fort itself, whereas the podestà of Koper was to make sure that the stronghold was abundantly provisioned with both victuals and tools.³⁴⁸ Alas, these plans suffered a considerable drawback in the summer of 1395 as an infectious disease started reaping lives precisely in Rašpor.³⁴⁹ Due to this local epidemic the delegated captain soon drafted additional crossbowmen from Sv. Lovreč in order to keep the fort well defended, but he nonetheless wrote to Venice asking the central authorities the license to keep in his service the soldiers that have fallen ill as “it seems inhumane to dismiss the sick who were faithful and dedicated to our honor, and who will be so once again provided they recover [from the illness].”³⁵⁰ The Senate applauded the captain’s decision and agreed both to keep the sick soldiers employed, as well as to pay for the additional troops drafted from Sv. Lovreč lest the “key of Istria” be inadequately manned.³⁵¹ There was, however, another problem lurking on the horizon.

On the 5th of April, 1395, the Venetian Senate deliberated on a matter of utmost importance. Namely, Countess Anne had sent her representatives to Venice in order to repay all her debts and, most importantly, recover Rašpor, together with all of its dependencies, back into her *potestas*.³⁵² The senators were flabbergasted: “when we accepted the said place in pledge we had been clearly informed that the said lady countess would not redeem the said place for a very long time.”³⁵³ For these reasons Venice proceeded to invest heavily into Rašpor, constructing both a palace for its newly instituted captain as well as homes for the soldiers serving therein and likewise disbanding the two former provincial captainates.³⁵⁴ However, a deal struck is a deal that must be honored.

³⁴⁸ A total of three hundred golden ducats were given on the 24th of July, 1394. “Senato misti IV,” 285. On the 13th of September of the same year, the captain and podestà of Koper bought ample provisions for Rašpor with state’s money and sent it to the captain of the fort. “Senato misti IV,” 286.

³⁴⁹ “Quia capitaneus pasanaticorum Raspurch scribit, quod propter epidemiam existentem in dicto loco, aliqui de XII ballistariis deputatis ad custodiam castrī mortui sunt, et aliqui sunt infermi.” ASV, SMi, reg. 43, fol. 76v.

³⁵⁰ “[P]ropter quidem providit de mittendo ad dictum locum sex alios bonos ballisterios de fidelibus nostris Sancti Laurentii tam loco mortuorum quam infirmorum, et propterea supplicat—cum videatur sibi inhumanum cassare egrotos, qui fuerunt fideles et prompti ad nostrum honorem, et erunt imposterum si liberabuntur—quod dignemur sibi huiusmodi licentiam impertiri, et quod simile possit facere in futurum, si aliqui morirentur vel infirmarentur ulterius, ut locus sit semper fulcitus de XIII ballisteriis sanis, qui nollent esse pautiores ad bonam custodiam fiendam.” ASV, SMi, reg. 43, fol. 76v.

³⁵¹ “[V]adit pars, quod rescribuntur eidem laudando provisionem suam et mandando, quod ita decetero in casibus occurrentibus debeat observare, ut non deficiat quincontinno ibi, sicut est necessarium, [ut] custodia bona fiat. ASV, SMi, reg. 43, fol. 76v. Regestum in “Senato misti IV,” 288.

³⁵² The *pars* is edited in *extenso* in Ljubić, ed., *Listine* 4: 343–44, doc. 489.

³⁵³ “Quod nos de tali et sic subita requisitione non modicum admirari compellimur considerantes, quod quando accepimus dictum locum in pignore, nos fuimus firmiter informati, quod dicta domina comitissa dictum locum usque maximum tempus non redimeret.” Ljubić, ed., *Listine* 4: 343, doc. 489.

³⁵⁴ “Propter quod defulcivimus omnes nostros paysinaticos armigeris et aliis opportunis, fatiento fieri etiam in dicto castro quam plures notabiles et immensas expensas pro habitatione rectoris nostri, quem misimus ad dictum locum

Therefore, the Senate decided to let the countess know that they will commit the stronghold to her once the debt is fully repaid, but they humbly asked her to give Venice enough time to reorganize their provincial captainates and furnish a new place with the adequate number of militia and the necessary fortifications “for the security of our lands and places.”³⁵⁵ Nonetheless, the *Serenissima* was not very disposed to relinquish the strategic fort and the Senate decreed that ambassadors were to be sent both to Countess Anne, to Francesco II Novello da Carrara, the new lord of Padua, and to anyone else with whom the negotiations over Rašpor might be held.³⁵⁶ Finally, fearing the worst case scenario coming true and the stronghold ending up lost to Venice, the captains of Rašpor and Koper were tasked to take a tour of Istria and inspect the strategic sites upon which a new provincial captainate might be organized, similarly to the abovementioned decree from the 13th of March, 1394.³⁵⁷

A month following the unpleasant surprise of the countess requesting her pledged keep back, the Senate wrote to their ambassador at Anne’s, a doctor Henry de Boldemando, with new instructions on how to proceed on the matter of Rašpor.³⁵⁸ Henry was to try to negotiate the longest possible term of consignment, at least until the term of the captain delegated therein was not completed.³⁵⁹ Moreover, he was to offer to Countess Anne that once her debt was paid in full all the incomes generated by Rašpor and its dependencies would be paid directly to her with Venice

per duos annos et etiam pro habitatione stipendiariorum nostrorum, quos in dicto loco posuimus et aliter.” Ljubić, ed., *Listine* 4: 343, doc. 489.

³⁵⁵ “Sed nichilominus volentes ea, que promisimus, ut semper fuit moris dominationis nostre, involabiliter attendere et observare, sumus contenti... ipsum castunm dicte domine restituere infra illum terminum rationabilem et honestum, infra quem nos possumus reducere et regulare paysinaticos nostros, et ipsos fulcire gentibus et aliis opportunis... pro securitate terrarum et locorum nostrorum. Et sic eandem dominam comitissam rogamus, quatenus ei placeat nobis terminum codecentem consignare, ut possumus adimplere predicta, avisando ipsam dominam quod in fine termini, quem nobis consignaverit, ipsa sit parata cum pecunia nobis debenda, ut possit rehabere locum suum predictum, quem vos ei consignabimus in finaliter.” Ljubić, ed., *Listine* 4: 343–44, doc. 489.

³⁵⁶ “Et ex nunc sit captum, quod collegium domini consiliarium, capitum et sapientum per maiorem partem in omni casu habeat libertatem destinandi ad ipsam dominam comitissam, ad dominum Padue et ad alios cum illis verbis, que dicto collegio videbuntur, ad tractandum et procurandum de habendo locum predictum per illum meliorem modum, qui tractari poterit, ut non exeat de manibus nostris.” Ljubić, ed., *Listine* 4: 344, doc. 489. John V’s brother, Count Stephen I, was married to Catherine, the daughter of Francesco I da Carrara and the sister of Francesco II Novello. Galeazzo and Bartolomeo Gatari, *Cronaca carrarese*, 59; Klaić, *Krčki knezovi*, 170–71.

³⁵⁷ “Et informetur capitaneus noster Raspurch... mandando ei et potestati et capitaneo nostro Iustinopolis, quod debeant examinare illa loca, que sibi scribentur per Dominium, examinando etiam expensas, que occurrent in construendo aliquod fortilicium in locis...” Ljubić, ed., *Listine* 4: 344, doc. 489.

³⁵⁸ The *pars* is published in *extenso* in Ljubić, ed., *Listine* 4: 344–45, doc. 490.

³⁵⁹ “Scribatur magnifico Henrico de Boldemandis physico, qui est de nostro mandato apud dominam comitissam Segnie, in hac forma, videlicet... Vos servatos merito comendamus... volentes et mandantes vobis quatenus toto studio et diligenter sitis sollicitus et attentus ad procurandum et obtinendum a dicta domina, quod castrum Raspurch nobis dimittatur ad quam longiorem terminum poterit obtinere et ad minus usque ad complementum rectoris nostri, qui ibi est.” Ljubić, ed., *Listine* 4: 344, doc. 490.

keeping the custody of the fort for military-defensive reasons.³⁶⁰ The trust in the doctor was well placed as his silver tongue managed to persuade the countess into a new deal: on the 27th of May, 1395, the Venetian Senate was happy to accept the arrangement by which “the key of Istria” was to remain in Venetian *potestas* for another three years with the incomes from the fort and the surrounding dependencies redirected to the countess minus the sum necessary for the fort’s upkeep.³⁶¹ The new deal was formally signed in Venice two days later, on the 29th of May.³⁶²

Shortly afterwards it was the countess’s side that tried to renegotiate. Namely, in November of 1395 a Viscount Domnius of Grobnik appeared in Rašpor and demanded audience with the delegated Venetian captain.³⁶³ The Viscount acted on behalf of Anne of Gorizia and put forth an official plea: as the countess attracted many enemies who have been pillaging and harassing her subjects, the noble widow would like to shelter her people precisely in Rašpor and place them under the jurisdiction and protection of the Venetian captain delegated therein.³⁶⁴ The appeal presented a particularly delicate matter. On the one hand, Venice wanted to keep the countess content and in amicable disposition lest fort Rašpor be lost; on the other, getting involved with the wars waged between the opposing groups of brigands and their ephemeral alliances brought the risk of embroiling Venice in yet another round of expensive infighting among the bellicose factions of the Patriarchate of Aquileia.³⁶⁵ Thus, the Senate opted for neutrality: the captain was not to receive any additional subjects of the countess under his protection and he was only to interfere in

³⁶⁰ “Placet nobis, quod condescendatis, remanente loco in manibus nostris, ut dictum est, ad dandum seu dari faciendum omnes redditus et proventus a die, qua pecunia, que est hic depositata suo nomine, data et assignata.” Ljubić, ed., *Listine* 4: 345, doc. 490.

³⁶¹ “Cum magister Henricus de Beldemandis physicus venerit ad certam compositionem cum magnifica domina comitissa Segnie in factis Raspurch, per quam ipsa est contenta dimittere nobis adhuc ipsum castrum per tres annos, incohandos prima die iulii proximi, salvo si domini comites Goricie fratres sui vellent recuperare dictum locum, cum conditione, quod ipsa habeat ducatos decem millia ducatorum, quos depositari fecit apud procuratores de ultra ducatos quatuor millia, ac redditus et introitus loci a dicto tempore in antea dando rectori nostro fenum, ligna et ova, et cum aliquibus aliis declarationibus.” The *pars* is published *in extenso* in Ljubić, ed., *Listine* 4: 348, doc. 494.

³⁶² Predelli, ed., *LC* 3: 234, doc. 6.

³⁶³ ASV, SMi, reg. 43, fol. 93v. Regestum in “Senato misti IV,” 288.

³⁶⁴ “Cum vir nobilis ser Petrus Aymo miles, capitaneus Raspurch scribat, quod quidam vicecomes Duymus de Grobenich pro parte domine comitisse Segnie fuit ad eum cum litteris credulitatis requirens, quod propter novitates et robarias, que facte erant et ne fierent dubitabat per aliquos inimicos dicte domine comitisse, in gentes et districtuales castri Raspurch placeret accipere dictos sub protectione et gubernatione nostri Dominii.” ASV, SMi, reg. 43, fol. 93v.

³⁶⁵ Karst had traditionally been a fertile soil for bandits and highway robbers throughout the medieval centuries, but it was particularly restless precisely in this period. Cusin, *Il confine orientale*, 150–52; Paschini, *SdF*, 671–72; Kosi, *Spopadi na prehode*, 61–109 (the most detailed overview for the entire period of the 14th century). A contemporary chronicler of the patriarchs of Aquileia described this region as “a wasteland” (*desertum*) “ubi erant raptores, vispelliones, latrones, qui sepius veniebant in Forumiulii predatum et homines cepiebant et ipsos ad speluncam eorum ducebant et imponebant eis impositionem et postea dimittebant eos, interdum moriebantur ibi.” De Rubeis, *MEA*, appendix, 17.

these skirmishes in guise of an amicable mediator.³⁶⁶ This decision mirrors perfectly the Venetian stance towards further interventionism in the neighboring jurisdictional enclaves: the *Serenissima* would try to keep the peace in the region, but it would not take sides in the quarrels that did not directly concern its own dominions.

Fearing that the countess would not be pleased with such a response and that the faith of the Venetian control of Rašpor was jeopardized, the Senate started looking for alternatives. Thus, on the 23rd of December, 1395, a proposal was accepted by which Venice would begin negotiating with the Patriarchate of Aquileia on purchasing the fort Petrapilosa.³⁶⁷ This stronghold, currently in the hands of an Istrian margrave by the name of Hordiborg who had been delegated during the reign of Patriarch John of Moravia, was indeed comparable to Rašpor, similarly situated at a strategic hilltop position overlooking important routes leading from Karst into Istria.³⁶⁸ Thus, the incumbent captain of Rašpor was tasked to begin negotiations on acquiring the said Aquileian keep, preferably by way of purchase, although gaining it in pledge would also be acceptable, but only if the costs of upkeep are subtracted from the total sum “so that we avoid the inconveniences that we currently have with fort Rašpor.”³⁶⁹ However, the negotiations regarding Petrapilosa were never concluded as there was another party that could legally bestow the ownership of *castrum Raspurch* on Venice.

On the 5th of December, 1396, the Senate deliberated on the news presented to them by their agents in Rašpor and Latisana, the latter being a subject of the counts of Gorizia, the young Henry IV and John Maynard.³⁷⁰ It seemed that the two sons of late Count Maynard VI were disposed to pledge their fort Rašpor to Venice—once they repay all they owe to their sister Anne—

³⁶⁶ “Nichilominus si eidem domine comitisse videtur utile, quod ipse noster capitaneus se interponat in reconciliando eam cum inimicis suis predictis, ipse partus est hoc facere alacriter et libenter non impedendo se aliter de factis predictis nisi inponendo, ut dictum est, concordium et pacem inter partes.” ASV, SMi, reg. 43, fol. 93v.

³⁶⁷ ASV, SMi, reg. 43, 95v. Regestum in “Senato misti IV,” 288–89. I have edited the minute *in extenso* in the appendix. See doc. II/D in appendix 3.

³⁶⁸ On the strategic position of Petrapilosa, see Josip Višnjić, “Petrapilosa: paradigmatski primjer razvoja istarske srednjovjekovne feudalne utvrde” [Petrapilosa: A paradigmatic example of the development of an Istrian medieval feudal fort], in *Notabile castrum / Castello ben munito e ornato: Kašteli Petrapilosa i San Vincenti u povijesnom i građevinskom kontekstu* [Notabile castrum / Castello ben munito e ornato: Forts Petrapilosa and San Vincenti in historical and architectural contexts], ed. Josip Višnjić (Svetvinčenat: Općina Svetvinčenat, 2020), 12–14.

³⁶⁹ “Sed si tractaret de habendo locum per viam pignoris, procuret quod expensa quam faceremus in custodia et reparatione loci, nobis restituatur cum pecunia mutuata, ut vitemus inconvenientias in quibus summus ad presens de castro Raspurch.” Doc. II/D in appendix 3.

³⁷⁰ The deliberation is edited *in extenso* in Ljubić, ed., *Listine* 4: 391–93, doc. 539.

“for a good period of time.”³⁷¹ Thus, “considering the great benefit and advantage that the said fort Rašpor provides to our Istrian places, because after we have gotten a hold of this fort our Istrian lands have not suffered a dime worth of damage,” the captain of Rašpor was given green light to commence negotiations with the Gorizian counts “to make sure that we have this place, because nowhere else can we construct such a place that would be so advantageous and favorable.”³⁷² The captain was instructed to seek a term of pledge of at least eight years for a payment of fifteen thousand golden ducats (63 000 pounds of pennies according to 1391 conversion rates).³⁷³ In this way, Venice negotiated on acquiring Rašpor simultaneously on two fronts, with Countess Anne who was still provided with a Venetian envoy working tirelessly to seal the deal on the strategic fort, and with the *de iure* owners of the stronghold, Counts Henry IV and John Maynard of Gorizia. Luckily for the *Serenissima*, the countess was desperate and needed Venetian aid more than it needed her pledged fort.

Namely, the widowed Anne continued to seek “aid and counsel” from her Venetian allies and Venice continued to be tactical with its approach: they will provide “ample council” on how the countess is to fortify her keeps, provision her garrisons and how she should “remain in good and unfaltering relations with the other lords and barons of the kingdom,” but they will not send any “aid” as all the manpower they can spare is currently deployed in the fight to preserve their lands, and those of other Christians from the Ottomans.³⁷⁴ The most that they can give to the countess is a sum of six thousand golden ducats (25 200 pounds of pennies according to 1391 conversion rates)—the same amount she once paid back to Venice in order to buy back Rašpor from pledge—with which “she can take care of her affairs,” but only if she would promise to let

³⁷¹ “[I]psi [domini Goricie] pro complacendo nostro dominio et pro confirmatione amoris, qui fuit inter nos et dominum Maynardum comitem Goricie eorum patrem, nobis illa [castrum Raspurch] dabunt in pignus pro bono tempore.” Ljubić, ed., *Listine* 4: 391, doc. 539.

³⁷² “Et considerato magno fructu et utilitate proveniente locis nostris Istrie de dicto loco Raspurch, quia postquam illum habuimus, terre nostre Istrie non fuerunt damnificiate de uno obolo, pro nobis faciat attendere ad habendum ipsum locum, quia alicubi non posset construi aliquis alius locus, qui foret ita utilis et dexter.” Ljubić, ed., *Listine* 4: 391, doc. 539.

³⁷³ “Sed est nostra intentio, quod ipsum habeamus per tempus annorum octo ad minus et inde supra quanto plus posset.” Ljubić, ed., *Listine* 4: 391, doc. 539.

³⁷⁴ “[A]d factum consilii nos scimus ample consulere, quod studeat tenere loca sua bene munita et custodita ita, quod illa sibi in omni casu valeat conservare, et quod cum aliis dominis et baronibus regni constans et fortis sit... Ad partem autem auxilii respondemus, quod propter multa loca, que habemus in partibus Romanie, et similiter alii christiani, est necesse, quod habeamus et armemus ad presens multas galeas ituras ad illas partes, ut possint concedente domino conservari a Turchis.” Ljubić, ed., *Listine* 4: 392, doc. 539.

them keep their pledged fort until her brothers try to redeem it from her.³⁷⁵ In another stroke of luck for *Commune Veneciarum*, the countess's misfortunes once again played in Venetian favor.

On the 5th of January, 1397, Countess Anne wrote a moving letter to Doge Venier.³⁷⁶ “Our lord the king [Sigismund of Luxembourg] is shortly due to arrive in our parts,” but “all our silver jewelry is currently pledged with you in Venice, and we do not have anything with which to greet his majesty with due honor and reverence as is becoming and fitting.”³⁷⁷ Thus, the countess asked to be given back her silver jewelry, that she had pledged for 1200 golden ducats (5040 pounds of pennies according to 1391 conversion rates), and in recompense she offered “grain or oars” as well as her fort Novi Grad in Karst for three thousand golden ducats (12 600 pounds of pennies according to 1391 conversion rates).³⁷⁸ It remains unknown whether Venice answered favorably to this plea or not, but it certainly demonstrates that Anne of Gorizia and her son Nicholas were at this time in a dire financial situation and needed the money much more than they cared for their forts in Karst. Venice capitalized on the situation.

The three-year term of pledge that was agreed upon in 1395 was coming to close and on the 18th of November, 1398, Countess Anne sent her envoys to Venice to negotiate on the matter of Rašpor and her debt.³⁷⁹ The noble widow did not have the financial means to settle her debt and redeem her strategic stronghold, so a new deal was soon struck. On the 14th of December of the same year, Venice paid another 7500 golden ducats (31 500 pounds of pennies according to 1391 conversion rates) to the countess (raising her debt to a total 11500 ducats, i.e. 48 300 pounds of pennies) and in turn received Rašpor with all its incomes and dependencies in pledge; furthermore, Anne of Gorizia solemnly swore that she would never again (*vita durante*) try to redeem the pledged fort, although that right was still acknowledged to her brothers.³⁸⁰ In this way, the countess was finally taken care of and Venice could continue to enjoy their ownership of “the key of Istria”

³⁷⁵ “Sed si placeret magnitudini sue [comitis] Ane pro habendo pecuniam, cum qua posset facere facta sua, quod nos daremus sibi illas VI millia ducatorum, que nobis restituit pro castro Raspurch, dando et relinquendo nobis locum cum modis et condicionibus primis, nos parati sumus istud facere, promittendo nobis similiter de non accipiendo illud nisi quando sui fratres redimere ipsum vellent ab ea.” Ljubić, ed., *Listine* 4: 392, doc. 539.

³⁷⁶ The letter is published *in extenso* in Ljubić, ed., *Listine* 4: 396, doc. 545.

³⁷⁷ “Quod dominus noster rex in brevi ad has nostras partes est venturus... et quia nostra argenteria est nunc ad presens Veneciis impignorata per nos, nec habemus, cum quo sue maiestati debitos honores et reverentiam tales ad presens facere, prout deceret et conveniret.” Ljubić, ed., *Listine* 4: 396, doc. 545.

³⁷⁸ “[P]ro redemptione autem cuius vobis curialiter persolvemus et dabimus aut bladum aut remos... Insuper vobis supplicamus instanter, prout alias vobis supplicavimus, quatenus nobis mutuo dare dignemini tria millia ducatorum super Castronovo.” Ljubić, ed., *Listine* 4: 396, doc. 545.

³⁷⁹ Predelli, ed., *LC* 3: 267, doc. 148.

³⁸⁰ Predelli, ed., *LC* 3: 268, doc. 150.

untroubled by her whims. Still, the matter of her brothers, the *de iure* lords of Rašpor, remained unnervingly looming in the back of the Senator's minds.

The final round of negotiations over the control of Rašpor commenced only in the summer of 1402 and it involved Venice on the one side, and the counts of Gorizia, Henry IV and John Maynard, on the other. The complete nonparticipation of Countess Anne suggests that she was already deceased at this time.³⁸¹ Whether succumbing to Venetian diplomatic pressure or simply due to financial reasons, the Gorizian counts sent their official envoys to Venice on the 4th of June, 1402, in order to seal the deal on Rašpor once and for all—the stronghold is to be finally sold to the *Commune Veneciarum*.³⁸² A month later, on the 6th of July, the Venetian Senate deliberated on the matter, concluding that “it would be good to make sure that the fort does not slip from our grasp, considering how much utility and security it brings to all our Istrian lands, because, to tell the truth, after we had gained the possession of this fort, entire Istria has been safe from the incursions of the brigands and plunderers who by all means preyed upon this region.”³⁸³ Thus, it was decreed that the negotiations with John of Rabatta, the representative of the two counts, should end with the final purchase of Rašpor for the total sum not exceeding twenty thousand ducats (93 000 pounds of pennies according to 1399 conversion rates), comprising the 11 500 that had already been paid to Countess Anne and making sure that all the debts are thus settled with Count Nicholas IV of Krk, Senj and Modruš “so that we are not being pestered in the future on the pledging of this fort that was done by his mother.”³⁸⁴

A week after the decree had been accepted, on the 13th of July, the Senators decided to give to the nobleman John of Rabatta some further incentives to speed things up with his masters and with Count Nicholas IV who had to deliver some documents regarding the ownership of Rašpor, and to make sure “that he would always be favorably inclined to our matters”—a “gift” of one

³⁸¹ This is the opinion stated in Klen, “Prodaja Rašpora,” 16.

³⁸² Predelli, ed., *LC* 3: 285, doc. 233.

³⁸³ “[B]onum sit, quod ipsum castrum non exeat de manibus nostris, considerato quante utilitatis et securitatis est omnibus terris Istrie, quia cum veritate dici potest, quod postquam ipsum castrum fuit in potestate nostra tota Istria fuit secunda ad incursionibus latronum et predatorum, qui omni modo predabantur dictam contratam.” ASV, SMi, reg. 46, fol. 35r. Regestum in “Senato misti IV,” 301. I have edited this minute *in extenso* in the appendix. See doc. II/F in appendix 3.

³⁸⁴ “[I]ta quod per futura tempora non molestaremur de pignoratione nobis facta per eius matrem de dicto castro.” Doc. II/F in appendix 3.

hundred golden ducats (465 pounds of pennies according to 1399 conversion rates).³⁸⁵ The bribe seemed to have worked, and Nicholas soon thereafter dispatched his envoys to Venice.³⁸⁶

Finally, on the 5th of September, 1402, a final deal with the counts of Gorizia was formally signed in Venice: for a sum of twenty thousand golden ducats, of which only 8500 (39 525 pounds of pennies) were paid to the counts with the remaining 11 500 covering the debt of the late Countess Anne, Rašpor with all of its dependencies, incomes, rights and jurisdictions was officially sold to Venice; Count Nicholas IV lawfully stated that all the debts have been settled—both between his mother and the counts of Gorizia, as well as between him and Venice—and that he has no rights whatsoever over fort Rašpor.³⁸⁷ The entire enterprise ended ceremoniously with the Venetian delegated captain of Rašpor tasked by Doge Michele Steno to formally receive the effective possession of the strategic stronghold in the most solemn way possible.³⁸⁸ On the 16th of September, the captain of Gorizia met with the captain of Rašpor in front of the audience of around eighty spectators gathered from among the local populace and headed by the two village elders (*merigha* or *župan / zuppano*); the ritual thus took place and the Venetian full, *de iure* ownership of “the key of entire Istria” officially commenced.³⁸⁹

The purchase of Rašpor marks an immensely important episode in the history of Venetian Istria following the War of Chioggia as it simultaneously demonstrates in a particularly revealing manner both the Venetian foreign policy, their attitudes towards expansionism, as well as the mechanisms through which this particular region integrated with the rest of the nascent *Dominium Veneciarum*. In addition, this small subchapter of Venetian history also reveals how the concept of Istria as a region slowly began changing during the first decades succeeding the Chioggian war. All of this, hopefully, justifies the narration of the entire affair in such meticulous detail.

First, the fact that Venice sought to purchase Rašpor much before Countess Anne dispatched her first representatives to Venice was not adequately acknowledged in previous

³⁸⁵ “[V]adit pars, quod propter dictam causam et etiam pro faciendo ipsi Iohanni aliquam curialitatem, ut semper sit propicius factis nostris, et ut ista negocia capiant bonum finem, quod apud qauntitatem de qua habita fuit pridie libertas per istud consilium, possint expendi usque ducatus centum de pecunia nostri Communis per illum modum, qui videbitur Collegio antedicto.” ASV, SMi, reg. 46, fol. 35v.

³⁸⁶ On the 20th of August, 1402. Predelli, ed., *LC* 3: 287, doc. 239.

³⁸⁷ The lengthy document is published *in extenso* in Klen, “Prodaja Rašpora,” 20–29. Regestum in Predelli, ed., *LC* 3: 287, doc. 241.

³⁸⁸ Predelli, ed., *LC* 3: 288, doc. 243 (date: 6th of September, 1402).

³⁸⁹ Predelli, ed., *LC* 3: 288, docs. 245–46.

scholarship. Thus, it was traditionally assumed that it was precisely Anne that commenced the negotiations due to her financial troubles and that Venice merely jumped at the occasion.³⁹⁰ However, the episodes from the age of Domnius of Castello's administration of the Margraviate of Istria demonstrate very clearly that Venice had in fact been trying to get their hands on the strategically invaluable fort for at least six years before the countess first graced the Senate with her envoys. Consequently, Venice's attitude towards expansionism was not reactive at all, at least not in this particular case, but very much proactive and this marks a considerable shift from the pre-War of Chioggia attitudes.

Compared to other Venetian projects of territorial expansionism of the time, Rašpor fits the general policy of acquiring new subject centers through amicable bilateral negotiations, purchases and pledges, rather than through military conquests. Indeed, from 1381 to 1402 Venice acquired a plethora of new territories both on the continent and in the maritime regions well. Most of the new acquisitions were centered in the Eastern Mediterranean (in the so-called Venetian Romania) where the *Serenissima* annexed Corfu, Argos, Nafplio, Andros, Tinos, Mykonos and Athens while consolidating its rule in Chalcis, that is Euboea.³⁹¹ In the southeastern Adriatic region (in the so-called Venetian Albania) the newly acquired centers included Durrës, Lezhë, Shkodër, Krujë, Drisht, Dejë and Shati.³⁹² None of these places was a spoil of war. Instead, Durrës was annexed in 1392 after the death of George Thopia who pledged himself and his city to Venice as he searched for allies in his fights against the Ottomans (and other rival Balkan princes);³⁹³ Lezhë, “the right eye of Durrës,” was bought in 1393 from the House Dukagjini for six hundred ducats, five houses within the city walls and a third of all the yearly incomes from the salt pans of the ceded town;³⁹⁴ Krujë had been in the hands of a Venetian citizen, Marco Barabarigo, and his wife Helen, the daughter of George Thopia, but in 1393 the duo officially recognized Venetian authority and continued to hold the fort as (un)faithful retainers for a yearly recompense of hundred golden

³⁹⁰ The only historian who knew about this was Cusin, but he did not contextualize it any further and he did not connect it to Domnius of Castello's work as a Venetian collaborationist. Cusin, *Il confine orientale*, 148–49.

³⁹¹ Thiriet, *La Romanie vénitienne*, 355–63.

³⁹² Giuseppe Valentini, “Dell'amministrazione veneta in Albania,” in *Venezia e il Levante fino al secolo XV*, ed. Agostino Pertusi, vol. 1: *Storia-Diritto-Economia* (Florence: Leo S. Olschki, 1973), 844–46. The best and most detailed account of this first Venetian expansion in these territories is Schmitt, *Das venezianische Albanien*, 222–39.

³⁹³ Predelli, ed., *LC* 3: 216–17, doc. 384; Ljubić, ed., *Listine* 4: 297–98, doc. 427; O'Connell, *Men of Empire*, 25–26; Schmitt, *Das venezianische Albanien*, 229–31.

³⁹⁴ Predelli, ed., *LC* 3: 218, doc. 389; Ljubić, ed. *Listine* 4: 317–18, doc. 452; Schmitt, *Das venezianische Albanien*, 232–33.

ducats (420 pounds of pennies according to 1391 conversion rates);³⁹⁵ Shkodër with Shirgj, Drisht, Dejë and Shati were similarly bought in 1396 from George II Balšić Stracimirović in exchange for the privilege granting Venetian nobility and a seat in the Great Council to the seller, as well as one thousand ducats a year from among the incomes of the sold lands;³⁹⁶ Corfu was, similarly to Rašpor, in Venetian *potestas* already in 1386 (albeit not by way of a pledge, but by tireless diplomatic missions, negotiations with the local elites, and, last but not least, a display of military strength that removed the threats of the Genoese and Paduan authority), but it was eventually bought from King Ladislav of Naples for thirty thousand ducats (139 500 pounds of pennies according to 1399 conversion rates);³⁹⁷ Argos and Nafplio were ceded to Venice by lady Mary of Enghien, the widow of the Venetian lord Federico Cornaro, for an annual sum of seven hundred ducats paid to her *vita durante* and five hundred paid to her heirs—or a onetime payment of two thousand ducats in case she dies heirless (according to 1382 conversion rates these sums correspond to 2 800, 2 000 and 8 000 pounds of pennies, respectively);³⁹⁸ Tinos and Mykonos were inherited in 1390 after the death of their lord, the Venetian nobleman George III Ghisi;³⁹⁹ in addition, with Ghisi's death the Venetian bailiff of Chalcis remained the only *de iure* and *de facto* authority on the island of Euboea, and Venice reorganized this center from a trading outpost in which the dominion was shared with other jurisdiction holders (the bailiff was in charge of administering justice solely to Venetians), to a typical Venetian regimen;⁴⁰⁰ Athens was bestowed

³⁹⁵ Ljubić, ed., *Listine* 4: 314–16, doc. 449. Schmitt, *Das venezianische Albanien*, 234. Barbarigo rebelled against Venice soon thereafter, attacking adjacent Venetian territories as an Ottoman ally. He was defeated and exiled from Krujë in 1394, where a new pro-Ottoman lord was installed, Constantine Balšić. Schmitt, *Das venezianische Albanien*, 235–36.

³⁹⁶ Ljubić, ed., *Listine* 4: 356–59, doc. 506, 362–63, docs. 511–12 (deliberations regarding the closing of the deal with George II Stracimirović and the annexation of Shkodër), 365–69, doc. 514 (the final deal, regestum in Predelli, ed., *LC* 3: 237–38, doc. 22); Schmitt, *Das venezianische Albanien*, 237–39.

³⁹⁷ Predelli, ed. *LC* 3: 286, doc. 235 (16th of August, 1402); Thiriet, *La Romanie vénitienne*, 357; O'Connell, *Men of Empire*, 24. The most detailed account of the Venetian takeover of Corfu is Ruthy Gertwagen, "The Island of Corfu in Venetian Policy in the Fourteenth and Early Fifteenth Centuries," *International Journal of Maritime History* 19/1 (2007): 193–207.

³⁹⁸ Predelli, ed., *LC* 3: 195, doc. 301 (12th of December, 1388); Thiriet, *La Romanie vénitienne*, 359; O'Connell, *Men of Empire*, 24–25. The most detailed account remains Roberto Cessi, "Venezia e l'acquisto di Nauplia ed Argo," *Nuovo archivio veneto* 30 (1915): 147–73.

³⁹⁹ Thiriet, *La Romanie vénitienne*, 360; David Jacoby, *La féodalité en Grèce médiévale: Les "Assises de Romanie": Sources, application et diffusion* (Paris: Mouton, 1971), 237–40.

⁴⁰⁰ The island was divided by three dominion holders: Venice, Celle de Nicola dalle Carceri († 1383) and George III Ghisi († 1390). After Ghisi's death, the Venetian delegated rector of Chalcis effectively became the administrator of the entire island of Euboea which was now *de iure* and *de facto* a Venetian dominion. From this point on, one could speak of the Venetian rector of Euboea and not merely of Chalcis. David Jacoby, "La consolidation de la domination de Venise dans la ville de Négrepont (1205–1390): Un aspect de sa politique coloniale," in David Jacoby, *Latins*,

upon Venice by Neri I Acciaiuoli in 1394;⁴⁰¹ finally, Venice acquired new territories on the continent as well, that is, in *Regnum Italiae*: besides Treviso, Venice received Polesine di Rovigo that Niccolò III of Este pledged to the *Serenissima* for fifty thousand golden ducats in 1395 (210 000 pounds of pennies according to 1391 conversion rates).⁴⁰²

Comparing the case of the acquisition of Rašpor with other examples of Venetian expansionism during the same period, a set of similarities emerges. Most importantly, the majority of the newly annexed lands were strategically valuable places that allowed for a better control of traffic and/or military movements in the Venetian regions of interest. Rašpor was “the key of Istria,” but Corfu was equally, if not more important as an outpost from which to control the maritime routes and access to the Adriatic Sea, at this point—following the loss of Dalmatia to King Louis I of Anjou—no longer “the Gulf of Venice”.⁴⁰³ Without a port in Dalmatia to call their own, it was the newly acquired Durrës and Shkodër that were to serve as a safe anchor point for Venetian ships travelling across the Adriatic.⁴⁰⁴ Treviso with its set of forts in its district shielded the capital from a continental assault whereas the forts acquired in the Venetian Albania served to create a buffer zone between the Venetian Adriatic and the increasingly Ottoman Balkan hinterlands.⁴⁰⁵ Even Lezhë, a town that offered more in terms of economic profit with its salt pans than in term of military-strategic points, was primarily annexed in order to complement the strategically valuable Durrës and raise the income generated by the newly annexed lands to at least cover the expenses of military garrisons and regular upkeep.⁴⁰⁶ This explains why Venice agreed to share non-military aspects of dominion of some of the newly acquired territories: the right of usufruct that was temporarily given to Countess Anne is similar in nature to the yearly incomes bestowed upon Cornaro’s widow Mary or the newly-made Venetian nobleman George II Balšić

Greeks, Jews and Muslims: Encounters in the Eastern Mediterranean, Tenth-Fifteenth Centuries, Variorum Collected Studies (Farnham: Ashgate, 2009), chapter 9: 151-189, esp. 187; O’Connell, *Men of Empire*, 25.

⁴⁰¹ “Item volemo et ordinamo [nui, Neri Acciaiuoli] che nostro paese sia in recomissione et in raccomandatione dell’eccelsa et illustre ducale signoria di Venezia.” Jean Alexandre C. Buchon, *Recherches historiques sur la principauté française de Morée et ses hautes baronnies: Le livre de la conquête de la princée de la Morée*, vol. 2 (Paris: Jules Renouard, 1845), 435–40 (quotation on 440); Thiriet, *La Romanie vénitienne*, 362–63.

⁴⁰² Benvenuto Cessi, *Venezia e Padova e il Polesine di Rovigo: Secolo XIV* (Città di Castello: S. Lapi, 1904), 134–39, doc. 9 (regestum in Predelli, ed., *LC 3*: 232–33, doc. 2). See also Cessi, *Venezia e Padova*, 63–80; Varanini, “Venezia e l’entroterra,” 208.

⁴⁰³ “L’occupation simultanée de Corfou et de la forteresse de Butrinto, sur la côte d’Epire, fermait solidement la mer Adriatique aux ennemis de Venise et permettait d’observer de très près les mouvements des Turcs dans l’Albanie voisine.” Thiriet, *La Romanie vénitienne*, 357.

⁴⁰⁴ Schmitt, *Das venezianische Albanien*, 231, 242.

⁴⁰⁵ O’Connell, *Men of Empire*, 25–26.

⁴⁰⁶ Schmitt, *Das venezianische Albanien*, 231, 233.

Stracimirović. Schmitt's statement that Venice primarily thought of defense and strategic value of newly acquired places during its first wave of expansion in Albania and Thiriet's conclusion that Venetian expansionism during the 1380s and 1390s was primarily motivated by "a sincere desire for defense" is perfectly applicable not only to the Eastern Mediterranean, but to the majority of territorial acquisition projects of the era, including the purchase of Rašpor.⁴⁰⁷

Second, the new territories were acquired through a variety of means—inheritance, purchase, pledge, grants of Venetian nobility, promises of mutual aid, and even voluntary spontaneous submissions, but in no case did Venice pursue an aggressive expansionistic policy based on military subjugation. With the lone exception of Corfu where both Venetian and local forces had to intervene to secure the possession of the island, direct military intervention was not required in the acquisition of new territories during this period.⁴⁰⁸ The *Serenissima* did in fact send its military forces in Rašpor, but they were not there to wage war of conquest, only to demonstrate the might of the winged lion of St. Mark, both to the potential enemies as well as to the locals, the new Venetian subjects. Venice did not shun territorial expansion, but it prioritized peaceful relations with its neighbors over the acquisitions of new lands. This policy is perfectly reflected in the failed acquisition of the Friulian town Latisana, a project that commenced simultaneously with the purchase of Rašpor but ultimately failed as the Aquileian patriarch explicitly wrote to Venice that he was utterly indisposed to cede this town.⁴⁰⁹ Similarly, the Venetian Senate refused the voluntary submission of Monemvasia, choosing not to further provoke Theodore I Palaiologos, the despot of Morea and a potential ally against the Ottomans, over territorial expansionism.⁴¹⁰ The same political trajectory explains why Venice refused to accept the voluntary submission of Kotor (on two separate occasions nonetheless), of Pag, and of Split;⁴¹¹ why it rejected the plan to

⁴⁰⁷ Schmitt, *Das venezianische Albanien*, 227, 231; Thiriet, *La Romanie vénitienne*, 361.

⁴⁰⁸ Gertwagen, "The Island of Corfu," 200–201.

⁴⁰⁹ The most detailed account of this episode, citing all the relevant primary sources, is Pio Paschini, "Il patriarca Antonio Caetani (1395-1402)," *MSF* 27 (1931): 161–63.

⁴¹⁰ Thiriet, *La Romanie vénitienne*, 361.

⁴¹¹ Ljubić, ed., *Listine* 4: 353, doc. 502 (first rejection of the voluntary submission of Kotor, 14th of January, 1396), 355–56, doc. 505 (second rejection of the voluntary submission of Kotor, 21st of January, 1396), 430–31, doc. 598 (the rejection of the voluntary submission of Pag, 14th of June, 1401), 438, doc. 604 (the rejection of the voluntary submission of Split, 1st of October, 1401). The Venetian response to the ambassadors of Kotor is telling of Venetian policy of keeping peace and the balance of power in the region: "Sed sicut eis et toti mundo notorium esse potest, nostra dominatio semper fuit et est disposita velle attendere domino regi Hungarie et omnibus aliis id, quod eis promissum est per pacem, quam habemus cum eo, non possumus nos impedire de loco illo Catari." Ljubić, ed., *Listine* 4: 356, doc. 505.

militarily subjugate Omiš;⁴¹² and why it declined to provide military aid to both Count John V of Krk in his fight against Zadar in 1393, as well as to Countess Anne with her skirmishes against the Friulian lords that were taking place in Karst—Venetians did not want to join factions, but only to keep their neighboring regions in relative peace and maintain the balance of power lest a new threat to the wellbeing of the Most Serene Republic reemerges.⁴¹³ As Roberto Cessi rightly concluded, it was not a “systematic territorial conquest,” but “a system of equilibrium [that] persisted in the vision of Venetian politics, controlled and dominated with greater intensity than in the past [i.e. before the War of Chioggia].”⁴¹⁴ There was, however, one rising power that necessitated a more daring approach to foreign affairs.

The dangerously expanding Ottoman Empire presented a uniquely perilous threat to Venetian interests and the overall security of their trading networks in the Eastern Mediterranean and the Balkans. Up until 1394 the Venetians tried to nurture amicable relations with the sultans Murad I and Bayezid I in a bid to avoid costly military campaigns and keep the trade flowing.⁴¹⁵ However, it was becoming increasingly clear that a clash with the ever-growing Ottoman forces was imminent. Thus, Venice even opted to support the anti-Ottoman alliance helmed by the Hungarian King Sigismund of Luxembourg in 1394, a military adventure that ended in utter defeat at the Battle of Nikopol on the 25th of September, 1396.⁴¹⁶ This unnerving prospect of impeding Ottoman threat greatly catalyzed Venetian expansionism in the Eastern Mediterranean and the Balkans.⁴¹⁷ Moreover, Venice was much more eager to lend its support to warring factions in the

⁴¹² Ljubić, ed., *Listine* 4: 316, doc. 450 (7th of September, 1393).

⁴¹³ Ljubić, *Listine* 4: 271, doc. 388 (Venice refuses to give aid to Count John V in his feuds with the counts of Krbava, 7th of October, 1389), 305–6, doc. 440 (Venice refuses to give aid to Count John V in his feuds with the Commune of Zadar, 26th of April, 1393); Klaić, *Krčki knezovi*, 186. The Venetian response to Count John V in 1393 is telling of Venetian policy on foreign affairs: “Sed in veritate istud [helping John V in his fight against the Commune of Zadar] foret cum nimio onere nostri Dominii, et contra id, quod querimus et quesivimus tota die, scilicet vivere in pace et benivolentia cum omnibus et precipue cum circavicinis nostris.” Ljubić, ed., *Listine* 4: 306, doc. 440.

⁴¹⁴ “Non pare dunque che il proposito di una sistematica conquista territoriale in terraferma occupasse la mente degli uomini responsabili, nè fosse in essi maturato il convincimento, che il problema del retroterra non potesse avere altra soluzione. Nella politica veneziana persisteva la prospettiva di un sistema di equilibrio, controllato e dominato con maggior intensità che in passato.” Roberto Cessi, *Storia della Repubblica di Venezia*, (Florence: Giunti Martello, 1981), 346.

⁴¹⁵ Thiriet, *La Romanie vénitienne*, 360–61; Liviu Pilat and Ovidiu Cristea, *The Ottoman Threat and Crusading on the Eastern Border of Christendom during the 15th Century*, East Central and Eastern Europe in the Middle Ages, 450–1450 48 (Leiden: Brill, 2018), 53.

⁴¹⁶ Pilat and Cristea, *The Ottoman Threat*, 54–57.

⁴¹⁷ Ce n’est donc pas tant l’ambition qui anime Venise qu’un désir sincère de défense; elle n’occupe de nouvelles escales qu’en vue de fortifier la digue anti-ottomane. Thiriet, *La Romanie vénitienne*, 361. See also O’Connell, *Men of Empire*, 26–27.

regions closer and more exposed to Ottoman advance than it was in Dalmatia, Istria or Friuli. For example, the *Serenissima* openly supported Countess Komnina of Vlorë, the widow of Balša II Balšić, in her skirmishes against Ottoman clients and their troops.⁴¹⁸ This was not the case in Istria where Venice opted to stay out of factional strives after the threat of Francesco I da Carrara and Philip of Alençon had been neutralized.

The prospect of Ottoman threat also led to Venetian less direct control of hinterland forts that were delegated to the administration of the locals who simply owed fealty to Venice. For example, Albanian minor center Drisht was put under the management of a single nonnoble castellan and subjected to the Venetian count and captain of Shkodër while Tinos and Mykenos were similarly administered by the local elite elected by the Venetian bailiff of Chalcis.⁴¹⁹ Conversely, Rašpor was from the very beginning entrusted to the administration of a dedicated regularly rotating Venetian noblemen. Unlike Drisht or Tinos, “the key of Istria” was not a buffer zone meant to dampen the destructive force of a potential Ottoman assault, but the very center of a military-defensive system organized in a predominantly Venetian region neighboring the state’s capital.

The Ottoman presence was thus the main factor that bifurcated the seminal characteristics of the models of Venetian expansionism and foreign relations policies during the period between 1381 and 1402. In the regions that were more exposed to the attack(s) of Sultan Bayezid’s armies, Venice acted more daringly, annexing more territories, expanding deeper into the hinterlands (that was, in turn, governed more loosely) and openly taking sides by forging alliances with the local warlords who were prepared to fight the Ottoman troops. This was not the situation in Istria where Venice did not have to worry about the sultan’s plans, but only about the factional strives of the Patriarchate of Aquileia and the attitudes of the regional potentates such as the dukes of Austria, their vassals, the lords of Duino, or the Da Carraras. Consequently, policies governing expansion and foreign affairs were more conservative, primarily aimed at securing strategic defensive positions and maintaining the balance of power. “What we strive for and have strived for daily is to live in peace and goodwill with everyone, especially with our neighbors,” humbly stated the

⁴¹⁸ Ljubić, ed., *Listine* 4: 263–64, doc. 378 (26th of February, 1389); Schmitt, *Das venezianische Albanien*, 227.

⁴¹⁹ On the position of Drisht and its loss of centrality in 1397, Ljubić, ed., *Listine* 4: 410–11, doc. 560. On the administration of Tinos and Mykenos, Thiriet, *La Romanie vénitienne*, 360; Jacoby, *La féodalité* 239–41.

Venetian senators in 1393.⁴²⁰ Thus, in the overall vision of Venetian policies of the era the position of Istria leaned much closer towards the stem from which the *Terraferma* would eventually sprout, than towards the quintessential maritime (the future *Stato da Mar*) territories of the Eastern Mediterranean. However, the purchase of Rašpor was not, as Varanini stated regarding this wave of expansionism on the Italian mainland, merely “situational,” a result of an unexpected but welcomed development; in Istrian case, it was very much a premediated, proactive territorial acquisition catalyzed through a conjectural set of favorable circumstances.⁴²¹

Another important aspect that is mirrored in this seminal episode of Venetian acquisition of Rašpor concerns the scalar performance of Istria as a distinct region. Throughout this case Venice did not only assume a holistic approach to Istria as a region (*pro meliori custodia totius Istrie, pro custodia vero et securitate dicti castris et totius Istrie, quod postquam ipsum castrum fuit in potestate nostra tota Istria fuit secunda ad incursionibus latronum et predatorum*), but it also significantly stretched its boundaries. Namely, Rašpor had traditionally been conceptualized as belonging to Karst and not to Istria and its scale was performed accordingly: when the counts Albert III and Maynard VI divided their inheritance with the former receiving Gorizian lands in Istria and the Windic March, both Rašpor and Novi Grad went to the *potestas* of the latter who received the family’s possessions in Karst and Friuli.⁴²² The same scale was even performed by Countess Anne in 1394 as she explicitly stated that she is pledging to Venice “fort Rašpor situated in the region of Karst.”⁴²³ Venice, however, undertook a different scalar stance: initially, Rašpor was performed as being “in the borderlands of Istria” (*in confinibus Istrie*), but following the

⁴²⁰ “[Q]uod querimus et quesivimus tota die, scilicet vivere in pace et benivolentia cum omnibus et precipue cum circaviciis nostris.” Ljubić, ed., *Listine* 4: 306, doc. 440.

⁴²¹ “Nella sua inopinatazza, anche questa acquisizione [referencing the pledge of Polesine di Rovigo] – concretatasi in breve tempo – testimonia come l’espansione veneziana nell’entroterra, lungi dall’essere il punto d’arrivo di strategie, nasca da congiunture: che si dettero, ma che avrebbero potuto non darsi, perché non si lavorò allo scopo che esse si determinassero.” Varanini, “Venezia e l’entroterra,” 208.

⁴²² “Daz uns Graf Albrecht an gevallen ist in Isterich: Mitterburch, Merenvels, Wessenstein, Rekel, Poymont, Pybn, Galian, Luran, Brischecz, Terveis, Tingnan, Barban (und) Meinlan mit allen den eren und rechten, als sei die grafschafft von Görz inne gehabt hat in Isterreich und an der March... So ist uns Graf Meinhart und Graf Heinrich an gevallen: Görz, Swarczenek, Venchenwerch, Ratsperch, daz Newhaus ze der Alben und allez, daz die grafschafft hat auf dem Charst mit aller herschaft und rechten und in Friaul...” Hermann Wießner, ed., *Monumenta historica Ducatus Carinthiae: Geschichtliche Denkmäler des Herzogthumes Kärnten* (hereafter: MDC), vol. 10: *Die Kärntner Geschichtsquellen 1335-1414* (Klagenfurt: Ferdinand von Kleinmayr, 1968), 62, doc. 161. The Istrian possessions enumerated in this list are (in order of appearance): Pazin, Lupoglav, Kožljak, Rakalj, Završje, Pićan, Gračišće, Lovran, Brseč, Trviž, Tinjan, Barban and Momjan. See also, Štih, *I conti di Gorizia*, 64.

⁴²³ “[N]uncii dicte domine comitis [Anne]... promiserunt et se obligaverunt ac promittunt et se obligant... dare, transfere, tradere et consignare... pro pignore et nomine pignoris... castrum Raspurch situm in partibus Chersorum.” Ljubić, ed., *Listine* 4: 321, doc. 458.

opening of the negotiations with Anne of Gorizia the fort's scale was regularly performed as belonging to Istria, as being the "key of entire Istria," not "a key to Istria." This is a textbook example of a "fissure" in scalar performance that had the potential to performatively rescale the strategic fort.

Indeed, in the context of Venetian Istria, Rašpor was the odd one out. The subject center was an amalgamation of a stronghold coupled with loosely organized village communities headed by a council of elected elders who even had the right to administer criminal justice in a textbook example of the so-called participatory justice that was alien to Venetian regimens.⁴²⁴ This type of self-administration was in contrast with the communal organization that prevailed throughout Venetian Istria with the civic councils ruling in tandem with the regularly rotating delegated *podestàs*.⁴²⁵ Rašpor's economy was predominantly based on agriculture and taxes were principally paid in kind and in service, very rarely in money.⁴²⁶ The newly acquired defensive center was more akin to the villages of the Capodistrian district than to an Istrian *podestaria* governed by a respective Venetian nobleman. Finally, Rašpor was the only place in Venetian Istria where the delegated rector had to petition the Senate for an official translator as the local population spoke in Slavic language(s), but none knew Veneto (or any other Latin Romance language that could be understandable to Venetian noblemen).⁴²⁷ For all these reasons, one would assume, even the

⁴²⁴ "In criminalibus secundum consuetudinem patrie talis ordo servatur, videlicet, quod congregantur omnes marici villarum de Raspruch et etiam circhavicini et per eos delinquens condemnatur secundum eorum consuetudines." Klen, "Rašporski urbar," 27. The syntagm used here "secundum consuetudinem patrie" may refer to both Friuli (as in *patria Foriulii*, a standard term) or to Karst region more narrowly. I will come back to this dilemma later in the study and demonstrate why the first reading is more plausible. The term "participatory justice" comes from Claudia Storti and Andrea Castagnetti who dubbed the sort of justice administration characteristic of early medieval Carolingian Europe where the opinion of a larger number of distinguished community members dominated the trial and shaped the verdict. Claudia Storti, "Città e campagna nello specchio della giustizia altomedievale," in *Città e campagna nei secoli altomedievali*, ed. Andrea Castagnetti, vol. 1 (Spoleto: Fondazione Centro italiano di studi sull'alto Medioevo, 2009), 313–21; Andrea Castagnetti, "Giustizia partecipata: Lociservatores, scabini e astanti nei placiti lucchesi (785–822)," *Studi medievali*, ser. 3, 56/1 (2015): 9–12.

⁴²⁵ This is read primarily from the 13th-century ducal instructions to the *podestàs* delegated to Istrian centers who were instructed to heed the advice of the local councils and judges, but not to be bound by them. E.g. Rizzi et al., eds., *Le commissioni* 1, 110, doc. 5 (instructions to the *podestà* and captain of Koper, dated 1293–1355), 123–24, doc. 6 (instructions to the *podestà* of Poreč, dated 1299–1361). In some Istrian communes, such as Piran for example, justice administration was in the hands of a regularly rotating foreign *podestà* even before the advent of Venetian jurisdiction. Kandler, ed., *CDI* 2: 592, doc. 360.

⁴²⁶ A detailed overview of all the tributes, tithes and taxes is featured in Klen, "Rašporski urbar," 16–27.

⁴²⁷ "Quod concedatur nobili viro ser Francisco Maripetro capitaneo nostro paysinaticorum Raspruch, quod pro accipiendo unius trucimanum qui sciat linguam Sclavam omnino sibi necessarium possit expendere libras tres parvorum in mense de pecunia nostri Communis." ASV, SMi, reg. 44, fol. 104v. Regestum in "Senato misti IV," 293.

official ducal instructions to the captains delegated therein performed the scale as “our fort Rašpor situated in the lands of Karst.”⁴²⁸

Ultimately, however, this fissure in performance undeniably managed to effectively rescale Rašpor as a part of Istria and it did so as a result of Venetian policies. First, Venice was not interested in Karst, and it did not even want to attempt any sort of expansionism in this region beyond the possession of Rašpor. This is perfectly illuminated by the Senate’s repeated refusal to even deliberate on the matter of Novi Grad, a strategic fort of Karst that Countess Anne offered several times to the Republic of St. Mark.⁴²⁹ Thus, the decision to ultimately abandon the scalar stance of *in partibus Chersorum* for Rašpor and (re)conceptualize the place as belonging to Istria sprang from pragmatism, catalyzed by Venetian unwillingness to consolidate their dominion in Karst. Most importantly, however, Rašpor was transformed into the new seat of the Istrian captain of the province and as such the place was ultimately performatively rescaled through a sedimentation of practices that constantly linked this strategic fort and its captain to Venetian *partes Istrie*. Thus, with the Venetian purchase of Rašpor and its discursive transformation as “the key of Istria”, the very notion of *regio Istrie* morphed and expanded to include a part of Karst.

The move that fundamentally engendered this rescaling of Rašpor was indeed carried out, as the minutes of the Senate’s sessions explicitly reveal, in order to cut down the expenses of holding two separate provincial captains (one in Sv. Lovreč and the other in Grožnjan) and thus increase the overall incomes of the *Commune Veneciarum*; but there was another, perhaps equally important element guiding this policy—the administrative and military centralization of Istria.⁴³⁰ Namely, concentrating the defense of the entire region in the hands of one official always results with a quicker response and a more streamlined chain of command in time of crises, insecurities or military invasions. Moreover, Venetian Istria was now no longer divided between the lands north and south of Mirna in terms of mutual cooperation; the newly instituted captain of Rašpor

⁴²⁸ “[C]apitanues castri nostri Raspurch siti in partibus Chersorum.” Rizzi and Zuccarello, eds., *Le commissioni* 2, 235, doc. 15.

⁴²⁹ E.g. Ljubić, ed., *Listine* 4: 320, doc. 457, and 396, doc. 545.

⁴³⁰ “[Q]uando fuit acceptum castrum Raspurch, ipsum acceptus fuit duabus de causis principaliter et ad duos fines: primo pro securitate et conservatione terrarum et fidelium nostrorum Istrie, secundo pro possendo scansare expensas et augere si possibile foret introitus nostri Communis.” Doc I/B in appendix 3. The same maxim is repeated in doc I/C in appendix 3. A similar maxim was stated in the ducal instruction to the captains of Rašpor: “committimus tibi... quod vadas et sis capitaneus nostri Raspurch... attendendo et vigilando... ad conservationem et statum pacificum subiectorum et omnium aliarum terrarum et locorum nostrorum Istrie ad honorem et proficuum nostrum et nostri Comunis Venetiarum, quia intencio nostra est, quod paysanatica nostra Sancti Laurentii et Grisignane removeant deinde et ambo reducantur ad dictum locum.” Rizzi and Zuccarello, eds. *Le commissioni* 2, 235, doc. 15.

was responsible to arbitrate all the disputes waged between Venetian communities in Istria, and he acted as a representative of the *Serenissima* in bilateral arbitrations with the neighboring dominions, the patriarchs of Aquileia and the dukes of Austria. Indeed, right from the start, the newly constituted captain of Rašpor was tasked both to mediate in internal disputes, such as between Poreč and Sv. Lovreč and between Vodnjan and Bale, as well as to represent Venice in bilateral arbitrations with the patriarchs of Aquileia and the dukes of Austria regarding the boundaries of their respective territories in Istria.⁴³¹ However, the jurisdictional enclave of the Capodistriian podestà was not abolished with this centralization—it remained exempted from the jurisdictional prerogatives of the newly constituted captain and the delegated rector of Koper remained responsible for mediating disputes between Piran and Izola.⁴³²

The fact that the captain of Koper remained in charge of managing intercommunal conflicts in his microregion demonstrates that this regional centralization of Istria was not carried out fully; Venice was content with having two leading officials on the Peninsula: one captain and podestà taking care of the richest, most populous (and most rebellious) city that was also closest to Venice, together with Izola and Piran, the latter being the chief producer of Istrian salt for the *Commune Veneciarum*; the other captain guarding the northern frontier of the region, overlooking the traditional breeding ground of bandits and the favorite hunting spot of highway robbers—the Karstic passes—and arbitrating between all the other subject centers of Venetian Istria. Both of these rectors were often times sent together to represent the interests of the *Serenissima* with the neighboring regional lords and their envoys.⁴³³ A third official must be added to complete the picture of this regional organization: the captain of the Istrian coastline, an admiral elected by the Great Council for a fixed term of four months, with a monthly salary of a hundred pounds of

⁴³¹ “Senato misti IV,” 292 (mediation between Poreč and Sv. Lovreč, 31st of May, 1398), 293 (bilateral arbitration with the envoys of the patriarch of Aquileia, 17th of December, 1398), 303 (mediation between Bale and Vodnjan, 21st of May, 1403), 306 (bilateral arbitration with the envoys of the duke of Austria, 11th of April, 1405).

⁴³² “De questionibus que evenirent inter Insulam et Piranum, potestas noster Iustinopolis cognoscere debet et diffinire ut sibi videbitur; de omnibus autem aliis questionibus que evenirent inter alias terras et loca de Istria regimini tuo subiecta, tu cognoscere debes et difiniri ut tibi iustum videbitur.” Rizzi and Zuccarello, eds. *Le commissioni* 2, 239, doc. 15.

⁴³³ E.g.: “Quod dominatio nostra mandavit potestati et capitanei Iustinopolis et capitanei Raspurch, ut propter certas diferencias examinatos inter fideles domini patriarche et nostros deberent per totum mensem presentem convenire cum illis, quos ipse dominus patriarcha mitteret, pro videndus et sapiendus differentiis antedictis, et bonum sit quod ipsi habeant mandatum a nostro Dominio super predictis et etiam libertatem expendendi, sicut alias pluribus vicibus data fuit aliis nostris rectoribus, vadit pars, quod fiat sindicatus in personas dictorum duorum nostrorum rectorum secundum usum, et detur eis libertas quod si ibunt ad ipsum factum, de quanto stabunt extra possint expendere ducatos duos in die pro quolibet de pecunia nostri Communis.” ASV, SMi, reg. 44, fol. 98v (regestum in “Senato misti IV,” 293 (21st of April, 1399).

pennies, tasked with overseeing the coastal security, maritime traffic and, most importantly, fighting smuggling operations.⁴³⁴ Even though this official existed already in the previous period (first mention in 1307), it was during the dogeship of Michele Steno that he received his own dedicated instructions in which Istria was again performed in a holistic regional scale (“may you go and be the captain of our ships of the Istrian coastline”).⁴³⁵ Thus, Venetian Istria following the War of Chioggia was increasingly preformed as a respective administrative region—a more homogenized jurisdictional areal of the nascent Venetian dominion rather than a heterogenous array of mutually disconnected subject centers.

This growing compactness of Venetian Istria, its slow and fragmentary evolution into a distinct region is also demonstrated in a decree promulgated by the Venetian Senate on the 8th of July, 1396.⁴³⁶ Namely, from this point on, all the rectors of Istria were no longer to wait till the end of their terms before publishing the names of the criminals exiled from their centers; instead, the delegated podestàs should “immediately, and not waiting till the end of their terms, notify and send word to each other on the criminals charged for treason or murder, so that if they are found, they may be captured and dispensed with in our lands.”⁴³⁷ Although this decree sheds much light on the evolving sense of the administration of criminal justice—a phenomenon that shall be discussed in great detail in the third chapter of the study—it also revealingly demonstrates the Venetian catalyzation of a new administrative dynamics in Istria. Even though they continued to retain their individual ties to the capital, the subject centers of Venetian Istria were becoming more tied to each other, thus gradually giving rise to a more recognizable, unique administrative region.

In the period directly following the War of Chioggia, an age that can for Istria be chronologically delimited from 1381 to 1402, this process of regionalization was conservative; it only built upon the preexisting structures—the provincial captains, the captains of the coast, the centralization of military-defensive organization, the cooperation between the delegated rectors—without introducing fundamental innovations to the traditional administrative frameworks. It was

⁴³⁴ Rizzi and Zuccarello, eds., *Le commissioni* 2, 253–58, doc. 17.

⁴³⁵ “[V]adas et sis capitaneus lignorum nostrorum riperie Istrie.” Rizzi and Zuccarello, eds., *Le commissioni* 2, 253, doc. 17. The first recorded mention of what could refer to the captain of the Istrian coastline (“Girardus Cerbo comitus ligni riparie Istrie”) stems from the 29th of January, 1307. Minotto, “Documenta IV,” 251. The first known captain of the Istrian coastline was an Andrea Selavo mentioned in 1308. Minotto, ed., *Documenta*, 1: 65.

⁴³⁶ ASV, SMi, reg. 43, fol. 136r. Regestum in “Senato misti IV,” 289. I have edited the decree *in extenso* in the appendix. See doc. II/E in appendix 3.

⁴³⁷ “[D]icti rectores debeant statim – et non spectando ad finem suorum regiminum – notificare et mittere in scriptis unus alteri malefactores qui essent pro tradimento et assassinaria, ut si reperti fuerint in terris nostris capiantur et mittantur, ut dictum est.” Doc. II/E in appendix 3.

only in the subsequent epoch—a period between 1402 and 1440 that can rightly be dubbed *The Age of Triumphs*—that this previously timid process of regionalization gained ground, innovatively transforming the administrative (super)structures and giving rise to an embryo from which the Venetian *Provincia d'Istria* would ultimately be born.

Chapter II.3

After the War of Chioggia: Phase 2 – Direct Interventionism

Following the final purchase of Rašpor in 1402, Venice embarked on a large-scale project of refortification and inspection of military facilities throughout the Istrian peninsula.⁴³⁸ Indeed, the sense of added security was at this point more than welcome as the first decade of the fifteenth century marked a uniquely turbulent period for the nascent *Dominium Veneciarum*.

The conflict that set-off the chain of events that would profoundly transform Venice pitted Giangaleazzo Visconti, the dangerously expanding lord of Milan, against a coalition of forces that included Francesco II Novello da Carrara, a Venetian ally and the deposed lord of Padua who managed to regain his ancestral city in 1390.⁴³⁹ Following Visconti's death († 3rd of September, 1402), the young Da Carrara joined forces with Guglielmo della Scala —the bastard son of the former lord of Verona, Cangrande II—with whom he agreed to partition the lands that the Visconti had taken from them: Verona going to the progeny of the Della Scala clan and Vicenza coming under the *potestas* of House Da Carrara, in addition to Belluno, Feltre and Bassano to which Novello never ceased to lay claims.⁴⁴⁰ Venice joined the fateful conflict in 1403, following Da Carrara's subjection of Verona (8th of April, 1403) and after the neighboring Vicenza freely

⁴³⁸ For example, on the 15th of January, 1404 (1403 *more Veneto*), the Senate decreed that all the rectorates “in all our places in Istria” (*in aliquo locorum nostrorum Istriæ*), must be amply provisioned with arms on the expanse of the local communities. “Senato misti IV,” 304. Moreover, on the 16th of February, 1404 (1403 *more Veneto*), the Senate decided to cover a half of expenses of the works on the (re)fortification of Koper; on the 13th of March, 1404, the Senate decided to send a 150 ducats worth of arms to the citizens of Rovinj as they were unable to buy them promptly themselves. “Senato misti IV,” 304. The inspection of the military facilities was done by the captain of Rašpor and the podestà and captain of Koper. “Senato misti IV,” 305.

⁴³⁹ The most detailed account remains Roberto Cessi, “Venezia neutrale nella seconda lega antiviscontea (1392-1397),” *Nuovo archivio veneto*, n.s., 28, no. 2 (1914): 233–307. See also Varanini, “Venezia e l'entroterra,” 208–9.; Cessi, “La politica veneziana,” 194–97. On Novello's recuperation of Padua, see Kohl, *Padua*, 265–69.

⁴⁴⁰ On Giangaleazzo's death and Novello's joyful excitement that it produced, Ester Pastorello, ed., *Il copialettere marciano della cancelleria carrarese (gennaio 1402-gennaio 1403)*, Monumenti storici pubblicati della Regia deputazione veneta di storia patria, serie prima: Documenti 19 (Venice: Emiliana, 1915), 388–92, docs. 721, 723, 724–27. The pact between Novello and Guglielmo della Scala is narrated in Galeazzo and Bartolomeo Gatari, *Cronaca carrarese*, 512. On this conflict, Kohl, *Padua*, 318–30.

subjected itself to Venice in order to avoid Paduan overlordship (12th of April, 1403).⁴⁴¹ From the war that ensued it was the *Serenissima* that ultimately emerged victorious, accepting into its growing dominion not only Vicenza, but Bassano, Belluno, Feltre, Verona and Padua as well.⁴⁴² The defeated lord of Padua was imprisoned and (together with his sons Francesco III and Giacomo) cruelly murdered by strangulation in a Venetian jail cell—the threat of the Da Carrara’s was neutralized once again, but this time it was coupled with Venetian territorial expansionism.⁴⁴³ With the defeat of Francesco II Novello, the winged lion of St. Mark set his paws firmly on the Italian continent—the Venetian *Terraferma* was born.

Simultaneously with their armed contingents locked in the conflict against the Da Carrara, Venice had to face an uprising against their dominion in Shkodër and its hinterland.⁴⁴⁴ Following the subjugation of the lord of Padua, Venice launched a highly successful counteroffensive against the rebel forces—not only was Shkodër reclaimed, but Venice expanded further into the region, annexing Budva (Ital. Budua, present-day Montenegro), Bar (Ital. Antivari or Antibari, present-day Montenegro) and Ulcinj (Ital. Dulcigno, present-day Montenegro), consolidating their

⁴⁴¹ On Verona: Verci, *Storia della Marca* 18: appendix, 57, doc. 2025; Galeazzo and Bartolomeo Gatari, *Cronaca carrarese*, 512–27. See also, Kohl, *Padua*, 329. On Vicenza: Antonio Menniti Ippolito, “La ‘fedeltà’ vicentina e Venezia. La dedizione del 1404,” in *Storia di Vicenza*, ed. Franco Barbieri and Paolo Preto, vol. 3/1: *L’età della Repubblica veneta (1404-1797)* (Vicenza: Neri Pozza, 1989), 29–43; Grubb, *Firstborn of Venice*, 3–6.

⁴⁴² The opinion that can still be found in secondary literature that these three towns were purchased from the duchess (or that she voluntarily ceded them to Venice) is wrong. The Venetian dominion over these three towns does not stem from any deal struck with the duchess of Milan, but from the towns’ voluntary submission to Venice, identically to the case of Vicenza. Verci, *Storia della Marca* 18: 131 (Belluno, a description based on Clemente Miari’s *Cronicon Bellunense*), appendix: 63–64, doc. 2029 (Feltre), 65–66, doc. 2031 (Bassano). See also, Italo Raulich, “Per un error di cronisti (l’acquisto di Vicenza pei veneziani),” *Nuovo archivio veneto* 5 (1893): 389–95; Cozzi, “Politica, società, istituzioni,” 12; Mallett, “La conquista della Terraferma,” 189; Varanini, “Venezia e l’entroterra,” 210. On Bassano’s pact of submission there is a detailed study in Gian Maria Varanini, “Le due redazioni dei capitoli di dedizione di Bassano a Venezia (1404),” *Bollettino del Museo Civico di Bassano*, n.s., 25 (2004): 75–82. Similarly for Belluno, see Gian Maria Varanini, “I ghibellini di Belluno e la cancelleria gonzaghesca al momento della prima dedizione a Venezia (maggio 1404),” *Archivio storico di Belluno, Feltre e Cadore* 78 (2007): 7–16. The best edition of *Cronicon Bellunense*, written by the contemporary to these events who described the passage of Belluno from Visconti’s to Venetian dominion in some detail, is Clemente Miari, *Chronicon bellunense (1383-1412)*, ed. Matteo Melchiorre, *Fonti per la storia della Terraferma veneta* 29 (Rome: Viella, 2015). On Venetian conquest of Verona, Galeazzo and Bartolomeo Gatari, *Cronaca carrarese*, 556–57. The Veronese pacts of submission to Venice, dated 16th of July, 1405, are edited in Luigi Messedaglia, “Dedizione di Verona a Venezia e una bolla d’oro di Michele Steno,” *Atti dell’Istituto Veneto di Scienze, Lettere ed Arti*, ser. Scienze morali e lettere, 95/2 (1935–1936): 75–104, edition on 95–97. On the conquest of Padua, Galeazzo and Bartolomeo Gatari, *Cronaca carrarese*, 571–75. The Paduan pacts of submission to Venice, dated 30th of January, 1406, are edited in Andrea Gloria, ed., *La bolla d’oro nella dedizione della città di Padova alla Repubblica Veneta* (Padua: Sicca, 1848), 13–41. Cf. the new and by far the best edition of this text, coupled with an introductory study, in Matteo Melchiorre, ed., *I patti con Padova (1405-1406): Dalla guerra alla Bolla d’oro*, *Pacta veneta* 14 (Rome: Viella, 2012), 139–70, doc. 10.

⁴⁴³ Galeazzo and Bartolomeo Gatari, *Cronaca carrarese*, 579–80; Romano, *Storia documentata* 5: 34–41; Italo Raulich, *La caduta dei Carraresi, signori di Padova* (Padua: Drucker e Senigaglia, 1890), 106; Kohl, *Padua*, 335–36.

⁴⁴⁴ Schmitt, *Das venezianische Albanien*, 257.

dominion in a progressively more Venetian south-eastern Adriatic.⁴⁴⁵ However, these military triumphs against the local warlords with perennially shifting political allegiances in a region highly exposed to the Ottoman influence marked but the beginning of protracted warfare that would continue throughout the fifteenth century, draining Venice of resources as it strove to preserve and safeguard its territories against the mercilessly expanding Ottoman Empire.⁴⁴⁶

In spite all of the above—the war of conquest against the Da Carrara, the military skirmishes against the Balkan warlords, and the ever-growing Ottoman threat—Venetian Istria remained largely unaffected by the turbulent developments that preoccupied the Republic of St. Mark during these momentous years. All the destabilization factors were distant enough from Istria not to disturb the wellbeing of the Venetian subjects of the Peninsula. Yet, this apparent serenity was nothing else but a calm before the storm, a tempest that would be ushered in by a fateful sales contract drawn up with a royal pretender.

On the 9th of July, 1409, after more than a year of intensive negotiations, Ladislas of Naples of House Anjou, the pretender to the Hungarian throne, officially sold all of his regal rights to Dalmatia to Venice for a sum of one hundred thousand golden ducats.⁴⁴⁷ This turn of events marks the beginning of a new era in the history of the Adriatic, the region that from this point on could once again be dubbed “the Gulf of Venice”. Moreover, this solemn trade contract heralded in an epoch of conflict that engulfed Istria as well, the destructive flames of warfare forever changing the jurisdictional outline of the Peninsula.

⁴⁴⁵ Ljubić, ed., *Listine* 5: 63–64, doc. 69; Schmitt, *Das venezianische Albanien*, 258; Valentini, “Dell’amministrazione,” 844. On the submission of Ulcinj (24th of June, 1405), see the pacts in Lajos Thallóczy, Konstantin Jireček, and Milan Šufflay, eds., *Acta et diplomata res Albaniae mediae aetatis illustrantia*, vol. 2: annos 1344–1406 continens, 2 vols. (Vienna: Adolf Holzhausen, 1918), 238–39, doc. 770 (hereafter: *ADRA*). On Bar and its submission (July of 1405), Thallóczy et al., eds., *ADRA*, 239–40, doc. 774.

⁴⁴⁶ The course of these wars is detailed in Schmitt, *Das venezianische Albanien*, 257–74 (from the uprising in Shkodër until the death of Balša III Stracimirović on the 28th of April, 1421), 275–313 (a period of skirmishes against the local lords and factions, from 1423 until the beginning of the open military conflict with the Ottoman Empire in 1463) and 593–628 (the war against the Ottomans from 1463 to 1479).

⁴⁴⁷ Ljubić, ed., *Listine* 4: 181–99, doc. 174. The literature on this sale is considerable and a standard topos in both Venetian, Hungarian, and Croatian historiography. A good, concise starting point is still Cusin, *Il confine orientale*, 183–84. The most detailed account is provided in Péter E. Kovács, *Zsigmond király és Velence (1387–1437): Az oroszán ugrani készül (1387–1411)* [King Sigismund and Venice (1387–1437): The lion prepares to jump (1387–1411)] (Budapest: Tarsoly Kiadó, 2017), 57–95. The most detailed account for the period between 1402 and 1409 from the viewpoint of Zadar’s civic elite is provided in Mladen Ančić, “Od tradicije „sedam pobuna“ do dragovoljnih mletačkih podanika: Razvojna putanja Zadra u prvome desetljeću 15. stoljeća” [From the tradition of the ‘seven rebellions’ to the voluntary Venetian subjects: The development of Zadar in the first decade of the fifteenth century], *Povijesni prilozi* 37 (2009): 43–94.

Naturally, King Sigismund of Luxembourg, the reigning king of Hungary who defeated the supporters of House Anjou and claimed the crown of St. Stephen, was not content with Venetian purchase of Dalmatia, the jewel of his kingdom. Indeed, the originally amicable relations between Venice and the reigning Hungarian monarch were souring from the outset of the fifteenth century.⁴⁴⁸ For example, from 1400 onwards Venice refused to pay to the lawful Hungarian king the yearly tribute of seven thousand ducats that was due according to the treaty of the Peace of Turin.⁴⁴⁹ The reason behind this refusal to honor the peace treaty stemmed from Sigismund's weakened position in Hungary as the monarch had been imprisoned by the disaffected barons of the Hungarian kingdom on the 28th of April, 1401, and the news of these "great perturbations" quickly reached Venice.⁴⁵⁰ Even though King Sigismund was quickly released (31st of August, 1401), this coup was enough for Venice to withhold the obligatory yearly tributes.⁴⁵¹ From that point on, especially after Ladislas's (illegitimate) coronation, the *Serenissima* systematically refused to hand out the sum of seven thousand ducats on the grounds of King Sigismund not being able to hold up his end of the Peace of Turin—powerless to keep the Dalmatian ports and towns open and free for Venetian ships "as the therein signed peace treaty stipulates" because "the lands and places of Dalmatia had been and are subtracted from his dominion and placed under a new lord."⁴⁵² Following the 1409 transaction with Anti-king Ladislas of Naples, Venice did not only

⁴⁴⁸ The relationship between Venice and Sigismund of Luxembourg was, at least on the surface, very amicable throughout the last quarter of the 14th century, even after the defeat at the Battle of Nikopol in 1396. These relations are concisely discussed in E. Kovács, *Zsigmond király*, 13–36.

⁴⁴⁹ Already on the 23rd of August, 1387, Venice and King Sigismund ratified the treaty made with King Louis I the Great, sanctioning the yearly tribute of 7000 golden ducats. Elemér Mályusz, ed., *Zsigmondkori oklevéltár*, vol. 1: 1387–1399 (Budapest: Akadémiai Kiadó, 1951), 19, doc. 197. In 1403, Venetian reasoning for the refusal of payment was that there were "magnas et diversas mutationes factas in regno." Ljubić, ed., *Listine* 4: 473, doc. 634 (9th of January, 1403, at this point Venice owed 21 000 ducats as it did not pay the tribute for three years). On this tribute, including these refusals, the most detailed account is provided in E. Kovács, *Zsigmond király*, 37–56.

⁴⁵⁰ Ljubić, ed., *Listine* 4: 431–32, doc. 619; Bálint Hóman, *Gli Angioini di Napoli in Ungheria 1290–1403* (Rome: Reale Accademia d'Italia, 1938), 513–15; Elemér Mályusz, *Kaiser Sigismund in Ungarn, 1387–1437*, trans. Anikó Szmodits (Budapest: Akadémiai Kiadó, 1990), 61–63; Jörg K. Hoensch, *Kaiser Sigismund: Herrscher an der Schwelle zur Neuzeit, 1384–1437* (Munich: C. H. Beck, 1996), 103–4; Pál, *The Realm of St. Stephen*, 206; E. Kovács, *Zsigmond király*, 37 (where a correction must be made as the "dominus de Valse" mentioned in the primary source consulted by E. Kovács does not refer to Berthold von Wehingen, but to Reinprecht II of Walsee, the heir to the lords of Duino and an important figure in 15th-century Istria to whom I will return later in the study).

⁴⁵¹ On Sigismund's liberation, Elemér Mályusz, ed., *Zsigmondkori oklevéltár*, vol. 2/1: 1400–1406 (Budapest: Akadémiai Kiadó, 1956), 144–45, doc. 1218 (31st of August, 1401).

⁴⁵² These refusals were repeated on multiple occasions. See for example, Ljubić, ed., *Listine* 5: 32–33, doc. 30 (29th of January, 1404). Venice again refused to pay the tribute on the 31st of July, 1404, again on the grounds of the situation in the Kingdom of Hungary and Dalmatia, indirectly implying that there is another crowned king with a powerbase there. Ljubić, ed., *Listine* 5: 44–45, doc. 45. The Venetians best clarified the reasoning behind their continued refusal to pay the obligatory yearly tribute in ambassadorial instructions to a Peter de Gualfredinis given on the 24th of October, 1403, where they explicitly stated that "patet satis... toti mundo si et quomodo prefatus excelsus dominus

obtain the much needed legal foundation for the expansion of its growing dominion over the four explicitly mentioned lands— Zadar, Novigrad, Pag and Vrana, with all their dependencies—, but it also received the aptly undefined “all the rights over the entire Dalmatia”.⁴⁵³ As Venice began subjecting Dalmatian centers on the basis of this transaction, accepting voluntary submissions of Zadar, Osor, Cres, Nin and Rab while besieging Šibenik and blockading Trogir, the communities that remained loyal to the Hungarian Crown, it was clear to Sigismund that the Republic of St. Mark indeed turned from ally to foe.⁴⁵⁴ Thus, the cunning Ginger Fox began planning his attack on the *Serenissima*, one that would not commence in Dalmatia and thus turn into naval warfare that would play into Venetian favor, but on the mainland, in the traditional breeding ground of anti-Venetian alliances—the Patriarchate of Aquileia.

rex Sigismundus fuerit et sit abilis et potens in Regno ad faciendum observari nobis promissa et tenendi portus et loca sua Dalmatie liberos et apertos nobis et navigiis nostris, prout in pactis hinc inde firmatis cavetur—cum ipse dominus fuerit extra suam libertatem detentus, et quando fuit in libertate permissus, ipsum oportuit de Regno recedere, dimittendo totum Regnum multipliciter laceratum et divisum, etiam terre et loca Dalmatie fuerunt et sunt a dominio suo subtrahere et alteri domino supposite, qui dominus, scilicet serenissimus dominus rex Ladislaus praesentialiter et in persona dominatur et regit in illis, propter quae et multa alia... non debeamus solvere dicta ducata septem millia.” ASV, SMi, reg. 46, fol. 110r. The instructions are edited, albeit far from perfectly, in Gusztáv Wenzel, “Története azon hétezer aranynyi adónak, melyet az 1381-ki turíni békekötésnél fogva a velencei köztársaság a magyar koronának évenként fizetni köteles volt” [The history of the 7000 gold tax that the Republic of Venice was obliged to pay to the Hungarian crown every year due to the peace treaty of Turin in 1381] *Magyar Akadémiai Értesítő* 7 (1847): 363–65. See also, E. Kovács, *Sigismund király*, 50–51.

⁴⁵³ “[Cum] cessione singulorum quoruncumque iurium super totam predictam Dalmatiam directo et utili dominio ac mero et mixto imperio cum gladii potestate, liberas et exemptas ab omni nexu et hipotecatione reali et personali, angaria et perangaria, prestatione, tributo seu quolibet alio oneris genere et specie servitutis, absque reservatione aliqua debenda prefato domino regi.” Ljubić, ed., *Listine* 5: 181, doc. 174.

⁴⁵⁴ On this first wave of Venetian expansionism following the sale of Dalmatia, see Marko Šunjić, *Dalmacija u XV. stoljeću* [Dalmatia in the 15th century] (Sarajevo: Svjetlost, 1967), 44–60.

Map 7: The Patriarchate of Aquileia c. 1410.

The volatile ecclesiastical principality of Aquileian prelates was in a period of great crisis after the incumbent patriarch Antonio Pancera greatly angered the community of Cividale who sought his

deposition with the pope in 1404.⁴⁵⁵ The contemporaneous papal schism further catalyzed the conflict: Pope Gregory XII official deposition of Patriarch Pancera—greeted by Cividale— was countered by Pope Alexander V who confirmed the same prelate as the sole head of the Aquileian Church—greeted by Udine and supported by Venice.⁴⁵⁶ With the (re)emergence of two inimical camps in Friuli, the Patriarchate of Aquileia was plunged into yet another period of chaotic infighting.⁴⁵⁷ Vying for supremacy in this ecclesiastical principality was Count Frederick III of Ortenburg who was trying to install his relative, Duke Ludwig of Teck, as the new patriarch.⁴⁵⁸ It was precisely the count of Ortenburg who would become Sigismund's main proxy for the organization of his anti-Venetian front.

On the 11th of October, 1409, Sigismund's half-brother, King Wenceslas IV, officially appointed Count Frederick III of Ortenburg as the imperial vicar in Friuli and the governor of the

⁴⁵⁵ The apple of discord was the right over the gastaldia of Tolmin that Pancera that Cividale had enjoyed since the days of Patriarch Marquard and that Pancera revoked. BCU, FP, *DF*, docs. 4771–772; Vincenzo Joppi, “Documenti goriziani del secolo XIV,” *AT*, ser. 2, 17/1 (1891): 28–31, doc. 289 (16th of May, 1379, the original pledge of Tolmin to Cividale); Ernesto Degani, ed., *Il codice diplomatico di Antonio Panciera da Portogruaro, patriarca d'Aquileia e cardinale di Santa Chiesa, 1406-1411*, Miscellanea di storia veneta, serie seconda 4 (Venice: Deputazione veneta di storia patria, 1898), 163–65, doc. 1. See also, Cusin, *Il confine orientale*, 151, 176–77. On the 1st of October, 1388, Patriarch John of Moravia confirmed to Cividale its jurisdictions over the gastaldia of Tolmin. BCU, FP, *DF*, doc. 5405. The oldest primary sources—at least to my knowledge—that attest to Pancera's revendication of Tolmin stem from the April of 1406. Vincenzo Joppi, “Documenti goriziani del secolo XV,” *AT*, ser. 2, 18/1 (1892): 13–14, doc. 7. Cf. Degani, ed., *Il codice*, 35; Paschini, *SdF*, 700–1. The best account of the entire “Tolminian divide” is presented in Dieter Girgensohn, *Kirche, Politik und adelige Regierung in der Republik Venedig zu Beginn des 15. Jahrhunderts*, 2 vols., Veröffentlichungen des Max-Planck-Instituts für Geschichte 118 (Göttingen: Vandenhoeck & Ruprecht, 1996), vol. 1: 280–84.

⁴⁵⁶ De Rubeis, *MEA*, cols. 997–98 and 1004–6; Degani, ed., *Il codice*, 300–2; Girgensohn, *Kirche, Politik* 1: 284–88. See also, Paschini, *SdF*, 702–3; Cusin, *Il confine orientale*, 177–78; Dieter Girgensohn, “La crisi del patriarcato d'Aquileia verso l'avvento della Repubblica di Venezia,” in *Il Quattrocento nel Friuli occidentale. Atti del convegno organizzato dalla Provincia di Pordenone nel mese di dicembre 1993*, vol. 1 (Pordenone: Provincia di Pordenone, 1996), 56. On Gregory XII, that is the Venetian nobleman Angelo Correr, see Gherardo Ortalli, “Gregorio XII,” in *Enciclopedia dei Papi* (Rome: Treccani, 2000), http://www.treccani.it/enciclopedia/gregorio-xii_%28Enciclopedia-dei-Papi%29/ (last access: 22nd of June, 2020); Dieter Girgensohn, *Venezia e il primo veneziano sulla cattedra di San Pietro: Gregorio XII (Angelo Correr), 1406-1415*, Quaderni 30 (Venice: Centro tedesco di studi veneziani, 1985).

⁴⁵⁷ Girgensohn, “La crisi del patriarcato,” 56–57 with fns. 45–48 for all the relevant primary sources.

⁴⁵⁸ Christian Lackner, “Zur Geschichte der Grafen von Ortenburg in Kärnten und Krain,” *Carinthia I* 181 (1991): 187–88; Christian Domenig, “Das Haus Cilli: Erbverbrüderungen im Südosten des Reiches,” in *Erbeinungen und Erbverbrüderungen in Spätmittelalter und Früher Neuzeit: Generationsübergreifende Verträge und Strategien im europäischen Vergleich*, ed. Mario Müller, Karl-Heinz Spieß, and Uwe Tresp (Berlin: Lukas, 2014), 119–210. Note that the eponymous seat of power of this comital house is in Austrian Carinthia, next to Baldransdorf in the Spittal an der Drau, and not in Bavaria where another town called Ortenburg exists in the district of Passau. On Ludwig of Teck: Christian Domenig, “Ludwig von Teck und der Niedergang der weltlichen Herrschaft des Patriarchats von Aquileia,” in *Nulla historia sine fontibus: Festschrift für Reinhard Härtel zum 65. Geburtstag*, ed. Anja Thaller, Johannes Gießauf, and Bernhard Günther, Schriftenreihe des Instituts für Geschichte 18 (Graz: Leykam, 2010), 150–57.

Church of Aquileia until the uncontested appointment of a new patriarch.⁴⁵⁹ The appointment of Count Frederick III was an elegant maneuver that not only emboldened the existing anti-Venetian forces in the region, but that also opened wide the door to his ambitious half-brother—the monarch who had most probably whispered this vicarial appointment to Wenceslas ear—who could now interfere in Friuli and the entire ecclesiastical principality of Aquileia through his faithful ally and relative, the progeny of House Ortenburg.⁴⁶⁰ Finally, with a royal client in charge of the divided

⁴⁵⁹ The document is, to my knowledge at least, still inedited. The original charter is nowadays stored in Vienna, in the Haus-, Hof- und Staatsarchiv, Allgemeine Urkundenreihe, 1409 XI 10. A 19th-century copy, done by Vincenzo Joppi, exists in BCU, Fondo Joppi (hereafter: FJ), ms. 374: *Documenti friulani dal 1397 al 1420* (hereafter: *Doc. F 1397–1420*), fasc. 3, doc. 28 (folios unpaginated). The charter was cited two times by Marija Wakounig in her monograph on the conflict between King Sigismund and Venice in the first quarter of the 15th century, but the document was not edited in that particular publication. Marija Wakounig, *Dalmatien und Friaul: Die Auseinandersetzungen zwischen Sigismund von Luxemburg und der Republik Venedig um die Vorherrschaft im adriatischen Raum* (Vienna: Verband der wissenschaftlichen Gesellschaften Österreichs, 1990), 28 fn. 62, 40 fn. 111. It should be noted that there is some epistemic dissonance regarding Frederick III's appointment as the imperial vicar and governor of the Aquileian Church. Namely, Wakounig stated that Count Frederick III had been promoted to "a similar office" (*ein ähnliches Amt*) already in 1402 by the very King Wenceslas IV. Wakounig, *Dalmatien und Friaul*, 36. In support of her statement Wakounig cites a very partial edition of a primary source, reportedly from the 10th of June, 1401, in which King Wenceslas IV writes to his faithful subjects in Friuli, encouraging them to obey Count Frederick III of Ortenburg and promising that aid will soon be provided to them against their rivals ("parati enim sumus, vobis in brevi temporis spacio sic succurrere et contra emulos vestros de tali providere remedio"). This document was edited, and this edition was cited by Wakounig, only very partially in a footnote of the edition of the acts of the proceedings of German diets where it was indeed dated 10th of June, 1401. Julius Weizsäcker, ed., *Deutsche Reichstagsakten unter König Ruprecht*, vol. 2, DRTA 5 (Gotha: Friedrich Andreas Perthes, 1885), 179, fn 4. However, if one looks at the *formula datationis* of the charter in question, it reads "Datum Prage die 10 iunii regni nostri anno Bohemie 47 Romani vero 34." Thus, the years of reign for King Wenceslas IV—crowned the king of Bohemia in 1363 and the King of Roman in 1376—both correspond perfectly to 1410, that is after he had already made Count Frederick III of Ortenburg his imperial vicar in Friuli. This also explains why the document states that the subjects in Friuli should "obey Frederick of Ortenburg as their governor as before" ("Sie möchten wie bisher dem Friedrich von Ortenburg als ihrem Gubernator gehorchen"). Wakounig uncritically took over this partial edition and thus made an error that makes much of her subsequent interpretation of Ortenburg's involvement in Friuli worthless. Wakounig's statement is, unfortunately, intermittently acknowledged to present day. See for example Domenig, "Ludwig von Teck," 153. It was already Lackner, however, who correctly highlighted that the document in question is simply erroneously dated and that Frederick III's appointment as imperial vicar must be dated to 1409, not earlier. Lackner, "Zur Geschichte," 189, fn. 39. More careful historians, such as Girgensohn for example, are aware of this error and correctly date Ortenburg's appointment to 1409, not to 1401/2. Girgensohn, *Kirche, Politik* 1: 292, fn. 155; Girgensohn, "La crisi del patriarcato," 58, fn. 68.

⁴⁶⁰ The Ortenburg's were family related to the counts of Celje as the daughter of Count Albert I of Ortenburg, Adelaide, married Count Ulrich I of Celje; Sigismund married Countess Barbara of Celje. Lackner, "Zur Geschichte," 186; Sara Katanec, "The Perquisite of a Medieval Wedding: Barbara of Cilli's Acquisition of Wealth, Power, and Lands," M.A. thesis (Budapest, Central European University, 2014), 29–44 and cf. Amalie Föbel, "Barbara von Cilli: Ihre frühen Jahre als Gemahlin Sigismunds und ungarische Königin," in *Sigismund von Luxemburg: Ein Kaiser in Europa. Tagungsband des internationalen historischen und kunsthistorischen Kongresses in Luxemburg, 8.-10. Juni 2005*, ed. Michel Pauly and François Reinert (Mainz: Philipp von Zabern, 2006), 95–112, esp. 101–2. On the significance of imperial vicariate during this period—a tool to legitimize political action of an imperial ally in *Regnum Italicum*, see Francesco Somaini, "Les relations complexes entre Sigismond de Luxembourg et les Visconti, ducs de Milan," in *Sigismund von Luxemburg: Ein Kaiser in Europa: Tagungsband Des Internationalen Historischen Und Kunsthistorischen Kongress in Luxemburg, 8-10 Juni 2005*, ed. Michel Pauly and Frank Reinert (Mainz: Philipp von Zabern, 2006), 163, 166. On imperial vicariates more broadly, albeit for an earlier period, see Andrea Zorzi,

Friuli, Sigismund could mold the Patriarchate of Aquileia into a hub of a new anti-Venetian alliance, transforming Friuli into a center of military operations from which the attacks on Venice could be led.

The military operations began soon after Frederick III's descent in Friuli: already in December of 1409 the count of Ortenburg went on the offensive as Monfalcone succumbed to the combined might of the pro-imperial party.⁴⁶¹ A domino effect ensued and one by one the communities of Friuli where pledging allegiance to the imperial vicar.⁴⁶² "The new developments in the homeland [of Friuli] are very worrying and troublesome due to the advent of the magnificent lord the count of Ortenburg who continually draws to his obedience the people and the communities of the homeland to his favor and support," spoke anxiously Tristano Savorgnan in the civic council of Udine on the 22nd of February, 1410.⁴⁶³ Even though begged to provide meaningful aid to its endangered allies, Venice refused to get involved more directly, instructing its neighbors to deal with the situation themselves and remain united against the "foreign threat."⁴⁶⁴

The severity of the entire situation was catalyzed to new heights with Sigismund of Luxembourg's election as the king of the Romans on the 20th of September, 1410.⁴⁶⁵ As the newly

"Ripensando i vicariati imperiali e apostolici," in *Signorie italiane e modelli monarchici: Secoli XIII-XIV*, ed. Paolo Grillo, Italia comunale e signorile 4 (Rome: Viella, 2013), 19–43.

⁴⁶¹ "Illo vero anno Civitatenses dediti sunt comiti de Ortemburg, eique adhererunt cum omnibus colligatis suis, et idem comes venit Civitatem Austrie plusquam cum ducentis equis. Et cepit Montemfalconem et imposuit gentem suam intus." De Rubeis, ed., "Nonnullorum patriarcharum vite," in Bernardo Maria de Rubeis, *MEA*: appendix, 18 (hereafter: *NPV*); University of Pennsylvania, Kislak Center for Special Collections, Rare Books and Manuscripts section, ms. 934: *Vitae episcoporum et patriarcharum Aquileiensium*. Consultable online at <http://bibliophilly.library.upenn.edu/viewer.php?id=Ms.%20Codex%20934> [last access: 1st of July, 2020], fol. 43v (hereafter: *VEPA*). See also, Paschini, *SdF*, 707; Cusin, *Il confine orientale*, 186–87; Pier Silverio Leicht, "L'esilio di Tristano di Savorgnano," in *Studi di storia friulana* (Udine: Società filologica friulana, 1955), 42–43.

⁴⁶² "Similiter Carnea, Tulmentium, Glemona, Spilimbergh, Valvesonum, Sanctus Vitus, Brunera, Purcilium, Maranam et omnes trans Tulmentum obediebant illi comiti tanquam vicario imperatoris." De Rubeis, ed., *NPV*, 18; *VEPA*, fol. 43v.

⁴⁶³ "Super propositis per egregium militem dominum Tristanum de Savorgnano exponentem qualiter nova in patria sunt valde ardua et ponderosa propter adventum magnifici domini comitis de Orthenburg, qui continuo atrahit ad sui obedientiam homines et comunitates patrie in favorem et subsidium ipsius domini comitis." BCU, ACU, Annales, reg. 18, fol. 11r.

⁴⁶⁴ "Etiam scimus et cognoscimus, quod dominus patriarcha non habet talem condicionem et posse in patria, quod per se solum sine consensu et voluntate aliorum de patria posset nec cum rege Hungarie nec cum aliquo alio facere ligam, conventionem, compositionem vel pactum. Etiam cognoscimus, quod si pur volunt substinere patriarcham Antonium, Utinenses et ipsi et alii de parte sua sunt bene ita potentes, quod si volunt exponere de facultatibus suis possunt, si volunt sine alieno auxilio substinere patriarcham predictum." ASV, SS, reg. 4, fol. 108r–108v (6th of May, 1410).

⁴⁶⁵ Following the death of King Rupert of the Palatinate one half of the electors—the count Palatine of Rhine, archbishop of Trier, and burgrave of Nuremburg voting in the name of the elector of Brandenburg—elected Sigismund as the new king of the Romans on the imperial diet held in Frankfurt on the 20th of September, 1410. A few days later (1st of October), the other half picked Jobst, the margrave of Moravia. As Jobst died in January of 1411, Sigismund remained the only king. The electorate confirmed King Sigismund as *rex Romanorum*, officially electing him on the 21st of July, 1411. The first election of Sigismund in 1410 in Dietrich Kerler, ed., *Deutsche Reichstagsakten unter*

elected king of the Romans, one of Sigismund's first acts was the confirmation of his trusted ally, the count of Ortenburg, as the imperial vicar in Friuli (24th of January, 1411).⁴⁶⁶ Following this solemn deed, it did not take long for Count Frederick III to again move on the offensive. Already in February of 1411 the imperial vicar moved his troops to Istria as he quickly managed to establish his authority in the Aquileian towns of Muggia, Buje and Oprtalj.⁴⁶⁷ Sigismund's powerbase could now threaten Venetian territories on three fronts simultaneously: from Friuli, Istria, and Dalmatia.

The Aquileian *Marchionatus Istrie* had remained under the authority of the pro-Venetian Patriarch Pancera; it was entrusted to Christopher of Cucagna, a member of the noble house loyal both to Pancera and Venice who governed the region as a margrave loyal to the Udinese cause.⁴⁶⁸ For example, following Ortenburg's takeover of Monfalcone, it was Christopher of Cucagna who planned a military reconquest of the town, a ploy that ultimately failed.⁴⁶⁹ Conversely from the lands of the margraviate, Muggia remained in close contact with Cividale and, consequently, Ortenburg's camp.⁴⁷⁰ Even though there was a party loyal to the Udinese cause—headed by a Testa de Testis who supported Margrave Cucagna's plans on the *reconquista* of Monfalcone—it was in the end the supporters of Count Frederick III of Ortenburg that ended up leading the town into the

Kaiser Sigmund (hereafter: *DRTA: Sigmund*), vol. 1: 1410-1420, DRTA 7 (Munich: Rudolph Oldenbourg, 1878), 41–50, docs. 30–32. Election of Jobst in Kerler, ed., *DRTA: Sigmund* 1: 69–75, docs 50–52. Second election of Sigismund in 1411 in Kerler, ed., *DRTA: Sigmund* 1: 116–118, docs. 68–69. On these Sigismund's elections of 1410/11, see Márta Kondor, "The Ginger Fox's Two Crowns: Central Administration and Government in Sigismund of Luxembourg's Realms, 1410–1419," PhD dissertation (Budapest, Central European University, 2017), 21–27.

⁴⁶⁶ The charter is, to my knowledge at least, still inedited. It is stored in Haus-, Hof- und Staatsarchiv, Allgemeine Urkundenreihe, 1411 I 24. The regesta of the charter are published in Wilhelm Altmann, ed., *RI*, vol. 11: *Die Urkunden Kaiser Sigmunds (1410-1437)*, p. 1: 1410–1424 (Innsbruck: Wagner'sche Universitäts-Buchhandlung, 1896), 3, doc. 28; Elemér Mályusz, ed., *Zsigmondkori oklevéltár*, vol. 3: 1411–1412 (Budapest: Akadémiai Kiadó, 1993), 88, doc. 77. On the very same day King Sigismund wrote to his subjects in the Patriarchate of Aquileia commanding them to obey his imperial vicar, Count Frederick III of Ortenburg. Altmann, ed., *RI* 11/1: 3, doc. 29; Mályusz, ed., *Zsigmondkori oklevéltár* 3: 88, doc. 78. See also Lackner, "Zur Geschichte," 189.

⁴⁶⁷ These facts were reported to Venice by Patriarch Pancera himself. His letter is published *in extenso* in Kandler, ed., *CDI* 4: 1565, doc. 930 (21st of February, 1411).

⁴⁶⁸ Christopher of Cucagna is attested as Pancera's margrave of Istria for the first time in an undated letter attributed by Gian Rinaldo Carli to 1409. The letter is edited *in extenso* in Carli, *Appendici*, 128–29, doc. 44 ("[R]eferens nobis [patriarche Antonio] qualiter ad instantiam nobilis Xristoferi de Cuchanea marchionis nostri Istrie"). The same individual appears as the margrave of Istria in another undated letter, attributed by Kandler to 1410–11. The letter is edited *in extenso* in Kandler, ed., *CDI* 4: 1557, doc. 923 ("mandavimus nobile Christophoro de Cucanea marchioni nostro"). A member of House Cucagna, an "Ingelpret de Cuchagna", was awarded Venetian citizenship *de intus* by privilege on the 27th of December, 1409. The privilege is copied *in extenso* in BCU, FJ, Joppi, ed., *Doc. F 1397–1420*, fasc. 3, doc. 30. The original privilege is for some reason very partially copied in ASV, SP, reg. 1374–1425, fol. 192v ("Privilegium egregii viri Ingelpret de Cuchagna concessum de intus tantum cum suis filiis et heredibus. Michael Steno Dei gratia dux Veneciarum et" and here the entry ends).

⁴⁶⁹ Joppi, "Documenti inediti," 318–20., doc. 22; Kandler, ed., *CDI* 4: 1563, doc. 928. See also, Colombo, *Storia di Muggia*, 98–99.

⁴⁷⁰ For the period prior to 1409, see Cusin, *Il confine orientale*, 188 fn. 27; Maria Laura Iona, "Le podesterie di Corrado III Boiani a Muggia (precisazioni cronologiche)," *MSF* 41 (1954–1955): 135–54.

alliance with the Cividalese party.⁴⁷¹ Thus, in December of 1410, the podestà of Muggia was none other than Count Hermann of Celje, a close family relative of Count Frederick III, who, unsurprisingly, refused to pay any tributes to Patriarch Pancera.⁴⁷² Therefore, the wording of Antonio Pancera who notified Venice that Count Frederick III had “just snatched” Muggia must be taken with a large grain of salt as the maritime commune professed fealty to the imperial vicar for quite some time before his official entry into the Peninsula.⁴⁷³ The imperial vicar’s subjugation of the part of the Aquileian *Marchionatus Istrie*, however, was a drop that spilled the glass for Venice.

The expansion of Count Frederick’s powerbase to Istria and his annexation of margravian lands, especially the strategically valuable Buje, provoked Venice to finally abandon its position of formally indirect, very timid interventionism, daring the winged lion of St. Mark to once again decisively take the matters of the neighboring Patriarchate of Aquileia in its own paws. Thus, on the 20th of February, 1411, the Venetian Senate deliberated on the grave developments in Istria, communicated to them by their podestà of Koper and by their ally in the region, Margrave Christopher of Cucagna. On that day, however, the proposal to quickly reconquer Buje was ultimately rejected by the Senate. It was only on the 21st of February that a similar proposal ended up being adopted: one hundred and fifty soldiers would be requisitioned to Istria and put under the command of the incumbent captain of Rašpor and other delegated rectors in order to keep the province safe; Buje was to be quickly won over from the count of Ortenburg, “either by force or by any other way,” and, once the town had been secured, a standard of the Patriarchate of Aquileia had to be erected, notifying both the pope and Patriarch Pancera that Venice had annexed Buje only so that it would not remain in the hands of their mutual enemies; finally, messengers would be sent to Patriarch Pancera in order to see to the reconquest of Ortenburg-held lands pertaining to Aquileian Istria.⁴⁷⁴

⁴⁷¹ Joppi, “Documenti inediti,” 318–20, doc. 22. See also, Colombo, *Storia di Muggia*, 98.

⁴⁷² All of this is read from two letters of Pancera to the count of Celje edited in Kandler, ed., *CDI* 4: 1561, doc. 926 and 1578, doc. 940 (the dating should be corrected to December of 1410 for doc. 940). See also, Colombo, *Storia di Muggia*, 100–1 and fn. 11 for Count Hermann of Celje as podestà of Muggia.

⁴⁷³ “Nunc vero, sicut relatione nobilis Christophori de Cucanea marchionis nostri Istrie dolenter accepimus, idem comes [Federicus III de Ortenburg], omni spreto rubore et huiusmodi treugis non obstantibus, in spretum et vilipendium tam domini nostri pape, quam inclyte ducalis dominationis vestre, nuper subtraxit et alia conatur subtrahere et in se recepit nomine, ut fertur, domini regis Hungarie, terram nostram Mugle ac castra Bulearum et Portularum.” Kandler, ed., *CDI* 4: 1565, doc. 930.

⁴⁷⁴ ASV, SS, reg. 4, fols. 160v–161r (regestum in “Senato secreti I,” 268–69). I have edited the minutes of these deliberations *in extenso* in the appendix. See doc. II/G in appendix 3.

Thus began the Venetian counterattack and the imperial vicar was soon put on the defensive. The quest to conquer Buje was given to Ermolao Lombardo with all the Venetian rectors of Istria tasked to aid in the endeavor.⁴⁷⁵ The arrival of Lombardo persuaded the civic elite of Muggia to reconsider their alliance with the count of Ortenburg and in early March the ambassadors of this community approached Venice in order to open negotiations on the modality of their relations. After several rounds of discussions in the Venetian Senate, it was finally decided that Muggia would officially retract its support to Sigismund's imperial vicar, erect the standard of the Aquileian Church, and accept a temporary Venetian rector until the election of a new, universally acknowledged patriarch.⁴⁷⁶ In the meantime, the war in Friuli continued as the Udinese and Cividalese partisans clashed across the battle-scarred region.⁴⁷⁷

King Sigismund's position was steadily improving: he was elected as the uncontested king of the Romans on the imperial diet of Frankfurt (21st of July, 1411) and Patriarch Pancera was officially elevated to the position of cardinal and thus removed from the Patriarchate of Aquileia, leaving the throne of St. Hermagoras officially emptied.⁴⁷⁸ Venice, however, continued to limit its direct involvement in Friuli. When the first wave of Sigismund's Hungarian soldiers joined Cividale's and count Ortenburg's forces, Venice, beseeched to help its allies, briskly replied that it refuses to carry "all the burden" of this conflict.⁴⁷⁹ Thus, Tristano and Udine turned to House

⁴⁷⁵ "Lettere segrete I," 138–39 (26th of February, 1412).

⁴⁷⁶ ASV, SS, reg. 4, fols. 164v–165r (regesta in "Senato secreti I," 270–71). I have edited the conclusion to these negotiations *in extenso* in the appendix. See doc. II/H in appendix 3. See also, Colombo, *Storia di Muggia*, 102–3.

⁴⁷⁷ De Rubeis, ed., *NPV*, 18; *VEPA*, fol. 44r–44v. See also, Paschini, *SdF*, 711–12.

⁴⁷⁸ Sigismund's uncontested election: Kerler, ed., *DRTA: Sigmund 1*: 116–118, docs. 68–69. Pancera's promotion: Conrad Eubel, ed., *Hierarchia catholica medii aevi*, vol. 1 (Münster: Libraria Regensbergiana, 1913), 32. Girgensohn, *Kirche, Politik 1*: 307–8; Paschini, *SdF*, 713; Girgensohn, "La crisi del patriarcato," 59.

⁴⁷⁹ Tristano asked for one hundred cavalymen and one hundred infantrymen that would be paid for by Venice (a month of their total upkeep would amount to 800 golden ducats). The entire *pars* is recorded as follows: "Die XV octobris, capta. Cum noviter scriptum sit nostro Dominio per dominum Tristanum de Sourignano per suas literas multa continentes de spe favoris nostri, sed in effectu petit habere equos centum et pedites centum cum stipendio quinque ducatorum pro equo quolibet mense et ducatorum III pro pedite in mensis et prestantiam per medio anno ac firmam pro uno pro statu suo et suorum fortilitiorum ac defensione libertatis Ecclesie Aquilegiensis et cum certis aliis conditionibus et cetera, et super hoc requirat habere responsum prestatum, vadit pars, quod fiat responsio sibi in hac forma, que responsio erit conformis ad effectum responsionis alias sibi date cum hoc consilio, videlicet, quod recepimus et intelleximus litteras suas plene et continentiam ipsarum, ad quas respondemus, quod occasionibus sue nobilitati notis et bonis respectibus providimus et tenuimus modum, quod strenuus vir Chechus de Manzatoribus quem alias cassaverant ipse et Utinenses, quod non placuit nobis, pro bono suo proprio reverteretur ad ipsum et ad illam comunitatem, ut possent sibi providere opportune, et hoc fecimus quia cognovimus fore utile et proficuum pro statu et securitate sua et, ut videtur ipsi noluerunt consentire de accipiendo illum ad stipendium, de quo pur cogimur admirari considerate conditione ad quam sunt, et scribunt esse presentialiter. Et ideo ad ea, que scribit ipse dominus Tristanus, dicimus quod alias sibi fecimus dici, quod optantes quietem patrie illius et tranquillitatem ac libertatem sui status hortabamur quod, ut velent ostendere virilitatem et animositatem suam et conari velle defendere libertatem suam, et quod ad hoc se disponerent, et a parte sua facerent posse suum, ita quod videremus, quod essent dispositi velle se

Habsburg to whom they professed their fealty and relinquished the strategically valuable forts—Portogruaro, Soffumbergo, Tricesimo and Petrapilosa in Istria, the seat of the delegated margrave—in order for the newly constituted protectors to provide adequate defense against the impending attack of their enemies.⁴⁸⁰

The alliance, however, bore no fruit and, as Fabio Cusin lucidly concluded, “Savorgnan’s filoautrian diversion was unfortunate in every sense.”⁴⁸¹ Not only did many of the Friulian allies refuse to pledge their support to the Habsburgs, thus leaving Udine isolated against the growing might of Ortenburg’s party, but the alliance with the dukes of Austria greatly angered Venice as well.⁴⁸² For example, already on the 15th of November the Venetian podestà of Grožnjan in Istria informed the senators of the alliance, and that Christopher of Cucagna, the incumbent margrave of Istria, was advised to “bend the knee” to the Austrian dukes. The *Serenissima* responded by sending a letter to Margrave Cucagna and to his deputy in Dvigrad, urging the former “not to follow or pursue the way of what the Udinese had done and submit himself and his freedom to the dukes of Austria, but to hold and safeguard the forts committed to him for the honor of the Church of Aquileia until the arrival of a new patriarch.”⁴⁸³ To the latter, however, a Lugnano Lugnani from Koper who served as a podestà of Dvigrad, Venice promised aid in the amount of forty foot soldiers sent from the neighboring Poreč and Sv. Lovreč, instructing the margrave’s deputy to “safeguard

conservare et defendere, quia nos similiter, qui pacificum statum ipsius patrie desideramus, essemus parati et dispositi prestare sibi et illi comunitati illud subsidium et favorem, qui foret conveniens et rationabilis, ut simul cum suo possent statum et libertatem suam conservare. Sed per id quod scribit ipse dominus Tristanus videtur, quod nichil a se offerat nec velit facere nec illa comunitas Utinensis similiter, sed vellent quod omnes onus foret et verteretur super nos, quod non est nostra intentio ullo modo. Et propterea si ipse et illa comunitas volunt sequi et facere per modum sibi per nos factum dici, videlicet, quod velint facere a parte sua pro favore suo ac defensione et securitate status sui id, quod sit conveniens atque iustum debeant nos clarificare et dicere clare intencionem suam, quia faciemus et erimus contenti facere a parte nostra id, quod sibi facimus dici diebus elapsis. Similiter quia illa comunitas Utinensis per suas litteras nobis scripsit requirendo favorem et subsidium nostrum sibi mittendum pro securitate sua ac defensione status Ecclesie Aquilegiensis, vadit pars, quod similiter et in eadem forma debeat responderi et rescribi per nostras litteras comunitati Utini sicut et quem ad modum scribitur domino Tristano de Savrignano pro responsione litterarum suarum. De parte omnes alii, de non 1, non sinceri 1.” ASV, SS, reg. 4, fol. 201v. This rejection was recorded by the anonymous author of *VEPA* who wrote that “Utinenses miserunt ad Venetos cum consilio domini Tristanni de Savorgnano, ut Veneti subvenirent eis, qui responderunt quod non possent eis dare subsidium.” *VEPA*, fol. 45v.

⁴⁸⁰ Arthur Steinwenter, “Studien zur Geschichte der Leopoldiner,” *Archiv für österreichische Geschichte* 63 (1882): 74–78, doc. 1. On this deal, see Leicht, “L’esilio di Tristano,” 73–76; Cusin, *Il confine orientale*, 192–93.

⁴⁸¹ “La diversione filoautriaca dei Savorgnan non fu fortunata in nessun senso.” Cusin, *Il confine orientale*, 193.

⁴⁸² Pier Silverio Leicht, “Trattative fra Udine e San Daniele nel 1411,” *MSF* 24 (1928): 110 and 112–13 (citing the negative replies to an alliance with the dukes of Austria by the community of San Daniele and House Spilimbergo).

⁴⁸³ “Fidelitati tue mandamus, quatenus procures esse cum dicto Christofo de Cuchagna marchione in Petra Pilosa et eundem cum verbis pertinentibus et bonis hortari debeas nostri parte, quod nolit sequi nec servare modum, quem Utinenses fecerunt, in submittendo se et libertatem suam ducibus Austrie.” Steinwenter, “Studien zur Geschichte,” 89.

and defend Dvigrad... for the honor of the Aquileian Church, encouraging the citizens and dwellers therein to stand firmly in high spirits and not to doubt in anything, because we will defend, protect and keep them safely under the obedience of the Aquileian Church, as our faithful allies, as we previously promised.”⁴⁸⁴ The winged lion of St. Mark finally awoke from its slumber and jumped to aid its endangered allies in the Patriarchate of Aquileia. The jump, however, was answered by an unrelenting stampede.

“On the 28th of November, the army of lord king of Hungary arrived in the parts of Friuli with eleven thousand soldiers whose leader or head was a Florentine called Pippo.”⁴⁸⁵ With these words the contemporary Friulian chroniclers described the inception of an epoch of destructive warfare and slaughter that would plague the ecclesiastical principality of Aquileia for years to come.⁴⁸⁶ This was Sigismund’s answer to both the alliance between Udine and the dukes of Austria

⁴⁸⁴ “Circa autem factum Duorum Castrorum, tibi [Lugnani] dicimus, quod ordinavimus potestatibus nostris Sancti Laurentii et Parentii, quod ad omnem tuam requisitionem tibi mittant homines viginti pro quolibet dictorum locorum, quos tenere debeas ad custodiam et defensionem Duorum Castrorum, quod locum volumus, quod conservare et custodire debeas ad honorem Ecclesie Aquilegiensis hortando cives et habitatores dicti loci, quod stent bono animo, et quod de aliquo non dubitent, quia illos defendemus, custodiemus et conservabimus sub obedientia Ecclesie Aquilegiensis tamquam fideles reccomendatos nostros, sicut alias sibi promissimus.” Steinwenter, “Studien zur Geschichte,” 89–90.

⁴⁸⁵ “Item XXVIII die novembris applicuit ad partes Foroiulii exercitus domini regis Hungarie cum XI millibus, quorum ductoru sive caput erat quidem Florentinus nomine Pipo.” De Rubeis, ed., *NPV*, 18; *VEPA*, fol. 45r. The number of eleven thousand soldiers seems overblown, but similar estimations are given by other contemporary chroniclers. For example, an anonymous Venetian author reports the number of nine thousand soldiers: “Adi 3 Dezembrio Pipo con l’esercito de Re d’Ungaria che se raxona e da 9000 cavi zunze in Friuli.” Vincenzo Joppi, “Cronachetta veneziana dal 1402 al 1415,” *Archivio veneto* 17/1 (1879): 319. The anonymous chronicler of Spilimbergo recorded that “[d]ie XX novembris applicuit in Foroiulio dominus Pippo capitaneus generalis gentium illustrissimi domini Sigismundi regis Hungarie, qui habeat secum quatuordecim millia Hungaros equestres.” Bianchi, ed., *Chronicon Spilimbergense*, 15. Trevigian chronicler Redusio reported seventeen thousand soldiers: “Interim Pipus de Sclaribus origine Florentinus, tunc apud regem Hungarie factus ban, qui lingua nostra comes sonat, unus ex principalibus suis Hungarie, cui rex magis fidebat, mandato regis cum XVII millibus equis Hungarorum a regno discedens.” Redusio, “Chronica,” cols. 833–834. Sigismund himself stated that he had sent ten thousand soldiers. See the following footnote. On these numbers, see also Gizella Nemeth and Adriano Papo, “Pippo Spano nella ‘Patria’ del Friuli,” *Studia historica Adriatica et Danubiana* 1, no. 1 (2008): 16–17.

⁴⁸⁶ Note on the chroniclers’ accounts of King Sigismund’s war against Venice: The three contemporary anonymous Friulian chroniclers, the authors of *NPV*, *VEPA* and the *Chronicon Spilimbergense*, offer very brief accounts of the entire eight years period of war, only a few lines each. As such, they provide little information on the movement of troops, battles, sieges, conquests and truces that are seminal for the interpretation not only of the military conflict, but of the ensuing aftermath as well. A contemporary chronicler who offers more information is Andrea Redusio, the chronicler of Treviso, on whose accounts much of the following will be based upon. Redusio, “Chronica,” cols. 833–850. In secondary literature, the most often (ab)used narrative sources have traditionally been Marino Sanudo the Younger’s *Vite duum Venetorum*, an account of the history of Venice that the author started writing only in 1493 based on a myriad of older historical writings, and the so-called *Cronaca Dolfina*, named after House Dolfín to whom the chronicle belonged to, written “by eight hands”—to use the term of Angela Caracciolo Aricò—that is, by Giorgio Dolfín (1396–1455/58), by his son Pietro Dolfín (1427–1506), and by the two members of House Gussoni—Nicolò and his son Andrea, both of whom lived and wrote in the first half of the 16th century. Angela Caracciolo Aricò and Chiara Frison, eds., *Cronica della nobil città de Venetia et dela sua provintia et destretto: origini-1458*, 2 vols. (Venice: Centro di studi medievali e rinascimentali “E. A. Cicogna,” 2007) (hereafter: *Cronaca Dolfina*); Angela

as well as to Venetian unbending attitude towards Dalmatia.⁴⁸⁷ Led by Filippo Buondelmonti degli Scolari—better known as Pippo Spano, Sigismund’s close associate and one of the original members of the Order of the Dragon—the massive Hungarian army quickly stormed Friuli and crushed any opposition unlucky enough to stand on their way.⁴⁸⁸ Already in the first days of

Caracciolo Aricò, “Introduzione: La ‘cronaca’ di Giorgio Dolfin: Una scrittura a otto mani da Zorzi Dolfin ad Andrea Gussoni,” in *Cronaca Dolfina* 1: 7–15. On Marino Sanudo the Younger and his *Vite ducum Venetorum* (Ital. *Le vite dei dogi*), see e.g. Matteo Melchiorre, “Sanudo, Marino il Giovane,” in *DBI* 90 (Rome: Treccani, 2017), [http://www.treccani.it/enciclopedia/marino-marin-il-giovane-sanudo_\(Dizionario-Biografico\)/](http://www.treccani.it/enciclopedia/marino-marin-il-giovane-sanudo_(Dizionario-Biografico)/) [last access: 19th of June, 2020]. Thus, even the *Cronaca Dolfina* is not written by a contemporary to the events of 1412–1420. This chronicle, however, liberally “borrows” from several older historical accounts, of which at least one was written by a contemporary to the Veneto-Hungarian war of the 1410s: the account of Antonio Morosini (c. 1365–after 1433) written in the first third of the 15th century, that shifts from the standard chronicle form (deriving from older writings) to diary form (original entries) as it reaches the days of Morosini himself, esp. after 1414; as such it abounds in precious eyewitness accounts and details written by the contemporary to these events. The *Cronaca Morosini* is edited *in extenso* in Andrea Nanetti, ed., *Il Codice Morosini: Il mondo visto da Venezia (1094–1433)*, 4 vols. (Spoleto: Fondazione Italiano di Studi sull’Alto Medioevo, 2010). The part related to the war between Venice and King Sigismund, 1411–1420, is also edited and translated into modern English in John Mellville-Jones, Andrea Rizzi, and Michele Pietro Ghezzi, eds., *The Morosini Codex*, vol. 4: *Michele Steno (from 1407)*, Archivio del litorale Adriatico 3 (Padua: Unipress, 2010). Both of these editions are combined in a (painfully unintuitive and exhaustingly difficult to search through) online database *Engineering Historical Memory: The Morosini Codex (1095–1433)*, <https://engineeringhistoricalmemory.com/MorosiniCodex.php> [last access: 19th of June, 2020] (hereafter: *EHM: MC*). The relationship between the *Cronaca Dolfina* and the so-called *Cronaca pseudo-Zancaruola*—still inedited, kept in Venice, Biblioteca Marciana, ms. It. VII, 49–50 (= 9274–9275)—is still debated and it cannot be claimed with certainty that the *Pseudo-Zancaruola* was used as source of the *Dolfina* (esp. for the period between 1400 and 1423) as it very well could be the other way around. Maria Zannoni, “Le fonti della cronaca veneziana di Giorgio Dolfin,” *Atti del Reale Istituto Veneto di scienze, lettere ed arti* 101 (1941–1942): 543; Șerban Marin, “The Venetian Chronicle in Codex It. VII. 794 (8503) at Marciana National Library: Ascribed to Giorgio Delfino (Dolfin) and Transcribed by Nicolò Gussoni,” *Revista Arhivelor* 2 (2012): 57–58. Cf. Chiara Frison, “La Cronica di Giorgio Dolfin (origini-1458) nel contesto culturale della Venezia del sec. XV,” PhD thesis (Venice: Università Ca’ Foscari, 2011), 63–67. In the following chapters, the *Cronaca Morosini* will be preferred over the other, less contemporary Venetian chronicles, but it will be drawn from the *Cronaca Dolfina* as well as this particular account sometimes presents an even more detailed treatment of certain key episodes, presumably taken from contemporary early 15th-century chronicles.

⁴⁸⁷ On the 3rd and the 8th of November, 1411, King Sigismund conferred upon his imperial vicar in Friuli, Count Frederick III of Ortenburg, upon the duke of Transylvania, Stibor of Stiboricz, and upon Pippo Spano his royal plenipotentiary rights in all the affairs of Friuli and the Patriarchate of Aquileia: “Datum fuit procuratorium in amplissima et optima forma pro nobile Friderico de Ortemburg, Stiborio de Stybrowicz et Philippo de Ozora ad gerendum negocia Imperii per provinciam Aquilegiensem et terras Foriiulii”. Gusztáv Wenzel, *Stibor vajda: Életrajzi tanulmány* [Duke Stibor: A biographical study] (Budapest: Eggenberger-féle Könyvkereskedés, 1874), 145, doc. 106 (the document issued on the 3rd of November, 1411). The 8th of November document (mentioning only Frederick III of Ortenburg and Pippo Spano), is edited *in extenso* in Gusztáv Wenzel, “Okmánytár Ozorai Pipo történetéhez” [Records regarding the history of Pippo of Ozora], *Történelmi Tár* (1884): 230–32, doc. 32. Regesta of the two documents in Altmann, ed., *RI* 11/1: 9–10, docs. 144–45. A couple of days later, on St. Martin’s day of 1411, the Hungarian king officially sent Pippo Spano as his general to Friuli in order to begin the war against Venice: “Und habin darumb den ediln Philippen von Ozora graven zu Themespurg unsern rate und liben getruwen mit unserm folk und 10000 pferden umb sant Martinstag nehstvirgangen hinin in die vorgnante land [Frijaul] gesant.” Kerler, ed., *DRTA: Sigmund* 1: 182, doc. 125; Altmann, ed., *RI* 11/1: 10, doc. 145a.

⁴⁸⁸ Pippo Spano appears “Pipo de Ozora Zewreniensis bani” among the original cast of barons inducted in the newly constituted Order of the Dragon on the 12th of December, 1408. György Fejér, ed., *Codex diplomaticus Hungariae ecclesiasticus ac civilis*, vol. 10/4 (Budapest: Regia Universitas Hungarica, 1841), 682–94, doc. 317 (quotation on 687). On Pippo Spano, see Gizella Nemeth and Adriano Papo, “Scolari, Filippo,” in *DBI* 91: [http://www.treccani.it/enciclopedia/filippo-scolari_\(Dizionario-Biografico\)/](http://www.treccani.it/enciclopedia/filippo-scolari_(Dizionario-Biografico)/) [last access: 23rd of July 23, 2019].

December the uncontested pillar of anti-Sigismundian party, Udine, fell to the devastating might of Hungarian forces.⁴⁸⁹ A month thereafter, Tristano Savorgnan was officially banished from Udine and his assets were ceased; the Venetian alliance was crushed.⁴⁹⁰ Moreover, by late January of 1412, Pippo Spano's forces not only subjugated Friuli, but also breached the defensive line on the river Livenza set up by Venice and began conquering Venetian territories up to Treviso, the only stronghold that managed to repel the unrelenting advance of Sigismund's blitzkrieg.⁴⁹¹ Notwithstanding their unsuccessful siege of Treviso, the Hungarian king managed to conquer a staggering number of seventy-two towns and forts across Friuli and Trevigiano, an impressive feat of military prowess that terrified the wounded winged lion of St. Mark.⁴⁹² To make matters worse for Venice, in the same month of January, King Sigismund invested his allies Marsilio da Carrara and Brunoro della Scala with imperial vicariates over Padua and Vincenza, respectively, making it explicitly known that the Hungarian stampede will not stop with Treviso.⁴⁹³ Even the soldiers of the nominally Venetian ally, Count Nicholas IV of Krk, joined with Sigismund's forces as they attacked the military center of Venetian Istria, the fort Rašpor.⁴⁹⁴ Finally, a separate Hungarian military contingent led by Nicholas Marcali, the duke of Transylvania, was dispatched to Istria where Sigismund's forces successfully lifted the Venetian siege of Buje and even conquered Buzet, thus expanding Ortenburg's powerbase over the pro-Venetian Aquileian Margraviate of Istria.⁴⁹⁵ The situation did not look promising for Venice.

⁴⁸⁹ On the exact date of Udine's fall, most probably the 3rd of December, 1411, see Leicht, "L'esilio di Tristano," 86 fn. 1.

⁴⁹⁰ Leicht, "L'esilio di Tristano," 92–93 with quotations from the primary source.

⁴⁹¹ Redusio, "Chronica," cols. 836. On the Livenza line, Michael E. Mallett and J. R. Hale, *The Military Organization of a Renaissance State: Venice c. 1400 to 1617* (Cambridge: Cambridge University Press, 1986), 26–27.

⁴⁹² The towns conquered included Sacile, Ceneda, Belluno and Feltre. Redusio, "Chronica," cols. 834–836. For all of Spano's conquests during these first three months of his campaigning in Friuli and the Veneto, see Nemeth and Papo, "Pippo Spano," 22 and 37–39.

⁴⁹³ Altmann, ed., *RI* 11/1: 10, doc. 152 (4th of January, imperial vicariate over Padua to Marsilio da Carrara) and 11, doc. 159 (11th of January, 1412, imperial vicariate over Vicenza and Verona to Brunoro della Scala). See also, Cusin, *Il confine orientale*, 197.

⁴⁹⁴ "Cum, sicut habetur per litteras capitanei nostri Raspurch et domini Lodovici de Buzacharinis capitanei ad partes Istrie, gentes comitis Segnie hostiliter et armata manu invaserunt territorium nostrum Raspurch." Ljubić, ed., *Listine* 6: 272, doc. 236 (1st of July, 1412). Count Nicholas IV of Krk would later deny his involvement in this act of aggression, claiming that he did not authorize any attack on Venetian lands. Ljubić, ed., *Listine* 6: 276, doc. 241 (12th of August, 1412). Indeed, Nicholas IV's position must have been very ungrateful, caught in the crossfire between his two traditional allies with both counting on his aid in the fateful conflict. On this episode, see Cusin, *Il confine orientale*, 199–200.

⁴⁹⁵ The Istrian campaign of Duke Nicholas Marcali is narrated by King Sigismund himself in a charter documenting the heroic deeds of his faithful ally, Count Ladislav of Blagaj: "Porro nos [rex Sigismundus] ad offensam ipsorum nostrorum emulorum... prefatum Ladislaum... una cum fidei nostro laudande memorie condam Nicolao de Marczaly alias vayvoda nostro Transsilvano ad easdem partes Fori Iulii consimiliter cum banderio suo, vice altera duximus

The icing on the cake came in the form of the meeting of the Aquileian chapter of canons. Namely, the chapter of Aquileia formally convened on the 6th of July, 1412, electing Ludwig of Teck as their new patriarch—a pro-imperial prince was once again placed at the head of the Aquileian Church.⁴⁹⁶ Thus, on the 12th of July in Cividale, Count Henry IV of Gorizia, in guise of the advocate of the Aquileian Church and the official commissioner of the Roman king Sigismund of Luxembourg, ceremoniously invested the patriarch elect with all the worldly jurisdictions pertaining to this ecclesiastical principality.⁴⁹⁷ In the following days, a vast majority of the communities and noble houses of Friuli pledged their allegiance to the new heir of St. Hermagoras.⁴⁹⁸ The stage was increasingly beginning to resemble the one from the dreaded 1380 during the War of Chioggia.

Venetian counterattack was at this point imperative. First, the Venetians promptly set up a defensive perimeter on the river Livenza, a natural border separating the Patriarchate of Aquileia and the Venetian Trevigiano region.⁴⁹⁹ Second, diplomatic negotiations were initiated with

destinandum, qui vires suas... se cum suis gentibus in Istriam contulit et accepto, quod gentes ipsorum nostrorum emulorum in obsidione oppidi nostri Bula vocati nostre ditioni suppositi consisterent, ipsos fortiter animosque invasit et viriliter amovit ab eodem, et insuper tanquam fortis tiro zelo fidelitatis fortius accensus oppidum Bulsam alias Pinguentum vocatum in sua belligera virtute et strenuitatis audacia nostro subiecit dominio.” Lajos Thallóczy and Samu Barabás, eds., *Codex diplomaticus comitum de Blagay*, Monumenta Hungariae historica 28 (Budapest: Kiadja a Magyar Tudományos Akadémia, 1897), 261–66, doc. 146 (quotation on 262). According to Cusin, this Istrian campaign took place in the beginning of 1412. Cusin, *Il confine orientale*, 208. However, the only chronological determinants for the dating of this Marcali’s campaign are the Venetian failed attempt at the reconquest of Buje—thus after the 26th of February, when the Venetian College instructed Ermolao Lombardo to conquer Buje, but before August of the same year, when the town was indeed conquered— and the Battle of Motta where the Venetian contingents were led by Carlo I Malatesta, a battle that the Venetian, according to King Sigismund, lost (thus again before the August of 1412). Therefore, Marcali’s campaign ought to be dated to a period between March and August of 1412, most probably to the month of June as in this very month the forces of Count Nicholas IV of Krk attacked Venetian Rašpor.

⁴⁹⁶ The chapter’s decree is edited *in extenso* in De Rubeis, *MEA*, cols. 1037–40. From this point onwards, Ludwig of Teck acted as the patriarch elect, still lacking the official confirmation of his appointment by the Roman pontiff. See also, Cusin, *Il confine orientale*, 202–3.

⁴⁹⁷ Vincenzo Joppi, “Documenti goriziani del secolo XV,” (hereafter: DG 15) *AT*, ser. 2, 18/2 (1892): 292–94, doc. 18. On this ceremony, see Leicht, “L’esilio di Tristano,” 115–16.

⁴⁹⁸ The noble houses that professed fealty to Patriarch Ludwig of Teck between the 20th and 30th of July, 1412, included Prampero, Strassoldo, Prata, Porcia, Polcenigo, Spilimbergo, Valvasone, Tricano (or d’Arcano), Colloredo, Varmo and, traditionally Venetian allies, Cucagna and Castello. The communities that did the same during the same period were Cividale, Udine, Sacile, Monfalcone, Fagagna, San Daniele, San Vito, Aviano, Caneva, Meduno, and, on the 29th of July, Tolmezzo, Venzona and Gemona. Joppi, “DG 15,” 295–300, docs. 19–20.

⁴⁹⁹ “Quia si casus daret, quod iste gentes Hungarice descenderent pro veniendo ad damna nostra, una ex principalibus defensionibus est, providere presto, quod fovea et passus Liguenticie sint sufficienter custoditi... vadit pars, quod scribatur et precipiatur potestati et capitaneo Verone, quod subito debeant mittere ad custodiam fovee et passuum Liguenticie lanceas triginta dando eis aliquam subventionem pecunie, ut sine mora veniant ad dictam custodiam, et similiter scribatur et precipiatur rectoribus nostris Padue.” The entire deliberation of the Venetian Senate, promulgated on the 29th of November, 1411, is edited *in extenso* in Gaetano Cogo, “Brunoro della Scala e l’invasione degli Ungari,” *Nuovo archivio veneto* 5, no. 2 (1893): 319–20. See also, Mallett and Hale, *The Military Organization*, 27.

brothers Ernest the Iron and Frederick IV of Habsburg, in a bid to make sure that their Alpine passes remain open for Venetian contingents and that the dukes of Austria would not lend their support to Sigismund's massive forces.⁵⁰⁰ Finally, either through a stroke of pure luck or by means of cunning diplomatic maneuvers catalyzed through shameless bribery, the situation for Venice improved dramatically when the military commander Pippo Spano "mysteriously" left Friuli and returned to Hungary in February of 1412.⁵⁰¹ Venetian counterattack followed in mid-April when a large contingent led by circa three and a half thousand cavalymen led by four generals and two Venetian overseers was

given full freedom and authority to ride over the whole of the Friuli and lay waste and burn and destroy villages and homes and large houses, and towns and castles and fields, orchards and fields of grain, whether they were ready to harvest or just sown, leaving nothing undestroyed, to harm the patriarch of Aquileia and his castellans, and the places that belonged to Misier Guglielmo da Prata and to the other knights and lords and the country folk, the castellans and villagers who dwelt all over that country, in consideration of the lack of gratitude that had been shown by them, when they had borne themselves so disloyally against the honor of the ducal Signoria of Venice by giving assistance to the Hungarians, who had come into the whole of the territory of Treviso to harm and destroy it, together with our other possessions throughout Istria.⁵⁰²

The armed skirmishes spilled over to Istria in the spring of the same year 1412, with the epicenters of hostilities around Muggia and Buje, the two pillars of Ortenburg's party on the Peninsula.⁵⁰³ After the acquisition of Latisana—nominally under the *potestas* of the counts of

⁵⁰⁰ The negotiations were initiated in the November of 1411, but the formal treaty of alliance is, to my knowledge, not preserved. The minutes of the Venetian Senate's sessions, however, confirm that a military alliance was indeed struck between Venice and Duke Frederick IV in the January of 1412 ("quod liga existens inter partes elongetur... et quod omnes strate eorum sint et esse debeant aperte, ita quod mercatores cum mercationibus, victualibus, et bonis, possint ire, et redire secure et sine impedimento.") The course of these negotiations is best presented in Steinwenter, "Studien zur Geschichte," 16–36 with the edition of primary sources on 98–103, docs. 14–16, 107–8, doc. 20 (quotation on 107), 118–29, docs. 25–32.

⁵⁰¹ Some contemporary chroniclers state that Spano's return was influenced by his deteriorated health, some, however, insist that he had been bribed by Venetian gold and wine to leave the military camp and return to Hungary. These accounts are compared in Nemeth and Papo, "Pippo Spano," 23–27, where the authors conclude that it was most probably due to illness, specifically gout, that the Florentine-Hungarian commander left Friuli.

⁵⁰² "[M]andadi tuti per la dogal signoria de Venexia, e dadoi hogna plena libertade e hotoritade, chavalchando per tuto el Friul, vastando, bruxiando e danizando vilazi, caxoni, palaxii, tere e chasteli e chanpi, fruteri, formenti e medaxion, semenaxion, non lasando chosa nesuna quelì non meta a destruciom e dano, del patriarcha d'Agulia e chastelani, e sì de quelì luogi li qual aspetase a misier Guielmin da Prata chomo ad altrui chavalieri e signori e contadini, chastelani e vilani, abitanti de tuta la patria, chonsiderando la ingratitudine soa, rezevuda da quelì portandose desfedelisimamente chontra l'onor de la dogal signoria de Venexia in dever aver sovegnudo i ongari, quelì eser vegnudi in tuta Trivixana a dano e destrucion de quela chon le altre nostre tere de tuta l'Istria." *EHM: MC*, chap. 63/660, <https://engineeringhistoricalmemory.com/MorosiniCodex.php?pid=2581&cid=> [last access: 17th of June, 2020]. The English translation is taken from Mellville-Jones *et al.* cited in fn. 486.

⁵⁰³ "Quia per ea que scribit nobilis vir ser Iacobus de Rippa miles capitaneus paisinaticorum Raspruch et per insultum et predam factam per illis de Pirano et de Grisignana super territorio Buliensium, et propter guastum iam inceptum eis

Gorizia—and a heroic victory of the highly contested Battle of Motta in late August of 1412, it seemed for a moment as if the tables had decisively turned in Venice's favor.⁵⁰⁴ It was during this fateful month that both Oprtalj and Buje fell to the Venetian contingents led by Giacomo de Riva, the incumbent captain of Rašpor who triumphantly received their respective pacts of submission to the *Dominium Veneciarum*.⁵⁰⁵ In mid-November of the same year, Roč and Hum—two

dari per Piranenses guerra ammodo est publica in partibus illis, et bonus sit providere, quod capitaneus noster predictus cum gentibus sibi commissis se reducat in illo loco, qui sit magis aptus ad defensionem locorum nostrorum et offensionem inimicorum nostrorum, et inter cetera loca Istria locus Grisignane aptior et comodior vidicetur." ASV, SS, reg. 5, fol. 10r (regestum in "Senato secreti I," 274, although the date should be corrected to the 10th of April, not the 5th). See also the words of the anonymous chronicler of *VEPA*: "Et ipsi Veneti terga vertentes transffretaverunt Venetias ibique anxierunt exercitum suum et iterum remiserunt aliquos ad partes Istrie, ut vastarent vites, olivas et magna damna intulerunt illis de Muglis. Sentientes hec gentes domini imperatoris miserunt quamplures Theotonicos ad Istriam, et illi vastaverunt in triplo plus et receperunt multa animalia, et magna damna Venetis intulerunt et reversi sunt ad terram Utini cum prosperitate et lucro." *VEPA*, fol. 49r–49v (this part is also transcribed in Charles William Previté-Orton, "A Manuscript of the Chronicon Patriarcharum Aquileiensium," in *Historical Essays in Honour of James Tait*, ed. John G. Edwards, Vivian H. Galbraith, and Ernest F. Jacob (Manchester: Butler & Tanner, 1933), 279).

⁵⁰⁴ The commune of Latisana surrendered to Venice lest it be attacked by Malatesta's troops; the treaty is not that of a standard "pact of submission," but a pact of friendship and mutual cooperation as the commune of Latisana still remained *de iure* under the counts of Gorizia. See the detailed regestum of the treaty in Predelli, ed., *LC* 3: 359, doc. 154 (7th of June, 1412). Morosini described the affair with the following words: "[P]er aver meio el paso de l'insida de la marchadantia per i todeschi, e simel de vegnir a Venexia, e sì per la via da Maram como anchora per poser mandar la vituaria al campo nostro per forniciom del pam, tolesemo anchora per tratado el paso de Latixiana, el qual se dè liberamente a la Signoria, hoferandose quelì d'esserde fedeli. La qual Latixiana se tegniva a nome d'i chonti da Guricia." *EHM: MC*, chap. 63/682, <https://engineeringhistoricalmemory.com/MorosiniCodex.php?pid=2682&cid=> [last access: 17th of June, 2020]. Cf. Caracciolo Aricò and Frison, eds., *Cronaca Dolfina* 2: 154. The battle of Motta was vividly described by the contemporary Venetian chronicler Morosini who wrote that "the captain [Carlo I Malatesta] was wounded three times, once by a crossbow bolt fired by a Hungarian, a second time by a lance and a third time in the side by the point of a sword, but by the grace of God none of these wounds led to his death," but in the end, despite all the odds being in the favor of the Hungarian army, it was Venice who emerged victorious: "may the highest God be thanked for all of this, and then the glorious St Mark, who agreed to such a marvellous victory." (orig. in Ven. "feridi prima el chapetanio de tre cholpi, uno de balestra d'ongaro, l'altro de lanza e 'l terzo de ponta de spada sovra el fiancho, ma per la gracia de Dio questi pur non nè stadi da far menciom, de morte"... "De la qual nuova l'altissimo Dio e a preso el glorioxo misier san Marcho, lo qual de hà chonsentido chusi meraveioxa vituoria, in tuto de sia regraciado"). *EHM: MC*, chap. 63/705, <https://engineeringhistoricalmemory.com/MorosiniCodex.php?pid=12619&cid=> [last access: 15th of July, 2020]. Another heroic account is presented in Caracciolo Aricò and Frison, eds., *Cronaca Dolfina* 2: 156. A less heroic account in Redusio, "Chronica," col. 837.

⁵⁰⁵ The two pacts are edited *in extenso* in "Senato secreti I," 274–76 (submission of Oprtalj) and 276–77 (submission of Buje). Both of these pacts were reviewed by the Venetian Senate on the 27th of August, 1412. I will return to these texts later in the study. The conquest of Buje is described by Antonio Morosini and in the *Cronaca Dolfina* with the following words: E a dì VIII del mexe d'avosto de M IIII cento XII se ave nuove del podestade nostro de Chavodistria, da misier Nicholò Chapelo, scritto a la Dogal Signoria, quello aver chavalchado verso la forteza del chastel de Boie, ch'è parte de sul Friul verso l'Istria, e quelì de la dita forteza, la qual se tegniva a nome de misier lo patriarcha d'Agulia, se rendè de so' volentade a la predita Signoria, fedelissimamente senza alcuna contrarietade, e intrando in quella el predito nostro podestade, metando d'i nostri fedeli in quella con zramento d'esserde senpre fedeli chon tuta bona volentade, che molto piaxete a tuta la tera, per molte chaxion d'i nemixi nostri, e holtra de questo per la graseza d'i ianimali cha zi è per le montagne a l'utilidade de la citade de Venexia, che molto de iera de bexogno." *EHM: MC*, chap. 63/702, <https://engineeringhistoricalmemory.com/MorosiniCodex.php?pid=2120&cid=> [last access: 19th of June, 2020]; "A dì 9 agosto missier Nicolò Cappello, siando podestade et capitanio de Cavo d'Istria, chavalchè con una grandissima zente verso el Chastel de Bu[ie]. Et zonto che'l fo lì, quelli del ditto chastello se rexeno, salvo lo

modestly-sized hill-top towns of Aquileian Istria—were also conquered by the Venetian captain of Rašpor who razed their walls for their many acts of hostility towards Venetian subjects.⁵⁰⁶ At the same time, the Dalmatian city of Šibenik, fiercely loyal to King Sigismund, also fell to Venetian hands.⁵⁰⁷ By the late fall of 1412 the Venetian forces (re)conquered large parts of Trevigiano and Friuli, prompting the citizens of Udine—at this point the faithful supporters of King Sigismund—to seek aid from their protectors, Count Frederick III of Ortenburg and Pippo Spano, lamenting how the “treacherous Venetian army” raided their district and “seized almost all the strongholds of the homeland [of Friuli].”⁵⁰⁸

Emboldened by its success, Venice even initiated peace talks with its archenemy. First, during the months of February and March of 1412, the peace talks were mediated by (Anti)Pope John XXXIII but to no avail.⁵⁰⁹ According to the author(s) of the Venetian *Cronaca Dolfina*, King Sigismund was disposed to seal the deal with Venice and indeed relinquish entire Dalmatia in exchange for a payment of five hundred thousand ducats and a yearly tribute of one white horse and a falcon—“a most dishonorable demand,” judging by the Venetian chronicler(s) that was thus rightly declined by the Republic of St. Mark.⁵¹⁰ The negotiations talks continued with the Polish

haver et le persone, el qual castello iera del patriarcha de Aquilegia, onde la Signoria ne havé gran piacer.” Caracciolo Aricò and Frison, eds., *Cronaca Dolfina* 2: 156.

⁵⁰⁶ Kandler, ed., *CDI* 4: 1580, doc. 941 (18th of November, 1412, Doge Steno’s reply to the captain of Rašpor regarding the pleas presented to Venice by the envoys of the communities of Roč and Hum). Roč was conquered already at the very beginning of November as on the 7th of that month the Venetian Senate discussed its fate. ASV, SS, reg. 5, fol. 84v (regestum in “Senato secreti I,” 277). I have edited this minute *in extenso* in the appendix. See doc. II/I in appendix 3.

⁵⁰⁷ Doge Steno issued a ducal letter to the commune of Šibenik on the 30th of October, 1412, sanctioning their pacts of submission. See the ducale in Ljubić, ed., *Listine* 6: 288–93, doc. 251. See also, Šunjić, *Dalmacija*, 57–58.

⁵⁰⁸ The letter to Pippo Spano was sent on the 22nd of November, the letter to Count Frederick III on the 24th; their contents are virtually identical. The Udinese first reported how the “perfidus Venetorum exercitus” raided the lands of their own district, inflicting “damna nobis inestimabilia tam personarum quam animalium,” and then proceeded to lament that how “[c]eperunt enim ipsi Veneti iam quasi omnia fortalicia Patrie et nos intra ipsa inclusi sumus.” The first letter, to Pippo Spano, is copied in BCU, FJ, Joppi, ed., *Doc. F 1397–1420*, fasc. 4, doc. 30. The second letter, to Count Frederick III, is edited in Leicht, “L’esilio di Tristano,” 174, doc. 4. According to Leicht, in the late fall of 1412 the Venetians (re)established the control over the following lands in the Trevigiano and Friuli: Sacile, Porcia, Aviano, Caneva, Polcenigo, Oderzo, Frattina, Salvarolo, Sesto, Cordovado, Latisana, Rivolto, Sedegliano, Mortegliano, Palazzolo, Muzzana, Madriso, Varmo, Tarcento and Castello Porpetto. This list of lands is based on a letter sent by the Udinese to King Sigismund. This letter is mentioned by Leicht, who failed to provide any reference to the primary source. Thus, highly unfortunately, I was not able to find the primary source from which this is based. If Leicht was wrong in his reading of this letter, then I am wrong here as well. Leicht, “L’esilio di Tristano,” 121–22.

⁵⁰⁹ See the instructions to Venetian ambassadors in Ljubić, ed., *Listine* 6: 230–35, doc. 207 (6th of March, 1412, including the rejected proposals), and 237–39, docs. 210–11 (Venetian responses after the first round of negotiations). See also, E. Kovács, *Zsigmond király*, 90–95.

⁵¹⁰ “Li ambascadori dela Signoria, li quali erano andati a Roma a requisition de papa Zuane per tractar paxe con el re de Ongaria, non possando concluder alcuno accordo, per comandamento dela Signoria ritornorono a Venetia, et questo fu perché el vigniva domandado a la Signoria di Venetia per el ditto re duchati CCCCC mila per tutte le terre et luochi tegniva la Signoria in Dalmatia, et più che quella fusse tignuda a dar ogni anno al re de Ongaria per incenso uno caval

king, Władysław II Jagiełło, who tried to reconcile Venice and King Sigismund throughout the months of April and May, but failed just like the pope before him.⁵¹¹ It was during these rounds of negotiations that the Venetians offered their highest sum to King Sigismund in the hope of ending the war and keeping Dalmatia: three hundred thousand golden ducats, a sum that the Hungarian monarch refused.⁵¹² Finally, Venice approached Sigismund's trusted ally, Count Hermann of Celje, instructing its ambassadors that the *Serenissima* was willing to pay up to two hundred thousand ducats and even reinstate the yearly tribute of seven thousand ducats to the Hungarian crown in exchange for the official recognition of their dominion over Dalmatia; Venice would even recognize that the recently annexed lands in *Regnum Italicum*—namely Padua, Vicenza, Belluno, Feltre and Bassano—were lawfully held from the Holy Roman Empire pending a solemn imperial investiture; moreover, all the lands conquered from the Church of Aquileia would be returned to the worldly authority of the patriarchs—and Venice was prepared to acknowledge Ludwig of Teck as the lawful patriarch elect—barring Opertalj and Buje in Istria that the Republic of St. Mark was not disposed to relinquish.⁵¹³ In the end, even these negotiations failed; for Sigismund of Luxembourg the war was far from over.

In the month of December King Sigismund of Luxembourg himself descended upon Friuli, accompanied by a massive new wave of military contingents ready to wage war against Venice.⁵¹⁴ The bellicose monarch arrived in Udine no later than the 15th of December where he was greeted

biancho e uno falchon, la qual dimanda fu molto dishonestissima.” Caracciolo Aricò and Frison, eds., *Cronaca Dolfina* 2: 150. Morosini wrote that the ambassadors of King Sigismund demanded the reimbursement of five or six hundred thousand ducats in addition to an annual tribute “d’uno chaval bianco vestido e coerto de scharlato de grana hover uno falchon pelegrin,” and a free passage through Lombardy for the king’s journey to Rome; “a le qual predite chose, non piaxete ponto a Venexia né a i veniciani de cusi fata domanda, ma plui tosto pareva a i diti anbasadori perder el tenpo so a demorar a Roma.” *EHM: MC*, chap. 63/657, <https://engineeringhistoricalmemory.com/MorosiniCodex.php?pid=2575&cid=> [last access: 17th of June, 2020].

⁵¹¹ These negotiations were over already by the 14th of June, 1412. Ljubić, ed., *Listine* 6: 267–69, doc. 231.

⁵¹² Ljubić, ed., *Listine* 6: 243–52, doc. 216 (17th of April, 1412; the sum of 300 000 ducats on 246). On these negotiations see also Alberto Tenenti, “La politica veneziana e l’Ungheria all’epoca di Sigismondo,” in *Rapporti veneto-ungheresi all’epoca del Rinascimento: Atti del secodno Convegno di studi italo-ungheresi promosso e organizzato dall’Accademia ungherese delle scienze, dalla Fondazione Giorgio Cini e dall’Istituto per le relazioni culturali di Budapest: Budapest 20-23 giugno 1973*, ed. Tibor Klaniczay (Budapest: Akadémiai Kiadó, 1975), 219–29, esp. 227.

⁵¹³ The lengthy set of instructions to the delegated ambassadors are edited in extenso in Ljubić, ed., *Listine* 7: 1–20, doc. 1 (including all the proposals that ended up rejected). See also, Otto Schiff, *König Sigmunds italienische Politik bis zur Romfahrt (1410-1431)*, Frankfurter historische Forschungen 1 (Frankfurt am Main: Joseph Baer, 1909), 23–24; Cusin, *Il confine orientale*, 205.

⁵¹⁴ “El re d’Ungaria zunse in Friuli in Udene e li stete per fin Marzo... Pipo el gram vaivoda del Re d’Ungaria vene con cavalli X5 mille fo dito iera pasa soto Asolo e ande a Vicenza e fexe de gram dani.” Joppi, “Cronachetta veneziana,” 320. See also the account of Redusio, “Chronica,” col. 840. Cf. Nemeth and Papo, “Pippo Spano,” 33.

by his trusted war general Pippo Spano.⁵¹⁵ The Hungarian-Florentine military commander had returned to Friuli a few weeks earlier to prepare the terrain for the arrival of his liege; it is during these military skirmishes around Udine that Spano committed his famous atrocity: chopping off the hands of all the Venetian soldiers he managed to take prisoner and sending them back to Venice as “a gift.”⁵¹⁶ The Hungarian war machine intended to stampede across Friuli and conquer Padua and Vicenza in another blitzkrieg, but King Sigismund failed in this undertaking.⁵¹⁷ Thus, on the 20th of January, 1413, the Hungarian monarch repositioned a part of his troops and marched to Istria instead, as Spano hurried to him with his own contingents from Friuli.⁵¹⁸ Already on the 25th of January Sigismund’s forces had already subjected Muggia and proceeded to attack Koper as they camped in its district.⁵¹⁹ By the middle of February the Hungarian forces stampeded through

⁵¹⁵ Pál Engel and Norbert C Tóth, *Itineraria regum et reginarum Hungariae (1382-1438)* (Budapest: Magyar Tudományos Akadémia Történettudományi Intézet, 2005), 95.

⁵¹⁶ “A di 3 Dezembrio Pipo con l’esercito de Re d’Ungaria che se raxona e da 9000 cavi zunze in Friuli.” Joppi, “Cronachetta veneziana,” 319. Regarding the chopping of the hands, the chronicle accounts do not concur with each other. According to Morosini, a contemporary to these events but heavily biased towards Venice, Spano was defeated in the skirmish and even taken prisoner, but he somehow managed to escape and on his way back to Udine managed to capture a small Venetian contingent of 40 men to whom he then chopped off their hands. *EHM: The Morosini Codex*, chap. 63/746, <https://engineeringhistoricalmemory.com/MorosiniCodex.php?pid=2277&cid=> [last access: 15th of July, 2020]. Similar is the account in Caracciolo Aricò and Frison, eds., *Cronaca Dolfina* 2: 158. According to Windeck, Sigismund’s chronicler, it was on Sigismund’s orders that the atrocity was committed, not on 40, but on 180 men and after the Battle of Motta. Eberhard Windeck, “Kaiser Sigismunds Buch,” in *Eberhart Windeckes Denkwürdigkeiten zur Geschichte des Zeitalters Kaiser Sigmunds*, ed. Wilhelm Altmann (Berlin: Rudolph Gaertner, 1893), 26, chap. 27/43. See also, Nemeth and Papo, “Pippo Spano,” 33. Since a skirmish by Motta did take place on the 3rd of December, 1412, it is most probably that the chopping of hands should be dated to this period and not to August when Pippo Spano was still not present in Friuli. For the skirmish of Motta of the 3rd of December, won by Venice according to Morosini, *EHM: MC*, chap. 63/712, <https://engineeringhistoricalmemory.com/MorosiniCodex.php?pid=2150&cid=> [last access: 15th of July, 2020].

⁵¹⁷ According to Antonio Morosini: “Avesemo a a di XX de zener de M CCCC XII per una letera rezevuda da Raspo dal nobel homo misier Blanco da Riva chavalier, como sapudo lu’ per nuova el re d’Ongaria iera moso del Friul per una zionada lonzi da lui con chavali VIII cento in mile, mostrando de terar verso le parte d’Ongaria, vezando niente poder far per Trivixana e Vixintina e Padoana.” *EHM: MC*, chap. 63/764, <https://engineeringhistoricalmemory.com/MorosiniCodex.php?pid=2322&cid=> [last access: 17th of July, 2020]. See also, Redusio, “Chronica,” cols. 840–844; Schiff, *König Sigmunds*, 25–27; Cusin, *Il confine orientale*, 206–7; Nemeth and Papo, “Pippo Spano,” 33.

⁵¹⁸ “Pipus ergo in contrarium expertus eorum, que Scaliger et Carriger domino suo regi Hungarie promiserant, patriam Foroiulii sibi tutiorem consedit, et deposito exercitu ad regem properavit, qui apud Histrios dicebatur castra tenere, duobus cum millibus equis sociatus.” Redusio, “Chronica,” col. 844.

⁵¹⁹ Sigismund issued a charter to Andrew and John Lancellino on the 25th of January, 1413, “datum in terra Hystrie in campis ante civitatem Capuscistrie.” Jacob Caro, “Aus der Kanzlei Kaiser Sigismunds: Urkundliche Beiträge zur Geschichte des Konstanzer Concils,” *Archiv für österreichische Geschichte* 59 (1880): 84–86, doc. 26. According to Antonio Morosini, Sigismund’s base of operation was centered in Muggia during the attacks on the Capodistriian district and the fort Castel Leon. “E ’l marti di, di XXIII de zener, tornado lo dito re a Mugla verso Trieste, voiendo la so’ zente meter a Chastel Liom per conbaterlo.” *EHM: MC*, chap. 63/764, <https://engineeringhistoricalmemory.com/MorosiniCodex.php?pid=2322&cid=> [last access: 16th of June, 2020]. Muggia officially acknowledged Sigismund’s authority on the 25th of January. “E in lo di de sam Polo, a XXV del mexe de zener, avesemo nuove quelì de Mugla averse dado al sovra dito exercito d’i ongari non se posando plu’

Istria, attacking Poreč and Pula on their way, devastating the lands of their district and conquering Vodnjan, before finally stopping to lay siege to Bale.⁵²⁰ It is from Bale that King Sigismund sent a letter of encouragement to “all the prelates, magnificent counts, barons, princes, nobles, cities, towns, forts, villages, and their captains, podestàs, gastalds, rectors, councils and communities of the territory and district of Friuli,” “ours and the Holy [Roman] Empire’s devoted subjects,” notifying them that “by divine providence” “we successfully triumph over the rebels and enemies and everything is proceeding according to our desire.”⁵²¹ These words can only be characterized as white lies.

Namely, Sigismund’s “Istrian adventure” resulted with very little tangible results; the lands in the district were raided, the Venetian fortifications damaged with Mutovran, Vodnjan, and Bale taking the brunt of the damage, but none of these towns were (re)annexed to the Church of Aquileia as they quickly returned under Venetian *potestas* the moment the Hungarian troops receded from the Peninsula.⁵²² The only victory for the pro-Hungarian party was the (re)subjugation of Muggia—

tegnirse né valerse, tignandose asolti e schapoli de le persone suo e so aver.” *EHM: MC*, chap. 63/768, <https://engineeringhistoricalmemory.com/MorosiniCodex.php?pid=2328&cid=> [last access: 16th of June, 2020].

⁵²⁰ According to Antonio Morosini: “E a avesemo da puo’ che, avanti che ’l [re d’Ongaria] partise, per uno desdegno incomenzà a far bruxiar i molini e a arder i oliveri, e puo’ prexentase a Parenzo e a Puola, e per quei dentro i fosse molto bem risposto, e finalmente da puo’ prexe molte vache e buo’, e puo’ se levà de là per non aver vituarie e non poser demorar per tute tere e luogi nostri.” *EHM: MC*, chap. 63/772, <https://engineeringhistoricalmemory.com/MorosiniCodex.php?pid=2336&cid=> [last access: 17th of July, 2020]. Cf. the account in *Cronaca Dolfina*: “Infine con quelli che lui poté el [re Sigismondo] se ne andò via fuori del Friuli et chavalchè verso l’Istria et prexentosse a Parenzo e Puola et, non possando haver alcuna cossa, robono de molti animali grossi deli ditti luogi, et dapoì messe campo a Vignan, dove iera podestade sier Marin da Molin, et havé subito quello luoco et entrò dentro e chazò fuoco dentro e bruxollo. Dapoì lui se partì de lì e andò a castel de Valle, in lo qual era podestate sier Aluvixe Michiel con sier Allexandro et, siando stado a campo zorni 4, non lo possando haver per battaglia de man, lui fexe impiantar le bombarde et stete zorni 24 a combatarlo e ruinollo quaxi fino ai do terzi et, siando li homini stanchi, havé el ditto luogo e sier Aluvixe Michiel fo mandato in prexon in Ongaria.” Caracciolo Aricò and Frison, eds., *Cronaca Dolfina 2*: 162. On Sigismund’s short campaign in Istria, see Cusin, *Il confine orientale*, 208–9.

⁵²¹ Sigismundus Dei gratia Romanorum rex... Universis et singulis venerabilibus prelatibus, nec non magnificis comitibus, baronibus, proceribus, nobilibus, civitatibus, castris, opidis, villis, earumque capitaneis, potestatibus, gastaldionibus, rectoribus, consiliis et comunitatibus territorii et districtus Foriulii... nostris et Sacri Imperii devotis fidelibus dilectis gratiam Regiam et omne bonum. ... Delectat nos vobis de nostre felicitatis eventibus nova describere... quod divina favente clementia, qui semper dirigit gressus nostros... prospere contra rebelles et hostes triumphamus et singula nobis ad vota succedunt. ... Datum in campis prope castellum Vallis terre Istrie.” Kandler, ed., *CDI 4*: 1582, doc. 943 (13th of Februry, 1413).

⁵²² “Senato misti IV,” 316–17 (Bale exempted from two tributes, 14th of March, 1413), 317–18 (deliberations on Mutovran and Vodnjan, towns too difficult to defend that are henceforth to be governed as villages, 23rd of May, 1413). I have edited this deliberation *in extenso* in the appendix. See docs. II/J–K. According to Antonio Morosini: “Del chanpo de verso l’Istria, del predito re, siando quello stado per tute nostre forteze, e combatude quele per plu’ fiade, non abiendo otegnudo chosa alguna, se mose a bruxiar e robar quello i pote, menando eciandio molte aneme in servitudene, chomo per simel à fato la chonduta de Pipo, desfazando e ruinando e guastando quello de mal i à posudo, levandose con so puocho onor d’ogni parte e luogi nostri.” *EHM: MC*, chap. 63/782, <https://engineeringhistoricalmemory.com/MorosiniCodex.php?pid=2371&cid=> [last access: 17th of July, 2020].

where Sigismund stayed on the 9th of March, on his way back to Friuli—and Oportelj.⁵²³ A meagre harvest for forty-five days of continuous military campaigning helmed by the Roman and Hungarian monarch in the flesh.⁵²⁴

Sigismund's final military venture of the season came in the late March of 1413 when he laid siege to the fort Ariis in Friuli, a strategic stronghold safely in the hands of his Friulian archenemy and the embodiment of Venetian influence in the Patriarchate of Aquileia—Tristano Savorgnan. The Hungarian monarch was not successful in this endeavor either, as Savorgnan's sturdy fort withstood almost a full month of siege before King Sigismund finally had to give up.⁵²⁵ For the king of Hungary, the war has reached a stalemate and both sides coveted a ceasefire.

The diplomatic negotiations between Venice and King Sigismund finally resulted with a tangible deal on the 17th of April, 1413. It was on this fateful day that the two warring powers agreed to a five-year truce in Castelletto by Rivignano, promising to cease fire with both sides retaining the territories they had justly conquered during the war.⁵²⁶ For Venice that meant the control over the freshly conquered Šibenik in Dalmatia, Latisana in Friuli (and indirectly Ariis and Pinzano as these forts remained under the *potestas* of Tristano of Savorgnan), and the four towns of the Aquileian Margraviate of Istria: Buje, Dvigrad, Roč and Hum; for Sigismund it was the control over the recently subjected Feltre and Belluno, the lands which he promptly pledged to the Count Henry IV of Gorizia in exchange for sixteen thousand golden florins.⁵²⁷ The treaty was

⁵²³ On Muggia, besides the already quoted passages from Morosini, see Colombo, *Storia di Muggia*, 105. Oportelj is featured among the enemies of Venice in the second stage of the war, meaning that it had to have been reconquered in this phase, during Sigismund's descent. I will return to Oportelj later in the chapter.

⁵²⁴ Sigismund remained in Istria from the 24th of January to the 10th of March, 1413. Engel and Tóth, *Itineraria regum*, 95.

⁵²⁵ Sigismund sent two letters to the community of Cividale from the camp during siege of Ariis: one on the 10th, the other on the 15th of April, first time demanding military provisions from his allies, the second time notifying them of an impending session of the Friulian Parliament. Both letters are dated "Datum in descensu nostro campestri ante Arias". They are edited in extenso in Alessandro Di Bari, "Missive inedite di Sigismondo di Lussemburgo conservate in Friuli (1411-1418)," *Ce fastu? Rivista della Società Filologica Friulana* 92 (2016): 143–44, docs. 7–8. According to the contemporary Friulian chronicler: "Inimici autem Tristanni prece et precio magnarum pecuniarum pacti sunt cum quibusdam Ungaris, fere mille, quod debent opsedere castrum de Ariis, quod erat diti Tristanni, et obsederunt ipsum, et nichil potuerunt facere, et reversi sunt in terram Utini." *VEPA*, fol. 51v (the part is also transcribed in Previté-Orton, "A Manuscript," 281). Another contemporary Friulian chronicler notes that the siege took 25 days and that it failed due to heavy rain: "Et postea ivit [rex Hungarie] ad castrum Arearum cum toto suo campo et cum tota patria, qui et steti ibi XXV diebus. Et illis diebus fuit tanta inundation pluvie et aquarum, quod non potuit ipsum habere." Bianchi, ed., *Chronicon Spilimbergense*, 15.

⁵²⁶ The peace treaty is edited in extenso in Verci, *Storia della Marca* 19: appendix, 64–66, doc. 2110 and in Ljubić, ed., *Listine* 7: 104–5, doc. 48. On this peace, see also Leicht, "L'esilio di Tristano," 130–37.

⁵²⁷ Sigismund's privilege to Count Henry IV of Gorizia is edited in extenso in Verci, *Storia della Marca* 19: appendix, 67–69, doc. 2113 (23rd of June, 1413). By this privilege, King Sigismund relinquished the dominion over Belluno,

corroborated by the allies of the respective parties: on Sigismund's side stood Patriarch elect Ludwig of Teck, "the entire homeland of Friuli," Counts Henry IV and John Maynard of Gorizia, Count Frederick III of Ortenburg, Gianfrancesco I Gonzaga as the imperial vicar of Mantua, and Reinprecht II of Walsee, the heir to House Duino, the captain of the Austrian County of Pazin, an enemy of Duke Ernest the Iron of Austria and a faithful ally of Duke Albert V of Austria and King Sigismund of Luxembourg;⁵²⁸ on the Venetian side, among a number of lords from the Trentino region, were Niccolò of Este, the Malatestas (Carlo I, Pandolfo and Malatesta), the counts of Porcia (Artico and Guido) and Tristano of Savorgnan, "a figure who had to appear crowned by the aureole of heroism for the tenacity with which he fought against his numerous and bitter enemies."⁵²⁹

As Sigismund set his eyes on the imperial coronation in Rome, the papal schism, and the Hussite problems in Bohemia, Venice regrouped its forces and refurbished its damaged fortifications.⁵³⁰ For example, Bale was exempted from all the tributes owed to their delegated

Feltre, Seravalle, Cordignano and Zumella, *cum mero et mixto imperio*, to Count Henry IV of Gorizia. See also, Paschini, *SdF*, 724; Cusin, *Il confine orientale*, 213.

⁵²⁸ Lord Rudolph of the Enns line of House Walsee (at times written as *Waldsee* as the official toponym of the town from which the family byname had originally derived from is indeed *Waldsee* as in Bad Waldsee in present-day Baden-Württemberg; but the family sold the town to House Habsburg in the thirteenth century and were granted possessions in Lower and Upper Austria where they subsequently built two castles which they named according to their original seat of power, but which are in present-day officially called Walsee: the present-day Oberwallsee and Walsee castle overlooking Wallsee-Sindelburg; thus the family is here termed Walsee and not Waldsee), was nominated as the legal guardian of the two minor sons of Lord Hugo VIII of Duino in his will from 1390. By 1399, however, both of Hugo VIII's sons were already dead, but his daughter Catherine married Rudolph's brother, Lord Reinprecht II of Walsee who thus became the lord of all the lands and jurisdictions of the extinguished House Duino. Hugo VIII's testament from 1390 is still inedited; it is currently in Vienna, in the Haus-, Hof- und Staatsarchiv, Allgemeine Urkundenreihe, under signature 1390 IX 11; the facsimile of the document is featured in Kosi, *Spopad na prehode*, 93, image 25. On this inheritance, see Max Doblinger, "Die Herren von Walsee: Ein Beitrag zur österreichischen Adelsgeschichte," *Archiv für österreichische Geschichte* 95 (1906): 317, 333–34; Kosi, *Spopad na prehode*, 109. On the 28th of February, 1407, dukes Leopold and Ernest of Austria pledged their County of Pazin with Završje and Vranja to Reinprecht II of Walsee for 28 years as a part of the debt settlement that the dukes had towards their faithful retainer. Doblinger, "Die Herren von Walsee," 397; Kosi, *Spopad na prehode*, 114. During the civil war of House Austria, when Leopold IV and, later, Ernest the Iron forcefully tried to retain the legal guardianship over Albert V the Magnanimous, Reinprecht II of Walsee, as a retainer of the dukes of Austria, daringly picked to side with Albert V and oppose his liege Ernest the Iron, from whom he held in pledge the County of Pazin in Istria. This policy brought Reinprecht II to the embrace of King Sigismund of Luxembourg who favored Albert V over the brothers Ernest and Frederick IV, both of whom sided with Venice in 1412. Thus, on the 3rd of February, 1412, King Sigismund took Reinprecht II under his "special protection" due to the services the lord of Walsee-Enns rendered to Duke Albert V. Altmann, ed., *RI* 11/1, 12, doc. 187. A temporary truce between Duke Ernest the Iron and Reinprecht II of Walsee was signed on the 4th of February, 1413. On all of this, see Doblinger, "Die Herren von Walsee," 408–15.

⁵²⁹ [L]a sua figura [di Tristano di Savorgnano] dovette apparire circondata da un'aureola d'eroismo per la tenacia con la quale aveva resistito contro i suoi numerosi ed accaniti nemici." Leicht, "L'esilio di Tristano," 132.

⁵³⁰ Hoensch, *Kaiser Sigismund*, 173–90 for the preparations for the Council of Constance and 191–278 for the entire period of the Council (1414–1418). On the Council of Constance, Phillip H. Stump, "The Council of Constance (1414–18) and the End of the Schism," in *A Companion to the Great Western Schism (1378–1417)*, ed. Joëlle Rollo-Koster and Thomas M. Izbicki, Brill's Companions to the Christian Tradition 17 (Leiden: Brill, 2009), 395–442.

rectors and to the provincial captains so that the community could rebuild their walls; four hundred golden ducats were accorded for the reparation of Istrian outposts; Koper's walls and roads were being repaired; Rašpor was refortified with an additional circle of walls; a new fort was erected in the district of the recently annexed Šibenik; and the work on the refortification of Zadar was also under way.⁵³¹ Venice also made sure to deal with the sudden rise of banditry in their lands as the war-scarred landscape of Istria proved a fertile breeding ground for wandering brigands and highwaymen who pestered the recovering local population.⁵³² Finally, Venice managed to forge two seminal alliances: first with Filippo Maria of House Visconti;⁵³³ second with Duke Frederick IV of Austria, recently reconciled with his brother Ernest the Iron.⁵³⁴

Sitting uneasily between Venice, House Habsburg and Patriarch-elect Ludwig of Teck was Lord Reinprecht II of Walsee—nominally both the retainer of the dukes of Austria and the captain of their County of Pazin as well as the ally of King Sigismund. In the chaotic shifting of allegiances that followed the signing of the five-year truce, the lord of Walsee remained loyal only to himself. First, seemingly working for the benefit of King Sigismund, Reinprecht II tried to destroy the alliance between Venice and the dukes of Austria by offering to cede Rijeka to the *Serenissima*, a maritime town *de facto* under the lords of Walsee (as heirs to the lords of Duino), but *de iure* under the dominion of their overlords—the Habsburgs; the offer was ultimately rejected by the Venetian Senate who valued the alliance with House Austria more than territorial expansion over the Kvarner region.⁵³⁵ Nevertheless, on the 15th of June, 1417, following the pacification between

⁵³¹ For Bale: "Senato misti IV," 316–17 (14th of March, 1413). For the reparation of Istrian outposts: "Senato misti IV," 317 (4th of May, 1413); For Koper: "Senato misti V," 3–4 (4th of July, 1413). For Rašpor: "Senato misti V," 5 (8th of January, 1414). For Šibenik: Ljubić, ed., *Listine* 7: 151–52 (16th of April, 1414). For Zadar, Ljubić, ed., *Listine* 7: 182 (6th of September, 1414).

⁵³² Such is the case of a Gaspar Cremer, a bandit leading a company of sixty foot soldiers and forty cavalrymen. Venice posted a bounty of one thousand pounds of pennies for his head. "Senato misti V," 7–8 (8th of June, 1414, and 12th of June, 1414).

⁵³³ Predelli, ed., *LC* 3: 370–71, doc. 191. The treaty is "essentially a pact of non-aggression and mutual aid in the event of an imperial attack" ("substantiellement un pacte de non-agression et de secours mutuel dans le cas d'une attaque impériale"). Somaini, "Les relations complexes," 183.

⁵³⁴ Predelli, ed., *LC* 3: 381–82, doc. 223. See also, Cusin, *Il confine orientale*, 218.

⁵³⁵ ASV, SMi, reg. 50, fol. 110v (22nd of May, 1414, regestum in "Senato misti V," 7). See also, Cusin, *Il confine orientale*, 215. Rijeka, as part of the so-called "Meranian or Croatian" possessions of House Duino, had originally been a temporal possession of the Patriarchate of Aquileia before it was ceded to the lords of Duino at an unknown date (before 1300, possibly in the course of the 13th century, if not earlier). However, on the 7th of February, 1366, Hugo VIII of Duino pledged his allegiance and all of his "forts, cities, towns and lordships" to dukes Albert III and Leopold III of Austria, thus officially becoming Austrian territorial lords (orig. *Lanndherren*), subjected solely to the ducal court (orig. *Lanndschranne*). Štih, *I conti di Gorizia*, 143–44. Thus, when in 1367 Patriarch Marquard of Randeck demanded that Hugo VIII acknowledges all the lands that he holds from the Aquileian Church, the lord of Duino refused to do so, stating that he "was now a subject of the lords dukes of Austria" ("nunc erat subditus

dukes Frederick IV, Ernest the Iron, and Albert V, Lord Reinprecht II of Walsee reconciled with his overlords of House Austria and recognized himself as their faithful retainer.⁵³⁶ Simultaneously, however, Lord Reinprecht II sought to subject and annex to his territories in Istria the Aquileian fort Petrapilosa—*de iure* under the *potestas* of Patriarch Ludwig of Teck who brought this treacherous endeavor to the attention of the Friulian Parliament in 1415.⁵³⁷ Even though he failed in both of his endeavors, the lord of Walsee would no longer be an ally that King Sigismund could unquestionably count upon.

As Venice steadily gained allies, the pro-Sigismundian Patriarchate of Aquileia under the patriarch-elect Ludwig of Teck was gradually becoming ever more isolated. Thus, already on the 21st of October, 1414, the Friulian Parliament elects an official embassy to journey to Constance to the Roman pontiff and the king of the Romans, beseeching them to deal with “each and every one who occupies, subjugates and invades or in any other way harms, disturbs and molests the Church of Aquileia and the homeland of Friuli or their goods, regalian privileges, rights and jurisdictions” and among these perturbators specifically are named the Venetian Dominion, the dukes of Austria, the counts of Gorizia, and the lords of Walsee.⁵³⁸ Their lord and protector, however, was completely absorbed in the proceedings of the Council of Constance and increasingly disinterested in the Friulian affairs. Thus, King Sigismund replied to the Friulian

dominorum ducum Austrie”). On all of this, see Giuseppe Bianchi, ed., *Thesaurus Ecclesiae Aquileiensis* (Udine: Trombetti-Murero, 1847), 358–59, doc. 1246 (quotation on 359); Rodolfo Pichler, *Il castello di Duino* (Trento: Giovanni Seiser, 1882), 195–96 (Italian translation of the text of the Hugo VIII’s 1366 subjection to House Austria); Franc Kos, “Iz zgodovine devinskih gospodov” [From the history of the lords of Duino], *Razprave Znanstvenega društva za humanistične vede v Ljubljani* 1 (1923): 116–17, 129–32; Kosi, *Spopad na prehode*, 91. The lords of Walsee also had to formally petition their overlords, the dukes of Austria, for the continued enjoyment of all the possessions they inherited from House Duino. See the following footnote.

⁵³⁶ Franz Kurz, *Österreich unter Kaiser Albrecht dem Zweiten*, vol. 2 (Vienna: Kupffer und Singer, 1835), 313–19, doc. 18. See also, Silvino Gigante, “Regesti e documenti relativi alle famiglie di Duino e di Walsee,” *Fiume* 15–16 (1937–1938): 29 (27th of January, 1418, Duke Ernest confirms Albert V’s enfeoffments to Reinprecht II), 73 (15th of June, 1417, partial Italian translation of the peace treaty published by Kurz). See also, Doblinger, “Die Herren von Walsee,” 422–24; Cusin, *Il confine orientale*, 218.

⁵³⁷ Leicht, ed., *PF* 1/2: 469, doc. 503 (“Et primo quod servitores domini de Valse voluerunt furare castrum Petrepilose. Item quod servitores domini de Valse accipiunt indebite unam mutam in Duino; item quod discordare sunt in Istria inter servitores domini de Valse et Ecclesie Aquileiensis.”). See also, Cusin, *Il confine orientale*, 216.

⁵³⁸ The elected *procuratores, syndici et nuncii speciales Aquilegensis Ecclesie, patrie Foriulii et tocius Patriarchatus Aquileiensis* were sent “coram Sanctissimo in Christo patre et domino Iohanne divina providentia sacrosancte Romane Ecclesie summo pontifico dignissimo ac coram invictissimo principe et domino domino Sixmundo Dei gratia Romanorum rege semper augusto et Ungarie rege etc. nec non coram generali concilio in civitate Constancie celebrando... ad proponendum, querelandum, dicendum et allegandum tam contra principes et dominos ecclesiasticos quam seculares et precipue contra Dominium Venetiarum, dominos duces Austrie vel eorum quemlibet, dominos comites Goricie ac dominimi de Valse et contra omnes et singulos occupatores, detentores, invasores seu modo aliquo dampnificatores, turbatores et molestatores Ecclesie Aquilegensis et Patrie Foriulii aut bonorum, regalium, iurium et iurisdictionum eorumdem.” Joppi, “DG 15,” 308–311, doc. 25 (quotation on 309–10).

embassy by openly admitting that he had no time for their affairs.⁵³⁹ The pillars of the anti-Venetian Patriarchate of Aquileia were slowly beginning to crumble.

Even though Ludwig of Teck eventually managed to procure the official papal confirmation of his election from the newly ordained Pope Martin V (28th of February, 1418), his party suffered a crippling blow just two months thereafter: Count Frederick III of Ortenburg, the main pillar of Sigismund's powerbase in Friuli, died († 28th of April, 1418).⁵⁴⁰ Even though both parties tried to end the conflict on a diplomatic table rather than militarily, the multiple rounds of negotiations lead between January and April and mediated by the newly elected pope during the Council of Constance resulted with no definitive peace or ceasefire—the stage was set for the continuation of warfare.⁵⁴¹

Venice quickly began to gather allies in the region with the signing of pacts of friendship and mutual non-aggression. Aquileian Marano Lagunare was the first to sign such a pact with the *Serenissima* on the 22nd of April, 1418, and Muggia in Istria followed in its footsteps just two days

⁵³⁹ The 1415 report of the Udinese ambassador with King Sigismund in Constance states: “Memoria qualiter nobilis vir ser Christoforus de ... civis et ambassator prelibati comunitatis Utini nuper veniens de generali concilio in Constantia congregato pro unione fidei recitavit totum processum per ipsam factam in favorem et per nostra comunitate Utini secundum informationem et capitula sibi datam atque comissam per ipsam comunitatem, coram serenissimo ac invictissimo principe et domino nostro domino Sigismundo Dei gratia Romanorum rege semper augusto ac Ungarie et cetera rege, et quod ipse dominus noster rex... multa bona promittit nobis et patrie nostre, sed tamen pro nunc ad nostrorum negotiorum perfertionem attendere non potest propter maxima negotia que habet circha perfertionem consilii et unionem fidei.” BCU, ACU, Annales, reg. 20, fol. 107r (28th of June, 1415).

⁵⁴⁰ “1418: Die lune pridie kalende marcii habilitatus est Ludovicus temperans Ecclesiam Aquilegiensem et eidem Ecclesie provisum est de persona dicti Ludovici.” Primary source quoted from the Apostolic Archive in Rome in Pio Paschini, “Parlamenti degli ultimi anni dello Stato Patriarcale,” *MSF* 27–29 (1931–1933): 344 fn. 1. On Frederick III's death: Sigmund Herzberg-Fränkell, ed., “Necrologium Ossiense,” in *Dioecesis Salisburgensis*, MGH, Antiquitates, Necrologia Germaniae 2 (Berlin: Weidmannsche Buchhandlung, 1904), 444. King Sigismund assigned the administration of the counties of Ortenburg and Sternberg to Patriarch Ludwig of Teck whom he also constituted as the legal guardian of Count Frederick III's underage children. Whatever cruel fate befell these children will remain a mystery, but on the 29th of February, 1420, King Sigismund officially enfeoffed the entire jurisdictions of House Ortenburg to Count Hermann of Celje whose noble house has thus reached the zenith of its power. On all of these, with citation of primary sources, see Lackner, “Zur Geschichte,” 191; Peter Štih, *The Middle Ages between the Eastern Alps and the Northern Adriatic: Select Papers on Slovene Historiography and Medieval History* (Leiden: Brill, 2010), 353–54.

⁵⁴¹ The documentary evidence produced by these rounds of negotiations is considerable: see e.g. Ljubić, ed., *Listine* 7: 243–50, doc. 174. Already in mid-April Patriarch Teck inferred that there would be no diplomatic resolution of this conflict as read from his letter to San Daniele: “Vobis scire damus, quod ambasiatores nostri Veneciarum nuperrime reversi sunt, qui nobis retulerunt apud Venetos nil aliud obtinuisse nisi quod, expirantibus treuguis hactenus observatis guerra moveri debeat inter nos et ipsos Venetos. Quare vobis provideatis habentes bonam custodiam cura sollicita. Datum in castro nostro Utini die XII mensis aprilis anno MCCCCXVIII.” The letter is quoted in Gaetano Cogo, “La sottomissione del Friuli al dominio della Repubblica veneta (1418–1420): con nuovi documenti,” *Atti della Accademia di Udine*, ser. 3, 3 (1895–1896): 98, fn. 2.

later.⁵⁴² Between the signing of these two pacts the Venetian town of Latisana caught fire and numerous provisions were thus destroyed; the fire, the Venetians were sure, was planted by the Udinese arsonists and partisans of Patriarch Ludwig.⁵⁴³ The Republic of St. Mark responded by officially greenlighting its armed contingents to proceed to “rampage freely and with full assent against our enemies and rivals.”⁵⁴⁴ Thus began the second and final round of military conflicts between Venetian and Sigismund’s forces, the skirmishes that once again engulfed the entire region from Trevisano and Friuli all the way to Dalmatia in a destructive flame of warfare. For Istria, a peninsula that would not be spared of the destruction in this episode as well, the jurisdictional landscape would change forever.

The war that ensued differed drastically from the one waged between 1411 and 1414.⁵⁴⁵ Unlike the first phase, Venice was now decisively on the offensive, forging alliances, contracting

⁵⁴² The pact with Marano is edited in form of a detailed regestum in Predelli, ed., *LC* 4: 8, doc. 5. The pact with Muggia is edited *in extenso* in Kandler, ed., *CDI* 4: 1600–601, doc. 955. The crux of these pacts lies in the community’s promise to “pacifice vivere cum serenissima dominatione Venetiarum et cum omnibus ipsorum subditis, et recommendatis, et tempore guerre non prestare receptum, auxilium, consilium, vel favorem alicui persone que vellet invadere territorium, personas, bona, et res ducalis Domini predicti vel eorum subditorum, et recommendatorum, et quod quilibet persona volens et intendens mercari et honeste vivere, tam ex terris ducalis Domini quam de partibus Foroiulii, posset et valeat venire, stare, redire et mercari in dicta terra.” Quotation from Kandler, ed., *CDI* 4: 1600, doc. 955.

⁵⁴³ Corando lo dito milieximo de l’ano de M IIII cento XVIII, di XXIII d’avril. Aparse a in lo dito di, in la domenega de sera, pur in la vezilia de sam Marcho vanzelista, cerca le do hore de note vignando a lo luni, fata la letera a hore VI de note vignando a di XXV, mandada per lo nostro capetanio de Latixiana, misier Piero Diedo, notificado a la Dogal Signoria chomo insido fuoco in Latixiana, e statim per puocho tempo bruxiase tuta aparando da bande IIII el fuoco, e per lo grande vento metudo arse tuta salvo la rocha del castelo de piera, consumandose la monicion e molte arme de Comun e altre strame da i cavai... De che non se pote ben saver donde né per che fosse intravegnudo, ma credese per caxion d’i furlani da Udene. Nanetti, ed., *Il codice Morosini* 2: 784, chap. 64/648. Morosini’s dating of the fire must be wrong as the Venetian Senate discussed the fire already on the 23rd of April (see the following footnote and the document edited in the appendix).

⁵⁴⁴ “Vadit pars... quod debeat mandare ac ordinare provisoribus, capitibus et conductoribus ac gentibus nostris ubilibet, quod rumpant in bona gratia contra inimicos et emulos nostros.” ASV, SS, reg. 7, fol. 13v (23rd of April, 1418).

⁵⁴⁵ The main literature on this part of the conflict is still mostly based on 19th-century accounts: Girolamo de Renaldi, *Memorie storiche dei tre ultimi secoli del Patriarcato d’Aquila (1411-1751)*, ed. Giovanni Gropplero (Udine: Tipografia del Patronato, 1888), 56–76; Cogo, “La sottomissione,” 99–146. Paschini drew primarily on these two works when reporting on this stage of the war. Paschini, *SdF*, 732–44. The most recent account of this stage of war is Gizella Nemeth and Adriano Papo, “L’Ungheria e la fine del Patriarcato d’Aquila,” *Ambra: Percorsi di italianistica* 4, no. 4 (2003): 312–28. However, Nemeth and Papo have drawn amply from the 17th-century account penned by Gian Francesco Palladio degli Olivi who did not provide references to his sources; thus, Palladio’s reconstruction must be taken *cum grano salis* and to simply presuppose that all the data the 17th-century Friulian intellectual noted is perfectly correct would demonstrate a lack of obligatory criticism when dealing with the writings of early modern historians. Giovanni Francesco Palladio degli Olivi, *Historie della provincia del Friuli*, 2 vols. (Udine: Nicolò Schiratti, 1660), 1: 485–95. See also, Liliana Cargnelutti, “Palladio degli Olivi, Gian Francesco,” in *Nuovo Liruti* 2, <http://www.dizionariobiograficodeifriulani.it/palladio-degli-olivi-gian-francesco/> [last access: 1st of February, 2021]. Wakounig, *Dalmatien*, 123–25 is brief and littered with errors; Trebbi, *Il Friuli*, 15–16 is brief and mostly based on Cogo and Paschini. In this account of the 1418–1421 Veneto-Aquileian war, I will refrain from following Palladio’s narrative and focus on contemporary primary sources and (near-)contemporary chronicles instead. Thus, I intend to

military companies under renowned captains, and resolutely seeking to end the conflict in its favor. Conversely, Patriarch Ludwig's position changed markedly—the bellicose prelate was forced on the defensive as Sigismund's troops were nowhere near Friuli. Thus, in June of 1418 the Venetians reinforced their positions in the Treviso region, Friuli, Istria and Dalmatia, aiming to launch offensives against enemy territories in these regions under the command of five newly constituted sages of warfare.⁵⁴⁶ Most importantly, between June and September of 1418 Venice contracted the services of Count Filippo Arcelli, a famed military commander who distinguished himself in the service of the Visconti, and Taddeo d'Este, another skilled and loyal *condottiero*.⁵⁴⁷ It is precisely these two renowned captains of mercenary companies that would turn the tide of war in Venice's favor, playing, as shall be shown, a crucial role in determining the fate of the Patriarchate of Aquileia and, consequently, Istria as well.

With Venice on the offensive and Sigismund's troops nowhere in sight, Patriarch Ludwig tried to stall and postpone open military conflict against the Venetian forces by opening negotiations with Venice with the aim of achieving a separate ceasefire treaty that would pacify the region. Even though Venice “fell” for Ludwig's ploy several times, the Serenissima was gradually revindicating lost territories and diminishing the inimical forces.⁵⁴⁸ Most importantly in the context of this study, Venice managed to maintain relative peace in Istria, preventing the Friulian military skirmishes to spill over to the Peninsula by way of cunning diplomacy with the counts of Gorizia and their retainers.

bring some order to the “horrible confusion”—correctly noted Cusin—that characterizes the historiographical reconstruction of this part of the war. Cusin, *Il confine orientale*, 224, fn. 231.

⁵⁴⁶ “Vadit pars, quod per scrutinium in isto consilio eligi debeant tam de Venetiis et a Grado ad Caputaggeris quam de existentibus in Tarvisana et Paduana quinque sapientes ad providendum ad custodiam, defensionem et conservationem terrarum et locorum aquisitionum de novo Tarvisane et Cenetensis et terrarum et locorum nostrorum Istrie, Foroiulii et Policini, Rodigii ac terrarum et locorum partium Dalmatie, necnon ad offensionem quorumcumque volentium offendere dictas civitates, terras et loca ac territoria eorum, et ad faciendum illas provisiones, reparationes, expensas et ordines ac mandata cum voluntate et deliberatione istius consilii, prout ipsi consilio melius videbitur opportunum.” Ljubić, ed., *Listine* 7: 262, doc. 183.

⁵⁴⁷ For Filippo Arcelli: ASV, SS, reg. 7, fol. 26r. The deal between Venice and Filippo Arcelli was formalized on the 26th of July, 1418. Predelli, ed., *LC* 4: 9, doc. 7. On Filippo Arcelli, see Vittorio De Donato, “Arcelli, Filippo,” in *DBI* 3, [https://www.treccani.it/enciclopedia/filippo-arcelli_\(Dizionario-Biografico\)/](https://www.treccani.it/enciclopedia/filippo-arcelli_(Dizionario-Biografico)/) [last access: 12th of January, 2021]. For Taddeo d'Este: ASV, SS, reg. 7, fol. 35r. On Taddeo d'Este, see Franco Rossi, “Este, Taddeo d',” in *DBI* 43, [https://www.treccani.it/enciclopedia/taddeo-d-este_\(Dizionario-Biografico\)](https://www.treccani.it/enciclopedia/taddeo-d-este_(Dizionario-Biografico)) [last access: 2nd of January, 2021].

⁵⁴⁸ These negotiations are recorded in the minutes of the Senate's sessions, in the 7th register of the so-called “secret” series, and I have originally transcribed and discussed all of them in detail. As this long discussion put me off the track of my thesis subject, I have decided to remove it from the present study and include it in a separate, upcoming monographic treatment of the Venetian takeover of the Patriarchate of Aquileia. ASV, SS, reg. 7, fols. 33v–34r, 40r–v, 66r, 69r, 73v, 76v, 87v–88r.

Thus, already on the 2nd of January, 1419, the Venetian Senate approved the treaties of mutual non-aggression that had been informally agreed upon between the captain of Rihemberk—a lord formally subjected to the counts of Gorizia—and the Commune of Koper.⁵⁴⁹ A couple of months later, on the 23rd of April, the Senate greenlighted the start of the negotiations on another treaty of mutual non-aggression between the Venetian subjects in Istria and the two forts of the Captainate of Rihemberk, Beligrad, and Švarcenek, in order to “keep our lands with our good people and denizens as secure as possible.”⁵⁵⁰ On the 17th of May, the Senate already discussed a draft of the deal that the delegated Venetian podestà of Koper agreed upon with the captain of Rihemberk “for the wellbeing of our Istrian lands.”⁵⁵¹ Finally, the treaty of mutual non-aggression was officially ratified by the counts Henry IV and John Maynard of Gorizia on the one side and Venice on the other on the 20th of May, 1419.⁵⁵² For the *Serenissima*, the accord with the lords of the Karst meant open roads between Istria and Friuli. Moreover, with Trieste heeding the *potestas* of Duke Ernst of Habsburg and formally remaining neutral in the war, the Republic of St. Mark made sure that both the northern frontier of Istrian peninsula was secured as well as that victuals and armed contingents could move freely between the two threatened regions.⁵⁵³

With Venetian armed contingents wreaking havoc across Friuli, the threatened communities of the Aquileian patriarchate were becoming growingly disillusioned with their ecclesiastical prince and King Sigismund, their famed ally. The first community to officially switch camps, abandoning both Patriarch Ludwig and the crowned king of the Romans, was

⁵⁴⁹ “MCCCC^oXVIII^o, die secundo ianuarii. Capta. <Sapientes consilii> Quod scribatur potestati et capitaneo Iustinopolis in hac forma, videlicet: Auditis et intellectis vestris literis datis XX^o mensis decembris preteriti, in quibus continentur modi servati per vos et conventiones concluse cum illis qui venerunt ad vos nomine capitanei Reifenbergi, videlicet quod subditi nostri possint tute, libere et impune accedere ad loca sui Capitaneatus quibuscunque molestiis et impedimentiis cessantibus, et e converso sui subditi ad loca nostra venire donec aliud mandatum a nobis habebitis et cetera; et continentur etiam id quod vobis dixit Michael nuntius capitanei Vipaccii super conventionibus fiendis et super treuguis, quas ipsi dicunt velle concludere vobiscum nomine nostri Dominii, vestram virtutem et diligentiam merito laudante fidelitati vestre [per] presentes cum nostris Consiliis Rogatorum et addicionis respondemus, quod placeat nobis et sumus contenti de conventionibus et compositionibus predictis factis per vos, et volumus quod eas servatis castellanis predictis et eorum subditorum, servantibus ipsis nostris subditis istud ibidem. Preterea sumus contenti et vobis concedimus quod cum predictis castellanis possitis ad bonas treguas pervenire secundum quod scribitis fuisse requisitum per vos. De parte 20, de non 2, non sinceri 0.” ASV, SMi, reg. 52, fol. 140r.

⁵⁵⁰ “Bonum sit providere ubi et quantum sit possibile tenere loca nostra cum civibus bonis et habitatoribus illorum in via securitatis.” ASV, SS, reg. 7, fol. 72r. I have edited the deliberation in extenso in the appendix. See doc. II/L in appendix 3.

⁵⁵¹ “Captum fuerit in dicto consilio quod pro bono nostrorum locorum Istrie posset facere treguam cum dicto capitaneo⁵⁵¹ Reifferberg cum duobus castris sui capitaneatus.” ASV, SS, reg. 7, fol. 77v. I have edited the deliberation in extenso in the appendix. See doc. II/M in appendix 3.

⁵⁵² The formalized treaty of 20th of May, 1419, is published in Kandler, ed., *CDI* 4: 1614–615, doc. 964.

⁵⁵³ For the neutrality of Trieste ordered by Duke Ernst of Austria, Kandler, ed., *CDI* 4: 1604, doc. 957.

Cividale who on the 11th of July, 1419, after months of negotiations, signed a treaty of “friendship” with Venice, solemnly promising not to give “aid, council, favor or victuals” to Venetian enemies.⁵⁵⁴ Even though this was not a standard pact of subjection, it did mark the turning point in the war: four days later Venice decided to conquer Sacile, one of the most strategically valuable Friulian forts. After a month-long siege, Sacile was conquered and Prata, the ancestral home of fervent anti-Venetian house, was razed to the ground.⁵⁵⁵ The triumphant stampede of St. Mark’s winged lion that followed saw the takeover of Servalle, thus completing the *reconquista* of the entire Trevigiano region.⁵⁵⁶ Even though Sigismund managed to dispatch his forces, led by Dionysius de Marchali, the ban of Slavonia, the combined force of circa four thousand knights was

⁵⁵⁴ Alessandro Di Bari, “Cividale e gli accordi con Venezia: Tra dedizione e amicizia,” *Nuova rivista storica* 103, no. 2 (2019): 589–612, including the editions of the relevant primary sources.

⁵⁵⁵ On Sacile: ASV, SS, reg. 7, fol. 90v; ASV, SS, reg. 7, fol. 99r (imperfectly edited in Cogo, “La sottomissione,” 134–35, doc. 5). The official subjection of Sacile was enacted only on the 18th of September, 1419, with the official promulgation of the pacts of subjection. Predelli, ed., *LC* 4: 14–15, doc. 22. According to Palladio, Sacile was conquered on the 14th of August, 1419. Palladio, *Delle historie del Friuli* 1: 490. See also, Cogo, “La sottomissione,” 106 and a heroic description of the battle in Nanetti, ed., *Il codice Morosini*, 825–27, chap. 64/756. On Prata: “Quia per gratiam omnipotentis Dei obtinuimus terram Prate, et considerata mala intentione et dispositione Guilelmini de Prata et Nicolusii eius fratris perfidorum inimicorum et proditorum nostri Dominii pro honore nostro faciat ad terrorem aliorum inimicorum nostrorum providere ad totalem ruinam et desolationem terre predictae, ita quod de cetero habitari non possit.” ASV, SS, reg. 7, fol. 108v. See also, Redusio, “Chronica,” col. 850; Nanetti, ed., *Il codice Morosini*, 835–36, chap. 63/780; *Cronaca Dolfìn*, 204–5; Cogo, “La sottomissione,” 110–13.

⁵⁵⁶ Servalle was conquered in the beginning of October as read from the Senate’s minute from the 10th of October: “Fuimus informati qualiter obtinuistis [gubernator nostri exercitus] hostiliter die dominica hora nona noctis, terram nostram Seravallis.” ASV, SS, reg. 7, fol. 113r; Verci, *Storia della Marca* 19: appendix, 116–17, doc. 2150; Nanetti, ed., *Il codice Morosini*, 839–40, chap. 64/789, 840–41, chap. 64/794 (the conquest of Seravalle). See also, Cogo, “La sottomissione,” 115.

quickly repelled from Friuli;⁵⁵⁷ Patriarch Ludwig, disappointed in the outcome of both military and diplomatic ventures, left Friuli soon thereafter.⁵⁵⁸

Venetian triumphs continued unabated throughout the first half of the 1420: the *reconquista* of Feltre and Belluno was coupled with numerous subjections of Dalmatian communities (Kotor, Korčula, Omiš, Brač, Hvar).⁵⁵⁹ Even the counts of Gorizia decided to officially abandon Patriarch Ludwig's cause as they signed their own pacts of "friendship" with the *Serenissima*, relinquishing their fort Belgrado as gage that they would honor their alliance.⁵⁶⁰

⁵⁵⁷ According to the anonymous contemporary chronicle, Patriarch Ludwig of Teck descended upon Friuli with the army of around four thousand knights and they began attacking the "traitorous" Cividale. However, after fifteen days of unsuccessful siege, they gave up in their quest due to harsh weather and snow. "Rediens dominus patriarcha cum certis Ungaris fere quatuor millibus, venit in patriam et ivit in obsidium contra Civitatem Austrie cum dictis Ungaris et cum tota patria, sed in Civitatem Austrie iam venerunt gentes equestres et pedestres Domini Venetiarum, videlicet Thaddeus marchio; et ibi stetit dominus patriarcha cum dictis gentibus et tota patria diebus XV. Postea recessit propter magnum frigus et propter nives. Sed devastate fuerunt vites quasi circumcirca Civitatem Austrie. Postea dicte gentes reverse sunt in Ungariam et dominus patriarcha cum eis." De Rubeis, *MEA*, appendix, 19. Morosini reported the victory of Carlo de Pii against "i nemixi" in the vicinity of Udine in late October of 1419 and another victory of Tristano Savorgnan in late November of the same year against an army of "three thousand and two hundred Hungarians". Nanetti, ed., *Il codice Morosini*, 841, chap. 64/795 and 844–45, chap. 64/804. *Cronaca Dolfina*, 205–6, offers no details other than an army of 6000 Hungarians that soon retreated due to bad weather. Both chroniclers erroneously term the incumbent patriarch as "Marquarto" instead of Ludwig. There is some discrepancy regarding who supported Sigismund's and Ludwig's forces in Friuli: Verci followed Martin Bauzer, a 17th-century historian who wrote on Friuli and the counts of Gorizia, claiming that Sigismund's army that descended upon Friuli in late fall of 1419 was joined by Count Henry IV of Gorizia who was subsequently captured by the Venetians and ransomed for "a lot of gold." Verci, *Storia della Marca* 19: 159–60. This reconstruction is not substantiated in either the contemporary primary sources nor in (relatively) contemporary chronicle accounts and should thus be abandoned. As such, it is to be assumed that the story of Count Henry's capture and ransom stems from Bauzer's vivid imagination upon which the 17th-century "historian" often relied. Verci was followed by De Renaldi, *Memorie storiche*, 69–70 (although referencing absolutely nothing), by Cogo, "La sottomissione," 116–18 (who also claimed that Count Frederick III of Ortenburg joined the army, the man who was at this point already dead), who was in turn followed by Paschini, *SdF*, 741, and by Cusin, *Il confine orientale*, 224 (although professing doubt regarding this episode). On Bauzer's historical method, see Bogo Grafenauer, *Struktura in tehnika zgodovinske vede: Uvod v študij zgodovine* [Structure and method of historical science: Introduction to the study of history] (Ljubljana: Univerzitetna založba, 1980), 219, judging Bauzer's work as "worthless for older periods"; Darja Mihelič, "Vloga Martina Bavčerja v našem zgodovinopisju" [The Role of Martin Bauzer in our historiography], *Goriški letnik: Zbornik goriškega muzeja* 25–26 (1998–1999): 235–42. Bauzer's *Historia rerum Noricarum et Foroiuliensium* and *Syllabus Goritiae comitum* are still inedited.

⁵⁵⁸ In February of 1420 he was already in Breslau, in the company of King Sigismund. Altmann, ed., *RI* 11/1: 284, doc. 4040.

⁵⁵⁹ Feltre: ASV, SS, reg. 7, fol. 140v. Nanetti, ed., *Il codice Morosini*, 849–51, chaps. 64/821–823; Caracciolo Aricò and Frison, eds., *Cronaca Dolfina*, 207. Belluno: ASV, SS, reg. 7, fol. 147v. Nanetti, ed., *Il codice Morosini*, 851, chap. 64/824; Caracciolo Aricò and Frison, eds., *Cronaca Dolfina*, 202. Kotor: Ljubić, *Listine* 7: 302–5, docs. 232–34. See also, Mirjana Matijević-Sokol, "Uspostava mletačke vlasti u Kotoru 1420. godine (na osnovi kotorskih notarskih isprava)" [The establishment of Venetian rule in Kotor in 1420 (on the basis of notarial documents from Kotor)], *Zbornik Odsjeka za povijesne znanosti Zavoda za povijesne i društvene znanosti Hrvatske akademije znanosti i umjetnosti* 12 (1982): 9–20, esp. 9–12; Schmitt, *Das venezianische Albanien*, 271–74. Korčula: Ermanno Orlando, ed., *Gli accordi con Curzola: 1352-1421*, *Pacta veneta* 9 (Rome: Viella, 2002), 76–89, docs. 4–5. See also, Nanetti, ed., *Il codice Morosini*, 852–53, chap. 64/828; Šunjić, *Dalmacija*, 63.

⁵⁶⁰ ASV, SS, reg. 7, fol. 153r; Predelli, ed., *LC* 4: 20, doc. 37.

Finally, the true beginning of the end and the final turning point in the war took place on the 21st of May, 1420, as the Venetian Senate officially ordered their military leader, Count Filippo Arcelli, to accept the subjections of any land that would willingly surrender itself to the Venetian dominion: “all the lands and forts of the homeland of Friuli that want to submit themselves to us”—boldly decreed the Venetian senators—“the said general ought to accept freely, without harming the people or their properties, and only imparting to the people of these lands the pledge of allegiance, as is customarily practiced in similar cases.”⁵⁶¹ This momentous deliberation effectively spelled the death sentence to the Patriarchate of Aquileia. An inundating domino effect of “voluntary” subjections ensued very shortly thereafter, including the ceremonious *deditio* of Udine, the last bastion of Patriarch Ludwig’s forces, that effectively ended the war in Friuli.⁵⁶²

Even though the large and most important part of the Patriarchate of Aquileia at this point lay in Venetian hands, there were still lands *de iure* under the *potestas* of the incumbent Patriarch Ludwig that remained outside of the Dominant’s growing dominion. The lands of the Margraviate of Istria—which included Muggia, Oprtalj, Buzet, Petrapilosa, Labin and Plomin—were among them. Muggia, however, was a Venetian “friend” very much like Cividale and the community dearly wanted to see the end of the fateful conflict clearly aligned with the winning side. Thus, the formally Aquileian community wrote to the Venetian podestà of Koper, informing him that the time was ripe for the Aquileian lands in Istria to be brought under the authority of the *Dominium Veneciarum*. The podestà of Koper wrote to Venice, seeking instructions on how to proceed with the matter of the Aquileian Margraviate of Istria and on the 17th of June, 1420, the Senate

⁵⁶¹ “Vadit pars, quod scribatur et mandatur dicto nostro gubernatori et provisorio, quod Utinum et omnes terras et fortilitia patrie Foroiulii que vellent venire ad obedientiam nostram, dictus gubernator acceptare debeat libere salvis personis et havere, solummodo dando personis dictarum terrarum et locorum sacramentum fidelitatis, sicut consuetum est servari in similibus casibus. De parte 121, de non 3, non sinceri 3.” ASV, SS, reg. 7, fol. 157v.

⁵⁶² The chronology of this first wave of subjection is the following: San Vito and Portogruaro (25th of May), House Valvasone (30th of May), Fagagna (3rd of June), House Spilimbergo (5th of June), Udine (7th of June). For San Vito: ASV, SS, reg. 7, fol. 154r–v; the finalized deal was signed on the 28th of May, 1420. Predelli, ed., *LC* 4: 19, doc. 35. For Portogruaro: ASV, SS, reg. 7, fol. 154v; the finalized deal was signed on the 29th of May, 1420. Predelli, ed., *LC* 4: 19–20, doc. 36. For Valvasone: Predelli, ed., *LC* 4: 21, doc. 38. For Fagagna: BCU, FJ, *Doc. F 1397–1420*, fasc. 6, doc. 54. For Spilimbergo: BCU, FJ, *Doc. F 1397–1420*, fasc. 6, doc. 56. For Udine: BCU, ACU, *Annales* 22: fols. 20v–21r (“Notandum qualiter sub presenti M^o IIII^c XX^o, indictione XIII^a, die septima mensis iunii, ista terra Utini fecit obedientiam serenissimo ducali Dominio Veneciarum et cetera.”); De Rubeis, *MEA*, appendix, 19: “Et sic facta fuit obedientia ipsi Dominio Venetiarum nemine leso vel mortuo, sed pacifice et quiete. Et hoc fuit in MCCCCXX die VI iunii. Et dominus Tristanus et fratres de Savorgnano et sequaces intraverunt Utinum et habuerunt bona immobilia vigore determinationis prefati Domini Venetiarum. Et tota patria fecit postea obedientiam prefato Dominio.” The conquest of Udine is described triumphantly in Nanetti, ed., *Il codice Morosini*, 856–58, chaps. 64/841–45, and in Caracciolo Aricò and Frison, eds., *Cronaca Dolfina*, 208–9. See also, Cogo, “La sottomissione,” 121–23.

promulgated another historic deliberation: “Our podestà and captain should be informed and given permission to begin negotiations by way of the said people of Muggia and receive the said places and other jurisdictions of the Patriarchate of Aquileia in the region of Istria under fealty and obedience to our dominion.”⁵⁶³ The death sentence of the Margraviate of Istria was officially pronounced.

The avalanche of “voluntary” subjections that followed the *deditio* of Udine included Labin and Plomin (3rd of July, 1420), the first of the *reliquia reliquiarum Marchionatus Istrie* to voluntarily subject themselves to Venice and present their pacts of subjections to the Dominant who welcomed them into the dominion with open arms.⁵⁶⁴ Even Muggia and Murano that had signed special deals of “friendship” and non-aggression could not escape this fate: the Senate instructed both communities to voluntarily subject themselves to the Republic of St. Mark “like all the rest of the homeland had done.”⁵⁶⁵ Thus, five days after the voluntary subjections of Labin and Plomin, the same motion was performed by the Commune of Muggia who, after numerous back-and-forth between supporting Venice and allying against it, finally became an official member of the expanding *Dominium Veneciarum*.⁵⁶⁶ The war, however, was still not over.

An often-overlooked fact in historiography, the Patriarchate of Aquileia was not entirely conquered in the summer of 1420: Oprtalj, Petrapilosa and Buzet, three lone strongholds in the northern continental part of Istria remained loyal to Ludwig of Teck and King Sigismund, professing fealty to the Patriarchate of Aquileia, not to Venice. The *Serenissima* grossly underestimated the potential of this microregion to defend itself and wage defensive war. On the 28th of September, 1420, Venice agreed to construct a new fort underneath Rašpor from whence the attacks on Buzet would proceed; the Senate also sent to the incumbent captain in Istria a new military detachment with forty lances and one hundred and twenty five footmen in addition to gunpowder for bombards; the captain was also instructed to negotiate a temporary ceasefire with the enemies if possible, especially due to the approaching winter.⁵⁶⁷ On the 20th of January, 1421,

⁵⁶³ ASV, SS, reg. 7, fol. 160v. I have edited the Senate’s minute *in extenso* in the appendix. See doc. II/N in appendix 3.

⁵⁶⁴ The *capituli* are edited *in extenso* in “Senato secreti I”, 280–82 (Labin), 282–84 (Plomin).

⁵⁶⁵ “Sicut notum est illi de Marano, qui sunt de dicta patria, si starent neutrali modo ut manent venirent stare exclusi et separati soli ad non essendum sub nostro Dominio cum aliis locis patrie, quod non est conveniens, nam dabent dicti Maranensi esse sub nostra obedientia prout est reliquium tocius patrie.” Doc. II/O in appendix 3. Interestingly, this policy did not extend to Cividale that remained a unique jurisdictional island within Venetian Friuli.

⁵⁶⁶ The *capituli* are edited *in extenso* in “Senato secreti I”, 284–85. See also, Colombo, *Storia di Muggia*, 108–9.

⁵⁶⁷ ASV, SS, reg. 7, fol. 181v. I have edited the deliberation *in extenso* in the appendix. See doc. II/P in appendix 3.

the three forts were still unconquered and the senators were losing their patience as they ordered their captain of the province—who cowardly abandoned his troops and retreated to Rašpor, provoking a most severe admonishment from the *Serenissima*—to meet his troops in Podpeč and lead them personally against the enemies in Istria “because military actions require the presence of the captains.”⁵⁶⁸ Moreover, with the hope of quickly ending the conflict on the Peninsula, the famed Taddeo d’Este was made the general captain of the Venetian army in Istria.⁵⁶⁹ However, the marquis of Este was met with enemy reinforcements: King Sigismund dispatched a certain individual called Rother to Istria whose military contingent was to help the cause of the marooned Aquileian subjects; on his way, he was welcomed by both the count of Celje and the lord of Walsee, provoking Venice to warn their “friends” that such betrayals of their trust would not be tolerated.⁵⁷⁰ Even though the identity of this mysterious military commander cannot be ascertained, his military prowess kept Venice powerless to conquer the remaining lands of the Istrian margraviate for months to come. In order to combat this menace, on the 8th of March, 1421, the senators greenlighted the deployment of five hundred footmen in addition to cavalry, cannons, and “other instruments of war;” moreover, the costly Istrian campaign were to be financed through collected surtaxes and back taxes on forced loans.⁵⁷¹ In spite of these hefty provisions, Patriarch Ludwig’s bastions in Istria refused to yield. On the 30th of May, 1421, Venice even dispatched the famed Count Filippo Arcelli, the conqueror of Friuli, to personally lead the military actions in Istria and conquer the unassailable Buzet.⁵⁷² It was there, after decades of warfare on a multitude of battlefields, that the famed military commander met his end, hit—according to Marino Sanudo—

⁵⁶⁸ “Res eidem bellice requirunt presentiam capitaneorum et subitas provisiones contra pericula que occurrunt.” ASV, SS, reg. 7, fol. 199r. I have edited the deliberation *in extenso* in the appendix. See doc. II/Q. Morosini also reported on this embarrassing situation: “<Relicta obsidio Raspur> De le parte de l’Istria avesemo i nostri aver abandonado la bastia nostra levada a preso Raspo, e partidi non posando resister a i nemixi nostri Ongari, e reduiti i nostri e le suo forteze lasando a quelì la campagna spazada.” Nanetti, ed., *Il codice Morosini*, 885, chap. 64/917.

⁵⁶⁹ “Et iterato sollicitetur per litteras nostras quod Thadeus, qui est in partibus Paduane, subito huc veniat et cum applicuerit subito mittatur Utinum et mandetur sibi quod absque aliqua mora debeat equitare ad partes Istrie cum genibus suis et cum Ferro de Sancto Felice et Petro de Montefalco, si ad huc non recesissent; et quod sit caput et gubernator gentium omnium predictarum et aliarum que erunt in dictis partibus Istrie, et attendat ad confusionem gentium nobis inimicarum et ad conservationem et securitatem locorum et subditorum nostrorum.” ASV, SS, reg. 7, fol. 199v (20th of January, 1421).

⁵⁷⁰ ASV, SS, reg. 7, fol. 206v. I have edited the deliberation *in extenso* in the appendix. See doc. II/R.

⁵⁷¹ ASV, SS, reg. 8, fol. 4r (8th of March, 1421). I have edited the deliberation *in extenso* in the appendix. See doc. II/S in appendix 3.

⁵⁷² ASV, SS, reg. 8, fol. 13v (30th of May, 1421). I have edited the deliberation *in extenso* in the appendix. See doc. II/T in appendix 3.

by a bolt fired by a crossbowman of Buzet.⁵⁷³ Finally, in late July of 1421, Marquis Taddeo d'Este managed to conquer Oprtalj, Buzet, and Petrapilosa, at long last ending the military operations against Ludwig of Teck's and King Sigismund's forces, effectively killing the ecclesiastical principality of the Aquileian patriarchs.⁵⁷⁴ On the 5th of August of the same year, the Venetian Senate debated the fates of the three conquered strongholds and, despite the proposals to raze two to them to the ground due to their ferocious enmity, it was in the end decided to magnanimously accept all three of them into the expanding Republic of St. Mark.⁵⁷⁵ The final "voluntary" pact of subjection issued by a subject of the Aquileian Church was in fact the submission of Buzet, approved by Doge Mocenigo on the 9th of August, 1421, more than a year after the complete subjection of Friuli.⁵⁷⁶ The incumbent doge "gracefully forgave all the [harm] the said community had committed [against Venice]" and promising to respect their old rights and customs, welcomed the last Aquileian community into the embrace of the Nascent *Dominium Veneciarum*.⁵⁷⁷ The Margraviate of Istria was killed by the triumphant winged lion of St. Mark. However, not sooner had the smoke from the fired bombards evaporated than the new battle appeared on the horizon, one that would be fought in a different arena.

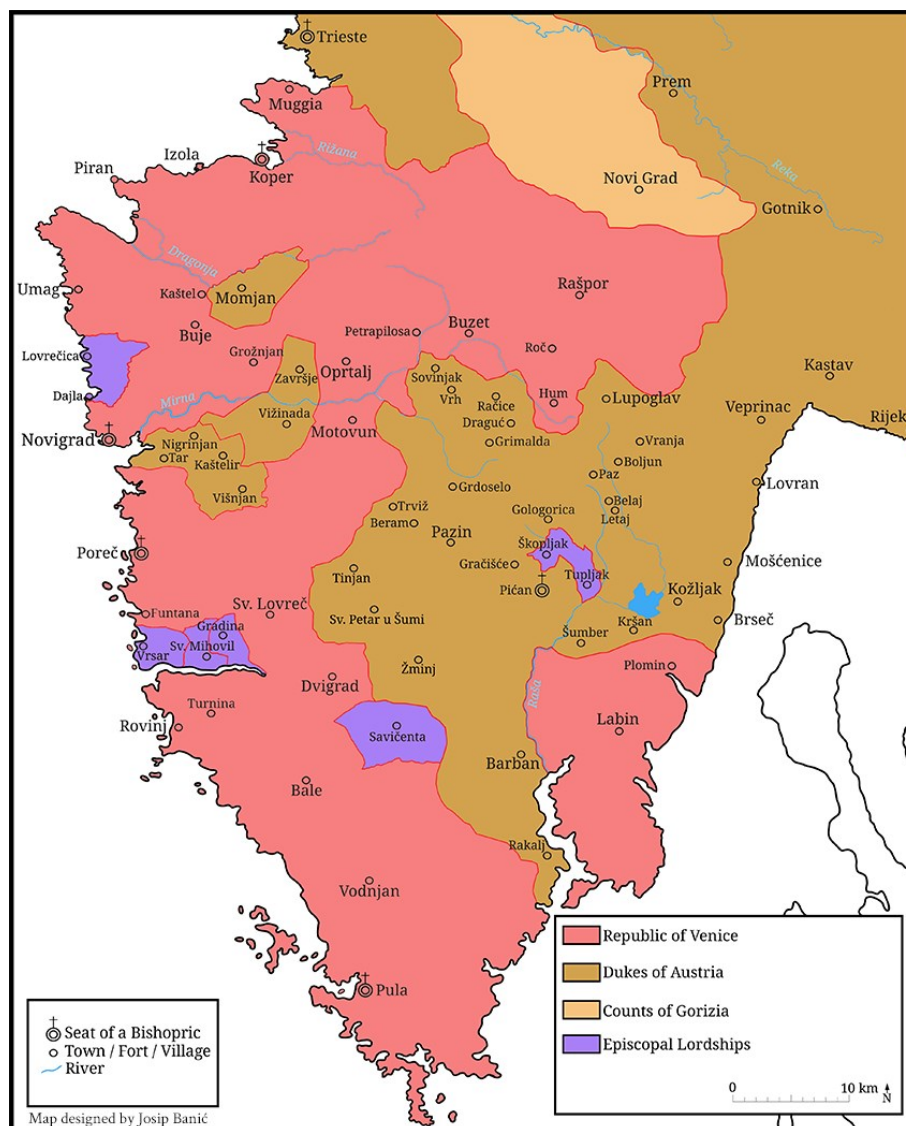
⁵⁷³ "Cum sicut notum est, mortuus est ____ gubernator gentium nostrorum et gentes sue conductae compleant firmam suam die duodecimo mensis augusti." ASV, SS, reg. 8, fol. 23v. Morosini simply reports that the famed *condottiero* died in Istria. Nanetti, ed., *Il codice Morosini*, 897–98, chap. 64/948. Marino Sanudo, "Le vite dei dogi," in *Rerum italicarum scriptores*, ed. Lodovico Antonio Muratori (Milan: Societas palatinae in regia curia, 1733) (hereafter: VDD RIS), col. 940: "In Istria del mese di Luglio essendo andato per nome della Signoria nostra a ricuperare alcuni castelli, il signor Filippo d'Arcelli con gente d'arme e pedoni combattendo, fu ferito da un verettone e morì. Era un degno capitano." Cf. Mallett and Hale, *The Military Organization*, 30, stating that Arcelli "became ill and died" in Koper.

⁵⁷⁴ "Avesemo da le parte de l'Istria da puo' la morte del nobel chapetanio nostro misier Felipo d'Arzieri, chonbatando i nostri di e note quele forteze apertegniva a i nostri del patriarchado d'Agulia per lo provededor nostro misier Tadeo marchexe, scrisse prima aver abudo Tergolo, over Pinguento, e a preso Pietra Peloxa a pati, e da puo' i nostri soldadi, quel iera dentro, fo per conto XIII, d'i qual se pensa i manderà in questa tera. La qual novela è sta' molto utele e bona a i pasi nostri de tuto el Friul, e si per la marchadantia uxada de andar e vegnir per quele contrade. Che mile laude de abia l'eterno Dio!" Nanetti, ed., *Il codice Morosini*, 897–98, chap. 64/948. Shorter versions in Caracciolo Aricò and Frison, eds., *Cronaca Dolfina*, 216; Marino Sanudo, "VDD RIS," col. 940.

⁵⁷⁵ ASV, SS, reg. 8, fol. 27r. Edited in extenso in *FIM*, 6: doc. 1421_SS58, https://fontesistrie.eu/1421_SS58.

⁵⁷⁶ Državni arhiv u Rijeci [State archive in Rijeka] (hereafter: DAR), Javna uprava [Public administration] (hereafter: JU), 67: Općina Buzet [The Commune of Buzet], b. 1, fol. 12r–v. Edited in extenso in *FIM*, 6: doc. 1421_DMP, https://fontesistrie.eu/1421_DMP.

⁵⁷⁷ "Nos vero audita eorum supplicatione et volentes erga dictos Pinguentinos benignitatem et gratiam nostram extendere—eis omnia commissa contra nos gratiose remittentes—ipsos ad gratiam nostram acceptavimus et acceptamus, videntes quod illis immunitatibus et consuetudinibus gaudeant quibus soliti erant gaudere et habere antequam pervenirent ad manus nostri Domini." *FIM*, 6: doc. 1421_DMP, https://fontesistrie.eu/1421_DMP.



Map 8: Istria after the third wave of Venetian expansionism and the takeover of the Patriarchate of Aquileia (August, 1421)

Already on the 8th of September, 1420, Venetian senators were compelled to open negotiations with the Holy See: the pope had sent his ambassador to Venice, seeking that the matters of Venice holding a *de iure* ecclesiastical properties—the Patriarchate of Aquileia—be immediately settled.⁵⁷⁸ The next day, the Senate gave the papal envoy an official response: “God knows, who knows the hearts of everyone, that the truth is as the said ambassador explained: that

⁵⁷⁸ “Die VIII septembris. Quia ambassiator domini pape qui venit ad presentiam nostram super factis patrie Foroiulii in expositione sue ambassiate in scriptis date dicit quod petitione aliqua occurrant dubia, idem ambassiator audiet et toto posse satisfaciet.” ASV, SS, reg. 7, fol. 177v. Dated 11th of September in Nanetti, ed., *Il codice Morosini*, 871–72, chaps. 64/882–83.

we did not subjugate the homeland of Friuli out of hatred towards any Church—neither the universal nor any particular one, neither the Roman nor the Aquileian—or out of any greater ambition, but solely in order to fortify and defend our position in relation to the war that we had waged against the lord king of the Romans” stated defensively the cornered senators.⁵⁷⁹ The pope was kindly asked “not to innovate,” because any interference in the Patriarchate of Aquileia would be potentially dangerous for the Republic of St. Mark.⁵⁸⁰ It was, however, clear to both sides that some kind of a deal had to be struck between the triumphant *Dominium Veneciarum*—who was adamant in its argumentation that the lands in Friuli were conquered in “just war”—and the Holy See who had to protect the interests of the Roman Church, especially the interests of the Patriarchate of Aquileia, one of the wealthiest churches of Latin Christendom and “after Rome, the second wealthiest Church of Italy”.⁵⁸¹

One of the early and ultimately rejected proposals on how to deal with this matter was to indeed relinquish all the conquered lands back to the patriarchs, but keep Sacile, Portogruaro, Marano, Monfalcone and Muggia as gages, a security that the Aquileian prelates would indeed live in peace with the *Serenissima*.⁵⁸² Eventually, however, Venice decided to insist on keeping the temporal dominion over the entire ecclesiastical principality. Thus, on the 13th of September, 1420, the senators presented their solution to the papal nuncio: Venice would accept “a valorous man” delegated by the pope who would only collect the tributes due to the Holy See, but would not interfere with the administration of lands and forts; they would also accept any delegated prelate that would continue to govern the Patriarchate of Aquileia in spiritual and papal matters (including

⁵⁷⁹ “Novit Deus, qui corda omnes cognoscit, quod veritas est sicut dictus ambaxiator exposuit, quod non in odium alicuius Ecclesie universalis sive particularis nec Romane nec Aquilegiensis nec etiam ambitione maioris [...] subiugavimus patriam Foroiulii, sed solum ad fortificationem et defensionem status nostri respectu guerre quam habemus cum domino rege Romanorum.” ASV, SS, reg. 7, fol. 178r.

⁵⁸⁰ “Supplicamus quod causis et respectibus suprascriptis dignetur sua sanctitas nec per viam administratoris nec patriarche nec per alium modum aliquid in dicta patria innovare, quia sicut diximus, si aliquid innovaretur, redundaret ad manifestum periculum status nostri.” ASV, SS, reg. 7, fol. 178r.

⁵⁸¹ For the medieval concept of “just war”, see Frederick H. Russell, *The Just War in the Middle Ages* (Cambridge: Cambridge University Press, 1975), esp. 297 where it is likened to “an extraordinary form of a lawsuit,” “self-defense,” “condemnations of the vices to which fighting gave rise.” According to the estimations of the Holy See, the yearly profit from the entire patrimony of the Church of Aquileia was valued at 30 000 florins as the common service tax (*taxa pro communibus servitiis*) it paid amounted to 10 000 florins. The only churches that paid a higher common service tax, that of 12 000 florins, were the Archbishopric of Rouen and the Bishopric of Winchester. Hermann Hoberg, ed., *Taxae pro communibus servitiis: Ex libris obligationum ab anno 1295 usque ad annum 1455 confectis*, Studi e testi 144 (Vatican: Biblioteca apostolica Vaticana, 1949), 11, 374; Girgensohn, “Venezia e il primo,” 25 from where the quotation that the Patriarchate of Aquileia was “dopo Roma, la chiesa più ricca d’Italia.”

⁵⁸² “Quod summus pontifex concedat in perpetuum nostro Dominio, cum illis modis et formis que sint cum honore sancte matris Ecclesie et beatitudinis sue, terras Sacili, Portusgruarii, Marani, Montisfalconi et Mugle respectu securitatis nostre Rey Publice pro possendo pacifice vivere cum patria predicta.” ASV, SS, reg. 7, fol. 179r.

the matters of matrimonies, excommunications, absolutions, consecrations, et cetera), but the temporal jurisdictions would have to stay in the sole *potestas* of the Venetian dominion.⁵⁸³ With this offer, the parties awaited the official response of the Roman pontiff. It arrived shortly thereafter with burning fury.

“If our dominion does not return the homeland of Friuli”—deliberated worriedly the assailed senators—“his sanctity will launch a process against us.”⁵⁸⁴ However, Venice remained adamant in its position: the conquered lands were won in “just war” and Venetian victory came through the grace of God.⁵⁸⁵ The negotiations continued for months. In the end, the two sides managed to come to an understanding, tacitly, without the signing of any formal documents. As Pope Martin V knighted the Venetian diplomat Nicolò Zorzi, ceremoniously inducting him into the Order of the Lateran Palace, he implicitly declared that the Holy See would support the Venetian case, at least for the time being.⁵⁸⁶

With the pope taken care of, Venice still had to deal with King Sigismund, the Republic’s archenemy. The monarch was, however, deeply embroiled in the Hussite wars and the quest to reclaim the Bohemia throne.⁵⁸⁷ Although the Roman king forged a new anti-Venetian alliance, this

⁵⁸³ “MCCCCXX, die XIII^o septembris. [...] <Ser Franciscus Fuscari procurator sapiens consilii, ser Nicolaus Georgio sapiens guerre> Comparuit ad presentiam nostri Dominii ambassiator summi pontificis, et nobis exposuit quod examinata continentia nostre responsionis non erat improbandum propositum nostrum in ea parte in qua in responsione nostra dixerimus, quod non in odium alicuius Ecclesie nec etiam ambitione maioris status sed solum pro defensione status nostri subiugaveramus patriam Foroiulii, et petiit super duobus declarari: primo, si haberemus pro bono quod sanctissimus dominus papa haberet deputare aliquem valentem virum, qui reciperet fructus, proventus et redditus Patriarchatus Aquilegie, et quod de terris et castris non si impederet; secundo, quod sanctissimus dominus papa deputeret aliquem prelatum qui exerceret spiritualia et pontificalia, ut puta in facto matrimoniorum, in excommunicationibus, in absolutionibus, in consecrationibus prebendorum et in aliis spiritualitati pertinentibus.” ASV, SS, reg. 7, fol. 179v.

⁵⁸⁴ “Si Dominium nostrum non restituet patriam Foroiulii sua sanctitas faciat processum contra nos, quam informationem moleste et non sine magna turbatione mentis nostre audivimus.” ASV, SS, reg. 7, fols. 190v–191r (21st of November, 1420, quotation on fol. 190v).

⁵⁸⁵ “Considerata iusto bello quo subiugavimus patriam predictam, quo bello durante nullum interpositorem pacis invenimus, victores remansimus mediante gratia Altissima.” ASV, SS, reg. 7, fol. 191r.

⁵⁸⁶ “Al dido el santo pare papa Martin tal anbasador e la sua petition esiando nel suo conzistorio et im prexencia de tute quelle anbasade che satrovava la davanti ala sua prexencia el respoxo el pape e dise chel iera contento de voler aconpiazer a quella Serenissima Signoria de tuto quello che lor avea domandado. Et oltra de questo, in segno damor e de benevolencia et aflicion delecion che el avea, el zorno seguente che era el zorno de San Piero, dapuo dito lui la sua mesa el vol se zenzer la spada a meser Nicolo Zorzi e fexello cavalier e donolli uno zoiello de valor ducati 600 doro. E subito fato cavalier, li in giexia prexenti tuti lui disse uno notabilissimo sermon per modo che da tuti el fo chommendado.” John E. Law, “Venice and the Problem of Sovereignty in the Patria Del Friuli, 1421,” in *Venice and the Veneto*, 147. Similar story is reported by Morosini as well, a contemporary to the events, meaning that the pope’s knighting of Zorzi was easily and universally decoded as his de facto agreement with Venice regarding the Patriarchate of Aquileia. Nanetti, ed., *Il codice Morosini*, 894–95, chap. 64/943. Similar narrative in Caracciolo Aricò and Frison, eds., *Cronaca Dolfina*, 214. See also, Law, “Venice and the Problem,” 139–42; Law, “Venetian Rule,” 5–6.

⁵⁸⁷ Hoensch, *Kaiser Sigismund*, 279–310.

time with the duke of Milan, Maria Filippo Visconti, it ended up not bearing any fruit and the two allies, blaming each other for the failure, eventually turned to foes.⁵⁸⁸ Finally, with the election of Garbiele Condulmer, a Venetian, as the new pope, Eugene IV (3rd of March, 1431), Sigismund decided that the time was ripe for a rapprochement with Venice in order to secure the much coveted imperial coronation in Rome.⁵⁸⁹ The negotiations between King Sigismund and the *Serenissima* that were opened in the fall of 1431 eventually resulted with two treaties sanctioning five-year ceasefire period.⁵⁹⁰ Finally, following his official crowning as the emperor of the Holy Roman Empire in 1433, Sigismund even agreed to bequeath to Venice the official legitimation of its territorial expansion in *Regnum Italicum*. Thus, on the 20th of July, 1437, Emperor Sigismund of Luxembourg officially bestowed upon Doge Francesco Foscari the imperial vicariate over Treviso, Feltre, Belluno, Ceneda, Padua, Brescia, Bergamo, Casalmaggiore, Soncino, Piadena, San Giovanni in Croce and the northern district of Cremona east of river Adda, the natural border delimiting the dominion of Venice from that of Milan.⁵⁹¹ The charter of investiture was followed soon thereafter, on the 16th of August, by a ceremonial investiture ritual staged in Prague; in

⁵⁸⁸ This is the briefest possible summary of a complex story arc that spans almost a decade. Somaini, “Les relations complexes,” 174–97 offers a good overview, although there are some inaccuracies as the author did not consult all the primary sources. I will dedicate more space to the Visconti–Sigismund–Venice dynamic in my upcoming monograph.

⁵⁸⁹ Eubel, *Hierarchia* 1: 33, 2: 1, 7. Originally, the pacification with Venice was to include the restitution of Dalmatia to the Kingdom of Hungary in exchange for all the recognition of all the lands the *Serenissima* conquered in the *Regnum Italicum*. These negotiations failed, but they opened the door to new rounds that eventually resulted with ceasefires. Ljubić, ed., *Listine* 9: 47–49; Schiff, *König Sigmunds*, 145–46; Hoensch, *Kaiser Sigismund*, 373.

⁵⁹⁰ First treaty sanctioning five years of ceasefire was signed on the 4th of June, 1433, and it was subsequently prolonged for another five years in 1437. Herre, ed., *DRTA: Sigmund* 10: 812–15, docs. 487–88; Ljubić, ed., *Listine* 9: 56–59. Second treaty: Ljubić, *Listine* 9: 103–5 (29th of July, 1437).

⁵⁹¹ “Sigismundus divina favente clemencia Romanorum imperator semper augustus ac Hungarie, Boemie, Dalmacie, Croacie et cetera rex illustri principi Francisco Foscari duci Veneciarum Tervisii, Feltri, Civitatis Belluni, Cenete, Padue, Brixie, Pergami, Casalis Maioris, Soncini, Platine, Sancti Iohannis in Cruce ac reliquorum castrorum, locorum et passuum in territorio Cremonensi situatorum nostro et Sacri Romani Imperii vicario generali fideli et sincere dilecto sciencia vicariatuum predictarum civitatum Tervisii, Feltri, Civitatis Belluni, Cenete, Padue, Brixie, Pergami, Casalis Maioris, Soncini, Platine, Sancti Iohannis in Cruce cum reliquis castris, locis et passibus situatis in territorio Cremonensi et in reliquis partibus Lombardie que per te et tuum Dominium possidentur citra Aduam ipsarumque territorium, districtuum ac pertinenciarum cum universis et singulis earum iuribus, regalibus, libertatibus, preeminenciis, iurisdictione et honore, qualitercumque spectant ad nos et Imperium, graciose conferimus.” Beckmann, ed., *DRTA: Sigmund* 12: 181–84, doc. 113.

essence, Venice became, albeit only on the surface, an imperial retainer.⁵⁹² Shortly afterwards, on the 9th of December, 1437, Emperor Sigismund of Luxembourg died.⁵⁹³

There were places that had been purposefully omitted from Sigismund's investiture. Neither Verona nor Vicenza were mentioned out of respect for Brunoro della Scala who remained close associate of Sigismund's throughout this period.⁵⁹⁴ More importantly in the context of Istria, neither Friuli nor any mention of the Patriarchate of Aquileia were made in the diploma as Patriarch Ludwig of Teck, another dear ally of the emperor, still refused to yield.

The patriarch-in-exile never abandoned his dream of reconquering his ecclesiastical principality from the Venetian invaders. He was also equally adamant to reclaim the Aquileian Margraviate of Istria as he continued to appoint margraves even though they had—just as he himself in Friuli—absolutely no effective power on the Peninsula. The last documented margrave of Istria appointed by an Aquileian patriarch is Count Wilhelm of Prata, appointed by Ludwig of Teck and not by chance the member of the leading anti-Venetian noble house of Friuli whose ancestral home the *Serenissima* razed to the ground.⁵⁹⁵ Patriarch Ludwig personally led two armed expeditions into Friuli: one in the summer of 1426 when he led “three thousand Germans” and managed to conquer Chiusa and Moggio before eventually being driven out by Venetian forces;⁵⁹⁶

⁵⁹² Romano analyzes the ceremony held in Prague based on the description in *Cronaca Dolfina* and states that the investiture took place on the 16th of August, 1437. Romano, *The Likeness of Venice*, 126–27. The same date is given by Sanudo, most probably taken from *Cronaca Doflin*. Sanudo, *Le vite dei dogi: 1423–1474*, ed. Angela Caracciolo Aricò and Chiara Frison, 2 vols. (Venice: La Malcontenta, 1999–2004) 1: 624. The same date is given by Romanin as well, albeit without citing any primary source. Romanin, *Storia documentata* 4: 185. Unfortunately, *Cronaca Dolfina* is at this point edited only up to 1423, leaving the last part still unpublished. Highly unfortunately, I did not manage to consult the manuscript. On the 20th of August of the same year, Sigismund confirmed the investiture and bestowed upon Marco Dandolo the title of count palatine. Beckmann, ed., *DRTA: Sigismund* 12: 193, doc. 120; Altmann, ed., *RI* 11/2: 419–20, doc. 12054.

⁵⁹³ Hoensch, *Kaiser Sigismund*, 461.

⁵⁹⁴ John E. Law, “Verona and the Venetian State in the Fifteenth Century,” in *Venice and the Veneto*, 10–11.

⁵⁹⁵ “Propinavimus dem patriarchen von Frigaul und dem grafen von Prayt dem markgrafen von Ysterreich.” Kerler, ed., *DRTA: Sigismund* 8: 228, doc. 184. Count Wilhelm of Prata escaped Friuli and found safe heaven with Patriarch Ludwig on Sigismund's court in Hungary. Altmann, ed., *RI* 11/1: 298, doc. 4233a. See also, Gherardo Ortalli, “Le modalità di un passaggio: il Friuli e il domino veneziano,” in *Il Quattrocento nel Friuli occidentale: Atti del convegno organizzato dalla Provincia di Pordenone nel mese di dicembre 1993*, vol. 1 (Pordenone: Provincia di Pordenone, 1996), 13 and 28–29, fn. 4 for more secondary sources.

⁵⁹⁶ “Repente novum habuimus, quod in confinibus Foriulii tria millia equitum Teutonicorum attensere; dicitur quod sunt gentes attinentis ducis Dech. Magna Hungarorum armigerorum comitiva attingit confinia Foriulii; dicitur, iam sit ad confinia comitis Gorizie, in oppositum quorum Veneti miserunt pro duobus millibus equitibus revocandis de exercitu, quem Bressie habent, ut mittant eos Foriulium, se ut tueantur a potencia predictorum.” Josef Gelcich and Lajos Thallóczy, eds., *Diplomatarium relationum rei publicae Ragusanae cum regno Hungariae* (Budapest: Magyar Tudományos Akadémia, 1887), 316–19, doc. 202 (quotation on 319). Morosini reports on three thousand equestrians and a thousand footmen “de Todeschi” led by “dux Decke” and “conte de Cil suoxero de la coronò del re d’Ongeria.” Nanetti, ed., *Il codice Morosini* 3: 1149–150, chap. 65/504. On the conquest of Chiusa and Moggio: ASV, SS, reg. 9, fols. 155v–156r; Nanetti, ed., *Il codice Morosini* 3: 1154, chap. 65/515.

the second in October of 1431 when he and Count Hermann of Celje amassed four thousand soldiers in a quest to reconquer Friuli and while initially successful, they were ultimately defeated by the Venetians at the Battle of Rosazzo.⁵⁹⁷ Seeing that he was powerless to defeat Venice in a military arena, the bellicose prelate found a different stage to wage war against the expanding *Dominium*: the Council of Basel.⁵⁹⁸

The diplomatic war officially commenced already on the 20th of April, 1434. Ludwig's envoy formally asked that the sacred council approach the Venetian emissaries and ask them to restore the temporal possessions of the Patriarchate of Aquileia to the incumbent, lawful patriarch.⁵⁹⁹ On the 28th May, the patriarchal nuncio took a more aggressive stance as he requested that the council issue a *monitorium*—an official admonition and the first step towards excommunication—against Venice on the grounds of its occupation of both spiritual and temporal

⁵⁹⁷ “Venit prefatus dominus Ludovicus in patriam cum certis Hungaris, videlicet quatuor mille, in MCCCCXXII [sic!] de mense octobris et accepit Manzanum et Rosacium. Et postea aufugit propter gentes Venetorum que venerunt in patriam.” De Rubeis, *MEA*, appendix, 19. The year given by the contemporary chronicler is evidently erroneous because Venetian records do not document these events under 1422, but under 1431 and precisely Manzano and Rosazzo are mentioned. Thus, whether by the chronicler's or copyist's *lapsus calami*, the original MCCCCXXII became the erroneous MCCCCXXI, an easy mistake to make. This mistake, however, engendered numerous subsequent errors with historians writing on these events. The first to take over this erroneous dating was the Venetian consultor in iure Paolo Sarpi in his tractate on Venetian jurisdictions in the Patriarchate of Aquileia, written in the first quarter of the 17th century. Corrado Pin, ed., *Venezia, il patriarcato di Aquileia e le “Giurisdizioni nelle terre patriarcali del Friuli” (1420-1620): Trattato inedito di fra Paolo Sarpi* (Udine: Deputazione di storia patria per la il Friuli, 1985), 132 and 114, fn. 27 (hereafter: *Trattato*). The incorrect dating was also taken over by Paschini, the most influential of historians of medieval Friuli. Paschini, *SdF*, 750. In more recent times, it is also accepted in e.g. Ortalli, “Le modalità di un passaggio,” 14; Domenig, “Ludwig von Teck,” 155. Cusin, who also accepted the 1422 dating, did not fail to mention that “non abbiamo trovato documenti comprovanti la cosa per quest'epoca e quei fatti devono probabilmente essere positi sotto altra data.” Cusin, *Il confine orientale*, 253, fn. 92. Unsurprisingly, Dieter Girgensohn does not make that error and correctly states that Ludwig's invasions of Friuli took place only in 1426 and 1431. Girgensohn, “Teck, di Ludovico,” <http://www.dizionariobiograficodeifriulani.it/teck-di-ludovico/> [last access: 3rd of March, 2021]. See also, Nanetti, ed., *Il codice Morosini*, 1549–550, chap. 65/1567, 1552–553, chap. 65/1574; Cusin, *Il confine orientale*, 277.

⁵⁹⁸ For Ludwig of Teck's participation in the Council of Basel: Johannes Haller, ed., *Concilium Basiliense: Studien und Quellen zur Geschichte des Concils von Basel* (hereafter: *CB*), vol. 2 (Basel: Reich, 1896), 48, 258, 407, vol. 3 (Basel: Reich, 1900), 76, vol. 6 (Basel: Reich, 1926), 215, 548 and *passim*; Johannes Helmuth, “The Empire and the Council,” in *A Companion to the Council of Basel*, ed. Michiel Decaluwé, Thomas M. Izbicki, and Gerald Christianson, Brill's Companions to the Christian Tradition 74 (Leiden: Brill, 2017), 412. On the Council of Basel, see Michiel Decaluwé and Gerald Christianson, “Historical Survey,” in *A Companion to the Council of Basel*, 8–37.

⁵⁹⁹ “Vicarius Maguntinus, presentibus dominis patriarcha Aquilegiensi, filio marchionis Brandeburgensis et quampluribus nobiles, proposuit nomine ipsius domini patriarche, supplicando sacro concilio quod dignaretur deputare aliquos deputatos, qui adirent dominos ambassiatores Venetorum, ut ipsi Veneti vellent restituere temporalitatem ipsius Patriarchatus ipsi domino patriarche.” Halled, ed., *CB* 3: 76. The request was repeated four days later: “Ipse dominus patriarcha per organum vicarii Maguntini requisivit sacrum concilium ad possessionem domini sui temporalis restitui et iusticiam ministrari.” Haller, ed., *CB* 3: 81.

possessions of the Aquileian Church.⁶⁰⁰ Two months later, on the 30th of July, 1434, the Venetian representative rehearsed the old argument, claiming that Venice was “coerced to invade it [the Patriarchate of Aquileia] by the decree of the late Pope Martin V.”⁶⁰¹ That no such decree existed apparently did not matter, but Venice wanted to cash in on the fact that the late pontiff (tacitly) supported Venetian dominion over the Patriarchate of Aquileia. On the 6th of August of the same year, the patriarch-in-exile once again pressed for the *monitorium* against Venice; the Most Serene Republic replied that the council should refrain from issuing it before having heard all the crimes committed by the incumbent patriarch.⁶⁰² Ludwig’s envoy agreed to hear the Venetian side of story and, if the council deemed it legitimate, promised that the patriarch would accept both the deprivation of office as well as incarceration, but he continued to insist that Venice relinquish the Patriarchate of Aquileia to the Council.⁶⁰³

This diplomatic strategy of playing up to the Council by acknowledging its *potestas* and freely and submitting to it seemed to have worked. Thus, on the 13th of August, 1434, the Council of Basel decided to rule the case in Ludwig’s favor and formally asked Venice to relinquish the Patriarchate of Aquileia lest it face their *monitorium*.⁶⁰⁴ Five days later, a potential compromise was in sight. The Council, affirming that Venice had no lawful right to hold the lands of the Aquileian patriarchate, offered to the Republic of St. Mark the option to lease the temporal jurisdictions of Patriarch Ludwig for six years for a yearly sum of six thousand florins, after which the ecclesiastical principality would return to the *potestas* of the Church and the lawful patriarch.⁶⁰⁵

⁶⁰⁰ “Dominus vicarius Maguntius nomine domini patriarche Aquilegiensis presentis proposuit, quomodo alias pro parte dicti domini patriarche petitem fuerat, monitorium contra illustre Dominium Venetorum, occupans, ut dicebat, temporalitatem et spiritualitatem sui Patriarchatus.” Haller, ed., *CB* 3: 108.

⁶⁰¹ Ambassiatores Venetorum habuerunt audienciam in causa Aquilegiensi per organum primo domini Gasparis et deinde per ambassiatores militem et doctorem, qui inter cetera dixit, quod sciebant se non esse legitimos possessores terre, quam dicit dominus patriarcha occupatam, sed quod coacti eam de licencia felicis recordacionis domini Martini pape quinti invaserant.” Haller, ed., *CB* 3: 163.

⁶⁰² “Dominus Iohannes Franciscus orator ipsius illustris Domini Venetorum ibidem immediate replicavit ad dictam responsionem, obciens et allegans multa crimina, et monitorium decerni non debere nisi auditis hincinde partibus et iuribus et probacionibus suis.” Haller, ed., *CB* 3: 167.

⁶⁰³ “Reverendissimus dominus patriarcha obtulit, quod ipsi restituant sacro Concilio et in manibus eiusdem sacri Concilii suam Ecclesiam Aquilegiensem, et postmodum agatur super criminibus, quibus offerabat se respondurum, et si dignis sit privacione, privetur, si incarceratione, incarcerationetur.” Haller, ed., *CB* 3: 167–68.

⁶⁰⁴ “Super facto Patriarchatus Aquilegiensis concordant omnes deputaciones finaliter, quod decernatur monitorium ipsi domino patriarche. Volunt tamen due deputaciones, quod primo moneantur ambassiatores Domini Venetorum quod ponant detenta per eos in manibus sacri Concilii; quod si non acquirerint, tunc per sacrum Concilium decernatur monitorium in ista presenti congregacione.” Haller, ed., *CB* 3: 172 (quotation), 174.

⁶⁰⁵ Haller, ed., *CB* 3: 178 (18th of August, 1434); Iohannes de Segovia, *Historia gestorum generalis synodi Basiliensis*, ed. Ernst Birk, vol. 1, *Monumenta conciliorum generalium seculi decimi quinti: Concilium Basiliense: Scriptorum* 2 (Vienna: Caesarea Academia Scientiarum, 1873), 738–39. The *capituli* of the potential agreement are recorded in the

Two days later, the senators debated the proposal and issued further instructions to their envoys in Basel. “We see and we are most clearly aware that we have been treated in justly and violently because there are many lords, dominions, and others, who need not be named, who have occupied and held in the past and who occupy and hold in the present—without any lawful title—the lands and places of the Church, and who have never done anything for the honor and wellbeing of the Church and the Catholic fate that is even comparable to the smallest fraction of what we and our Republic did and continue to do for God’s Church and for the prosperity and the defense of Catholic fate,” stated aggrievedly the Venetian Senate.⁶⁰⁶ Notwithstanding this unfair treatment, the senators proclaimed that they would in fact be “pleased to reach a mutual agreement with the revered lord patriarch” so that “the entire world know that” that the Venetians are “true sons of the Church” who never “shun peace and concord.”⁶⁰⁷ However, the proposed treaty needed to be slightly modified: the period of lease should be extended to ten, or at least eight years; the annuity should be reduced to five thousand florins; and Venice would not, if possible, formally relinquish its claim on the Patriarchate, but simply acknowledge that it held it from the incumbent patriarch; most importantly in the context of Istria, however, the Venetian ambassadors were instructed to do absolutely everything in their might so that the potential renunciation “does not extend to anything other than the homeland of Friuli”—a clear reference to the Margraviate of Istria.⁶⁰⁸ For whatever reason, the deal was never agreed upon and the two parties parted ways once again on inimical terms. The Council was beginning to lose its patience.

On the 17th of September, the Venetian Senate deliberated again on the grave matter of the Patriarchate of Aquileia and Ludwig’s successful diplomatic campaign as it replied to the letter of their ambassadors in Basel, appending the legal opinions of legal experts supporting the Venetian

records of the Venetian Senate; I have edited them *in extenso* in the appendix. See doc. II/U in appendix 3 and the following footnotes. See also, Law, “Venetian Rule,” 9–10.

⁶⁰⁶ “Videamus et apertissime cognoscamus fieri nobis expressam iniusticiam et violentiam—cum sint multi domini, dominia et alii, quos non expedit nominare, qui temporibus preteritis atque modernis occuparunt et occupant ac tenerunt et tenent absque aliquo legitimo titulo de terris et locis Ecclesie, qui pro honore [fol. 99r] et statu Ecclesie et fidei Catolice nunquam fecerunt aliquid quod sit comparandum uni minime parti eorum que nos et nostra Res Publica fecimus et facimus pro Ecclesia Dei ac pro salute et defensione fidei Cristiane.” ASV, SS, reg. 13, fol. 98v. Doc. II/U in appendix 3.

⁶⁰⁷ “Tamen ut illud Concilium et totus mundus intelligat nos esse veros Ecclesie filios et a pace et concordia nolle discedere, contenti sumus venire ad concordiam cum reverendo domino patriarcha.” Doc. II/U in appendix 3.

⁶⁰⁸ “Et si omnino vellent quod talis renuntiatio esset generalis, faciatis omnem instantiam et experientiam quod non se extendat ad aliud quam ad patriam Foroiulii.” Doc. II/U in appendix 3. This was also noted in Law, “Venetian Rule,” 10.

case.⁶⁰⁹ Moreover, the Senate believed that the case could be closed, or at least prolonged, by way of “mutual agreement, protest, appeal,” or even downright bribery (*per viam oblationis*); in worst case scenario, if all of the above fails to produce any tangible results, Venice was even prepared to relinquish Friuli, but only if all the expenses incurred for its conquest would be reimbursed and if appropriate gages for their security would be given—a deliberately impossible condition that had worked with Pope Martin V.⁶¹⁰ As the Venetians sent their letter to Basel, Patriarch Ludwig urged to council to pick up speed and finally issue the official admonition.⁶¹¹ Indeed, before the Venetian letter managed to reach Basel, the Council had taken action: on the 20th of September, 1434, an official *monitorium* was issued against Venice on the grounds of the occupation of “the County of Friuli and the Margraviate of Istria, the cities, forts, lands and villages and all the other places, lands and jurisdictions belonging to the of the Church of Aquileia with full right,” threatening to put the doge and the entire Venetian community under anathema and perpetual excommunication if they would not restitute the occupied ecclesiastic lands.⁶¹² Ludwig lost many

⁶⁰⁹ “Circa superscripta negotia patriarche Aquilegiensis et de modis servandis conferre volumus cum his doctoribus nostris a quibus primo certum consilium habuimus ad iustificandam causam nostram super adeptione patrie Foroiulii, quod vobis mittimus his inclusum, subscriptum et sigillatum per tres ex ipsis doctoribus.” ASV, SS, reg. 13, fol. 109v.

⁶¹⁰ “Postquam autem omnia remedia tentaveritis, si videbitis nec per viam concordie, nec per viam protestationis aut appellationis aut supplicationis de iusticia, nec alio modo processe ad obtinendam nostram intentionem, ad ultimum volumus et mandamus vobis quod per viam propositionis aut protestationis aut oblationis aut alio titulo seu nomine, sicut vobis pertinentius videbitur, publice proponatis, quod non quia de iure teneamus, sed pro bono tranquillitatis et pacis contentamur et offerimus relinquere seu restituere patriam Foroiulii, ita tamen quod primo nobis restituantur pecunie quas expendimus pro acquisitione, defensione et conservatione ipsius patrie recompensatis sive detractis annuis introitus per nos ex patria iamdicta receptis, quodque pro vitandis novissimis et futuris inconvenientiis, erroribus et periculis que occurrere possent, prescetur nobis talis cautio et securitas quod post restitutionem seu reassignmentem per nos factam de ipsa patria non habeamus aliquam dubitare.” ASV, SS, reg. 13, fol. 109v.

⁶¹¹ “Dominus patriarcha Aquilegiensis requisivit, quod domini vellent mandare domino vicecancellario, ut expediretur monitorium.” Haller, ed., *CB* 3: 206 (18th of September, 1434).

⁶¹² “Sacrosancta generalis sinodus Basiliensis in Spiritu Sancto legitime congregata, universalem Ecclesiam representans, ad futurum rei memoriam et ad pacem procurandum fidelissimis in Spiritu Sancto legitime congregati tunc nostre solitudinis habitam ... prosequimur tunc in spiritualibus et temporalibus ocupatas Ecclesias propulsis pastoribus ac statum prosperum et tranquilum iuris medio reducamus. Sane quaerela venerabilis Lodoici patriarche Aquil[ei]ensis accepimus continentem quod licet ipse, prout etiam sui prodicessores qui fuerunt pro tempore patriarche Aquil[ei]ensis, fuisset in pacifica possessione vel qui Comitatus Foreiulii et Marchionatus Istrie, civitatum, castrorum, terarum et vilarum aliorumque locorum, terarum et dominorum Ecclesiam Aquilienensem pleno iure spectantium, tamen dillecti filii Ecclesie dux et comunitas Venetiarum eundem Lodoicum patriarcham Ducatu et Comitatu patrie Foreiulii, marchionatu, civitatibus, castris, terris, villis et locis privatis, iuribus, iurisdictionibus, privilegiis, sanctorum reliquis, localibus pretiosis contra iustitiam spoliaverunt atque occupaverunt et detenerunt prout suas loca tenentes, tenent indebite ocupata, fructus, provenctus, emolumenta et oventiones precipientes ex eisdem, in Ecclesie Aquiliensi desolationem et Lodoici patriarche predictorum intolerabile detrimentum, non sine detestabili exemplo plurimarum; quare pro parte ipse ius Lodoici patriarche nobis fuit humiliter supplicatum ut ipsos ducem et comunitatem ad restitutionem premissorum, premiis, pennis, munitionibus quas merito formitarent artari et alias Ecclesie Aquilienensi et sibi is oportune providere digneremur. Nos igitur autoritatem sacrilegii ponderantes et super premissis, ne aliis cedant in exemplum, quantum cum Deo possumus utilitati ipse Ecclesie Aquilienensi succurrere cupientes, eiusmodi supplicationibus inclinati, ducem, nec non consiliarios continuos, procuratores et avocatos Sancti Marci

military campaigns against Venetians, but in the diplomatic arena set up in Basel, he was at long last victorious against his arch-foe. Thus, in a moment of long-awaited victory, the bellicose prelate triumphantly nailed the promulgated *monitorium* onto the door of the basilica in Basel, flaunting his success for the world to see.⁶¹³

Venice was quick to retaliate. Already on the 15th of October, 1434, the official Venetian envoys protested the *monitorium*, stating that their side of the story had not been heard and the Council's admonition cannot pertain to the Margraviate of Istria as Venice held this land "ex titulo".⁶¹⁴ As soon as the news of the *monitorium* reached the Rialto, the senators began composing instructions to their official representatives on how to proceed regarding the grave matter. On the 13th of October, the ambassadors were instructed to seek compromise and peace with the patriarch and the council and to work towards either lifting the *monitorium* altogether, or at least stopping the promulgation of the excommunication; moreover, they were told how to present the Venetian side of the story: Venice had never wanted to subjugate the Patriarchate, but it was eventually forced to do so due to Patriarch Ludwig who had molested both the Republic of St. Mark and his own subjects in Friuli over whom "he had not ruled as a pastor but as a savage tyrant"; thus Venice waged "a just and necessary war" and the patriarch was ultimately expelled by his own subjects who found in Venice "a harbor of prosperity and tranquility" and who thus "subjugated themselves" to the Venetian dominion who has ever since ruled them "peacefully and serenely, under law and justice, and a gratifying regime to the universal contentment of all the

nuncupato alios nobiles Venetiarum et comitatu, marchionatu, civitatibus, castris, villis, terris et locis predictis in spiritualibus seu in temporalibus locatenentes aliosque in hac parte comodolibet obnoxios, locorum nec non civitatum, castrorum, terrarum, vilarum, locorum et aliorum spoliatorum huiusmodi nomina haberi volumus sub anathematibus dapnationis perpetue excommunicationis quo ad singulos, et quo ad comunitatem interdicti penis, quas incurrat ipso facto perentorie, monimus ac destrite precipiendo mandamus quatenus ad honorem Dei hac pro nostra et universalis Ecclesie reverentia infra treginta quatuor dies, a die datarum presentium computandos, ducatum, comitatum Patrie Foreiulii, marchionatum, civitates, castra, terras, villas, loca, iura, privilegia et reliquias, iocalia, libros et alia spoliata huiusmodi eidem Lodoico patriarce absque dolo et fraude seu aliquibus excusationibus interventione omnino restituant libere cum effectum; ipsumque Lodoicum patriarcham in integrum restitutum Ecclesie Aquilensi in spiritualibus et temporalibus pacificata sinant possessione gaudere." This edition is based on the copy of the original *monitorium* made by the eye-witness Andrea Gritti who transcribed it *in extenso* in his journal. As such, the language is heavily distorted even by the standards of late medieval Latin. Alas, this remains the only surviving example of this document. Andrea Gattari, "Diario del Concilio di Basilea: 1433–1435," ed. Giulio Coggiola, in *CB* 5: 409–11.

⁶¹³ "Adì XXVIII settembre al'alba venne la famiglia del patriarcha con spade et con bastoni al domo. Et lì si fiò el monitorio che avia fato el Concilio." Gattari, "Diario," 409.

⁶¹⁴ "Domini ambassiatores illustris Domini Venetorum proposuerunt, petentes inter cetera interdictum tolli a monitorio decreto, et quod revocetur monitorium quo ad Marchionatum Istrie, quem tenent ex titulo, allegando multas rationes quare monitorium non debeat expediri domino patriarche: primo quia non fuerunt auditi, licet pluries comparuerint coram dominis commissariis." *CB* 2: 229.

inhabitants.”⁶¹⁵ As was correctly noted by Law, this stance marked a departure from the older Venetian discourse aimed at legitimizing their subjugation of the Aquileian patriarchate: to the old argument of *guerra iusta et necessaria* the 1434 instructions added the enthusiastic cooperation of the Friulian subjects who willingly subjected themselves to Venice in order to free themselves from Ludwig’s tyrannical yoke and who are happily prospering under the benevolent shade of St. Mark’s dominion.⁶¹⁶ Although the Venetian ambassadors failed in their original task—they reached neither a compromise with the Council nor did they manage to revoke the *monitorium* nor the threat of excommunication—they ultimately managed to prolong the diplomatic battle that would be waged throughout 1435.

Finally, after countless protests, pleas, and appeals, public confrontations in which the opposing sides accused each other of crimes ranging from theft and robbery all the way to adultery, rape and incest, the Council of Basel finally decided to close the matter of the Patriarchate of Aquileia.⁶¹⁷ Thus, on the 23rd of December, 1435, the Council promulgated its definitive sentence: Venice was officially anathematized and excommunicated for having unlawfully occupied the

⁶¹⁵ “MCCCCXXXIII, die XIII octobris. Oratoribus in Basilea. <Ser Leonardus Mocenigo procurator, ser Marcus de Molino, ser Franciscus Lauredano, ser Paulus Truno sapientes consilii, ser Ludovicus Scrolato, ser Marcus Foscari sapientes super terris> Die septimo presentis recepimus vestras literas datas XXVIII et XXVIII septembris cum copia monitorii per quas omnia gesta in illa materia patriarche et patrie Foriulii abundatissime declarastis, quibus omnibus intellectis sumpsimus per maximam displicentiam, videntes res illas fieri et precipitanter tractari potius furore ac immoderata animorum passione omni honestate seposita quam iure vel equitate, qui modi prefecto non conveniunt auctoritati et reputationi illius Concilii. Unde cum nostro Consilio Rogatorum et additionum vobis respondemus atque mandamus, quod si ad receptionem presentium res ille aut per viam concordie et compositionis aut per viam protestationis et appellationis aut per viam de qua fit mentio in litera vestra diei XVIII aut aliter cepissent aliam novam formam et reduce essent ad tales terminos quod speraretis eas reducti posse ad nostram intentionem, vel quod monitorium non procederet, aut quod illius vigore non veniretur ad aliam sententiam vel executionem. [...] Sicque pro defensione nostra, non quidem voluntarie sed coacta ab ipso patriarcha et insolentis suis, ad guerram inducti fuimus, et quomodo in defensionibus requiruntur offensiones, nos iustam et necessariam guerram illi intendimus in qua compatriote illius patrie Foriulii, quibus idem patriarcha infinitas et excessivas iniurias, violentias et oppresiones in personis, facultatibus, sanguine et vita, non tanquam pastor sed tanquam scevus tyrannus [fol. 116r] intulerat, eum de patria illa et eius dominio expullerant et ad nos, tanquam ad salutis et quietis portum concorditer confugerunt ac ipsam patriam et eius loca ac se ipsos nostro Dominio subegerunt, quam ex tunc usque in presens tempus tenuimus atque tenemus pacifice et quiete sub iure et iusticia et suavi regimine cum universali omnium incolarum eius contentamento.” ASV, SS, reg. 13, fols. 115v–116r.

⁶¹⁶ John E. Law, “Venetian Rule in the Patria Del Friuli in the Early Fifteenth Century: Problems of Justification,” in *Venice and the Veneto*, 11–12.

⁶¹⁷ Among the more comical ones is the confrontation reported on the 2nd of June, 1435, with the following words: “Et fuerunt ibidem per Venetos patriarche multa turpia objecta, videlicet adulteria, stupra, incestus, rapine, incendia, hominum exactiones et similia, propterque merito Patriarchatu esset spoliatus. Et contra patriarcha, qui dux erat de Dek, negans huiusmodi sibi imposita per Venetos, sed asseruit Venetos fore raptores et iniustos detentores sui Patriarchatus.” Beckmann, ed., *CB* 5: 133. The course of these events is best outlined in Giulio Coggiola, “Einleitung zu IV: Diario del Concilio di Basilea di Andrea Gatari 1433–1435,” in *CB* 5: LXIX–LXXII. See also, Law, “Venetian Rule,” 11–12.

possessions of the Aquileian Church, “as stated in the *monitorium*.”⁶¹⁸ Patriarch Ludwig officially won yet another diplomatic battle against Venice. The war, however, was far from over.

Seeing the Council of Basel steadfast in their support of patriarch-in-exile, Venice turned to another ecclesiastical authority whose relations with the Council were ever souring: Pope Eugenius IV.⁶¹⁹ Already on the 10th of January, 1436, Doge Foscari delegated an embassy to protest the ruling of the Council of Basel and to appeal to the Roman pontiff; a day later an official appeal was already in their hands, arguing that the sentence of excommunication must be null and void due to the incompetence of the judges, non-compliance with the due judicial process, and the falsity of facts.⁶²⁰ Among the false facts, the Margraviate of Istria was especially pointed out: “It is well known that the said [Venetian] dominion has always been in peaceful and legitimate possession of the Margraviate of Istria.”⁶²¹ Shortly thereafter, on the 15th of March, 1436, Pope Eugenius IV officially lifted the anathema from Venice and received the *Serenissima* back into the embrace of the universal Church, pronouncing the sentence promulgated by the Council of Basel null.⁶²² With the Council powerless to enact its decrees, Aquileian patriarch’s victory ended up a hollow one.

Ludwig of Teck died of an infectious disease in Basel in late summer/early spring of 1439, a patriarch of Aquileia in name only, having ultimately lost his decades-long battle against the

⁶¹⁸ “Christi nomine invocato de cuius vultu omne procedit iudicium per hanc nostram sententiam, quam pro tribunali sedentes ferimus in his scriptis, pronunciamus, decernimus et declaramus dictos ducem, consiliarios, procuratores, advocatos, nobiles culpabiles, locumtenentes et quoscumque alios quomodolibet obnoxios anathematis et excommunicationis communitatemque interdicti contentas poenas et sententias incidisse, pro et ex quo quod civitatem, castra, terras, villas, loca, iura, iurisdictiones et dominia, ac alia spoliata, occupata seu detenta ad Ecclesiam Aquilegiensem, ut prefertur, septantia, iuxta monitorii tenorem, dicto Lodovico patriarche non restituerunt, nec causam seu causas rationabiles, cur monitorio nostro parere non deberent, allegantes docuerunt.” Martène and Durand, eds., *Veterum scriptorum* 8: cols. 885–886; doc. II/U in appendix 3 of this thesis. See also, Haller, ed., *CB* 3: 597–98, 604.

⁶¹⁹ On Pope Eugenius IV’s relations with the Council of Basel, see Joachim W. Stieber, *Pope Eugenius IV, the Council of Basel and the Secular and Ecclesiastical Authorities in the Empire: The Conflict Over Supreme Authority and Power in the Church*, Studies in the History of Christian Thought 13 (Leiden: Brill, 1978), esp. 10–26 for the period in question; Michiel Decaluwé, “Papal Politics and the Council,” in *A Companion to the Council of Basel*, 112–36.

⁶²⁰ Predelli, *LC* 4: 192–93, doc. 237 (edited *in extenso* in the appendix, see doc. II/V in appendix 3). See also, Coggiola, “Einleitung zu IV,” LXXIII.

⁶²¹ “Constat ipsum Dominium semper fuisse in pacifica possessione Marchionatus Istrie et cum titulo.” Doc. II/V in appendix 3. “Cum titulo” can be translated either as “by way of [legitimate] title” or simply “legitimately.” Law, “Venetian Rule,” 11 chose the former translation and I followed him in “Venetian Takeover,” 62. However, I now believe the latter translation to be more appropriate because there was never a single *titulus* bestowing the entire Margraviate of Istria upon Venice and all the parties involved most probably knew that as well. Venetian reply was thus deliberately and aptly vague. I will return to this issue in the conclusion to this chapter.

⁶²² Predelli, ed., *LC* 4: 203–4, doc. 4. See also, Coggiola, “Einleitung zu IV,” LXXIII–LXXV.

winged lion of St. Mark.⁶²³ Nonetheless, as Law keenly observed, his fierce speeches against Venice reverberated throughout Europe and left many eye-witnesses sympathetic to his cause; among them was Enea Silvio Bartolomeo Piccolomini, the future Pope Pius II, who immortalized his reverence for the bellicose patriarch in his *Commentaries on the Deeds of the Council of Basil*.⁶²⁴ Thus, it was precisely Ludwig of Teck who was among the first to fiercely promote the anti-Venetian sentiment among the fifteenth-century Europeans and his philippic laid the foundations for the growth of hostility towards the *Serenissima*'s expansionism, the resentment that would ultimately give birth to a potent coalition aimed precisely at the destruction of St. Mark's Republic: the League of Cambrai.⁶²⁵

With Ludwig's death, the Venetian Pope Eugenius IV believed an appointment of a Venetian patriarch would put an end to the Aquileian controversy—thus he appointed Lodovico Trevisan, a Venetian-born high-ranking ecclesiastic who was at the time the incumbent archbishop of Florence—and that Venice would indeed relinquish the ecclesiastical principality back to the Church.⁶²⁶ He was wrong. The *Serenissima* remained steadfast in its position not to relinquish their “justly conquered” region.⁶²⁷ As the negotiations with the Holy See were evidently going nowhere,

⁶²³ Pio Paschini, “Da medico a patriarca d'Aquileia, camerlengo e cardinale di S. Romana Chiesa,” *MSF* 23 (1927): 25 and *SdF*, 752 posits his death on the 25th of August, 1439 and Law, “Venetian Rule,” 13 follows him. However, the date 19th of August is more often cited as the day of his death. Domenig, “Ludwig von Teck,” 157; Girgensohn, “Teck (di) Ludovico,” <http://www.dizionariobiograficodefriulani.it/teck-di-ludovico/>. This date, however, seems to stem from De Rubeis, *MEA*, col. 1051, who claims to have taken it over from Ughelli. Ughelli, *Italia sacra* 5: col. 118, indeed claims that the man died on the 19th of August (*14 calendas septembris*), however in the year 1434, which is impossible. According to Günther von Hödl, it was Ludwig's brother Ulrich that died on the 19th of August, and Ludwig's precise date of death is unknown. Günther von Hödl, ed., *RI 12: Albrecht II. 1438–1439* (Vienna: Hermann Böhlhaus Nachfolger, 1975), 270, doc. 1163. Even Eubel does not cite the date of his death. Cf. Eubel, *Hierarchia* 2: 92. I was not able to ascertain the exact date of his death, but I followed Piccolomini, his contemporary, who described that he died of plague in Basil, after the deposition of Pope Eugene IV (25th of June, 1439) and before the election of Duke Amadeus VIII as (anti)Pope Felix V (5th of November, 1439). Enea Silvio Piccolomini, *De gestis Concilii Basiliensis commentariorum libri II*, ed. Denys Hay and Wilfrid Kirk Smith, Oxford Medieval Texts (Oxford: Clarendon Press, 1967), 194.

⁶²⁴ Piccolomini referred to Patriarch Ludwig as “the pillar of the Council.” Piccolomini, *De gestis*, 194.

⁶²⁵ Rubinstein, “Italian reactions,” 197–217; Law, “Venetian Rule,” 19.

⁶²⁶ Eubel, *Hierarchia* 2: 92; Paschini, “Da medico,” 27–28. On the 11th of January, 1440, the Roman pontiff appointed Ludovico as the treasurer (*camerlengo*) of the Holy Roman Church. Paschini, “Da medico,” 29. On the 1st of July of the same year, Ludovico was even made the cardinal of San Lorenzo in Damaso. Henceforth, Ludovico was called *cardinalis Aquileiensis*. Paschini, “Da medico,” 43.

⁶²⁷ Venice insisted that it would accept a new patriarch under the condition that his jurisdictions extend only to the ecclesiastical sphere, with temporal dominion over the Patriarchate remaining in Venetian hands; moreover, Venice would pay the incumbent patriarch three thousand ducats a year and it would also gift him with the temporal dominion over Aquileia, San Daniele, and San Vito “Respondeatur quod contenti sumus quod eius beatitudo provideat de patriarcha nobis grato, qui habeat libera administratione in spiritualibus in toto Patriarchatu et patria, et qui habeat de proventibus illius patrie aut aliter sicut per nos deputabitur ducatos III millia in anno, habeatque pro titulo et dignitate sua terram Aquilegie ac pro eius residentia terras et loca Sancti Viti et Sancti Danielis que sint sue in spiritualibus et temporalibus, remanente in manibus et potestate nostra in temporalibus toto residuo ipsius patrie et locorum

Venice began discussing a potential agreement with Patriarch Ludovico personally.⁶²⁸ Thus, on the 10th of April, 1441, Venetian senators negotiated directly with Alfonso Garsia, the official envoy not of the pope, but of the elected patriarch-cardinal. On his part, Ludovico was prepared to cede the temporal dominion of his Church to Venice, but he asked for five thousand ducats a year instead of the originally proposed three, and he wanted the worldly dominion over Gemona in addition to Aquileia, San Vito, and San Daniele that the Republic had originally offered.⁶²⁹ From this point on, the negotiations were carried out principally with Ludovico Trevisan and his envoys; they lasted for years to come as both the Papacy and Venice took part in numerous wars in *Regnum Italicum* with perennially shifting alliances, forcing the matter of the Patriarchate of Aquileia to be ever postponed.⁶³⁰ Finally, on the 10th of June, 1445, after decades of back-and-forth between the popes, emperors, the designated patriarchs and Venice, a final treaty regarding the temporal dominion over the Patriarchate of Aquileia was officially signed—Patriarch Ludovico formally relinquished the worldly jurisdictions of his Church to Venice in exchange for five thousand

Patriarchatus. Subdendo eidem oratori, quod sicut notissimum est, sunt alii qui dudum tenuerunt et tenent de locis illius Patriarchatus, et de aliis locis et terris pertinentibus Ecclesie et non cum tam iusto titulo sicut nos tenemus, qui hactenus non sunt inquietati nec molestati fuerunt neque aliquid dictum.” The deliberation of the Venetian Senate is edited in Paschini, “Da medico,” 50–51, doc. 3. See also, Paschini, “Da medico,” 27; Law, “Venetian Rule,” 14–15. The pope would not agree: Giuseppe Mainati, *Croniche ossia memorie storiche sacro-profane di Trieste*, vol. 2 (Venice: Picotti, 1817), 244–53. See also, Paschini, “Da medico,” 30–31; Law, “Venetian Rule,” 15.

⁶²⁸ Pio Paschini, “Lodovico cardinale camerlengo e i suoi maneggi sino alla morte di Eugenio 4. (1447),” *MSF* 26 (1930): 52–53 (hereafter: Lodovico cardinale II); Law, “Venetian Rule,” 16.

⁶²⁹ “Die decimo mensis aprilis [MCCCCXLI]. <Ser Alouisius Scorlato, ser Iohannes Pisani, ser Christoforus Mauro, ser Triadanus Griti sapientes terre firme> [non capta] Cum dominus Alfonsus, qui est hic nomine reverendissimi domini cardinalis Acquilegiensis, dici fecerit Dominio nostro quod dando ei ducatos mille apud summam alias sibi oblatam et terram Glemone ultra alia loca promissa, idem dominus cardinalis remanebit contentus, et de residuo patrie faciet Dominio nostro plenam quietationem, sicut fuerit opus; et ulterius instabit penes summum pontificem quod residuum dicte patrie libere remaneat nostro Dominio, cum illis modis qui erunt opportuni; et ostenderit mandatum quod habet circa hoc quod est insufficienti forma; et bonum sit multis respectibus et causis capere partitum supra hoc, vadit pars, quod mitti debeat pro dicto domino Alfonso, et si confirmabit predicta, possit auctoritate huius consilii sibi dici quod, ut idem dominus cardinalis cognoscat bonam intentionem nostram et affectionem quam dominatio nostra habet ad reverendam paternitatem suam, et quod condescendimus facere erga cum id quod non faceremus alicui alteri, contenti sumus dare sibi terram Glemone cum iurisdictionibus suis ultra alia loca sibi oblata—que sunt Aquilegia, Sanctus Daniel, Sanctus Vitus—et quod habeat ducatos V^m in anno computatis introitibus locorum suprascriptorum, faciente nobis ipso domino cardinale sicut se obtulit de residuo patrie plenam et liberam quietationem, sicut fuerit opportunum; et ultra hoc procurante apud summum pontificem et ita cum effectu faciente quod residuum patrie aut per viam feudi aut aliter cum omnibus illis modis, qui in similibus requirerentur, libere remaneat Dominio nostro, sic quod quiete et sine ulla contradictione illud possidere et tenere valeamus; et non sequendo cum effectu sicut dictum est superius, hec oblatio nostra nullus sit vigoris. De parte 42. <Ser Paulus Truno sapiens consilii> [capta] vult quod supersedeatur usque ad reditum nobilis viri ser Orsati Iustiniano militis, ut melius intelligi possit quid sit faciendum et postea veniatur ad istud consilium. De parte 50, de non 0, non sinceri 3.” ASV, SS, reg. 15, fol. 78r.

⁶³⁰ The course of negotiations is detailed in Paschini, “Lodovico cardinale II,” 53–60. On the wars with and against Milan between the Peace of Ferrara and the Peace of Lodi, see Mallett and Hale, *The Military Organization*, 35–43; Mallett, “La conquista,” 197–201; Romano, *The Likeness of Venice*, 158–259 (elegantly sprinkled with other topics as well).

golden ducats a year and the temporal dominion over Aquileia, San Daniele and San Vito; Venice recognized Ludovico as the lawful patriarch of Aquileia with full authority over all spiritual matters and promised to protect him, his Church, and the lands under his temporal dominion on their own expense; in turn Ludovico promised “perpetual and irrevocable friendship, benevolence, and affection to the Venetian dominion.”⁶³¹ Pope Nicholas V reviewed the deal himself and approved it on the 28th of June, 1451.⁶³² Thus finally ended the grave matter of the Patriarchate of Aquileia: the ecclesiastical principality was no more and the Margraviate of Istria officially ceased to exist.⁶³³

Regio ex silentio: (The Margraviate of) Istria in the Ashes of the Patriarchate of Aquileia

The timespan delineated by the incorporation of Corfu in 1386 and the annexation of Brescia and Bergamo sanctioned by the Peace of Ferrara in 1428 is traditionally viewed as the most triumphant period of Venetian history. It was in this turbulent period that the Most Serene Republic of St. Mark daringly transformed itself, shedding the uncomfortable inhibitions imposed by the Peace of Turin and intrepidly marching into a new age of aggrandizement. As Elizabeth Crouzet-Pavan keenly pointed out, the so-called “myth of Venice”—its self-fashioning as “a civic body in full flower,” “free, wealthy, and triumphant,” “immobilized by splendor”—was most closely mirrored reality precisely during the 1420s.⁶³⁴ Therefore, grouping together all the military triumphs, conquests, and territorial expansions that characterize this period of Venetian history and superimposing upon them a single interpretative layer—that of a nascent “territorial state” in

⁶³¹ “Promittuntque predicti domini syndici et procuratores supradicto nomine, quod dictum illustrissimum Dominium habebit perpetuam et inviolabilem amicitiam, benevolentiam et caritatem cum ipso reverendissimo domino cardinale et patriarcha.” The document has been edited multiple times. A good edition is featured in Kandler, ed., *CDI* 4: 1780–785, doc. 1039. A flawed edition is featured in Antonini, *Del Friuli*, 527–34, doc. 1 (quotation on 530). See also the annotated edition in Pin, *Trattato*, 149–171 (quotation on 154). See also, Paschini, “Lodovico cardinale II,” 60–61; Law, “Venetian Rule,” 16–17.

⁶³² Predelli, ed., *LC* 4: 63–64, docs. 200 and 202.

⁶³³ The often-cited charter purportedly issued by Emperor Frederick III to Venice in 1469 officially sanctioning the Venetian rule over the Patriarchate of Aquileia is a forgery, most probably drawn up in the at the same time when it was miraculously “discovered” in 1627. The charter is edited in Giulia Ventura, “Sulla costituzione storica dello Stato friulano nel diploma imperiale di riconoscimento della sovranità veneta (1469),” *Ce fastu?* 67 (1991): 201–2 who considers the charter authentic. On this charter and some arguments in favor of its inauthenticity, see Cusin, *Il confine orientale*, 404–5 and fn. 190; Pin, *Trattato*, 146.

⁶³⁴ Elisabeth Crouzet-Pavan, *Venice Triumphant: The Horizons of a Myth*, trans. Lydia G. Cochrane (Baltimore, MD: Johns Hopkins University Press, 2002), 79.

its full bloom—has been extremely seductive; at a certain level of generalization, such an interpretation is indeed perfectly viable.

However, by focusing upon specific constituents of this age of triumphs and comparing them with others, a more nuanced picture emerges, revealing various mechanisms, attitudes, and processes undetectable from a more generalized viewpoint. Venetian expansionism of 1386–1428 came in waves as a result of varying processes, negotiations, transactions and wars; as such, the motives behind different annexations and the modalities of their incorporation into the nascent *Dominium Veneciarum* varied quite considerably. True, all of these waves eventually resulted with territorial expansion, (in)direct economic profit, and the creation of new administrative posts for the Venetian nobles, but these were not the principal motives guiding Venice’s decision to annex lands directly to its dominion. For example, the late fourteenth-century expansion into Albania was necessitated by the loss of Dalmatia and it was subsequently marked by the almost constant warfare against the territorial lords—most notably Balša III—who enjoyed Ottoman support; similar was the case in *Romania*; Dalmatia was purchased from a pretender king in a dangerous gambit to restore Venetian control over the Adriatic, its principal and strategically invaluable “highway”, and with a number of Dalmatian communes willing to subject themselves to the *Serenissima*, Venice decided to hold firmly to their newly acquired possessions, an attitude that eventually resulted with more than a decade of warfare against the ruling king of Hungary; Padua, Vicenza, Verona, Feltre, Bassano and Belluno were annexed preemptively, snatched from the dominion of potentially dangerous lordly houses harboring hostility towards the *Serenissima* in order to neutralize the threat of the resurgence of the traumatic Chioggian War scenario that nearly cost Venice its independence; finally, Venetian expansion into Lombardy that commenced with Doge Foscari was motivated by the need to keep the dangerously expanding neighbor at bay and stop his threatening growth “for the peace and freedom of Italy.”⁶³⁵

Already from this briefest possible sketch of different motives guiding Venice on its path to territorial aggrandizement, the difference between the Mediterranean-maritime and the Italian-

⁶³⁵ Cessi, *Storia*, 346–56; Angelo Ventura, “Il Dominio di Venezia nel Quattrocento,” in *Florence and Venice: Comparisons and Relations: Acts of Two Conferences at Villa I Tatti in 1976-1977*, vol. 1 (Florence: La Nuova Italia, 1979), 170–72; Cozzi, “Politica, società, istituzioni,” 14–16, 17–18, 23–26, 125–28, 181–83, 195–96, 197–98, 212–13; Mallett, “La conquista della Terraferma,” 184–85; Varanini, “Venezia e l’entroterra,” 213; Dieter Girsensohn, “Venedig im späteren Mittelalter: Regierung über Stadt, Festlandsterritorien und Kolonien,” *Vorträge und Forschungen: Fragen der politischen Integration im mittelalterlichen Europa* 63 (2005): 482–93; Romano, *The Likeness of Venice*, 68 (quotation); Arbel, “Venice’s Maritime Empire,” 137–42.

continental regions appears clearly discernable: in the case of the former, the Republic of St. Mark acted out of traditional strategical-economic interests of securing safe passages to ships, controlling the Adriatic trade routes, having open access to maritime ports and forts in the immediate hinterlands; in latter's case, however, Venetian expansion was primarily the result of military-political dynamics, guided by the steely determination never to allow a constellation of hostile forces comparable to the one that brought about the War of Chioggia from forming ever again; it was the result of pericentric pressures exerted from neighboring lords and dominions. Where and how does Istria fit in this seemingly bifurcated picture?

Venetian possessions in Istria got out from the War of Chioggia jurisdictionally completely unscathed. As such, Venice was at first content to keep the *status quo* with the Peninsula partitioned between three dominions which included the House Habsburg (the County of Istria) and the Patriarchate of Aquileia (the Margraviate of Istria). As demonstrated in chapter II.1, the last decades of the fourteenth century saw Venice indirectly intervening in the government of the Patriarchate of Aquileia by way of the *Unio Felix* and this intervention included the Aquileian *Marchionatus* that was safely in the hands of lord Domnius of Castello, one of the pillars of pro-Venetian party in Friuli. Following the end of tensions in the Patriarchate of Aquileia during the stable government of Antonio Caetani (1394–1402), Venetian interventionism subsided and the League all but ceased to exist; Venice simply did not feel the need to further intervene in the ecclesiastical principality during these times. However, with the purchase of Dalmatia and the beginning of open hostilities with King Sigismund of Luxembourg, Venice soon had to revive its collaboration system in Friuli. Namely, as the Hungarian monarch organized his network of faithful supporters in Friuli, led by Count Frederick III of Ortenburg and Ludwig of Teck, Venice felt compelled to intervene once again. At first, Venice (re)tried to neutralize the threat of Ortenburg-Teck-Luxembourg alliance by relying on its loyal local collaborators: the community of Udine along with the faithful houses such as Savorgnan and Castello.⁶³⁶ However, such a method of indirect interventionism failed miserably in 1410/11, especially after the ferocious blitzkrieg helmed by Pippo Spano. Even in Istria, places such as Muggia—a commune that was loyal to Venice during Alençon's schism—and Buje were placed under the *potestas* of Count Frederick III and his anti-Venetian alliance. At this point, with the collaboration system completely destroyed, Venice had just a couple of option left at its disposal: either to completely back away

⁶³⁶ ASV, SS, reg. 4, fol. 108r–108v; ASV, SS, reg. 4, fol. 201v; *VEPA*, fol. 45v.

and loose the ecclesiastical principality to hostile forces thus engendering another scenario identical to the one that resulted with the War of Chioggia; to try to reconstitute a new collaboration system and attempt to intervene indirectly; or to commence with direct interventionism.⁶³⁷ Venice boldly opted for the last choice.

It must be pointed out that the beginning of Venetian direct interventionism both in Friuli and in Istria does not correspond with the *Serenissima*'s decision to subject the Patriarchate of Aquileia directly to its growing *Dominium*. This is clearly discernible even in Istria where Muggia was "liberated" from Count Frederick III, but the Senate decreed that the flag of Aquileian patriarchate is to be erected, promising to the pope that Venice is merely protecting the ecclesiastical principality from those trying to subjugate it and destroy the Republic of St. Mark.⁶³⁸ Thus, the interpretations and statements such as the one most recently advanced by Ioan-Aurel Pop that in the early 15th century, the Republic was clearly seeking to expand into Friuli, Istria, and on the other territories of the patriarchs of Aquileia" are completely untenable.⁶³⁹ Why was this the case and why did Venice not approach the Patriarchate of Aquileia (and the Margraviate of Istria by extension) the same way it did the other regions of *Regnum Italicum* such as Padua or Vicenza that presented a less (or at least equally) dangerous threat, but that were nonetheless quickly occupied and annexed directly to the *potestas* of the expanding Republic?

The answer to this question lies in the special status of the Patriarchate of Aquileia. This was an ecclesiastical principality, not a commune subjected to a lordly house or a region that could be bought from a ruling monarch. Therefore, Venice did not try to subject the worldly dominion of Aquileian prelates to their state due to the potential problem it could cause—and the problems it indeed later caused—with the Holy See;⁶⁴⁰ instead, the *Serenissima* was merely attempting to destroy the anti-Venetian alliance helmed by Ortenburg and Teck, possibly replacing it with

⁶³⁷ Robinson, "Non-European Foundations," 139. Although without reference to Robinson's theory, this was correctly noted by Zamperetti in *I piccoli principi*, 199 and in Ortalli, "Le modalità di un passaggio," 17.

⁶³⁸ Docs. II/G–E.

⁶³⁹ Ioan-Aurel Pop, "Sigismund of Luxemburg and the Patriarchate of Aquileia: Between History and Historiography (Based on a Chronicle Found in the Correr Library of Venice)," in *Italy and Europe's Eastern Border (1204-1669)*, Eastern and Central European Studies 1 (Frankfurt: Peter Lang, 2012), 310. Leicht similarly erred when he argued that Venice had decided to subject the Patriarchate already in 1412. Leicht, "L'esilio di Tristano," 111.

⁶⁴⁰ This was also explicitly noted by Maffeo Rampazzetto in his *consilium* to Venice. The *consilium* is preserved only as a later copy, titled *Sommario di uno consiglio*, currently in Marciana, cod. It, VII, 1217 (= 9448), fols. 76–81. This writ is analyzed in Pin, *Trattato*, 314–26; Law, "Venetian Rule," 19–22. Although the authenticity of the writ as preserved in the Marciana copy is debated, I would argue that its contents are genuine and that the *Sommario di uno consiglio* is just a *volgarizzamento* of the legal opinion commissioned by Venice and originally written in Latin. See the opinions on its authenticity in Pin, *Trattato*, 327; Law, "Venetian Rule," 22.

another pro-Venetian league similar to the *Unio felix*. For this reason, the place of the Patriarchate of Aquileia in the story of nascent *Dominium Veneciarum* presents a unique case.⁶⁴¹ Indeed, no other land onto which the *Serenissima* expanded during its fifteenth-century transformation has given the Venetian senators as much trouble and required as much effort from their ambassadors to legitimize its annexation as the Aquileian patriarchate did. But how, why, and when precisely did Venice finally decide to subject the volatile ecclesiastical principality?

The answer to this question was put forth by more careful historians who did not recklessly interpret Venetian actions in the Patriarchate of Aquileia as stemming exclusively from Venice's putative drive for territorial aggrandizement. These historians—such as the authoritative Law, Zamperetti, and Ortalli—have all argued that the Republic of St. Mark drastically changed its attitude towards the idea of subjecting the Patriarchate of Aquileian only following the resumption of hostilities in 1418. It was at this particular stage of the conflict with King Sigismund and not sooner, the popular argument goes, that Venice consciously decided to subjugate the entire Patriarchate of Aquileia by annexing its communities and lordships one at a time.⁶⁴² This interpretation, however, needs refinement in order to illuminate more clearly a number of seminal factors guiding Venetian policies towards the Patriarchate of Aquileia—and Istria by extension—during this fateful period.

True, by way of military operations both in Friuli and in Istria Venice managed to occupy a number of strategically valuable lands that were *de iure* Aquileian possessions already during the first phase of the war: in Friuli that was Latisana and, indirectly, the lands held by Tristano Savorgnan, in Istria these were Muggia, Buje, Dvigrad, Roč and Hum. Thus, following the signing of the 1414 armistice Venetian position markedly changed. However, as demonstrated by the preceding overview of the conflict—at times narrated in extremely minute detail—Venice was very much disposed throughout 1418 and 1419, and even in the beginning of 1420, to come to terms with Patriarch Ludwig and end the war with the ecclesiastical principality of Aquileia still breathing. There was a change in Venetian attitude, but it was at this point still not decided to

⁶⁴¹ According to Gerring's classification that would be an "influential case-study." I will return to these questions and its interpretative consequences in the conclusion.

⁶⁴² Law, "Venetian Rule," 3 states "After observing a truce between 1413 and 1418, the Republic appears to have ceased to pursue the possibility of a peaceful solution and embarked on a determined counter-offensive which led to the acquisition of most of the Patria." Ortali, "Le modalità di un passaggio," 15, 20, that there "due fasi ben distinte di pattuizioni" one in 1411–1412, the other in 1419–1420 and posits the beginning of the end in 1418. Similarly is argued in Zamperetti, *I piccoli principi*, 200–1; Girgensohn, "La crisi del patriarcato," 61.

completely subjugate all the worldly dominions of the Aquileian Church. Instead, what Venice envisioned was a “neutralized Patriarchate”, one that would still exist as an ecclesiastical principality, with incumbent popes still appointing its lawful prelates, but one that would be fragmented, dotted by jurisdictional islands under direct Venetian control. This is the reason why Venice continued to ask for Sacile to be placed under its control as a gage and why, even after the conquest of this land, the senators still wanted to sign a peace treaty with Patriarch Ludwig in exchange for other “appropriate securities.”⁶⁴³ The original plan was to control several strategically valuable points in the Patriarchate and thus prevent the prelates—whoever they be at the time—from ever threatening the Republic of St. Mark again, regardless with whom they might forge an alliance. This policy extended to the Margraviate of Istria as well. Venice was successful at keeping the war in Friuli from spilling over to Istria throughout much of the 1418–1420 period by way of separate peace treaties with the lords of Rihemberk and with amicable relations with their lords, the counts of Gorizia.⁶⁴⁴ However, at no time before the summer of 1420 did Venice ever attempt to subjugate or even attack a single Aquileian fort in Istria. This fact further corroborates the thesis hereby argued that Venice indeed wanted both the Patriarchate of Aquileia as well as the Margraviate of Istria to survive this war; the former would be neutralized by Venetian control of the most important strategical points, the latter would be even further reduced to a tiny stretch of land encompassing Oprtalj, Petrapilosa, and Buzet in the inland, in addition to Labin and Plomin on the southeastern shore.

This Venetian plan—hereby dubbed “the neutralized Patriarchate”—ultimately failed, but it was not immediately forgotten. Namely, during the fateful summer of 1420 when Count Filippo Arcelli was scoring one triumph after another, Venice began changing its mind regarding the original plan. It was only on the 21st of May, 1420, that Arcelli was finally given green light to accept the “voluntary” oaths of subjections from any Aquileian community disposed to present it; those that were not as disposed, were to be persuaded to do so, as was the case with Udine.⁶⁴⁵ This was the definitive “death sentence” to the Patriarchate of Aquileia, not the continuation of war in 1418 or even the pact of friendship with Cividale from 1419 (many times horribly erroneously interpreted as a pact of subjection and thus distorting the entire picture of Venetian actions in the

⁶⁴³ E.g. ASV, SS, reg. 7, fol. 40r–v.

⁶⁴⁴ Docs. II/L–M; Kandler, ed., *CDI* 4: 1614–615, doc. 964. The deal was subsequently prolonged in the fall of 1419. ASV, SS, reg. 7, fol. 108v.

⁶⁴⁵ ASV, SS, reg. 7, fol. 157v; partially edited in fn. 561.

region).⁶⁴⁶ Again, exactly the same applied to the Margraviate of Istria. It was only after the decision to subjugate all the communities and lordships of Friuli had been made that the Senate decreed, on the 17th of June, 1420, that the remainder of the Margraviate of Istria is to be subjected as well.⁶⁴⁷ Labin, Plomin, and Muggia did so willingly; Oportelj and Buzet needed a lot of persuasion to the same a year later. In any case, the death sentence to Margraviate of Istria is a direct consequence of the one promulgated in May of the same year to the Patriarchate of Aquileia.

After the fall of Buzet in the summer of 1421, with both Friuli and the Margraviate of Istria completely annexed to the expanding *Dominium Veneciarum*, Venetian stance changed once again, primarily due to the pressure from the Holy See. Namely, the Patriarchate of Aquileia was an ecclesiastical property and a one that paid particularly high tributes to the Holy See due to its extensive worldly dominions. Naturally, the popes wanted it preserved. From this point onwards, as Venice negotiated both with the popes as well as with the Council of Basel, the idea of a “neutralized Patriarchate” was intermittently resurging. Several times the senators voted for the proposal to indeed relinquish the lands of the Patriarchate of Aquileia back to the Church, and only keep for Venice the strategically important centers such as Sacile, Portogruaro, Marano and Monfalcone. Ultimately, the senators never voted the proposal in and regularly decided to present ever evolving arguments in favor Venice’s direct dominion over the entire temporal dominion of the Aquileian patriarchs: the just and necessary war, Ludwig’s tyrannical yoke, the voluntary submission of Friulians themselves, even the impending threat of the Ottomans and the duke of Milan that would necessitate someone more powerful than a mere prelate controlling the strategically invaluable region such as Friuli, all of these arguments were presented in support of Venetian annexation of Aquileian temporalities. Unlike the previous cases, however, where the fate of the Margraviate of Istria was closely tied to the rest of the Patriarchate of Aquileia, Venice now made sure that none of the negotiations involving Friuli pertained in any way to the *Marchionatus Istrie*. This is the crucial point from which a new scalar stance regarding Venetian Istria emerged.

Namely, Aquileian Istria was simply never mentioned, purposefully elided with the hope of it not being brought up by the opposing parties. All the negotiations with the popes and even with Sigismund of Luxembourg make absolutely no mention of Istria at all; the 1437 investiture,

⁶⁴⁶ The error committed, e.g., in Wakounig, *Dalmatien und Friaul*, 124–25.

⁶⁴⁷ Docs. II/N–O.

very much unsurprisingly, makes no mention of it as well. Moreover, Istria was never brought up during the negotiations with Patriarch Ludovico Trevisan during the 1440s. Therefore, there is absolutely no mention of the Peninsula in the lengthy 1445 charter of investiture that effectively sanctioned Venetian dominion over the Patriarchate of Aquileia.

How much the Venetian wanted to divorce Istria from the whole “Aquileian matter” is plainly visible in two cases. First, during the negotiations with the Council of Basel in the summer of 1434, when it seemed that the final compromise with Patriarch Ludwig was indeed possible and forthcoming, Venice initially agreed to lease the Aquileian temporalities from the incumbent patriarch for a set amount of years after which it would return them to the Church; but Venice would only relinquish it after having received “appropriate securities”.⁶⁴⁸ This was, in fact, the return to the “neutralized Patriarchate” position. Thus, one cannot agree with Coggiola and Law—who remain the only ones who analyzed this problem in greater detail—that the 1434 compromise failed because “Venice never wanted it” in the first place.⁶⁴⁹ Instead, it failed because Patriarch Ludwig never wanted to sign a treaty that would “neutralize” his ecclesiastical principality, just like he had categorically refused to hand over Sacile in the first place. That this question of “appropriate gage” was the apple of discord preventing the effectuation of the compromise is even visible from the text of the document itself: the longest chapter deals exclusively with this issue and with the appointment of judges arbiters in case of (expected) disagreement regarding these securities.⁶⁵⁰ However, the “neutralized Patriarchate” variant proposed by Venice in 1434 was not to include Istria. This is clearly indicated in the set of instructions promulgated by the Venetian Senate regarding how to proceed with the matter: the envoy was to make sure by all means that the treaty “does not extended to any other [place] other than the homeland of Friuli.”⁶⁵¹

Similarly, when the Council of Basel issued the *monitorium*, it explicitly included the Margraviate of Istria. Even before the Venetian instruction on how to proceed with the matter reached Basel, the appointed envoy of the *Serenissima* was quick to protest this particular part of the official admonishment, proclaiming that Venice holds the *Marchionatus* “ex titulo,” that is, fully legitimately. Exactly the same stance was taken up yet again in 1436 when the *monitorium*

⁶⁴⁸ Doc. II/U.

⁶⁴⁹ Coggiola, “Einleitung zu IV,” LXVIII: “[L]’accordo mancò non per un anno di più di affitto o per poche centinaia di fiorini; ma perchè la Repubblica non lo volle.” See also, Law, “Venetian Rule,” 10.

⁶⁵⁰ Doc. II/U, chapters II and IV from a total of six.

⁶⁵¹ “Faciatis omnem instantiam et experientiam quod non se extendat ad aliud quam ad patriam Foroiulii.” Doc. II/U.

grew into a full-fledged sentence of excommunication: one of the main arguments for why the sentence is to be void and null was precisely that it cannot refer to Istria because the Margraviate is held “ex titulo.”⁶⁵² What was Venice hoping to achieve with this separate treatment of Aquileian Margraviate of Istria?

First, it should be noted that the term *Marchionatus Istrie* used both by Patriarch Ludwig, the Council of Basel, and Venice is deliberately unclear: does it refer to the entire peninsula as referenced in the 1210 charter of donation issued by Emperor Otto IV to the Aquileian Church, or does it only refer to those possessions that remained under the direct *potestas* of the Aquileian patriarchs following the Peace of Turin?⁶⁵³ Both parties profited from not defining this term clearly: for Ludwig this could have translated to the official recognition that the entire Peninsula lawfully belonged to his principality and that Venice ought to pay, as it had done before, a yearly tribute to his Church for the lands it held therein; for the Republic of St. Mark, however, interpreting that the lands they held on the Peninsula—and some of them they had held them for centuries at this point—were in fact one and the same thing as the *Marchionatus Istrie*, would make sure that all their jurisdictions in Istria remained under its dominion regardless of the outcome of negotiations with the pope and the Council of Basle. In essence, Venice was performing this particular regional scale with the aim of assimilating the Aquileian *Marchionatus* with their own *terre Istrie* in order to render the region immune to whatever claims by any Church or worldly authority, be it the pope, the emperor, the patriarch or the council.

Second, the phrase “ex titulo” used by Venice to justify their possessions in Istria is equally ambiguous and also very much purposefully. This phrase could simply mean “fully legitimately” and not refer to any specific title or charter, but it could denote a specific privilege as well. The fact that Venice never referenced any particular document leads one to believe that the phrase “ex titulo” was simply used in its broadest sense as “fully legitimately”, with the legitimacy stemming from the centuries-long Venetian dominion over places such as Poreč and Koper, cities that became part of the Republic of St. Mark already in the second half of the thirteenth century. However, this sort of legitimacy could not extend to places such as Buzet, violently conquered in 1421, or even Muggia and Labin where the Venetian dominion was at the time not even two

⁶⁵² Doc. II/V.

⁶⁵³ The 1210 donation is edited in Joppi, *Aggiunte inedite*, 9–12, doc. 1. For the Margraviate of Istria after 1381, see map 3 in this study.

decades old. This is precisely why Venice assumed the scalar stance of equating the Margraviate of Istria with “our region of Istria”—to create a false sense of legitimacy with the aim of securing the dominion over the recently annexed towns.

This strategy of performing Istria by way of obfuscating the difference between the Venetian and Aquileian jurisdictional enclave and simply reducing the two microregions under one common denominator eventually worked. Indeed, barring the *monitorium*, not a single negotiation with the popes and patriarchs focused on Istria and Venice was free to hold on to the recently acquired lands on the Peninsula without any problem whatsoever. The side effect, however, was that there was not a single legitimate charter officially recognizing Venetian dominion over these Istrian lands, but this did not prove to be any hindrance for the Republic of St. Mark. With one notable exception of Pope Paul II who at one point in 1468 unsuccessfully protested that both Friuli and Istria belonged *de iure* to the Church and not to Venice, there was none who dared question the “titulus” of Venetian dominion on the Peninsula.⁶⁵⁴ Thus, when Marcantonio Sabellico wrote his definitive history of Venice (1486), the future “official history” of Venice, he purposefully omitted each and every subjection of Istrian communities to Venice happening between the thirteenth and the fifteenth centuries, divorcing them completely from the context of the Aquileian patriarchate; instead, the eulogist interpreted the Venetian dominion in Istria as stemming from much earlier periods, namely the period of tenth and eleventh century and the first oaths of fidelity professed to Venice by Istrian communities.⁶⁵⁵ Unsurprisingly, absolutely nothing is said of the Peninsula in chapters dedicated to war against King Sigismund and Patriarch Ludwig of Teck (1410–1420).⁶⁵⁶ Sabellico’s re-imagining of Venice’s “titulus” of Istria is

⁶⁵⁴ Predelli, ed., *LC* 5: 173–74, doc. 165. See also, De Vergottini, *Lineamenti*, 245.

⁶⁵⁵ Marcantonio Sabellico, “Historia rerum Venetiarum ab urbe condita libri XXXIII,” in *Istorici delle cose veneziane i quali hanno scritto per pubblico decreto*, ed. Apostolo Zeno, vol. 1: *Marcantonio Coccio Sabellico* (Venice: Lovisa, 1718), 66, decas 1, book 3, 82–83, decas 1, book 4, 85, decas 1, book 4 (stating that “Dux [Pietro II Orseolo] purgato latrociniiis mari [referring to his expedition against the Narentine pirats], omnique maritima Histriae, Liburniae et Dalmatiae ora in Venetorum ditionem redacta [...] gratilabunda septus multitudine quasi ovans ingressus est”). Consequently, the thirteenth-century war against Koper, for example, was construed as a “defection” from Venice’s *imperium* and, following the *Serenissima*’s military triumphs, “the return” of Capodistrians as faithful subjects of St. Mark’s republic. Sabellico, “Historia rerum Venetiarum,” 235–36, decas 1, book 10 and similarly on 238–39, decas 1, book 10. Generally on Sabellico as the first “official historian” of Venice, see Șerban Marin, “Marcantonio Sabellico’s *Rerum Venetarum* and “the Definitive History of Venice”: The Beginnings of the Official Historiography in Venice?,” *Revista Arhivelor* 90, no. 1–2 (2013): 134–77, esp. 136–38 for the dating of the work and 167–77 for the discussion of Venetian “official historians” and the *post-mortem* “ufficializzazione” of Sabellico and his work.

⁶⁵⁶ Cf. Sabellico, “Historia rerum Venetiarum,” 461–68, decas 2, book 9.

therefore a direct consequence of processes that unfolded during the aftermath of the Venetian takeover of the Patriarchate of Aquileia.

This scalar performance of Istria as an integrated region is very much comparable to Dalmatia during the same period. In both cases, Venice deliberately assumed a holistic scalar stance when referring to the two regions, albeit from quite the opposite reasons: for Istria the “titulus” had to be obfuscated, for Dalmatia the “titulus” had to be clearly accentuated because Venice bought the aptly vague “regal rights” over the entire region. Thus, performatively rescaling specific places and communities as being part of Dalmatia effectively bestowed upon Venice—by virtue of the 1409 sales agreement—both the full jurisdictional dominion as well as all the necessary legitimation for its effectualization. In both examples, however, the adopted scalar attitudes were very flexible. For example, Venetian performance of Dalmatia as a specific scale included Kotor to the south; however, there the Dominant did not try to subject Dubrovnik, leaving the commune north of Kotor as a jurisdictional enclave in Dalmatia independent of its rule for purely diplomatic reasons.⁶⁵⁷ The same applied to Istria as well where there was absolutely no attempt whatsoever to lay any claim—even symbolically—on the County of Istria, an Austrian *Erbland* that covered a considerable territorial portion of the Peninsula. Scalar stances with the aim of validating the legitimacy of dominion were used selectively and with great flexibility, but they were potent conceptual weapons in diplomatic battles nonetheless.

The death of the Aquileian *Marchionatus* thus resulted with Venice assuming a much more holistic scalar stance when referring to their jurisdictions in Istria. As the following chapter will demonstrate, this new performance of regional scale engendered a set of novelties regarding the administrative geography of Venetian Istria and ushered in a new path that would eventually lead to the formal creation of the *Provincia d'Istria*, a full-fledged geo-administrative region with its own regional jurisdictional infrastructure.

⁶⁵⁷ For Kotor: Ljubić, *Listine* 6: 53–54, doc. 51; Matijević-Sokol, “Uspostava mletačke vlasti,” 9–10. Dubrovnik was among the few concessions Venice was ready to make to Sigismund during the negotiations preceding the 1414 ceasefire treaty; even later, following the expiry of the armistice, the Ragusans prolonged their peace treaties with Venice. Ljubić, ed., *Listine* 7: 3, doc. 1 and 256–58, docs. 178–79. See also, Vinko Foretić, *Povijest Dubrovnika do 1808* [The history of Dubrovnik until 1808], vol. 1 (Zagreb: Matica hrvatska, 1980), 174–75, 245.

Chapter II.4

Episode: Negotiating the Region – Homogenization through Empowering Interactions

The war against Patriarch Ludwig of Teck and King Sigismund of Luxembourg, a conflict that resulted, among other things, in Venice's final territorial expansion in Istria at the expense of the Aquileian Church, further catalyzed the process of regional integration of Venetian *partes Istrie* that had begun after the War of Chioggia. Already in January of 1416, during the aftermath of the first phase of the war that saw King Sigismund personally leading his armies throughout Istria and attack Venetian towns Bale, Vodnjan, and Mutovran, the Senate discussed the military matters pertaining to their *communitates Istrie* and the taxes owed to the provincial captainate by assuming a holistic regional scalar stance.⁶⁵⁸ The Senate was confronted with Izola's inability to pay the usual tariff of nine hundred and sixty pounds of pennies, thus the tribute was lowered to five hundred pounds; however, to balance things out, the tax owed by Pula, Poreč, and Motovun was raised.⁶⁵⁹ Notwithstanding this performance of Istria as a distinct region, the senators decision was informed by commissions that negotiated not with a body representing the entire Venetian Istria, but with the representatives of each community separately; moreover, the final decision regarding the amount of money each community is to pay to the provincial captainate, was based on local factors, not regional. Nonetheless, the ties that were connecting these Istrian lands to each other and not only to Venice were strengthening as Venetian Istria was becoming less and less a mere conglomerate of mutually disconnected communities directly subjected to the capital.

Moreover, on Venice's part, there was a growing tendency to homogenize the administrative practices on the peninsula and to that end the *Serenissima* did not shy away from "innovating". For example, recalling the aforementioned 1381 plea of the representatives of Vodnjan who petitioned Venice to promote their community to a status of a distinct *podestaria* and regularly delegate Venetian noblemen who would serve as rectors, Venice refused the petition on the grounds that they did not "want to innovate anything".⁶⁶⁰ In 1387, however, the Great Council heard the same plea and this time it was decided to grant Vodnjan its wish and promote the town

⁶⁵⁸ ASV, SMi, reg. 51, 89v. I have edited this deliberation *in extenso* in the appendix. See doc. II/W in appendix 3.

⁶⁵⁹ Pula's tax went from 960 to 1200 pounds, Poreč's from 360 to 450, Motovun's from 768 to 900. Doc. II/W in appendix 3.

⁶⁶⁰ ASV, SMi, reg. 37, fol. 37v. Regestum in "Senato misti III," 74 (29th of November, 1381); *in extenso* in fn. 226.

to a status of a distinct podestaria.⁶⁶¹ Naturally, Venice had its own economic interest to create a new podestaria in Istria and thus open another “job” for their nobles, one that would pay six hundred pounds of pennies a year. However, there was another aspect to this innovation: Istria was a region of small (semi-)urban centers that were nonetheless directly subjected to Venice and placed under the administration of a regularly rotating Venetian noblemen. Vodnjan, enjoying the same if not greater population and economic prosperity as the neighboring Bale, wanted to be a full-fledged part of Venetian Istria and the *Serenissima* conceded.⁶⁶² Therefore, even though at first glance it would seem counter-intuitive to argue that regional integration is supported by jurisdictional segmentation, promoting Vodnjan to a status enjoyed by other Istrian subject centers of comparable demographic and economic weight was in fact just that: geo-administrative homogenization of Venetian *partes Istrie*.

This argument is supported by further Venetian policies towards Vodnjan. On the 29th of January, 1419, the Venetian Senate debated on the topic of taxes on sand imported from Istria.⁶⁶³ The adopted scalar stance was regional: “Since communities of our Istrian lands” is the phrase with which the proposal aimed at fixing the fees on extracted sand was opened.⁶⁶⁴ The problem was that all the communities of Istria were paying a fee of forty schillings (= two pounds) to their commune for every thousand units of sand extracted and shipped to Venice, but only Vodnjan was paying a ducat (circa 6 pounds), three times the amount; the Senate decided to end this practice “in order to maintain equality between our Istrian lands.”⁶⁶⁵ This is a perfect, text-book example of a phenomenon dubbed “regional homogenization,” the standardization of various practices guided by the performance of a regional scalar stance.⁶⁶⁶

⁶⁶¹ ASV, MC, reg. 21: Leona, fol. 22r. I have edited this deliberation in extenso in the appendix. See doc. II/X in appendix 3.

⁶⁶² Bale was able to pay its podestà only 500 pounds of pennies. Rizzi and Zuccarello, eds., *Le commissioni* 2, 178. Cf. the table of rectors’ salaries in appendix 2.

⁶⁶³ ASV, SMi, reg. 52, fol. 147v (regestum in “Senato misti V,” 14). I have edited this deliberation *in extenso* in the appendix. See doc. II/Y in appendix 3. The word “cinere” used here denotes a special type of sand, abundant in southern Istria, that was used by the glassmakers of Murano. Francesca Trivellato, *Fondamenta dei vetrai: Lavoro, tecnologia e mercato a Venezia tra Sei e Settecento* (Rome: Donzelli, 2000), 200. I thank my dear friends and colleagues Leslie Carr-Riegel and Ines Ivić for this information.

⁶⁶⁴ “Cum comunitates nostrarorum terrarum Istrie sub quarum districtibus est consuetum facere fieri de cineribus, habeant suos ordines quod de quolibet miliari ceneris, qui extrahitur de illis partibus pro conducendo Venetias, solvuntur soldi XL^{ia} parvorum comunitatibus suis, et videatur quod comunitas Adignani non ex lege neque ordine statuto sed sic videtur servari in dicto loco quod pro cineribus illius loci solvitur ducatus unus pro milliari.” Doc. II/Y in appendix 3.

⁶⁶⁵ “Ut servetur equalitas inter dictas nostras terras Istrie.” Doc. II/Y in appendix 3.

⁶⁶⁶ I have elaborated this process in my earlier paper “The Venetian Takeover,” 45, 57–58. The chapter that follows stems primarily from this paper. The primary sources originally edited in the appendix of that paper are now

A number of similar examples can be cited in support of this thesis—two more should suffice. First, on the 5th of January, 1421, the Senate made a number of provisions aimed at curbing the rampant salt smuggling in Piran.⁶⁶⁷ Among the accepted provisions, which included the creation of a new government official tasked exclusively to oversee Piran’s salt production, the senators decreed that whomever would be caught either smuggling salt or even helping salt smugglers, they would, in addition to standard fines, lose all their salt pans and be banned from producing salt in any land subjected to the Venetian dominion.⁶⁶⁸ On the same day, the Senate also decreed that the same penalties would not apply only to the citizens of Piran, but “to all our subjects and denizens of our lands and places in Istria and elsewhere” and not only for the salt produced in Piran but “in any of our Istrian lands.”⁶⁶⁹

Second, on the 3rd of February, 1419, the senators decided to be benevolent towards their subjects in Koper, Izola, and Piran, allowing them to export their Ribolla wine to Venice by paying only two and a half ducats per amphora “to the advantage of our Commune and of our faithful subjects of the aforesaid lands.”⁶⁷⁰ The special import tax was to last for twelve months. Precisely one year later, the Senate acceded to the pleas of their subjects, decreeing that the import tax of two and a half ducats per amphora of Ribolla is extended to another twelve months; this time, however, the provision was made for “our faithful subjects of Koper, Izola, Piran and all our other

consultable on *FIM* as somewhat improved critical editions. Therefore, all the references to these primary sources will be to *FIM* editions.

⁶⁶⁷ ASV, SMi, reg. 53, fol. 212r–v (regestum in “Senato misto V,” 21).

⁶⁶⁸ “Cum sit necessarium providere quod contrabana salis que quotidie committuntur per subditos nostros Pirani omnino cessent, cum sicut omnibus notum est redundant ad maximum damnum nostri Comunis, vadit pars, quod si de cetero aliqua persona committet contrabanum salis extractu de salinis Pirani, seu dabit favorem alicui committenti contrabanum ultra penas ordinatas, ad quas cadunt per ordines nostros, si habebit salinas debeant omnino perdere dictas salinas, quas salinas potestates nostri Pirani, qui per tempora erunt, debeant habita informatione de contrabanno commisso extimare, et de eo quo extimate fuerint, quartam partem habeat accustor et quartam habeat potestas de denariis comunitatis Pirani, et subito debeant dicte saline destrui per modum quod in eis numquam possit fieri sal et non possint dicti tales qui commisserint contrabannum sive dederint auxilium habere ullo unquam tempore salinas in Pirano nec in aliquibus aliis terris nostro Dominio subiectis.” ASV, SMi, reg. 53, fol. 212r.

⁶⁶⁹ “Vadit pars, quod si de cetero per aliquem subditum nostrum vel habitatorem terrarum et locorum nostrorum Istrie sive per aliquem alium, et sit quis esse velit committet contrabanum salis sive auxilium dederit ad committendum contrabanum salis extracti de aliqua terra nostra Istrie ultra penas ad quas cadunt secundum ordines nostros, si habebunt salinas in aliqua [salina] terrarum nostrorum Istrie, debeant perdere salinas predictas que ruinari et destrui debeat hoc modo, videlicet [...]” ASV, SMi, reg. 53, fol. 212v (regestum in “Senato misti V,” 21).

⁶⁷⁰ “Quod vina ribolea que conducentur Venetias hic ad anum annum proxime de partibus Istrie, videlicet Iustinopolis, Insule et Pirani, solvant solum ducatos duos cum dimidio pro anfora secundum usum, ut possint melius conduci Venetias pro utilitate Comunis nostri et nostrorum fidelium locorum predictorum.” ASV, SMi, reg. 52, fol. 148v. Regestum in “Senato misti V,” 14–15.

Istrian lands.”⁶⁷¹ Finally, on the 6th of May, 1421, this provision, that had originally been made only for Istrian Ribolla, was extended to all the wines imported to Venice “both from the land as well as from Istria.”⁶⁷² As a footnote to this provision, on the 23rd of May of the same year, the senators added the explanation that the decree is to refer only to the “wines of Istria produced in places and lands of Istria that are subjected to our Dominion.”⁶⁷³

This specific case of interplay between Venetian subjects in Istria and rulers in Venice that resulted in the adoption of novel policies on import taxes is a perfect example of a state-building process famously dubbed “empowering interactions.” The concept, elaborated by André Holenstein, is defined as “a specific communicative situation emerging from diverse, but nevertheless reciprocal interests and demands from both the state’s representatives and members of local societies.”⁶⁷⁴ These interactions “empowered” both the governed as well as the governors as “the bearers of particular interests [e.g. local communities] received authoritative support, while the state broadened its social acceptance and legitimacy.”⁶⁷⁵ As such, empowering interactions stand in the background of the majority of state-building processes, bestowing legitimacy to the rulers, giving voice to the governed, and resulting in the harmony between the major and minor center essential for the smooth performance of dominion. Unsurprisingly, these interactions are always negotiated and the degree of the resulting concessions hinges on the current position of both the subjects as well as the rulers. For example, a community that had to be militarily “motivated” to “voluntarily” submit itself to the Dominant would be in a much worse negotiating

⁶⁷¹ “Quod fidelibus nostris Iustinopolis, Insule, Pirani et aliorum locorum nostrorum Istrie concedetur quod vina ribolea dictarum partium possint conduci Venetias solvendo ducatos duos et dimidium pro anfora, sicut est solitus concedi per elapsus; et duret per annum unum proxime sicut humiliter parte sua nobis extitit supplicatum.” ASV, SMi, reg. 53, fol. 108v. Regestum in “Senato misti V,” 18.

⁶⁷² “Capta. <Ser Marcus Karavello procurator sapiens consilii> vult quod omnia vina que conducentur tam a parte terre quam de partibus Istrie solvere debeant ducatos duos cum dimidio pro qualibet amphora, sicut solvunt ad presens, et incipiat presens pars habere vigorem die primo mensis septembris futuri; et ex nunc captum sit quod vinum a gratia non possit aliquo modo vendi a die primo augusti in antea.” ASV, SMi, reg. 53, fol. 135r (regestum in “Senato misti V,” 19).

⁶⁷³ “Vadit pars quod ad intelligentiam omnium dicta pars declaretur in tantum quod intelligatur de vinis Istrie que nascuntur in locis et terris Istrie que sunt supposite nostro Dominio.” ASV, SMi, reg. 53, fol. 142v (regestum in “Senato misti V,” 19).

⁶⁷⁴ André Holenstein, “Introduction: Empowering Interactions: Looking at Statebuilding from Below,” in *Empowering Interactions: Political Cultures and the Emergence of the State in Europe 1300–1900*, ed. Wim Blockmans, André Holenstein, and Jon Mathieu (Farnham: Ashgate, 2009), 26.

⁶⁷⁵ Holenstein, “Introduction,” 26.

position than the centers that indeed freely subjected themselves to Venice, without any additional “persuasion” on the *Serenissima*’s part.⁶⁷⁶

As this chapter demonstrates, the performance of a regional scale was a negotiating method used both by Venice as well as by the subjected Istrian communities; the end result from these empowering interactions was not only the legitimation of Venice’s dominion and the subjects’ participation in the government, but also regional homogenization. For Venetian Istria, the driving force behind this process of homogenization was skyrocketed to new levels with the final takeover of the Margraviate of Istria and the incorporation of these newly acquired communities into the expanding *Dominium Veneciarum*. It is precisely from this interplay between Venice and the recently subjected centers of the former Margraviate of Istria that the Venetian *partes Istrie* begin their most decisive stage of transformation into the future *Provincia d’Istria*.

This process began already during the war against Sigismund’s anti-Venetian alliance. In the summer of 1412, the Venetian military contingents led by the captain of Rašpor Iacopo de Rippa were successful in motivating Oprtalj and Buje to surrender to Venice and issue their formal articles of subjections. On the 27th of August of that year, the Senate deliberated on the two promulgated sets of *capituli*.⁶⁷⁷ The first and most important article presented by the representatives of Oprtalj concerned the confirmation and official acknowledgment of the “old statutes and customs” by which the community was governed; Venice was happy to oblige, but added one crucial caveat: justice would be administered by their delegated rectors “as is observed in our other Istrian lands.”⁶⁷⁸ Virtually identical was the first article of Buje’s pacts of subjection and the Venetian answer was also the same.⁶⁷⁹ Second, the envoys of Oprtalj asked that Venice promises not to force any of their citizens to serve in military campaigns waged outside of Istria

⁶⁷⁶ Without recourse to the concept of empowering interactions, this was already noted by a number of Venetianists. E.g. Gherardo Ortalli, “Entrar nel Dominio: le dedizioni delle città alla Repubblica Serenissima,” in *Società, economia, istituzioni: Elementi per la conoscenza della Repubblica Veneta*, vol. 1: Istituzioni ed economia (Verona: Cierre, 2002), 53–54; O’Connell, *Men of Empire*, 28–29.

⁶⁷⁷ Both set of articles are edited *in extenso* in “Senato secreti I,” 274–77.

⁶⁷⁸ Et primo, ad capitulum per quod nobilis vir ser Iacobus de Rippa miles capitaneus paysinaticorum Raspurch promisit suprascriptis iudicibus, quod nostra dominatio conservabit eos, in suis antiquis statutis et consuetudinibus, respondeatur, quod sumus contenti observare capitulum predictum, cum ista declaratione: quod rectores nostri, qui per tempora erunt, ministrare debeant ius et iusticiam prout servatur in aliis nostris terris Istrie.” “Senato secreti I,” 275.

⁶⁷⁹ “Senato secreti I,” 276.

against their will; Venice gave a deliberately vague reply: “in this case we shall treat our faithful subjects of Oprtalj the same way we treat our other Istrian faithful subjects.”⁶⁸⁰

Eight years later, in July of 1420, the Senate debated the pacts of subjections of Labin, Plomin, and Muggia as similar demands reappeared.⁶⁸¹ All three communities asked that their “customs and laws” remain the same as they had been before, when the community had been under Aquileian patriarchs; Venice was happy to oblige in all three cases.⁶⁸² The representatives of Muggia and Labin also asked not to have any new taxes imposed but instead to pay all the tributes formerly owed to the patriarchs and margraves to Venice and Venetian officials; the *Serenissima* readily acceded.⁶⁸³ The same was the case with the neighboring Plomin.⁶⁸⁴ Identically to Oprtalj, Labin asked Venice not to force its citizens to serve in military ventures outside of Istria; this time Venice gave a clearer answer: “may it be as is requested in the article.”⁶⁸⁵ The only *capitula* that Venice did not accede to regularly regarded the election of the podestàs: Muggia asked the right to elect their own rectors from among the Venetian noblemen; Venice refused with the following words: “We want that the podestà of Muggia is to be elected in our Great Council, as all the rectors of our other Istrian lands are elected.”⁶⁸⁶ Labin also wanted to elect freely its own podestàs, but Venice would not allow it; Labin was indeed given the option to elect their own rectors—the only community in Istria to receive this privilege—, but only from among the Venetian noblemen.⁶⁸⁷ This unique privilege was short-lived as it ended up revoked already in 1432 due to the many quarrels it had been causing among the local populace, according to the Venetian senators that

⁶⁸⁰ Super alio autem per quod promisit quod nemo ipsorum civium nec Portularum habitator astringetur exire Istriam aliqua causa guerre contra eorum voluntatem, ita tantum quod in partibus Istrie teneantur ire, quod dominatio nostra eis precipi fecerit, respondeatur, quod in isto casu tractabimus dictos fideles nostros et subditos Portularum prout tractamus alias nostros subditos et fideles Istrie.” “Senato secreti I,” 275.

⁶⁸¹ All three sets of articles are edited in “Senato secreti I,” 280–85.

⁶⁸² “Senato secreti I,” 280–81 (Labin), 283 (Plomin), 284 (Muggia).

⁶⁸³ “Senato secreti I,” 281 (Labin), 284 (Muggia).

⁶⁸⁴ “Senato secreti I,” 283.

⁶⁸⁵ “Item nostra sunt iura et consuetudines, non ire in guerra nec mittere gentes nostras, nisi si erit necesse hic in Istria sed non alibi nec in mare. Et est data responsio dicto capitulo: quod fiat ut in capitulo continetur.” “Senato secreti I,” 281.

⁶⁸⁶ “Item quod comunitas Mugle eligat singulo anno unum de nobilibus illustrissime civitatis Venetiarum in potestatem dicte terre confirmandum ad placitum prefate dominacionis vestre [...], respondemus: quod volumus quod potestas Mugle eligatur in nostro Maiori Consilio, prout eliguntur alii rectores aliarum terrarum nostrarum Istrie.” “Senato secreti I,” 284.

⁶⁸⁷ “Senato secreti I,” 281.

is.⁶⁸⁸ From that point on, the podestà of Labin and Plomin was to be elected, like in all the other places of Venetian Istria, by the Great Council of Venice from among its own members.⁶⁸⁹

The presented articles of the pacts of subjections clearly demonstrate how both Venice and the Istrian communities alike resorted to performative rescaling by assuming the regional scalar stance. For Venice, performing this regional scale allowed for a smoother integration of the newly acquired towns into the administrative framework of the expanding *Dominium Veneciarum*. Rescaling these lands as *partes Istrie* provided all the necessary legitimation needed for denying certain demands, specifically those concerning the free election of their rectors and the administration of justice. On the other hand, the subjected communities made recourse to regional scale in order to limit the jurisdictional prerogatives of their new masters as they would only fight in wars waged exclusively in Istria. As Donata Degrassi correctly noted, “the outer limits of the region were primarily defined in relation to the military obligations of residents.”⁶⁹⁰ This is precisely how the region was conceptualized and performed by the Istrian local communities.

This interplay catalyzed through the enactment of regional scalar stance by both the governors and the governed propelled the Venetian *partes Istrie* onto a journey towards regional consolidation. Namely, there was now an explicitly formulated framework for conceptualizing Venetian Istria, both by Venice as well as by the local communities. The subject centers were governed by their own laws, customs, and traditions, as testified by the pacts of subjections. Moreover, these communities were ruled by recourse to codified communal statutes that Venice readily confirmed. Places such as Muggia, Oprtalj, and Labin explicitly asked for Venetian ratification of their communal *statuta* and Venice was happy to oblige. In the case of Muggia, the statute was revised and modified by Venice;⁶⁹¹ in the case of Labin, a much less important subject center—both geo-strategically as well as economically—the old statute from 1341, promulgated during the reign of Patriarch Bertrand of Saint-Geniès, was confirmed and left completely unchanged, including the introductory chapter asserting the patriarchs of Aquileia as Labin’s

⁶⁸⁸ ASV, SMi, reg. 58, fol. 147r (5th of September, 1432); regestum in “Senato misti V,” 34; edited *in extenso* in *FIM*, doc. 1432_SM59, https://fontesistrie.eu/1432_SM59.

⁶⁸⁹ *FIM*, doc. 1432_SM59, https://fontesistrie.eu/1432_SM59.

⁶⁹⁰ “I limiti estremi della regione erano definiti principalmente in relazione agli obblighi militari dei residenti.” Donata Degrassi, “Frontiere, confini e interazioni transconfinarie nel Medioevo: Alcuni esempi nell’area nordorientale d’Italia,” *Archivio storico italiano* 160, no. 2 (2002): 218.

⁶⁹¹ Colombo, *Storia di Muggia*, 227–28; Colombo, ed., *St. Muggia* 2.

jurisdictional superiors.⁶⁹² This administrative practice of governing Istrian subject centers by recourse to their codified statutes stems from late thirteenth and fourteenth centuries, the earlier period of Venetian dominion on the Peninsula. Already in 1394, when the Senate concluded that Koper's revoked statute should be restored, the senators famously stated that "all our other Istrian lands are governed by their statutes and laws."⁶⁹³

It is difficult to ascertain whether all Venetian subject communities in Istria had had their own statutes even before they became part of the *Dominium Veneciarum*, or whether it was Venice that promulgated the statutes for these communities, with the (alleged) support and confirmation of the local communal bodies. Buzet is in this case the most problematic of all cases and there are different interpretations of the origins of its local statutes. According to Egidio Ivetic and Nella Lonza, Buzet did not have its codified statute before becoming part of the Venetian dominion in the summer of 1421, with the former even claiming that it was Venice that "organized the commune" in Buzet.⁶⁹⁴ Indeed, this interpretation is seemingly confirmed by the fact that Mocenigo's *ducale* fails to mention any sort of *statuta*. The author of this study has argued differently.⁶⁹⁵ Namely, there were communal bodies such as the council and the regularly rotating elective officials who governed Buzet before the advent of Venice.⁶⁹⁶ Moreover, both Buje and Oprtalj had their own statutes before entering Venetian dominion; that of Buje is mentioned in 1381, that of Oprtalj in the aforementioned pacts of subjection in 1412.⁶⁹⁷ Both of these statutes are virtually identical, clearly revealing that they stem from the old fourteenth-century statute of Muggia.⁶⁹⁸ Venice reformed the statute of Muggia in 1420, but only later confirmed the statutes of Oprtalj (1421), Buje (1427), and Buzet (1435).⁶⁹⁹ However, all three of these statutes feature the

⁶⁹² De Franceschi, ed., *St. Labin* and the later *volgarizzamento* of the statute, still retaining the patriarch as the community's superior in Carlo Buttazoni, ed., *Statuto municipale della città di Albona dell'anno 1341* (Trieste: Lodovico Herrmanstorfer, 1870). This Venetian "disinterest" in the statutes of smaller, poorer and less important subject centers was noticeable elsewhere as well. Cozzi cites the examples of Rocca Pietore, Sacile, Pordenone, Lendinara, Badia and Rovigo. Cozzi, *Repubblica di Venezia e Stati italiani*, 266–67.

⁶⁹³ "Omnes alie terre nostre Istrie reguntur cum statutis et ordinibus suis." ASV, SMi, reg. 43, fol. 11r; regestum in "Senato misti IV," 284–85. I have edited the deliberation *in extenso* in the appendix. See doc. II/Z in appendix 3.

⁶⁹⁴ Egidio Ivetic, "Venezia e l'Adriatico orientale: connotazioni di un rapporto (secoli XIV–XVIII)," in *Der westliche Balkan, der Adria-raum und Venedig (13.–18. Jahrhundert)*, ed. Gherardo Ortalli and Oliver Jens Schmitt (Vienna: Österreichische Akademie der Wissenschaften, 2009), 246; Nella Lonza, "Il gioco degli specchi: Lo statuto di Pingente, i suoi modelli e affinità giuridiche," in *St. Buzet*, 210.

⁶⁹⁵ Banić, "Justice in Flux," 75–78.

⁶⁹⁶ Kandler, ed., *CDI 2*: 575, doc. 349. See also, Banić, "Pingente," 122–24.

⁶⁹⁷ Banić, "The Venetian Takeover," 51–52 with all citations of the primary sources.

⁶⁹⁸ Banić, "Justice in Flux," 66–74; Lonza "Il gioco," 211.

⁶⁹⁹ Lonza and Poropat, eds., *St. Buzet*, 316–20; the dating of the statute of Buje stems from the yet unpublished manuscript held in the library of the State Archive of Trieste, its critical edition is forthcoming; the dating of the statute

chapters that had been removed from the Venetian statute of Muggia, a fact that supports the argument that they—or at least those of Oprtalj and Buje—had existed even before the advent of Venetian rule. Thus, even though it cannot be claimed whether or not Buzet had its own communal statutes before being annexed to the Venetian dominion, the 1435 statutes were either the ones that the community had already adhered to, or the ones that the community “adopted” from the neighboring Oprtalj in a text-book example of the phenomenon Ortalli dubs “statutory adoption.”⁷⁰⁰ The later was the case with Plomin who “adopted” the statutes of Labin in 1438.⁷⁰¹ In any case, one cannot talk of “statutory colonization,” a process whereby a jurisdictionally superior center imposes its own statutes upon the subject community.⁷⁰²

Another important aspect of integrating the recently annexed communities of the former Margraviate of Istria was that of continuity and strict adherence to tradition, especially regarding taxes and tributes. As the presented pacts of subjection show, Venice was content to simply redirect all the already existing taxes to itself and not impose additional tributes. This practice is clearly discernible in all the discussed Istrian cases, but it also extends to rural communities such as Roč and the villages of Petrapilosa where the old tributes were confirmed and no new taxes introduced.⁷⁰³ This conservative policy towards taxation worked in tandem with respecting the existing communal institutions, laws, and customs. The idea was to maximally reduce “the disruptions to the general flow of life and make the new subjects feel ‘at home’ in their new state.”⁷⁰⁴ The Venetian senators themselves phrased this maxim perfectly: “indeed, there is nothing more satisfying to the people than the observation of their old established traditions.”⁷⁰⁵ There were, however, limits to Venetian generosity and flexibility.

of Oprtalj is based on the mention of the incumbent podesta of Koper serving at the time of the statute’s promulgation, Niccolò Coppo who served in Koper between 1420 and 1421. Angelo Marsich, “Effemeridi Giustinopolitane: Agosti,” *La Provincia dell’Istria* 11, no. 15 (1877): 113. See also, Banić, “The Venetian Takeover,” 52 and fn. 51.

⁷⁰⁰ Gherardo Ortalli, “Tra normativa cittadina e diritto internazionale: Persistenze, intrecci e funzioni,” in *Legislazione e prassi istituzionale nell’Europa medievale: Tradizioni normative, ordinamenti, circolazione mercantile (secoli XI-XV)*, ed. Gabriella Rossetti (Napoli: Liguori, 2001), 24, defines the it as “processo per cui la comunità tende sempre ad identificare come sua specifica e connotante la norma che si trova ad applicare in modo funzionale, quale che ne sia l’originaria fonte di produzione.”

⁷⁰¹ Stulli, ed., *St. Plomin*, 24, 30.

⁷⁰² Gherardo Ortalli, “Presentazione,” in *Statuti di Aviano del 1403*, ed. Stefania Manente (Rome: Jouvence, 1989), 9.

⁷⁰³ Klen, “Urbare Roča,” 263–65; Klen, “Urbare Petre Pilose,” 96–97; Banić, “The Venetian Takeover,” 51.

⁷⁰⁴ Banić, “The Venetian Takeover,” 49.

⁷⁰⁵ “Nihil enim est quod magis satisfaciat populis quam in suis vetustis rebus conservari.” Louis de Mas Latrie, ed., *Histoire de l’île de Chypre sous le règne des princes de la maison de Lusignan*, vol. 3 (Paris: Imprimerie impériale, 1852), 372–82 (quotation on 374). I have taken some liberties with the translation of the line into modern English. The line is discussed in Arbel, “Colonie d’Oltremare,” 170.

All the newly acquired communities had to relinquish their rights to free election of their rectors and to the administration of justice, especially cases falling under criminal law. Indeed, this is how all the other Istrian communities were governed. However, confirming the “old rights, laws, and customs” of the likes of Oprtalj, Buje or Buzet—communities that were traditionally accustomed to a particularly high degree of autonomy in local justice administration, including criminal law—while simultaneously stripping them off from their old judicial prerogatives was paradoxical. Namely, the communities of the Margraviate of Istria had been subjected to the effete jurisdictions of the appointed margraves who had exercised their authority through the several *placita regalia* held several times a year.⁷⁰⁶ It was during these solemn judiciary rituals that criminal cases would be adjudicated, but the leading role in justice administration was played by the local juries; the margrave would only ask the ritual “quid iuris” and the juries would respond with the verdict.⁷⁰⁷ True, it was up to the margrave to either support the ruling or not and blood could not be shed without his presence, but nonetheless, the local population played a particularly prominent role in the administration of justice. This model of justice administration, the so-called “participatory justice,” was the norm in Friuli and stemmed from the practice that was common throughout the Patriarchate of Aquileia; it does not come as a surprise that it was practiced in the Margraviate of Istria as well.⁷⁰⁸

It was these problems that the senators tried to solve during a session held on the 21st of May, 1423. The representatives of the four recently annexed communities—Dvigrad, Buje, Oprtalj and Buzet—were complaining against the newly imposed administration, shunning the delegated rectors. They were petitioning Venice to grant them their prerogative to elect their own judges “and govern themselves as they were accustomed to do before.”⁷⁰⁹ Indeed, it was Venice that did

⁷⁰⁶ De Vergottini, “La costituzione I,” 118–22; Josip Banić, “Production of Judicial Space in the Margraviate of Istria: Aspects of Continuity and Change Following the Introduction of Venetian Jurisdiction (1421),” *Medium Aevum Quotidianum* 74 (2017): 57–58.

⁷⁰⁷ Kandler, ed., *CDI* 3: 1376, doc. 807.

⁷⁰⁸ Vincenzo Joppi, ed., *Constitutiones patrie Foriulii a generali parlamento edite et promulgate a reverendissimo domino patriarcha Aquilegensi annis MCCCLXVI-MCCCLXVIII* (Udine: G. B. Doretti, 1900), chaps. 6 and 52 and doc. XXXIV. For the term “giustizia partecipata,” see Storti, “Città e campagna,” 313–21; Castagnetti, “Giustizia partecipata,” 9–12 and the discussion in fn. 424 in this study. In the Patriarchate of Aquileia, this type of trials continued all the way into the 15th century. Michele Leicht, “I giudizi feudali nella marca del Friuli,” *Ateneo veneto*, ser. 6, 3 (1882): 145–65 and 193–203; Paschini, *SdF*, 362–63; Donata Degrassi, “Mutamenti istituzionali e riforma della legislazione: il Friuli dal dominio patriarchino a quello veneziano (XIV-XV secolo),” in *Continuità e cambiamenti nel Friuli tardo medievale (XII-XV secolo): saggi di storia economica e sociale* (Trieste: CERM, 2009), 163–67.

⁷⁰⁹ ASV, SMi, reg. 54, fol. 112r–v; regestum in “Senato misti IV,” 23–24; edited *in extenso* in *FIM*, doc. 1423_SM215, https://fontesistrie.eu/1423_SM215.

not hold up to their end of the agreement, promising the respect of old traditions and rights only to abolish them and inaugurate an administrative system foreign to the locals. Andrea Contarini, a particularly creative senator, proposed a unique solution to the conundrum: there would be no more rectors delegated to these four communities; instead, the local communal councils would be granted the power to elect their own judges or even their own rectors from among the population of Venetian Istria, and govern themselves as they had done in the past; the captain of Rašpor would in that case serve as the appellate jurisdictions to these four highly autonomous semi-urban communities.⁷¹⁰ Indeed, this would mirror most closely the old jurisdictional order of the former Margraviate of Istria with the captain of Rašpor essentially taking over the role of the former delegated margraves. Moreover, the proposal aimed at creating a new circuit of officials drawn from among the population of Venetian Istria, potentially creating new opportunities for the *Serenissima*'s subjects to participate in the administration of the *Dominium Veneciarum* outside of the narrow confines of their own local communities. It was indeed a revolutionary proposal. It was also rejected.

Venetian conservatism prevailed and so did the scalar stance by which the *terre nostre Istrie* were performed as typical Venetian *reggimenti*, helmed by the regularly rotating Venetian rectors with broad discretionary rights in justice administration, especially concerning criminal law.⁷¹¹ The four recently annexed communities simply had to learn how to live as Venetian subjects in Istria and cope with the new system. There was, however, one glaring novelty that was introduced and reinforced by the accepted 1423 proposal, an innovation that would ultimately pave the way for the coming regional consolidation.

Already in 1413, after Dvigrad had surrendered to Venice and had asked to be accepted as the newest member of the expanding *Dominium*, Doge Mocenigo issued a solemn ducal letter accepting its subjection and welcoming the community into the new state.⁷¹² However, Venice would not appoint Dvigrad's rectors. Instead, it was to be the Capodistriani who would elect among their own nobility the incumbent podestàs of Dvigrad with a term of office lasting one

⁷¹⁰ *FIM*, doc. 1423_SM215, https://fontesistrie.eu/1423_SM215.

⁷¹¹ On the Venetian *reggimento* system, see Benjamin Arbel, "Venice's Maritime Empire in the Early Modern Period," in *A Companion to Venetian History, 1400-1797*, ed. Eric R. Dursteler (Leiden - Boston: Brill, 2013), 146–51.

⁷¹² The *ducale* is edited *in extenso* in Lonza and Jelinčić, eds., *St. Dvigrad*, 302, doc. 1.

year.⁷¹³ The reason behind this decision is not stated, but it can be inferred. First, the yearly salary that Dvigrad was prepared to offer to their delegated rectors was extremely modest, a mere three hundred and ninety pounds of pennies; perhaps this was judged as simply too modest for Venetian noblemen.⁷¹⁴ In addition, Koper was developing into the largest and most prosperous urban center of Venetian Istria, a development mirrored in the yearly wage of its delegated rectors.⁷¹⁵ It was also a community known for rebelling against Venice, the last uprising having taken place in 1348.⁷¹⁶ Therefore, it paid to grant privileges to the rich community but at the same time not loosen the leash around their communal autonomy too much. Granting the Commune of Koper the right to appoint the rectors of a semi-urban center as small and as insignificant as Dvigrad was a sure way to achieve precisely that: grant a privilege buying the favor and good disposition of the Capodistrians towards Venice, but simultaneously not relinquishing any additional jurisdictional prerogatives in the administration of Koper itself. The decision to invest Koper with the authority to delegate their own citizens as rectors of a smaller Istrian community was revolutionary as nothing of the sort was ever done in Venetian Istria before. It did not take long for more communities to join the ranks of Dvigrad in their subjection not directly to Venice, but to Koper. Namely, all the communities of the former Margraviate of Istria that needed military “persuasion” to promulgate their “voluntary” *deditiones* ended up subjected to Koper. This was the case with Buje, Oprtalj, and Buzet. Conversely, Labin, Plomin, and Muggia, communities that subjected themselves to Venice on their own accord, were tied directly to Venice, enjoying the same hierarchical position in the nascent *Dominium* as all the other centers of Venetian Istria. This is a prime example of the circumstances catalyzing the subjection influencing the modality of inclusion into the expanding Republic of St. Mark.

The fact that it was precisely Dvigrad, Buje, Oprtalj and Buzet that lamented to Venice in 1423, asking for the Capodistriian privilege to be revoked, demonstrates that the four communities did not take immediate liking to their inferior jurisdictional position in the overall regional

⁷¹³ “Sumus contenti et placet nobis quod habeatis unum rectorem, qui vobis mittatur de Iustinopoli ex civibus ipsius civitatis de anno in annum cum salario quod vestra comunitas dare et prebere disposuerunt, videlicet libras CCCLXXX.” Lonza and Jelinčić, eds., *St. Dvigrad*, 302, doc. 1.

⁷¹⁴ It was indeed the lowest wage of all the delegated rectors in Istria. Cf. the table in appendix 2.

⁷¹⁵ At 2000 pounds of pennies in addition to the regalia from the district, the rectors of Koper received the highest yearly wage of all the delegated rectors in Istria. Cf. the table in appendix 2.

⁷¹⁶ By far the most detailed accounts of this episode are Semi, *Capris, Iustinopolis, Capodistria*, 89–130; Miroslav Pahor, “Koprski upor leta 1348” [The uprising of Koper of 1348], in *Istrski zgodovinski zbornik* [Istrian history miscellanea], vol. 1 (Koper: Zgodovinsko društvo jugoslovanske cone STO, 1948), 29–68.

hierarchy.⁷¹⁷ That Venice took these protestations seriously is mirrored in the fact that the Senate indeed dedicated ample time to this problem and forty-five out of seventy senators present that day voted in favor of Contareno's revolutionary proposal. In the end, it was decided that absolutely nothing would change and on the 22nd of May, 1423, Doge Foscari solemnly confirmed to Koper the distinctive privilege of appointing rectors to the four subjected Istrian communities.⁷¹⁸ The newly constructed jurisdictional framework, however, was not to last.

There were two factors that ultimately brought about the near destruction of the newly constituted Capodistrian centrality. First, there was the problem of an ever-growing number of impoverished Venetian noblemen, members of the ruling patriciate that depended heavily on the salaries provided by the administrative posts for their livelihood.⁷¹⁹ This stratification of Venetian nobility was both produced and reinforced by the unwritten rule to appoint only wealthy and powerful nobles to particularly important—and particularly lucrative—offices such as the rectors of Padua, Zadar, or Crete.⁷²⁰ This “monopolization” of high-yielding posts eventually gave birth to the so-called “welfare program”—the constitution of new, less important offices with smaller wages aimed at providing for the livelihood of poor patricians.⁷²¹ These new posts could be created by the Great Council either completely *ex novo* or they could be simply snatched from the prerogatives of the local communities. Another, more temporary and ad hoc solution was to simply grant the positions originally reserved to members of the local, subject populace to the poor noblemen by way of *grazia*: “special privileges by which offices could be granted through bypassing the standard electoral procedures.”⁷²² As it would turn out, the four new posts originally promised to the members of the Capodistrian patriciate would gradually fall prey to the “welfare program.”

First, the four posts were intermittently being granted by way of *grazie* to various impoverished noblemen. Thus, a Venetian is found governing Buje in 1432, Buzet in 1435, Oportelj in 1444 and Dvigrad in 1458—all of these posts were accorded by way of *grazie* and Foscari's

⁷¹⁷ *FIM*, doc. 1423_SM215, https://fontesistrie.eu/1423_SM215.

⁷¹⁸ Foscari's *ducale* is edited in *extenso* in Margetić, ed., *St. Koper*, 130, book 5, doc. 6.

⁷¹⁹ Donald E. Queller, *The Venetian Patriciate: Reality versus Myth* (Chicago: University of Illinois Press, 1986), 29–34.

⁷²⁰ O'Connell, *Men of Empire*, 39, 41–42.

⁷²¹ Queller, *The Venetian Patriciate*, 29–50.

⁷²² Queller, *The Venetian Patriciate*, 33; O'Connell, *Men of Empire*, 97 (quotation); Banić, “The Venetian Takeover,” 60.

privilege to Koper was not officially revoked.⁷²³ Second, the four communities subjected to Koper wanted the same jurisdictional status as the rest of the Venetian *terre Istrie* enjoyed. This is clearly attested in Buzet's 1437 uprising against the "local podestà," that is, a rector appointed by Koper, and in Buje's formal plea of 1432 whereby the community asked to be governed by Venetian, not Capodistrian noblemen.⁷²⁴ These two factors—the Venetian willingness to appoint its own poor patricians to these low-yielding posts and the local population's desire to be subjected directly to Venice—combined and mixed together in a text-book example of empowering interactions. Thus, already on the 21st of February, 1432, the Senate decided to accede to Buje's plea and officially reserve the post of *potestas Bullearum* to a Venetian noblemen elected for a term of two years.⁷²⁵ In 1442 and 1444, during the two Great Council sessions in which a number of new administrative posts were created—that is, snatched from the prerogatives of subject communities—Buzet, Oprtalj, and Dvigrad were all transferred to the *potestas* of Venice and placed under the regularly rotating governorship of a Venetian patrician elected in the *Consilium Maior*.⁷²⁶ However, these provisions did not signal the ultimate demise of the originally envisioned and briefly operating Capodistrian centrality and its subregional jurisdictional network.

Naturally, the Commune of Koper protested these actions which were, in essence, a gross violation of the solemnly accorded privilege signed by the doge himself. In the end, also as a result of empowering interactions, a compromise was reached. By the official decree of the Council of Ten promulgated on the 30th of August, 1458, Dvigrad was officially recognized as a dislocated part of the Capodistrian district with the Great Council of Koper in charge of appointing its regularly rotating rectors from among the members of their own civic nobility.⁷²⁷ The other three towns would remain to be governed by Venetian noblemen, but with one important and revolutionary caveat: the appellate jurisdiction would not reside in Venice, as was the case with

⁷²³ *FIM*, doc. 1432_SM212, https://fontesistrie.eu/1432_SM212 (Buje), Lonza and Poropat, eds., *St. Buzet*, 318 (Buzet); *FIM*, docs. 1444_MC77 and 1458_CX308 (Oprtalj and Dvigrad). See also, Banić, "The Venetian Takeover," 60.

⁷²⁴ Angelo Marsich, "Effemeridi Giustinopolitane," *La Provincia dell'Istria* 11, no.5 (1877): 33 (Buzet's uprising against the "local podestà"); *FIM*, doc. 1432_SM212, https://fontesistrie.eu/1432_SM212 (Buje).

⁷²⁵ ASV, SMi, reg. 58, fol. 101v; regestum in "Senato misti V," 34; edited *in extenso* in *FIM*, doc. 1432_SM212, https://fontesistrie.eu/1432_SM212.

⁷²⁶ For 1442: ASV, MC, reg. 22, fol. 141r; edited *in extenso* in *FIM*, doc. 1442_MC154, https://fontesistrie.eu/1442_MC154. For 1444: ASV, MC, reg. 22, fol. 157v; edited *in extenso* in *FIM*, doc. 1444_MC77, https://fontesistrie.eu/1444_MC77.

⁷²⁷ ASV, CXMi, reg. 15, fol. 159v; edited *in extenso* in *FIM*, doc. 1458_CX308, https://fontesistrie.eu/1458_CX308.

all the other Istrian communities subjected to the Dominant, but in Koper.⁷²⁸ For the three subjected communities this innovation could only be read as an improvement of their old jurisdictional status; after all, they would appeal to a Venetian rector of Koper and not to Capodistrians themselves while at the same time the cost of appealing would be drastically diminished as they would not have to travel to Venice. For the Commune of Koper the solution presented a compromise, but the community nonetheless emerged as undisputedly the most important subject center of the entire Venetian *partes Istrie*. Finally, Venice managed to create three additional posts for their “welfare program,” appease the recently annexed communities by hearing their pleas and making them feel contented in their newly imposed jurisdictional framework, while at the same time privilege their most important subject center on the Peninsula through a standard *do ut des* relationship—it was a win-win situation for everyone involved.

The result of these empowering interactions was, among others, the creation of a unique subregion within the Venetian *terre Istrie*: the geo-administrative area with a center in Koper as the seat of appellate jurisdictions that included Dvigrad, Buje, Oprtalj and Buzet. This was the root from which the Venetian *Provincia d'Istria* would eventually spring from. Namely, from 1449, when the Capodistrian privilege was officially confirmed by Doge Foscari, other Istrian communities began entering this geo-administrative subregion centered in Koper.⁷²⁹ The first one to join was Grožnjan, followed by Novigrad in the February of 1540;⁷³⁰ Bale followed on the 18th of August, 1551;⁷³¹ on the 21st of December, 1574, Umag had its appellate jurisdiction transferred to Koper as well;⁷³² Isola followed suit on the 17th of July, 1580.⁷³³ In the same 1580, Niccolò Donato, returning to Venice after having served as the podestà of Koper, presented his report to the Senate and he proposed the completion of this spontaneously started project: the creation of the appellate jurisdiction in Koper—in *civilibus* and in *criminalibus*—responsible for absolutely all the subject communities of Venetian Istria.⁷³⁴ Finally, on the 4th of August, 1584, four years

⁷²⁸ This privilege was officially confirmed to the podestà of Koper Lorenzo Minoto by Doge Foscari on the 6th of October, 1449. The *ducale* is edited *in extenso* in Margetić, ed., *St. Koper*, 142–43, book 6, doc. 18.

⁷²⁹ Margetić, ed., *St. Koper*, 143, book 6, doc. 18.

⁷³⁰ *Leggi, decreti e terminazioni del Serenissimo Maggior Consiglio, dell'Eccellentissimo Pregadi, dell'Eccellentissimo Consiglio dei Dieci e dei pubblici rappresentanti con la pubblica approvazione concernenti il buon governo dell'Istria* (Koper, 1683), book 1, 22–24, 29.

⁷³¹ *Leggi, decreti e terminazioni*, book 1, 25–26.

⁷³² *Leggi, decreti e terminazioni*, book 1, 30.

⁷³³ *Leggi, decreti e terminazioni*, book 1, 33.

⁷³⁴ Donato's *relazione* is edited *in extenso* in “Relazioni dei podestà e capitani di Capodistria,” *AMSI* 6, no. 1–2 (1890): 85–93, the part relating to his proposal to transfer the appellate jurisdiction of all the communities of Venetian Istria

after Donato's report, the Venetian Senate officially decreed that henceforth all the communities of Venetian Istria would have their appellate jurisdictions in Koper.⁷³⁵ From this point onwards, the *Commune Iustinopolis* was rightly termed *metropolis Iстриe*.⁷³⁶ Moreover, the regional consolidation of the *partes Iстриe*, was finally completed—Venetian Istria officially became a distinct geo-administrative region.⁷³⁷

Essentially, the 4th of August, 1584—a date that ought to be seen as the official birthday of Venetian Province of Istria—only marked the end of the process that had begun already in the first quarter of the fifteenth century with the Venetian takeover of the Margraviate of Istria. The fact that it took well over a hundred and fifty years for the process to reach its conclusion and result with the creation of a consolidated geo-administrative region shows how conservatively Venice governed and how fearful it was to introduce *novitates*. Nonetheless, the root of the *Provincia d'Istria* was planted with the takeover and the subsequent incorporation of the *reliquia reliquiarum* of the Aquileian Margraviate of Istria, a process that unfolded precisely during the Venetian age of transformation from *Commune* into *Dominium Veneciarum*.

The presented process of integration of the Istrian communities annexed between 1412 and 1421 into the expanding Venetian dominion and the subsequent processes of negotiations between the new subjects and the central government in Venice is in many ways paradigmatic of the general mechanisms that characterized the *Serenissima's* expansion both on sea and land during the fateful fifteenth century. Numerous Venetianists have already noted that the “voluntary” submissions and the pacts of subjections were the favorite instruments through which Venice annexed communities

to Koper is detailed on 90–93. Donato proposed this project due to the poverty of Istrian overall population, unable to afford expensive appellations and the trips to Venice, and due to the fact that Venetian rectors abuse this situation, snatching as much money for themselves, knowing that none would appeal against them.

⁷³⁵ “Senato mare,” *AMSI* 11, 77–78 (4th of August, 1584); *Leggi, decreti e terminazioni*, book 2, 12–14 (with the date of 5th of August).

⁷³⁶ This is how the commune was termed in the 1668 printed edition of its 1423 statutes. Margetić, ed., *St. Koper*, X.

⁷³⁷ The words of Giovanni de Vergottini aptly describe the process: “Così alla fine del secolo XVI il podestà-capitano è veramente divenuto il governatore dell'Istria veneziana, che ha finalmente raggiunta la sua sistemazione a provincia. L'unità provinciale del “marchesato” dei Patriarchi rivive, se pur sotto be differenti forme, nelle “provincia d'Istria” della Repubblica.” De Vergottini, “La costituzione II,” 30–31. See also Ivetic, *L'Istria moderna*, 45, correctly stating that “[d]a allora in poi [dopo 1584] si può infatti parlare a pieno titolo dell'Istria veneta in quanto provincia e non insieme di parti separate. See also Rolan Marino, “L'istituzione del Magistrato di Capodistria nel 1584. Contributo allo studio dei rapporti tra l'Istria e la Repubblica di Venezia nei secoli XVI e XVII,” *Acta Histriae* 3 (1994): 117–22.

and incorporated them into their growing *Dominium*.⁷³⁸ As such, these documents follow a specific scheme and they are influenced by a number of important factors: the circumstances that led to the community's subjection, the demographic and economic profile of the commune, as well as the land's geo-strategic value.⁷³⁹ In general, Venice used these submissions and pacts to usher in a relationship between the governed and the governors based (at least on the surface) on mutual agreement, negotiations, and willingness to compromise for the general contentment of all involved in this process. Therefore, and this is mirrored perfectly in Istrian examples as well, Venice would most often simply confirm the existing local order, ratify the "old customs and laws" including the communal statutes, and simply redirect the usual taxes and tributes to Venice.⁷⁴⁰ Even the Venetian disposition to govern their subject centers in tandem with the local statutes did not pertain exclusively to Istria as the referenced 1394 *pars* regarding Koper might lead one to believe, but to the entire nascent *Dominium Veneciarum*; indeed, the fifteenth century is the era in which the (re)codification of statutes across the Venetian state reaches unprecedented momentum.⁷⁴¹

The only "innovation" that Venice regularly introduced was the office of regularly rotating Venetian rector in charge of justice administration with particularly broad discretionary rights in adjudicating criminal cases.⁷⁴² For a great number of annexed communities, this "innovation" did not present a great novelty as the lands had already been governed by delegated/elected podestàs even before the advent of Venice. For communes with broad jurisdictional autonomy which included the right to administrate justice in *civilibus* and in *criminalibus*—such as for example Zadar, Padua, Vicenza and Brescia, just to name a few—this meant a conspicuous reduction of local prerogatives at the benefit of Venice, but it was simply a cost that all the communities enjoying the benevolent shade of the *Dominium Veneciarum* had to pay, at least this is how Venice presented it: "In criminal jurisdictions we do not allow that these two councilors interfere in any

⁷³⁸ Most recently Monique O'Connell, "The Contractual Nature of the Venetian State," in *Il "Commonwealth" veneziano*, 65–66; more extensively in Alessandra Rizzi, "Dominante e dominanti: Strumenti giuridici nell'esperienza 'statuale' veneziana," in *Il "Commonwealth"* 235–71, esp. 237 and fn 4 for older literature, and 249–65.

⁷³⁹ Ortalli, "Entrar nel Dominio," 58–59; Michael Knapton, "Venice and the Terraferma," in *The Italian Renaissance State*, ed. Andrea Gamberini and Isabella Lazzarini (Cambridge: Cambridge University Press, 2012), 144.

⁷⁴⁰ Rizzi, "Dominante e dominanti," 263.

⁷⁴¹ Cozzi, *Repubblica di Venezia e Stati italiani*, 232–35, 237–61 (Romania, Istria, Dalmatia), 261–71 (Terraferma); O'Connell, *Men of Empire*, 32; Rizzi, "Dominante e dominanti," 264–65. I will return to the topic of statutes both in chapters III (as reservoirs of local identities) and in chapter IV (as tools used in justice administration).

⁷⁴² Cozzi, *Repubblica di Venezia e Stati italiani*, 252, 272–73; Varanini, "Gli ufficiali veneziani," 162; Arbel, "Venice's Maritime Empire," 139.

way whatsoever, just as they do not do in our other lands,”—responded the Venetian Senate to the pleas of the Commune of Nin in 1410—“but may [criminal justice administration] remain solely in the discretion of our viscount.”⁷⁴³ Even though Venice proclaimed this practice to be universally applied throughout their dominion, this was, however, not the case.

In Friuli there were only a couple of communities that received the “standard treatment:” these were Sacile, Monfalcone, Portogruaro, Marano and Udine. These five urban centers received a regularly rotating Venetian official delegated by the central government in Venice; these officials were tasked primarily with the administration of justice that in civil cases had to be performed in tandem with the local judges, but in criminal cases was to be handled by them alone, relying on their own conscience and “honorable *arbitrium*.”⁷⁴⁴ All the other subjected centers of Friuli continued to be governed according to the old administrative practices, the only difference being that their rectors (termed variously: gastalds, captains or podestàs) were now being confirmed by the Venetian deputy in Udine, and not the incumbent patriarch of Aquileia.⁷⁴⁵ Moreover, before being returned to the *potestas* of the patriarchs, the Commune of Aquileia was allowed to elect its own podestàs from among the Friulian population.⁷⁴⁶ The same privilege was accorded to San Vito.⁷⁴⁷ Finally, Cividale and numerous Friulian villages and modest semi-urban centers very much comparable to Istrian Dvigrad, Roč, Plomin, even Opatlj, continued to “govern themselves as they were accustomed to do before,” which included the right to administer justice—even in criminal cases—by way of the old trials by jury and the ritual “quid iuris” questions.⁷⁴⁸ Why was this possible in Friuli, but not in Istria where the same practice existed?

⁷⁴³ “In criminalibus autem nolumus quod dicti duo consiliarii aliquid se impediunt, prout non faciunt in aliis terris nostris, sed remaneat solum in discretionem nostri vicecomitis, qui erit per tempora, procedendi et terminandi ac providendi prout eidem iustum et expediens apparebit.” Ljubić, ed., *Listine* 6: 77, doc. 73. Similar was the answer to the representatives of Portogruaro. Ortalli, “Le modalità di un passaggio,” 22. Some other examples from 15th-century Dalmatia in Ljubić, ed., *Listine* 8, 26–27, 30.

⁷⁴⁴ Ortalli, “Le modalità di un passaggio,” 22–25; Zamperetti, *I piccoli principi*, 203; Trebbi, *Il Friuli*, 35; Roberto Giummolé, “I poteri del luogotenente della patria del Friuli nel primo cinquantennio 1420-1470,” *MSF* 45 (1964 1962): 64, 101–2, doc. 1. I will return to the topic of *arbitrium* in chapter 4.

⁷⁴⁵ Giummolé, “I poteri del luogotenente,” 85–88; Zamperetti, *I piccoli principi*, 206–7. Specifically for Tolmezzo, see Miriam Davide, “Tolmezzo e la Carnia: organizzazione comunitaria e rivendicazioni di autonomia di una zona alpina durante il periodo patriarcale e in seguito alla dedizione a Venezia,” in *Le subordinazioni delle città comunali a poteri maggiori in Italia dal secolo XIV all’ancien régime. Risultati scientifici della ricerca*, ed. Miriam Davide (Trieste: Centro Europeo Ricerche Medievali, 2014), 165–85, esp. 174 and 178.

⁷⁴⁶ Cogo, “La sottomissione,” 142, doc. 15.

⁷⁴⁷ Predelli, ed., *LC* 4: 19, doc. 35. The appellate jurisdiction resided in the Venetian-delegated captain of Sacile.

⁷⁴⁸ Claudio L. Daveggia, “Una particolare istituzione del Friuli patriarchino e veneto: Le banche giudiziarie,” in *Istituzioni e società nel medio evo italiano*, ed. Claudio L. Daveggia (Venezia: Editrice commerciale, 1990), 53–83;

The answer to this question lies in the aforementioned process of regional homogenization. Istria was conceptualized by Venice as a distinct, *Venetian* jurisdictional region in which the *Serenissima* was present for centuries. Thus, when new communities were annexed, they were not only entering the *Dominium Veneciarum*, they were also joining the *partes Istrie*. As such, their governmental structures had to be “adjusted” to mirror the salient aspects of Venetian administration typical of all the other members of the Venetian *terre Istrie*. This process was dubbed regional homogenization. In Friuli that was not the case. First, there was no prior Venetian rule in this region; second, very much unlike Istria or Dalmatia, Friuli was constituted as a region *par excellence* already in earlier centuries with the Friulian Parliament acting as the principal tool that welded the communities and lordly houses of Friuli into a distinct governmental region: the *patria Foroiulii*.⁷⁴⁹ Similarly to other newly annexed territories, Venice shied away from introducing too many *novitates* as the path towards integration into the nascent *Dominium* had to be made as less traumatic as possible. However, certain control had to be established. It is definitely not a coincidence that the only places which received a regularly rotating Venetian delegated nobleman for their rectors were precisely the same places that Venice had always wanted to retain for themselves due to their invaluable strategic importance, even when it was prepared to relinquish entire Friuli to the pope or to the Council of Basel.⁷⁵⁰ Udine was also put under the governorship of a Venetian official, although not termed podestà or captain, but “deputy” (orig. Lat. *locumtenens*) in respect of patriarch’s (former) jurisdictional prerogatives; in addition, the town was constituted into the undisputed capital of Friuli where the appellate jurisdiction resided for all the Friulian communities and lordships.⁷⁵¹ Thus, the process of integration into the expanding Venetian dominion that took place in Friuli differed greatly from the one employed in Istria. Even though some of the existing regional structures and governmental practices were left intact in order to foster the sense of continuity, the five communities judged by Venice to be of greatest importance were in essence separated from the existing regional governmental framework—it was the very opposite of regional homogenization.

Giorgio Zordan, “Per lo studio delle banche giudiziarie nel civildese d’età moderna: indirizzi metodologici e spunti di riflessione,” *Rivista di storia del diritto italiano* 65 (1992): 23–66.

⁷⁴⁹ Scalon, “La formazione,” 175–93, esp. 181–90.

⁷⁵⁰ See the previous chapter.

⁷⁵¹ Giummolé, “I poteri del luogotenente,” 101–3, docs. 1–2; Trebbi, *Il Friuli dal 1420 al 1797*, 32–38. Some possessions of the counts of Gorizia, such as Belgrado for example, for exempted from this practice and the appellate jurisdictions resided with the counts themselves as the *domini loci*. Zamperetti, *I piccoli principi*, 214–15.

Comparing the cases of Istria and Friuli to a broader Venetian setting, it must be concluded that it was Friuli, not Istria, that presented a unique case.⁷⁵² Namely, the process of (re)integration in Dalmatia was not much different from the one carried out in Istria: the communities were promised the respect of their old customs and laws, the statutes were confirmed, the taxes were redirected to Venice, but the rector (in Dalmatia termed *comes* rather than *potestas*) was to be delegated by Venice, elected from among the Venetian noblemen for a fixed term in office; criminal justice was regularly the privileged domain placed solely in the hands of the delegated Venetian rector.⁷⁵³ Unlike in Istria, however, there were no attempts at creating a more centralized governmental framework in Dalmatia. Besides the Commune of Split being given the right to appoint the rectors of Poljica, no other community was privileged the same way that Udine in Friuli or Koper in Istria were.⁷⁵⁴ In Dalmatia, it was only in the late sixteenth or early seventeenth century that the general overseer of Dalmatia and Albania (Ven. *provveditore generale in Dalmazia et Albania*) was finally given a permanent residence in Zadar, a commune that thus also became the seat of appellate jurisdictions for all the Dalmatian communities subjected to Venice and a proper *metropolis Dalmatie*—a development nearly identical to the one that was completed in Istria in 1584.⁷⁵⁵

Similar was the situation in the Trevigiano, even though the name of the region would suggest otherwise. There, very much like in Istria and Dalmatia, there was no urban center jurisdictionally superordinated to the numerous Venetians podestarias, some of which, like

⁷⁵² Again, it would be an “influential case” according to Gerring’s conceptual apparatus. I will return to these questions in the conclusion.

⁷⁵³ Orlando, “Politica del diritto,” 15–33. Zadar was the only city in which Venice delegated two officials, a count and a captain. Tomislav Raukar et al., *Zadar pod mletačkom upravom: 1409-1797* [Zadar under Venetian administration: 1409–1797], *Prošlost Zadra* 3 (Zadar: Narodni list Zadar, 1987), 45–46.

⁷⁵⁴ Ljubić, ed., *Listine* 9: 288–89; Šunjić, *Dalmacija*, 99; Arbel, “Venice’s Maritime Empire,” 150; Orlando, *Spalato*, 159–60.

⁷⁵⁵ It is still not ascertained when precisely the *provveditore* got a permanent seat in Zadar; although the year 1597 is often found in secondary literature, I was not able to find a primary source confirming this statement. More careful historians, such as Pederin and Mayhew, simply state that “At the beginning of the 17th century, the *provveditore generale* began to reside in Zadar, which brought more centralisation in the government of the province.” Ivan Pederin, *Mletačka uprava, privreda i politika u Dalmaciji (1409–1797)* [Venetian administration, economy and policy in Dalmatia (1409–1797)], *Biblioteka “D” - Znanost* 17 (Dubrovnik: Časopis “Dubrovnik,” 1990), 105; Mayhew, *Dalmatia*, 151 (quotation). Even Maja Novak, who dedicated numerous papers to the general overseers of Dalmatia and Albania, did not specify the exact year in which Zadar became the permanent seat of these officials, but simply dated it to the end of the 16th century. Maja Novak, “Zadar – Glavni Grad Mletačke Dalmacije i Albanije” [Zadar – the capital city of Venetian Dalmatia and Albania], *Rad JAZU* 11–12 (1965): 187–202, esp. 191–92. The overseer’s palace in Zadar was completed in 1607, so that should be taken as the *terminus ante quem*. Krasanka Majer Jurišić, “Zadarska Providurova palača u vrijeme mletačke uprave” [The palace of the *provveditore generale* of Dalmatia in Zadar during the Venetian rule], *Povijesni prilozi* 44 (2013): 183–202, esp. 185–87.

Conegliano and Seravalle, of very modest demographic and economic dimensions.⁷⁵⁶ Like Zadar in Dalmatia, Treviso was the richest and most prosperous of the centers of the Trevigiano, but jurisdictionally its central functions did not extend beyond its immediate district and did not include any of the nine other podestarias, each helmed by its own Venetian nobleman regularly delegated by the central authorities in Venice.⁷⁵⁷ True, the podestà of Treviso was paid much more than the rectors of the other neighboring podestarias and as such the post attracted more ambitious nobles from more powerful families, but that in itself is no jurisdictional centrality.⁷⁵⁸ The only discernable centrality of Treviso in respect to the Trevigiano was the fact that Asolo, Noale, Castelfranco, Mestre, Oderzo, Motta and Portobuffolè had to be governed according to the statutes of Treviso—a case of “statutory colonization.”⁷⁵⁹

Barring the Venetian *Albania* and *Romania*, the regions that were in a constant state of flux during the mid-fifteenth century due to the threat of the Ottomans and intermittent wars against this powerful empire on the rise and their clients, all the other newly annexed territories were in the *Regnum Italicum* and their respective regions had already been constituted before the advent of Venice.⁷⁶⁰ These geo-administrative areas had their epicenters in the dominant urban communes—Padua in the Paduano, Vicenza in the Vicentino, Verona in the Veronese, et cetera; Venice was content to confirm such a governmental framework and simply superimpose upon the dominant commune its own delegated noblemen as the regularly rotating podestà.⁷⁶¹

The centrality such as the one attained by Koper in the ambient of Istria with the “significance overflow” of 1423 is not attested neither in the Trevigiano nor in Dalmatia. Thus from the three regions that were devoid of a jurisdictionally superior center with central functions

⁷⁵⁶ Del Torre, *Il Trevigiano*, 35–53.

⁷⁵⁷ Del Torre, *Il Trevigiano*, 39–43.

⁷⁵⁸ Del Torre, *Il Trevigiano*, 55–56.

⁷⁵⁹ Cozzi, *Repubblica di Venezia e Stati italiani*, 275; Del Torre, *Il Trevigiano*, 58. Similar was the case with Lonigo and Marostica in the Vicentino, the two centers in which Venice delegated their own podestàs, but which continued to be governed according to the statutes of Vicenza. Grubb, *Firstborn of Venice*, 65–66. Unlike Treviso, however, Vicenza had a much greater control over its region and the commune’s central function extended to pretty much the entire Vicentino. See the following footnotes.

⁷⁶⁰ Schmitt, *Das venezianische Albanien*, 287–313 (up to 1463, the beginning of the “long war against the Ottomans”); Thiriet, *La Romanie vénitienne*, 363–91 and 393–439 for the consequences of Ottoman expansion for Venice. See also, although focusing on late 15th century, Ermanno Orlando, “Tra Venezia e impero ottomano: Paci e confini nei Balcani occidentali (secc. XV–XVI),” in *Balcani occidentali, Adriatico e Venezia fra XIII e XVIII secolo / Der westliche Balkan, der Adriaraum und Venedig (13.–18. Jahrhundert*, ed. Gherardo Ortalli and Oliver Jens Schmitt (Vienna: Österreichischen Akademie der Wissenschaften, 2009), 103–78. Even in the time of relative peace, there was no pronounced hierarchical ordering in Venetian Albania. Valentini, “Dell’amministrazione,” 860–63.

⁷⁶¹ Povolo, “Centro e periferia,” 209–12; Knapton, “Venice and the Terraferma,” 153. One example should suffice I hope: Grubb, *Firstborn of Venice*, 49–51 and 63–66.

extending outside the limits of its own commune—the Trevigiano, Istria, and Dalmatia—it was only in the *terre Istrie* that a capital began to emerge, largely due to Venetian incentive. The reason for this development lies in the differing jurisdictional geography of the three regions coupled with the fact that the communities of both the Trevigiano as well as Dalmatia had already been a part of the Republic of St. Mark in the first half of the fourteenth century when their minor centers were governed as distinct *podestarias*.⁷⁶² This was not the case with Dvigrad, Buje, Oprtalj and Buzet where no such continuity existed; in addition, the four modest communities were conquered in war and Venice had much to gain by privileging Koper, the most prosperous—and traditionally most rebellious—Istrian commune.

On the path towards the constitution of the Venetian *Provincia d'Istria*, one that had begun already in the thirteenth century with the voluntary subjection of Poreč and ended on the 4th of August, 1584, the most crucial stage of the journey was precisely the final takeover of the Margraviate of Istria and the constitution of Koper as the most privileged center of Venice's *partes Istrie*, a process that catalyzed the creation of a distinct jurisdictional region. Finally, it should be noted that this path towards regional consolidation was not planned by Venice; it was neither envisioned nor consciously put into practice even during the age of Doge Foscari, the period in which the most important steps toward regional consolidation were in fact made. Instead, Venice experimented. Throughout the fifteenth century, the triumphant age of transformation from a *Commune* into a *Dominium*, the Venetian Senate was a state-building laboratory in which the senators concocted various formulae aimed at facilitating more efficient government and smoother integration of newly annexed lands into their rapidly expanding state. The creation of Koper as an appellate jurisdiction was a result, in part, of these experimentations as well. Therefore, to borrow the phrase popularized by Chris Wickham, Venice did not consciously create their *Province of Istria*—it sleepwalked into it.⁷⁶³

⁷⁶² Del Torre, *Il Trevigiano*, 41; Cozzi, *Repubblica di Venezia e Stati italiani*, 252. For Dalmatia, this practice is perfectly exemplified in the Venetian reply to the pacts of subjection of Šibenik from 1412: “Placet nobis, ut habeant nobilem nostrum pro eorum contentamento et beneplacito cum salario quod specificant, et quod rector sit cum illa commissione sive facta iustitie administrande quemadmodum fuit ultima vice, quando illa terra fuit sub nostro regimine, videlicet quod in criminalibus delictis exorientibus spectat solum ad rectorem.” Ljubić, ed., *Listine* 6: 288–293, doc. 251 (quotation on 290).

⁷⁶³ Chris Wickham, *Sleepwalking into a New World: The Emergence of Italian City Communes in the Twelfth Century* (Princeton: Princeton University Press, 2015).

Chapter III: Performing Identities

Istrian historiography has traditionally been burdened by the phenomenon of collective identities and their manifestations in premodern, especially medieval era. Namely, in the nineteenth century, the age of romantic nationalism, Istria was a peninsula divided among the population identifying with one of the two (later three) nascent European nations, either Italian or Slavic (later divided into Croatian and Slovenian); it was therefore imperative to “prove” that the region had “since time immemorial” historically belonged to one of the nations competing for supremacy on the Peninsula.⁷⁶⁴ Originally, the battle was fought with pens and the generals were historians, mainly medievalists. Thus, the greats of Istrian nineteenth- and early twentieth-century historiography—authoritative figures such as Bernardo Benussi and Giovanni de Vergottini—all had to take part in this war of quills in the name of the nascent nation state with which they identified, in their case Italy.

It comes to no surprise that certain aspects of Istrian Middle Ages were therefore interpreted in a purposefully nationalistic key. For example, Benussi worked particularly hard to “prove” that Slavic presence in Istria was insignificant in comparison to “Italian” throughout the Middle Ages.⁷⁶⁵ Moreover, many historical structures and processes that resembled those characteristic of major central and northern Italian urban centers, such as the term *commune* for an urban community or the intermittent appearance of rectors with the titles of *potestas* in the late twelfth- and early thirteenth-centuries, were automatically linked to the “Italian ambient” and interpreted as undisputed evidence of the region’s “Italianity.”⁷⁶⁶

The counter-scholarship that followed, produced mainly by Croatian authors, came largely as a response to these interpretative trajectories, as an attempt to refute the theses proposed by Italian nationalists. In this quest, historians such as Luka Kirac or, to a lesser extent, Dane Gruber, authored works of far inferior quality compared to the studies of the likes of Benussi or De Vergottini.⁷⁶⁷ Notwithstanding this marked discrepancy in historiographic quality, the battle-stage that was set in the nineteenth century remained active throughout the twentieth, with historians

⁷⁶⁴ Ashbrook, *Istria Is Ours*, 3–25; Zabbia, “Ricerca medievistica e urgenza politica,” 221–41.

⁷⁶⁵ Most explicitly developed in Bernardo Benussi, “La liturgia slava nell’Istria,” *AMSI* 9, no. 1–2 (1894): 151–283.

⁷⁶⁶ Most explicitly developed in Giovanni de Vergottini, “Momenti e figure della storia istriana nell’età comunale,” *AMSI* 54 (1952): 5–47.

⁷⁶⁷ Luka Kirac, *Crtice iz istarske povijesti* [Lines from Istrian history] (Zagreb: Nakladni zavod Hrvatske, 1946); Dane Gruber, *Povijest Istre* [The history of Istria] (Zagreb: Ivan Lesnik, 1924).

from both sides further polarized by the atrocities committed by the fascist Italian and the communist Yugoslav totalitarian regimes in war-scarred Istria.

This polarization of interpretative standpoints influenced greatly the perception of Venetian role in the history of medieval Istria. For historians writing from the pro-Italian prospective, the *Serenissima's* dominion was largely seen as a positive and natural development in a province whose local population obviously preferred “Italian” instead of “German” (counts of Gorizia, patriarchs of Aquileia) masters.⁷⁶⁸ For pro-Croatian scholars, the situation was precisely the opposite, and Venetian domination over “majority Slavic” Istria was seen as a consequence of Venice’s unsatiable rapaciousness and devouring appetite for colonialization.⁷⁶⁹ Common to both Istrian historiographies of that age, however, was that they conceptualized national identities as primordial and essential, fully formed and antagonistic already in the Early Middle Ages. Such a view of national identities is typical for the nineteenth-century mind, but in Istria this vision of nations in perpetual combat extended deep into the *Novocento*.⁷⁷⁰

The great advances made in social sciences and humanities during the twentieth century regarding the phenomena of collective identification processes and social construction of “imagined communities” such as nations, was slow to penetrate Istrian scholarship, but great advances were made by the historians such as Miroslav Bertoša, Egidio Ivetic, Darja Mihelić and Ivan Jurković.⁷⁷¹ It was especially Bertoša, the model pupil of the French *Annales* school of historiography, who ushered in a new era of the research of collective identities in premodern Istria. Bertoša was the first to adopt contemporary scholarly methodologies when analyzing these complex phenomena as he correctly underlined the inherent plurality and fluidity of collective identities.⁷⁷² As such, Bertoša identified and analyzed a specific type of collective identity

⁷⁶⁸ Benussi, *L'Istria*, 100, 174, 222; Cusin, *Il confine orientale*, 75–76; Ernesto Sestan, *Venezia Giulia: Lineamenti di una storia etnica e culturale e il contesto storico-politico in cui si colloca l'opera*, 3rd ed., *Civiltà del Risorgimento* 55 (Udine: Del Bianco, 1997), 47–58; more recently even Denon Poggi, *Atti di dedizione*, 16 and passim. See also, Zabbia, “Ricerca medievistica e urgenza politica,” 225–26.

⁷⁶⁹ Kirac, *Crnice*; Bogo Grafenauer, Dušan Perović, and Jaroslav Šidak, eds., *Historija naroda Jugoslavije* [The history of the peoples of Yugoslavia], vol. 1 (Zagreb: Školska knjiga, 1953), 771–78; Trumpić, *Hrvatska Istra*, 9–12. See also, Ivetic, “Venezia e l’Adriatico,” 240–41.

⁷⁷⁰ Patrick J. Geary, *The Myth of Nations: The Medieval Origins of Europe* (Princeton, NJ: Princeton University Press, 2002), 15–41; Stefan Berger, Mark Donovan, and Kevin Passmore, “Apologias for the Nation-State in Western Europe since 1800,” in *Writing National Histories: Western Europe Since 1800*, ed. Stefan Berger, Mark Donovan, and Kevin Passmore (London: Routledge, 2002), 3–14.

⁷⁷¹ Benedict Anderson, *Imagined Communities: Reflections on the Origin and Spread of Nationalism*, revised (London: Verso, 2006). All the mentioned authors and their relevant works are cited in fns. 773–74.

⁷⁷² Bertoša, “U znaku plurala,” 17–19.

characteristic of Early Modern Istria, the one he dubbed “bandlerial identity”—the identification grounded in whether one fights for the banner of the winged lion of St. Mark or the imperial eagle of House Habsburg.⁷⁷³ Notwithstanding these great and much needed advances in the study of premodern collective identities in Istria, the preferred object of investigation and analysis remained precisely the etic category of ethnic identities.⁷⁷⁴ This is by no means an erroneous analytical approach, but the fact remains that not a single study of Istrian collective identities in the Middle Ages has yet been undertaken privileging the emic level of analysis and investigating the putative role played by Venice in these dynamic processes. After all, if identities are plural and fluid, then ethnic identification must be just one out of many levels of collectively identifying available to individuals. As such, there is a burning need to supplement the admirable research carried out by the aforementioned historians with a more inclusive, emic view of the phenomenon as complex as collective identities.

In the ambit of Venetian studies such an approach is even more needed precisely in order to bridge the inhibiting historiographical gap, as O’Connell correctly noted, dividing the *Terraferma* realms—researched through the optics of communal, urban-based collective identities—and *Stato da Mar* regions—whose researchers are traditionally concerned with ethnic sense of belonging.⁷⁷⁵ In this way, Istria would be fully included in contemporary discussions on collective identification processes in late medieval Venetian dominion and it could also serve as a unique case study, being a frontier region not only in terms of the Venetian state—suspended between *Terraferma* and *Stato da Mar* as it was—but in terms of late medieval European ethnicity as well—situated at the crossroads of Italian, German, and Slavic worlds. The putative role Venice played in the context of these processes of collective identification(s) is yet to be illuminated, analyzed, and contextualized, especially in the context of fifteenth-century state-building. This is the aim of this chapter. However, before embarking on these multi-levelled analyses, a concise

⁷⁷³ Miroslav Bertoša, *Jedna zemlja, jedan rat: Istra 1615/1618* [One land, one war: Istria 1615/1618] (Pula: Istarska naklada, 1986), 96–99; Bertoša, “U znaku plurala,” 21.

⁷⁷⁴ Mihelič, “Die Bezeichnung,” 363–79; Ivetic, *Un confine nel Mediterraneo: L’Adriatico orientale tra Italia e Slavia (1300-1900)*. Outside of the domain of Venice, but still focusing on Istria: Ivan Jurković, “Hrvatski identitet plemstva austrijskog dijela Istre krajem XV. i tijekom XVI. stoljeća” [Croatian identity of the nobility of the Austrian part of Istria at the end of the 15th and the beginning of the 16th century] in *Identitet Istre*, 47–65.

⁷⁷⁵ O’Connell, “Individuals, Families, and the State,” 19. Bowd, *Venice’s Most Loyal City*, is an exemplary study of local collective identities in late medieval Venetian dominion. Another exemplary study, albeit not of a Venetian city but still a Dalmatian one, is Lovro Kunčević, *Mit o Dubrovniku: Diskursi o identitetu renesansnoga grada* [Myth of Dubrovnik: Discourses on the identity of the renaissance city] (Dubrovnik: Zavod za povijesne znanosti HAZU u Dubrovniku, 2015).

theoretical and methodological framework needs to be established if one is to analyze phenomena as complex and as dynamic as collective identities.

Theoretical and Methodological Framework II

Taming a Wild Concept: Identity as an Analytical Tool⁷⁷⁶

As an analytical concept, *identity* stems from mid-twentieth century psychology, popularized by a Freudian psychologist Erik Erikson who loosely defined the term as “a process ‘located’ in the core of the individual and yet also in the core of his communal culture, a process which establishes, in fact, the identity of those two identities.”⁷⁷⁷ This unfortunate attempt at defining this complex notion of *identity* anticipated the age in which the concept would be treated equally wishy-washy by scholars from various academic disciplines. Indeed, even though Erikson ultimately failed to properly define his seminal concept, he was the most influential figure behind the popularization of the term and its expansion outside the sole domain of psychology. Namely, Erikson’s growing popularity in the 1960s and 1970s catalyzed *identity*’s invasion of social sciences where the concept was treated similarly, if not more ambiguously.⁷⁷⁸ The concept found its place within interpretative frameworks such as role theory, reference-group theory, and symbolic interactionism.⁷⁷⁹ From this point on, it did not take long for the concept to cross into pop sociology and then, legitimized by its perpetual employment in academic discourse, *identity* soon became a popular term used widely to discuss the many emerging problems of the post-WWII society such as the place of the individual in the mass society or the perseverance of minority ethnic groups in a globalizing world.⁷⁸⁰

As a result of this development, already in the 1970s the concept *identity* reached a boiling degree of semantic abundance. This oversaturation of different meanings locked inside a relatively young analytical tool allowed Robert Coles in 1972 to dub *identity* “the purest of clichés” and

⁷⁷⁶ This chapter was originally written for a seminar on interdisciplinarity in medieval studies held by Volker Menze and József Laszlovszky at the Central European University in Budapest during the academic year 2015/16. It was subsequently presented at the *Adriatic/Mediterranean Workshop* held in April of 2016 in Zagreb, Faculty of Social Sciences and Humanities, organized by Drago Roksandić and Egidio Ivetic. Since the paper remained unpublished to this day, I am publishing it here only slightly modified. I thank all four professors and the participants of both the CEU seminar and the *Adriatic/Mediterranean Workshop* for their help and advice.

⁷⁷⁷ Philip Gleason, “Identifying Identity: A Semantic History,” *The Journal of American History* 69, no. 4 (1983): 914; Erik H. Erikson, *Identity, Youth and Crisis* (New York: W. W. Norton Company, 1968), 22 (quotation).

⁷⁷⁸ Gleason, “Identifying Identity,” 914–16.

⁷⁷⁹ Gleason, “Identifying Identity,” 916–18.

⁷⁸⁰ Gleason, “Identifying Identity,” 923, 928.

Philip Gleason in 1982 to make use of Lovejoy's words and state that *identity* "has come to mean so many things that, by itself, it means nothing at all."⁷⁸¹ Its "vernacular usage" notwithstanding, the detrimental discrepancy in analytical employment of *identity* stems from the difference between Erikson's original conceptualization of the term and that of later sociologists. Namely, Erikson viewed *identity* as "accrued confidence that the inner sameness and continuity of one's meaning in the past are matched by the sameness and continuity of one's meaning for others."⁷⁸² For sociologists, on the other hand, *identity* could only be a product of individual's interaction with society. Hence the contradictory semantic dimensions of the concept: while Erikson's identity is "deep, internal and permanent," for sociologists it is "shallow, external and evanescent."⁷⁸³

The two conflicting standpoints are mirrored in two contradictory approaches to ethnic identity: the primordialists/perennialists or essentialists who view ethnic identities as something "natural," "given," self-perpetuating; and interactionists/instrumentalists or constructionalists who see them as constructed, fluid and constantly renegotiated.⁷⁸⁴ As a result of these opposing interpretations of the same concept, identity can no longer be effectively used as an analytical tool without clearly stating, preferably at the very beginning of the discussion, what "kind" of identity the scholar has in mind. In contemporary scientific discourse, the perennialist/primordialist/essentialist approach is completely abandoned. These "distinctly out of fashion" views survive only in pseudoscientific and nationalistic publications.⁷⁸⁵

While in 1982 Gleason still believed that identity could operate as an analytical concept if handled carefully and defined precisely, in 2000 the historian Frederick Cooper and the sociologist Rogers Brubaker fervently argued for the complete abandonment of the term in place of three clusters of concepts: *identification*, and *categorization*, *self-understanding* and *social location*, and finally *commonality/connectedness/groupness*.⁷⁸⁶ The reason behind the introduction of so many

⁷⁸¹ Robert Coles, "Cautious Hope. Review of Dimensions of a New Identity by Erik H. Erikson," *The New Republic*, June 8, 1974, 23; Gleason, "Identifying Identity," 913–14. Lovejoy originally used these words to describe the lexeme *romantic*. Arthur O. Lovejoy, *Essays in the History of Ideas* (Baltimore, MD: Johns Hopkins University Press, 1948), 232.

⁷⁸² Erik H. Erikson, *Childhood and Society* (London: Paladin Books, 1987), 235.

⁷⁸³ Gleason, "Identifying Identity," 920.

⁷⁸⁴ Gleason, 919; Anthony D. Smith, "National Identities: Modern and Medieval?," in *Concepts of National Identity in the Middle Ages*, ed. Simon Forde, Lesley Johnson, and Alan V. Murray, Leeds Texts and Monographs 14 (Leeds: University of Leeds, 1995), 22.

⁷⁸⁵ Smith, "National Identities," 22.

⁷⁸⁶ Gleason, "Identifying Identity," 930–31; Rogers Brubaker and Frederick Cooper, "Beyond 'Identity,'" *Theory and Society* 29, no. 1 (2000): 1–47, esp. 17–21.

new “tools” to replace the many analytical functions that identity has been made to perform was simple—“social analysis,” the authors argue, “requires relatively unambiguous analytical concepts.”⁷⁸⁷ However useful the new terms have proven themselves in social sciences, for historians, and especially medievalists who work with a substantially more limited amount of primary sources, the newly introduced “tools” should not “assassinate” a wild but highly appealing and comparison-inviting concept that is *identity*.⁷⁸⁸ Rather, they should help tame it and make it a more precise instrument for historical analyses.

The first of the three clusters of terms proposed by Brubaker and Cooper directly complements *identity* as an analytical tool. While *identity* fathoms a condition, identification describes the process. This auxiliary concept helps the researcher in uncovering the agents doing the identification and their position in relation to the identified. A crucial notion of this term is that identification process does not *ipso facto* produce a tangible feeling of the designated identity within the identified.⁷⁸⁹ For example, the fact that Thomas the Archdeacon in the thirteenth century identified the inhabitants of Dalmatia as Goths in no way presupposes that this was the dominant identity of the medieval Dalmatian population.⁷⁹⁰ Thus it is imperative to differentiate between one’s self-identification and the identification done by an external observer, that is, labeling. Related to this is the second cluster of terms proposed by Brubaker and Cooper: *self-understanding* and *social location*, designed to analyze only “one’s own understanding of who one is.”⁷⁹¹ However, these notions can easily function within the concept of individual identity, a tool that medievalists can use, provided the adequate source material, when studying the worldview of a specific personage. Therefore, when studying identities special attention ought to be dedicated to identification, taking particularly into account the agent of the process, the position under which that agent designates the identity, and how successfully are those identities accepted with the identified.

⁷⁸⁷ Brubaker and Cooper, “Beyond ‘Identity,’” 2.

⁷⁸⁸ Gerald Izenberg, *Identity: The Necessity of a Modern Idea*, Intellectual History of the Modern Age (Philadelphia: University of Pennsylvania Press, 2016), 449–51.

⁷⁸⁹ Brubaker and Cooper, “Beyond ‘Identity,’” 14–17.

⁷⁹⁰ Danijel Džino, *Becoming Slav, Becoming Croat: Identity Transformations in Post-Roman and Early Medieval Dalmatia* (Leiden - Boston: Brill, 2010), 100–104.

⁷⁹¹ Brubaker and Cooper, “Beyond ‘Identity,’” 15, 18. The authors still found it necessary to stress that *self-understanding*, just like *identity*, may be “variable across time and across persons.” In other words, it is also fluid and malleable.

Before dealing with the methodology for checking the degree of prominence and significance of a putative identity within an individual or a community, two additional theoretical aids are required.

First is the widely accepted and enormously popular notion of relational identification. In his seminal essay, Fredrik Barth most convincingly argued that it is only in relation to the “Other” that one acquires its own identity.⁷⁹² This theory, rightfully assessed as marking a “Copernican Revolution” in the studies of identities, is indispensable for any researcher dealing with collective identification.⁷⁹³ Brubaker’s and Cooper’s claim of a distinct categorical identification, the process of acquiring identity “on the basis of a shared categorical attribute (race, language, gender, ethnicity...)” cannot be viewed outside relational identification because categorical attributes become ascribed identity markers only in comparison to the “Other.”⁷⁹⁴ For example, neither race, nor language, nor ethnicity (an etic term) marked the identities of the “Benečani” and “Carevci” (or “Arciducali”) in Early Modern Istria, but the fact that they fought and lived under different banners—the first under that of Venice, the second under the imperial flag of the Habsburgs, the archdukes of Austria.⁷⁹⁵ The relational aspect of identification process should thus always be borne in mind as well as the utmost importance of the boundary (whether fixed, imagined or material)—the factor that defines the ascriptive identity markers that determine membership in particular groups.

The second theory deals with the immensely important, zealously stated, but rarely methodologically tackled issue that arises from the nature of the term identity—the fact that identity is always multiple and fluctuating. If an individual simultaneously possesses several identities, what tools can be used to efficiently describe this seemingly paradoxical concept of “multiple singularity?”⁷⁹⁶ The solution comes in the form of identity salience hierarchy as defined by Sheldon Stryker.⁷⁹⁷ According to the author, identities are hierarchically structured on the so-

⁷⁹² Fredrik Barth, “Introduction,” in *Ethnic Groups and Boundaries: The Social Organization of Culture Difference* (Oslo: Universitetsforlaget, 1969), 9–37.

⁷⁹³ Duško Sekulić, “Etničnost Kao Društvena Konstrukcija [Ethnicity as a social construction],” *Migracijske i Etničke Teme* 23, no. 4 (2007): 358.

⁷⁹⁴ Barth, “Introduction,” 25: “what matters is how well the others, with whom one interacts and to whom one is compared, manage to perform, and what alternative identities and sets of standards are available to the individual.” Cf. Brubaker and Cooper, “Beyond ‘Identity,’” 15.

⁷⁹⁵ Bertoša, “U znaku plurala,” 21.

⁷⁹⁶ Brubaker and Cooper, “Beyond ‘Identity,’” 34.

⁷⁹⁷ Sheldon Stryker, *Symbolic Interactionism: A Social Structural Version*, 2nd ed. (Caldwell, New Jersey: Blackburn Press, 2002).

called salience scale with the highest ranking one being the identity that is most likely to be “activated” in various circumstances.⁷⁹⁸ This notion is particularly useful, and indeed necessary in any discussion of collective identification, as it highlights the situational aspect of identities. A citizen of a medieval commune (e.g. in fifteenth-century Venetian Istria) could identify himself as a blacksmith (by trade/profession), a husband of a noble woman (by family), a citizen of a commune (by civic status), a Latin/Italian (by ethnic and/or linguistic category), and a Catholic (by religious affiliation). However, these mutually complimentary identities will be “activated” in different situations—in a quotidian interaction with another member of his commune the individual may identify simply by his trade or family; on a journey to German vernacular speaking Bavaria the same individual might highlight his ethnic or linguistic identity; as a crusader in the Holy Land the same individual may choose to emphasize his religious identity. What derives from this theory, and the accompanying simplified example, is the often-neglected importance of the situational aspect of identification, the notion hidden within the standard definition of *identity* as being something that is multiple and fluctuating.

By adding the situational and relational aspect of identity formation and perpetuation along with Stryker's concept of salience hierarchy scale, it becomes possible to efficiently rely on *identity* as a useful analytical tool, conceptual glasses that allow a privileged view into the “categories by which pre-modern people made sense of the social environments that they inhabited.”⁷⁹⁹

Finally, how does one search for the most dominant identity, the one that will be ranked at the top of the salience hierarchy scale, of a certain putative group? In order to solve this methodological problem, an introduction of a clear distinction between a category and a group is needed. Cooper's and Brubaker's introduction of three distinct terms as their last cluster of new concepts, *commonality/connectedness/groupness*, can easily be replaced by the clear distinction between a category (usually, but not necessarily an etic term) and a group (obligatorily an emic

⁷⁹⁸ See also, Peter J. Burke and Jan J. Stets, *Identity Theory* (New York: Oxford University Press, 2009), 39–48.

⁷⁹⁹ Margaret R. Somers, “The Narrative Constitution of Identity: A Relational and Network Approach,” *Theory and Society* 23, no. 5 (1994): 606 argues similarly, stating that “dimensions of time, space and relationality” ought to be added to the study of identities. The quoted passage is a definition of pre-modern *collective identity* by John Watkins and Kathryn L. Reyerson. While it cannot work as a definition for *identity* as an analytical concept, it aptly describes the results a researcher can achieve by the correct use of identity as a tool for analysis. John Watkins and Kathryn L. Reyerson, “Mediterranean Identities in the Premodern Era: Entrepôts, Islands, and Empires,” in *Mediterranean Identities in the Premodern Era: Entrepôts, Islands, Empires*, Transculturalisms, 1400–1700 (Farnham: Ashgate Publishing, Ltd., 2014), 5.

term).⁸⁰⁰ In his landmark article, Rogers Brubaker rightfully highlighted the necessity to study ethnicity without groupism, that is without automatically attaching to that concept a sense of bounded, mutually exclusive, homogenous collectives.⁸⁰¹ A group is defined as a “mutually interacting, mutually recognizing, mutually oriented, effectively communicating, bounded collectivity with a sense of solidarity, corporate identity and capacity for concerted action.”⁸⁰² This definition corresponds almost entirely to the one attributed to collective identity: a “processual, interactive development of the kind of collective self-understanding, solidarity or ‘groupness’ that can make collective action possible.”⁸⁰³ Category, however, is only a phenomenon from which, under right circumstances, groups may develop. Ethnic, gender, social, professional, civic, etc., are categories, meaning that only a sense of commonality exists with very little or none at all self-awareness, sense of solidarity and a potential for collective action, visible to outside observers and researchers, but not necessarily recognized and/or internalized by the observed. The fact that certain populations spoke similar languages or manufactured similar jewelry does not necessitate their groupness.

Yet, under the right circumstances, categories can get “welded” or “fused” into groups.⁸⁰⁴ For example, the population of thirteenth century northern Italian communes developed a specific type of civic or local collective identities: the category of being a citizen of a specific city or town was invested with groupness through a unique “ecological niche” – in this case the communal organization and the sort of government that allowed its citizens direct participation in communal affairs.⁸⁰⁵ This specific situation created powerful forces that perpetuated this groupness—collective action and civic ritual.⁸⁰⁶ The boundary that constituted the “Other” was thus the political

⁸⁰⁰ The difference between *commonality* (“the sharing of some common attribute”) and *connectedness* (“the relational ties that link people”) can be neglected since both dimensions can be analyzed as categories. Cf. Brubaker and Cooper, “Beyond ‘Identity,’” 19–21.

⁸⁰¹ Rogers Brubaker, “Ethnicity without Groups,” *Archives Européennes de Sociologie* 43, no. 2 (2002): 163–89.

⁸⁰² Brubaker, “Ethnicity without Groups,” 164. Cooper and Brubaker define it as “the emotionally laden sense of belonging to a distinctive, bounded group, involving both a felt solidarity or oneness with fellow group members and a felt difference from or even antipathy to specified outsiders.” Brubaker and Cooper, “Beyond ‘Identity,’” 19

⁸⁰³ Brubaker and Cooper, “Beyond ‘Identity,’” 7.

⁸⁰⁴ Smith defined ethnic categories as “cultural units of population with some sense of common kinship or ancestry. Such categories may have little self-awareness. They may feel they are related and speak some interrelated dialects or share some deities and heroes or possess common customs. They may lack a common name, historical memories, a common historic territory and a sense of solidarity.” Smith, “National Identities,” 28.

⁸⁰⁵ Brubaker, “Ethnicity without Groups,” 185.

⁸⁰⁶ François Menant, *L'Italia dei comuni (1100-1350)*, La storia. Temi 19 (Roma: Viella, 2011), 194–207.

demarcation line between the neighboring communes. The ascribed identity markers were therefore neither language nor ethnicity, but civic status and local customs.

A colossal amount of publications have been dedicated on the “welding” of ethnic categories into groups and subsequently modern nations, but this is by far not the only line of inquiry a medievalist may undertake.⁸⁰⁷ On the contrary, the amalgam of theoretical and methodological framework hereby presented suggests to approach the phenomenon of identity from a much broader and more inclusive perspective. Special attention should be placed on the identification process, highlighting the position of the agent who does the identifying and its connection to the identified. Moreover, any form of identity studied is to be viewed from the situational and relational perspective. The researcher should therefore be able to determine the specific circumstance in which—and the “Other” against whom—the identity of the putative group is formed.⁸⁰⁸ This will in turn allow the scholar to pinpoint the ascribed identity markers. Finally, under no circumstance should the groupness of a certain population be presupposed simply on the basis of a shared categorical attribute. Instead, the object of study becomes “the degree of groupness associated with a particular category in a particular setting” and “the political, social, cultural and psychological processes through which categories get invested with groupness.”⁸⁰⁹ Here the degree of groupness can be directly linked with identity salience. The category most strongly invested with groupness—or the most salient collective identity—will possess the highest potential for collective action and it is the researchers’ job to uncover and analyze this interplay.⁸¹⁰ Thus, *identity* emerges as a potent and mighty analytical tool, and scholars should not yield to its ferociousness. With the above presented approach, this inherently wild concept can be tamed and historians can make use of its analytical strength and wide appeal, all the while maintaining a high degree of academic clarity.

Armed with this analytical optics, investigation returns to late medieval Venetian Istria and the processes of collective identifications unfolding therein.

⁸⁰⁷ Colin Kidd, “Identity before Identities: Ethnicity, Nationalism and the Historian,” in *History and Nation*, ed. Julia Rudolph (Lewisburg: Bucknell University Press, 2006), 9–44. In the context of Istria, Blagonić, *Od Vlaho do Hrvata*, is exemplary.

⁸⁰⁸ On “othering”, see also Nikolas Coupland, “‘Other’ Representation,” in *Society and Language Use*, ed. Jürgen Jaspers, Jef Verschueren, and Jan-Ola Östman (Amsterdam: John Benjamins, 2010), 241–60.

⁸⁰⁹ Brubaker, “Ethnicity without Groups,” 169.

⁸¹⁰ Alberto Melucci, “The Process of Collective Action,” in *Social Movements and Culture* (Minneapolis, Minnesota: University of Minnesota Press, 1995), 41–63.

Chapter III.1

Establishing Identity Hierarchy

It was the evening of the 19th of November, 1446, and two ship pilots (Ven. *pedoti*) Benedict Sacerna and Peter Scarpa sat next to each other to share a meal underneath the civic loggia of Poreč.⁸¹¹ The dinner, however, quickly turned into salvos of insults the two sailors began viciously hurling at each other. The exact reason for the beginning of the quarrel is unknown as the podestà's registers do not shed any additional light on the couple's backstory, though they do record the verbatim insults. According to the member of the podestà's retinue who officially denounced the skirmish to the rector, it was Benedict who opened the confrontation by insulting Peter's manhood and calling him a cuckold.⁸¹² However, the verbal fighting was catalyzed into a full-blown physical assault only after the utterance of a very particular insult: "You fucking Slav!"⁸¹³ At that point the two began flailing loaves of bread at each other, even managing to inflict bleeding wounds with these improvised weapons.⁸¹⁴

Ethnic Level

This episode is a typical example of the "ritual of confrontation" that will be analyzed in detail in the third chapter dedicated to the administration of justice, but the invective that was used by one of the participants merits attention in the discussion of collective identities. Namely, the word "Slav," originally reported as *Schiavo* in the register, could be interpreted both by the present day as well as by the fifteenth-century audience as an ethnic invective: insulting one based on their

⁸¹¹ DAP, Poreč, Atti del podestà, fol. 281r. The following stems from Josip Banić, "Irato animo: Performing Anger in Late Medieval Istria," in *9. istarski povijesni biennale: Emotio, affectus, sensus...: O osjećajima u povijesti na jadranskom prostoru* [9th Istrian history biennale: *Emotio, affectus, sensus...: On emotions in the history of Adriatic area*], ed. Marija Mogorović Crljenko and Elena Uljančić (Poreč: Zavičajni muzej Poreštine - Museo del territorio parentino, 2021), 42–43 and 47–48. The entire court case is edited *in extenso* in the appendix to this paper, published only in digital format in FIM, https://fontesistrie.eu/separata/Anger_IPB9_Appendix.pdf [last access: 7th of May, 2021], case 15 (hereafter: "Irato animo: appendix"). On the Istrian ship pilots, see Alessandro Buono, "The Construction of a Professional Minority: 'Istrian Pilots' in Early Modern Venice (15th-18th Centuries)," in *People and Goods on the Move: Merchants, Networks and Communication Routes in the Medieval and Early Modern Mediterranean*, ed. Özlem Çaykent and Luca Zavagno, Mediterranean, Knowledge, Culture and Heritage 3 (Fisciano: International Center for Study and Research Mediterranean Knowledge, 2016), 93–110, esp. 94–98.

⁸¹² "Dictus Benedictus dixit: "Vardi come el viem, un gran lecho, perche cum so moier dorme i homeni." Case 15.

⁸¹³ "Qui Benedictus, postquam cenavit, dicens: "Schiavo futuo!" Et admenavit de uno pane." Banić, "Irato animo: appendix," case 15.

⁸¹⁴ "Petrus videns se ab ictu extraxit et statim admenavit de uno alio pane et ipsum adrumpit in aure sinistra et eum vulneravit cum effusione sanguinis." Banić, "Irato animo: appendix," case 15.

perceived/ascribed belonging to a specific *natio* (emic category, in etic terms translated as “ethnic group” or “ethnicity”). This type of insult is not unique to Istria as ethnic invectives can be found throughout the medieval world, but there are some specific features.⁸¹⁵ Namely, there are numerous examples from late medieval Istrian coastal towns and cities such as Pula, Rovinj, Poreč and Piran where the byname “Slav” (*Sclavus*, *Sclabon*, *Slavo*, *Schiavo*) appears without any negative connotations, worn honorably by the members of these urban communities.⁸¹⁶ Taken together, these two observations lead to the conclusion that an idea of Slavic “otherness” existed in Istria—and one would infer throughout the Adriatic region in general—even during the medieval period.⁸¹⁷ Moreover, the fact that both the byname and the invective appear only in coastal centers but not in the less-urbanized hinterland communities, such as Buzet for example, can be explained by conjectural demography: the majority of Buzet’s population spoke some variants of Slavic language as their mother tongue—in etic terms one would infer they were of Slavic ethnicity—, hence the insult held no sway there; this was not the case in Poreč or Rovinj where the Latin-Romance vernacular-speaking population constituted a large percentage of the overall population and where the native speakers of Slavic languages could be conceptualized as the “Other.”⁸¹⁸ Deriving from this conclusion is that this Slavic “Other” had to be conceptualized in opposition to “Us”, the not-Slavs. Indeed, at this point it becomes tempting to simply interpret these two ethnic categories in terms of Slavs—the future Slovenians and Croatians—and Latins—(the future) Italians. This, however, is an oversimplification and thus a distortion of much more complex phenomena.⁸¹⁹

Namely, in this historical setting—the medieval Eastern Adriatic, dotted with vibrant urban centers along the coast that were by necessity linked, to greater or lesser degree, to Venice—the ethnonym “Slav” could very well be a synecdoche for non-urban, rural folk engaged in land tilling

⁸¹⁵ Claire V. Weeda, “Images of Ethnicity in Late Medieval Europe,” PhD dissertation (Amsterdam, University of Amsterdam, 2012), 195–224; Claire V. Weeda, “Ethnic Identification and Stereotypes in Western Europe, circa 1100–1300,” *History Compass* 12, no. 7 (2014): 586–606. The following is largely taken from Banić, “*Irato animo*,” 45.

⁸¹⁶ Mihelič, “Die Bezeichnung,” 363–79; Mirko Zjačić, “Knjiga podavanja i prihoda posjeda katedralnog kaptola u Puli (Quaternus fictuum siue dasionum domorum et aliarum possessionem Polensis capituli 1349-1371)” [The book of expenditures and incomes from the properties of Pula’s cathedral chapter (Quaternus fictuum siue dasionum domorum et aliarum possessionem Polensis capituli 1349-1371)], *VhaRP* 4 (1957): 61; and Banić, “*Irato animo*: appendix,” cases 1, 2, 16, 28.

⁸¹⁷ As discussed in great detail, albeit mostly in terms of later, Early Modern periods, in Ivetic, *Un confine*.

⁸¹⁸ I follow the definition of “othering” as proposed by Nikolas Coupland: “the process of representing an individual or a social group to render them distant, alien or deviant.” Coupland, “‘Other’ Representation,” 244.

⁸¹⁹ The following paragraph is taken entirely from Banić, “*Irato animo*,” 45–47.

and cattle breeding.⁸²⁰ A similar reading of this ethnonym is also proposed by scholars dealing with Venetian Albania as a line from the fourteenth-century statutes of Shkodër “se trovasse Sclavo oy Arbaneso voy Scutarino cum piegare” is translated as “if a farmer, a hill dweller, or a citizen of Shkodër is found with sheep.”⁸²¹ In that way, the invective “Slav” assumes the semantic dimension most similar to that of a “peasant” in the most derogatory sense of the word: “filthy, subhuman, and comical, the reverse of the civilized and courtly,” according to Paul H. Freedman.⁸²² Thus, city dwellers and seafarers could belittle each other by calling one another *Sclaboni* or *Schiavi*. The fact that the words *Schiavon* or *Sclabon* were very similar to the Italian vernacular noun *schiaivo*, as in slave, certainly facilitated the semantic pejoration of the ethnonym.⁸²³ This polyvalence of the word prompted the putative insult “Slavs! You are all dead!” that the Genoese supposedly hurled at the Venetians in 1258 after the Battle of Acre, at least according to the chronicler Martin da Canal.⁸²⁴ Among the local population of frontier regions such as Istria and Dalmatia that featured both Latin-Romance and Slavic population in daily contact and interaction, the term *Schiavo* could very well be used without any offensive connotations, especially in jest.⁸²⁵ Moreover, Lodovico Ariosto had no problem designating the entire Adriatic

⁸²⁰ According to Coupland, the othering would be a product of social stereotyping: a process of othering by “selective focusing on salient cultural traits and investing them with iconic status.” Coupland, “‘Other’ Representation,” 248.

⁸²¹ Lucia Nadin, ed., *Statuti di Scutari della prima metà del secolo XIV con le addizioni fino al 1469* (Rome: Viella, 2002), 111, article 84, and 193 for Pëllumb Xhufi’s interpretation of these terms. See also, Grabiela Rojas, “Space: A Proposal for the Interpretation of Albanenses in Shkodra’s Medieval City Statute,” *Annual of Medieval Studies at CEU*, ed. Ildikó Csepregi and Kyra Lyublyanovics (Budapest: Central European University Press, 2020): 154–59.

⁸²² Paul H. Freedman, *Images of the Medieval Peasant*, *Figurae: Reading Medieval Culture* (Stanford: Stanford University Press, 1999), 157.

⁸²³ Cf. the two entries in Salvatore Battaglia, ed., *Grande dizionario della lingua italiana*, vol. 17 (Turin: UTET, 1994), 998–99, s.v. “Schiavo¹” and 999–1000, s.v. “Schiavo^{1b}”; the first entry refers to slaves and slavery, the second to “che è proprio della costa orientale dell’Adriatico o delle regioni circostanti della Schiavonia o Slavonia.” Another play “on the linguistic ambiguity Slavo-schiavo,” is reported in Reinhold C. Mueller, “Aspects of Venetian Sovereignty in Medieval and Renaissance Dalmatia,” in *Quattrocento Adriatico: Fifteenth Century Art of the Adriatic Rim*, ed. Charles Dempsey (Bologna: Nuova Alfa Editoriale, 1996), 51: “Zara zarattini e compra i nostri schiavolini,” uttered in the context of Venetian purchase of Dalmatia in 1409.

⁸²⁴ “Hesclavons, vos estes trestuit mors!” Martin da Canal, *Les estoires de Venise: Cronaca veneziana in lingua francese dalle origini al 1275*, ed. Alberto Limentani, 3 (Florence: Leo S. Olschki, 1972), 170, part 2, chap. 13. Thus, I find Morreale’s translation lacking as it robs the original term of its polysemy. Martin da Canal, *Les Estoires de Venise*, trans. Laura K. Morreale, *Archivio del Littorale Adriatico* 12 (Padua: Unipress, 2009), 65: “Slaves, you are all dead.”

⁸²⁵ This argument is based primarily on my intuition, but there are recorded 20th-century testimonies of Istrians and Dalmatians who corroborate this informed inference. Cf. the words of an Antonio V., born in Zadar in 1935: “Noi non avevamo questo rapporto di conflitto con loro, con gli slavi. Io so che i nostri [dicevano]: stai zitto s’ciavo! Si diceva queste cose, che poi s’ciavo era una cosa sotto i romani... Lo schiavo era il contadino che lavorava. Mentre loro, gli slavi, prendevano proprio gli schiavi, perché tra tribù si schiavizzavano, loro han sempre vissuto di queste cose. La storia lo dice. C’era questa cosa... Ma anche in Istria e a Fiume c’era – mi sembra – questo modo di parlare: stai zitto s’ciavo! Come i meridionali, che noi li chiamavamo pignol, che vuol dire fantoccio, [per dire] uno venuto dall’Italia.

as the “Slavonian Sea,” obviously not employing the ethnonym in a derogatory sense.⁸²⁶ In any case, the term *Schiavo* or *Sclabone*—when uttered in the correct manner, to the right person and in the appropriate setting—seemed to have been quite a potent invective.

It should be noted that ethnic labels were used to “other” the population based on a myriad of potential factors, their mother-tongue and their non-urban origin being the most likely candidates for the ascribed identity marker in the case of “Schiavo” in late medieval Istria. It cannot be claimed that these ethnic categories implied common ancestry, a seminal factor of ethnicity in modern day conceptualization of the term, as there is absolutely no primary source that would support this conjecture.⁸²⁷

Finally, it must be noted that there are absolutely no structures or processes that would enable or even catalyze the welding of these ethnic categories into groups. Namely, there was simply no ecological niche in which exclusively individuals labelled/identified as Slavs (or non-Slavs for that matter) could participate in collective actions and rituals that would invest their ethnic category with “emotion-laden” sense of belonging, that is groupism. There are no identifiable societies, confraternities, companies, or even urban quarters exclusively (or even dominantly) reserved for members of a specific *natio*.⁸²⁸ Moreover, and this is of extreme importance in the context of this study, Venice did absolutely nothing to influence this aspect of collective identities landscape. As was correctly noted by Ljerka Šimunković, there was no special “linguistic policy” aimed at flattening the linguistic diversity of the *Stato da Mar* or privileging

C’era questa cosa, però si scherzava da una parte e dall’altra, nelle osterie si cantavano le canzoni italiane e le canzoni slave.” Interview recorded in Enrico Miletto, *L’Esodo istriano-fiumano-dalmata in Piemonte: Per un archivio della memoria: Le testimonianze*, 4th ed. (Turin: L’Istituto piemontese per la storia della Resistenza e della società contemporanea “Giorgio Agosti,” 2011), 87. For other examples of “ethnic humor” in the Middle Ages, see Nicolino Applauso, “Curses and Laughter: The Ethics of Political Invective in the Comic Poetry of High and Late Medieval Italy,” PhD dissertation (Oregon, University of Oregon, 2010), 121–22.

⁸²⁶ “Come Apennin scopre il mar schiavo e il tósco.” Lodovico Ariosto, “Orlando furioso,” in *Orlando furioso secondo l’edizione del 1532 con le varianti delle edizioni del 1516 e del 1521*, ed. Santorre Debenedetti and Cesare Segre (Bologna: Commissione per i testi di lingua, 1960), 84, canto IV, verse 11, line 6. English translation in David R. Slavitt, trans., *Orlando Furioso: A New Verse Translation* (Cambridge, MA: Belknap Press, 2009), 48.

⁸²⁷ Cf. the definition of ethnic group proposed in John Hutchinson and Anthony D. Smith, “Introduction,” in *Ethnicity*, ed. John Hutchinson and Anthony D. Smith, Oxford Readers (Oxford: Oxford University Press, 1996), 6.: “a named human population with myths of common ancestry, shared historical memories, one or more elements of a common culture, a link with a homeland and a sense of solidarity.” See also, Kanchan Chandra, “What Is Ethnic Identity and Does It Matter?,” *Annual Review of Political Science* 9 (2006): 397–424, esp. 402–9.

⁸²⁸ In numerous places across Italy, especially in the Veneto and the western coast of Adriatic, there were confraternities dedicated to St. Jerome that acted like ecological niches for investing ethnic categories of *Sclabones* with groupism. See Ines Ivić, “The Birth of National Saint: The Cult of Saint Jerome in Late Medieval Dalmatia, PhD dissertation” (Budapest: Central European University, 2020), 185–94.

Veneto as the only “official” language of the *Dominium*.⁸²⁹ In addition, putative ethnic diversity was not institutionally recognized on any level, either positively or negatively; Venice simply treated all non-Venetians as subjects, whether they be Veneto-vernacular speaking Paduans or Slavic-vernacular speaking Korčulans.⁸³⁰ Even such institutions as the Capodistrian “captain of the Slavs” was not an official tasked exclusively to deal with putative Slavic population of Koper—had that been the case that would indeed be an ecological niche for the ethnic category to grow into a group—but with the entire rural population of the commune’s expensive district. The *capitaneus Sclavorum* would neither ask those subjects whether they identified as Slavs or not before he would exercise his authority over them nor did his authority extend only to Slavic-vernacular speaking households. Instead, his jurisdictional prerogatives included the entire district, an area that both the urban community of Koper and Venice alike labelled as “Slavic”—an external, not internal identification, the “Other” to “Us” urban, cultured folk—hence the official’s name.⁸³¹ Therefore, even though a sense of ethnic identity did exist in late medieval Istria—as it did throughout premodern world, rooted in a myriad of diverse ascribed/appropriated situationally and relationally determined dynamic markers—, it was not invested with groupness and it was not regularly activated in quotidian settings simply because there were no structures—governmental, social, economic, cultural—that would enable such welding.⁸³² On the identity hierarchy scale, ethnic identification occupied an extremely low position and Venice did absolutely nothing to change this.

Regional Level

⁸²⁹ Ljerka Šimunković, “La politica linguistica della Serenissima verso i possedimenti di la da mar: il caso della Dalmazia,” in *Mito e antimito di Venezia nel bacino adriatico (secoli XV-XIX)*, ed. Sante Graciotti (Rome: Il Calamo, 2001), 95–104.

⁸³⁰ Noted also in O’Connell, “Individuals, Families, and the State,” 21.

⁸³¹ The captain of the Slav is mentioned for the first time in 1349. “Senato misti I,” 58. The interpretation of this institution given in Semi, *Capris, Iustinopolis, Capodistria*, 157 is devoid of worth. The official is mentioned in doc I.1/E.

⁸³² In present day scholarly discourse, especially after the publication of the seminal book *Nations: The Long History and Deep Roots of Political Ethnicity and Nationalism* (Cambridge: Cambridge University Press, 2013) by Azar Gat, it is not (or at least should not be) questionable whether ethnic identity existed or not in the premodern period as the stem from which the nations of 19th century would spring from; instead, the question is how deeply did that identity penetrate the societies, what were its ecological niches for development and groupism, when, why and to what effects did it activate, et cetera. See also, Trpimir Vedriš, “Povratak nacije?” [The return of the Nation?], *Vijenac* 599 (2017): <https://www.matica.hr/vijenac/599/povratak-nacije-26425/> [last access: 15th of March, 2021].

Similar was the framework for regional collective identities. The previous chapter has demonstrated with ample examples that the notion of Istria as a distinct geo-political region existed in the minds of both the Venetian governors as well as the local Istrian governed societies. In Venetian documentary sources, including the minutes of the Senate's sessions, the label "Istrian" is used to denote all the population of the Peninsula, bestowing upon the population a regional layer of collective identification. For example, on the 23rd of September, 1400, the Venetian Senate decided to employ more soldiers for the custody of Grožnjan, but they had to be, so decided the senators, drafted from among the foreign population; thus they decreed that "no Istrian nor German" may serve in this newly constituted regimen.⁸³³ In this particular example, the difference between the etic categories of ethnic and regional identities is completely blurred as fifteenth-century Venetians felt no need to define these terms more closely or rigidly separate them. There are multiple cases such as this one and Istria is not an exception in this regard; the neighboring Dalmatia was also used as identity-bestowing region both by Venice as well as by the locals.⁸³⁴ In addition, the label "Istrian" was used to designate individuals originating from the Istrian peninsula in foreign settings: "Anzolo de Istria," "Iacomo de Istria," "Maria Istriana," these are just some examples of regional identity markers used as bynames.⁸³⁵ Moreover, in the Venetian Dogado, notes Lovorka Čoralić, people immigrating from Istria were predominantly marked with the label "Istriano."⁸³⁶ By combing through the notarial registers of the neighboring regions, examples such as these could be multiplied virtually *ad infinitum*. Can these cases be used to promote the thesis that regional identity was prominent among the medieval population of (Venetian) Istria?

⁸³³ Here is the entire *pars*: "MCCCC, indictione nona, die XXIII mensis septembris. <Ser Petrus Duodo caput loco consiliarii> Capta. Cum stipendarii banderie quam tenemus in Grisignanam sint quasi omnes habentes possessiones deinde qui tamen sine stipendio non recederent quia sunt habitatores dicti loci, et bonum sit tenere modum quod habeamus stipendarios non habitatores dicti loci, vadit pars, quod debeat fieri et solidari una bona banderia peditum forensium hic Venetiis cum illo numero ballistariorum et pavesariorum quem habet banderia existens presentialiter in Grisignanam sub uno bono comestabile, et habunt de soldo libras octo in mense pro pavesario et libras decem pro ballistario, sicut habent banderie Tarvisane, in qua banderia non possit esse aliquis Istrianus neque Teothonicus, que banderia fulcita debeat mitti Grisignanam ad custodiam dicti loci et obedientiam nostri rectoris deinde, et statim cum ipsa applicuerit debeat banderia que ibi presentialiter est cassari, ita quod Commune nostrum non habeat aliquam expensam pro ipsa. De parte alii, de non 18, non sinceri 4." ASV, SMi, reg. 45, fol. 34r.

⁸³⁴ From the lamentations of people from Poljica against the rector delegated from Split serving as the count therein: "Si che nuy non possiamo havere raxone chome Dalmatini ne chome Latini ne chome Schiavoni, ma el fa e da la sentencia chome a lui para e piaxe." Ljubić, ed. *Listine* 9: 289.

⁸³⁵ All the examples come from Lovorka Čoralić, "Giudecca, Murano, Chioggia ... Hrvati na otocima mletačke lagune" [Giudecca, Murano, Chioggia ... Croatians on the islands of the Venetian lagoon], *Povijesni prilozi* 23 (2002): 117–44, specifically 121, 125, 126.

⁸³⁶ Čoralić, "Giudecca, Murano, Chioggia," 123.

In short, no. Very much unlike Friuli—where the Friulian Parliament acted as a perfect ecological niche for the flourishing of regional identities, investing this category with a particularly strong sense of groupness—, there was simply no institution even remotely comparable to the *Colloquium Generale* of *patria Foroiulii* in Venetian Istria. Thus, very similar to the case of ethnic identities, there was a sense of “Istrianity,” that is, of originating from the Istrian peninsula, but this emic category was not welded into a group. Again, there were no institutions that could serve as the necessary ecological niches for the further development of this category, structures and processes that could transform it into a group and propel this level of identification upwards on the identity hierarchy scale. There was one custom, however, that did promote this sense of regional identity.

On the 25th of April, 1459, a marriage was contracted in Buzet between Gregory the shoemaker from Roč and Agania, the daughter of Usmigna.⁸³⁷ This marriage, notes notary public John Nicholas of Oderzo, “was contracted and confirmed according to the Roman law and [the law] of the holy mother Church as well as according to the pattern and custom of Istria that is called ‘brother and sister’.”⁸³⁸ This Istrian marriage pattern has been a particularly prominent subject of scholarship for decades and it was best treated by Lujo Margetić, Miroslav Bertoša, Marija Mogorović Crljenko and Nella Lonza.⁸³⁹ Thus, it was noted that this marriage *ut frater et soror* is codified in many Istrian statutes, that it was by far the most dominant and preferred form of contracting marriage in premodern Istria, and that it was a type of marriage defined by the “communal governing of marital property, where the surviving spouse has the hereditary right to half of the inheritance of the deceased spouse.”⁸⁴⁰

⁸³⁷ Buzet, Atti del podestà 1/1, fol. 42r–v.

⁸³⁸ “Ibique cum per Dei gratia per verba legitima de presenti sit contractum legitimum matrimonium inter Gregorium callegarium de Rotio filium ser Bartolamei ex una parte et domina Aganiam filiam Usmigne et filiastram domine Iuane uxoris magistri Michse et neptem dicti magistri Michse ex altera, quod matrimonium inter dictos iugales contractum et confirmatum est secundum Romanas leges et sancte matris Ecclesie ac secundum formam et consuetudinem Ystrie quid nuncupatur frater et soror.” Buzet, Atti del podestà 1/1, fol. 42r.

⁸³⁹ Lujo Margetić, “Brak na istarski način” [Istrian marriage pattern], *VhaRP* 15 (1970): 279–308; Miroslav Bertoša, “Valle d’Istria durante la dominazione veneziana con speciale riguardo alla struttura economica ed etnica del Castello e del suo territorio,” *ACrSR* 3, no. 1 (1972): 132–37; Lujo Margetić, *Hrvatsko srednjovjekovno obiteljsko i nasljedno pravo* [Croatian medieval law on family and succession] (Zagreb: Narodne novine, 1996), 64–100; Mogorović Crljenko, *Nepoznati svijet*, 15–38; Nella Lonza, “Lo statuto di Dignano in ambito giuridico dell’Istria tardo-medievale,” in *St. Vodnjan*, 117–21; Marija Mogorović Crljenko and Danijela Doblanović Šuran, “Istrian Custom of Contracting Marriage in the Late Medieval and Early Modern Period,” *Bulletin de Correspondance Hellénique Moderne et Contemporain* 1 (2019): 1–30, <https://doi.org/10.4000/bchmc.287>.

⁸⁴⁰ Marija Mogorović Crljenko, “The Position of Woman in Istrian Marriage Pattern (15th -16th Century),” in *Spazi, poteri, diritti delle donne a Venezia in Età Moderna*, ed. Anna Bellavitis, Nadia Maria Filippini, and Tiziana Plebani (Verona: QuiEdit, 2012), 22.

The precise origins of this marriage pattern are still obscure; whether the institution sprang from Germanic, late Roman, or ninth-century Byzantine law cannot be ascertained. The fact that virtually identical marriage pattern is also attested in Aquileia, Dubrovnik, Sicily and some regions of Spain, leads one to believe that the institution's origins are to be sought in the *societas* of Roman law, as argued by Leicht and Lonza.⁸⁴¹ In any case, the scholars agree that the popularity of this specific type of marriage pattern was catalyzed by the overall poverty of Istrian communities in which both men and women needed to work and provide for the livelihood of their families and in which widows needed the extra institutional protection in order to secure their existence.⁸⁴² This explains why it was precisely this marriage pattern that emerged as the most popular one on the Peninsula, gaining the title of the "Istrian pattern," at the expense of the Venetian and Slavic types of marriages which did not offer the same degree of material security to women.⁸⁴³ However, even this institution was not universally interpreted as a regional phenomenon as there are many cases in which the "marriage like brother and sister" is dubbed as a local, not regional custom. For example, the statute of Buzet labels this marriage pattern as "according to the custom of the town of Buzet," and similar is the case of Bale.⁸⁴⁴ Nevertheless, this legal institution was definitely one of the niches in which the category of regional identity could be invested with groupness. However, the "Istrian marriage pattern" by itself was simply not potent enough to weld Istrian populace into

⁸⁴¹ Margetić, "Brak na istarski način," 306–8 argued for Byzantine heritage; Pier Silverio Leicht, "La comunione dei beni fra coniugi in un documento friulano," *MSF* 6 (1910): 15–22; and Lonza, "Lo statuto di Dignano," 119, 121 for the institution of Roman law *societas* as its direct juridical predecessor.

⁸⁴² "Semplicemente, questo modello conveniva alla tipologia di famiglia, principalmente dei ceti più bassi, nella quale sia il marito sia la moglie con il proprio lavoro contribuivano al suo progredire." Lonza, "Lo statuto di Dignano," 121.

⁸⁴³ For the two other marriage patterns that co-existed with the "like brother and sister" one in Istria: Mogorović Črljenko and Doblanović Šuran, "Istrian Custom," chap. 4: "Differently from the Istrian marriage pattern, according to the Venetian marriage pattern, after her husband's death the woman was allowed to keep only her dowry and *contradote* (with the *basadego*), and creditors had an advantage over her. Her position was somewhat better if the husband pronounced her woman and lady of the house (*dona et domina*) in his will, and in such a case she could continue living in his house till the end of her life and enjoy in his property. In case he did not do that, the husband's relatives could evict her from the house no later than a year or a year and a day. In the Slavic marriage pattern the marital couple had common ownership of acquired goods. The dowry was only in movable property, while real property was given only to male members of the family. Still, women could become owners of real estate if they bought it or acquired it in some other way." Mogorović Črljenko and Doblanović Šuran, "Istrian Custom," chap. 4, <https://journals.openedition.org/bchmc/287>. According to the research carried out by Bertoša on Early Modern Balle, 79,7 percent of all marriages were contracted *ut frater et soror*. Bertoša, "Valle d'Istria," 134.

⁸⁴⁴ Buzet: "Statuimus et ordinamus quod si quis vir habens uxorem, qui fuerit ut frater et soror cum dicta eius uxore in omnibus eorum bonis mobilibus et fixis secundum consuetudinem castri Pinguenti." Lonza and Poropat, *St. Buzet*, 382, chap. 86; Bale: "Consuetudini locali aventi vigor di leggi del castello di Vale [...] Consuetudo prima: Qualunque matrimonio, che seguiner senza verun' anterior convenzione e contrato deve intendersi seguito a fratello e sorella giusta l'uso di questo castello." Margetić, ed., *St. Bale*, 183.

a distinct group whose dominant collective identity would be regional; on the contrary, it was a particularly weak welding agent.

In terms of Venetian influence on this level of collective identification, it must be noted that Venice did, in fact, promote the salience of regional identity in Istria, primarily through military institutions, obligations, and actions that united all the communities of the Peninsula subjected to the Dominant. Of course, this was not part of any premediated policy aimed at boosting regional self-awareness and promoting regional cohesion; it was simply an adventitious byproduct of the need for more effective, streamlined, and cost-effective administration. These observations also apply to the 1584 constitution of universal appellate jurisdiction in Koper for all the Istrian communities under Venice, a move that indeed engendered an ecological niche suitable for the growth of the category of regional identity into a distinct group.

The Venetian government even gave official support to the Istrian marriage pattern, another action that bolstered the sense of regional identification. For example, on the 25th of October, 1445, the podestà of Poreč was adjudicating a civil case pitting a Dominica, the wife of Mathew Simon, against an Anthony Mochor.⁸⁴⁵ The plaintiff demanded the full legal ownership of a vineyard belonging to the late Iuan as a legal heir of the deceased's late wife Catarucia. Conversely, the defendant claimed that Iuan had pledged him the vineyard back in March of 1445 for twenty-five pounds of pennies and that, consequently, his wife Catarucia had no rights over this property. However, Dominica explicitly stated that Iuan and Catarucia contracted the marriage "like brother and sister, according to the custom of the homeland," implying that they were both entitled to equal share of the property and that half of the vineyard was thus legally hers.⁸⁴⁶ The Venetian rector deliberated with the local judges and in the end reached a verdict in which he officially referenced the "marriage like brother and sister" "according to the customs of the homeland:" Anthony was to relinquish half the vineyard to Catarucia's heirs.⁸⁴⁷ The validity of the regional institution of the

⁸⁴⁵ I have edited the transcript of the court case in extenso in the appendix. See case 1/1 in appendix 6.

⁸⁴⁶ "Dicta vinea erat quondam Iuani viri dicte Catarucie, que Catarucia contraxit matrimonium cum dicto Iuano secundum consuetudinem patrie 'ad fratrem et sororem'." Case 1/1.

⁸⁴⁷ "Viso dicto instrumento pignorationis, visaque terminatione successionis in bonis dicte Catarucie facta per dictum dominum potestatem in favorem dicte Dominice ut superius, et considerato quod quondam Catarucia contraxerat matrimonium 'ad fratrem et sororem' cum dicto quondam Iuano secundum consuetudinem patrie per modum quod medietas dicte vinee de iure expectat dicte Dominice succeditrici ut superius, Christi nomine invocato qui lucidat mentes hominum ad vera et recta iudicia, sedens pro tribunali ad bancum iuris solitum, de opinione iudicum suorum terminavit quod dictus ser Antonius relaxare et consignare debeat medietatem dicte vinee dicte Dominice ut superius, cui de iure expectat et de cetero in ipsa non se impediat dictus ser Antonius." Case 1/1.

Istrian marriage pattern was thus officially recognized in court and strengthened by the podestà's adjudication.

Notwithstanding these Venetian practices that favored the welding of regional categories of identification into groups, these processes were simply not potent enough to produce palpable groupness among the general Istrian population. Thus, it must be concluded that in late medieval Istria regional collective identity, while existent and performed both by internal (local population) as well as external actors (Venice), was weak and devoid of groupness; very much like ethnic, regional collective identification occupied a particularly low rank on the identity hierarchy scale.

Local Level

Diametrically opposite is the situation with local, also called civic or communal identities. Even on surface level, if one is just to browse through primary sources produced by the local communities themselves, local identity markers tower over all other forms of identification. Notarial registers, court cases, books of podestàs', in all of these documentary sources individuals are regularly mentioned along their civic status and local identity: "Andrew of Fermo, citizen and resident of Poreč," "Anthony of late Vicich of Rovinj, at present resident of Poreč," "Bartholomew of Trento, resident of Poreč," "Benedict of Zagreb, at present resident of Poreč," "Franco of Vrsar, citizen of Poreč," "John of Grožnjan, at present the resident of Sv. Lovreč," these are just a couple of randomly selected examples drawn from an ocean of local identification markers featured in notarial registers of public notaries serving in fifteenth-century Istria.⁸⁴⁸ From this observation alone it is perfectly permissible to infer that it was the local identity, that of originating from and belonging to a certain community, that was the most dominant form of collective identification in late medieval Istria, the one occupying the highest rank on the identification hierarchy scale. Again, Istria is not exceptional in this regard; throughout the medieval world it was precisely local identities that were the most dominant form of collective identification among the majority of populace.⁸⁴⁹ The chapter that follows dissects this particular manifestation of collective

⁸⁴⁸ "Andreas de Frimo civis et habitator Parentii," "Antonius condam Vicichi de Rubino nunc habitator Parentii," "Bartholomeus de Tridento habitator Parentii," "Benedictus de Xagabria in presentiarum habitator Parentii," "Francus de Ursario civis Parentii," "Iohannes de Grisignana nunc habitator Sancti Laurentii." All examples are taken from Ladić, ed., *Registri porečkih bilježnika, ad indicem*.

⁸⁴⁹ Peter Burke, *Popular Culture in Early Modern Europe* (New York: Harper & Row, 1978), 50. For late medieval Venetian dominions, this is also correctly underlined in Davor Salihović, "Presbyter, uxor, dominus, magister... : Unutrašnja diferencijacija i identiteti labinskih socijalnih skupina u srednjem i ranom novom vijeku - semiotika i

identification, analyzing the supporting structures and active processes that welded the category of local provenance and civic status into groups. Special attention is paid to the putative role of Venice in this process of welding Istrian population into groups identifying primarily with their local communities, focusing on how the Dominant may have influenced these processes and structures, to what extent, and to what end.

Chapter III.2

Ecological Niches for Collective Identity Perpetuation

Collective identity is “the intentional or non-intentional consequence of interactions;” it exists in the feedback loop of catalyzing the potential for collective actions while at the same time being the very product of these interactions.⁸⁵⁰ While there were no ecological niches that could engender the collective actions framed within ethnic or regional dimensions in late medieval Venetian Istria, this was not the case with local collective identification. Here, it was the *commune*—an association of citizens and, to a lesser extent, residents, based primarily on direct participation in various matters pertaining to local government—that acted as the perfect ecological niche for the perpetuation of local identities, fostering collective action among the *concives* and endowing them with communal-based groupness.⁸⁵¹ The more the members of the community participated, the broader their autonomous jurisdictions, and the wider the social pool from which the participants were drawn from, the stronger their communal collective identities would become. Thus, it comes as no surprise that it was the urban communities of central and northern Italy, *civitates* whose jurisdictional autonomy was so high that they have been dubbed city-states that emerge as undisputed champions of investing the category of local origins and civic

praksa” [*Presbyter, uxor, dominus, magister...* : Internal differentiation and identities of the Labin social groups during the Middle Ages and the Early Modern Period – semiotics and practice] *Vjesnik istaskog arhiva* 22 (2015): 77–123, esp. 86–96; Orlando, *Spalato*, 226.

⁸⁵⁰ Shmuel Noah Eisenstadt and Bernhard Giesen, “The Construction of Collective Identity,” *European Journal of Sociology* 36, no. 1 (1995): 72–102, 74 for quotation.

⁸⁵¹ Edward Muir, “The Idea of Community in Renaissance Italy,” *Renaissance Quarterly* 55, no. 1 (2002): 10; Massimo Vallerani, “Comune e comuni: una dialettica non risolta,” in *Sperimentazioni di governo nell’Italia centrosettentrionale nel processo storico dal primo comune alla signoria: atti del convegno di studio, Bologna, 3-4 settembre 2010*, ed. Maria Consiglia de Matteis and Pio Berardo (Bologna: Bononia University Press, 2011), 29–31; Susan Reynolds, “Communities and Legitimacy,” in *La Légitimité Implicite*, ed. Jean-Philippe Genet (Paris: Éditions de la Sorbonne, 2015), <https://books.openedition.org/psorbonne/6613>, chap. 14; Oliver Jens Schmitt, “Addressing the Community in Late Medieval Dalmatia,” in *Meanings of Community across Medieval Euroasia*, ed. Eirik Hovden, Christina Lutter, and Walter Pohl (Leiden: Brill, 2016), 125–27; Orlando, *Spalato*, 226.

status with a particularly potent groupness.⁸⁵² Consequentially, the lower the jurisdictional autonomy of a local community, the lower the level “communitiness,” that is, the weaker the welding of local populace into groups.⁸⁵³ This informed line of thought has, however, often neglected the phenomena of local identity perpetuations among the subjected communities whose autonomy was not comparable to those of dominant cities. As Antonio Ivan Pini convincingly demonstrated back in 1981, the local commune does not cease to exist once it gets incorporated into a larger one or even into an expansive dominion such as that of the Visconti or Venice in the fifteenth century. On the contrary, despite the reduction of their jurisdictional prerogatives, the local institutions continue to operate, the communal councils do not cease to meet, and elected officials keep on performing their duties—the commune simply transforms into an “administrative entity” whose potential to endow their citizens with groupness, while reduced, is still very much palpable.⁸⁵⁴ In the case of late medieval Venetian subjects, this dynamism with which the subjected communities continued to govern themselves and imbued their citizens with local collective identities has recently been illuminated by Orlando.⁸⁵⁵ The situation in Istria was not much different.

For the communities of Venetian Istria this redimensioning of local communal institutions following the induction into the *Commune*, later *Dominium Veneciarum* introduced very little innovations. Already from the previously discussed pacts of subjections promulgated by Muggia, Buje, Oprtalj and Labin in the first quarter of the fifteenth century it is easily discernable that Venice consciously refrained from modifying the existing communal institutions and the same pattern was employed elsewhere, both in Dalmatia as in the *Regnum Italicum* alike.⁸⁵⁶ Even the communities that were subjected in the late thirteenth or early fourteenth century, such as Poreč, Piran, Koper, Bale or Pula for example, were not drastically modified in terms of their local communal institutions and their general governmental framework; besides the obligatory introduction of a regularly rotating Venetian noblemen elected by the Great Council of Venice to serve as the communities’ rector with wide discretionary rights over the administration of justice

⁸⁵² Menant, *L'Italia dei comuni*, 194–96; Franco Franceschi and Ilaria Taddei, *Le città italiane nel Medioevo: XII-XIV secolo*, Le vie della civiltà (Bologna: Mulino, 2012), 169–200.

⁸⁵³ Susan Reynolds, “Government and Community,” in *The New Cambridge Medieval History*, ed. David Luscombe and Jonathan Riley-Smith, vol. 4/1 (Cambridge: Cambridge University Press, 2004), 109–10.

⁸⁵⁴ Antonio Ivan Pini, “Dal comune città-stato al comune ente amministrativo,” in *Comuni e Signorie: Istituzioni, società e lotte per l'egemonia*, ed. Ovidio Capitani et al. (Turin: UTET, 1981), 449–587, esp. 558–62.

⁸⁵⁵ Orlando, *Spalato*, 225–34.

⁸⁵⁶ See chapter II.4.

and criminal jurisdictions, the existing communal institutions were generally left intact. It is precisely through the functioning of these local administrative bodies—civic councils, elective offices, obligatory services such as guard keeping—that the categories of local identification were being invested with groupness.

The Commune and Its Institutions

First, the institution that framed the entire communal experience and invested it with a pronounced sense of community and groupness was the citizenship: “the basic ordering structure of the commune” legitimating one’s inclusion into the social fabric of the community as well as establishing the reciprocal relationship between the individual and the commune based on “solidarity, obligations, and privileges.”⁸⁵⁷ Just like in other communal societies of northern Italy and the Adriatic—most logical comparative examples would come from the Venetian Dogado and Dalmatia—Istrian communes differentiated between three levels of juridical status within the community: first were the *cives*, recognized as full members of the local community either due to their origins—legitimate offspring of *cives* (*iure sanguinis*)—, due to their place of birth—born on the territory of the commune (*iure loci*)—, or by way of privilege earned through several possible ways, the most usual of which was owning a real estate and continuously living in the community for a set number of years as a *habitor*.⁸⁵⁸ This rank of *habitor* was a middle position between the full-fledged member of the community enjoying all the rights while paying all the dues, and the *forensis* (foreigner), an individual merely passing through on some business; the distinction between a *habitor* and a *forensis* was primarily in that the former owed a real estate in the community and lived there with its family for at least several years (usually five) whereas the latter did not.⁸⁵⁹ Both the *habitatores* and the *cives* were required to perform a number of duties for their community and in exchange they were given a set of rights. Most notably, the legitimate members

⁸⁵⁷ Pietro Costa, *Civitas: Storia della cittadinanza in Europa*, vol. 1: *Dalla civiltà comunale al Settecento* (Rome: Laterza, 1999), 1–50; Sara Menzinger, “Introduzione,” in *Cittadinanze medievali: Dinamiche di appartenenza a un corpo comunitario*, ed. Sara Menzinger, I libri di Viella 268 (Rome: Viella, 2017), VII–XIV; Orlando, *Spalato*, 191 (quotation).

⁸⁵⁸ Tomislav Raukar, “*Cives, habitatores, forenses* u srednjovjekovnim dalmatinskim gradovima” [*Cives, habitatores, forenses* in the medieval Dalmatian cities], *Historijski zbornik* 29–30 (1977 1976): 139–49; Zdenka Janeković-Römer, “Gradation of Differences: Ethnic and Religious Minorities in Medieval Dubrovnik,” in *Segregation - Integration - Assimilation: Religious and Ethnic Groups in the Medieval Towns of Central and Eastern Europe*, ed. Katalin Szende, Derek Keene, and Balázs Nagy (London: Ashgate, 2009), 115–33; Orlando, *Altre Venezie*, 72–76; Orlando, *Spalato*, 192–93.

⁸⁵⁹ E.g. Zjačić, ed., *St. Poreč*, 145, book 3, chap. 14.

of the commune—thus both *cives* and *habitatores*—had to pay all the standards taxes and they had to perform guard duty; in exchange they were allowed to use communal goods such as grazing lands and to lease communal lands.⁸⁶⁰ It was precisely this set of reciprocal relations between the commune and its members that created the perfect ecological niche for the welding of the categories of civic status into a group identifying as members of a local community.

Second, it was the structure of the local government that also acted as an ecological niche for the perpetuation of local identification with participation in various administrative functions acting as the welding agent fusing citizens into groups. The communal framework of Istrian towns and cities is a well-researched topic and there is no need to dedicate more attention to these structures in the contexts of this study; a brief overview and comparison with other small centers of the *Dominium Veneciarum* will suffice.⁸⁶¹ First, it must be noted that the standard classification of urban centers as cities proper in the medieval sense of the word—thus the seats of bishoprics—and “almost-cities” (orig. Ital. *quasi-città*)—walled urban centers with subordinated districts enjoying a degree of local self-governance comparable to that of cities proper—does not neatly fit the Istrian case.⁸⁶² Namely, Novigrad was a *civitas*, but it was much closer to Buzet or Umag in terms of its size, population, economy and the complexity of communal institutional framework.⁸⁶³ On the other hand, Piran was a *castrum*, but in the context of late medieval Istria it was particularly rich and populous with more elaborate administrative structures.⁸⁶⁴

⁸⁶⁰ E.g. Benussi, ed., *St. Pula*, 307–8, book 5, chap. 5. See also, Benussi, *Pula*, 288.

⁸⁶¹ Domenico Venturini, “Il vecchio ‘Maggior Consiglio’ della città di Capodistria,” *Pagine Istriane*, no. 5 (1903): 105–15; Darja Mihelič, “Vsakdanji stik oblasti z ‘malim človekom’ (Piran koncem 13. stol.)” [Quotidian contact between the authorities and the ‘small man’ (Piran at the end of the 13th century)], in *Statuimus et ordinamus, quod...: sustavi moči i mali ljudi na jadranskem prostoru, 1. istarski povijesni biennale*, vol. 1: *Zbornik radova s međunarodnog znanstvenog skupa*, ed. Robert Matijašić (Poreč: Zavičajni muzej Poreštine, 2005), 48–58; Morteani, *St. Izola*, 39–53; Nella Lonza, “Lo statuto di Umago: Custode del plurisecolare patrimonio giuridico e dell’identità storica,” in *St. Umag*, 93–100; Nella Lonza, “Non vi è maggiore felicità per una città di essere amministrata con le redini della giustizia: Il diritto dello statuto medievale di Cittanova,” in *St. Novigrad*, 163–72; Bernardo Benussi, *Storia documentata di Rovigno* (Trieste: Lloyd austro-ungarico, 1888), 82–101; Lonza, “Lo statuto di Dignano in ambito giuridico dell’Istria tardo-medievale,” in *St. Vodnjan*, 93–103; Benussi, *Pula*, 294–320; De Franceschi, *St. Labin*, 134–42; Nella Lonza, “Pravna baština dvigradskog statuta” [Legal heritage of the statute of Dvigrad] in *St. Dvigrad*, 35–40; Luigi Morteani, “Storia di Montona: con appendice e documenti,” *AT*, ser. 2, 18, no. 1 (1892): 201–31; Josip Banić, “Consilia communis Pinguenti: Geneza i uloga vijeća buzetske komune” [Consilia communis Pinguenti: The genesis and the role of the councils of the Commune of Buzet], *Buzetski zbornik* 42–43 (2016): 143–74; Colombo, *Storia di Muggia*, 149–210.

⁸⁶² Giorgio Chittolini, “‘Quasi-città’: Borghi e terre in area lombarda nel tardo medioevo,” *Società e storia* 47 (1990): 3–26.

⁸⁶³ Cf. the introductory studies cited above in *St. Novigrad* and *St. Umag*. Cf. also the yearly wages of the delegated Venetian podestàs in appendix 4.

⁸⁶⁴ Mihelič, “Vsakdanji stik,” 48–58.

Absolutely all Istrian communities under Venice were governed by their councils—in some places termed Great Councils, in other simply Councils—that elected their communal officials predominantly from the ranks of its members.⁸⁶⁵ Unfortunately, there are not many preserved minutes of these Istrian communal councils for the period under examination in this study; barring Koper whose archive is yet to be researched, only the minutes of the council of Poreč are preserved and only very partially (1485–1486).⁸⁶⁶ Taking Poreč as an example, the communal council met twenty three times in the span of sixteen months, it counted a minimum of twenty eight and a maximum of forty seven members, and it deliberated on every matter deemed important to the administration of the city.⁸⁶⁷ All the communal councils elected their own officials which regularly included communal judges—two in smaller, up to four in larger communities—who consulted the delegated rector in justice administration, especially in adjudicating civil cases; a treasurer (*camerarius*, *camerlengo*) entrusted with keeping tabs of all the communal incomes and outcomes; managers of public goods (orig. *cathaverii*) assigned with the administration of leases of communal properties and the collection of tributes, including the fines promulgated by the podestàs; estimators (*extimatores*) who estimated the values of real estate and committed damages that had to be reimbursed, either by the community or by the perpetrator (if known and caught); and market inspectors (orig. *iusticiarii*), dubbed “commercial police” by Orlando, whose task was assuring the quality of the goods sold to the *concives*.⁸⁶⁸ These officials are commonly found in every Istrian community subjected to Venice. In addition to these “standard” offices, there were the likes of communal lawyers found in Poreč and in Umag—not university trained legal experts, but local notables skilled in representing the “ordinary folk” in legal matters—, but not in smaller communities such as Buzet,⁸⁶⁹ the *vicedomini* who served only in larger cities and whose task was

⁸⁶⁵ For a general overview of communal councils in a broader Italian context, Massimo Sbarbaro, *Le delibere dei Consigli dei comuni cittadini italiani: Secoli XIII-XIV*, Fonti medievali italiane 2 (Rome: Edizioni di storia e letteratura, 2005).

⁸⁶⁶ Pogatschnig, “Divagazioni parentine,” 155–74. The fragmentarily preserved minutes of Buzet’s councils stem only from the 16th century and thus fall outside the chronological scopes of this study. Zjačić, “Zaključci,” 207–92.

⁸⁶⁷ Pogatschnig, “Divagazioni parentine,” 141–46.

⁸⁶⁸ All the data is taken from the editions of Istrian communal statutes and the studies referenced in fn. 122. For comparison with Dogado, Dalmatia and more specifically Split, see Orlando, *Altre Venezie*, 177–89 (quotation on 182); Šunjić, *Dalmacija*, 167–84; Orlando, *Spalato*, 228–34.

⁸⁶⁹ Lonza, “Lo statuto di Umago,” 98 defines them as officials who “erano a disposizione di coloro che non avevano il sapere necessario e la fiducia in sé stessi per difendere personalmente i propri interessi in sede di giudizio. Gli avvocati non erano professionisti del diritto debitamente istruiti, ma nobili esperti e abili in questioni legali, eletti nel Consiglio.” In Poreč, for example, four communal lawyers were elected every four months. Pogatschnig, “Divagazioni parentine,” 156, 160.

the authentication and legalization of private documents.⁸⁷⁰ The granary (orig. *fonticus*) and the elected managers of granaries (orig. *fonticarii*) were also important features of communal administration. Granaries were present in the majorities of Istrian podestarias and their original role was to ensure both that the community never runs out of necessary victuals as well as that the prices of grain remain stable.⁸⁷¹ Moreover, it was the Great Council that also employed a variety of other officials necessary for the overall functioning of their commune such as the town criers and *doctores medicinae*, the latter being particularly highly paid in relation to all the other commune-sponsored jobs.⁸⁷² Finally, the communal councils could create temporary officials, such as the envoys sent to Venice to negotiate on specific topics, present please, procure favors et cetera.⁸⁷³

Larger communes also had another, smaller and more prestigious council usually dubbed the *Minor Consilium*, *Consilium Sapientium* or *Consilium Credentie* (eng. the Minor Council, the Council of Sages, the Council of Confidence). Such a council is found in Pula, Koper, Piran, Muggia and Motovun, for example, but not in Poreč, Labin, Buzet or any other smaller *castra*.⁸⁷⁴ This Minor Council counted twelve officials elected by the Venetian podestà in conjunction with the communal judges; together they formed a sort of a college that served as the right hand of the delegated rector and that directed the sessions of the Great Councils by reviewing the proposals before putting them to vote.⁸⁷⁵

⁸⁷⁰ Benussi, *St. Pula*, 153, book 1, chap. 10; Pogatschnig, “Divagazioni parentine,” 143, 163; On Istrian vicedomini, the principal study is Darko Darovec, *Ausculatuerint Cum Notario: Istrian Notaries and Vicedomini at the Time of the Republic of Venice* (Venice: Libreria Editrice Cafoscarina, 2015).

⁸⁷¹ Benussi, *Pula*, 314–15; Orlando, *Altre Venezie*, 202–3. Ivetic calls the granary “the heart of economic and social life.” Ivetic, *Oltremare*, 94.

⁸⁷² In Poreč, for example, the contracted doctor was promised a yearly wage of one hundred ducats in addition to a house in the city. “Prefatus dominus potestas [...] faciens nomine et vice Comuni Parentii ex parte una et magistri Vido de Cataniis de Urbino, medicus, ex alia parte ad infrascriptum pactum et concordium sponte et concorditer preteritis diebus devenerunt, videlicet dictus magister Vido promisit et se obligavit venire ad servendum Comuni Parentii pro medico et mederi omnibus habitantibus in Parentio et districtu, opus habentibus tan in cirurgia quam in phisica, sicut fuerit opus [...] Ex adverso, dictus dominus potestas, de voluntate utrius ac vice et nomine Communis, promisit dare et solvere dicto magistro Vido pro uno anno incepturo die X novembris instantis ducatos centum boni auri et iusti ponderis de dicti Communis Parentii, solvendis omnibus tribus mensibus pro rata, et domum competentem pro sua habitatione. [...]” Poreč, Atti del podestà, fol. 33r. For Dogado and Dalmatia, see Orlando, *Altre Venezie*, 182, 187–88; Orlando, *Spalato*, 233.

⁸⁷³ E.g. Pogatschnig, “Divagazioni parentine,” 158.

⁸⁷⁴ Margetić, *St. Koper*, 25, book 1, chap. 28, and 180, book 4, chap. 28; Benussi, *St. Pula*, 195, chap. 34–35; Benussi, *Pula*, 297; Morteani, *St. Motovun*, 13–14, chap. 131, 26–27, chap. 156; Colombo, *St. Muggia* 2, 16, book 1, chap. 14; Colombo, *Storia di Muggia*, 159–60. Similar was the case in the Dogado. Orlando, *Altre Venezie*, 185.

⁸⁷⁵ Benussi, *Pula*, 297; Orlando, *Altre Venezie*, 179.

The polar opposite of the Minor Council that was composed of the most distinguished councilors was the *arenga* (*consilium universale, plenum consilium*), the deliberative body comprising all the male citizens of the commune of legal age.⁸⁷⁶ These *arengae* left little trace in primary sources, most probably because they were convened very rarely and only for matters of extreme importance for the entire community.⁸⁷⁷ For example, it was the *arenga* of Labin that officially decreed that the commune is to surrender itself to Venice.⁸⁷⁸ Moreover, according to later sources, the Venetian rector was not allowed to intervene in any way in the deliberative process of *consilia universalia*.⁸⁷⁹ *Arenga* is more often used not in the sense of a distinct council invested with the power to deliberate and vote on matters of government, but simply as a synonym for public space, publicity.⁸⁸⁰ Thus, the process of transforming *arenga* from a deliberative administrative council into a passive subject to whom the decrees are merely reported—a process that reached its completion in Venice in the April of 1423—was also taking place in Venetian Istria.⁸⁸¹

The Venetian Overlay

The presented overview of communal citizenship, civic rituals, and local institutions—the ecological niches within which the categories of local identification were being welded into groups—must be supplemented by the potential influence that Venice exerted upon the functioning of these welding agents.

Dominium sibi faciat civem

Beginning with civic citizenship, this was the institution that the *Serenissima* affected in two ways. First, the central government could directly interfere with the process of granting citizenship rights of any subjected Istrian commune by way of ducal letters issued to the incumbent

⁸⁷⁶ Mihelič, “Vsakdanji stik,” 48–49; Banić, “*Consilia communis*,” 154–55; Lonza, “Lo statuto di Umago,” 97; Sbarbaro, *Le delibere*, 9–10;

⁸⁷⁷ The only thus far known registered minutes are the two sessions held in Buzet in the April of 1503 and the October of 1513. Zjačić, “Zaključci,” 244, 281–82. See Banić, “*Consilia communis*,” 155.

⁸⁷⁸ Kandler, ed., *CDI* 4: 1630–631, doc. 973.

⁸⁷⁹ “Exceptuata persona clarissimi domini capitanei [Raspruch], qui noluit se in hoc Consilio impedire bono respectu.” Zjačić, ed., “Zaključci,” 281.

⁸⁸⁰ E.g. the line of the statue of Pula: “condanpnentur et publicentur more solito in arengo.” This line does not mean that arenga is a council that condemns and publishes the sentence, but that the culprit is to be sentenced publicly and that the sentence is to be published in a public place in front of audience. Benussi, ed., *St. Pula*, 255, chap. 48.

⁸⁸¹ See fn. 54.

delegated rector. This is most clearly discernable in the case of fifteenth-century Koper, the *metropolis Istrie* in the making. Namely, Venetian doges ordered on eight different occasions that different individuals whose actions were deemed particularly beneficial to honor and status of the *Dominium* be granted full Capodistrian citizenship and the status of civic nobility.⁸⁸² These exemplar subjects were of various backgrounds, although most often they were military men distinguished by their valorous deeds on the battlefields; some of them were also the subjects of smaller Istrian communities such as Piran and Motovun.⁸⁸³ Unfortunately, primary sources such as the Capodistrian *Liber Niger* that registered all of these ducal letters simply do not exist for other Istrian communities subjected to Venice. Thus, it cannot be ascertained whether Koper was the only Istrian commune in which the Dominant directly interfered in terms of granting citizenships, or whether similar practices were followed in other cities such as Pula or Poreč. Since, as will be shown below, Venice interfered in the local administration of Koper more than in any other Istrian community, it seems plausible to infer that the decreed granting of citizenship was a practice (mainly) limited to the *Commune Iustinopolis*, the city destined to become the capital of Venetian Istria that was thus populated with carefully chosen distinguished individuals who had proven their fealty and dedication to *Dominium Veneciarum*.

Second, the institution of communal citizenship was overlaid by the contemporary existence of another civic status within the Republic of St. Mark: the Venetian *cives de intus* and *de intus et de extra*.⁸⁸⁴ Namely, the Venetian legal system recognized three ranks of citizenship. The highest tier was that of the native citizens of Venice (*cives de iure*): those born either in Venice or in the Dogado and whose parents enjoyed the same civic status.⁸⁸⁵ After this status came the two ranks that Venice conferred upon select foreigners: the citizenship *de intus* and the more prestigious *de intus et de extra*. Both of these types of citizenships carried primarily economic privileges that allowed its bearers to trade freely in Venice just like the native citizens could. The

⁸⁸² All of these ducal letters are edited as regesta in Marsich, “Effemeridi Giustinopolitane,” 2 doc. 10, 17 doc. 8, 41 docs. 22 and 26, 81 doc. 9, 129 docs. 2 and 9, 161 doc. 4. Unfortunately, the primary source that Marsich used, the *Liber Niger* of the Commune of Koper, is not available for consultation. I am not even sure that it is currently stored in Venice, although that may be the case. Be that as it may, once the whereabouts of the codex become known, the *in extenso* edition of this invaluable primary source will be forthcoming.

⁸⁸³ Marsich, “Effemeridi Giustinopolitane,” 41, doc. 22 (Pietro de Petrogna from Piran, granted the citizenship due to valor he showed on the battlefield), 129 doc. 2 (Lawrence Duodo from Motovun).

⁸⁸⁴ Cozzi, “Politica, società, istituzioni,” 133–37; Orlando, *Altre Venezie*, 73–82; Reinhold C. Mueller, *Immigrazione e cittadinanza nella Venezia medievale*, Deputazione di storia patria per le Venezie: Studi 1 (Rome: Viella, 2010), 17–59.

⁸⁸⁵ Orlando, *Altre Venezie*, 74–76; Mueller, *Immigrazione e cittadinanza*, 42, 54

difference was that the *cives de intus* could only do so in Venice whereas those that were granted the more valuable *de intus et de extra* could trade beyond the Venetian lagoon throughout the Mediterranean while enjoying all the rights that any other native-born Venetian would.⁸⁸⁶ These two citizenship could be earned in two ways: first, the standard way, was by moving to Venice and continuously living in the city for a set number of years (eight for *de intus*, fifteen for *de intus et de extra* according to 1382 law) after which a petition could be made for the granting of civic status;⁸⁸⁷ second was the exceptional way as these ranks could be granted by the central government by way of privilege to select individuals whose actions were deemed worthy of such a recognition (e.g. Domnius of Castello and Count John V of Krk and Senj were gifted *de intus* citizenship, as noted in chapter II.1).⁸⁸⁸ This framework changed drastically in the first quarter of the fifteenth century as a result of the massive Venetian territorial expansion. Namely, the citizens of the majority of the recently annexed communes of the *Regnum Italicum*—such as Verona, Padua, Vicenza, Feltre, Belluno and even Treviso—were generously accorded the Venetian citizenship *de intus* as a welcoming package.⁸⁸⁹ The same was the case with Dalmatia: on the 5th of September, 1409, Doge Michele Steno solemnly bestowed upon all the citizens of Zadar the Venetian citizenship *de intus*.⁸⁹⁰ A plea presented by John de Dominis of Rab, at the time the bishop of Varadin, asking Venice whether he, as a foreigner, needed to procure a special license for investing in government bonds, reveals that the privilege accorded to Zadar extended to entire Dalmatia: “the bishop [De Dominis] is not a foreigner because he and his brothers are citizens of Rab, our Dalmatian subjects, and since the citizens of Zadar are treated as Venetian citizens *de intus*, our other Dalmatian citizens and subjects are consequently not to be treated as foreigners” was the official reply of the Venetian College.⁸⁹¹ Thus, becoming a citizen of any of these Italian

⁸⁸⁶ Cozzi, “Politica, società, istituzioni,” 134–36.

⁸⁸⁷ Cozzi, “Politica, società, istituzioni,” 135; Mueller, *Immigrazione e cittadinanza*, 28, 136–38.

⁸⁸⁸ Mueller, *Immigrazione e cittadinanza*, 19.

⁸⁸⁹ Cozzi, “Politica, società, istituzioni,” 137. Mueller, *Immigrazione e cittadinanza*, 157, 163–64 (Verona), 164–65 (Padua), 165–66 (Vicenza), 166–67 (Treviso), 167–69 (Feltre and Belluno).

⁸⁹⁰ “[Nos Michael Steno Dei gracia dux Venetiarum] volumus esse notum, quod prefatos universos nobiles cives et fideles nostros Iadrenses in Venetos et cives nostros de intus graciose recepimus, et Venetos et cives nostros de intus fecimus et facimus, et pro Venetis et civibus nostris in civitate nostra Veneciarum habere et tractare et haberi volumus.” Ljubić, ed., *Listine* 6: 11–12, doc. 9 (quotation on 11); Mueller, *Immigrazione e cittadinanza*, 169–70.

⁸⁹¹ Here is the deliberation *in extenso*: “MCCCCXLIII, die X iulii. Cum reverendus in Christo pater dominus Iohanes de Dominis de Arbo episcopus Varadinensis deliberaverit emere certam quantitatem imprestitorum et facere depositum suum in hac civitate nostra, et verteretur in dubium an in facto emendi dicta imprestita subiacere debeat parti loquenti de forensibus qui volent emere imprestita et conditionibus in illa parte contentis, infrascripti consilarii visa dicta parte que loquitur de forensibus, considerantes quod idem dominus episcopus non est forensis, sed ipse et eius fratres sunt cives Arbenses, subditi nostri Dalmatini, et quod cives Iadrenses tractantur tanquam cives Venetiarum

or Dalmatian communes would automatically result with the privilege to trade in Venice as a native Venetian—indeed this is a framework worthy of being dubbed a commonwealth. But what was the position of Istria within this framework?

Writing in the first half of the 1920s, Bernardo Benussi made a grave error, very much unexplainable for a historian of his learning and ability. In a chapter dedicated to citizenship and relations between Pula and Venice in the late Middle Ages, the Rovinj-born historian completely botched the description of Venetian citizenship system and ended up stating that all the Istrian cities under Venice enjoyed the “*civitas de extra*” (sic!) status while only “select individuals, in extraordinary circumstances, enjoyed the “*de intus*” citizenship as well.”⁸⁹² In support of this argument Benussi referenced Pompeo Molmenti’s *La storia di Venezia nella vita privata* that does not mention this—unlike Benussi, this author correctly interpreted Venetian citizenship system—and a case from the 11th of May, 1427, whereby a John of late Peter from Koper was given citizenship *de intus et de extra*.⁸⁹³ None of Benussi’s references supports this clearly erroneous interpretation that has been, unfortunately, intermittently reappearing in various studies ever since.⁸⁹⁴ What drove Benussi to such an amateurish mistake will forever remain a mystery, but the fact that he had been unable to find any primary source which would allow him to conclude that the subjects of Venetian Istria enjoyed the *de intus* citizenship is telling. Indeed, in the most recent publication dealing with Venetian citizenship—authored by Reinhold C. Mueller, the man behind the database *CIVES: Privilegi di cittadinanza veneziana, dalle origini all'anno 1500*—the privileges accorded to the *Terraferma* and Dalmatian cities are clearly referenced and discussed, but there is absolutely no mention of Istria.⁸⁹⁵ Moreover, browsing the *CIVES* database one finds examples such as Bartholomew of Dominic from Pula being granted the citizenship *de intus* on

de intus et per consequens alii nostri cives et subditi Dalmatini non habentur esse forenses, determinarunt quod idem dominus episcopus emere possit seu emi facere dicta imprestita ad eius beneplacitum tanquam civis Arbensis et subditus noster, et quod non subiaceat stricturis et conditionibus in illa parte contentis que loquitur de forensibus. Consiliarii: ser Marcus Memo, ser Fantinus de Cha de Pexaro, ser Lucas Mocenigo, ser Iohanes Delfino, ser Iohanes Mauroceno, ser Antonius Diedo.” ASV, Collegio, Notatorio, reg. 8, fol. 11v. See also, Cozzi, “Politica, società, istituzioni,” 137; Mueller, “Aspects of Venetian Sovereignty,” 47.

⁸⁹² Benussi, *Pula*, 325–26 (quotations on 326).

⁸⁹³ John’s case was indeed a very usual one since the man lived in Venice for fifteen years. Here is the entire *pars*: “Die XI^o maii in Consilio Rogatorium. <Consiliarii> Capta. Quod fiat privilegium civilitatis annorum quindecim de intus et extra Iohanni quondam Petri appotechario qui fuit de Iustinopoli de contrata Sancti Iuliani secundum usum.” ASV, SMi, reg. 56, fol. 97r (registum in “Senato misti V,” 27).

⁸⁹⁴ E.g. Lia De Luca, *Albona: Un centro urbano dell’Istria veneta* (Labin: Comunità degli Italiani “Giuseppina Martinuzzi,” 2014), 19 (an otherwise excellent study of Early Modern justice administration in Venetian Labin based on a thickly documented case study).

⁸⁹⁵ Mueller, *Immigrazione e cittadinanza*, 153–77.

the 11th of November, 1419, for having lived in Venice for eight years; or Fabian of Andrew, a tailor from Koper, being accorded the *de intus tantum* citizenship on the 30th of October, 1434, for having moved to Venice and married a Venetian.⁸⁹⁶ Does this mean that Venetian *partes Istrie* enjoyed a far inferior position in relation to the communities of the *Terraferma* and Dalmatia?

No, even though there are no primary sources explicitly supporting this argument. Namely, the same *CIVES* database features cases such as Bartholomew's and Fabian's but in the context of Dalmatian cities and the Trevigiano as well. For example, a *Crescius* (from Slavic Krešo?) of late Allegro, a barber living in Venice who immigrated from Zadar, married a Venetian and he was thus accorded the citizenship *de intus tantum* on the 27th of April, 1458.⁸⁹⁷ Why was this necessary if the *cives* of Zadar—that is of all Dalmatia—were automatically given this lowest rank of Venetian civic status? Similar was the case with Christopher de Schioppis of Verona who had to petition for the citizenship *de intus* which was granted to him on the 11th of February, 1462, after having lived in Venice for eight years.⁸⁹⁸ There are more cases from fifteenth-century records such as that of *Krešo* and Christopher concerning citizens from Dalmatia, Istria, and *Terraferma* as well, albeit not too many. What seems to be common to such cases is that, at least after 1420, the grants of citizenship to people stemming from lands subjected to the Venetian dominion are accorded almost exclusively to artisans and craftsmen that moved to Venice: Bartholomew of Pula was a clothes dealer (Lat. *strazarolus*), Fabian of Koper a tailor, *Krešo* of Zadar a barber. Even artisans from Mestre were accorded such citizenships: a Julian of late Bartholomew of Mestre, a woodcutter by trade, was given the civic status of *de intus tantum* after having lived in Venice for eight years on the 1st of August, 1458.⁸⁹⁹ What these examples clearly demonstrate is that the Venetian citizenship purportedly granted to all the Venetian subjects—all least those in *Terraferma* and Dalmatia—did not extend to absolutely all the social strata. Thus, the case of Bishop John de Dominis must be viewed in this context as well: he was a progeny of an elite family of Rab, a high-ranking ecclesiastic, and, perhaps most importantly, a person of means willing to

⁸⁹⁶ *CIVES VENECIARUM* references: <http://www.civesveneciarum.net/dettaglio.php?id=542>, version 56/2017-02-01; <http://www.civesveneciarum.net/dettaglio.php?id=1056>, version 56/2017-02-01 [both sites were last accessed: 18th of March, 2021]. The grant to Fabian of Andrew is recorded in ASV, SP, reg. 2, fol. 38v.

⁸⁹⁷ *CIVES VENECIARUM*, <http://www.civesveneciarum.net/dettaglio.php?id=898>, version 56/2017-02-01 [last access: 18th of March, 2021].

⁸⁹⁸ *CIVES VENECIARUM*, <http://www.civesveneciarum.net/dettaglio.php?id=909>, version 56/2017-02-01 [last access: 18th of March, 2021].

⁸⁹⁹ *CIVES VENECIARUM*, <http://www.civesveneciarum.net/dettaglio.php?id=2111>, version 56/2017-02-01 [last access: 18th of March, 2021].

invest money in Venice.⁹⁰⁰ In his case, Venice was ready to generously include him in the citizenship “packet” offered to its new subjects. This generosity, however, did not extend to mere barbers who wanted to set up permanent shops in Venice, as the case of *Krešo* attests to.

This broader context of Venetian granting of citizenships in the wake of its great territorial expansion allows a formulation of an informed hypothesis. Namely, from fifteenth century onwards, the people of Istria accorded citizenship status *de intus* are very few, at least according to the *CIVES* database: there are none from Muggia, none from Poreč, none from Rovinj, and the said Bartholomew is the lone example from Pula. The situation is not much different in Dalmatia either. Thus, even though there are no explicit primary sources comparable to the privilege accorded to the *cives* of Zadar, it can nonetheless be concluded that the Venetian citizenship that was conferred upon Dalmatian and *Terraferma* communities subjected to the Republic of St. Mark in the fifteenth century implicitly extended to *terre Istrie* as well. Consequently, the institution of communal citizenship that tied together the members of Istrian (semi)urban communities and endowed the categories of local identities with groupness was coated with another identity-bestowing layer—that of Venetian subjects enjoying limited but nonetheless significant rights as *cives de intus* in Venice.

Venetian Catalysis: The Commune, the Statute, the Territory

Regarding the functioning of local communal institutions, even though Venice formally sanctioned their autonomous, customary, and uninterrupted operation, the *Serenissima* could still exert considerable influence over these institutions. Generally, however, Venice did not interfere directly in functioning of these civic councils with the sole exception of Koper. Namely, *Commune Iustinopolis* lost its autonomy almost completely following the quelled insurrection of 1348, but from late fourteenth century onwards, especially during the first quarter of the *Quattrocento*, Koper was slowly regaining the forfeited prerogatives.⁹⁰¹ The statute was, as previously shown, the first symbol of communal autonomy that was restituted back in 1394. However, the *ducale* sanctioning this partial restitution of autonomy explicitly stated that the chapters of the statute relating to the

⁹⁰⁰ On Rab’s nobility, the standard reference is Dušan Mlacović, *The Nobility and the Island: The Fall and Rise of the Rab Nobility* (Zagreb: Leykam, 2012).

⁹⁰¹ Klen, “Uvjeti i razvitak,” 317 is a good concise overview of this development.

local councils' right to elect their own officials is annulled.⁹⁰² On the 4th of July, 1414, Koper sent its official delegation to Venice, asking the Dominant to allow them to rebuild their walls—financed from their own incomes—and reconstitute their communal council. The *Serenissima* favorably acceded, but on the condition that it would be the Venetian delegated rector who would determine the number of councilors and even elect the members of the restored communal council.⁹⁰³ On the 8th of March, 1423, Doge Mocenigo solemnly confirmed the new, revised statutes of Koper that officially sanctioned the communal election of their own officials; moreover, the Capodistrian noblemen who were not among those selected by the Venetian podestà to join the ranks of councilors in 1414, were now given green light by Venice to be officially inducted into the *consilium Iustinopolis*; Venice even decided to pay one hundred pounds of pennies each year for the salary of contracted schoolmasters so that the “city of Koper would have capable and not ignorant men.”⁹⁰⁴ This was almost a complete revendication of the communal autonomy lost in 1348. The final step was the official recognition of the right that the communal council of Koper could henceforth elect their own council members.⁹⁰⁵ Still, Venice continued to keep a tighter leash on Koper, overseeing the local administration with a much more watchful eye than was the case with any other Istrian community; the Dominant even elected officials that would serve as communal treasurers by way of *grazie*.⁹⁰⁶ Thus, when the Capodistrian envoys asked the *Serenissima* to approve a decree voted in by the local council forbidding any *cives Iustinopolis* to petition Venice for the conferment of communal offices, the Venetian Senate was quick to reject the plea: “we want the said [councilors of Koper] to revoke the decree promulgated in their council because we do not want it to be valid anymore, but may they rest assured that our domination will never give or bequeath [any offices] to anyone other than those deemed honest and

⁹⁰² “Ipsa statuta et ordines non habeant locum, sed annullentur et pro annullatis et casis habeantur in quacunque parte faciunt mentionem quod potestas iudicet et faciat cum voluntate et consensu suorum officialium, et quod officiales elligantur per eorum consilium, sed sit solus ad iudicandum et etiam ad elligendum officiales necessarios ultra constitutos.” Margetić, ed., *St. Koper*, 123, book 5, doc. 1.

⁹⁰³ ASV, SMi, reg. 50, fol. 2r–v; regestum in “Senato misti V,” 3–4.

⁹⁰⁴ Margetić, ed., *St. Koper*, 124–27, book 5, doc. 2 (quotation on 126).

⁹⁰⁵ Margetić, ed., *St. Koper*, 160, book 5, doc. 41.

⁹⁰⁶ There were two treasurers in Koper, one that the delegated podestà would bring with himself as a member of his retinue, the other that would, at least on paper, be elected by the communal council of Koper. That this second treasurer would also be appointed by Venice is attested in Mocenigo’s ducale of 28th of August, 1414: “Ser Basinus de Basiis qui fuit cancelarius dicte communitatis [Iustinopolis] et ipsam cancellariam habuerat de gratia a nostro Dominio.” Margetić, ed., *St. Koper*, 127–28, book 5, doc. 3 (quotation on 128).

praiseworthy.”⁹⁰⁷ Venice was not ready just yet to loosen the leash around Koper, at the time of the promulgation of this ducal letter already on its way to becoming the *metropolis Istrie*. Thus, the significance overflows came at a price: more jurisdictional prerogatives came together with increased control over the exercise of local administration.

Generally, however, Venice did not interfere with the quotidian functioning of local communal institutions. Moreover, the fact that a commune had to work together to come up with a list of demands and then send their envoys—and paying all their expenses—to Venice in order to negotiate these terms with the Dominant was a practice that definitely required collective action and, consequently, welded the members of the local community together, investing their civic status with groupness. Moreover, as Nella Lonza recently demonstrated on several Dalmatian case-studies, in the first decades of the *Quattrocento* Venice in fact catalyzed the process of community-building by animating the development of local communal institutions, solidifying their normative frameworks (mainly through the promulgation of local statutes), and structuring their modes of communication (both externally, with the capital, as well as internally, between the center’s social strata).⁹⁰⁸ Venice did not act differently in Istria and the example of Vodnjan—“upgraded” from a mere rural community of Pula’s expansive district to a commune subjected directly to Venice, with its own communal institutions, podestà, and even the local statute—is very much comparable to that of Pag.⁹⁰⁹

A powerful collective-identity-bestowing symbol that harmoniously united both the local community and Venice was the communal statute, a sacrosanct codified collection of *ius proprium* that anchored the subject center locally, regionally, and in the broader dimension of Venice’s jurisdictional state.⁹¹⁰ Starting with the last, dominion-wide context, Venetian official recognition

⁹⁰⁷ “Volumus ut illam partem in suo consilio captam ipsi revocent, quia nolumus eam habere vigorem, sed tamen sint certissimi quod nostra dominatio nemini dabit vel concedit, nisi que videbuntur et fuerint honesta et laudabilia.” Margetić, ed., *St. Koper*, 130–32, book 5, doc. 7, ducale from 8th of February, 1436 (1435 *more Veneto*) (quotation on 131).

⁹⁰⁸ Nella Lonza, “Il ruolo catalizzatore del dominio veneziano del primo Quattrocento nell’articolazione di alcune comunità dalmate,” in *Comunità e società nel Commonwealth veneziano*, ed. Gherardo Ortalli, Oliver Jens Schmitt, and Ermanno Orlando (Venice: Istituto Veneto di Scienze, Lettere ed Arti, 2018), 95–110.

⁹⁰⁹ Lonza, “Il ruolo catalizzatore,” 106–9.

⁹¹⁰ Gherardo Ortalli, “Il ruolo degli statuti tra autonomie e dipendenze: Curzola e il dominio veneziano,” *Rivista storica italiana* 98, no. 1 (1986): 195–220; Gian Maria Varanini, “Gli statuti e l’evoluzione politico-istituzionale nel Veneto tra governi cittadini e dominazione veneziana (secoli XIV–XV),” in *La Libertà di decidere: Realtà e parvenze di autonomia nella normativa locale del Medioevo*, ed. Rolando Dondarini (Cento: Deputazione provinciale ferrarese di storia patria, 1995), 321–58; Nella Lonza, “The Statute of Dubrovnik of 1272: Between Legal Code and Political Symbol,” in *The Statute of Dubrovnik of 1272 / Liber Statutorum Ragusii Compositus Anno MCCLXXII*, ed. Nella Lonza (Dubrovnik: Državni arhiv u Dubrovniku, 2012), 23–24; Orlando, *Spalato*, 243–50.

of their subject center's statute was a confirmation of the community's status within the highly heterogenous *Dominium Veneciarum*. In the ambit of jurisdictional states, the recognition of the subject's *ius proprium* in the form of the capital's official acknowledgment of their codified statute was essentially a recognition of the community's right to the same treatment as all the other *membra* of the *dominium mixtus*.⁹¹¹

Even though these local laws were meant to, among other things, limit the prerogatives of the capital in the administration of the subject center, the relation the codified statute formed between the ruler and the ruled was not that of equals bound to serve the codified letter of the *ius proprium*: first, Venice was free to modify the existing statutes before officially confirming them and this right was exercised in Istria as well (the statutes of Muggia from 1420 for example); second, even after its formal acknowledgment, the capital could interfere at any time and reform or downright annul chapters deemed inappropriate.⁹¹² For example, the communal statute of Buje, confirmed by Venice in 1427 featured two chapters proscribing exact punishment for those who would dare insult (chap. 11) or even attack the incumbent podesta (chap. 21).⁹¹³ However, by 1500, when a new copy of the communal statute was made, those two chapters had already been annulled, leaving it up to the "honorable conscience" of the delegated rectors themselves to decide how to exemplarily punish those who would dare attack them, verbally or physically.⁹¹⁴ The annulment of chap. 11 (and most probably 21 as well) was initiated in 1435 by Podestà Marco Diedo who nonetheless discussed the matter in the communal council and annulled the rule "together with the entire council of the Commune of Buje."⁹¹⁵ Thus, even when Venice "tampered" with the confirmed statute, the consensus of the community was asked (or at least staged).

⁹¹¹ Cozzi, *Repubblica di Venezia e Stati italiani*, 237–38, 265–71; Orlando, "Politica del diritto," 19–20; O'Connell, "The Contractual Nature," 61, 65–66; Rizzi, "Dominante e dominanti," 263–64.

⁹¹² Ortalli, "Il ruolo," 210; Varanini, "Gli statuti," 335–37; Orlando, "Politica del diritto," 20–21; Rizzi, "Dominante e dominanti," 264–65. Cf. the words of Doge Moro from a ducal letter issued to the podestà of Koper regarding the statute of Buzet: "Nos tunc reservavimus facultatem nobis addendi, corrigendi et minuendi tam ipsum quam reliqua alia statuta per nos confirmata." Mirko Zjačić, "Statut buzetske općine," *VhaRP* 10 (1965): 120 (hereafter: "Statut buzetske II"). I will return to this document in the next paragraph.

⁹¹³ Verbal assault was thus to be punished by 50 pounds of pennies and six months of jail; chap. 21 is not preserved. Zjačić, ed., *St. Buje*, 393, chap. 11.

⁹¹⁴ Archivio di Stato di Trieste, Biblioteca della Corte d'appello di Trieste, b. 730: Statuti municipali di Buie.

⁹¹⁵ The note on the margin next to the crossed-out chap. 11 in 1427 manuscript of the statute of Buje states: "MCCCCXXXV, indictione XIII, die XV mensis maii. De voluntate et cum consensu spectabilis et egregii viri domini Marci Diedo honorabilis potestatis Bullearum ac tocius Consilii Comunis Bullearum depenatum et nichilatum fuit hoc capitulum ordinis." Zjačić, ed., *St. Buje*, 393, fn. 23. The 1427 manuscript is only fragmentarily preserved and the folio containing chap. 21 is missing which most probably featured a similar note.

At the same time, the community could also petition the Dominant to modify or even annul certain chapters from their own statutes. Thus, the approved statute of Buzet featured a chapter whereby it was decreed that the local commune was to remunerate the damages incurred by any of its citizens that resulted from attacks, thefts or raids committed by unidentifiable perpetrators.⁹¹⁶ Since there were many such thefts and damages being committed, especially by the neighboring subjects of House Habsburg, the Commune of Buzet could no longer afford to remunerate all the damages. Therefore, Buzet sent its envoys to Venice to formally ask the annulment of this specific chapter. The *Serenissima* did not immediately comply; instead, Doge Cristoforo Moro authorized the incumbent podestà of Koper, Andrea Bembo, to investigate the matter and consult the statute; if his honorable conscience deemed it right, Bembo was given the power to act in Dominion's name and annul the *capitulum* in question. Finally, on the 5th of February, 1471, the podestà of Koper officially rescinded chapter 50 of the statute of Buzet.⁹¹⁷

Notwithstanding these episodic “tamperings”, the statutes, once confirmed, were generally respected by Venice and they continued to serve as a source of law in the subject centers (more on this in the subsequent chapter). Moreover, it was actually Venice who would stand up in defense of the local statutes if the local population (that is, the elites) began blatantly ignoring their own codified laws. For example, on the 23rd of August, 1457, when the syndics for *Terraferma* and Istria were in Piran, they heard that the a chapter of the communal statute was being unashamedly ignored: the civic councilors had been selling and pledging communal goods without seeking the approval of two thirds of council members but only a half.⁹¹⁸ The syndics saw this disregard of the officially approved statute as a potential source of “great scandals and confusion” and thus decreed that henceforth this specific chapter must be respected to the letter under penalty of fifty pounds

⁹¹⁶ Zjačić, “Statut buzetske II,” 120–22. Discussed in Banić, “Pinguente,” 162–63.

⁹¹⁷ There are some discrepancies regarding the chronology of these events, but presupposing a scribal error settles the matter. Namely, Doge Moro's original ducal letter to Podestà Bembo, authorizing him to investigate the matter of chapter 50 and adjudicate in his name, is dated 24th of November, 3rd indiction, year 1459. This cannot be since Moro became doge only in 1462 and the 3rd indiction corresponds either to 1455 or 1470. Moreover, the fact that Bembo received the letter on 28th of December, 1470, corroborates the argument that the year 1459, written “MCCCCLVIII” is a scribal error and that “MCCCCLXX” was supposed to be written. Bembo's verdict is dated 5th of February, third indication, 1470. While indiction does point to 1470, the year can only be 1471; thus *more Veneto* dating was used and not *stilus circumcisionis* which was customarily used in Istria. Zjačić was the first to date this entire process to 1470 (“Statut buzetske općine,” *VhaRP* 8–9 (1963–1964): 74, 76–77) and I followed him in “Pinguente,” 162. I am hereby rectifying this error in chronology and begging forgiveness from my readers for my past sins.

⁹¹⁸ Book eight, chapter seven more precisely. Cf. Pahor and Šumrada, eds., *St. Piran*, 544.

of pennies.⁹¹⁹ Maxims such as “the statutes are to be observed” (orig. *statuta observentur*) that the Venetian authorities were known to emphasize in their decrees were thus not hollow gestures.⁹²⁰

Perhaps even more importantly, the communal statutes remained “a mark of collective identity” of the local community throughout the entire Venetian period.⁹²¹ The fact that numerous Istrian communes continued to use their largely unmodified Venice-approved fourteenth- or fifteenth-century statutes until the very end of the Venetian Republic in 1797 (and even for some decades afterwards) testifies to the tremendous importance the subjected centers accorded to their *statuta* and the seminal role they played in the perpetuation of local collective identities.⁹²²

The statute also anchored the community regionally and locally. Namely, the centrality of a minor center was mirrored primarily in the geographical reach of its statute, delineating “us” from the “Other” not governed by “our” laws.⁹²³ For example, the central functions of Treviso over the smaller communes of the Trevigiano primarily stem from the expansive territorial scope of the Trevisan statute, the source of law for the nearby Asolo, Noale, Castelfranco, Mestre, Oderzo, Motta and Portobuffolè.⁹²⁴ In Istria, all the subject centers governed by a Venetian rector, even Dvigrad who was led by a Capodistriian podestà and Plomin who shared a rector with Labin, had their own codified statutes, their *iura propria* that spanned beyond the walls of their urban core and encompassed their respective districts.

This judicial centrality was by far the most prominent means through which the (semi-)urban communes of Venetian Istria exercised power over their dependent territories (Ital. *contadi*). Existing primary sources shed no light on other types of control exerted by the centers over their dependencies. The sheet of incomes and expenditures of the Commune of Pula, drafted in the first half of the fifteenth century, shows that the urban center collected levies from the villages in its district, but the amount of money collected from the *contado* paled in comparison to the incomes generated within the city itself.⁹²⁵ Nevertheless, the urban center did preform central

⁹¹⁹ The entire decree is edited in Pahor and Šumrada, eds., *St. Piran*, 544–47.

⁹²⁰ E.g. Pahor and Šumrada, eds., *St. Piran*, 750. I will return to this case later in the chapter.

⁹²¹ Ortalli, “Il ruolo,” 211–12, 217; Lonza, ““Non vi è maggiore,”” 198 (quotation).

⁹²² E.g. Novigrad (Lonza, ““Non vi è maggiore,”” 198), Buzet (Banić, “Pinguente,” 177). The same was the case in other regions as well, e.g. Ortalli, “Il ruolo,” 220.

⁹²³ Varanini, “Statuti cittadini,” 346–54. An illustrative example of the statute being used to delineate “us” from the “Other” is offered in Lonza, “The Statute of Dubrovnik,” 24.

⁹²⁴ Cozzi, *Repubblica di Venezia e Stati italiani*, 275; Del Torre, *Il Trevigiano*, 58; Varanini, “Statuti cittadini,” 350–52.

⁹²⁵ Tomaso Luciani, “Entrate e spese del Comune di Pola (città e ville) nel secolo XV,” *La Provincia dell’Istria* 7, no. 23 (1873): 1370. Incomes generated from the city itself amounted to 7640 pounds of pennies whereas the contado

functions in matters of taxation, and it is safe to assume that the centrality of other Istrian podestarias was not much different in this regard.⁹²⁶ Moreover, Documents from later periods attest that the election of village mayors (Ven. *meriga*, Cro. *župan*) was under the surveillance of the respective urban center and required its confirmation (or merely that of the incumbent Venetian podestà), so perhaps this was the norm even in the *Quattrocento*.⁹²⁷ The forts in the districts of Istrian centers were also most probably under the control of the urban community who elected from among their members the officials in charge of the strongholds' management; this practice is confirmed only for Pula's control over Mutovran, but it seems logical to infer that Rovinj exercised the same kind of power over Turnina.⁹²⁸ Levji Grad in Koper, however, was under the direct control of Venice, another example of the Dominant keeping *Commune Iustinopolis* on tighter leash.⁹²⁹

The only two communes that drastically increased their centralities and powers they exercised in their districts in the period under examination were Koper and Piran. Koper's power over Oprtlaj, Buje, Buzet and Dvigrad has already been discussed in detail, but Piran also managed to increase its territory considerably following the aftermath of the Venetian takeover of the Patriarchate of Aquileia. Namely, Kaštel originally belonged to the patriarchs of Aquileia and it was a strategically valuable fort situated on the northern end of Buje's and the southern end of Piran's district, right along the border separating Aquileian and Venetian dominions in Istria; as such, its possession was often disputed by the two communities throughout the medieval centuries.⁹³⁰ Patriarch John of Moravia, perhaps in a bid to end the centuries-long quarrels, decided to enfeoff the fort to a Venetian Pietro Marcello, an investiture confirmed by Pope Boniface IX on

contributed 2145 pounds. The yearly expenditures were 6592 pounds, leaving the Commune of Pula with a positive balance of 3193 pounds of pennies of income.

⁹²⁶ For example, Banić, "Pinguente," 172–73, albeit for a much later period.

⁹²⁷ Tajana Ujčić, "*Iusta la loro antica consuetudine*: Biranje i uloga župana na području labinske i novogradske općine u razdoblju mletačke uprave" [*Iusta la loro antica consuetudine*: The election and the role of župani on the territories of the communes of Labin and Novigrad during the Venetian administration], in *1. Istarski povijesni biennale: Statuimus et ordinamus, quod...: Sustavi moći i mali ljudi na jadranskom prostoru* [1st Istrian history biennale: *Statuimus et ordinamus, quod...: The system of power and the little man in the Adriatic area*] (Poreč: Državni arhiv u Pazinu, 2005), 143–65, esp. 152–59; Banić, "Pinguente," 172–73.

⁹²⁸ The yearly salary that the Commune of Pula paid to its elected captain of Mutovran was 180 pounds of pennies in the first half of the 15th century. Luciani, "Entrate e spese," 1370.

⁹²⁹ E.g. "Senato Mare I," 236, 260, 262, 264–65 as well as numerous records in *RVA* (e.g. 15473, 15476, 15478 etc.).

⁹³⁰ Darja Mihelič, "Sporazumi o mejah srednjeveških mestnih teritorijev (Piran in njegovi sosedje)" [Border negotiations on medieval town districts (Piran and its neighbours)] *Histria* 1 (2011): 40–54.

the 11th of November, 1396.⁹³¹ Marcello's possession of Kaštel was disputed and both the Venetian Commune of Piran as well as the Aquileian Commune of Buje vied for control over this strategically valuable possession.⁹³² In 1404, the dispute was settled by a plenipotentiary committee that included the Venetian podestà of Koper and the Aquileian Margrave of Istria in Piran's favor, but Buje was not ready to yield.⁹³³ With the Venetian takeover of the Margraviate of Istria, the fort lost its original function, but it remained a valuable possession with its own district that both Buje and Piran wanted under its own communal *potestas*. As Venice decided to favor their old faithful subjects over the newly conquered Buje—the latter community protested the decision for decades, but eventually had to yield—Kaštel became a dependency of the *Commune Pirani*.⁹³⁴ The *capituli* of Kaštel, promulgated in 1477, demonstrate the nature of Piran's centrality and authority over this subject territory: all the produce of Kaštel may only be sold in Piran; all the standards tributes and tithes are paid the same as they are paid in Piran and the subjects are treated the same as the citizens of Piran; wine and oil must be bought exclusively in Piran; “zuppano over meriga” with a term of one year is elected by the local community, but the elected must present himself to Piran and receive “the sacrament to exercise his office according to his conscience”; the same rule applies to the locally elected jurors; the elected *meriga* must report any criminal activity in his community to the authorities of Piran who are alone authorized to administer justice in these matters; each deliberation voted in by the council of Kaštel, presided by the elected *meriga*, must be confirmed by the council of Piran; finally, any order that *meriga* intends to issue to his subjects must first be approved by the chancellor of the podestà of Piran and adorned by the official seal of Venice.⁹³⁵

Whether Piran's control over Kaštel is an *unicum* or not in the context of *Quattrocento* Venetian Istria cannot be ascertained due to the lack of primary sources of comparable nature to those of Kaštel's *capituli*. It seems reasonable to assume that other Istrian podestarias exercised similar control over their *contadi* and that the centrality of the urban commune was mostly articulated through the administration of justice, supervising the elections of local *zuppani*, and

⁹³¹ Pio Paschini, “L'Istria patriarcale durante il governo del patriarca Antonio Caetani (1395-1402),” *AMSI* 42 (1930): 90.

⁹³² Kandler, ed., *CDI*, 4: 1531–532, doc. 907 and 1535–536, doc. 909.

⁹³³ Luigi Morteani, “Notizie storiche della città di Pirano,” *AT*, ser. 2, 11 (1885): 233–34.

⁹³⁴ The entire dispute is outlined in Morteani, “Notizie storiche,” 233–37, 242–43.

⁹³⁵ The *capituli*, written in *volgare*, are edited *in extenso* in Pietro Kandler, “Delle Signorie istriane,” *L'Istria* 1, no. 22–23 (1846): 88–89.

levying taxes. These central functions were, however, mainly performed by the delegated Venetian podestà and not by the civic elites. Thus, based on the existing primary sources, the conclusion that emerges is that Venetian communes of Istria exercised a relatively modest control over their *contadi*, especially compared to their mainland counterparts such as Vicenza for example.⁹³⁶

Venice influenced this situation in two ways: by modifying the expanse of the districts and by directing significance overflows. The district of Pula being diminished with Vodnjan's "upgrade" to a commune subjected directly to Venice, Koper's territory being enlarged by the annexation of Dvigrad, and Piran's being similarly impacted by adding Kaštel to its *contado* exemplify the first modality. With the sole exception of Koper's control over Dvigrad, the significance overflows resulting from Piran's control over Kaštel and Koper's appellate jurisdiction over Buje, Oprtalj, and Buzet empowered mostly the central functions of the Venetian delegated rectors and not the local elites. Venetian Istria's jurisdictional landscape in the context of urban centers' control over their respective *contadi* was thus most similar to that of the Trevigiano, a region where major subject center such as Treviso did not exert more direct control over its dependencies and where the principal central functions—administration of justice—resided with the delegated podestà.⁹³⁷ Whether it was Venice that primarily contributed to this weak control of their subject centers' over their respective districts or whether it was the local elites who were just incompetent of seizing greater control and successfully managing their dependencies is difficult to ascertain. The fact that it was Venice that tried to drastically increase the centrality of both Treviso and Koper in the first half the fifteenth century—with both projects ultimately failing primarily due to the locals' unskilled governance—points to the conclusion that the *Serenissima* was not the principal factor behind this development.⁹³⁸

The Church, the City, the *Dominium*

One of the most potent welding agents fusing the members of a local community into a group were the civic festivities and rituals, public celebrations of the commune centered around

⁹³⁶ Grubb, *Firstborn of Venice*, 64–72.

⁹³⁷ Del Torre, *Il Trevigiano*, 27.

⁹³⁸ I am referring here to Buzet's lamentations against the Capodistrian rectors and Buje's plea to be subjected directly to Venice discussed in chapter 2. The Venetian failed project to increase Treviso's centrality by constituting vicariates governed by the civic elite of Treviso is discussed in Del Torre, *Il Trevigiano*, 27–33.

feting patron saints and opening market seasons.⁹³⁹ This synthesis of the divine and the secular—existing throughout medieval Latin Christendom and especially prominent in the particularly urbanized world of central and northern Italy—produced what its famously dubbed civic religion: “a conscious form of appropriating religious institutions, practices and values on the part of civic authorities, with the intention of giving the urban community a sacral status as well as legitimizing civic authority.”⁹⁴⁰ In Pula, for example, St. Mark and St. Thomas were publicly celebrated with solemn processions throughout the city while the feast day of St. John was commemorated with organized horse races whose victor would be rewarded by the commune.⁹⁴¹ Similar public rituals are found throughout Venetian Istria.⁹⁴² These festivities included the participation of the entire community, from the poorest to the wealthiest strata, and as such they were also seminal engines responsible for the welding of the categories of local identities into groups.

That Venice not only supported but admixed itself into the civic religion of their subject centers is evident from its handling of the 1401 plea presented by the Commune of Rovinj. Namely, during the War of Chioggia, the Genoese sacked Rovinj and, among other things, snatched the body of St. Euphemia, the town’s patron saint, although they did not manage to take it far. While the body of the saint was in Chioggia, Saraceno Dandolo led a counter-offensive, beating the Genoese and driving them out of the Venetian Lagoon; St. Euphemia’s body, however, was not returned to Rovinj but to Venice. Thus, as the dust from the vicious war finally settled, the *Rovignesi* officially asked the Dominant to return the body of their patron saint to their town as St. Euphemia “had been the head” of Rovinj “for over seven hundred years.” Much to the petitioners’ delight, the *Serenissima* was happy to oblige (although only by a margin of a single vote) and the

⁹³⁹ Edward Muir, *Ritual in Early Modern Europe*, New Approaches to European History (Cambridge: Cambridge University Press, 1997); Harvey Whitehouse and Jonathan A. Lanman, “The Ties That Bind Us: Ritual, Fusion, and Identification,” *Current Anthropology* 55, no. 6 (2014): 1–22; Gary Feinman, “Variation and Change in Archaic States: Ritual as a Mechanism of Sociopolitical Integration,” in *Ritual and Archaic States*, ed. Joanne M. A. Murphy (Gainesville: University Press of Florida, 2016), 1–22.

⁹⁴⁰ André Vauchez, “Patronage of Saints and Civic Religion in the Italy of Communes,” in *The Laity in the Middle Ages*, ed. Daniel E. Bornstein and Margery J. Schneider (Notre Dame, IN: University of Notre Dame Press, 1993), 153–68; Andrew Brown, “Civic Religion in Late Medieval Europe,” *Journal of Medieval History* 42, no. 3 (2016): 338–56; Guido Marnef and Anne-Laure Van Bruaene, “Civic Religion: Community, Identity and Religious Transformation,” in *City and Society in the Low Countries, 1100–1600*, ed. Bruno Blondé, Marc Boone, and Anne-Laure Van Bruaene (Cambridge: Cambridge University Press, 2018), 128–61, quotation on 128.

⁹⁴¹ Benussi, ed., *St. Pula*, 311, chap. 1, 339–40, chap. 36, 343, chap. 41; Benussi, *Pula*, 295, 317–18.

⁹⁴² E.g., Zjačić, ed., *St. Poreč*, 164, book 3, chap. 49.

snatched body made its way back to St. Euphemia's church in Rovinj where it rests up to present-day.⁹⁴³

Similar is the story the Commune of Koper and the body St. Nazarius's, also seized by the Genoese during the War of Chioggia, but this time transported all the way to Genoa and placed under the care of the city's archbishop. The negotiations for the restitution of the Capodistrian patron saint's body commenced in 1421, led by a Capodistrian trader (a Jacob di Languschi) and the bishop of Koper, Jeremy Pola (also a Capodistrian); in 1422, following the duo's diplomatic success, St. Nazarius first arrived to Venice and, following a solemn mass helmed by the bishop of Castello, Marco Lando, the saint was ceremoniously dispatched to Koper.⁹⁴⁴

The two episodes illuminate both the power and importance of civic religion as a collective identity-building engine as well as the resolve with which Venice supported the fusion of the sacred and the profane in their subject communities. The *Serenissima*, however, did not miss the opportunity to add its own symbolism into this potent identity-bestowing mixture. Namely, a new precious silver reliquary of St. Euphemia arrived in Rovinj together with the snatched body (or very soon thereafter), adorned with the symbols of the *Serenissima*—the winged lion of St. Mark—and the coat of arms of House Steno (as in Doge Michele Steno) and House Loredan (whose progeny was most probably serving as the incumbent podestà around that time).⁹⁴⁵ As Višnja Bralić correctly notes, while Venice did contribute to the perpetuation of the patron saints' cults in their subject communities, it simultaneously “inscribed [its] presence” on the local civic religion, constituting *Dominium Veneciarum* as its integral constituent.⁹⁴⁶ The fact that the entire story of St. Euphemia's journey from Venice to Rovinj following the heroic efforts during the War

⁹⁴³ ASV, SMi, reg. 45, fol. 76v. The episode is discussed in Višnja Bralić, “The Cult of Saint Euphemia, the Patron Saint of Rovinj, and the Venetian Politics of Co-Creating Local Identities in Istrian Communities in the 15th Century,” *Radovi Instituta za povijest umjetnosti* 43 (2019): 9–22, featuring a highly flowed edition of the referenced *pars* on 18. A better edition is provided in Banić, ed., *FIM*, 5: doc. 1401_EVR, https://fontesistrie.eu/1401_EVR.

⁹⁴⁴ The documents regarding these negotiations are published in Nicolò Manzuoli, *Vite et fatti de santi et beati dell'Istria con l'inventione de' loro corpi et come si rihebero le reliquie del Beato Nazario confalone et protettore nostro et di Santo Alessandro papa dalli Genovesi* (Venice: Giorgio Bizzardo, 1611), 7–17, although I doubt that they were originally written in *volgare*, as per Manzuoli's edition, and not in Latin. The episode is discussed in Bralić, “The Cult of Saint Euphemia,” 11–12.

⁹⁴⁵ Bralić, “The Cult of Saint Euphemia,” 15–17, including the images of the reliquary. The ruling podestà of Rovinj at the time when the body of St. Euphemia reached the town was Giustinian Giustiniani. Mate Križman and Josip Barbarić, *Translatio corporis beate Eufemie: Kritičko izdanje* [Translatio corporis beate Eufemie: Critical edition] (Pula: Zavičajna naklada “Žakan Juri”, 2000), 190.

⁹⁴⁶ Bralić, “The Cult of Saint Euphemia,” 17.

of Chioggia was recorded in the fourteenth-century manuscript and read during mass on the feast day of the town's patron saint for centuries to come, further corroborates this point.⁹⁴⁷

In addition to these inscriptions on the civic religion of local subject communities, Venice also began interfering more directly in the appointments of Church officials, "electing" its own candidates to fill the chairs of more prestigious bishoprics of their dominion and then petitioning the pope to appoint these individuals—this was the system of *probae*.⁹⁴⁸ It is precisely through this system that the Venetian patricians managed to effectively monopolize all the important ecclesiastical functions in their dominion, including the lucrative benefices that were snatched away from the locals, a move that greatly angered some Venetian subjects.⁹⁴⁹

In Istria, however, where the bishoprics were not as rich and tempting for the Venetian noblemen, the election was customarily left to the local community that would inform Venice of its choice and the Dominant would then simply make sure that the pope would "heed." For example, on the 28th of April, 1411, the Senate decided to intercede with the pope in favor of Bartholomew de Recovrati who was elected as the new bishop of Koper by the Capodistrian cathedral chapter.⁹⁵⁰ Similarly, the communes of Piran, Umag, and Novigrad asked Venice to support their candidate for the See of Novigrad, a friar Peter of Piran, and the Venetian Senate was happy to accede and intercede with the pope on their behalf.⁹⁵¹ The same was the case with Pula: the representatives of the commune asked Venice to support their candidate, the Venetian Vettore Trevisan, as the new *episcopus Polensis* and the senators gladly acceded.⁹⁵² Moreover, even in smaller communities that were not the seats of bishoprics, such as Buzet for example, Venice conferred privileges on the local commune, allowing the citizens to elect their own parish priests in their own communal councils.⁹⁵³ This was also a way to combat the influence of the bishops of

⁹⁴⁷ Križman and Barbarić, eds., *Translatio corporis*, 186–90 ("Translatio corporis alme martiris virginis Euphemie ab inclita urbe Veneta Rubinum et in propria archa depositi").

⁹⁴⁸ Cozzi, "Politica, società, istituzioni," 233; Giuseppe Del Torre, "Stato regionale e benefici ecclesiastici: Vescovadi e canonici nella terraferma veneziana all'inizio dell'età moderna," *Atti dell'Istituto Veneto di Scienze, Lettere ed Arti* 151 (1993 1992): 1171–236, esp. 1179–191.

⁹⁴⁹ Ventura, "Il dominio," 179–80 for the example of Padua, although his statement that "[n]on c'è vescovado, non c'è monastero o abazia di cui non s'impadroniscano i nobili della Dominante" is an exaggeration.

⁹⁵⁰ "Senato misti IV," 312.

⁹⁵¹ "Senato misti, V," 17.

⁹⁵² "Senato Mare I," 246.

⁹⁵³ Cf. the words of the priest George Pengar of Buzet recorded in 1558: "piovano per il passato era deputato dal reverendissimo vescovo di Trieste per via de collation, ma da certo tempo in quà, come ho inteso, el consiglio della terra eleze." Lorenzo Tacchella and Mary Madeline Tacchella, *Il cardinale Agostino Valier e la riforma tridentina nella diocesi di Trieste* (Udine: Arti grafiche friulane, 1974), 113–14, 184 (quotation); Banić, "Pinguente," 166–67.

Trieste, a city under the Archdukes of Austria, whose spiritual jurisdictions extended over a large part of the Istrian peninsula, including Buzet. Nonetheless, it can be argued, however timidly, that the growing Venetian control over the Church officials functioning within the confines of *Dominium Veneciarum* had an overall positive effect on the prerogatives of the subjected Istrian communes. Unfortunately, the lack of contemporary primary sources does not allow for a more thorough analysis of the relations between the local Istrian bishops or local chapters and Venice during the period in question.

Marcolini vs. Arciducali: Banderial Collective Identities

The above-described relations between the capital and the subjected centers were in many aspects textbook examples of empowering interactions as noted in the previous chapters, however they were not only bolstering state-building processes but identity perpetuation as well. In addition to reinforcing local, and in cases where peer-to-peer interactions were highlighted, even regional identities, another type of identification was promoted, one which could be dubbed “banderial”: that of being a subject of the Republic of St. Mark and living/fighting under its banner (Ital. *bandiera*).

This banderial identity—it would be horribly wrong to term it “national”—was promoted and perpetuated primarily in two ways. First, any sort of neighborly quarrel—including armed skirmishes such as those outlined by Bertoša and Kurelić in great numbers—between the subjects of Venice on the one side and the subjects of House Habsburg on the other would propel this level of banderial collective identification upwards on the identity hierarchy scale.⁹⁵⁴ The “Other” was constructed simply on the basis that it did not answer to Venice. These were the local, one might even dub them regional structures stemming from the Peninsula’s jurisdictional bipartition, that functioned as fertile ecological niches for the perpetuation of banderial identities.⁹⁵⁵ However, there were also the Venetian-sponsored structures and processes that were consciously aimed at boosting the potency, and by consequence, groupness, of this particular level of collective identification.

For example, when Labin negotiated its pacts of subjections with the *Serenissima*, the last article was added by the Venetian senators: “and in addition, it is decreed that the emblem of the

⁹⁵⁴ Bertoša, *Istra: Doba Venecije*, 456–528; Kurelic, *Daily Life*, 144–95. See also, Ivetic, *L'Istria moderna*, 133.

⁹⁵⁵ Bertoša, “U znaku plurala,” 21.

Blessed Mark the Evangelist must be erected in the usual spot in Labin.”⁹⁵⁶ Provisions such as this one are a standard feature of the Venetian “welcoming package.”⁹⁵⁷ Indeed, throughout the Venetian expansive dominion the symbols that connected each and every subject center directly to the Dominant were precisely the emblems of St. Mark and his winged lion fluttering on the flags or carved into stone overlooking the seminal urban spaces of political life—the town squares, the rectors’ palaces, the public loggias.⁹⁵⁸ This topic is particularly well covered in scholarship and Istria is in this case, fortunately, no exception.⁹⁵⁹ Therefore, an exhaustive list of all the spaces where a winged lion of St. Mark stood across Venetian Istria is utterly unnecessary. However, it must be noted that these were not just symbols of power and subjection; they were the emblems welding the population across northern Italy, the Adriatic, the Eastern Mediterranean into a group identifying with Venice, as the subjects living under its shade and protection. The commissioning of these symbols was every bit a state-building process as the promulgation and/or confirmation of local statutes: the winged lions and the phrases *Pax tibi Marce Evangelista meus* were polyvalent instruments simultaneously reinforcing the authority of the *Dominium Veneciarum*, transforming the public space into places of “honorable and just” governance—according to Venetian self-promotion at least—and perpetuating the banderial collective identification among the subjects.⁹⁶⁰ These planned processes of boosting banderial identification, however, were not always successful.

On the 24th of June, 1459, the community of Buzet was celebrating the fest day of St. John.⁹⁶¹ This was a solemn occasion rooted in a century-long tradition and accompanied by a town fair organized beneath the walls. Namely, it was Patriarch Bertrand of Saint-Geniès who issued a

⁹⁵⁶ “Et insuper ordinatum, quod erigere et levare debeant in Albona, in locis consuetis insigniam beati Marci Evangeliste.” “Senato secreti I,” 282.

⁹⁵⁷ The example of Cividale is paradigmatic: “Dopo la firma degli accordi di pace, uno dei modi per ufficializzare la sottomissione a Venezia era apporre le insegne della Serenissima nelle sedi civiche, affiancandole a quelle comunali. Cividale attese la seconda metà del 1422, quando il camerario registrò le spese per ‘far far l’armadura in plaza, per depenzer San Marco,’ commissionata a maestro Antonio pittore per quattro ducati.” Elisabetta Scarton, “Il Medioevo: L’età dell’oro di Cividale,” in *Tabulae pictae: Pettenelle e cantinelle a Cividale fra Medioevo e Rinascimento*, ed. Maurizio d’Arcano Grattoni (Milan: Silvana, 2013), 22.

⁹⁵⁸ Maria Georgopoulou, *Venice’s Mediterranean Colonies: Architecture and Urbanism* (Cambridge: Cambridge University Press, 2001); Irena Benyovsky Latin, “The Venetian Impact on Urban Change in Dalmatian Towns in the First Half of the Fifteenth Century,” *Acta Histriae* 22, no. 3 (2014): 573–616, esp. 578–79.

⁹⁵⁹ Alberto Rizzi, *Il leone di San Marco in Istria* (Padua: Signum, 1998).

⁹⁶⁰ On spaces transforming into places catalyzed by community life, see Muir, “The Idea of Community,” 9–12. I will return to Venetian self-promotion regarding justice administration in chapter 4.

⁹⁶¹ The narrative reconstruction of this event is based on a court case registered in DAR, Buzet, Atti del podestà 1/1, fol. 143r and DAR, Buzet, Atti del podestà 1/2, fol. 7v.

privilege to the Commune of Buzet in 1336, officially establishing the three-day fair under the protection of the Aquileian Church and the delegated Istrian margrave centered around the feast day of St. John.⁹⁶² When Buzet entered the Venetian dominion, one of the first things that was explicitly confirmed was the old fair privilege issued by Patriarch Bertrand.⁹⁶³ It can thus safely be concluded that the ritual celebration of St. John's feast day was a particularly important event for the entire community, a welding agent *par excellence* investing the category of local identification with groupness. Although Venice confirmed the old privilege, it also overlaid its own symbols of dominion on top of the civic ones—and obviously replacing the old one's representing the Patriarchate of Aquileia. Thus, it was the banner of St. Mark that was to be solemnly carried during the procession taking place on the feast day. However, on this particular year of 1459, the Venetian podestà Simon Ferro called a Gaspar the shoemaker to leave the great gates and accompany the procession carrying the flag.⁹⁶⁴ Gaspar, however, had no intention of carrying the Venetian flag. Podestà Ferro repeated the command, threatening to punish the shoemaker with a fine of five pounds of pennies for refusing to heed the rector's direct order. In spite of these warnings, Gaspar refused to carry the flag and simply ran away from the podestà.⁹⁶⁵ For his civil disobedience the shoemaker was punished by the very Simon Ferro with three pounds of pennies.⁹⁶⁶

The case of Gaspar's refusal to associate himself with the Venetian banner illuminates another important aspect of collective identification: their potential rejection by the population onto which they are projected. In Gaspar's case, one could suppose that the still vivid memories of war against Venice and the violent, multi-year siege of Buzet fed his anti-Venetian disposition. In that way he was certainly not the only *cives Pinguenti* harboring such feelings towards the

⁹⁶² Josip Banić, “*Pro honore, utilitate et commodo: The Margraviate of Istria and the Market Privileges of the Aquileian Patriarch Bertrand de Saint-Geniès (1334-1350)*,” in *8. istarski povijesni biennale: Artisan et mercatores: O obrtnicima i trgovcima na jadranskom prostoru* [8th Istrian history biennale: *Artisan et mercatores: Artisans and merchants in the Adriatic area*], ed. Marija Mogorović Crljenko and Elena Uljančić (Poreč: Zavičajni muzej Poreštine - Museo del territorio parentino, 2019), 81–99.

⁹⁶³ Zadarka Greblo, “Izvori za povijest Istre u gradivu Rašporskog kapetanata” [Sources for Istrian history in the archives of the Captainate of Rašpor], *Buzetski zbornik* 30 (2004): 188–89; Banić, “*Pro honore, utilitate*,” 90.

⁹⁶⁴ “Dum die 24 mensis iunii in festo Sancti Iohannis prefatus Simeon Ferro potestas Pinguenti fuisset ad portam magnam, precepit dicto Gasparo, qui erat presens in porta: ‘Gasparo torna in drio et va acompagnar la bandiera suxo la festa.’” DAR, Buzet, Atti del podestà 1/2, fol. 7v.

⁹⁶⁵ “Qui dominus potestas videns voluntatem dicti Gaspari nolle obedire, imposuit penam librarum quinque parvorum ut iret ad sociandum dictam banderam in dicto festo, qui minime nolluit obedire, sed potius fugam aripuit.” DAR, Buzet, Atti del podestà 1/2, fol. 7v.

⁹⁶⁶ “Ideo nos potestas sedentes ut supra vollentes pocius peccare in misericordia quam in crudelitate Gasparum prenomatum pro dicta inobedientia in libris tribus parvorum solvendis nostro Communi Veneciarum in hiis scriptis sententialiter condemnamus.” DAR, Buzet, Atti del podestà 1/2, fol. 7v.

Serenissima. However, it would also be naive to suppose that it was only in the Commune of Buzet that there were citizens who resolutely refused to identify themselves with the Republic of St. Mark. The symbols of the winged lion of St. Mark were clearly projecting banderial identity onto their subjects, but how that level of identification was received by the locals, to what degree, and how it ranked on the identity hierarchy scale cannot be more precisely ascertained.

Venice certainly helped promote this layer of identification with the banner of St. Mark in numerous ways. It was already stated that it was Venice who subsidized the salaries of Koper's schoolmasters; it was on the protection of the *Serenissima* that the Istrian communities could count upon during the hour of need when the enemy armies were within sight; and it was the Republic of St. Mark that took care that all their subjects are always provided with the necessary victuals.⁹⁶⁷ In this last case it must be noted that it was Venice that set up the granaries in many Istrian communities such as Muggia and Buzet, for example.⁹⁶⁸

However, there were definitely actions taken by Venice that discouraged the adoption and performance of this specific collective identification. For example, on the 28th of December, 1430, it was Doge Foscari himself who proposed that the ship *Dolfina*, returning from the Black Sea and carrying passengers infected by the plague, be docked in Istria and not in Venice in order to prevent the outbreak of a pandemic in the capital.⁹⁶⁹

Therefore, while it is certain that the activation of this level of collective identification was embedded in relations with the neighboring subjects of House Habsburg, the overall saliency of banderial collective identity in quotidian settings does not seem to have been particularly potent, especially in relation to the much more dominant level of civic identification. This conclusion is

⁹⁶⁷ On this victualling system, see Ivetic, *Oltremare*, 104–25 (albeit for a much later period). For the Dogado: Orlando, *Altre Venezie*, 190–203 which, in broad strokes, should not differ much from the situation in late medieval Istria.

⁹⁶⁸ For Muggia: Colombo, *Storia di Muggia*, 179–81. For Buzet: Đurđica Cvitanović, “Renesansna jezgra Buzeta” [The renaissance core of Buzet] *Buzetski zbornik* 7–8 (1984): 207.

⁹⁶⁹ “Die XXVIII decembris. <Dominus> Capta. Cum expectetur de die in diem navis Delphina, que venit de partibus Tane, super qua morbus pestiferus vehementer saevit, et pro evitandis periculis huic nostre civitati sit necessarium providere, vadit pars, quod scribatur et mandetur efficaciter patrono ipsius navis quod nullo modo venire audeat Venetias cum ipsa navi, sed remanere debeat in partibus Istrie ubi ipsa navi ad libitum mercatorum quorum sunt mercationes que in illa sunt, exonerari facere possint ipsas mercationes, et eas conduci facere Venetias cum maranis ad libitum suum, et ex nunc captum sit quod aliquis ex his qui fuerunt et sunt super ipsa navi non possint venire Venetias usque duos menses postquam applicuerint in Istria sub pena patrono et cuilibet marinaro vel alii standi mensibus sex in carceribus et solvendi libras quingentas, et si aliqua ex sclavabis conduceretur Venetias sit perditā, que sit illorum officialium qui eam reperient, et committatur officialibus de nocte et aliis officialibus contrabannorum quod habeant et haberi faciant diligentem custodiam acque curam ne per aliquem quoquo modo contrafrat intentioni nostre predictae, et hoc scribatur omnibus rectoribus Istrie, ut omnia suprascripta publicari faciant super dicta navi. De parte omnes alii, de non 4, non sinceri 2.” ASV, SMi, reg. 58, fol. 25r. Curiously, this specific *pars* is not indexed in “Senato misti V.” It is discussed in Romano, *The Likeness of Venice*, 98.

supported by the words noted by the scribe of Bishop Agostino Valier, the papal visitor to Dalmatia and Istria in 1580, as he recorded the interrogations of several individuals from Venetian Istria: “Asked what his name, surname and homeland are, he responded: ‘I am priest George Pengar of Buzet.’”⁹⁷⁰

Chapter III.3

(Dis)Embedded Identities: Social Outcasts and Civic Elites

Identification based on civic status and local origins was indeed the most dominant level of collective identities in premodern Europe and Venetian Istria was no exception, but this level of belonging was in turn composed of a multitude of subordinated layers based on one’s position and role within that very community.⁹⁷¹ Thus, identity markers rooted in one’s trade (blacksmith, cobbler, fisherman, et cetera), family (the son of Dominic, the daughter of Julian the trader, et cetera), or even unique physical attribute (One-eyed Paul for example) are a natural byproduct of local identification.⁹⁷² Medieval communities were not and did not strive to be egalitarian societies in the twentieth- and twenty-first century meaning of the term; instead, they were rooted in the acceptance of “subjection as part of a natural, ordained, and legitimate pattern of hierarchy in which superiors and inferiors each fulfil their functions.”⁹⁷³ Naturally, this fulfilment of one’s function was always open for (re)negotiation and (re)evaluation within the community; as a result of this social dynamic, all such communities were inherently charged with a considerable potential for conflict. However, this conflict was not necessarily a destabilizing factor, detrimental towards groupness based on local identification. Much to the contrary, “conflict was intrinsic to such [interpersonal] relations, and the precepts and practices of community were invariably crystalized

⁹⁷⁰ “Die X^{ma} februarii 1580, Iustinopoli. Constitutus coram reverendo domino auditore reverendi domini Augustini Valerii epicopi Veronensi et provinciis Dalmatiae et Istriae apostolici visitatoris quidam ex aspectu aetatis annorum 61 cum barba alba, veste sotana et tondino monitus, iuratus et interrogatus de nomine, cognomine et patria, respondit: ‘Mi chiamo prete Georgio Pengar de Pinguenta.’” Tacchella and Tacchella, *Il cardinale Agostino Valier*, 220. Identical questions were asked to several other individuals and all answered that their *patria* is Buzet. Tacchella and Tacchella, *Il cardinale Agostino Valier*, 218–21.

⁹⁷¹ Muir, “The Idea of Community,” 13–14.

⁹⁷² The *Paulus cum uno oculo* was indeed a historical person living in Buzet in the late fifteenth, early sixteenth century. Zjačić, “Notarska knjiga,” 476–77; Banić, “Elitni slojevi,” 55–56.

⁹⁷³ Reynolds, “Communities and Legitimacy,” chap. 8, <https://books.openedition.org/psorbonne/6613?lang=en> [last access: 23rd of March, 2021].

through attempts to resolve and contain it.”⁹⁷⁴ Not everyone was granted the same leeway to negotiate their place in the community; in order for the community to exist in the first place, it was necessary for it to bound itself towards the “Other” not only in geographical dimensions—those outside the city walls—but in ethical too—towards the marginalized.

Marginalized Women and Men: Two Examples

In a classic piece of scholarship on the topic, Bronislaw Geremek correctly noted that “the marginal man does not appear *explicite* in the documents of the medieval social consciousness,” but that he is nonetheless “present in the life of medieval societies as the result of group negation of the dominant order, the accepted norms of cohabitation, and the rules and the laws in force.”⁹⁷⁵ Usually counted within this highly heterogenous company of outcasts are the likes of lepers, vagabonds, bandits, various religious and sexual minorities (Jews, homosexuals), and those practicing professions deemed dishonorable or outright harmful to the society (e.g. executioners for the former, pimps for the latter).⁹⁷⁶ Regarding late medieval Venetian Istria, the surviving primary sources illuminate the world of the marginalized social strata only very dimly. Nonetheless, two groups can be singled out and analyzed in the context of late medieval societies: prostitutes and Jews.

Meretrices Parentii

Beginning with the “oldest profession in the world,” in late medieval Venice—from 1358 to be more precise—prostitution was a legalized activity supervised by the central government; sex workers, even though theoretically confined to offer their services in a demarcated “brothel area” of the city—the *Castelletto*—, were nonetheless legitimate and lawful members of the

⁹⁷⁴ Phil Withington and Alexandra Shepard, “Introduction: Communities in Early Modern England,” in *Communities in Early Modern England: Networks, Place, Rhetoric*, ed. Phil Withington and Alexandra Shepard (Manchester: Manchester University Press, 2000), 6.

⁹⁷⁵ Bronislaw Geremek, “The Marginal Man,” in *Medieval Callings*, ed. Jacques le Goff, trans. Lydia G. Cochrane (Chicago: University of Chicago Press, 1987), 347.

⁹⁷⁶ This is a very crude classification, but since the analyzed primary sources do not allow for a more nuanced view of this “invisible” social strata. A methodologically much better classification, but not of much use in the context of this study simply due to the quantity and the quality of the primary sources, is featured in Damir Karbić, “Marginalne grupe u hrvatskim srednjovjekovnim društvima od druge polovine XIII. do početka XVI. stoljeća” [Marginal groups in Croatian medieval societies from the second half of the thirteenth to the beginning of the sixteenth century], *Historijski zbornik* 44, no. 1 (1991): 43–76.

society.⁹⁷⁷ Notwithstanding this tolerance of *meretrices*, they should still be viewed as marginalized social strata: their freedom of movement was limited and there were even attempts to impose on them the mandatory wearing of yellow scarves to distinguish them from the rest, the non-marginalized.⁹⁷⁸ In fifteenth-century Venetian Istria, the primary sources attest that prostitution was an accepted fact of social life, at least in Poreč. For example, a Nicholas the Ruffian and Iuricus (for *Jurica*?) of Pula got into a fight in a tavern over the hiring of a prostitute; in his accusation of Nicholas, *Jurica* did not hide the fact that he wanted to hire a prostitute in the tavern of Raticus (*Ratko*?) the innkeeper; the podestà merely punished Nicholas with a symbolic fine of one and a half pounds of pennies, but the fact that a prostitute could be contracted in a public tavern inside the walls of Poreč left him completely unfazed.⁹⁷⁹ Moreover, prostitutes even enjoyed the full protection of the law as the following case clearly demonstrates. On the 15th of November, 1445, in the public loggia of Poreč, John de Victore, the chancellor of the podestà, read aloud the following sentence promulgated by the incumbent Venetian rector: Stephan the stepson of Iuri Subac—who was accused by Catharine of Šibenik the prostitute for having attacked her as she left the tavern of Ratko the innkeeper, violently rushing into her, throwing her on the ground, and snatching her braided kerchief as he ran away “like an assassin,”—was punished with twenty-five pounds of pennies and fifteen days of imprisonment “so that his punishment would serve to all the others as an example.”⁹⁸⁰ As will be demonstrated in the fourth chapter, this is a particularly high fine, reserved only for extremely serious crimes. Whether or not this stealing of a *facolum* is

⁹⁷⁷ Paula C. Clarke, “The Business of Prostitution in Early Renaissance Venice,” *Renaissance Quarterly* 68, no. 2 (2015): 421. For a great comparative example, see Gordan Ravančić, “Prostitution in Late Medieval Dubrovnik: Legislation, Practice and Prosecution,” in *Same Bodies, Different Women: ‘Other’ Women in the Middle Ages and the Early Modern Period*, ed. Christopher Mielke and Andrea-Bianka Znorovszky (Budapest: Trivent, 2019), 97–114.

⁹⁷⁸ Clarke, “The Business of Prostitution,” 426–27.

⁹⁷⁹ Here is the entire case: “Die XVIII mai. Iuricus del Polla con querela accusat Nicolaum Rufianum, eo quod heri sero in hospitio Ratici hospitis, dum vellet habere secum meretricam unam, idem Nicolaus nullo habito respectu ivit super eum et cum pugno sibi admenavit in personam. Nicolaus constitutus ad faciendum suam defensionem negat. Georgius de Modrusa testis assumptus examinatus sacramento dixit ut in accusa continetur. Matheus de Modrusa testis productus dixit: verum esse quod sibi de pugno admenavit quia volebat habere unam meretricem secum nocte illa. Iuan de Metlica testis citatus et examinatus sacramento dixit ut in accusa continetur. <Condemnatus in solidis XXX^{li} et solvit Bartolameo ser Preti camerarii.> DAP, Poreč, Atti del podestà, fol. 256r.

⁹⁸⁰ Here is the entire sentence: “Stefanum filiastrum Iurii Subac accusatum per Catarinam de Sibinico meretricem, quod dum ipsa exiret de hospitio de Ratici hospitis et veniret in stratam publicam, hora IIII^o noctis de mense octobris elapsi, dictus Stefanus essendo in strata violenter iruit in dictam Catarinam et eam decapilavit et stravivit in terram, et ei accepit facolum cum cordelis quem habebat in capite, et vias asportavit et aufugit more sicarii, ut de predictis nobis constat per testem examinatum et proclamato ut veniret ad faciendum suam defensionem in contumacia perseveravit, que facit reum, et ne de predicto possit gloriari, sed ipsius pena aliis sit utile exemplum, dictum Stefanum in libris viginti quinque parvorum et ad standum XV diebus in carceribus in his scriptis sententialiter condemnamus.” DAP, Poreč, Atti del podestà, fol. 299r.

but a euphemism for attempted rape cannot be ascertained, but the fact that the delegated podestà processed the case like any other and extended the full protection of the law to a publicly acknowledged prostitute shows that prostitution was very much a tolerated profession in late medieval Poreč, an integral thread of everyday life fabric.⁹⁸¹ Whether or not women like Catharine of Šibenik were confined to dwell only around Ratko's tavern cannot be ascertained, but the fact that both cases involving prostitutes are centered around this particular establishment leads one to believe that this might be the case. Be that as it may, the conclusion that may be drawn from these examples is that prostitutes were tolerated, if marginalized members of the community, and the delegated rectors from Venice supported their position as lawful members of the society under the protection of the all-inclusive Venetian justice administration.

Hebrei Istrie

The second group of marginalized men and women identifiable in the primary sources are the Jews. The economic, social, and legal position of *Hebrei* in Venice is a particularly well researched topic: the presence and economic activities of this religious minority were tolerated even though a number of laws were passed throughout the Late Middle Ages that led to their growing marginalization.⁹⁸² One of the most important of these marginalization measures was certainly the decree of 1423 forbidding the Jews from owning real estate in any land of the *Dominium Veneciarum*.⁹⁸³ In Venetian subject centers, however, the situation was more variegated and heterogenous. Even though the status of Jewish communities varied from locale to locale, Reinhold C. Mueller noted that there was a common factor grouping the *Terraferma* dominions on the one side and the maritime communities on the other regarding the treatment of the Jews:

⁹⁸¹ Similar was the case in Dubrovnik, although in that city, much larger and more populous than Poreč, there was a *Castelletto*. Ravančić, "Prostitution," 102, 104.

⁹⁸² Cecil Roth, *History of the Jews in Venice* (New York: Schocken Books, 1975); Benjamin Ravid, "The Legal Status of the Jews in Venice to 1509," *Proceedings of the American Academy for Jewish Research* 54 (1987): 169–202; Benjamin Ravid, "The Venetian Government and the Jews," in *The Jews of Early Modern Venice*, ed. Robert C. Davis and Benjamin Ravid (Baltimore, MD: Johns Hopkins University Press, 2001), 3–30; Benjamin Ravid, "Venice and Its Minorities," in *A Companion to Venetian History, 1400–1797*, ed. Eric R. Dursteler (Leiden - Boston: Brill, 2013), 471–82. For the status of the Jews in Venetian dominions, the main reference is Reinhold C. Mueller, "The Status and Economic Activity of Jews in the Venetian Dominions during the Fifteenth Century," in *Wirtschaftsgeschichte der mittelalterlichen Juden: Fragen und Einschätzungen*, ed. Michael Toch, Schriften des Historischen Kollegs 71 (Munich: Oldenbourg, 2008), 63–92. For the Venetian Romania, Benjamin Arbel, "Introduction: Minorities in Colonial Settings: The Jews in Venice's Hellenic Territories (15th-18th Centuries)," *Mediterranean Historical Review* 27, no. 2 (2012): 117–28.

⁹⁸³ Ljubić, ed., *Listine* 8: 253; Mueller, "The Status," 71.

the promulgation of the charters or *condotte* sanctioning Jewish presence and their operations within the communities.⁹⁸⁴ Namely, Jewish presence in Venetian Mediterranean communities was much stronger and invested with greater continuity and integration into the quotidian ambient; as such, there was generally no need to formally sanction their presence and actions by way of formal deals approved by the central government in Venice. In *Regnum Italicum*, however, the situation was much different. Communes such as Brescia, Padua, even Treviso wanted to clearly delineate the Jewish sphere of action, making sure that their moneylending operations were legally—and temporally—defined for and that their stay in the community was clearly delineated, making sure that they are “othered” from the rest of the Catholic population.⁹⁸⁵ These charters sanctioning Jewish presence and banking were negotiated between the head of the Jewish family moving his business into the city and the local community; following the conclusion of the deal, the charter was sent to Venice for ratification.⁹⁸⁶ Venice’s Istrian communities were in this aspect closer to the *Terraferma* than to the Mediterranean practice and the oldest surviving deal concluded between an Istrian community and a Jewish banker was the one signed in 1391 between the Commune of Koper and David the usurer of Weimar (*fenerator*).⁹⁸⁷ According to this *condotta*, all the Jews living in Koper were absolved from the compulsory wearing of an “O” sign on their chest—which was a standard practice in Venice—or any other such symbol that would clearly separate them from the other citizens; the usurer enjoyed the protection of the law and he could turn to the incumbent rector in cases of unsettled debts; finally, David could also assign deputies who would manage his bank while he would be away on business. The negotiated deal was particularly favorable towards the Jews: it was not temporally delimited to a certain number of years, but valid for David’s lifetime, it did not limit in any way the charged interest rates, and it even abolished the discriminatory rule of obligatory separation by way of special vestments. This deal was ratified by Venice in 1409 and in 1425, privileging David’s families as Koper’s principal usurers.⁹⁸⁸ The same deal was struck with this family in 1427, now represented by David’s sons Mandulin and Mark.⁹⁸⁹

⁹⁸⁴ Mueller, “The Status,” 76.

⁹⁸⁵ David Jacoby, “Venice and the Venetian Jews in the Eastern Mediterranean,” in *Gli Ebrei e Venezia: Secoli XIV-XVIII*, ed. Gaetano Cozzi (Milan: Comunità, 1987), 29–58; Mueller, “The Status,” 67, 76.

⁹⁸⁶ Mueller, “The Status,” 67.

⁹⁸⁷ The charter is edited *in extenso* in Francesco Majer, “Gli ebrei feneratori a Capodistria,” *Pagine Istriane* 9 (1911): 237–38 (hereafter “Gli ebrei I”).

⁹⁸⁸ “Senato misti V,” 27; Majer, “Gli ebrei I,” 239.

⁹⁸⁹ The deal is edited *in extenso* in Majer, “Gli ebrei I,” 240–41.

In the meantime, the new statute of Koper was officially promulgated and the position of Jewish moneylenders was formally regulated in the 76th article of the second book titled “On the deals and conventions with usurers.”⁹⁹⁰ This particular article, dubbed the “*magna carta libertatum* for the Jews” by Lujo Margetić, solemnly sanctioned a uniquely favorable position of the Jews in relation to the rest of the *Dominium Veneciarum*.⁹⁹¹ Not only were the Jews allowed to freely enter and settle in the city, but they were also completely absolved from the requirement to wear the “O” sign on their chests and they were promised to be treated the same as “other citizens and residents of Koper.”⁹⁹² Moreover, they were exempted from all the standard taxes—this was a standard practice as Jews were taxed directly by the central government in Venice—, assured that they will be allowed to live according to all their laws, customs, and traditions, and promised the protection of the delegated podestà who was also to make sure that “no inquisitor or ecclesiastical person molest them in any way,” a clear reference to contemporary antisemitic preachers such as Bernardino da Siena.⁹⁹³ The Commune of Koper did, however, restrict the interest rates the Jews could charge their citizens: on loans made on pawns they were set at a maximum of two and a half pennies per pound, that is twelve and a half percent; on loans made on chirographs (written notes), they were set at a maximum of fifteen percent, that is three pennies per pound; to foreigners, however, they could charge as much as they wanted in both cases.⁹⁹⁴ Indeed, the liberties accorded to the Jews were particularly generous in the context of the age and the Venetian state.⁹⁹⁵ How

⁹⁹⁰ Margetić, ed., *St. Koper*, 92–94, book 2, chap. 76: “*De pactis et conventionibus usurariorum*.”

⁹⁹¹ “Solo agli Ebrei e ad altri stranieri era permesso concedere mutui feneratizi. Il rispettivo capitolo (1. II, cap. 76) è una vera ‘*magna carta libertatum*’ per gli Ebrei e meriterebbe un’ampia monografia. Si vede che Capodistria era molto interessata agli affari degli Ebrei e cercava di proteggerli dalle persecuzioni.” Margetić, ed., *St. Koper*, LXXII.

⁹⁹² “Item absolvimus quod non teneantur portare signaculum de O neque aliquod aliud signum. [...] Item quod debeant tractari et reputari sicut tractantur et reputentur et tenentur alii cives et habitatores Iustinopolis.” Margetić, ed., *St. Koper*, 93–94.

⁹⁹³ “Et quod dominus potestas qui pro tempore erit, non permittat eos molestare a domino inquisitore nec ab ecclesiastica persona aliquo modo, aliqua forma, causa vel ingenio et quod possint facere et celebrare eorum festa cum aliis venturis de aliis partibus secundum eorum legem et consuetudinem de licencia tamen domini potestatis qui pro tempore erit.” Margetić, ed., *St. Koper*, 92–94; Mueller, “The Status,” 83. On Bernardino’s antisemitic preaching, see e.g. Nirit Ben-Aryeh Debby, “Jews and Judaism in the Rhetoric of Popular Preachers: The Florentine Sermons of Giovanni Dominici (1356-1419) and Bernardino Da Siena (1380-1444),” *Jewish History* 14, no. 2 (2000): 175–200.

⁹⁹⁴ “Primo quod debeant mutuare ad banchum publicum civibus et habitatoribus Iustinopolis et districtus super bonis pigneribus mobilibus et habere pro prode ultra suum capitale pro quolibet mense parvulos duos cum dimidio pro singula libra in mense. [...] Item quod possint mutuare forensibus prout melius poterint. [...] Item quod possint mutare super instrumenta et scripta manuum si eis placebit in ratione parvulorum trium pro singula libra in mense tantum.” Margetić, ed., *St. Koper*, 92–93. The interest rate is always calculated with the time period being one year. Thus, the interest of 2,5 pennies per pound results with extra 30 pennies a year, that is 2,5 shillings (1 shilling = 12 pennies), which in turn equals 0.125 part of the pound (1 pound = 20 shillings), thus the interest rate is 12.5%. See also, Mueller, “The Status,” 84.

⁹⁹⁵ Mueller, “The Status,” 83–85 interprets them as an *unicum*.

much they were respected was another story altogether. For example, Mandulin and Mark, the sons of David of Weimar, had to appeal directly to Venice—to the old auditors of sentences (orig. Lat. *veteres auditores sententiarum*)—because the podestà of Koper Omobono Gritti sentenced the two Jews to a fine of fifteen pounds of pennies for not wearing their “O” on their chests. The case reached Doge Foscari who personally wrote to Gritti’s successor in Koper, podestà Hectore Bembo, commanding him to revoke the sentence promulgated against these Jews because the Senate ratified the agreement by which they were not required to append anything to their clothes.⁹⁹⁶

Even though Venice officially ratified the Capodistrian statute of 1423 which included this particular chapter on Jews, just seven years later, on the 1st of January, 1430, the Venetian Senate decided to interfere with Jewish money-lending operations in Istria and “negotiate” on behalf of all their Istrian subjects.⁹⁹⁷ The Jews, alarmingly state the senators, were responsible for the “terrible destruction” wreaked in Istria at the expense “of all our most faithful Istrians,” charging interest rates as high as six pennies per pound and more (that is, thirty percent and upwards); they were also forcing the locals to sell them their “wine, oil, salt and other herbs” before the harvests at very low prices “which is a practice abominable to God and to people.”⁹⁹⁸ Thus, the Senate decreed that there would be one *condotta* according to which all the Venetian communities in Istria were to regulate their relations with the Jews—another case of regional homogenization. This deal was promulgated by the senators and it included the following decrees: the maximum interest rates were set at three pennies per pound on pawns and four pennies on chirographs (an increase when compared to the statute of Koper); in case of the loaner’s debt, their heirs would inherit only the principal sum and not the interest as well; the Jews were strictly forbidden to purchase any produce before harvest; and they were forbidden to carry arms of any sorts.⁹⁹⁹

What effects the 1430 decree on the Jews of Istria had in various communities of the Peninsula cannot be ascertained. What is known, however, is that it did not help the heirs of David

⁹⁹⁶ Majer, “Gli Ebrei I,” 241–42 for the primary sources.

⁹⁹⁷ “Senato misti V,” 30–32.

⁹⁹⁸ “Chonziosia che ale orechie de la nostra Signoria sia pervegnudo le molte e teribele destrucion et manzarie fate et ogni dì se fano per li zudei che habita in l’Istria a tuti nostri fidelissimi Istriani si de tuor de uxura denari 6 per lira al mexe e pluy, chomo etiam de le desonestissime e sforzade comprede de vini, ogli, sali et altri suo fruti in erba, per modo che non solamente le suo fadige, et ogni usifruti reverte in loro, ma etiam fina el sangue, la qual cossa e abominevele apresso Dio et agli homeni cum maximo incargo de la Signoria nostra, e necessario sia proueder per trar questi nostri fedeli de tanta servitu et miseria.” “Senato misti V,” 30.

⁹⁹⁹ “Senato misti V,” 31–32. The decree is discussed in Benussi, *Pula*, 284.

of Weimar as in 1434 the podestà of Koper Zanotto Calbo officially ordered that Mandolin's bank be closed and that the brothers stop with all of their money-lending services.¹⁰⁰⁰ That did not spell the end for Jews in Koper as a certain Salomon of Trieste took Mandolin's place.¹⁰⁰¹ Moreover, in 1440 Doge Foscari ordered a loan of five hundred ducats from the podestà of Koper who taxed four Istrian Jews: an Orso in Koper, a Jacob in Poreč, a Bonaventura and a Joseph in Muggia.¹⁰⁰² Finally, a new set of articles regarding the Jews was promulgated on the 22nd of November, 1459, and these would mark the relations between the Istrian communities under Venice and the *Hebrei* for the rest of the century.

The 1459 pact, concluded between a Jacob and the Commune of Koper, was very similar to the previous ones, including the one registered in the Capodistrian statute of 1423.¹⁰⁰³ First, all the Jews were welcome to enter the city of Koper, live there with their families, and lend money. The interest rates were again raised: the maximum interest charged to the citizens and residents of Koper was set at three and a half pennies per pound a month, to foreigners at six pennies per pound.¹⁰⁰⁴ The Commune and the incumbent podestà were obliged to defend the Jews, to make sure no one molests them, and to uphold the signed treaties; also, the rector of Koper would be the only judge regarding any disputes the Jews might have with anyone in Koper.¹⁰⁰⁵ Identically to the previous deals, the Jews were exempted from all standard tributes, and they were promised to be treated "as other citizens" in every other way.¹⁰⁰⁶ More importantly, Jacob was given monopoly over moneylending as it was decreed that "no other Jew or any other person may lend money with interests on any pawns throughout the podestaria of Koper without first obtaining the license from the said moneylenders."¹⁰⁰⁷ In addition, they were promised that they would be allowed to live according to their customs, laws, tradition and religion; they were even granted a special graveyard

¹⁰⁰⁰ Majer, "Gli ebrei I," 272–76.

¹⁰⁰¹ Francesco Majer, "Gli ebrei feneratori a Capodistria," *Pagine Istriane* 10 (1912): 184 (hereafter: "Gli ebrei II").

¹⁰⁰² Majer, "Gli ebrei II," 184, fn. 7 (read from *Liber Niger* of Koper).

¹⁰⁰³ The 1459 deal is edited *in extenso* in Majer, "Gli ebrei II," 225–29.

¹⁰⁰⁴ That is, 17.5% and 30% respectively.

¹⁰⁰⁵ "Item che la dita comunità de Cavodistria sia tegnuda defender i dicti zudie de robarie et altre molestie e farli mantegnir tuti li suo pati, e debiano esser assolti i dicti zudie et tuta la suo fameia de ogni angarie reali et personali et defessi che a quelli non li sia fatto alcuna molestia ne violentia da alguna persona sia ecclesiastica come secular et cussi de ogni cossa si temporale come spirituale criminale et civile misser lo podestà et capitaneo de Cavodistria debia et sia suo zudixe et non alguna altra persona, et che in tute le cosse siano tratadi a modo li altri cittadini de Cavodistria." Majer, "Gli ebrei II," 226.

¹⁰⁰⁶ See the previous footnote.

¹⁰⁰⁷ "Item che alcuno altro zudio over altra persona non possa prestar ad uxura sopra algun pegno per tuta la podestaria de Cavodistria senza licentia de i dicti prestandi et compagni sotto pena [...]" Majer, "Gli ebrei II," 226.

and a place in the city for the synagogue in addition to the right to their own schoolmasters.¹⁰⁰⁸ Finally, they were also absolved from the requirement to wear the “O” on their chest, “to avert the dangers from bad people.”¹⁰⁰⁹ The deal was valid for a period of five years.¹⁰¹⁰

Even though the *condotta* was particularly favorable for the Jews, it did not result with a harmonious relation between the community and the marginalized moneylenders of different faith. Namely, in 1463 Doge Mauro had reasons to write to the podestà of Koper Lorenzo Honorandi, instructing him to be ready to keep an watchful eye on the preachers lest they incite the *popolo* against the Jews.¹⁰¹¹ Two years later, the house in which the Jews of Koper lived was burned down in an act of hate, at least according to the affected *Hebrei*.¹⁰¹² Thus, behind the apparent tolerance and the particularly multicultural treaties conducive to the flourishing of Jewish culture within a modest Catholic city laid a ticking bomb of intolerance towards the “Other” ready to explode. The Jews, it would seem, were not given such liberal privileges because Koper was particularly multicultural in its nature, but because the Jews were simply needed—small scale businesses and rural economy relied heavily on their moneylending and the Commune was ready to accommodate them with attractive deals. Eventually, the Jews were slowly run out of the city of Koper as Tuscan bankers gradually took their places as the fifteenth century was coming to a close.¹⁰¹³

Nonetheless, the 1459 deal was not forgotten with the 1465 arson and Koper was not the only Istrian community capable of attracting Jewish moneylenders. As the *Commune Iustinopolis* ran the Jews out of their city, Piran and Poreč were forging their pacts with the *Hebrei* and the

¹⁰⁰⁸ “Item che de sabado over de altre suo feste i dicti zudie non possino esser astretti ad alguna persona imprestar over scuoder ne essiger altro algun comandamento ne altra molestia che siano contro la suo leze, et possano tegnir le suo sinagoge et far suo officii, et de tegnir i suo maestri et far studiar in le suo leze, et possano far vignir quanti zudie che alor parera. [...] Item intravignendo caxo de morte de alguno zudio possano esser sePELLIDI sul luogo uxato per lo passato, et non siando luogo vacuo ge sia concesso de comprar altro terren vacuo in Cavodistria per la dicta raxon in luogo honesto dove parera a misser lo podestà, et li ditti cimitterii rimagnano perpetuamente a zudii azo che cusi come li voi vivi ili habia anchor morti.” Majer, “Gli ebrei II,” 227–28.

¹⁰⁰⁹ “Item che li prediti zudii et cadauno altro zudio debia portar O come era tignudo de portar Iacob zudio et la suo fameia olim imprestador in Cavodistria ma per eternum non siano obligadi portar el O per leviar i pericoli de i mali homini.” Majer, “Gli ebrei II,” 227.

¹⁰¹⁰ “Item che li soprascripti patti et capituli durano per anni cinque comenzando el di de la confirmation de la nostra illustrissima signoria.” Majer, “Gli ebrei II,” 229.

¹⁰¹¹ I have not seen the document. It is reported by Majer, “Gli ebrei II,” 275 fn. 3 and in Marsich, “Effemeridi Giustinopolitane,” 41, doc. 24 (24th of March, 1463), as read from the *Liber Niger* of Koper. The same was the case in Treviso in 1462. Angela Möschter, “Gli ebrei a Treviso durante la dominazione veneziana (1388-1509),” in *Ebrei nella Terraferma veneta del Quattrocento: Atti del Convegno di studi Verona, 14 novembre 2003*, ed. Reinhold C. Mueller and Gian Maria Varanini, Reti medievali: Quaderni di Rivista 2 (Florence: Firenze University Press, 2005), 77.

¹⁰¹² “Senato Mare I,” 265; Majer, “Gli ebrei II,” 275–76.

¹⁰¹³ Majer, “Gli ebrei II,” 276–77.

1459 deal served as a blueprint. Thus, in 1484, Doge Mocenigo officially ratified the pacts signed between the Commune of Piran and Joseph the Jew, a *condotta* that was remarkably similar to the one signed between Jacob and Koper in 1459: Joseph would be “treated like the citizen of Piran,” he could charge the interest up to four pennies per pound a month, he was given monopoly over moneylending in the entire podestaria of Piran, he could lend money to any other Istrian outside of Piran, but they were to be treated as foreigners as well, he was promised protection and fair treatment from the incumbent podestà, he was promised the respect of his religion and customs, he was allowed his own Jewish schoolmaster for his children, he was given a separate graveyard, but his house was to act as a synagogue; however, he was compelled to wear the “O” on his chest in order to clearly set himself apart from the rest of the community (although this rule did not extend to his children or his wife); he was commanded to stay within his house on Good Friday; he could also not buy any produce before the harvest season, just like the Venetian senators decreed in January of 1430.¹⁰¹⁴ Piran’s *condotta* seems like a middle ground between the 1459 deal and the 1430 *Pacta Iudeorum Istrie* promulgated by the Venetian Senate; it gave Jews favorable conditions, mainly a pretty high interest rate, but it also clearly separated them from the rest of the community. In a textbook example of peer-to-peer polity interactions, on the 25th of April, 1486, the communal council of Poreč promulgated virtually the same set of articles sanctioning its relation with Moses the Jew.¹⁰¹⁵

What do these pacts reveal about the position of Jews in late medieval Venetian Istria? Was the relatively favorable position of the Jews in Koper, as revealed by the 1423 “*magna carta*” and 1459 articles, the product of Istrian multiculturalism and liberal treatment of religious minorities? In short, no, and quite the opposite could be argued. Namely, the main characteristic setting apart these Capodistrian *condotte* from the others of contemporary neighboring communities subjected to Venice was the exemption from the requirement to wear the standard “O” sign on their chests. All the other aspects, such as the treatment of Jews as their own citizens and the respect of their own culture, traditions, and religion, are found in other contemporary pacts promulgated in the Venetian *Terraferma*.¹⁰¹⁶ The same was the case with the prescribed interest rates: twenty percent

¹⁰¹⁴ The pact, titled *Capitula Iudeorum Pirani*, is published *in extenso* in Antonio Ive, “Banques juives et monts-de-piété en Istrie,” *Revue des études juives* 2, no. 4 (1881): 189–95.

¹⁰¹⁵ Pogatschnig, “Divagazioni parentine,” 149–52 and 169–72 for the text.

¹⁰¹⁶ The same was the case in Treviso, for example. Möschter described this Jewish “citizenship” with the following words: “Il loro stato legale [di ebrei] era paragonabile a quello di “civis” trevigiano, nel senso che questi ebrei godevano di particolare protezione da parte della città che li ospitavano. È però chiaro che non erano cittadini trevigiani

on loans on pawns and thirty percent on loans on chirographs were pretty much the standard and Istrian cases do not deviate largely from these numbers, although the supposed *magna carta* of Koper originally set them much lower.¹⁰¹⁷ Why were the Jews exempted from wearing their obligatory signs meant to clearly distinguish them from the rest of the community?

To Margetić, this exemption is a sign of progressive thought and liberal treatment of religious minorities that merits highly positive evaluation.¹⁰¹⁸ However, the motives behind the promulgation of this liberal exemption might stem from a quite darker, much more intolerant place. Namely, as the 1459 Capodistrian pacts explicitly state, the Jews were exempted from wearing the “O” lest they provoke “dangers from bad man.” What is hiding behind these words seems to be the quotidian violence to which the clearly demarcated “Other” was subjected to in a relatively small, more tightly knit community such as Koper compared to Brescia, Padua or even Treviso. Had that not been the case, there would really be no need to go the extra mile and promulgate this specific chapter with this motive explicitly stated. That Jews were treated as the quintessential “Other” in Koper as well is, in the end, attested in the burning down of their house in 1465, an action that slowly drove the Jews out of this supposed bastion of multiculturalism. Thus, what sets the Capodistrian treatment of the Jews from the rest was the fact that the Commune dearly needed the cash and the councilors were therefore ready to accommodate the moneylenders by promising them conditions that would be conducive to their stay and operations in their city while keeping the interest rates low. The same is the reason behind the inclusion of the deal with the Jews in the communal statute of 1423: they were simply needed as part of the seminal thread of the overall economic fabric of the city. Finally, the fact that the late fifteenth-century *condotte* of Piran and Poreč did not feel the need to protect the Jews—albeit only grown-up man—from these “dangers” by “bad man” would thus speak in favor of more tolerant relations with the Jewish “Other” in these two communities than was originally the case in Koper.

Taking the entire Venetian Istria together, the Jews were not a particularly numerous minority. This conclusion is based on the 1439 forced loans Doge Foscari levied on the Jews of the *Terraferma* which included Istria—another testament to the region’s ambiguous position

veri e propri come i cristiani, in primo luogo a causa della loro religione che proibiva la partecipazione al culto cittadino, poi perché il privilegio era limitato al periodo della condotta, infine perché gli ebrei non potevano assumere incarichi nell’amministrazione e nel governo cittadino.” Möschter, “Gli ebrei a Treviso,” 75.

¹⁰¹⁷ Matteo Melchiorre, “Gli ebrei a Feltre nel Quattrocento: Una storia rimossa,” in *Ebrei nella Terraferma veneta del Quattrocento*, 89.

¹⁰¹⁸ Margetić, ed., *St. Koper*, LXXII.

within the Venetian *Quattrocento* state. The amount that was to be levied was eleven thousand and nine hundred ducats and it was to be distributed in the following way: three thousand and five hundred would be paid by the Jews of Padua; the same amount was to be levied by the Jews of Treviso excluding Mestre; in Mestre, the Jews were to loan two thousand ducats; the Jews of Vicenza were to shell out fifteen hundred ducats; the Jews of Belluno and Feltre were to pay two hundred ducats, respectively; finally, the Jewish communities of Bassano and of Istria—the latter performed as a distinct region—were to shell out five hundred ducats each.¹⁰¹⁹ If the Jews of Treviso counted around one hundred and fifty members with a total of eight moneylending banks operating in 1425 and they were taxed seven times higher than the Jews of entire Istria, that would, in a very rough approximation, estimate the Jewish population of early fifteenth-century Venetian Istria at no more than twenty-five Jews scattered around the principal coastal communities—Muggia, Koper, Piran, Poreč and Pula.¹⁰²⁰

In the context of the late medieval Venetian dominion, the communities of the Istrian peninsula are much closer to the *Terraferma* than to the maritime realm in their dealings with the Jews. The Eastern Mediterranean communities subjected to Venice did not regulate their relations with the Jews by way of *condotte*; especially liberal towards the Jewish communities was Corfu which represented a true *unicum* in the entire *Dominium Veneciarum*; in Dalmatian communities, the presence of the Jews in *Quattrocento* is implied (there was a synagogue in Split) but virtually

¹⁰¹⁹ Here is the entire set of deliberations *in extenso*: “MCCCCXL, die XXI mensis ianuarii. <Dominus, sapiens terre firme et sapiens ad recuperandum pecuniam> Vadit pars quod ad infrascriptis Iudeis debeant accipi mutuo subscripti denarii, videlicet et primo: a Iudeis Padue et totius Paduani districtus ducatos tresmille quingenti, qui denari sibi restituantur de afflictibus suis. De parte 119, de non 1, non sinceri 4. <Dominus, ser Nicolaus Bernardo consiliarius, sapiens terre firme et sapiens ad recuperandum pecuniam> Quod a Iudeis Tarvisii cum aliis locis Tarvisinis exceptis Mestre et Bassiano tam ab illis qui tenent banchum quam ad aliis, accipiantur mutuo ducatos tresmille quingenti, qui denarii sibi restituantur de afflictibus suis. De parte omnes alii, de non 0, non sinceri 2. <Ser Nicolaus Bernardo consiliarius, sapiens terre firme et sapiens ad recuperandum pecuniam> Quod a Iudeis Mestre accipiantur mutuo ducatos duo mille, qui sibi restituantur de afflictibus suis. De parte 74, de non 0, non sinceri 2. <Ser Fantinus de Cha de Pesaro, consiliarius> [Non capta] Vult quod a Iudeis Mestre predictis accipiantur mutuo ducatos mille quingenti, qui sibi restituantur de afflictibus suis. De parte 47. <Ser Nicolaus Bernardo consiliarius et sapiens ad recuperandum pecuniam> Vadit pars quod ad infrascriptis Iudeis debeant accipi mutuo subscripti denarii, videlicet et primo: a Iudeis Vincentie ducati millequingenti, a Iudeis Feltri ducati ducenti, a Iudeis Istrie ducati quingenti, a Iudeis Bassiani ducati quingenti, a Iudeis Civitatis Belluni ducati ducenti, qui denari restituantur sibi de afflictibus suis. De parte 101, de non 7, non sinceri 8.” ASV, Senato, Terra (hereafter: STer), reg. 1, fol. 12r. See also, Melchiorre, “Gli ebrei a Feltre,” 89 (not taking into account Mestre).

¹⁰²⁰ Cf. the list of individuals listed in Maurizio Lozei, “Gli ebrei di Capodistria e la loro attività economica in una serie documentaria inedita (XIV-XV) (II parte),” in *Il mondo ebraico: Gli ebrei tra Italia nord-orientale e impero asburgico dal medioevo all’età contemporanea*, ed. Pier Cesare Ioly Zorattini, Collezione Biblioteca 90 (Pordenone: Studio Tesi, 1991), 102.

completely undocumented.¹⁰²¹ Thus, the example of Koper—and later Piran and Poreč as well—is similar to Treviso and to the other urban communities subjected to Venice in the *Regnum Italicum*.

In the end, the Venetian effect on the treatment of Jews in Istria must be evaluated as positive, protective of their wellbeing, and conducive to their banking activities on the Peninsula, in the context of Venice's overall treatment of this minority. Again, the 1430 "pacts with the Jews of Istria," could at first sight seem contradictory to this statement, but it was this Venetian intervention that actually raised the ceiling on the interest rates when compared to the 1423 *magna carta* of Koper. Moreover, both the auditors of the sentences and the doges themselves supported the Jews in legal cases pitting the local community against them. Finally, Doge Cristoforo Moro even wrote to the podestàs of Treviso and Koper, urging them to keep the antisemitic preachers away from Venetian communities lest their Jews be harmed. The "othering" of the Jews, however, was a standard feature in all the medieval communities of Latin Christendom with neither Venice nor Venetian Istria being any exceptions: Venice did not attempt to put an end to this practice, but it did endeavor to make sure the Jews are not molested—and vice versa, that the subject population across the Peninsula is treated fairly in return—, enabling them integration into the social and economic fabric of communal life, marginal as it was.¹⁰²² However, the Jews were not the only social strata that needed Venetian protection.

The Noble and Ignoble of Venetian Istria

The social tensions that medieval communal hierarchies produced between the higher and lower strata of their citizens are another well researched topic and in the context of late medieval Venice Angelo Ventura's seminal monograph *Nobiltà e popolo* remains the standard reference point.¹⁰²³ In short, Ventura persuasively argued, albeit primarily on normative primary sources such as the communal statutes, that Venice intentionally supported the social bifurcation between the local elites and the rest of the population in their subject communities, favoring and protecting the privileged status of the former at the expense of the latter in order to foster amicable, mutually beneficial relations between the Dominant and the local elites who were basically in charge of the

¹⁰²¹ Mueller, "The Status," 85–91 for Corfu; Orlando, *Spalato*, 213.

¹⁰²² Ravid, "The Venetian Government and the Jews," 29–30 summarizes nicely the Venetian attitude towards the Jews, labelling it as antisemitic,

¹⁰²³ Ventura, *Nobiltà e popolo*, esp. 87–119.

local communal institutions. Thus, in a typical *do ut des* relationship, the local elites could look to Venice for the legitimation and backing of their privileged position, while the *Serenissima* could count on the support of the local leaders with the quotidian aspects of communal administration in their subject centers—a marriage made in heaven, at the expense of the *popolo*, of course. While the thesis has been refined in a number of points since its original publication in the distant 1964, in its broad strokes the original premise remains viable to this day.¹⁰²⁴

Venetian Istria seems to conform to the general outline of this paradigm and Ventura himself referenced several Istrian examples in support of his argumentation.¹⁰²⁵ Primarily featured in this discussion were the communal councils of Istria which were, as Ventura demonstrates, all of the “closed” type, admitting among its members only the offspring of those families whose ancestors had served in these exclusive administrative bodies. That Venice favored such a development is further corroborated by the fact that those communes whose *consilia* were not of the closed type—Muggia being the perfect example, but the case was probably the same in Buzet as well, maybe in a number of other communities too—were relatively quick to change and “close” their councils upon entering the *Dominium Veneciarum*.¹⁰²⁶ Venice was a society that rested, indeed based its entire being, in social stratification and the privileged status of the patriciate; it was thus only natural for the *Serenissima* to project this worldview and “God-ordained hierarchies” unto its subjects.¹⁰²⁷ Istrian communities were generally receptive of this projected framework.

One of the consequences of the “closing” of Istrian communal councils was the evergrowing discrepancy between the small number of local elites privileged to sit in these deliberative assemblies and the rising number of the *popolo* that remained largely excluded from local government. This process is noticeable primarily in Poreč and Pula. Thus, on the 15th of March, 1392, the Venetian Senate deliberated on the grave matter of the Commune of Poreč always appointing the members of the same few families to most important communal positions, such as

¹⁰²⁴ Michael Knapton, “‘Nobiltà e popolo’ e un trentennio di storiografia veneta,” *Nuova rivista storica* 82, no. 1 (1998): 167–92; Knapton, “The Terraferma,” 90.

¹⁰²⁵ Ventura, *Nobiltà e popolo*, 117–19, although it has to be pointed out that Ventura was wrong to interpret the *Statuta communitatis Buiae* from the Venetian Marciana, classe V, cod. LXIV (= 2516) as the statute of Istrian Buje. The Marciana codex refers to Buja in Friuli. Cf. Vincenzo Joppi, ed., *Il Castello di Buja ed i suoi statuti* (Udine: G. B. Doretto, 1877).

¹⁰²⁶ Muggia “closed” its council in 1438, 18 years after the advent of Venetian rule. Colombo, *Storia di Muggia*, 153–54; Klen, “Uvjeti i razvitak,” 330–31; Banić, “*Consilia communis Pinguenti*,” 155.

¹⁰²⁷ Margaret L. King, “The Venetian Intellectual World,” in *A Companion to Venetian History*, 580.

that of judges.¹⁰²⁸ The senators acknowledged that there are only thirty persons who are rotating all the crucial communal offices among themselves and skipping the regular election procedures, but in the end they did very little to alleviate the situation: they only rescinded the prerogatives of the “four families”—the elites among the elite claiming to stem from the same houses that brought Venice to Poreč back in 1267—and ordered that all councilors—all thirty of them—should share the communal offices equally among themselves by holding election in the civic council with ballots and boxes.¹⁰²⁹ Again, this is a projection of the Venetian worldview where the patriciate is the sole to rule, but among them, the offices ought to be distributed equally (at least in theory).¹⁰³⁰

In Pula, the situation was much worse as attested in the minutes of the Venetian Senate. Namely, on the 12th of March, 1443, the senators discussed the lamentations presented to them by the *popolani* of Pula.¹⁰³¹ In this city, claimed the “people,” there were only forty-three noblemen but well over fifteen hundred commoners and thus it was the latter who overall contributed more to the communal treasury than the nobles. For these reasons alone, the non-nobles should be given the right to be elected to certain important communal functions, such as that of the sacristan with the right to manage the incomes and the properties of the local Church. Moreover, since the noblemen had rescinded the delegation of vicars learned in law, justice administration was now completely in hands of the Venetian rector and the four elected judges who were highly partial towards “their own,” that is, the nobility. Thus, the commoners argued, it would be better that the delegated count administers justice alone. Finally, the money invested in the communal granary, filled primarily by the *popolo*, was exclusively managed by the noblemen who spend it however they please; thus, they asked Venice that one manager of the granary be elected from among the commoners. Finally, a number of complaints were raised against the nobles’ clientelism, their rampant spending of communal incomes, and overall disregard for the wellbeing of the community in general. The Venetian reply that followed is particularly revealing of the type of worldview that the *Serenissima* supported in their subject centers: the commoners would not be accepted into the government, they would be given neither the office of the sacristan nor the manager of the

¹⁰²⁸ ASV, SMi, reg. 42, fol. 49v; regestum in “Senato misti IV,” 277–78. I have edited the deliberation *in extenso*. See doc. III/A.

¹⁰²⁹ “Vadit pars, quod pro servando equalitatem et pro contentamento omnium quod de cetero iudices et omnes alii officiales dicte terre de tempore in tempus fiant per consilium Parentii per electionem ad busolos et ballotas secundum ordinem qui dabitur per potestatem et consilium dicte terre.” Doc. III/A.

¹⁰³⁰ O’Connell, *Men of Empire*, 39.

¹⁰³¹ The minute is edited *in extenso* in “Senato Mare I,” 226–34. This episode is discussed in Benussi, *Pula*, 328–32; Klen, “Uvjeti i razvitak,” 314–15.

communal granary, and there will be no modifications of the way justice is administered.¹⁰³² The only thing that the *popolo* of Pula managed to procure was the promise that the delegated Venetian noblemen serving as their rectors would from now on pay more attention to the rules and customs of the community and keep a more watchful eye over the management of communal incomes.¹⁰³³ The hierarchy *more Veneto* was to be upheld: the noble rule, the ignoble prosper under their wise and honorable government; if the nobles of Pula could not fulfill that role, then it would be the delegated Venetian noblemen who would do it for them at the expense of their jurisdictional prerogatives.

This tension between the noble and ignoble of Pula was not paradigmatic for the entire Venetian Istria. Even though the vast majority of communes stratified their citizens between those permitted into the ranks of the councilors—sometimes called *nobiles*, sometimes simply termed *cives*—and those “closed off” from the communal (great) councils—*populus*—already in the fifteenth century, there are no cases of graver social tensions, at least not between 1380 and 1470. True, many communes were not as adamant in not allowing the “common folk” to be elected to at least some functions as Pula was. For example, the small community of Umag—that nonetheless stratified its citizens into the nobles and the commoners, the former being exclusively allowed admittance into the rank of the councilors—made sure that the *populares* take part in the communal administration, albeit minimally: when the statute of Umag was being renewed in 1528, the commune elected four nobles and two commoners to review the new text before submitting it to Venice for ratification; in addition, one out of three elected judges was to be elected from among the *popolo* and one out of two market inspectors as well.¹⁰³⁴ Similar was the case in Labin whose council had been closed even before the town subjected itself to Venice and where the *nobiles* relinquished the office of communal treasurer to a member of the common folk.¹⁰³⁵

¹⁰³² One answer in particular is telling of this conservative Venetian attitude: “Habito respectu, quod illa comunitas sua spontanea voluntate ad obedientiam nostri Domini se reduxit, et quod iam annis 111 cum tali privilegio et pacto se rexerunt, et quod non constat nostro Dominio quod huiusmodi iudices aliquid commeruerunt, quod illa comunitas privari nunc debeat privilegio suo, nolumus aliquid super hoc innovare.” “Senato Mare I,” 230.

¹⁰³³ The answer given regarding the sacristan is paradigmatic: “Quod de dictis duobus sacristis nos nolumus aliquid innovare, sed ut denarii spectantes Ecclesie predictae bene gubernentur, utque fraus non possit committi, volumus et ita mandetur comiti Pole et successoribus suis, quod introitus et rationes dicte sacristie debeat de tempore in tempus videre et examinare, et omnes denarii dicte sacristie expendantur debito modo cum scita et licentia comitis, et teneantur denarii sub clavibus quarum unam teneat comes.” “Senato Mare I,” 228.

¹⁰³⁴ Lonza and Jelinčić, eds., *St. Umag*, 270, 276–78, book 2, chap. 4; Klen, “Uvjeti i razvitak,” 319.

¹⁰³⁵ “Senato secreti I,” 281. Klen, “Uvjeti i razvitak,” 329 believes that Labin’s council was not closed before coming under Venice while De Franceschi, *St. Labin*, 135 argues that it was. Based on the fact that the envoys of Labin

There are only two examples that come somewhat close to Pula's model of conflict between the nobles and commoners. First is from Piran: on the 3rd of March, 1461, the itinerant syndics heard the lamentations of the commoners who accused the nobles of breaking the rules prescribed by the communal statute.¹⁰³⁶ Namely, instead of merely confirming the officials elected by the councilors who drafted one of the four "golden ballots" (orig. *ballote deaurate*) from the "hat," as the statute specifies, the council members began requiring a separate round of voting to confirm the election of the individual nominated by the drafter of the "golden ballot."¹⁰³⁷ By doing so, the commoners complained, not a single member of the *populares* was able to hold office because their members would never be voted for in the newly imposed second stage. The "golden ballot" seems to have been originally devised to diversify the social background of communal officeholders and "democratize" civic administration, in theory allowing any *cives* of Piran to partake in lower-tier governmental posts.¹⁰³⁸ More importantly for the syndics, however, this election by way of "golden ballot" was registered in the communal statutes that were approved by Venice. Thus, when the syndics reviewed the case, they concluded that this was the case of disregarding the local, Venice-sanctioned statute promulgated "for the honor of our most serene ducal Dominion and the wellbeing and peace of the said place and the statute ought to be observed"; moreover, ascertained the syndics, the *Serenissima* never approved any modification of the chapter in question.¹⁰³⁹ For these reasons, the syndics abolished the current practice of two rounds of voting and decreed that the communal statute must be followed to the letter. Their decree was subsequently appended to the chapter in question.¹⁰⁴⁰ Although this episode is essentially just

themselves stated in 1420 when they presented their pacts of subjection to Venice that they elect their *caniparius* "*de populo*" is telling that there was a social strata that was not "*populus*" from which the 24 councilors were elected.

¹⁰³⁶ Syndics verdict is edited in extenso in Pahor and Šumrada, eds., *St. Piran*, 749–50. The ruling is discussed in Miroslav Pahor, *Socialni boji v občini Piran od XV. do XVIII. stoletja* [Social struggles in the Commune of Piran from the 15th to the 18th century] (Ljubljana: Mladinska knjiga, 1972), 74.

¹⁰³⁷ This practice of drafting ballots from the hat of which four are golden is attested in the communal statutes. See e.g., Pahor and Šumrada, eds., *St. Piran*, 34–36, 231, and 364–65 (this is the chapter around which the controversy was based upon).

¹⁰³⁸ Pahor and Šumrada, eds., *St. Piran*, 364–65. Judges, for example, could not be elected in this way, but only from among the members of the council, that is, the *nobiles*. Pahor and Šumrada, eds., *St. Piran*, 34–36, 362–64.

¹⁰³⁹ "Visa dicta parte noviter capta, nec non statuto veteri predicto in publica contione edito et publicato auctoritate officii sui, cui incumbit providere honori illustrissimi ducali Dominii nostri et bono et paci locorum suorum, et quod statuta observentur nec novis provisionibus per illustrissimum Dominium nostrum non confirmatis ipsis statutis contraveniantur, quod esset contra mentem illustrissime dominationis nostre." Pahor and Šumrada, eds., *St. Piran*, 749–50.

¹⁰⁴⁰ "Electi per ballotam deauratam permaneant officiales absque ballotatione Consilii. Terminatio clarissimorum dominorum sindicorum terrae firmæ." Pahor and Šumrada, eds., *St. Piran*, 365.

another case of Venice upholding the strength of the local statutes as discussed in the previous chapter, the syndics ruling was also a victory for the *popolo*, small as it may be.

Second example is a social clash registered in Motovun during the visit of the delegated Venetian syndic on the 3rd of October, 1488.¹⁰⁴¹ On that occasion, the *populares* of Motovun lamented over the fact that they alone had to offer their horses anytime a Venetian officer such as a syndic or an auditor would make his solemn entrance into the town, a custom they considered unfair because the councilors did not need to offer their own horses. The Venetian solution was very much identical to the one employed in Pula: equality should be observed but not blindly, and it was the Venetian rector that would henceforth decide whose horses would be used.¹⁰⁴²

From all other Istrian communities under Venice, it was only in Rovinj and Piran where clashes between the *popolani* and the councilors reached tangible levels that required direct intervention from the Venetian central government, but these conflicts ensued only in later periods, the late sixteenth and seventeenth centuries.¹⁰⁴³ In all the other places, small (semi)urban communities such as Buzet, Buje, Plomin, Bale, Divgrad, Sv. Lovreč, Vodnjan, Novigrad, Izola, Oprtalj, the social stratification into those permitted to the council and those “closed off” from it did not result with palpable social tensions transcending the quotidian “evil eye” characteristic to all premodern societies.¹⁰⁴⁴ After all, in places where “noble” councilors served guard duty the same way as “lowly common folk” did, the level of social integration and overall solidarity was simply too high—due primarily to the small size of these towns—for the existing social stratification to engender class conflict threatening the overall stability of the community.

Nonetheless, it is without doubt that it was Venice that catalyzed the closing of communal councils in Istria and thus influenced the already ongoing processes of social stratification. Moreover, once these processes reached their natural conclusion and a leading social stratum emerged, Venice could still drastically influence the local distribution of social capital by relying on and privileging only select families from among the elite class. This relation, however, was not

¹⁰⁴¹ Morteani, ed., *St. Motovun*, 99–100, chap. 259. The episode is discussed in Klen, “Uvjeti i razvitak,” 320–21 who, influenced by Marxism, overreads into it a class conflict of greater proportions than it was.

¹⁰⁴² “Quamvis equalitas sit semper in omnibus observanda, tamen quia aliquando propter necessitatem ei derogare opus est; ideo remittatur arbitrio domini potestatis accipiendi equos a quibuscunque tam civibus quanque popullaribus pro ut erit opus et sibi videbitur necessarium.” Morteani, ed., *St. Motovun*, 100, chap. 259.

¹⁰⁴³ Klen, “Uvjeti i razvitak,” 321–24. For Piran, Pahor, *Socialni boji*, 75–128 for the 16th century and 128–218 for the 17th and 18th centuries.

¹⁰⁴⁴ Burke, *Popular Culture*, 176.

one-sided and the communes could—and did—play a key role in these empowering interactions. This complex dynamic is best illustrated on several examples.

Between Tradition and Innovation: The Civic Elites

According to later tradition, first recorded in 1392 in the aforementioned records of the Venetian Senate, there were four principal families in Poreč who played the key role in inviting Venice and subjecting the *Commune Parentii* to the Most Serene Republic back in 1267.¹⁰⁴⁵ Although there are no primary sources explicitly confirming this, it seems reasonable to suppose that the new Venetian government was particularly favorable towards these four houses, legitimizing their privileged position in the community out of gratitude. Although the fate of these four families cannot be illuminated due to the lack of primary sources, it is traditionally argued—based on later tradition—that at least one of these four houses survived deep into the Late Middle Ages: House Artizanibus.¹⁰⁴⁶

Originally stemming from Pula, the members of the De Artizanibus family moved to Poreč in the middle of the thirteenth century.¹⁰⁴⁷ There, they forged amicable relations with the local Church and incumbent bishops. Thus, already on the 11th of December, 1266, a “Lord Henry de Artizonis of Poreč” is found in the retinue of the Bishop Otto.¹⁰⁴⁸ Henry’s son Florimondo continued to enjoy the favor of the Church and the bishops, being invested with certain fiefs and jurisdictions belonging to the Bishopric of Poreč such as the Rivolo mill and the incomes of fisheries of Tar. In the legal disputes that arose in the late thirteenth century between Florimondo and a certain Hartwig over this mill as well as between Florimondo and a Dontio, the member of

¹⁰⁴⁵ “Quando civitas Parentii data fuit ducali Dominio, fuerunt quatuor domus que fuerunt causa quod ipsa daretur, et quod dictis domibus tunc reservatum fuit quod haberent istam auctoritatem fatiendi iudices et officiales illius terre.” Doc. III/A.

¹⁰⁴⁶ What follows is largely based on Camillo de Franceschi, “Gli Artizoni di Parenzo,” *AMSI* 49 (1937): 232–38. Highly unfortunately, this article was published without accompanying footnotes and thus many of the statements cannot be checked. De Franceschi used a number of primary sources that are today unavailable due to the detrimental effect of the Second World War and its bloody aftermath in Istria. Research on the *Liber iurium* of the Bishopric of Poreč, currently carried out by Ana Jenko Kovačić who is preparing a critical edition of this invaluable primary source, will most definitely shed additional light on this noble house of Poreč. Although De Franceschi argued that House Artizanibus was one of these four houses, the records of the Venetian Senate reject this hypothesis: “Etiam illi de dictis quatuor domibus decesserunt ita quod nullus superest, et pervenit dicta liberatas in alias personas existentas et forenses in quas illi primi per se ipsos translataverunt istam auctoritatem per pecuniam et amicitiam.” Doc. III/A.

¹⁰⁴⁷ De Franceschi, “Gli Artizoni,” 232.

¹⁰⁴⁸ “Actum in valle Turris super insulam ubi venerabilis vir dominus Otto Dei gratia episcopus Parentinus convenit, presentibus ibidem dominus Armericho de Sirano et dominus Henrico de Artizonis de Parentio [...]” Kandler, ed., *CDI* 2: 568, doc. 345.

House Artizanibus enjoyed the favor of the bishops and he was termed *civis Parentii*.¹⁰⁴⁹ According to De Franceschi, Florimondo was at the time both a citizen of Poreč and of Pula, and as such he appeared as the councilor in communal councils of both cities.¹⁰⁵⁰ The next generation of House Artizanibus was involved in moneylending with interests and among their clients were even the *signori* of Pula, the Castropola.¹⁰⁵¹ Finally, it was only with Florimondo's grandsons, Fazio and Matthew, that the members of the Artizonibus family are attested as elected officials of the Commune of Poreč, namely as notaries public and chancellors of the Venetian delegated rectors.¹⁰⁵² Thus, when the new statute of Poreč was being made in 1360s—because the old one burned during the Genoese attack a decade earlier—among the four elected nobles of the council tasked to “restore, reform and compose anew” the legal code of the commune's *ius proprium* were not one, but two members of House Artizonibus: George of the late Otto (who had represented the bishop of Poreč in 1339) and Matthew of late Henry (who had lent money to the Castropolas).¹⁰⁵³ This Matthew was a university educated notary public and as such he served not only in Poreč, but in other communities as well: he is attested, for example, as the notary of Zadar in 1356.¹⁰⁵⁴ From this point on, the Artizanibus family would be customarily elected to important communal functions such as judges, advocates, market inspectors and envoys, even bypassing the standard election procedures in the communal council. This is the background to the already mentioned decree of the Venetian Senate that ordered strict adherence to the election procedure in the communal council of Poreč “by boxes and ballots.”¹⁰⁵⁵ Notwithstanding this decree, the Artizanibus remained the most prominent elite family of Poreč throughout the *Quattrocento*: Henry worked as a notary public in Poreč and a small fragment of his register is preserved¹⁰⁵⁶ and Catarino was a prominent councilor often elected to various governmental posts in civic Great Council.¹⁰⁵⁷

¹⁰⁴⁹ Zjačić, “Posjedovni odnosi,” 41–42, 44.

¹⁰⁵⁰ De Franceschi, “Gli Artizoni,” 234. I was unable to find the confirmation of this statement in the currently available primary sources. Perhaps De Franceschi consulted source material that is simply no longer available/existent.

¹⁰⁵¹ De Franceschi, “Gli Artizoni,” 234.

¹⁰⁵² De Franceschi, “Gli Artizoni,” 234.

¹⁰⁵³ Zjačić, ed., *St. Poreč*, 14; De Franceschi, “Gli Artizoni,” 235–36.

¹⁰⁵⁴ “Matheus condam ser Henrici de Artizono de Parencio, publicus imperiali auctoritate notarius Iadre.” As quoted in Ladić, *Registri porečkih bilježnika*, 10.

¹⁰⁵⁵ Doc. III/A; De Franceschi, “Gli Artizoni,” 236.

¹⁰⁵⁶ Ladić, *Registri porečkih bilježnika*, 10 and 21–33 for the fragment of the register.

¹⁰⁵⁷ On the 10th of February, 1485, Catarino was elected as the collector of an extraordinary tax; on the 20th of February he was elected as one of the two communal treasurers; on the 6th of March he was the elected “defensor comunitatis” in a dispute between a Seri Facina and the incumbent podestà; on the 26th of June he was elected as the judge; on the

As active they were in the temporal sphere of communal administration, they remained equally active in their support of the spiritual and their close ties with the Bishopric of Poreč continued unabated throughout the fourteenth century. For example, in a long dispute between the Bishopric of Poreč and the Commune of Sv. Lovreč over the dependencies of fort Gradina—*de iure* the fief of the Bishopric of Trieste but traditionally conceded to House Girolodi of Pula—Otto de Artizanibus represented Bishop John de Sordellis of Bologna in front of the Venetian officials in 1339.¹⁰⁵⁸ Even in 1497, it was a member of House Artizanibus, a Francis, that served as the collector of the Bishopric's revenues.¹⁰⁵⁹ The family thus united both the temporal and the secular sphere of the communities' administration.

Finally, most telling of their elite status was the fact that on the 28th of May, 1486, the communal council rose up against a sentence promulgated by the podestà of Poreč against John de Artizanibus whereby he had been fined a high sum of fifty pounds of pennies due to the commune; the councilors pronounced the sentence unlawful and unanimously voted in its annulment.¹⁰⁶⁰ Thus, it becomes clear that the local elite families such as the Artizanibus of Poreč did not necessarily need Venetian patronage or support to enjoy their privileged status and exercise their power. As Vilfredo Pareto and Gaetano Mosca argued a century ago, the spontaneous creation of a thin layer of local elites is an unavoidable side effect of hierarchically structured societies, and medieval urban communes were particularly receptive of this phenomenon.¹⁰⁶¹ The Artizanibus of Poreč are text-book examples of this process. Moreover, they are a text-book example of a kind of ascension on the social ladder characteristic of high medieval Italian urban communes, especially in relation to the nexus between usury in one generation. Thus the accumulation of economic capital through usury is transformed into social and cultural capital through university level education in law allowing the second generation to work as notaries and chancellors in the

16th of October he was elected on two posts: as one of the four advocates together with another member of his family, a John de Artizanibus, and as a *vicedominus* (163); finally, on the 16th of July, 1486, he was elected as one of the two “defensores communis.” Pogatschnig, “Divagazioni parentine,” 155–57, 160, 163, 174.

¹⁰⁵⁸ Kandler, ed., *CDI* 3: 1168–170, doc. 680.

¹⁰⁵⁹ De Franceschi, “Gli Artizoni,” 238.

¹⁰⁶⁰ Pogatschnig, “Divagazioni parentine,” 152–53, 172–73.

¹⁰⁶¹ Vilfredo Pareto, *The Mind and Society*, ed. Arthur Livingston, trans. Andrew Bongiorno, Arthur Livingston, and James Harvey Rogers, 4 vols. (London: Jonathan Cape, 1935); Gaetano Mosca, *The Ruling Class*, trans. Hannah D. Kahn (New York: McGraw-Hill, 1939).

growingly bureaucratized communal governments.¹⁰⁶² In the course of three generations they managed to form close relations with the local Church and Henry's moneylending activities show that the family disposed of considerable economic capital. This economic capital was quickly turned into a social and cultural one with Mathew's university education allowing him to reach the height of communal administrative hierarchy as the chancellor, notary public, and the member of the committee reforming the local statutes. By the end of the fourteenth century the family had amassed such social, economic, and cultural capital that their privileged position could no longer be threatened.

While Venice did eventually interfere in this situation, it did not seek to lower or question the status of the local elites, but simply to make them "play by the rules," at least on the surface level. Even when Venetian officials intervened at the expense of this local elite family, the commune rose up to their defense, rendering any attempt to dethrone the Artizanibus clan from their privileged position fruitless. Whether the original rise of the Artizanibus clan was indeed due to Venetian patronage in the late thirteenth century as De Franceschi argued cannot be ascertained, but the hypothesis is not unlikely.¹⁰⁶³ In any case, the patronage was no longer needed in the fifteenth century and Venice was mostly content with the *status quo*; if Poreč was prospering under the honorable rule of the local patriciate, then there was no need to interfere.

Different was the case with the local elites of Labin. In this small commune there was already a layer of local elites who differentiated themselves from the rest of the *popolo* already before the advent of Venetian rule. However, in the middle of the fifteenth century, a noble family originally from Rijeka, the Scampich(io) clan, migrated to Labin.¹⁰⁶⁴ The motives behind this migration are steeped in mystery and later tradition according to which a Baldo, the family's

¹⁰⁶² The references are to Pierre Bourdieu, "The Forms of Capital," in *Readings in Economic Sociology*, ed. Nicole Woolsey Biggart (Oxford: Wiley-Blackwell, 2002), 280–91. For similar examples of this *iter*, see Menant, *L'Italia dei comuni*, 51–60.

¹⁰⁶³ This was how the system of patronage worked in the fifteenth century as well: "Venetian councils regularly granted *grazie* to subjects as a reward-or an inducement-for loyalty to Venice. Many of these awards came in the decades immediately following the imposition of Venetian rule, suggesting that the Venetian state used *grazie* as a way of rewarding those who had helped in the acquisition as well as a way of diffusing resistance." O'Connell, *Men of Empire*, 100.

¹⁰⁶⁴ The last name is written in several variants, sometimes as Scampich, others as Scampicchio; the former would be the Slavic, the latter a Romanized version of the name. In fifteenth-century sources the name is more often written as Scampich and this is the form that will be used here. I am not presupposing the family's ethnic identity in any way by doing so. What follows is almost entirely based on Ernesto Nacinovich, *La famiglia Scampicchio: Notizie e documenti*, Per le faustissime nozze della nobile Lina baronessa de Lazzarini-Battiala col nobile dottor Vittorio Scampicchio (Rijeka: E. Mohovich, 1892) who used the documents of the family's private archive that are nowadays unavailable to me.

presumed forefather, assassinated a Hungarian bishop and moved to Labin seeking refuge is not attested in the relevant primary sources.¹⁰⁶⁵ What is known, is that on the 2nd of February, 1449, the Great Council of Labin officially inducted Matthew, the son of Anthony Scampich who married the offspring of local nobility, into the closed ranks of the commune's councilors; most importantly, this induction was proposed by the incumbent podestà of Labin, Pietro Marcello.¹⁰⁶⁶ What precisely influenced the delegated Venetian nobleman to make such a proposal cannot be ascertained, but the family soon rose to prominence. Around 1450, the Venetian syndics ordered the incumbent podestà of Labin, Marco Magno, to restore the dagger that he took from Mathew Scampich under the threat of fifty pounds of pennies, and not to molest him any further because the man was a communal official of good repute.¹⁰⁶⁷ The family's economic power was used to buy social capital when Matthew ordered the erection of a hospital in Labin in his last will and testament (11th of September, 1485).¹⁰⁶⁸ Matthew's son Anthony was already attested as the elected judge of the Commune of Labin and the family remained one of the leading civic elites of this small community for centuries to come.¹⁰⁶⁹

Unfortunately, the few surviving primary sources related to fifteenth-century Labin do not allow a closer insight into the family's dealings and their roles in the communal council, but it is nonetheless clear that House Scampich began their meteoric rise in Labin's society primarily due to the patronage of the Venetian delegated rectors. As such, their story is similar to those of the De Germanis who immigrated to Buzet from Koper sometime in the late fifteenth century and very quickly became the leading elites of this small community, giving public notaries, parish priests, and entering the communal council in which they would be regularly elected to most important offices, usually after being nominated by the delegated Venetian rectors themselves.¹⁰⁷⁰ These two

¹⁰⁶⁵ Nacinovich, *La famiglia Scampicchio*, 9.

¹⁰⁶⁶ The deliberation is edited in Nacinovich, *La famiglia Scampicchio*, 8, but it is most certainly a later *volgarizzamento* of the minute originally written in Latin.

¹⁰⁶⁷ Marco Magno served as the podestà of Labin and Plomin from 1449 to 1451. Kohl, Mozzato, and O'Connell, "The Rulers of Venice," <http://rulersofvenice.org/>, record 2404 [last access: 23rd of March, 2021]. De Franceschi, *St. Labin*, 224, doc. 5: "Item quod dominus potestas debeat sub pena librarum L exigenda ut antea redere siue redi facere ser Matheo Scampich unam suam dagam et contra eum non procedere, quod fecit idem dominus syndicus quia est officialis communis et potest ferre arma et pro alio bono respectu, et quod de ulla allia re contra ipsum se non impediatur sub pena librarum C paruorum exigenda ut supra."

¹⁰⁶⁸ Nacinovich, *La famiglia Scampicchio*, 12.

¹⁰⁶⁹ Nacinovich, *La famiglia Scampicchio*, 12 and passim.

¹⁰⁷⁰ I have delineated and analyzed the trajectory of the De Germanis clan in "Elitni društveni slojevi," 65–70 and 74–78, table 1. Since their story concerns the first quarter of the sixteenth century, a time period outside the chronological boundaries of this study, I will not report on these findings here.

examples, even though very thinly documented, exemplify another type of social stratification process that was catalyzed primarily by way of patron-client relationships with the representatives of the *Dominium Veneciarum*.¹⁰⁷¹ The quick and unobstructed rise to power of both the Scampich as well as the De Germanis clan demonstrates the impotence of small communities such as Buzet or Labin to impede the Venetian-sponsored elites from assuming prominent positions within their local societies.

However, it would be wrong to ascribe the rise of Scampich or the De Germanis simply to Venetian *fiat*; after all, the members of these family had to obtain the favor of the existing local elites and integrate into the community as respected members of the society: Scampich even married into local elite family. Moreover, they had to walk the thin line between enjoying Venetian sponsorship and not provoking the “evil eye” of the old elites. After no more than three generations, however, these families were completely integrated into the social fabric of the community and their position among the local elites was at this point firmly rooted and independent of Venetian patronage. Henceforth, it was Venice who would reap more benefits from relying upon these families in matters of local administration and in making sure that the will of the *Serenissima* is heeded. Thus, to take an example from 1502 Buzet, it fell to Michael de Germanis to journey to Venice and negotiate on the behalf of the commune regarding the order that Buzet was to provide eighteen of their citizens to man the galleys in Koper: Buzet wanted the order rescinded and Venice remained adamant in its insistence; it was up to Michael to smooth the situation out, making sure that the *Serenissima* gets what it wants and that the community does not feel tyrannized at the same time.¹⁰⁷² It was a difficult role, but it was a burden that came with the privileged position of being the local elite of a small community subjected to Venice. Relations such as these were the seminal gears that animated the machinery of the *Dominium Veneciarum* on the local level.

Finally, there were cases in which Venice interfered so decisively in the creation of new elites that the support of the local community was not even needed. This was the case with House De Gravisi, originally the distinguished citizens of Piran. Namely, in the March of 1435 Marsilio da Carrara was planning a coup and the *reconquista* of his city of Padua from the hands of Venice,

¹⁰⁷¹ These two examples are not as thickly annotated as the ones analyzed by O’Connell, but the underlying mechanism promoting the privileging of local families was the same. O’Connell, *Men of Empire*, 101–18.

¹⁰⁷² Zjačić, “Zaključci,” 235–36.

his family's mortal enemy. The conspiracy was discovered and Marsilio's supporters were quickly apprehended; the Da Carrara himself was captured, taken to Venice, and publicly executed by decapitation soon thereafter.¹⁰⁷³ However, the situation in Padua remained tense and the anti-Venetian sentiment did not entirely disappear. Four years after the unsuccessful coup, a loyal Venetian subject from Piran serving in Padua wrote to the Council of Ten, informing them that a new conspiracy against their dominion is brewing and that actions must be taken in order to thwart these plans.¹⁰⁷⁴ The Ten acted quickly and following the interrogations of several suspects the entire conspiracy was quickly revealed: the leaders were Giacomo Scrovegni and Niccolò Camposampiero who wanted to deliver the city of Padua to Duke Visconti of Milan, at the time at war with Venice and the principal enemy of St. Mark's Republic.¹⁰⁷⁵ Further interrogation under torture uncovered a whole network of conspirators whose members were quickly arrested and brought to justice—thus failed the anti-Venetian conspiracy in Padua of 1439.¹⁰⁷⁶ The loyal Venetian subject from Piran that uncovered the conspiracy was none other than Niccolò de Gravisi, the son of Vanto, and his lightning fast climb on the social ladder of Venetian Istria was about to commence.¹⁰⁷⁷

The *Serenissima* first made sure that the man was safe from the conspirators he so heroically uncovered, so the Council of Ten gave him the permission to carry arms.¹⁰⁷⁸ As a sign of gratitude, the same council first accorded him an honorary stipend of four hundred ducats a

¹⁰⁷³ A most detailed account is provided in Edoardo Piva, *Venezia, Scaligeri e Carraresi: Storia di una persecuzione politica del XV secolo* (Rovigo: Corriere del Polesine, 1899), 90–99. See also, Arnaldo Segarizzi, "Contributo alla storia delle congiure padovane," *Archivio veneto*, n.s., 31 (1916): 53–54.

¹⁰⁷⁴ "Anno 1439, die XV augusti. <Dominus dux et capita> Quod pro istis novitatibus Padue eligantur decem pro additione huius consilii ut possit provideri super istis novitatibus denotatis per Nicolaum de Pirano." ASV, CXMi, reg. 12, fol. 34v. See also, Segarizzi, "Contributo alla storia," 56–57.

¹⁰⁷⁵ The most detailed analysis of this failed conspiracy is featured in Segarizzi, "Contributo alla storia," 57–62.

¹⁰⁷⁶ Segarizzi, "Contributo alla storia," 62.

¹⁰⁷⁷ Ever since the publication of Domenico Venturini, "Il casato dei marchesi Gravisi," *AMSI* 22, no. 3–4 (1906): 296–346 (hereafter "Il casato I"), who on 298 stated that Niccolò de Gravisi earned Venetian favor as the captain of the armed guard in Padua in 1435 and that he helped quell the 1435 conspiracy led by Marsilio da Carrara, Istrian historians—including the author of these lines—interpreted Niccolò's rise to power erroneously. As primary sources reveal—both the registers of the Council of Ten and Foscari's *ducale* that will be discussed below—, Niccolò de Gravisi of Piran did not help uncover and stop the 1435 Marsilio's conspiracy, but the 1439 Scrovegni's conspiracy that had nothing to do with Marsilio da Carrara who was at this point already dead. Venturini's erroneous interpretation was popularized by Darko Darovec, *Petrpilosa: Grad, rodbina, fevd in markizat* [Pietrapilosa: The city, the family, the feudal estate and the Marquisate] (Koper: Založba Annales, 2007), 124 from where it was uncritically appropriated in Banić, "Elitni slojevi," 53–54; Banić, *Justice in Flux*, 94; Banić, "Pinguente," 157. I am hereby correcting this grave error that has been perpetuated primarily by me and for that I humbly ask the forgiveness of my fellow colleagues.

¹⁰⁷⁸ "Auctoritate huius consilii dominus Nicolaus pro securitate sue persone simul cum duobus apud se possit portar arma de die et de nocte, et fratres sui possit etiam portar arma ad beneplacitum Domini." ASV, CXMi, reg. 12, fol. 38r.

year, paid to him by the treasury of Koper.¹⁰⁷⁹ A few months later, on the 18th of February, 1440, the Council of Ten decided to gift the loyal nobleman of Piran something more tangible: fort Petrapilosa in Istria to be held as a hereditary fief from the Republic of Venice.¹⁰⁸⁰ The solemn *ducale* issued to Niccolò de Gravisi by Doge Foscari soon thereafter (10th of March, 1440) narrated the entire heroic storyline: “overtaken by the zeal of true loyalty and natural sincerity and devotion to us and to our Dominium”—stated proudly the Venetian doge of Niccolò’s merits—“he revealed the conspiracy plotted against us and our state in Padua by some villainous sons [of ours]. Thus, it could be said that the very city of Padua remains preserved under our Republic due to the loyalty and diligence of the very Niccolò.”¹⁰⁸¹ Wanting to show its gratitude, states the ducal letter, Venice is now investing Niccolò with Petrapilosa, a fief of the Venetian Republic with annual income of one hundred and fifty ducats; the remaining two hundred and fifty ducats would still be paid to him annually by the treasury of Koper, at least until more lands are conferred to him.¹⁰⁸² In return, Niccolò is expected to remain faithful to Venice, to guard and watch over his fort, and to give a symbolic gift of one big candle (weighing ten pounds) to Venice on every feast day of St. Mark for the Church of St. Mark, the protector of the Venetian Republic.¹⁰⁸³ He is not given the *merum et mixtum imperium*, however, as the criminal and appellate jurisdiction of his new subjects is to reside in the podestà of Koper.¹⁰⁸⁴ As the lords of the fort that had previously been the seat of Istrian margraves, House De Gravisi henceforth officially assumed the noble title of *marchiones* (translated hereon as marquises, simply to differentiate it from the Aquileian margraves).¹⁰⁸⁵

¹⁰⁷⁹ ASV, CXMi, reg. 12, fol. 55r and as read in the *ducale* published *in extenso* in Carli, *Appendici*, 167.

¹⁰⁸⁰ ASV, CXMi, reg. 12, fol. 55r.

¹⁰⁸¹ “Conspirationem, que contra nos et statum nostrorum de Civitate nostra Padue per quosdam iniquitatis filios tenebatur, ductus zelo vere fidelitatis ac devotionis nobis ac naturalis sinceritatis et nostro Dominio [Nicolaus Gravisi quondam Vanti de Pirano] propalavit, unde dici potest ipsam Civitatem Padue pro ipsius Nicolai fide et industria sub nostra Republica conservat esse.” Carli, *Appendici*, 167.

¹⁰⁸² “Introitus, redditus et proventus ex nunc declarentur et limitentur esse ducatos 150 singulo anno, computentur in suprascripta provisione ducatos 400 ipsius Nicolai et heredum suorum, ita quod habeant et recipiant tanto minus de provisione a camera nostra Iustinopolis quantum est ipsa quantitas ducatos 150 in anno, et residuum dicte provisionis recipiant ab ipsa nostra camera Iustinopolis secundum formam deliberationis nostre predictae donec sibi et heredibus suis provisum fuerit de aliis possessionibus ad equivalentiam residui dicte provisionis.” Carli, *Appendici*, 168.

¹⁰⁸³ “Idem Nicolaus et eius heredes custodire teneantur et conservare dictum castrum Petrepilose omnibus suis expensis ad honorem, statum et obedientiam nostri Domini. [...] Teneatur idem Nicolaus et eius heredes pro recognitione et honorantia pheudi dicti castri Petrepilose dare nostro Dominio singulis annis ad festum gloriosissimi protectoris nostri Sancti Marci de mense aprilis cereum unum ponderis librarum decem pro Ecclesia Sancti Marci.” Carli, *Appendici*, 168–69.

¹⁰⁸⁴ “Iurisdictio sanguinis et criminalium et appellationes causarum civilium ad potestatem et capitaneum nostrum Iustinopolis pertineant, qui in rebus et casibus criminalibus et appellationibus causarum civilium sit et esse debeat superior cognitor et decisor.” Carli, *Appendici*, 169.

¹⁰⁸⁵ E.g. Carli, *Appendici*, 170. See also, Venturini, “Il casato I,” 296–346.

Finally, on the 26th of March, 1463, Niccolò and his heirs were made citizens and nobles of Koper with a seat in the communal Great Council.¹⁰⁸⁶ Their rise to power was officially complete.

Thus emerged the Marquises De Gravisi, the most prestigious noble house of late medieval and Early Modern Venetian Istria. For centuries to come Niccolò's heirs remained the lords of Petrapilosa and, due to its vicinity, a regular presence in the neighboring Buzet. The first decades of De Gravisi's rule were indeed traumatic for the local Istrian population and more on this will be reported in the fourth chapter of this study. However, Niccolò's grandsons, the sons of Pietro de Gravisi and the Venetian noblewomen Laura Minio, were attested as particularly distinguished local *nobiles*, integrated in the community's social fabric as the undisputed elite.¹⁰⁸⁷ The De Gravisi, however, never identified locally for they were nobles unlike any other on the entire Istrian peninsula. As such, their dominant level of identification was that of their noble house and title, not of their local provenance or civic status. Indeed, from the moment they became the marquises of Petrapilosa, the local identification marker "of Piran" was immediately left out: from hereon they were "the noble and excellent men," "the De Gravisis," "the marquises of Petrapilosa."¹⁰⁸⁸ In the context of *Quattrocento* Venetian Istria, they were the only such individuals who outgrew the framework of local identification, placing their exclusive social status as the provincial nobility at the top of their identity hierarchy scale.

De Gravisi's position was also the very peak that an Istrian family could reach in the framework of *Dominium Veneciarum*.¹⁰⁸⁹ Venice was simply too protective of its own patriciate to allow any provincial family—and Istria was no exception—to reach any sort of position commensurable to that of the Venetian nobility sitting in the capital's Great Council. In the fifteenth century, however, the Republic of St. Mark was changing so rapidly that even this centuries-old precept was opened to challenge. Namely, on the 7th of September, 1411, during the height of the war against King Sigismund when Venetian position in Dalmatia was all but secure, Andrea Contarini—the same bold and creative senator who proposed that the four *castra* of the

¹⁰⁸⁶ Carli, *Appendici*, 170; Marsich, "Effemeridi Giustinopolitane," 41, doc. 26.

¹⁰⁸⁷ Banić, "Elitni slojevi," 54–58.

¹⁰⁸⁸ Numerous examples of their identification markers are featured in Zjačić, "Notarska knjiga," e.g. on 476: "Nobilis vir dominus Michael de Gravixio, marchio Petre Piloxe."

¹⁰⁸⁹ Correctly noted Ivetic when he wrote: "[I] marchesi Gravisi erano indubbiamente la famiglia più prestigiosa dell'intera Istria veneta: essi erano nobili capodistriani, nobili titolati, marchesi e soprattutto feudatari. Avevano insomma il massimo a cui poteva aspirare la nobiltà istriana." Egidio Ivetic, "Élites urbaines nell'Istria veneta dal XIV al XVIII secolo," in *Mestne elite v srednjem in zgodnjem novem veku med Alpami, Jadranom in Panonsko nižino / Urban elites in the Middle Ages and the Early Modern Times between the Alps, the Adriatic and the Pannonian plain*, ed. Janez Mlinar and Bojan Balkovec (Ljubljana: Zveza zgodovinskih društev Slovenije, 2011), 75.

former Margraviate of Istria continue “govern themselves as they were accustomed to do before”—suggested a radical innovation with potentially far-reaching consequences.¹⁰⁹⁰ Since the nobles of Zadar were disappointed with Venetian rule because they had been accustomed to receive grater positions (*honores*) from their previous rulers, something had to be done to appease the new Venetian subjects, especially those of the most important city of Dalmatia, argued the Venetian senator. Therefore, proposed Contarini, the nobles of Zadar should be given the chance to govern eighteen of the smallest and least important podestarias of Venice—an unflattering list of minor centers that included Novigrad, Bale, and Umag in Istria—the same way the Venetian noblemen do. This would create a completely new dynamic within the nascent *Dominium Veneciarum* as the local administration of subject communities would cease to be the sole prerogative of the Venetian patriciate. In turn, this course of events had the potential to propel the banderial collective identification—at least among the nobility of Zadar—to a completely new level. Moreover, one could suppose that Zadar would not be alone in enjoying this privilege and that, in time, more communes would be given the same right. In short, the *Dominium Veneciarum* would thus become so much more than a jurisdictional state governed exclusively by the capital’s nobility—it would have become a unique late medieval dominion very much ahead of its time. Alas, Contarini’s proposal was shot down with only ten senators voting in its favor and nothing of the sort ever took place. Venetian conservatism prevailed and the governance of subject centers was to remain the sole domain of the *Serenissima*’s nobles working in tandem with the local elites until the very end of the Republic of St. Mark. The system remained closed and for the De Artizanibuses, the Scampichis, the De Germanises and even the De Gravisis of this Venetian world, this would be as good as it would get. This is also why Venetian banderial collective identification never gained much ground among the subjects: the dividing line between the Venetian noble and any other local elite was just too great, too unsurmountable.

Chapter III.4

Identifying (with) Istria: The Peninsula’s Place within Venice’s Bifurcated State

¹⁰⁹⁰ The *pars* is edited *in extenso* in Ljubić, ed., *Listine* 6: 182–83, doc. 169 and discussed in Cozzi, “Politica, società, istituzioni,” 198–99; O’Connell, *Men of Empire*, 44.

Before concluding the chapter dedicated to identities, a perennial problem of Istria's position within the nascent *Dominium Veneciarum* must be tackled: were the Venetian *partes Istrie* identified as integral parts of the newly constituted *Terraferma* or *Stato da Mar*?

The question stems from Istria's repeated categorization as both a province of the mainland as well as of the maritime part of the Venetian state by the fifteenth- and sixteenth-century Venetians themselves. Namely, the famous division between *Terraferma* and *Stato da Mar* realm of the newborn Dominion of Venice was officially inaugurated only in 1440 and primarily for administrative-archivistic ends: it is from this year that the minutes of Senate's sessions began being recorded in two separate registers, one for the mainland part (*Senato Terra*), the other for the maritime territories (*Senato Mare*).¹⁰⁹¹ This bifurcation subsequently influenced the institutional evolution of *Dominium Veneciarum* as certain newly (re)constituted governmental bodies had their sphere of action delimited to only one of the two principal domains. For example, on the 12th of October, 1410, the Great Council of Venice created a new institution, "the new auditors of appeals" (orig. Lat. *auditores novi sententiarum*), who were to act as appellate jurisdiction exclusively to "newly acquired lands and places," the future *Terraferma*; the "old auditors" remained responsible for appeals coming from Venice, the Dogado, and the "maritime regions".¹⁰⁹² The large majority of Venetian regions fitted neatly into one of the two categories, appearing exclusively in one of the two Senate's registers—Istria did not.

First, both *Mare* and *Terra* series of Venetian Senate's minutes feature decrees relating to Istria. Second, it was the syndics for the mainland state that (relatively) regularly toured across Venetian Istria as part of their *Terraferma* itinerary and heard the appeals from Istrian subjects; one such itinerary, from 1486, was famously recorded by the prolific Marino Sanudo the Younger, a text that features several chapters dedicated to Istrian communities as integral elements of the mainland part of the nascent *Dominium Veneciarum*.¹⁰⁹³ Although there are more elements testifying to Istria's ambiguous position within the bipartite Venice's *Quattrocento* state—and these will be discussed below—, these two observations are customarily cited as the main arguments in support of the thesis that Istria fit neither of the two newly constituted Venetian macroregions.¹⁰⁹⁴ Istria would thus be a text-book example of a "deviant case," one that does not

¹⁰⁹¹ Arbel, "Colonie d'Oltremare," 954–55; Knapton, "The Terraferma," 94; Arbel, "Venice's Maritime Empire," 129.

¹⁰⁹² ASV, MC, reg. 21, fol. 203r–v. On the *auditores novi*, see Viggiano, *Governanti e governati*, 147–77.

¹⁰⁹³ Sanudo, *Itinerario*, 446–64.

¹⁰⁹⁴ Arbel, "Venice's Maritime Empire," 131; Viggiano, "Note," 9; Trebbi, "Introduzione," 354.

fit the existing interpretative framework of a population under study.¹⁰⁹⁵ A closer look at the contemporary primary sources, however, reveals a somewhat different picture.

Starting with the two series of Senate's deliberations, the first three registers of the newly formed *Senato Mare* line, covering the period between 1440 and 1450, feature sixty-one deliberations relating to Istria, roughly twenty per register.¹⁰⁹⁶ The first seven registers of the *Senato Terra* series, covering the period from 1440 to 1477, feature only fifteen decrees relating exclusively to Istria and Istrian communities, roughly two per register, although it must be stated that the very first volume (1440–1446) features no entry devoted exclusively to *partes Istrie*.¹⁰⁹⁷ True, Istria appears sporadically in decrees related to more general matters, such as the already mentioned taxation of Jews, but compared to *Senato Mare*, the *Terra* registers feature matters concerning the Peninsula much more rarely.¹⁰⁹⁸ Even when Istria does appear in the decrees promulgated for *partes terre*, it is most often set apart with phrases such as “to all the rectors in the mainland regions and Istria,” demonstrating that the Peninsula was not conceptualized as the integral part of the *Terraferma*.¹⁰⁹⁹

At the same time, however, Istria did not fit neatly within the concept of the *Stato da Mar*. Originally, before the official bifurcation of 1440, the Venetians were dividing their state into two parts, “on this side” or “beyond” the Kvarner (*a Quarnerio citra* or *ultra*) and this region continued to serve as a “boundary” separating the two realms of the *Serenissima*.¹¹⁰⁰ Istria, situated “on this side” of the Kvarner, should thus be seen as part of the mainland realm. However, when the new auditors of sentences were formed with jurisdictions for the “newly acquired territories”—the future *Terraferma*—Istria was not placed under their authority, not even the communities such as Muggia, Buzet or Labin which were indeed “newly acquired” (another case of regional homogenization). Gradually, new regions were being added to the responsibilities of the *auditores novi* simply to unburden the old auditors and equally distribute their respective workloads.

¹⁰⁹⁵ Gerring, *Case Study*, 105–8.

¹⁰⁹⁶ The regesta of these deliberations are published in “Senate Mare I,” 223–43.

¹⁰⁹⁷ The numbers are compiled mainly from ASV, STer, rubrica 1: (1440–1473), fol. 53r. The first decree relating exclusively to Istria registered in the Terra register is dated 9th of January, 1449 (1448 *more Veneto*) and concerns the podestà of Vodnjan. “MCCCCXLVIII^o, die VIII^o ianuarii. <Consiliarii> Quod viro nobili ser Donato de Molino potestati Adignani concedatur quod pro nonnullis negotiis suis Venetias venire possit per quindecim dies, dimittendo eius loco virum nobilem ser Antonium de Molino eius cognatum. De parte alii, de non 2, non sinceri 0. Facta fuit litera die instanti prout patet ad registrum literarum.” ASV, STer, reg. 2, fol. 99v.

¹⁰⁹⁸ E.g. ASV, STer, reg. 3, fol. 54r.

¹⁰⁹⁹ E.g. “Ab omnibus rectoribus nostris a parte terre et Istrie.” ASV, STer, reg. 3, fol. 54r.

¹¹⁰⁰ Arbel, “Venice's Maritime Empire,” 129–30; Trebbi, “Introduzione,” 354.

However, when on the 1st of March, 1418, the original jurisdictions of the new auditors were drastically expanded to include all the lands “from beyond the Kvarner”—the future *Stato da Mar*—Istria was yet again not placed under their authority.¹¹⁰¹ It was only on the 2nd of June, 1444, that another decree, this time promulgated exclusively for Istria, finally placed the Peninsula under the jurisdictional prerogatives of the new auditors, leaving the *auditores veteres* in charge only of appeals coming from Venice and the Dogado.¹¹⁰²

Therefore, even though the Peninsula leaned closer towards the maritime realm of the *Dominium Veneciarum*—by far the vast majority of decrees relating to Istria were recorded in the *Mare* series of the Venetian Senate’s minutes—, it must be concluded that Istria’s position was indeed ambiguous, suspended between the *Terraferma* and *Stato da Mar* as it was. What were the underlying factors that led to this unique position of Istria within the nascent Dominion of Venice?

Marino Sanudo the Younger hinted at the answer to this question in his *Itinerary*: “The region called Histria,” wrote the young Venetian patrician, “is the last region of Italy, its end and boundary.”¹¹⁰³ Sanudo was influenced by the scholarly discourse of his day, mainly by the writings of the famous humanist Flavio Biondo, the author of the seminal *Italy Illuminated* where Istria was likewise described as the “the last region of Italy.”¹¹⁰⁴ The same stance was lyrically phrased by Dante Alighieri in his *Divine Comedy* where he wrote that it is “Pula, near the Kvarner, that shuts Italy in and bathes her borders”.¹¹⁰⁵ Even works outside of strictly Apennine context, such as the late fourteenth-century *Descriptio provincie Italie* written by an anonymous author for the French court, conceptualized Istria as a frontier but nonetheless integral region of Italy.¹¹⁰⁶ Such views,

¹¹⁰¹ “Vadit pars, quod omnes appellationes que decetero venient a Quarnerio ultra de quibuscumque locis et partibus, audiri et expediri debeant per nostros auditores novos sententiarum.” ASV, MC, reg. 22, fol. 26r.

¹¹⁰² ASV, MC, reg. 22, fol. 157r. I have edited the *pars in extenso* in the appendix. See doc. III/B in appendix 3.

¹¹⁰³ “Histria region cussi chiamata, et avanti el tempo di Cae. Aug. Italia era dita, et è ultima region de l’Italia, fine et termine.” Sanudo, *Itinerario*, 446.

¹¹⁰⁴ “Istria regionum Italiae ad Alpes Liburnicas ultima.” Flavio Biondo, *Italy Illuminated*, ed. Jeffrey A. White, vol. 2: *Books V–VIII* (Cambridge, MA: Harvard University Press, 2016), 178 (translation on 179; chapter on Istria from 166–77).

¹¹⁰⁵ “Sì come ad Arli, ove Rodano stagna, sì com’a Pola, presso del Carnaro ch’Italia chiude e suoi termini bagna.” Dante Alighieri, *The Divine Comedy*, trans. Charles S. Singleton, vol. 1/1: *Inferno: Italian Text and Translation*, Bollingen Series 80 (London: Routledge & Kegan Paul, 1971), 96–97, canto 9, l. 112–14. I have slightly modified Singleton’s translation.

¹¹⁰⁶ The narrative is edited in Paul Febre, “Le patrimoine de l’Église romaine dans les Alpes Cottiennes,” *Mélanges d’archéologie et d’histoire* 4 (1884): 413–20, 419 for Istria. The narrative comes from an anonymous account inserted into a 14th-century codex originally made for the French court but currently in Vatican, in the Biblioteca Apostolica Vaticana, under the signature Pal. lat. 965, fol. 242r; the manuscript is digitized and can be consulted online at https://digi.vatlib.it/view/MSS_Pal.lat.965 [last access: 17th of July, 2020, note that fol. 242r is rendered as fol. 229r in the digital index].

dominant throughout the medieval centuries and the Early Modern era, stem from the geography harkening back to Roman Empire of classical antiquity, all the way to Strabo, the first author to explicitly include Istria as part of Italy.¹¹⁰⁷ From this point on, that is following Augustus' regional subdivisions of Roman Italy into ten regions of which *Venetia et Histria* formed the tenth, until the Early Modern era, Istria remained very much uncontested within the conceptual horizons of the term *Italia*.¹¹⁰⁸ Medieval cartography corroborates this thesis: from the so-called *Tabula Peutingeriana* to the maps of Italy appended to the fifteenth-century editions of Ptolemy's *Geography*, Istrian peninsula was regularly demarcated within the geographical scopes of *Italia*.¹¹⁰⁹

At first, this conceptual fusion of Istria and Italy did not influence Venetian policies towards the Peninsula in any way. However, the concept of Italy as a distinct geo-cultural and, perhaps even more importantly, geo-political space shared by the nascent *dominia* such as Milan, Florence, and Venice, gained new ground precisely during the early *Quattrocento*.¹¹¹⁰ For Venice, it was primarily with Doge Foscari that the discourse of Italy entered most prominently Venetian political and diplomatic vocabulary: after all, Venice proudly proclaimed to be fighting for *libertas Italiae* as it officially entered in open military conflict against Milan in December of 1431.¹¹¹¹ Thus, the “newly acquired territories” slowly began acquiring a new semantic dimension: Venice's

¹¹⁰⁷ “After the foothills of the Alps is the beginning of what is now Italia. The ancients called only Oinotria ‘Italia’ which extended from the Sikelian Strait as far as the Tarantine and Poseidoniate Gulfs, but the former name won out and advanced as far as the foothills of the Alps. It took in Ligystike as far as the Varus River and the sea there, from the boundaries of Tyrrhenia, and Istria as far as Pula.” Duane W. Roller, *The Geography of Strabo: An English Translation with Introduction and Notes* (Cambridge: Cambridge University Press, 2014), 216, book 5, chap. 1.1. See also Mate Križman, *Antička svjedočanstva o Istri: Izbor iz djela* [Ancient testimonies of Istria: A selection of works] (Pula: Čakavski sabor, 1979), 73 (Greek original) and 78 (Croatian translation).

¹¹⁰⁸ The fact that some 11th-century public documents (i.e. issued by the (Holy) Roman kings and emperors) concerning Istria were recognized by the chancellor of the German and not Italian chancellery did not manage to sever the association of Istria with Italy. Peter Štih, “Anfänge und Entwicklung der Urkunden und urkundennahen Schriftlichkeit im Gebiet Sloweniens bis zum Beginn des 12. Jahrhunderts,” in *Schriftkultur zwischen Donau und Adria bis zum 13. Jahrhundert*, ed. Reinhard Härtel et al., Schriftenreihe der Akademie Friesach 8 (Klagenfurt: Wieser, 2008), 296. Cf. Benussi, *Nel Medio evo*, 408–9.

¹¹⁰⁹ Luciana Lago and Claudio Rossit, *Descriptio Histriae: La penisola istriana in alcuni momenti significativi della sua tradizione cartografica sino a tutto il secolo XVIII*, Collana degli Atti 5 (Trieste: Lint, 1981), esp. 9–12 and 26–28.

¹¹¹⁰ Robert Aidan Policelli, “*Italia Nova*: Renaissance Historians and the Framing and Reframing of an Italian History,” PhD Thesis (Chapel Hill, University of North Carolina, 2010), esp. 112–60 for the period of the *Quattrocento*. See also, Lazzarini, *L'Italia degli Stati*, 140–42.

¹¹¹¹ “Non voluntarie nec ambitione dominii moti sumus ad guerram, sed irritati et coacti pro salute et conservatione honoris et status nostri ac libertatis Italice.” ASV, SS, reg. 12, fol. 52v, referenced in Romano, *The Likeness of Venice*, 102. See also, Felix Gilbert, “Humanism in Venice,” in *Florence and Venice 1: 20–22*; Hans Baron, *The Crisis of the Early Italian Renaissance: Civic Humanism and Republican Liberty in an Age of Classicism and Tyranny*, vol. 1 (Princeton, NJ: Princeton University Press, 1955), 343–47, 393–94.

mainland possessions were *provinciae Italiae* and could thus be referred to as “lo stado Italico.”¹¹¹² For example, a 1561 report of the syndics for the mainland state features the following description of the Venetian *Terraferma*: “the entire dominion that she [the *Signoria* of Venice] possesses in *Terraferma* in Italy is divided in four principal parts, that is, Istria, Friuli, the March of Treviso and the parts of Lombardy.”¹¹¹³ Cartographic representations also corroborated this connection: for example, a map titled *Venetian Dominion in Italy*, made by Giovanni Antonio Magini and published in Bologna in 1620, includes Istria.¹¹¹⁴ That this semantic overlay did in fact influence Venetian categorization of their subjects is mirrored in the fate of Ravenna. This commune, annexed in 1441, would have to be conceptualized as pertaining to the *Stato da Mar*, following the logic that if one needs to reach these places “without touching [the lands of] others,” one must travel by sea.¹¹¹⁵ However, notwithstanding the fact that some deliberations regarding Ravenna were indeed recorded in the *Mare* registers, by 1485 the Council of Ten had no problem explicitly stating that Ravenna “is to be understood and counted among our cities and lands of the mainland region.”¹¹¹⁶

Consequently, the “old possessions” were likened to *Stato da Mar*, a macroregion that indeed included, albeit not exclusively, regions with lands that had been, to a greater or lesser degree, subjected to Venice already in the thirteenth and/or fourteenth centuries such as Istria, Dalmatia, and *Romania*. Coupled with the pronounced maritime character of Istrian peninsula with its principal centers—Muggia, Koper, Piran, Poreč, Pula—all being port cities, the *partes Istrie* were also identified as quintessential region of the *Stato da Mar*. Herein lies the main factor that

¹¹¹² Angelo Ventura, “Introduzione,” in *Dentro lo ‘Stado Italico’: Venezia e la Terraferma fra Quattro e Seicento*, ed. Giorgio Cracco and Michael Knapton (Trento: Civis, 1984), 5–15; Trebbi, “Introduzione,” 354.

¹¹¹³ “[E]ssendo deviso, come sa bene Vostra Serenità, tutto il Dominio che ella possiede nella Terraferma in Italia in 4 parti principali, cioè nell’Istria, nel Frioli, nella Marca Trevisana et in parte della Lombardia.” Matteo Melchiorre, *Conoscere per governare: Le relazioni dei sindici Inquisitori e il dominio veneziano in terraferma (1543-1626)* (Udine: Forum, 2013), 129, doc. 3: 1561. Relazione di Alvise Mocenigo, Giovanni Antonio Zen e Daniele Querini Sindici di Terraferma.

¹¹¹⁴ Egidio Ivetic, ed., *Adriatico orientale: Atlante storico di un litorale mediterraneo*, Collana degli Atti 37 (Rovinj: Centro di ricerche storiche Rovigno, 2014), 238–39, tav. 20: carta del *Dominio veneto nell’Italia* di Giovanni Antonio Magini, stampata a Bologna nel 1620. The map may be viewed in high resolution at <https://gallica.bnf.fr/ark:/12148/btv1b53042776c/fl.item> [last access: 7th of May, 2021].

¹¹¹⁵ Marino Berengo, “Il governo veneziano a Ravenna,” in *Ravenna in età veneziana*, ed. Dante Bolognesi (Ravenna: Angelo Longo, 1986), 31–67. The maxim for the membership in *Stato da Mar* is taken from Giovanni Botero, *Relatione della Repubblica venetiana* (Venice: Giorgio Varisco, 1605), 9v–10r: “stato di mare chiameremo quello che confina con le lagune; e per andarvi, senza toccar altrui, bisogna passar il mare.”

¹¹¹⁶ “Ravena intelligatur et connumeretur inter civitates et terras nostras a parte terrae.” ASV, CXMi, reg. 22, fol. 132r. Berengo, “Il governo veneziano a Ravenna,” 39.

brought about this ambiguous position of Istria within the bifurcated *Dominium Veneciarum*—the region was both a part of Italy and a part of Venice’s old, maritime possessions in the Adriatic.

In the end, it was the maritime character of Istria that prevailed and for Venice the Peninsula was conceptualized more as an integral part of its *Stato da Mar* rather than its *Terraferma* realm. This conclusion is primarily corroborated by the disproportionate number of deliberations concerning Istria registered in the *Mare* series of the Venetian Senate, but the writings of Giovanni Botero also strengthen the argumentation: “[*Stato da Mar*] is divided into mainland and islands,” wrote the prolific philosopher, “the mainland [parts] are Istria, Dalmatia, *Schiavonia* and Albania.”¹¹¹⁷

What structures and processes ultimately led to this victory of the maritime over the continental conceptualization of the region cannot be ascertained. Did the gradual change of the Peninsula’s ethnic structure, resulting from the large number of Slavic-speaking immigrants, from sixteenth century onwards in large part organized by Venice, slowly sever the identification of the *partes Istrie* with *Italia*?¹¹¹⁸ Enea Silvio Piccolomini argued somewhat along that line of thought in his *Europe*, disconnecting Istria from Italy and identifying the Peninsula’s population with the Slavs.¹¹¹⁹ Although this systematic immigration may have borne some influence, it seems much more likely that it was mostly the region’s maritime character—stressed by Piccolomini as well—that ultimately emerged as the more dominant determinant, solidifying Istria as the integral region of the *Serenissima*’s *Stato da Mar*.¹¹²⁰

The analysis has thus changed the hypothesis that Istria presents a “deviant case” within the context of the nascent bifurcated *Dominium Veneciarum*. Instead, it must be concluded that the

¹¹¹⁷ “Questo [Stato da Mar] si divide in continente et in isole: continente sono l’Istria, la Dalmatia, la Schiavonia, l’Albania.” Botero, *Relatione della Repubblica venetiana*, 10r.

¹¹¹⁸ The historiography on immigrations into Venetian Istria, especially from 16th century onwards, is considerable. See, e.g., Miroslav Bertoša, *Mletačka Istra u XVI. i XVII. stoljeću*, vol. 1: *Kolonizacija* [Venetian Istria in the 16th and 17th centuries, vol. 1: Colonization] (Pula: Istarska naklada, 1986); Lia De Luca, “Venezia e le immigrazioni in Istria nel Cinque e Seicento,” PhD Thesis (Venice: Università Ca’ Foscari, 2011), 49–141 for the period up to the *Seicento*.

¹¹¹⁹ “Istriam veteres Italiae partem tradiderunt... inconvenienter Italiae tamen iungitur Adriatico sinu disiuncta et in peninsulae modum circumdata mari. ... Istri hodie Sclavi sunt, quamvis maritimae urbes Italico sermone utuntur utriusque linguae peritiam habentes.” (“The ancients assigned Istria to Italy... However, to include it with Italy is inappropriate, since it is separated from it by a gulf of the Adriatic and, like a peninsula, surrounded by sea where it joins the mainland. ... Today, the Istrians are Slavs, though the coastal cities use the Italian language and are fluent in both tongues.” Piccolomini, “De Europa,” 259, chap. 18 (English translation taken from Enea Silvio Piccolomini, *Europe (c. 1400-1458)*, trans. Robert Brown (Washington, DC: The Catholic University of America Press, 2013), 117–18).

¹¹²⁰ “Pars provinciae melior ea Venetorum quae maritima imperio subiecta est.” (“The better part of the country is the coastal region, which is subject to the rule of the Venetians.”) Piccolomini, “De Europa,” 259, chap. 18 (English translation from Piccolomini, *Europe*, 118).

Peninsula is an “influential case” according to Gerring and a simple modification of the existing interpretative framework was enough to explain its seemingly unique position: Istria was conceptualized both as the region of Italy (*Terraferma*) and as an integral part of Venice’s old, maritime macroregion extending from the Adriatic into the Aegean (*Stato da Mar*).¹¹²¹ As Venice refashioned itself as an integral factor in the Italian geo-political space and as “newly acquired territories” became more and more conceptualized as Venetian “stado italico,” Istria could easily be seen as belonging both to the *Terraferma* as well as to the *Stato da Mar*.

Ultimately, it is not wrong to categorize Istria within either of the two realms of the *Dominium Veneciarum*—the Peninsula can be analyzed from either prospective, ideally from both, and its ambiguous position should no longer deter anyone from including this quintessential Venetian dominion from their scholarly analyses of Venetian history. However, both the kernel of the Peninsula’s ambiguous position—explicated in this chapter—as well as the region’s predominantly maritime character ought to be borne in mind.

¹¹²¹ Gerring, *Case Study*, 108–15.

Chapter IV: Performing the State

The winged lion of St. Mark has been the seminal symbol of Venice throughout the Republic's centuries-long existence, a sacred personification of the city's protector conferring legitimacy upon the Venetian governors and guiding their actions both in the worst of times as well as in the moments of greatest triumphs.¹¹²² Thus, when the Venetian-born artist Jacobello del Fiore was officially commissioned to paint this majestic beast in the early 1410s, the painter decided to represent the mythical personification of Venice in the context of his day.¹¹²³ Del Fiore's *Lion of St. Mark*, finished in 1415 and hung in the Venetian ducal palace, was depicted with his rear legs in the sea and his front paws on the ground, symbolically evoking the triumphs of the great—and at the time still ongoing—territorial expansion over the *Terraferma*.¹¹²⁴ There was, however, another seminal aspect to Del Fiore's contextualization of this personification of Venice. Namely, the Venetian winged lions were traditionally depicted holding an open book, an explicit reference to St. Mark the evangelist, with the inscribed standard phrase "Peace be with you, Mark, my evangelist."¹¹²⁵ Del Fiore decided to replace the time-honored, customary line with something more original, yet equally evocative of his Republic, representing the values uniting the entire *Dominium Veneciarum*: "Hatred, fear of all things, envy and passion are ousted from here, and crime, weighted on the scales of truth, is punished."¹¹²⁶ The painter's metaphor was clear: Venice, the sacred Republic under the protection of St. Mark the Evangelist himself, is a bastion of impartial, rational, God-pleasing administration of justice.

The fact that Del Fiore's *Lion of St. Mark* continues to embellish the ducal palace to this day is telling of the metaphor's remarkable success and how strongly it reverberated with the collective self-fashioning of the Venetian political strata. Indeed, the administration of justice was seen as the most important aspect of Venetian jurisdiction, both in the city itself as well as in all

¹¹²² David Rosand, *Myths of Venice: The Figuration of a State* (Chapel Hill: University of North Carolina Press, 2001), 47.

¹¹²³ On Jacobello del Fiore, see Laudedeo Testi, *La storia della pittura veneziana*, vol. 1: Le origini (Bergamo: Istituto Italiano d'arti grafiche, 1909), 393–95; Valentino Anselmi, *Jacobello del Fiore: O della pittura a Venezia tra il neogiottismo di fine Trecento e la 'rivoluzione' gentiliana*, PhD thesis (Florence, Università degli studi di Firenze, 2014).

¹¹²⁴ Pozza, "I propretari fondiari," 661; image 1 in this study.

¹¹²⁵ Rosand, *Myths of Venice*, 51.

¹¹²⁶ "Linquitur hic odium, metus omnis, zelus et ardor, plectitur hicque scelus libratum cuspidi veri." See image 1 in this study. For some reason the word "zelus" was often transcribed as "rebus" which is simply wrong. Cf. Pia Pedani, "Mamluk Lions and Venetian Lions," 17.

the other subjected territories governed under the protective shade of St. Mark's winged lion: "Since justice is the principal foundation of our city and its singular ornament, just as in the city itself, so too in the subjected lands," proudly would state the Venetian patricians in the Great Council.¹¹²⁷ The *Dominium Veneciarum* was thus identified both with St. Mark the Evangelist as well as with the divine Lady Justice (*Iustitia*), depicted as a resolute crowned woman flanked by two lions holding a sword in one hand and a scale in the other.¹¹²⁸ The most famous of these figural representations of Venetian Lady Justice is the one carved in the façade of the ducal palace in mid-fourteenth century: it shows "VENECIA" personified as *Iustitia*, a robed woman sitting on the throne flanked by lions who subdued her enemies, the sword in one hand symbolizing the *merum et mixtum imperium*, and a writ on the opposing side with the text "Just and courageous on my throne, I keep the furious sea beneath my foot."¹¹²⁹

¹¹²⁷ "Cum ciò sia cosa che el principal fondamento dela nostra cità et ornamento singular sia la iustitia, si nel corpo dela terra como dele terre subdite." ASV, MC, reg. 22, fol. 111r (15th of May, 1435). Similar *arengae* can be found in various *partes*.

¹¹²⁸ Judith Resnik and Dennis Curtis, *Representing Justice: Invention, Controversy and Rights in City States and Democratic Courtrooms* (New Haven: Curtis, 2011), 79–82.

¹¹²⁹ "Fortis iusta trono furias mare sub pede pono." See image 2 below. According to Wolfgang Wolters, the sculpture is the work of Filippo Calendario and the two figures defeated by the lions represent Avarice and Pride. Wolfgang Wolters, *La scultura veneziana gotica (1300-1460)*, vol. 1 (Venice: Alfieri, 1976), 46, 178–79. The translation is taken from Quentin Skinner, *From Humanism to Hobbes: Studies in Rhetoric and Politics* (Cambridge: Cambridge University Press, 2018), 31–32. The image is taken from Zorzi, "La giustizia," fig. 7, <https://books.openedition.org/psorbonne/docannexe/image/6624/img-7.jpg> [last access: 25th of March, 2021].



Image 2: Filippo Calendario (?), Venice as Lady Justice, Venice, Ducal Palace, mid-fourteenth century.

This identification of the *Serenissima* with Lady Justice continued throughout the *Quattrocento* and even Jacobello del Fiore, “the official painter of the Republic,” produced one such work of art for the ducal palace in 1421: a triptych titled “Justice with the Archangels Michael and Gabriel,” where the personification of Venice is adorned with the writ stating: “I will heed the counsel of angels and the holy words and treat the righteous gently, the wicked inimically, and the arrogant haughtily.”¹¹³⁰

¹¹³⁰ “Exequar angelicos monitus sacrataque verba blanda piis inimica malis tumidisque superba.” See image 3 below. Anselmi, *Jacobello del Fiore*, 265–68 and ample bibliography cited therein. The image is taken from Gallerie dell’Accademia di Venezia, Collezioni on line, La Giustizia in trono tra gli arcangeli Gabriele e Michele (Trittico della Giustizia), <http://www.gallerieaccademia.it/sites/default/files/styles/4/public/2020-05/15%20Jacobello%20Del%20Fiore%20Trittico%20della%20Giustizia%201.jpg> [last access: 25th of March, 2021].



Image 3: Jacobello del Fiore, Justice with the Archangels Michael and Gabriel, central part of the Tryptich of Justice, 1421, Venice, Gallerie dell'Accademia.

The administration of justice was thus internalized and proudly projected as the seminal aspect of the *Dominium Veneciarum*.

In the context of the European Late Middle Ages, Venice was not an exception in this case. Namely, the administration of justice was seen as the key factor of one's *iurisdictio*: to have *merum et mixtum imperium*, to be lawfully endowed with prerogatives to administer justice and shed blood while not be subjected to any other appellate jurisdiction was equated with *dominium*; in etic terms,

these were the main building blocks of statehood.¹¹³¹ However, as was noted in the introduction, the European *Quattrocento* was the age of the composite or jurisdictional states which, even though basing their *dominium* in the prerogative to administer justice to their subjects, still had to recognize the validity and the legitimacy of the local laws and customs of the subjected communities. Thus, justice was administered in a dynamic context of constant negotiations between the central government—represented by the delegated official—and the local communities; the centrally imposed rules meant to maintain peace and order had to be balanced with the communities' customary modes of conflict resolution.¹¹³² Indeed, how the central government and its officials dealt with this difficult task of keeping such a balance varied both from state to state as well as from locality to locality.¹¹³³ Therefore, investigating the complex dynamics of justice administration within a specific jurisdictional state—ideally on several within-case observations—remains the best approach to analyzing the functioning of these late medieval dominions.

While Venice is not an exception in this broader context of jurisdictional states, the Republic of St. Mark is still unique in certain aspects regarding justice administration. Namely, Venice famously shunned *ius commune*, the legal framework stemming from the synthesis of Roman and canon law that united large parts of Europe, especially the highly autonomous urban centers of *Regnum Italicum*.¹¹³⁴ For Venice, repudiating *ius commune*—conceptualized as the law of the Holy Roman Empire—was primarily a political statement meant to clearly demonstrate the Republic's uniquely autonomous position with regard to the two universal empires of their age: the *Serenissima* was subject neither to the Roman nor to the Byzantine empires and as such it had the privilege to govern itself according to its own laws.¹¹³⁵ This Venetian *ius proprium*, inspired by the *ius commune*, was codified in the thirteenth century during the dogeship of Lorenzo Tiepolo, but even after the promulgation of these statutes, the administration of justice remained primarily

¹¹³¹ Lazzarini, *L'Italia degli Stati*, 27, 91; Joseph Canning, *The Political Thought of Baldus de Ubaldis*, Cambridge Studies in Medieval Life and Thought (Cambridge: Cambridge University Press, 1987), esp. 205.

¹¹³² Fioravanti, "Stato e costituzione," 3–36; Claudio Povolo, "Liturgies of Violence: Social Control and Power Relationships in the Republic of Venice between the 16th and 18th Centuries," in *A Companion to Venetian History*, 514–16.

¹¹³³ To take an example relative to this study, Venice imposed different modes of justice administration in Cividale and Antro than it did in Muggia.

¹¹³⁴ Iacopo Bertaldo, *Splendor Venetorum civitatis consuetudinum*, ed. Francesco Schupfer (Bologna: Monti, 1901), 13; Lamberto Pansolli, *La gerarchia delle fonti di diritto nella legislazione medievale veneziana* (Milan: A. Giuffrè, 1970), 13, 21.

¹¹³⁵ Cozzi, *Repubblica di Venezia e Stati italiani*, 221–26.

based in equity and case law stemming from the aptly undefined “customs” and *arbitrium* of the Venetian judges.¹¹³⁶ Thus, it was the “honorable and just” discretion of the Venetian patriciate that served as an important source of law in the *Dominium Veneciarum*, but it was not the only one. In the subject centers, the delegated rectors who were entrusted with administering justice were regularly obligated to respect the local laws, custom, and traditions: their discretionary rights stemming from their “honorable conscience” had to be embedded, as much as possible, in the local framework internalized by the subject population—*arbitrium* was not arbitrariness.¹¹³⁷ The conferment of such *arbitrium* to the representatives of the central government was thus a way of transforming “the law into a political instrument,” capable on the one hand to legitimize the legal culture of the subjected communities while on the other make sure that “the justice would be administered in the spirit and the traditions and the interests of the Commune [*id est Dominium Venciarum*].”¹¹³⁸ For these reasons, scholars such as Claudio Povolo do not speak of a “Venetian law,” but of the “Venetian juridical system:” “a concept that reflects a particular perspective, in which law is essentially the result of social forces, considered both in their cultural and economic [and one could add political] components and in their actual potential to effectively influence the institutions.”¹¹³⁹

These observations point to that fact that while justice was the most crucial aspect of Venetian government, it was administered differently to different subject centers; the Venetian dominion was vast, and it included various communities steeped in different legal cultures. Thus, one can only agree with Cozzi’s famous statement that in order to grasp the influence of Venetian administration in any center subjected to its rule, the most important aspect to analyze is the administration of justice and the exercise of the *arbitrium* of the delegated rectors.¹¹⁴⁰ Moreover,

¹¹³⁶ On Tiepolo’s statutes, see Zordan, *L’ordinamento giuridico veneziano*, 154–55.

¹¹³⁷ Orlando, “Politica del diritto,” 31, 38–39.

¹¹³⁸ “Coloro cui era affidato il compito di render giustizia, ossia di applicare il diritto veneto, eran infatti membri di quel ceto aristocratico che si andava affermando come classe dirigente del Comune: il conceder loro l’*arbitrium*, o, per usare le parole di Lamberto Pansolli, la ‘illimitata facoltà di formulare il diritto da applicare al caso concreto,’ era fare del diritto uno strumento politico, nonché un garantirsi che la giustizia fosse amministrata secondo lo spirito e le tradizioni e gli interessi del Comune.” Cozzi, *Repubblica di Venezia e Stati italiani*, 221. I do not agree with Pansolli’s quotation here embedded in this passage.

¹¹³⁹ “Sistema giuridico è dunque un concetto che riflette una prospettiva particolare, in cui il diritto è essenzialmente la risultante di forze sociali, considerate sia nella loro componente culturale ed economica che nella loro effettiva possibilità di incidere attivamente sulle istituzioni.” Povolo, “Un sistema giuridico,” 336., 336.

¹¹⁴⁰ “L’esercizio dell’*arbitrium* da parte dei rettori dei centri minori è un elemento fondamentale per comprendere l’impatto avuta dalla giustizia della Repubblica anche nel suo Dominio di Terraferma.” Cozzi, *Repubblica di Venezia e Stati italiani*, 277. On the same page the author calls the verdicts promulgated by the Venetian rectors: “the spirit of the Venetian justice.”

especially important in the context of the Venetian transformation from a *Commune* into a *Dominium* was the subjection of urban communes such as Padua, Vicenza, Verona and Brescia that had developed their legal frameworks within the juridical culture of *ius commune*.¹¹⁴¹ This new jurisdictional dynamism in which Venetian patricians lacking legal education were regularly being delegated to administer justice in communes governed by the *ius commune* engendered a slow transformation of Venice and its ruling stratum: the originally shunned *ius commune* was now slowly but steadily becoming more and more accepted by the Venetian noblemen.¹¹⁴²

This chapter that follows focuses precisely on these issues in Venetian *partes Istrie*: the administration of justice, the relation between the local legal culture and the exercise of the delegated rectors' *arbitrium*, the putative influence of the *ius commune* on the Istrian communities that developed outside this system, and the potential “Venetianization” of legal systems influenced by the institutions of the central government. Since the object of investigation is complex and multilayered, a theoretical background and methodological guidelines are needed in order to facilitate a more thorough and in-depth analysis.

Theoretical and Methodological Framework III

Legal Anthropology and the Faces of Justice

In 1983 the anthropologist Simon Roberts published a seminal programmatic piece on the study of justice administration in past societies.¹¹⁴³ The article was meant to introduce to historians the various concepts and analytical trajectories developed by the anthropologists of law who studies various traditional societies. The approach that Roberts so successfully advocated—and that was well received by a number of medievalists—centered around the employment of a two-tiered analysis: the rule-centered approach in conjunction with the processual approach.¹¹⁴⁴ The first level would investigate the written rules and normative sources of law—in the case of Venetian Istria these would be the codified local statutes, but also the ducal instructions to the

¹¹⁴¹ Cozzi, *Repubblica di Venezia e Stati italiani*, 279–81.

¹¹⁴² Grubb, *Firstborn of Venice*, 43–46.

¹¹⁴³ Simon Roberts, “The Study of Dispute: Anthropological Perspectives,” in *Disputes and Settlements: Law and Human Relations in the West*, ed. John Bossy (Cambridge: Cambridge University Press, 1983), 1–24.

¹¹⁴⁴ For the reception of Roberts’ method among the historians dealing with premodern European societies, see John Jordan, “Rethinking Disputes and Settlements: How Historians Can Use Legal Anthropology,” in *Cultures of Conflict Resolution in Early Modern Europe*, ed. Stephen Cummins and Laura Kounine (Farnham: Ashgate, 2016), 30–31, fn. 62. To this list one could add the works of Zdenka Janeković-Römer, Nella Lonza, and Tomislav Popić.

delegated rector which will be discussed more in-depth in the following subchapter; the second level, however, would deal with the judicial process itself, from the accusation to its final settlement either by way of adjudication or any other form of arbitration.¹¹⁴⁵ The first tier would thus study laws and institutions, the second tier the people (ab)using these laws. Only by synthesizing the results of these two levels of analysis, argued Roberts, does one properly contextualize the administration of justice and the settlement of disputes with regard to both the local communities and the subjects involved in the trial as well as to the central government in charge of adjudication. In short, Roberts argued that the administration of justice must be investigated in its “total social context.”

The field of legal anthropology has made great advances since the early 1980s, but the basic tenants of Roberts’s advocated approach remain viable to this day.¹¹⁴⁶ Nonetheless, certain concepts that the legal anthropologist did not develop more thoroughly in his classic article need to be briefly outlined as their analytical potential is particularly high in the context of late medieval jurisdictional states and their subjects.

First there is the matter of the language of primary sources. Edward Muir and Guido Ruggiero famously argued that

every judicial document in a case is a tissue of lies: defendants reconstructing their past to make it seem as innocent as possible; accusers recasting events to make the accused seem as guilty as possible; investigators working to fit individuals and events into preconceived notions of crime: witnesses shaping their testimony because of animosities, friendships, the desire to please the powerful, or the need to thwart them.¹¹⁴⁷

Thus, it must always be borne in mind that the narratives presented to the court by the litigants were structured with specific goals stemming from a myriad of entangled underlying social settings that may be difficult, if not downright impossible to unravel based on the surviving primary sources. More importantly, however, these narratives were additionally (re)structured and filtered by the judges and their chanceries: parts that were deemed relevant to the case were recorded, others were left out; the parts that were recorded were further schematized to streamline the course

¹¹⁴⁵ Roberts, “The Study of Dispute,” 6, 11.

¹¹⁴⁶ Jordan, “Rethinking Disputes,” 17–50, esp. 29.

¹¹⁴⁷ Edward Muir and Guido Ruggiero, “Afterword: Crime and the Writing of History,” in *History from Crime*, ed. Edward Muir and Guido Ruggiero (Baltimore MD: Johns Hopkins University Press, 1994), 230.

of the trial.¹¹⁴⁸ Reported speech, appearing often in judicial documents, is more often than not but an “illusion”: the litigants’ words heard by the judges and their scribes would be “packaged” in ready-made phrases or simply reduced to recording just the part of the content evaluated as relevant, removing it from the broader context.¹¹⁴⁹ Finally, and this is especially important in bilingual regions such as Istria, not only would the language of the depositions be translated from *volgare* into Latin, the official language of the court, but sometimes another layer of translation would take place: from *lingua Sclabonica* to *lingua Latina* (in the case of Istria Veneto) and finally, to official Latin.

For example, John Nicholas of Oderzo, chancellor to the podestà of Buzet Simone Ferro, had no knowledge of Slavic. Thus, when an Agnes called Muta was giving her deposition before the court, a local judge had to simultaneously translate her account.¹¹⁵⁰ Cases such as these are, however, extremely few and the vast majority of Buzet’s population did not need a translator, that is, they were fluent in Veneto. Moreover, the podestàs’ chancellors in Poreč and Rovinj were local Istrians and since not a single case required translators, it is safe to conclude that they were fluent in both *linguam Latinam* as well as *Sclabonicam*.¹¹⁵¹ The two languages, however, were not treated equally in the official domain of the courtroom: while numerous depositions were couched in direct speech and recorded in Veneto, the narratives presented in Slavic were regularly turned into reported speech and translated into Latin.¹¹⁵² Nella Lonza, who studied the language of the court

¹¹⁴⁸ Nella Lonza, “Nel testo e tra le righe: I Libri maleficiorum e il processo penale a Dubrovnik (sec. XIII–XV),” in *I registri della giustizia penale nell’Italia dei secoli XII–XV*, ed. Didier Lett, Collection de l’École française de Rome 580 (Rome: L’École française de Rome, 2021), 10.4000/books.efr.10938, <https://books.openedition.org/efr/10938> [last access: 7th of May, 2021].

¹¹⁴⁹ For example, many Istrian statutes contained a list of exact phrases that were punishable by monetary fines. E.g. “you lie in your throat” (orig. *Mentiris per gulam*), a phrase which I will return to later in the chapter, in Lonza and Poropat, eds., *St. Buzet*, 330, chap. 15. An example of complete decontextualization is a case of a brawl between Benedict Sacerna and Peter Scarpa in Poreč, a fight that started over the former calling the latter a cuckold for apparently no reason (I will return to this case later in the chapter). For the chancellor, it was the spark that started the fight that was important, thus he recorded the insult in direct speech, but not the context from which the invective originally sprang. The trial documentation is edited in extenso in Banić, “*Irato animo*: appendix,” case 15.

¹¹⁵⁰ “Dona Agnes nominata Muta relicta quondam Rosogich, constituta in cancelaria pro sua deponenda excusatione... qui ser Marchus de Victore interpres michi cancelario refferebat in lingua Latina ea que dicebat dicta Agnes in lingua Sclabonica.” The entire case is edited in extenso in Banić, “*Irato animo*: appendix,” case 14.

¹¹⁵¹ The chancellor of Podestà Gradonico was John de Victore, who, based on his patronymic, for most probably of Capodistriian descent. Giorgio de Totto, “Il patriziato di Capodistria,” *AMSI* 49, no. 1–2 (1937): 81–82. Serving the podestà of Rovinj, Lorenzo Zane, was chancellor John of Poreč (orig. *Iohannes de Parentio*).

¹¹⁵² I have found only one case of *lingua Sclabonica* being used, and it is couched as direct speech purportedly uttered by a Peter the servant of Nicholas as per the deposition of Mathew the servant of Odoric of Vrsar: “Arma! Arma! Pomagay! Pomagay!” DAP, Poreč, Atti del podestà, fol. 280v. Interesting to note that the reported speech is actually bilingual. I am consciously refraining from using the term Croatian for the Slavic languages spoken in medieval Istria because it is impossible to determine whether the language leaned closer to Čakav or Kajkav, and as such closer to

of the similarly bilingual Republic of Dubrovnik, concluded that Latin and the local Romance language, the so-called “Raguseo”, were high-level languages—dominating the domains of “religion, education and other aspects of high culture”—whereas Croatian was a low-level language—reserved for “hearth, home, and work”;¹¹⁵³ and while Italian occupied a middle position between the H-level and L-level, the official language of the court remained Latin.¹¹⁵⁴ The situation in *Quattrocento* Venetian Istria was not much different: Slavic language(s) were L-level, Latin was H-level and preferred in the official court registers, but Veneto enjoyed a more pronounced and all-encompassing role: it was used both in quotidian environment as well as in more formal settings, including the courtroom and judicial documentation.

In any case, it must be concluded that trial records, seemingly unparallel primary sources as they record verbatim the words spoken *viva voce*, are in fact much more opaque mirrors, reflecting only a distorted picture of intricate courtroom plots. As such, the narratives contained within these primary sources, while still invaluable primary sources for a wide variety of historical analyses, must not be blindly trusted; instead, one should, to use Carlo Ginzburg’s evocative comparison, approach them as a detective, searching for clues and relying on “instinct, insight, and intuition” to peer beyond the veil of schematized *metadata* produced by the chancellors’ translations of “spoken into written words.”¹¹⁵⁵

Another important notion is that of legal pluralism, a term often invoked but rarely defined. The simplest definition of this concept would be the recognition and analytical treatment of the interference arising from the fact that “two or more legal systems coexist in the same social field.”¹¹⁵⁶ According to Sally Falk Moore, the scholar who treated this concept on the theoretical and methodological level in most detail, there are five levels of legal pluralism: “the way the state

present-day Čakav-Croatian or Kajkav-Slovenian, especially in places such as Buzet and Koper. An informed inference is, however, that the *lingua Sclabonica* spoken in the large majority of late medieval Istria was in fact Čakav, internalized by the local population as Croatian language (orig. *jazik hrvacki*), the thesis being corroborated primarily by the language of the famous *Demarcation of Istria* (Cro. *Istarski razvod*). Josip Bratulić, *Istarski razvod* [The demarcation of Istria] (Pula: Čakavski sabor, 1978).

¹¹⁵³ Joshua A. Fishman, “Bilingualism with and without Diglossia; Diglossia with and without Bilingualism,” *Journal of Social Issues* 32, no. 2 (1967): 30.

¹¹⁵⁴ Lonza, “Nel testo e tra le righe,” chap. 39.

¹¹⁵⁵ Ginzburg, “Clues,” 125 (first quotation); Paolo Cammarosano, “La documentazione degli organi giudiziari nelle città comunali italiane: Tra quadri generali e casi territoriali,” in *La documentazione degli organi giudiziari nell'Italia tardo-medievale e moderna*, ed. Andrea Giorgi, Stefano Moscadelli and Carla Zarrilli (Siena: Direzione generale per gli archivi, 2012), 20 (second quotation). The metaphor of *metadata* is taken from Lonza, “Nel testo e tra le righe,” chap. 44.

¹¹⁵⁶ Sally Engle Merry, “Legal Pluralism,” *Law & Society Review* 22, no. 5 (1988): 870; also quoted in Jordan, “Rethinking Disputes,” 21.

acknowledges diverse social fields within society and represents itself ideologically and organizationally in relation to them” would be the first level; second would be mirrored in “internal diversity of state administration;” of seminal importance is “the ways in which the state itself competes with other states in larger arenas,” that is the third dimension; on the fourth level there is the interference between the “obligatory norms” of various social groups and the way they are promoted/demoted by the state; finally, legal pluralism may also mean “the ways in which law may depend on the collaboration of non-state social fields for its implementation.”¹¹⁵⁷ A complex concept for sure, but one particularly applicable to medieval societies, especially those forming parts of jurisdictional states. “A quick glance at medieval and early modern Europe, however, reveals a society rife with legal pluralism,” notes correctly John Jordan, for “[e]ven if a historian focuses only on state legal pluralism, there was a plethora of imperial or princely, district or county, city or town, as well as church and guild, courts and codes in operation simultaneously.”¹¹⁵⁸ In the context of late medieval Venetian Istria all five levels of Moore’s legal pluralism may be analyzed: does the Venetian delegated podestà acknowledge the “normative orders” of monastic groups, confraternities, even heads of families and to what degree?; how does the interplay between state institutions—the podestà on the one hand and the appellate jurisdictions on the other—influence the modalities of justice administration?; what is the influence of local elites or ecclesiastical courts and to what degree do these extra-state institutions influence Venetian justice administration? The answers to all of these questions not only shed more light on the role and limits of the Venetian state in the quotidian setting of the local subjected communities, but it also positions the analysis of the administration of justice in its “total social context.”

The second concept is very much connected to the notion of legal pluralism and, it could be argued, one is analytically impotent without the other. This is Sally Falk Moore’s concept of “semi-autonomous social field.”¹¹⁵⁹ According to Moore, who in turn developed this notion from Pospisil’s treatment of social subgroups, every society is made up of interdependent social fields in perpetual interaction and one may simultaneously belong to a number of such fields; what makes the “semi-autonomous” is their potential to “generate rules and coerce or induce compliance to

¹¹⁵⁷ Sally Falk Moore, “Certainties Undone: Fifty Turbulent Years of Legal Anthropology, 1949-1999,” *The Journal of the Royal Anthropological Institute* 7, no. 1 (2001): 95–116.

¹¹⁵⁸ Jordan, “Rethinking Disputes,” 39

¹¹⁵⁹ Sally Falk Moore, “Law and Social Change: The Semi-Autonomous Social Field as an Appropriate Subject of Study,” *Law & Society Review* 7, no. 4 (1973): 719–46.

them,” while at the same time remaining “vulnerable to rules and decisions and other forces emanating from the larger world by which it is surrounded.”¹¹⁶⁰ The case of the elite councilors of Poreč appointing each other on important posts without elections is perfect case of one such semi-autonomous field: these elites managed to “generate rules” and “coerce compliance,” but only for a limited period of time; eventually their vulnerability to jurisdictionally superimposed forces manifested itself and their constructed framework of election was destroyed by Venice who deemed it pernicious for the community as a whole. Taking the concepts of semi-autonomous social fields and legal pluralism together, it may be concluded that the state merely “takes on the role of conductor in this symphony of different legal systems.”¹¹⁶¹

Third, Lawrence Friedman’s concept of “legal culture” merits attention. According to Friedman, “the network of values and attitudes relating to law, which determines when and why and where people turn to law or government, or turn away,” may be dubbed legal culture.¹¹⁶² Thus, analyzing legal cultures is by necessity the analysis of justice administration in its “total social context,” focusing on both the rules and institutions as well as the people involved in the process in addition to the effects the promulgated adjudications produce in the society.¹¹⁶³ As such, one can only agree with Jordan’s evaluation that “Friedman’s concept of legal culture remains a powerful heuristic for investigating socio-legal change.”¹¹⁶⁴

Finally, two popular analytical approaches to late medieval justice administration need to be briefly touched upon as positioning one’s research within these interpretative frameworks endows the study with considerable comparative potential. First, back in 1980, Bruce Lenman and Geoffrey Parker published a landmark paper on the modalities of criminal justice administration and the relations between criminal courts and local societies in predmodern Europe all the way to the age of industrialization.¹¹⁶⁵ In this paper, the authors conceptualized two “faces” of justice administration coexisting side by side in medieval and Early Modern Europe: “community law” and “state law.” The former would be the one

¹¹⁶⁰ Falk Moore, “Law and Social Change,” 720, 722.

¹¹⁶¹ Norbert Rouland, *Legal Anthropology*, trans. Philippe G. Planel (Stanford: Stanford University Press, 1994), 49.

¹¹⁶² Lawrence Friedman, “Legal Culture and Social Development,” *Law & Society Review* 4, no. 1 (1969): 29–44, quotation on 33–34; also quoted in Jordan, “Rethinking Disputes,” 26.

¹¹⁶³ Jordan, “Rethinking Disputes,” 26–27

¹¹⁶⁴ Jordan, “Rethinking Disputes,” 35.

¹¹⁶⁵ Bruce Lenman and Geoffrey Parker, “The State, the Community and the Criminal Law in Early Modern Europe,” in *Crime and The Law: The Social History of Crime in Western Europe since 1500*, ed. Vic Gatrell, Bruce Lenman, and Geoffrey Parker (London: Europa, 1980), 11–48.

in which the community controlled the exercise of justice both at the top (through the pressure on litigants to settle before sentence was passed) and at the bottom (through the power to lodge or withhold evidence),” thus based primarily on accusatory processes. Punishments, in this system, were made to fit the criminal, not the crime: they might be increased in order to eliminate an offender by exile or execution, or reduced in order to protect a valuable member of the community. The court might punish a propensity to misbehave as well as a misdemeanour: even a first offender might be hanged for theft if he had acquired a bad reputation in the area. The ‘selective distribution of mercy’, used deliberately as a matter of policy, was the distinctive feature and the chief attraction of the traditional system of community law, and ensured its survival from the Dark Ages to the eve of industrialization.¹¹⁶⁶

The latter, however, was characterized by inflexibility, by the domination of the courts, the judges, and the legal experts; it was a justice which aimed primarily to punish the crime and passivize the role of the accused as the advantage of the court who would undertake an active role of gathering evidence; thus, it was mainly based on inquisitorial processes. In short, “state law,” was the antonym of “community law,” and the centuries-long process of the former displacing the latter was one of the seminal developments of European societies, a process that reached its conclusion only in the industrialized age of nineteenth century nation states. Throughout the premodern period, however, the two faces of justice coexisted; one should thus conceptualize them as ideal types and measure which was the more dominant type in a given society in a given time and in which particular contexts.

In 2001, an important volume dedicated to criminal justice administration in premodern Italian and German societies was published which included a text authored by Mario Sbriccoli that was soon invested with the status of a classic piece of scholarship on the topic.¹¹⁶⁷ According to Sbriccoli, there were two types of attitudes towards justice administration to coexisted in premodern Italian communities. The first, and originally older of the two, was the so-called “negotiated justice,” which was “marked out by a distinct community-based character based on belonging, chiefly directed towards compensating for the offence, regulated by shared rules and practices, and in an environment where oral [methods of communication] dominate;” the second

¹¹⁶⁶ Lenman and Parker, “The State, the Community,” 28.

¹¹⁶⁷ Mario Sbriccoli, “Giustizia negoziata, giustizia egemonica: Riflessioni su una nuova fase degli studi di storia della giustizia criminale,” in *Criminalità e giustizia in Germania e in Italia: Pratiche giudiziarie e linguaggi giuridici tra tardo medioevo ed età moderna*, ed. Marco Bellabarba, Gerd Schwerhoff, and Andrea Zorzi (Bologna: Il Mulino, 2001), 345–64.

was the “hegemonic justice” born in the High Middle Ages with the renaissance of Roman law in highly autonomous urban communes, and it was typified “by a distinct character of apparatus, based on submission, chiefly directed towards punishing the guilty party, regulated by legislative rules, notably and consistently more formalised, and in an environment where writing dominates.”¹¹⁶⁸ In addition, the former would favor accusatory processes, the latter the inquisitorial methods. Finally, hegemonic justice ultimately defeated the negotiated one as the premodern era came to a close.

Already at first sight, the similarities with the Lenman-Parker concepts of “community” and “state” law are striking: indeed, one could even argue that these are just two different sets of names for essentially the same conceptualization of two distinct “aims of justice” that coexisted in a constant field of tension in late medieval and Early Modern European societies.¹¹⁶⁹ Most recently, it was Massimo Meccarelli who succinctly summarized the two faces of justice administration in relation to their common denominator, that is the “aims of justice”: the “community” or “negotiated” paradigm stems from the aim of preserving peace and mediating conflicts for the good of the community (*pro bono et pacifico statu*), as it “seeks to obtain by way of the trial both the victim’s satisfaction and the settlement of the dispute;” the second, “state” or “hegemonic” paradigm, rests on the maxim that “no crime should go unpunished” (*ne crimina remaneant impunita*), that it is the state’s prerogative to adjudicate these matters and punish the culprits and “it presupposes the direct subjection of the individual to the state power and recognizes all crimes as a form of disobedience to the state authority; it aims, by way of the punishment, to ensure obedience to the law of the state.”¹¹⁷⁰ These two paradigms not only coexisted, but they also mixed and permeated each other throughout the Late Middle Ages and the Early Modern Era: for example, a state-delegated judge could launch an *ex officio* inquisitorial procedure only after a case of theft had been denounced to him in the form of an accusation (the so-called mixed procedure) and he could proceed to punish the culprit—*ne crimina remaneant impunita*—by exposing them

¹¹⁶⁸ Sbriccoli, “Giustizia negoziata, giustizia egemonica,” 356–59 (negotiated justice, quotation on 356), 360–63 (hegemonic justice, quotation on 360). The English translation is taken from Andrea Zorzi, “Justice,” in *The Italian Renaissance State*, 491.

¹¹⁶⁹ As was noted already by Povolo. Claudio Povolo, “Dall’ordine della pace all’ordine pubblico: Uno sguardo da Venezia e il suo stato territoriale (secoli XVI-XVIII),” in *Processo e difesa penale in età moderna: Venezia e il suo stato territoriale*, ed. Claudio Povolo (Bologna: Il Mulino, 2007), 15–107, esp. 26. On the “aims of justice,” see the following footnote.

¹¹⁷⁰ Massimo Meccarelli, “Criminal Law: Before a State Monopoly,” in *The Oxford Handbook of European Legal History*, ed. Heikki Pihlajamäki, Markus D. Dubber, and Mark Godfrey (Oxford: Oxford University Press, 2018), 640–41.

to a public shaming ritual such as a week on the pillory or even public dismemberment: both of these punishments stem from “community” “or negotiated” paradigm as they require the participation of the *concives* who are in this way recompensated for the wrong they had collectively suffered.¹¹⁷¹

Hegemonic justice can thus be inflected with norms, customs, and practices stemming from the community law ideal and, vice versa, a society predominantly governed by negotiated justice can treat certain cases exclusively within state law paradigm. These two paradigms should thus be conceptualized as ideal types and the analysis of justice administration ought to categorize the investigated cases in relation to these two poles, the underlying hypothesis being that the stronger the state the closer the community would be to the hegemonic type. Finally, provided primary sources exist that would allow for such an investigation, one can analyze justice administration in a specific community diachronically with the aim of ascertaining the points in which the society begins changing more rapidly from one ideal type to the other.

The presented theoretical and methodological framework will now be put to test on the basis of primary sources from fifteenth-century Venetian Istria. Highly unfortunately, it was at this time still impossible to consult and analyze the rich material from the Capodistrian communal archive, at first because it was still unavailable for consultation as it had just been transferred from the Marciana library to the State Archive in Venice, and then due to the outbreak of COVID-19 pandemic.¹¹⁷² Thus, only three registers of the rectors’ acts were analyzed and all three for different communities—Poreč, Rovinj, and Buzet respectively. While such a state of available primary sources does allow for a more varied view across Venetian Istria and a potential to compare the situation in Poreč—a *civitas* that was part of the Venetian dominion since the thirteenth century—to that of Buzet—a much smaller castrum that had just been incorporated into the Republic of St. Mark—it nonetheless inhibits some important analytical trajectories: namely, it is impossible to analyze one community diachronically. Moreover, these fifteenth-century registers are the oldest preserved, so it is also impossible to compare the *Quattrocento* situation with the one from the

¹¹⁷¹ Other similar examples in Meccarelli, “Criminal Law,” 642; Povolo, “Dall’ordine della pace,” 32–38.

¹¹⁷² Raffaele Santoro, “L’Archivio antico di Capodistria all’Archivio di Stato di Venezia,” conference paper delivered in Venice at the 6th international conference *Venezia e il suo Stato da mar / Venice and its Stato da mar*, 22–24th of February, 2018, available online at <http://www.statodamar.it/userfiles/file/2018/abstracts/2018Santoro.pdf> [last access: 28th of March, 2021].

fourteenth of thirteenth century when Venice had still been a vastly different state, a *Commune* and not a *Dominium*. While these methodological problems are indeed grave—especially in the context of a study that is principally investigating the nature and degrees of changes that the transformation from *Commune* to *Dominium* engendered in a subject territory—they are not as severe so as to render the analysis of this modest number of primary sources heuristically worthless. On the contrary, analysis such as the one that will be reported in the following chapters is lacking for a great deal of Venetian subject territories in the Late Middle Ages. Venetian Istria will therefore not only be inserted into a context developed for the *Terraferma* of *Stato da Mar* communities as was the case in previous within-case observations; instead, it will have the potential to usher in a new analytical framework for the study of Venetian justice administration in subject communities rooted in the above-outlined theoretical and methodological foundation. Before this multileveled analysis may commence, an overview of the hierarchy of normative sources and the central official in charge of justice administration in Venetian dominions—the podestà—must be presented.

Chapter IV.1

The Righteous Hand of the Dominant: The Podestà

The seminal figure of Venetian administration in any land subjected to the *Dominium Veneciarum*, from Lombardy to the Eastern Mediterranean, was the regularly delegated rector, most often called podestà, but in some places also the count or even the overseer.¹¹⁷³ Regardless of the differences in official titlature, the official serving in Koper (podestà and captain), Poreč (podestà) or Pula (count) had pretty much the same jurisdictional prerogatives on the local level.¹¹⁷⁴ These men were the official embodiment of *Dominium Veneciarum* in the subjected communities, the seminal links connecting the minor center to the capital. As such their role was a complex one: one the one hand they had to promote the interests of the Dominant and make sure that the

¹¹⁷³ Alfredo Viggiano, “Aspetti politici e giurisdizionali dell’attività dei rettori veneziani nello Stato da terra del Quattrocento,” *Società e Storia* 65 (1994): 473–505; Gian Maria Varanini, “Gli ufficiali veneziani nella Terraferma veneta quattrocentesca,” *Annali della Scuola normale superiore di Pisa: Classe di Lettere e Filosofia*, ser. IV: *Quaderni: Gli ufficiali negli stati italiani del Quattrocento*, 3 (1997): 155–80; Orlando, *Altre Venezie*, 161–77; O’Connell, *Men of Empire*, 2–3, 39–56; Arbel, “Venice’s Maritime Empire,” 146–50; Orlando, *Spalato*, 235–41.

¹¹⁷⁴ Benussi’s claim that the title of comes given to Venetian rectors in Pula mirrors the unique status and importance of this commune in the context of Venetian Istria is simply wrong. Benussi, *Pula*, 289. The title stems from traditional governmental framework that Venice simply inherited and did not want (or need) to change.

mandates voted in any of the capital's council are heeded and put to practice in the territories under their governorship; on the other, however, they were also the delegated guardians of local autonomies that the *Serenissima* so generously conceded to its subjects and the means through which the community could speak to Venice whenever it felt that its position in the overall framework of the *Dominium* is shaken. Thus, their essential function was that of mediation and intercession, "connection and coordination with the capital, but also of recognition and promotion of local specificities."¹¹⁷⁵ In the evocative words of Ermanno Orlando, the podestà "represented the moment of legitimation and concordance of different instances: hierarchy and plurality; centralization and particular autonomies;" the capital and the subject centers.¹¹⁷⁶

The delegated rectors, as the principal representatives of the central government, were in charge of overseeing and directing the three main jurisdictional domains through which the state manifested itself most clearly: the organization and maintenance of the local military-defensive system, the management of communal incomes, the settlement of disputes and the upholding of peace and public order.¹¹⁷⁷ All of these tasks were to be done in close collaboration with the local community entrusted to his administration, respecting their traditional mores, laws, and jurisdictional prerogatives while simultaneously making sure that the subjects are governed for the "honor, wellbeing, and advantage" of the *Dominium Veneciarum*.¹¹⁷⁸ Thus, the rectors regularly sat on all the sessions of the communal councils and they could interfere with the spending of communal resources if they deemed it necessary; they could also commission various architectural projects such as refortifications or constructions of new facilities like granaries. By far their most important function was that of keeping the peace and promoting the public order, a task they performed primarily by way of justice administration.

The administration of justice as a privileged domain of the state and thus safely in the hands of the officials delegated and controlled by the center is not a Venetian *unicum*; the same was the

¹¹⁷⁵ Orlando, *Spalato*, 236.

¹¹⁷⁶ "In quanto tale, egli rappresentava il momento di legittimazione e concordanza di istanze diverse: la gerarchia e la pluralità: l'accentramento e le autonomie particolari; il centro e le periferie." Orlando, *Spalato*, 236. I have changed the last set from centers and peripheries into capital and subjected centers for the reasons outlined in the introductory part of the study.

¹¹⁷⁷ Orlando, *Spalato*, 237–38.

¹¹⁷⁸ "Omni autem a te querenti, rationem faties secundum usum dicte terre et, usu deficiente, secundum bonam conscientiam iudicabis." "comittimus tibi [...] quod in nostrum potestatem et rectorem civitatis Parenicii ire debeas, ipsam civitatem, homines et habitatores in ea regendo legaliter bona fide cum omnibus suis pertinentiis, ad honorem nostrum et Communis Veneriarum et salvationem ipsius terre, cum proficuo et honore Veneriarum." Rizzi and Zuccarello, eds., *Le commissioni* 2, 78, 121

case with other contemporaneous jurisdictional states such as Florence and Milan, albeit with some variations.¹¹⁷⁹ What was unique to Venice was the fact that their delegated rectors did not possess legal training, not necessarily at least; as such, their administration of justice—rooted in the exercise of their *arbitrium*—was seen primarily as a political tool used to neutralize conflicts and, happening in a sort of a feedback loop, promote the jurisdictional prerogatives of the central government.¹¹⁸⁰ This system of Venetian justice administration rested on the collaboration with the local judges (usually the civic elite) and the respect of the local legal culture to the largest extent possible without harming the “honor” of the *Dominium*. The problem was, however, that the jurisdictional framework within which this system was meant to operate could differ greatly between different subject communities, each with their own pacts of subjections and their own legal customs and statutes. Thus, a sort of a *vade mecum* was devised by the Venetian College that was meant to help the delegated rectors orientate themselves in each subject community, briefly outlining the standard mores of conduct and the expectations of the locals: the ducal instructions (orig. Lat. *commissiones*) to the rectors of delegated to a specific community.¹¹⁸¹

These “manuals,” even though formulaic, are nonetheless particularly illuminating primary sources as they simultaneously reveal both the standard practices common throughout the *Dominium*—those lines appearing in pretty much every set of instructions—as well as the various aspects more unique to a specific local (or regional) setting. All the *commissiones* to rectors elected to serve in Istrian communities have recently been critically edited and they show a large level of conformity with each other.¹¹⁸² More specifically, the late fourteenth-century instructions, composed during the dogeship of Antonio Venier, are far more detailed than those written during Mocenigo’s and Foscari’s reigns, namely those for the rectors of Muggia and Labin.¹¹⁸³ With a notable exception of these two cases—exceptions that must be ascribed to the different practices of the College during that age rather than to the putatively “special” status of these towns within Venetian Istria—all the instructions primarily refer to the set of *commissiones* promulgated for the podestà and captain of Koper which are, logically, the most detailed. Their seminal aspects may be briefly outlined in the following way:

¹¹⁷⁹ Zorzi, “Justice,” 509–13.

¹¹⁸⁰ Cozzi, *Repubblica di Venezia e Stati italiani*, 221.

¹¹⁸¹ Rizzi, “Dominante e dominanti,” 266–71.

¹¹⁸² Rizzi, ed., *Le commissioni 1*; and Rizzi and Zuccarello, eds., *Le commissioni 2*.

¹¹⁸³ Rizzi and Zuccarello, eds., *Le commissioni 2*, 173–75 (Muggia), 249–52 (Labin).

In absolutely every subject center in Istria—and the same was the case throughout the *Dominium* even though the exact wording varied—the delegated podestàs were to act as the chief administrators of justice which was their main task and their most important duty. In civil cases they were to judge together with the local judges in accordance with the local statutes and customs.¹¹⁸⁴ In criminal jurisdictions, however, they were to adjudicate alone guided by their “honorable conscience.” This also explains why a number of statutes—such as that of Koper and Poreč—do not have any chapters on criminal law. Here, the situation differed from the grand communes of the *Terraferma* such as Padua, Vicenza, or Brescia where the Venetian rector was accompanied by a “judge-assessor” who consulted the podestà in legal matters beyond his (narrow) understandings.¹¹⁸⁵ This discrepancy can be ascribed to the fact that the local judicial culture did not attain such heights in small Istrian communities as it did in large urban centers steeped in *ius commune* such as Brescia or the university city of Padua.

The ducal instructions also contained the amount of yearly wages the rectors would get for their services and in the context of Istria these varied from two thousand pounds for the podestàs and captains of Koper to the measly five hundred pounds given to the podestàs of Oprtalj.¹¹⁸⁶ These wages were subject to change depending on the overall economic prosperity of the *Dominium* and of the local community. For example, the yearly wage of the podestà of Poreč was rising throughout the first half of the fifteenth century, from eleven hundred recorded in the age of Doge Antonio Venier, to seventeen hundred noted in 1457—a clear testament to the commune’s economic blossoming. Thus, on the 3rd of October, 1457, the Venetian Senate decreed that, since the communal treasury of Poreč is “loaded with coins” with well over five thousand pounds of pennies of yearly income, the state would no longer subsidize the yearly wage of the delegated rectors.¹¹⁸⁷ The rectors of the vast majority of other Istrian centers, however, had to receive Venetian subsidies as the local communities covered only a part of the yearly wage (cf. appendix 2). Moreover, discrepancies in yearly paychecks attracted different types of Venetian noblemen to

¹¹⁸⁴ “Ipsam quidem civitatem et eius homines cum toto districtu et pertinenciis regere debes, secundum quod ordinatum est, cum quatuor consiliariis dicte terre, tam in civilibus quam in criminalibus, secundum statuta ipsorum dummodo non sint contra honorem nostrum et Comunis Veneriarum, ita quod quicquid factum fuerit per maiorem partem vestrum quinque secundum dicta statuta sit firmum, salvo quod de homicidiis, robariis, stratarum furtis silicei de furtis a libris X supra, violenciis mulierum et incendiis fraudulentis, tu solus comes habere debes merum et liberum arbitrium.” Rizzi and Zuccarello, eds., *Le commissioni* 2, 151.

¹¹⁸⁵ Claudio Povolo, “Il giudice assessore nella Terraferma veneta,” in *L’assessore: Discorso del signor Giovanni Bonifacio in Rovigo MDXXVII*, ed. Claudio Povolo (Pordenone: Sartor, 1991), 5–38.

¹¹⁸⁶ See the table in appendix 4.

¹¹⁸⁷ ASV, Sma, reg. 6, fol. 38r. The decree is edited *in extenso* in the appendix. See doc. IV/D in appendix 3.

these posts. If Venice wanted a competent and respected podestà to run a particularly important subject center, it had to motivate the potential candidates with an adequate yearly wage. This is why, for example, the Venetian Senate decreed to double the salary of the podestàs of Piran in 1421, from one to two thousand pounds of pennies, as the flowering salt industry needed a capable official who could effectively curb the growingly rampant smuggling circuit and instill “respect” (orig. *reverentia*) in his subjects.¹¹⁸⁸

Furthermore, while serving in places such as Buzet and Umag did not do much for political careers of Venetian nobleman other than providing them with a “welfare” job for a while, being elected the count of Pula or the podestà of Koper was an important step in the *cursus honorum* of an ambitious patrician. For example, Davide the son of Stefano Contarini was an influential Venetian nobleman who sat in the Senate as the member of the *Zonta* in 1447; from there, he was elected the podestà and captain of Koper, after which he served as the podestà of Chioggia (1451), then again as the member of the *Zonta* (1453), the podestàs of Ravenna (1454), the podestàs of Brescia (1461), the *luogotenente* in Friuli (1465), until he finally found himself in the innermost governmental circle as one of the six councilors of the doge, the member of the Minor Council.¹¹⁸⁹ In this particular individual’s distinguished career, the office in Koper served as stepping stone to more prestigious posts Davide managed to obtain later in his life. Examples such as this one can be multiplied, but two more should suffice. Troilo the son of Marino Malipiero began his office-holding career in the 1460s at the sea, as the captain of the galley in the Venetian navy (Ven. *sopracomito*); in 1470 he was elected count of Pula, in 1475 count of Trogir, in the 1480s he served as the councilor of the Venetian deputy in Cyprus, in 1489 he was made podestà and captain of Ravenna, in 1492 he returned to Venice as the member of the Senate’s *Zonta* and in 1495 he joined the exclusive company of the most powerful Venetian councilors as the member of the Council of Ten.¹¹⁹⁰ Finally, Benedetto the son of Andrea Venier was elected captain of Rašpor in 1441; from there he returned to Venice and got a seat in the *Consilium Rogatorum* as the senator (1445); in 1447 he was elected podestà and captain of Feltre; in 1448 he return to the Senate; in 1451 he was elected podestà of Ravenna and three year later he was made ducal councilor and the member of

¹¹⁸⁸ ASV, SMi, reg. 53, fol. 212v. I have edited the *pars in extenso* in the appendix. See doc. IV/C in appendix 3.

¹¹⁸⁹ The career is reconstructed from the data featured in the Rulers of Venice database. *RVD*, records. 19874, 15459, 14193, 21846, 14401, 51765, 51324, 25441.

¹¹⁹⁰ The career is reconstructed from the data featured in the Rulers of Venice database. *RVD*, records 31929, 30449, 30967, 32841, 26987, 46946, 47340, 47565, 47694.

the Minor Council; in 1464 he was delegated to Bergamo to serve as the podestà; in 1471 he was sent to Udine as the Friulian *luogotenente*; and the distinguished career ended with Benedetto's appointment as the procurator of St. Mark in 1476, one of the most prestigious offices in the Venetian Republic.¹¹⁹¹ Similarly to the two previous examples, serving as the captain of Rašpor in Istria was an important part of Benedetto's journey through a multitude of offices, all of which were particularly important in the overall administrative framework of the *Dominium Veneciarum*. Istrian rectorships, at least those of Koper, Pula, and Rašpor, were integral elements of the Venetian *cursus honorum*.

O'Connell, who has analyzed the patterns of office holding in *Stato da Mar* but excluded Istria, concluded that the rectorships could be divided into three tiers based on their prestige and their ranking in the overall "ladder of offices": the most prestigious were the governors of Zadar, Corfu, Crete and Cyprus—the "stepping stones to positions of authority in the inner councils of Venetian government"; the less important but still significant in the overall framework of the *Dominium Veneciarum* were the governmental posts in Kotor, Koroni and Methoni, Durrës, Chalcis, Nafplio, Šibenik, Shkodër and Trogir that, although not paying as much as one Zadar of Crete, still provided the delegated patricians with experience and prestige of administering a notable subject center; finally, officials delegated to smaller and poorer communities than those of the second tier were primarily reserved for the young inexperienced patricians seeking to "hone their craft," or for the poorer and/or less ambitious members of the Great Council applying for "welfare" positions.¹¹⁹² Contextualizing Istria within this framework, offices such as the podestà of Koper, count of Pula and the captain of Rašpor could be placed in the first tier; Muggia, Piran, Motovun and Poreč in the second; and all the other positions—with yearly wages below one thousand pounds of pennies—would have to belong to the third tier.

All rectors in Istria were elected to serve a fixed term in office that ranged from sixteen to twenty-four months; only the podestàs of Buzet and Oprtalj were originally elected to disproportionately long terms of four years as the quintessential "welfare posts," but in the second half of the fifteenth century even these cases were reduced to the standard two years.¹¹⁹³ During

¹¹⁹¹ The career is reconstructed from the data featured in the Rulers of Venice database. *RVD*, records 15646, 19552, 14724, 14724, 14724, 14399, 17644, 26768, 25478, 25478, 31862.

¹¹⁹² O'Connell, *Men of Empire*, 41–42.

¹¹⁹³ Banić, ed., *FIM*, 6: docs. 1442 MC154 and 1444 MC77. Cf. *RVD*, records 30581, 30582, 23569 and 24139, all showing that from 1466 the podestàs of Buzet were being elected for a term no greater than 16 months.

this term they were not allowed to leave their podestaria under the threat of considerable monetary penalties and only in extraordinary cases would they be given the green light by the Senate to temporarily leave their posts.¹¹⁹⁴ Following the completion of their term, they would not be allowed reelection to that same office lest they form too personal ties to specific subject communities which would hinder their expected impartialness. This impartiality towards the subjects was also the reason why they were universally forbidden to accept gifts (that is, bribes) from the population under their administration and why they were not allowed to associate themselves with the locals: the instructions strictly forbade the rectors from sharing a meal with his subjects, for example.¹¹⁹⁵ The motive behind these decrees was clear to all: the delegated rectors were meant to be impersonal embodiments of the *Dominium* and not individual agents perusing their own (familial) agendas in communities entrusted to their administration.¹¹⁹⁶ This strict insistence on the clear separation of the public from the private proved impossible to enforce.

Very much like in the other jurisdictional states of the era, the nascent *Dominium Veneciarum* was constituted of both formal—institutionalized, codified, impersonal—and informal channels through which power was exercised—“ties of kinship, faction, patronage and clientage”—and the two axis intersected and supplemented far more than they excluded each other.¹¹⁹⁷ It was already outlined that the delegated rectors needed to rely on the locals, especially the civic elites, for successful and mutually satisfactory administration of the community. These relations often breached the blurry line dividing the public from the private sphere. O’Connell has analyzed a number of such examples where patrician families used the offices entrusted to them to build close ties with the locals, either through patronage or even marriage with the local elites.¹¹⁹⁸ In late medieval Venetian Istria relations and network such as those illuminated by O’Connell remain opaque due to the relatively small amount of preserved primary sources, but some traces which would imply that these practices extended to the Peninsula as well are discernable.

For example, numerous members of House Minio served as rectors of minor Istrian centers: from 1438 to 1522 the Minios were elected to no less than twenty-nine governmental posts in

¹¹⁹⁴ Usually family matters in Venice or the spreading of various diseases.

¹¹⁹⁵ “Tu vel socii tui seu aliquis alius de tua familia nullo modo potestis comedere cum civibus lustinopolis nec ipsos habere vobiscum ad comedendum.” Rizzi, ed., *Commissioni* 2, 57. This was a universal Venetian principle. See for example, Orlando, *Spalato*, 237.

¹¹⁹⁶ O’Connell, *Men of Empire*, 60–61.

¹¹⁹⁷ Chittolini, “The ‘Private,’ the ‘Public,’ 34–61”; O’Connell, “The Contractual Nature,” 59 (quotation).

¹¹⁹⁸ O’Connell, *Men of Empire*, 57–74.

Istria, but never to any of the first tier ones and with most of them being third tier posts.¹¹⁹⁹ Moreover, Ermolao Minio served as the podestà of Grožnjan in 1454 and the podestà of Motovun in 1467;¹²⁰⁰ his sons Niccolò and Bernardino served as rectors in Buje (1490) and Vodnjan (1491) respectively;¹²⁰¹ his daughter Laura, however, married into regional nobility and to none other than Pietro de Gravisi, the son and heir of the marquis of Petrapilosa Niccolò.¹²⁰² The Minios could thus count on considerable experience in governing these small Istrian communities in addition to their kin; they were still, however, unable to land any first tier office on the Peninsula.

Similar was the case with House Ferro: Giovanni Ferro was the podestà of Buzet in 1434 who was granted the office by way of *grazia*;¹²⁰³ Simone Ferro was also elected podestà of Buzet in 1457 and his acts concerning justice administration are preserved making him one of the few Istrian rectors whose administration can be analyzed in detail;¹²⁰⁴ Simone's son Francesco served as a podestà in Muggia in 1470 and Francesco's son Federico was elected to same post in 1498;¹²⁰⁵ finally an Andrea Ferro was made podestà of Buzet on two occasions, in 1492 and in 1500, and in 1504 he nominated himself—a practice “frowned upon”—and managed to succeed in being elected to serve as the podestà in the nearby Oprtalj, one of the lowest paying podestarias in the entire Venetian Istria.¹²⁰⁶ Andrea's story is particularly interesting.¹²⁰⁷ Andrea owned lands in Buzet and its district which he leased to the locals;¹²⁰⁸ he also owned a house within Buzet's walls and he often appeared as a witness in private documents, even as the elected judge arbiter in one dispute involving Iacobo de Gravisi;¹²⁰⁹ more curious is his participation in the sessions of communal councils during the periods when he was not serving as the incumbent podestà, almost as if he became the leading member of the civic elite with his own respective seat in the *Consilium Maior*.¹²¹⁰ Most interesting, however, is his marriage to a Clare, the daughter of Capodistrian

¹¹⁹⁹ *RVD*, 15608 (Vodnjan), 15724 (Buzet), 15432 (treasurer of Koper), 15748 (Grožnjan), 15438 (treasurer of Koper), 23836 (Rovinj), 24026 (Motovun), 24099 (Muggia), 30363 (Novigrad), 30591 (Buzet), 30569 (Bale), 30553 (Buje), 30441 (Vodnjan), 30395 (Poreč), 44267 (Bale), 44099 (Rovinj). This covers the period between 1445 and 1500.

¹²⁰⁰ *RVD*, records 15748 and 30488.

¹²⁰¹ *RVD*, records 30553 and 30441.

¹²⁰² Zjačić, “Notarska knjiga,” 374–75; Banić, “Elitni slojevi,” 55.

¹²⁰³ Jelinčić and Lonza, eds., *St. Buzet*, 318.

¹²⁰⁴ *RVD*, record 23566.

¹²⁰⁵ *RVD*, records 30629 and 44349.

¹²⁰⁶ *RVD*, records 30596, 44311, 44225. O'Connell, *Men of Empire*, 40 (quotation).

¹²⁰⁷ The following is based on Banić, “Elitni slojevi,” 50–53.

¹²⁰⁸ Zjačić, “Notarska knjiga,” 411, 450–51.

¹²⁰⁹ Zjačić, “Notarska knjiga,” 361, 436, 462–64.

¹²¹⁰ Zjačić, “Zaključci,” 219–20, 237–39.

nobleman Gaspar de Sabinis and the widow to Jacob Petrovich, one of the most distinguished and richest members of Buzet's society.¹²¹¹ The widow died just three month after the dowry threat had been signed; whether or not this extremely brief marriage to a noble widow resulted with Andrea's enrichment or not cannot be ascertained, but her sudden death does give this entire episode the contours of a murder mystery novel.¹²¹²

The examples of Minios and Ferros "specializing" in the administration of Venetian Istria, are not uncommon in the context of the late medieval and Early Modern *Dominium Veneciarum*, and they show, very much as other similar cases, that the public and private sphere of action could not be fully separated in the overall governmental framework devised by the Republic of St. Mark. Even in large, first-tier subject centers such intersections between the public—the impersonal rector—and the private—the individual serving as the rector with all of his social "baggage"—could not be separated from each other, but that would not necessarily be detrimental to the *Dominium*. For example, O'Connell showed that the marriage between Tommaso Venier, the son of Niccolò who served as captain of Zadar (1416–1418), married into Zaratine noble House Matafari, and the Veniers nonetheless continued to hold posts in *Commune Iadre* throughout the *Quattrocento*.¹²¹³ The Veniers were a powerful clan and Zadar an important, tier-one commune; the marriage between one of the leading Venetian families and the Matafaris of Zadar, the clan at the peak of the local social ladder, fostered tighter, more intimate and amicable connections between the capital and the subject center. "The consequences of these venetian-subject kinship ties go beyond the local, playing an important role in stabilizing Venetian territorial rule by creating a network of extra-institutional affiliations that allowed the institutional gears of the Venetian state to grind more smoothly."¹²¹⁴

It is in the same key that another customarily breached regulation may be interpreted. Namely, the delegated rectors did not shy away from monumentally commemorating their regimes. It was a standard practice, for example, to hold long commemorative speeches during the public rituals whereby a new podestà would make his entrance and the old one would take his leave. In 1425 the Venetian Senate forbade this practice of shameless self-promotion and ordered

¹²¹¹ Banić, "Elitni slojevi," 62–63.

¹²¹² Zjačić, "Notarska knjiga," 353, 360–61.

¹²¹³ O'Connell, *Men of Empire*, 64–65; O'Connell, "Contractual Nature," 69–70 and 70–72 for some other similar examples.

¹²¹⁴ O'Connell, "Contractual Nature," 72.

the delegated officials to humbly accept the post by saying nothing more than “I consign you to this regimen in the name of the most illustrious Venetian Dominion” and “I accept this office in the name of the most illustrious Venetian Dominion.”¹²¹⁵ Again, the decree was made in an effort to deindividualize the delegated rectors, making them the impersonal embodiment of the state. Working against this attempt, however, were the countless coats of arms of Venetian noble houses scattered across the entire *Dominium Veneciarum* that the delegated rectors proudly placed on buildings and monuments erected during their regimes.¹²¹⁶ These insignia, usually flanking the winged lion of St. Mark, did exactly the opposite of the what the Senate’s 1425 degree sought to do: they glorified and promoted specific Venetian families; however, not necessarily at the expense of the state. On the contrary, the promotion of one’s house and the Venetian Republic as a whole went hand in hand and Venice must have been aware of that; that would explain why, in the vast majority of cases, the Venetian central government did not bother to remove these coats of arms.¹²¹⁷ Thus, when the monumental Pentagonal Tower of Poreč was finally finished in 1447, the incumbent podestà Niccolò de Lion promptly had the winged lion of St. Mark sculpted into its façade, but he also capitalized on the perfect opportunity to immortalize his regimen and promote his house: beneath the winged lion he had the coat of arms of his house carved, flanked by his own initials. This was indeed a case of blatant self-promotion, but it also championed Venice as a whole, the Republic that he and his house embodied as loyal and impartial governors throughout its dominions.

The synthesis of the public with the private is perfectly exemplified in the case of Niccolò and the Pentagonal Tower of Poreč: the sculpted winged lion holds a book like every other, but with a unique text: “Be just and I will give peace to your lands,” a line that could be read as a divine mandate both to the local citizens as well as to the delegated rectors.¹²¹⁸

¹²¹⁵ O’Connell, *Men of Empire*, 59. This decree entered the instructions of Istrian rectors as well. Rizzi and Zuccarello, eds., *Le commissioni* 2, 71.

¹²¹⁶ O’Connell, *Men of Empire*, 60–61.

¹²¹⁷ O’Connell, *Men of Empire*, 61; Benyovsky Latin, “The Venetian Impact on Urban Change,” 606.

¹²¹⁸ “Facite iusticiam et dabo pacem in finibus verstris.” Text in the lower part of the frame: Magister Iohannes de Pari Tergestinus construxit hanc turrin et Lazarus eius filius hanc imaginem 1447 [Master John de Pari of Trieste constructed this tower and his son Lazarus this picture in 1447]. See image 4 below. See also, Radossi, “Stemmi di rettori e di famiglie notabili di Parenzo,” 26; Rizzi, *Il leone di San Marco in Istria*, 108–10, n. 97. The image is taken from Marie Kay, <https://mariekay.livejournal.com/188561.html> [last access: 26th of March, 2021].



Image 4: John and Lazarus de Pari, The Lion of St. Mark above the Coat of Arms of House Lion Flanked by the Initials of Podestà Niccolò del Lion, Poreč, 1447, Pentagonal Tower.

By working together, by relying on each other, by being just towards one another, and by submitting themselves to the divinely ordained Republic of St. Mark, the *Dominium Veneciarum* prospers. It is to the principal key perpetuating this peace—the justice administration—that the study turns to now.

Chapter IV.2

Liturgies of Adjudications: Performing the State through Justice Administration

Administration of justice was a public affair, a performance staged in the rector's palace or, more often, in the open public loggia, the “revered symbol of communal justice and

government” and the main “stage for civic ceremony.”¹²¹⁹ As such it is not wrong to dub it a ritual: a patterned communal activity that “constructs, maintains and[/or] modifies society itself.”¹²²⁰ Indeed, this is the approach famously adopted by the great anthropologically inflected Venetianists studying justice administration such as Claudio Povolo who famously stated that “the composite state was administered by means of the trial, or, better, through legal ritual, which, characterized by the disputation between the parties, had the fundamental goal of ascertaining and confirming a right that already existed but that nonetheless had to be reconfirmed.”¹²²¹ In the context of late medieval Venetian Istria, the judicial ritual differed for the cases falling under civil law or criminal law. In the case of the former, the Venetian rector was regularly flanked by the communal judges whose *consilium* he was meant to heed as long as he judged it “honorable” and not damaging to Venice. The ritual would end somewhat unassumingly with the issuing of a *preceptum*, officially sanctioning the court’s verdict and obligating the parties involved to act accordingly. In the case of criminal cases, the situation was markedly different: the rector alone would take central stage and the community could offer advice but was otherwise not allowed to interfere with the adjudication; the questionings could be done publicly or secretly and the process could be led either passively (*per accusationem*) or actively (*ex officio*, or *per inquisitionem*); finally, if the verdict would end in monetary fines, it would simply be read aloud on the communal square by the town’s crier; if the adjudication involved any sort of public shaming and/or corporal punishments, the ritual would end with a spectacle involving the participation of the entire community.¹²²² Even from this briefest possible outline it is immediately visible that the influence of the state is by far more tangible and immediate in the exercise of criminal jurisdictions which will therefore be treated in much more detail in this study. However, a quick glance at the administration of justice in civil cases is necessary, primarily because there were several innovations that were introduced as a direct consequence of the fateful transformation from *Commune* to *Dominium Veneciarum*.

¹²¹⁹ James S Ackerman, *Palladio* (Harmondsworth: Penguin, 1966), 120.

¹²²⁰ Muir, *Ritual in Early Modern Europe*, 6. On the concept of ritual in medieval studies, see Gerhard Jaritz, “Ritual and Performance,” in *Handbook of Medieval Studies: Terms, Methods, Trends*, ed. Albrecht Classen (Berlin: Walter de Gruyter, 2010), 1559–63.

¹²²¹ Povolo, “Liturgies of Violence,” 516.

¹²²² Elena Maffei, *Dal reato alla sentenza: Il processo criminale in età comunale*, Polus: Fonti medievali italiane 1 (Rome: Storia e Letteratura, 2005), esp. 71–131.

Civil Law

If the criminal jurisdiction was the privileged arena in which the state perpetuated its governmental prerogatives and (re)affirmed its power, the civil law acted as the same niche for the exercise and preservation of jurisdictional autonomies of the subjected communities, supervised as it were by the delegated rector. Unfortunately, this is also the reason why the records involving civil cases are much less detailed, usually containing only the final verdict plucked from the accompanying context. In the three book of the podestàs' acts that were available for analysis and that fitted the chronological framework of the study—Buzet, Rovinj, and Poreč—the *sententie in civilibus* are preserved only in the acts of Matteo Gradonico, *potestas Parentii* between 1445 and 1446, and even in this case only fragmentarily.

Very much unlike the administration of criminal justice, where each phase of the process was duly registered, the entries regarding civil cases were written highly summarily, registering only the verdict, and rendering the analysis of this type of justice administration extremely difficult. For example, a classic entry of this type would simply state that a Bartholomoew Schacha was sentenced to pay forty-eight schillings and two measures of wheat to Anne, the widow of master Bernard, in addition to the expenses of the judicial procedure paid to the communal chancellery.¹²²³ Nevertheless, since there are clues hidden even in these summaries and since there are also some cases that were recorded in more details, an interpretation of Venetian civil justice administration in late medieval Istria may be offered.

First, very much similar to the criminal cases, civil justice was most often administered in public places such as the loggias or, more rarely, inside the rector's palace. During these sessions of justice administration, the podestà preside over his "judicial bench" (*bancha iuris*) flanked by the judges elected by the communal councils. Together, they would hear disputes brought before them, evaluate the evidence, consult with each other and, finally, issue their verdict. Since Matteo's book of act does not register the beginning of the lawsuit but only its conclusion, it cannot be ascertained how long it would take for the rector to settle a typical dispute. What the register does reveal, however, is that a single judiciary session could adjudicate a great number of cases. For example, on the 18th of January, 1445, the podestà held court "underneath the communal loggia,"

¹²²³ "[Nos potestas sententiavimus] Bartolem Schacha presentem et confitentem ad dandum et solvendum domine Anne relicte magistri Bernardi soldos quadraginta octo parvorum et starolus duobus frumenti et expensas." DAP, Poreč, Atti del podesta, fol. 176r.

in the presence of a number of witnesses; he was flanked by the communal judges, although only three of them as the fourth one was for some undisclosed reason absent; and he promulgated a total of seventeen verdicts.¹²²⁴ Moreover, according to the records, a number of disputes that were presented to the podestà in which both parties were present were solved and adjudicated that very day.¹²²⁵ In cases where written documentation was presented these were not the *libella* characteristic of *ius commune* of even of larger centers of the Venetian *Stato da Mar* such as Split, but simply probatory documents used in court to determine the legality of one's actions: oral disputation still dominated the courts in mid-fifteenth century Poreč.¹²²⁶ The communal statute was, however, invoked on several occasions, both by the disputing parties and by the podestà as well who obviously consulted it with his judges; the code of law was thus not just a symbol of communal identity and the source of civic pride, but a source of law that was indeed used in courts, intermittently as it were.¹²²⁷ Finally, in those cases recorded in a bit more details, the final sentences pronounced by the podestà were always recorded as being reached together with the communal judges which was never the case in criminal trials.¹²²⁸ The ducal instruction was thus not heeded to the letter, at least according to these summary records of justice administration, because the *commissio* to the podestàs of Poreč clearly stated that justice—including criminal cases—was to be administered “together with the council of the said land.”¹²²⁹ This apparent discrepancy can easily be explained by the fact that the *commissio* retained the old formulae from the outdated capitularies of the rectors of Poreč promulgated between 1299 and 1361 which included virtually the same line.¹²³⁰ It is questionable how much this instruction was heeded even in the mid-fourteenth century, but by the middle of the *Quattrocento* the standard practice of administering

¹²²⁴ “In Christi nomine, Amen. Anno Eiusdem Domini millesimo quadrigentesimo quadragésimo quinto, indictione octava, die lune undecimo mensis ianuarii, actum Parentii sub logia comunis, que se tenet cum cancelaria, presentibus ser Petro de Andronicus, ser Bartolameo de Trento testis et aliis quam pluribus, spectabilis et generosus vir dominus Matheus Gradonico honorabilis potestas Parentii sedens pro tribunali ad bancum iuris una cum tribus ex iudicibus comunis, videlicet ser Nicolao Dainexe, ser Thoma Batiduda et ser Marco de Rippaldis, quarto absente, sententiavit omnes singulas personas infrascriptas causis et rationibus infrascriptis, videlicet.” DAP, Poreč, Atti del podestà, fol. 176r.

¹²²⁵ Several of such cases were solved on the 7th of September, 1445. DAP, Poreč, Atti del podestà, fol. 190v.

¹²²⁶ Cf. Orlando, *Spalato*, 259–60.

¹²²⁷ Case 1/2 edited in the appendix and discussed below is a good example of this practice.

¹²²⁸ Case 1/2 edited in the appendix and discussed below is a good example of this practice.

¹²²⁹ “Preterea in facto maleficiorum, de ipsis maleficiis vindictam et iusticiam fades de malefactoribus et condemnationes de offensionibus cum consilio hominum dicte terre.” Rizzi and Zuccarello, eds., *Le commissioni* 2, 122.

¹²³⁰ “Preterea in facto maleficiorum et de ipsis maleficiis, vindictam et iusticiam faciam de malefactoribus et condemnationes de offensionibus cum consilio hominum dicte terre.” Rizzi, ed., *Le commissioni* 1, 123.

justice together with the local judges *in civilibus* but alone *in criminalibus* gained ground throughout the rapidly expanding *Dominium Veneciarum* and Poreč was no exception.¹²³¹ All of these characteristics, and some important novelties in civil justice administration that were introduced as a result of the great Venetian territorial expansion, are vividly illustrated in the following example.

On the 21st of January, 1446, the podestà held his court inside the communal palace, flanked by the four communal judges and his trusty chancellor John de Victore.¹²³² On that day, however, the podestà's court dealt with one dispute only, exclusively deliberating on the matter pitting an Andrew Çolma against his stepfather Dominic Bevilaqua. The bone of contention was the last will and testament of Andrew's mother and Dominic's wife Sebocha in which she completely disinherited her son from her prior marriage. Andrew, however, would not make peace with such a situation and he filed a lawsuit with podestà's court, seeking a legal way to disprove the validity of his mother's testament. While Dominic simply stated that the last will was written legally, by a professional public notary John Lango in front of communal judges and trustworthy witnesses, and that his wife purposefully and of her own free will disinherited Andrew, the aggrieved son had an altogether different bag of legal tricks up his sleeve. First, stated Andrew, the testament must be pronounced null and void because it directly contradicts the statute of Poreč, chapter sixty-seven more precisely. This particular chapter, however, only states that no woman, as long as she lives under anyone's *potestas* (father before marriage, husband after the nuptials), may obligate anything to anyone without the consent of her man, and this is true for the women married "according to the custom of the Istrian province that is called 'brother and sister'."¹²³³ Since Sebocha's testament is not preserved, it is difficult to ascertain at what exactly was Andrew hinting at, but it was most probably a part of her will whereby she disposed of her inheritance to settle an existing debt that caught the son's eye. Be that as it may, Andrew cited one more source of law by which his mother's testament was supposed to be annulled: *leges imperialis*, that is, the *ius commune* that Venice had been so famously shunning for centuries.

¹²³¹ It entered the instructions to the podestà of Bale as a later addition: "Quam quidem civitatem et homines dicte terre et districtus regere debeas cum duobus iudicibus dicte terre secundum formam suorum statutorum et secundum consuetudines eorumdem. Verumtamen, tu solus potestas in criminalibus regere et procedere debeas sicut tibi melius apparebit." Rizzi and Zuccarello, eds., *Le commissioni* 2, 178, fn. 489.

¹²³² DAP, Poreč, Atti del podestà, fols. 199v–200r. I have edited the verdict *in extenso*. See case 1/2 in appendix 4.

¹²³³ Zjačić, ed., *St. Poreč*, 99–100, book 2, chap. 67. See case 1/2 for the quotations.

After both parties had presented their cases, the podestà proceeded to review the lawsuit: he checked the testament as well as the communal statute “and everything else what was supposed to be reviewed.”¹²³⁴ He then conferred with his judges and finally invoked the name of Christ before issuing his final verdict on the matter: with the consent of the communal judges the incumbent podestà did not pronounce the testament null and void; instead, Sebocha’s last will would be executed up to the final part, the one where she disposes with “the rest of her goods.” These goods, decided the rector’s court, must be equally divided between Andrew and Dominic with the latter also paying the expenses of the legal procedure.¹²³⁵ It was a sentence that strictly followed a “default” model of inheritance according to the Roman law.¹²³⁶

The presented case is paradigmatic in many aspects: there was no *libellus*, the only written evidence presented were the testament written by a public notary and the law invokes was that of the communal statutes that the podestà reviewed; finally, the sentence was made in consensus with the local judges, three out of four of them that is, and it ended the lawsuit in a compromise. The Venetian rector thus emerges as a text-book example of an adjudicator whose task is the “mediation and neutralization of local conflicts and the maintenance of public order.”¹²³⁷ Moreover, even though the rules were invoked, mainly the statute of Poreč on the one side and the lawful notarial document on the other, the normative elements did not play the conclusive role in reaching the verdict; instead, the sentence was negotiated, a type of a compromise that was nonetheless “presented in the idiom of rule.”¹²³⁸ Thus, the process led by the Venetian podestà was a mixed form that Roberts classifies as an essentially negotiatory one even though possessing many elements of the adjudicatory process as it is couched in “normative propositions,” characterized by “institutional formality,” and led by an judge pronouncing binding verdicts, thus an adjudicator

¹²³⁴ “Unde visis dictis petitione et responsione factis per dictas partes, et omnibus aliis et singulis que dicere, respondere, producere et allegare voluerunt, viso primo dicto testamento, viso quoque dicto statuto et omnibus que videnda erant.” Case 1/2 in appendix 4.

¹²³⁵ “Christi nomine invocato, qui lucidat mentes hominum ad recta et vera iudicia, sedentes pro tribunali ad bancum iuris in cancellaria comunis, quem locum nobis pro iudicio elegimus, datoque termino presentibus ad hunc diem ad audiendum hanc nostram sententiam diffinitivam de voluntate, consensu et oppinione ser Dominici condam ser Nicolai, ser Marci de Rippaldis et ser Francisci de Messina iudicum suorum (ser Nicolao de Facina quarto iudice non existente de oppinione), dicimus, diffinimus et terminamus quod primo et ante omnia legata dimissa per dictam testatricem secundum formam dicti testamenti adimpleantur et adimpleri debeant cum effectu, et residuum bonorum dicte hereditatis dividatur et dividi debeat in duas partes, una sit dicti Dominici alia dicti Andree equali portione, et dictum Dominicum in expensis huius cause condenamus.” Case 1/2 in appendix 4.

¹²³⁶ I thank Nella Lonza for clarifying this to me.

¹²³⁷ Orlando, *Spalato*, 236–37 (quotation).

¹²³⁸ Roberts, “The Study of Dispute,” 14.

not a mediator.¹²³⁹ While all of these characteristics can be interpreted as typical of Venetian justice administration in civil matters even in the thirteenth and fourteenth centuries—at least based on the examples of the Dogado communities—, one element is definitively unique in this very case.¹²⁴⁰

Andrew referenced the communal statute, but he also invoked *leges imperiales*, that is the *ius commune* that Venice famously and declaratively shunned throughout its existence. In Poreč, the *ius commune* was not a source of law and this was the case throughout Venetian Istria with the lone notable exception being Pula.¹²⁴¹ However, there was no vicar or *iurisperitus* serving in Poreč and the delegated Venetian rectors were not legally trained, so why invoke the *leges imperiales* in the court of law in which these laws are not recognized? The answer to this question should be sought in the great territorial expansion of Venice and its transformation from *Commune* into *Dominium Veneciarum*. Namely, as James S. Grubb noted, the Venetian incorporation of communes such as Padua, Vicenza, and Verona had a notable impact on the legal culture of Venice's governing strata.¹²⁴² Originally ignorant of the *ius commune* the delegated rectors were now obliged to govern their new subjects according to legal framework they did not understand. Thus, the delegated podestàs of Vicenza, for example, were forced to rely on the *consilia* of contracted judges assessors, university trained lawyers who were not by necessity Venetian noblemen. This practice of “having a non-Venetian as virtual head of local judiciary,” correctly noted Grubb, “ran counter to the preferred principle that the chief judge of subject cities be a representative of the Republic and also-as a noble and a member of the Venetian Great Council—himself a ruler equal in rank to the doge”—it was “a dilution of Venetian authority.”¹²⁴³ A remedy to this situation was found in the University of Padua that became the privileged—the only legally allowed—center of learning for Venetian noblemen who were from now on encouraged to peruse education in law and learn the *ius commune*.¹²⁴⁴ The change of policy towards the university education of law and the knowledge of *ius commune* had profound impacts on Venetian society, at least its governing strata: in 1496 a decree of the Council of Ten regarding the time period

¹²³⁹ Simon Roberts highlighted the difference between adjudicator and arbitrator, the former issuing binding verdicts, the latter simply guiding the disputed parties towards a mutually acceptable settlement. Robert, “The Study of Dispute,” 12–14.

¹²⁴⁰ Orlando, *Altre Venezie*, 323–38.

¹²⁴¹ Doc. IV/B.

¹²⁴² Grubb, *Firstborn of Venice*, 43–46.

¹²⁴³ Grubb, *Firstborn of Venice*, 44.

¹²⁴⁴ Grubb, *Firstborn of Venice*, 44.

needed to constitute full ownership quoted the *prescriptio annorum triginta* directly from the Justinianic code.¹²⁴⁵ Grubb was thus right to conclude that in more ways than one, “Venetian legal practice had adopted the sources and techniques of its subjects, not vice versa.”¹²⁴⁶

This is the context within which Andrew’s invocation of *leges imperiales* must be interpreted. Poreč was not excluded from this judicial revolution of the Venetian *Quattrocento*. The fact that a Bartholomew of Poreč had a university degree in law in the first half of the fifteenth century is just one byproduct of this process that engulfed the *Dominium Veneciarum*, at least its *Terraferma* portions.¹²⁴⁷ This slow penetration of the *ius commune*, a direct consequence of Venetian great territorial expansions, affected Istrian communities as well, at least Poreč (and one would suppose Koper and Pula as well). How thoroughly this newfound appreciation of the *ius commune* transformed the local societies and influenced the rulings of the delegated podestàs is another matter and its studies of sixteenth-century acts of Istrian rectors by scholars learned in law and legal history of *ius commune* will be required to begin answering these important questions. At this point, however, it can be argued that the Venetian gradual acceptance of the legal culture of the *ius commune* was mirrored in Istria as well and this is a marked novelty resulting from the transformation from *Commune* into *Dominium Veneciarum*.

Finally, it must be stated that Venice was also receptive of legal systems that had been operating in formerly Aquileian Istria and, having absorbed some of their contents, it not only internalized these laws as its own but also projected them across its expansive dominion. This is the case of the rule regarding disputes between close family members which, as the law prescribes, cannot be adjudicated by the ruling rector but by way of third-party mediation and compromise.¹²⁴⁸ This rule stems from canon law and throughout the medieval era it was received by many centers and regions but not Venice and its Istrian subjects.¹²⁴⁹ The law did, however, enter the legal system of the Patriarchate of Aquileia and the rule forbidding rectors’ involvement in family disputes entered the local statutes of Istrian communities subjected to Aquileian patriarchs and their

¹²⁴⁵ Grubb, *Firstborn of Venice*, 28, 45.

¹²⁴⁶ Grubb, *Firstborn of Venice*, 45 for the quotation and a couple of other examples of this growing influence of the *ius commune* in Venice.

¹²⁴⁷ Alfonso Costa, “Studenti foroiuliensi orientali, triestini ed istriani,” *AT*, ser. 2, 20 (1895): 361–62.

¹²⁴⁸ What follows is informed by Lonza, “Il gioco,” 208. See a formulation of the law in question in Lonza and Poropat, eds., *St. Buzet*, 426–28, chap. 127.

¹²⁴⁹ Lonza, “Il gioco,” 208 and literature cited therein; Thomas Kuehn, *Law, Family, and Women: Toward a Legal Anthropology of Renaissance Italy* (Chicago: The University of Chicago Press, 1991), 27.

delegated margraves.¹²⁵⁰ Whether influenced directly by Aquileian legal framework or not, on the 8th of November, 1433, the Great Council of Venice voted in this very law, forbidding the official involvement of the state in disputes lead between close relatives.¹²⁵¹ Subsequently, this rule spread throughout the nascent *Dominium Veneciarum*, including Istrian communities such as Poreč and Vodnjan.¹²⁵² Thus, the effects of Venice's great territorial expansion, its takeover of the Patriarchate of Aquileia and the Margraviate of Istria, resulted with various transculturation processes with both Venice and the annexed communities morphing under each other's influence. For Venetian Istria, the spread of the rule of mandatory compromise in family disputes was also another example of regional homogenization as the law formerly practiced only in Muggia and the *Marchionatus* was now spread, under *Serenissima's* influence, across *partes Istrie Veneciarum*.

Criminal Law

If there was one aspect of administration that Venice indiscriminately monopolized throughout its dominion it was the criminal jurisdictions, the seminal repository of state's sovereignty. True, there were small communities such as Antro or the highly exceptional cases such as Cividale that were allowed great jurisdictional autonomies even in this aspect, but both of these centers were subordinated to the Venetian delegated deputy of Friuli who could always interfere in their (semi-)autonomous criminal justice administration.¹²⁵³ In Venetian Istria, identically as in Dalmatia, Dogado, and the Trevigiano, the administration of criminal justice was completely in the hands of the delegated Venetian rector who could ask the advice of the local community and who could adjudicate in accordance with the communal statute or the local

¹²⁵⁰ The old statute of Muggia does not feature this law but the statute is only fragmentarily preserved. The fact that the law is codified in the statute of Buzet, Oprtalj, Buje and Dvigrad, all of them stemming from fourteenth-century statute of Muggia, led Lonza to conclude that the rule must have been recorded in old *statuta Mugle* as well, precisely in the folios that are nowadays lost. Lonza, "Il gioco," 208.

¹²⁵¹ ASV, MC, reg. 22, fol. 102r-v. The *pars*, originally written in Veneto, was edited numerous times as it entered a great number of statutes of communes subjected to Venice, but Banić, ed., *FIM*, 6: doc. 1433_MC811 is an *in extenso* edition based on the original minutes of the Venetian Great Council sessions. On the 19th of January, 1475, the *pars* was confirmed by the Great Council, this time in Latin. The 1475 *pars* is edited in Fabrizio Marrella and Andrea Mozzato, *Alle origini dell'arbitrato commerciale internazionale: L'arbitrato a Venezia tra Medioevo ed età moderna*, Studi e pubblicazioni della Rivista di diritto internazionale privato e processuale 53 (Padua: CEDAM, 2001), 166, doc. 11.

¹²⁵² Zjačić, ed., *St. Poreč*, 193–97, book 3, chap. 93; Lonza and Jelinčić, eds., *St. Vodnjan*, 422–24, book 2, chap. 31. See also, Lonza, "Il gioco," 208; Cozzi, *La Repubblica di Venezia e Stati italiani*, 260–61.

¹²⁵³ Zordan, "Per lo studio delle banche giudiziarie," 54.

customs, but who was ultimately not obliged to do so: the main source of law in criminal jurisdictions was the “honorable conscience” of the Venetian noblemen elected to serve as the podestà.¹²⁵⁴ Criminal law was the privileged arena in which the Venetian statehood was performed: it was by way of criminal trials that the podestàs maintained peace and public order while simultaneously (re)confirming the power and jurisdictional prerogatives of the capital. In essence, the administration of criminal justice was the mirror through which the Venetian jurisdictional state materialized in the local communities.

Fortunately, the three registers of the acts of podestàs available for analysis all feature entries relating to the criminal justice administration. Even though the number of adjudicated cases is not as high, it is nonetheless a respectable number of trials that can be analyzed in detail as the entire process usually features the accusation (or denunciation), the testimonies of witnesses, and the final adjudication. It must be stated, however, that what follows is but a first step towards a larger study of late medieval Venetian justice administration that will have to take into account places such as Chioggia, Treviso, Korčula (perhaps some acts of other Dalmatian podestàs surface in the meantime), and, most importantly, Koper. Only the synchronic analysis of all the acts of the podestàs serving in these communities will shed enough light on the matter of Venetian justice administration in the subject communities to forge methodologically valid and heuristically potent conclusions. Such studies would allow insight into the degree of influence the local community exerted upon the delegated rectors, and vice versa, in adjudicating criminal cases: this could be done by comparing the two registers of the same individual who served in two different communes in the *Quattrocento*, a study that cannot be done on the basis of solely Istrian primary sources (and a study has not been done so far in the context of the entire *Dominium Veneciarum*). Hopefully, the analysis that follows inspires other Venetianists to take up the analysis of acts of podestàs and complement the results hereby presented. With that being said, the following study of criminal justice administration begins with a subchapter on the worst of all crimes that threatened the wellbeing of the entire community and required prompt and decisive intervention of the delegated Venetian rectors: murder.

Murder

¹²⁵⁴ Del Torre, *Il Trevigiano*, 21; Orlando, *Altre Venezie*, 239–41; Orlando, “Politica del diritto,” 30–31.

On the 30th of April, 1458, podestà Simone Ferro staged an solemn play.¹²⁵⁵ He took a seat on his judicial bank in the town's loggia, in the same spot where judicial trials were customarily held. This time, however, there would be no confrontations, no defenses or witness testimonies to be heard. Instead, the Venetian nobleman proceeded to publicly promulgate two sentences regarding cases that his infamous predecessor, Marco Magno, failed to process.¹²⁵⁶ Both of these cases involved murder and Ferro was adamant not to let offences as grave as these go unpunished. One among these was the case of Michola of the late Berzegich who presently moved to the nearby Sovinjak, at the time a *castrum* outside of Venetian influence as it belonged to the Austrian County of Istria. According to the written depositions and the oral testimonies reviewed both by Magno as well as Ferro, it was ascertained that a master skinner Andrew died of the wounds he had incurred during a scuffle with the very Michola. The registered sentence does not provide more details regarding the original motive over which the fight ensued, a standard practice of (re)constructing violent crimes in the official acts of the rectors. It does, however, note that Michola punched Andrew and that the skinner fell, hit the pavement, and ultimately died from these wounds. Having publicly read this part of the story, the podestà moved to the second act of the play: he made it known that Michola had been summoned to appear in front of the court and that he had been given the standard eight days to comply, just as prescribed by the statute of Buzet, namely chapter thirteen.¹²⁵⁷ Since Michola did not appear but decided to remain contumacious, the podestà had no other option than to proceed against him as if he had confessed to the crime. Thus began the third and final act of the play: podestà Simone Ferro, the embodiment of the illustrious *Dominium Veneciarum*, refusing Michola to be glorified for his crimes but wanting his punishment to serve as an example to all, invoked the name of Christ and chapter thirty-three of the communal statute—containing the punishment for murderers—and sentenced the murder to perpetual exile from Buzet and its district;¹²⁵⁸ if Michola would ever dare to show his face in Buzet he was to be taken to the scene of the crime where he beat Andrew to death and there he would have his right

¹²⁵⁵ The following is based on a case published *in extenso* in the appendix. See case 4/1–2 in appendix 4.

¹²⁵⁶ Marco Magno was a podestà of Labin who was judged of many irregularities by the syndics in c. 1450. I will return to this text in the later chapter.

¹²⁵⁷ This must have been an error because it is chapter 12 that deal with “[d]e termino dando accusato ad se excusandum.” Poropat and Lonza, eds, *St. Buzet*, 328–29.

¹²⁵⁸ Poropat and Lonza, eds, *St. Buzet*, 342–44, chap. 33: “De pena homicidiarum.”

hand amputated; after this dismemberment, he would be taken “to the place of justice,” where he would be publicly decapitated “so that his soul would be separated from the body.”¹²⁵⁹

The sentence is paradigmatic in many ways. First, the trial was held in public even though no one was brought before the judicial bank. Thus, a crucial aspect of criminal justice administration was its publicity, its staged performance which would animate the winged lion of St. Mark carved in the loggia’s façade, allowing the local populace to hear its terrifying roar. Moreover, Ferro did not present his adjudications as stemming from his arbitrium alone, even though that part was mentioned in the opening scenes; instead, the rector carefully quoted from the communal statute, referencing two chapters which he heeded to the letter. This was a way of showing that the communal customs and institutions were respected, just as Doge Mocenigo promised to the community in the August of 1421.¹²⁶⁰ Finally, while there is nothing unique in the sentence of banishment—indeed, this was the most usual way of dealing with notorious criminals because most of them, as Michola’s case confirms, simply ran away after committing such a serious crime—there are aspects of the sentence that merit more attention.¹²⁶¹ Namely, if Michola would ever be caught in Buzet, he would not only be decapitated—another standard punishment—but brought to the place of the crime where his right hand would be amputated.

This practice is not attested in the statute of Buzet and in the entire Venetian Istria the only commune that proscribed a similar punishment was Labin, but even here the hand chopping was meant only for those starting a riot unarmed.¹²⁶² The custom of taking the culprit to the scene of the crime and dismembering the object that brought about the crime was, however, very well known in Venice where it had been customarily performed.¹²⁶³ For example, on the 11th of March, 1430, Andrea Contarini attacked Doge Foscari with a large wooden cane underneath the stone staircase of the Great Council Hall.¹²⁶⁴ The attack that left the doge bloodied was interpreted as

¹²⁵⁹ “Si in tempore nostro aut successorum nostrorum pervenerit, quod ducatur ad locum ubi vulneratus fuit dictus magister Andreas defunctus et incidatur ei manus dextera; deinde ducatur ad locum iustitie et amputatur sibi caput, ita et taliter quod anima seperatur a corpore, in his scriptis sententialiter condemnamus.” Case 4/1–2.

¹²⁶⁰ Banić, ed., FIM, 6: doc. 1421_DMP, https://fontesistrie.eu/1421_DMP.

¹²⁶¹ Trevor Dean, *Crime in Medieval Europe: 1200-1550* (London: Pearson, 2001), 129–30.

¹²⁶² De Franceschi, *St. Labin*, 173–74, book 1, chap. 30: “Ab locum ubi rumorem incepit ducatur et ibi manus a corpore decidatur taliter quod in toto a corpore separetur.”

¹²⁶³ Edward Muir, “The Anthropology of Venice,” in *A Companion to Venetian History*, 502–3; Elisabeth Crouzet-Pavan, “La proximité en négatif: Pratiques de stigmatisation et espaces du quotidien dans l’Italie de la Renaissance,” in *The Power of Space in Late Medieval and Early Modern Europe: The cities of Italy, Northern France and the Low Countries*, ed. Marc Boone and Martha C. Howell (Turnhout: Brepols, 2013), 134–35 for some examples.

¹²⁶⁴ Romano, *The Likeness of Venice*, 87–88.

attempted murder: the culprit was incarcerated, tortured, and very quickly, on the same day, sentenced to death. The ritual execution, however, was to proceed very much like the one decreed by Simone Ferro: Andrea was to be taken to the very stone staircase where he had dared attack the doge, and on that spot his right hand was to be amputated and hung around his neck; afterwards, he was to be taken to the gallows, hanged by his neck, and left to rot for several days as an example to all.¹²⁶⁵ This was a ritual of purification as much as a performance of state triumphing over the crime. Muir described this staged practice as “a ritual exorcism of the defiled space” extending “the authority of the Republic into the neighborhoods.”¹²⁶⁶ This is precisely what Ferro was doing in Buzet.

This type of staged ritual that Ferro brought to Buzet could be interpreted as a case of legal transplantation: an introduction of a law of one society, usually but not necessarily the dominant one, to the other, usually but not necessarily subjected in some way.¹²⁶⁷ Whether or not the legal transplant found fertile soil in Buzet cannot be ascertained as later, sixteenth-century acts should be consulted to see if a similar ritual was practiced or whether it simply never gained ground. Looking at other examples of adjudicating murder, and there are not much of those for fifteenth-century Venetian Istria, this ritual was not performed.

For example, a John the Slav murdered a Maliz the Slav over gambling dispute.¹²⁶⁸ The murder took place in Piran next to the home of a Maneginus of Buje. John was caught, tried, and sentenced to death by decapitation for murder. The fact that the entry in Piran’s *liber cataverii* is crossed out means that the sentence was indeed carried out. Almost identical was the case with Martin of Shkodër who murdered a Dussa of Albania on board a ship docked in Rovinj’s harbor on the 23rd of April, 1432.¹²⁶⁹ Martin was apprehended and incarcerated, but as he awaited trial, he managed to break the barred gates and escape from prison (8th of May, 1432). Thus, when podestà Lorenzo Zane promulgated his verdict on the 19th of September, 1432, almost four months after the crimes had been committed, he sentenced the murderer to perpetual exile from Rovinj and its

¹²⁶⁵ Here is the sentence *in extenso*: “Die predicto [MCCCCXXX, XI martii]. Quod iste ser Andreas Contareno quondam ser Nicolai militis debeat extrahi de camera tormenti hodie et duci ad finem scalarum lapidearum palatii, in quo loco debeat sibi amputari manus dextera et cum ipsa ligata ad colum, ducatur in medium duarum columnarum ubi ad furcas que ibi fieri debeant suspendatur, taliter quod moriatur, et stare debeat sic suspensus per totam diem lune proximam. De parte 12, non sinceri 1. Factum fuit ut in parte continetur.” ASV, CXMi, reg. 11, fol. 7v.

¹²⁶⁶ Muir, “The Anthropology of Venice,” 502.

¹²⁶⁷ On legal transplants see Alan Watson, *Legal Transplants: An Approach to Comparative Law*, 2nd ed. (Athens, GA: University of Georgia Press, 1993).

¹²⁶⁸ Banić, “*Irato animo*: appendix,” case 28.

¹²⁶⁹ Banić, “*Irato animo*: appendix,” case 29.

district; if he would be caught in Rovinj, he was to be taken “to the place of justice,” where he was to be publicly decapitated.

The sole intention of murdering someone was also punishable as an example from Poreč demonstrates. Namely, a Francis called Varga entered Poreč secretly, by climbing over its walls. Then he began searching for weapons with the aim of killing a Bertoluto the cobbler and his son Anthony. Although the motive behind these actions is not explicitly stated, it seems as if this was a planned vendetta as the podestà did not fail to state how Francis had already been in Poreč before, how he “had committed numerous scandals and offenses,” and how he had planned “to plunge this city into confusion and scandal” by killing the cobbler and his son.¹²⁷⁰ Francis ultimately failed in his attempt, but he also escaped incarceration. Nonetheless, the podestà staged a trial and sentenced the miscreant in contumacy: Francis was to be banished from Poreč and its district, but only ten years; if he would dare show his face in the city during this time, he was to be incarcerated for a year and then banished again. The intention to kill was obviously not equated with actually murdering someone as this sentence clearly demonstrates. Also, there seems to have been a zero-tolerance attitude towards vendetta.

Avenging the murder of one’s kin by killing the kin of the murder—*vendetta*—is traditionally seen as the hallmark of negotiated justice.¹²⁷¹ It is of vital importance, therefore, to determine whether vendetta or any of its accompanying institutions such as private peace carried legal weight, at least implicitly, in late medieval Venetian Istria. The primary sources do not reveal any such example and among the notarial registers one does not find an *instrumentum pacis* of any kind, let alone one ending an ongoing blood feud.¹²⁷² The presented cases clearly show that murderers were tried and sentenced, banished if contumacious and publicly executed by decapitation if caught. One example, however, stands out from all the rest.

¹²⁷⁰ “Franciscum dictum Varga hominem brige et questionis [...] comiserit multos excessus et delicta in civitate Parentii tempore nocturno et precessorum suorum, et apperuerit sua autoritate portas civitatis sine licentia regiminis, et iverit extra [...] diebus preteritis venerit in civitatem animo et intentione mittendi eius pravam et malam intentionem executioni contra et adversus magistrum Bertolutum cerdonem et Antonium eius filium, querendo eos armis offensibilibus pro dando eis mortem, ac ponere hanc civitatem in confusionem et scandalum.” Banić, “*Irato animo*: appendix,” case 30.

¹²⁷¹ Zorzi, “Justice,” 492–95; Claudio Povolo, “Faida e vendetta tra consuetudini e riti processuali nell’Europa medievale e moderna. Un approccio antropologico-giuridico,” in *Our Daily Crime: Collection of Studies*, ed. Gordan Ravančić (Zagreb: Hrvatski institut za povijest, 2014), 9–57; Darko Darovec, *Vendetta in Koper 1686* (Koper: Annales, 2018), 97–102.

¹²⁷² The oldest one I managed to find comes from 1544 Labin and it is a *concordium pacis* following a brawl resulting from a longstanding feud. Ladić and Orbanić, *Knjiga labinskog bilježnika*, doc. 77.

It was a summer day of the year 1456 in the *contrada* called Mlun in the district of Buzet.¹²⁷³ Jacob Fergovich, a *habitor* of the commune, was in his cropland when, early in the morning, a noble appeared. It was Vanto de Gravisi, the son and heir of the famous Niccolò de Gravisi, and a relatively new figure of high stature in the Buzet area. For the inhabitants of Buzet, these were the new rulers of lands bordering their district, a presence they had to get used to. The *districtuales*, naturally, enjoyed the usufruct rights over the arable land of the Marquisate for a price, a set of taxes both in money, products, and services, that were now payable to the new noble lords, the De Gravisis.¹²⁷⁴ The appearance of Vanto, who still did not rule the marquisate on his own and was therefore probably quite young, could mean one thing for ser Jacob—he came for his *regalia*. Obviously, owning land in Mlun, a part of Buzet’s district that bordered with the Marquisate, Jacob worked on the lands under the jurisdiction of Petrapilosa and had to give a share of his products to the rising Istrian nobles. The peasant promised to pay his dues, two *spodi* of wheat and three *spodi* of wine, after he had gathered the harvest.¹²⁷⁵ Vanto was happy with the deal and continued towards his nearby castle. However, sensing that something might not be right, Jacob asked the young lord if he could get a confirmation from his father, Niccolò himself, if the deal is to his liking because, as he said, he would not want to pay the *regalega* twice. Vanto told him to come tomorrow to the castle as his father would be there and offered him a courteous goodbye: “Va con Dio.” Little did Jacob know that this civilized and polite meeting between the peasant and the noble end up as a prelude to a violent murder.

Having received two wagons of wheat from the *batatores*, Jacob decided to retreat to his abode. As he was carrying the wagon to his lands in Mlun, he was, much to his chagrin, spotted by some noble gentlemen. Accompanied by his older brother, the firstborn Michele, and a Capodistrian noble Anthony de Tobra, Vanto called Jacob to come before them. The trio obviously believed that the peasant was stealing from them as they had expected the wagons to be brought

¹²⁷³ The following is a narrative reconstruction of the events as portrayed by the promulgated sentence edited in extenso in the appendix as case 2/1. I have discussed this case in Banić, “Justice in Flux,” 94–96 from where I have taken the text and only slightly modified it here. I have also narrated it in Banić, *Pingvente*, 156–59. It was also discussed by Darovec who took the primary source from my MA thesis and offered a somewhat different interpretations that I will discuss below. Darovec, *Vendetta in Koper*, 26–27.

¹²⁷⁴ Some of these contracts, albeit for later periods, are edited in Zjačić, “Notarska knjiga,” 368, 373–74, 476–77 and discussed in Banić, “Elitni slojevi,” 55–57.

¹²⁷⁵ *Spodium* is a regional unit of measure. It varies from place to place, but usually measures anywhere between 33 to 36 liters. Denis Visintin, “Spud,” in *Istarska Enciklopedija* [Istrian encyclopedia], ed. Miroslav Bertoša and Robert Matijašić (Zagreb: Leksikografski zavod Miroslav Krleža, 2005), <http://istra.lzmk.hr/clanak.aspx?id=2564> [last access: 28th of March, 2021].

to Petrapilosa. “Get down from this cart” (orig. Ven. “Va zo de quello caro”) ordered Vanto to the startled Jacob. Having jumped from the cart, shaking with fear, the peasant believed to be caught stealing from his lord saw Vanto extracting a long knife from his pocket. The scene was enough for Jacob to start running for his life. Unfortunately, he was not quick enough.

The publicly pronounced sentence is very graphic in describing the many wounds poor Jacob suffered at the hands of Vanto, his brother Michele, and even Anthony de Tobra. The noble split his right ear in two, cut into his jaw and right thigh causing intense bleeding. Jacob fell to the ground as Michele shouted “traitor,” urging his brother to continue with the assault. While on the ground, Vanto cut into his left leg all the way to the bone and into his left arm. The other nobles joined the party. Antonius pierced the dying peasant with a spear no less than three times. Finally, Jacob Fergovich died.

This heinous crime went unpunished for almost two years before it was sentenced by the new podestà Simone Ferro in the April of 1458. All three nobles were summoned to Buzet’s main square to present themselves before the new Venetian rector and the entire community. Stretching the word of law of the communal statute, the accused were given one month to present their defense instead of the usual eight days. They never showed up. Consequently, Simone Ferro followed the statute to the letter, quoting it directly in his verdict, and sentenced the murderers to perpetual banishment from the city and its district; if they would ever dare to return, they were to be publicly decapitated.

The question remains why podestà Marco Magno did not process the case himself. The author of these lines has originally proposed that the rector had simply been too lazy and cowardly to do so and this interpretation was supported by the fact that Magno had been accused of numerous irregularities and overall bad governorship of Labin in c. 1450.¹²⁷⁶ Thus, it took a new, brave podestà like Simone Ferro to process the case and find the noble culprits guilty of murder.¹²⁷⁷ Darovec proposed another possible interpretation: podestà Magno simply waited to see if the De Gravisi and clan Fergovich might come to a mutual agreement and sign the official *instrumentum pacis*.¹²⁷⁸ If this were truly the case, then fifteenth-century Venetian justice administration would

¹²⁷⁶ De Franceschi, *St. Labin*, 220–24.

¹²⁷⁷ Banić, “Justice in Flux,” 96–97.

¹²⁷⁸ “According to the custom, Koper’s noble men should ask the family of the victim for pardon and make a truce that would lead to negotiations regarding the sum of the composition. This might be the reason why the rector of Buzet, Marco Magno, did not start a trial, as he expected the necessary gesture from Koper’s noblemen.” Darovec, *Vendetta in Koper*, 27.

have to be conceptualized as being much closer to the negotiated rather than to the hegemonic ideal. While there are cases, as shall be shown, in which private peace amongst the conflicted parties influenced the podestà's verdicts, there is no example of a peace accord—whether written or simply orally communicated to the podestà—resulting in an absolution from the committed crime. While these private peace accords and vendettas were indeed tolerated (to an extent) in seventeenth-century Venetian dominions, including Koper as Darovec showed, they have not yet been found performing the same legal roles in (late) medieval Istria. This question of (tacit) recognition of vendettas and the ability of peace accords to absolve one even from murder will probably be solved once the fifteenth-century material of the Capodistrian archive is analyzed in detail. At this point, however, the argument that blood feuds were not tolerated at all and that peace accords could not have absolved anyone from murder seems to be favored by the fifteenth-century primary sources. A question that arises from this argument is when exactly did this attitude towards blood feuding and private peace change in Venetian Istria and under what influence, but these are the questions that fall outside the chronological framework of the present study.

Returning to Ferro's handling of the De Gravis, the structural weaknesses of Venetian justice administration became clearly visible. Namely, the perpetual banishment from Buzet did not present much trouble for the two noblemen as their fort and the seat of the entire Marquisate laid just six kilometers from Buzet's town walls. Moreover, the delegated podestà could not touch the noble marquises on their hereditary lands and the Republic of St. Mark preferred to honor its deal with Niccolò and turn a blind eye to the rampaging of his sons. Thus, both Vanto and Michele continued to roam their lands, socializing with Capodistrian nobility, and instilling fear in the local populace.¹²⁷⁹ For example, a John Michalich, an inhabitant of Buzet, was minding his own business in the district when he saw Michele de Gravis approaching his way.¹²⁸⁰ He immediately started running from the young noble, leaving his animals behind.¹²⁸¹ Michele filed a lawsuit against him, claiming he stole those animals from him, but the case was never completed as John filed a counter-lawsuit against the marquis. The witnesses testified that Michele de Gravis ordered his *coloni* to

¹²⁷⁹ The following is taken from Banić, "Justice in Flux," 98–99.

¹²⁸⁰ DAR, Buzet, Atti del podestà 1, fols. 137v–138v.

¹²⁸¹ "Quod dum die suprascripto dictus Ivanus fuisset sub confinibus Pinguenti et pascuasset, que dictus Ivanus videns predictos [ser Micahalem de Gravis filium domini marchionis Petrepelose et ser Antonium de Lugnano civem Iustinopolitanum et Benchum de Cerniza et Ivanum filium Paulum Scodich et Stephanum filium quondam Tonse Enchovich] ad se venire cepit fugam relictis animalibus." DAR, Buzet, Atti del podestà 1, fols. 137v.

seize the animals and bring them to his village Črnica.¹²⁸² Neither lawsuits were ever processed and no final sentence regarding them can be found. The fact alone that the very sight of this nobleman was enough for someone to start running for their life, leaving behind assets as important as fourteen sheep, clearly shows how the De Gravisi were perceived by the local population. One detail, however, demonstrates the effectiveness of the podestà's verdict. Michele's lawsuit was delivered to Buzet by Antonio Lugnano, a Capodistrian lawyer acting on behalf of the young marquis. Ferro's verdict still stood, and Michele was barred from entering Buzet. Unfortunately for the people of Buzet, Vanto's son Giovanni followed in his father's footsteps as he was charged with murder and banished, this time not only from Buzet, but from all the lands of the *Dominium Veneciarum*, a verdict greenlighted by the Venetian Senate.¹²⁸³

Banishing the Gravisis was the maximum that Ferro could do, and the judgment had little effect on their lives. Soon after its promulgation both Vanto and Michele moved to Koper, the *metropolis Istrie* in the making, where their father had a seat in the communal council; Vanto even managed to become the castellan of the nearby Venetian fort Castelnovo.¹²⁸⁴ Thus, while Ferro tried to demonstrate that the Venetian justice is impartial towards anyone, regardless of their status, it ultimately became clear to everyone that the Lady Justice of Venice favors the noble.

Finally, all the examples demonstrate that the administration of criminal justice in these cases of murder was couched in sacral discourse. The sentences regularly invoke not only the Christ, but other biblical motives: Iuan the Slav was “instigated by the spirit of the devil,” and he murdered Maliz not only against the rules of the temporal powers but against the divine rules that mandate “Thou shall not kill;” interestingly, the order in which the authorities were arranged were God first, Piran second, Venice third.¹²⁸⁵ The same was the case with Martin of Shkodër who dared to “destroy the human body that God created in his own image,” and was thus sentenced

¹²⁸² “Sic ex mandato dicti Michaelis iverunt secum et acceperunt pecudes quatuordecim.” DAR, Buzet, Atti del podestà I, fols. 138v.

¹²⁸³ “Senato Mare I,” 274.

¹²⁸⁴ Giovanni Radossi, *Monumenta heraldica Iustinopolitana. Stemmi di rettori, di famiglie notabili, di vescovi e della città di Capodistria*, Collana degli Atti 21 (Rovigno: Centro di ricerche storiche Rovigno, 2003), 201; Pietro Stancovich, *Biografia degli uomini distinti dell'Istria*, vol. 3 (Trieste: Giovanni Marenich, 1829), 12, n. 282.

¹²⁸⁵ “Dictus Iuannus homicida—spiritu diabolico instigato [...] proiussit dictum Maliz super caput ipsius Maliz [...] commitendo predicta contra mandatum Dominicum—qui precepit: “Non occides”—, contra formam iuris statutorum et ordinamentorum Comunis Pirani, contra honorem ducalis dominationis Veneciarum et regimina nobis comissi.” Banić, “*Irato animo*: appendix,” case 28.

“according to the divine law that prescribes: who kills by the sword, dies by the sword.”¹²⁸⁶ While the synthesis of the temporal and the divine bestowing sacral authority upon the Venetian exercise of power is noticeable in various quotidian aspects, it was during the criminal justice administration, and especially during the cases involving murders, that this coalescence of worldly and otherworldly played its most prominent role: the sword that the noblemen such as Ferro and Zane wielded as they sentenced people to death in Buzet and Rovinj was not a mere executioner’s tool—it was the divine blade of Lady Justice, the sacral embodiment of the bastion of justice that was the *Dominium Veneciarum*, the state where the just prosper and the wicked were punished. This was the message the legal ritual aimed to convey to the subjects who would gather around the civic loggias, eager to watch yet another play, to see and hear the winged lion roar.

Theft

Alongside murder, theft was the principal reason behind the initiation of the *ex officio* inquisitorial process. Fortunately for the inhabitants of late medieval Istria but unfortunately for historians studying the cases of theft and their treatment by the Venetian delegated rectors, there are very few recorded trials involving thievery and thieves. Out of ninety-three cases adjudicated by the podestà of Poreč not a single one concerns theft. The situation is identical for Rovinj, even though the overall number of registered cases is far lower. Thus, it is only in Buzet where three cases of theft were reported during the rectorship of Simone Ferro and it is to these examples that the study turns to now.¹²⁸⁷

It was the 10th of August, 1460, and the entire community gathered underneath the loggia of Buzet to witness another judicial ritual, a solemn demonstration of justice administration *more Veneto*.¹²⁸⁸ Podestà Simone Ferro took center stage, in his nearest vicinity stood Marino Persich, John Petrovich, and Jacob the blacksmith, three distinguished councilors known for their terms as communal judges. The occasion was a serious one: there were thieves in the small town who preyed on the well-off widows. *Domina* Iedrica was left alone with her four children, as her

¹²⁸⁶ “Idcirco nos potestas antedictus, considerans et sequens formam iuris et iustitie, que omnium civitatum et castrorum est substantamentum, avertentes quod enorme delictum fuit comisum per dictum Martinum homicida et mallefactorem in destruendo humanam formam, quam Deus creavit ad sui ymaginem et similitudinem, et sic divini lex precepit—qui gladio feriet, peribit gladio.” Banić, “*Irato animo*: appendix,” case 29.

¹²⁸⁷ The three cases were analyzed in detail in Banić, “Justice in Flux,” 63–65, 78–89 from where I am appropriating the text, modifying it ever so slightly.

¹²⁸⁸ The following is a narrative reconstruction of the event as registered in a verdict edited *in extenso* in the appendix as case 3/1–2.

husband Cusman Pengarich, a descendent of an olden local family clan that once cooperated with the Aquileian margraves themselves, recently passed away.¹²⁸⁹ From the safe heaven that was supposed to be the widow's home, precious jewelry went missing: around fifty-five silver buttons and two uniquely designed rings. The word spread quickly until it finally reached the podestà on the 23rd July, 1460. Eighteen days later, Ferro's chancellor, John Nicholas of Oderzo, read aloud the verdict.

Agnes, the wife of Peter Scodich, and Sfetina Tramontana, the duo that was originally accused for the robbery, were thoroughly questioned. The podestà, and this is clearly stated in the final sentence that was publicly announced, submitted them to torture as both him and Luzichus Bellenich, a communal judge at the time, questioned the accused. After this meticulous investigation, Agnes and Sfetina were now publicly proclaimed officially not guilty of the crime. Instead, Leonarda, the daughter of Matthew Margonich, and her husband, Vito the shoemaker from Roč, were found guilty of the crime. The couple was not present for the occasion. As a matter of fact, the podestà sent his chancellor to bring them before him for a second round of questioning, the first having took place on the 25th of July, but they could not be found. Leonarda was not in her home and Vito did not show up at Petrovich's workshop. Ferro ordered the communal herald to publicly summon the couple to appear before him within the next eight days. The notification was cried out on the town's main square in front of a large audience on the 27th of July, and the same official summons were repeated on August 3rd. Following the expiration of the eight days, the podestà decided to close the case. The accused had obviously run away, a sure sign that they must have been guilty of the crime. This was all the proof Ferro needed to cast his judgment. Leonarda was sentenced to a fine of six pounds of pennies for the sixteen buttons she had stolen from Iedrica. On top of that, if she ever would ever show up in Buzet, she was to be placed on a pillory (orig. *berlina*) for an entire day, specifically Sunday. Afterwards, she was to be cast out from the commune for six months. Vito was to be locked in jail for a month if he would ever return

¹²⁸⁹ A certain Pengar, *iudex* from Buzet, is mentioned in the late medieval document known as the "Partitioning of Istria." In this charter, written in glagolitic script and in old čakavian Croatian, the local notables accompany the noble rulers, in the case of Buzet the margrave Wilhelm Boiani from Cividale (margrave from 1363 to 1365), and together with the neighboring communes officially define the boundaries between each local jurisdiction. The entire document is a compilation of various charters of such partitionings. The best edition is still Bratulić, *Istarski razvod*, here 222. On the role of Pengarich kinsmen in the government of late medieval Buzet see Banić, "Elitni društveni slojevi," 65–69 and 74–78. The last will and testament of Cusman Pengarich, written on September 15, 1458, is in DAR, Buzet, Atti del podestà 1, fol. 27r–v.

to the town. After this initial punishment, he also was also to be banished from Buzet for a period of six months. The ritual thus concluded.

When compared to the corpus of existing literature on late medieval crime and punishment, Leonarda's sentence—both monetary and psychological—can be classified as one adjudicated for minor offenses.¹²⁹⁰ There was no public beating, cutting of limbs or branding with hot iron. In mid-fourteenth-century Trieste, for example, the podestà sentenced some petty thefts with fines ranging from five to seventeen pounds, but without any ritual of public shaming.¹²⁹¹ Vito, on the other hand, was punished with one month of imprisonment. Both were to be banished from Buzet afterwards. It is unknown what actually happened afterwards, but there is a note on the margins of the sentence that states, unfortunately without a date attached to it, that Leonarda paid her fine of six pounds. Vito also returned to Buzet, although judging from the date next to the marginalia describing his plea, only in the summer of 1461. The note below the sentence, dated August 6, 1461, contains several lines that reveal that Vito was actually incarcerated. After having spent fifteen days in Buzet's prison, John Petrovich, “nomine Viti callegarii,” came before the podestà and “asked for mercy.” The plea was to release Vito from prison and enable him to serve the remainder of his fine “underneath the communal loggia” while also being able to “come and stay in Buzet and its district at his own will.”¹²⁹²

It is not known whether Ferro agreed to these terms, but it would seem unlikely that his chancellor would have written them down had the podestà not found them acceptable. Be it as it may, the plea demonstrates several aspects. First, the statute's article that explicitly prohibited asking for mercy or pardon of any kind was clearly ignored.¹²⁹³ The fact that Petrovich suffered no consequences for blatantly breaking this rule might speak in favor that the chapter 135 of the statute of Buzet was a case of failed legal transplant, one introduced by Venice that the community could not, at least not yet, internalize and accept.¹²⁹⁴ In this case Ferro demonstrated understanding and

¹²⁹⁰ Dean, *Crime in Medieval Europe*, 130.

¹²⁹¹ Licia Persi Cocevar, “I registri dei notai triestini dei malefici Facina de Canciano e Jacobus Gremon (1352 e 1354),” *AT*, ser. 4, 42 (1982): 164–65.

¹²⁹² “1461 die 6 Augusti magister Iohanes Petrovich nomine Viti callegarii petit gratiam domino potestati de diebus quindecima quod sit absolutus, quia stetit alios quindecima dies sub logia, qui dominus potestas absoluit dictum vitum et quod ipse possit venire et stare in Pinguento et eius districtus ad sui libitum.” Case 3/1–2.

¹²⁹³ Poropat and Lonza, eds., *St. Buzet*, 436, chap. 135: “De petentibus gratiam vel indulgentiam in Consilio.”

¹²⁹⁴ A similar chapter does not exist in the old statute of Muggia that served as the template for the statute of Buzet or in the statute of Oprtalj that was also derived from the statute of Muggia.

respected the old customs, at least to a point as he did not punish ser Petrovich for clearly breaking the law of the local statute.

In this particular trial a total of five witnesses were examined during the process and both Ferro, his chancellor, and the communal judge Belenich were doing the examinations. This episode clearly reveals that the local judges still played some role in the process and that the Venetian rector collaborated with the communal officers during the trial. The final sentence, that was publicly read, contained the phrases such as “We, the podestà, in the intent of having the best possible information regarding the theft of these buttons” and “We, the podestà, following and wanting to follow law and justice, and not wanting similar scandals and transgressions to remain unpunished, but rather that their punishment may be a mirror and an example to all.”¹²⁹⁵ The message was clear, the Venetian government would not tolerate such crimes under any circumstances. It is irrelevant how exactly Ferro figured out that the married couple was guilty and whether Leonarda and Vito left simply in fear of ending up being tortured like Agnes and Sfetina had been. After all, the public would never know how Ferro got his “best possible information” as the questioning was done in private. The pronouncement of punishment, however, was not.

The monetary fine imposed on Leonarda was not excessively large and was ultimately paid by the accused, the sentence of a month in jail for Vito was most probably reduced to fifteen days incarceration and fifteen days of guard duty at the town’s loggia. If the jail sentence is compared with the monetary fine by the Venetian standard that equaled one year of incarceration with two hundred pounds of pennies, it would turn out that Vito was actually sentenced to a larger fine, of around sixteen and a half pounds.¹²⁹⁶ It might be possible that, knowing Vito could not pay such a big fine as he was still just Petrovich’s apprentice, Ferro chose to sentence him to a month in jail. This was a known practice, especially in late medieval Venice.¹²⁹⁷ Moreover, Ferro’s sentencing of Leonarda is very much rooted in community law paradigm in which verdicts such as public shaming, sentences that require community participation to be carried out, are typical. At the same time however, the *ex officio* procedure and the use of torture are very much the hallmarks of state

¹²⁹⁵ “Unde dominus potestas habita dicta denuntianone et intendens ne talia furta ullo modo comitti debeant, et pro habendo optimam et veram intelligentiam mandavit [...]”; “Unde nos potestas sequentes et sequi volentes ius et iusticia, et nollentes quod similia excessa et delicta furta remaneant impunita, sed potius penam ipsorum aliis sit speculum et documentum.” Case 3/1–2.

¹²⁹⁶ Guido Ruggiero, “Law and Punishment in Early Renaissance Venice,” *Journal of Criminal Law and Criminology* 69, no. 2 (1978): 253.

¹²⁹⁷ Guy Geltner, *The Medieval Prison: A Social History* (Princeton: Princeton University Press, 2008), 44–54; Dean, *Crime in Medieval Europe*, 120–24.

law or hegemonic justice. Thus, it was a mixture of the aims of justice that guided Ferro's *arbitrium*: perpetuate the jurisdictional prerogatives of the state and make sure no crime goes unpunished while simultaneously keep the administration of justice rooted within the communal setting, allowing the crowd a participatory role in the ritual.

The podestà's *arbitrium* can therefore be assessed as generally mild in dispensing punishment, although much harsher toward women as shown by Leonarda's sentence to pillory. After all, the main goal was not the display of monstrous cruelty, one that could have easily led the citizens to either rebel or, more likely, move to a different community. Rather, it was to assert authority, legitimize the new government, and demonstrate the effectiveness of the Venetian justice administration while at the same time including the local community to a degree that would not be contrary to the conception of the Venetian legal system.¹²⁹⁸ Ferro accomplished these tasks by starting the *ex officio* procedure, solving the case very quickly, relying on the local elite, however minute their role be, and staging a public showcase of justice done *more Veneto*. Other cases of thefts—those that were deemed to be of lesser importance—were, however, dealt with differently.

Two other cases of stealing concerned items of much lesser value. The first involved a certain Mauro Amsich who, after arriving to his home following a day's work in his field outside the town's walls, noticed several of his items missing.¹²⁹⁹ A piece of cheese was gone along with some pork. Millet and corn were nowhere to be found as well. But, most importantly, a fine white leather belt was stolen too. Before even reaching the podestà, Mauro found John (orig. *Ivanus*) Zulle with his white belt in his hands. In a mysterious confrontation, John promised to return the belt to Mauro and, obviously, denied having stolen it in the first place. Mauro went to Ferro and demanded justice for his stolen goods. He accused the same John, citing that, since it was he who had his white leather belt, he must have stolen everything else too. The Venetian rector did his duty, but he took his time. He sent the communal herald, a Stephan of Zagreb to officially summon the accused to appear before the podestà on the 27th of April 27, 1459, seventeen days after the accusation. John never appeared. The sentence was publicly read almost one year after the unsuccessful summons, on the 20th of April 20, 1460. John was then pronounced guilty of the theft

¹²⁹⁸ "Rectors were intended to represent Venetian strength, serenity and justice while at the same time not angering those over whom they ruled." O'Connell, *Men of Empire*, 57.

¹²⁹⁹ The following is a narrative reconstruction of a crime as registered in the verdict published *in extenso* in the appendix as case 3/3.

and sentenced to a round of torture in order that the truth about the theft be found out.¹³⁰⁰ He was also to return the stolen goods to Mauro and spend fifteen days in jail. Years would pass before the sentence was finally carried out. The marginal note underneath the final sentence carries the date of 30th of May, 1462, the day when Blaise di Chani came before the podestà and, “in the name of John Zulle,” begged that John be absolved from the punishment. Mauro Amsich also appeared and brought a written document that John is released from all the accusations regarding the goods he “took away.” The secretary wrote down the names of the men that accompanied Blasius and Maurus as they begged Ferro to reduce the fine: “Bastian Gorgalich, John Petrovich, Blaise Zorenich, Jacob the blacksmith and many others.”¹³⁰¹ A fine company of local notables that was, obviously, to convince the Venetian rector that the score was settled outside the court. Hence, the imposed punishment was no longer needed and should be revoked.

The case will remain a mystery. It is not known how and what kind of a deal the two men struck. The story behind the white leather belt will also remain obscure. What the case does clearly demonstrate is the settlement of dispute outside the official tribunal, a very widespread practice of dispute settlement in the medieval communal societies and a hallmark of community law or negotiated justice ideal.¹³⁰² Unfortunately, it cannot be ascertained whether or not Ferro acknowledged the extra-judicial deal or not.

The final case can hardly be dubbed theft since it involved a couple of friends “borrowing” wine from one another.¹³⁰³ Namely, during the night of March 20th, 1462, Anthony Fachino from Bergamo entered the workshop of John Petrovich to tell him that his bucket containing five soldi worth of freshly bought wine was stolen from his house. The case eventually ended up in front of Ferro (23rd of March) who summoned the first witness on the 24th of April. It turned out that Fachino’s buddy, Anthony Raspolich, took the liberty of entering his home and taking his wine in

¹³⁰⁰ The fact that this part of the verdict is crossed out means that the sentence was indeed carried out.

¹³⁰¹ <1462 die 30 maii comparaviti Blasius di Chanii nomine domini Ivani Zule coram domino Simone Ferro honorabilis potestatis Pinguenti, petendo et supplicando quod dictus Ibanus sit absolutus a carceribus in termino ei assignato. Deinde comparavit Maurus Amsich, qui denuntiavit dictum Ivanum Zulle a scriberis et contineris et solutus esse a dicto Ivano de rebus per ipsum ablatis, ita et tali quod de cetero Maurus predictus causa predicta non posset molestare dictum Ivanum Zule in aliqua parte. Presentibus ser Bastiani Gorgoralich, magistro Iohani Petrovich, magistro Blasio Zorenich, magistro Iacobo fabro quam pluribus presentibus.> Case 3/3.

¹³⁰² Massimo Vallerani, *Medieval Public Justice*, trans. Sarah Rubin Blanshei, Studies in Medieval and Early Modern Canon Law 9 (Washington, DC: The Catholic University of America Press, 2012), 174–227; Nella Lonza, “Tužba, osveta, nagodba: Modeli reagiranja na zločin u srednjovjekovnom Dubrovniku” [Settling disputes in medieval Dubrovnik by court proceedings, revenge or out-of-court settlement], *Analiza Zavoda za povijesne znanosti Hrvatske akademije znanosti i umjetnosti u Dubrovniku* 40 (2002): 92–100.

¹³⁰³ The crime is reconstructed from DAR, Buzet, Atti del podestà 1, fol. 179r–v and Atti del podestà 2, fol. 18v.

order to dine with his friends in the home of Lawrence Trampus. Raspolich stated in his defense that they were all together when the wine was bought and that he meant to invite Fachino to dine with the rest of the group, but could not find him. Ferro did not buy the story, but at the same time did not find the quarrel worthy of his time. The second witness was questioned by judge Marino Persich on May 2nd. Antonio Raspolich eventually received a fine of twenty schillings of small pennies, the sentence being publicly read on May 16th, almost two months after the initial accusation.

This case of petty theft, if it can be even called like that, was constructed by completely removing all the parts of the story that lead to the “stealing” of the bucket. The publicly read accusation only contains the following information: Anthony Raspolich and Lawrence Margonich from Buzet were accused of entering the home of Fachino without license through closed door, and of stealing a bucket of wine. Following a couple of standardized notarial formulae, Anthony is pronounced guilty and is to pay the fine, while Laurentius is found innocent “because We found him not to be guilty.”¹³⁰⁴ A lazily reconstructed crime for a petty, insignificant theft. Nonetheless, the case was processed, the culprit was found, and the sentence was passed: justice was done, the state did its job.

It is impossible to reach general conclusions regarding the Venetian justice administration in late medieval Istria with regard to theft on these three examples alone. However, certain contours may be traced even on such a small amount of within-case observations. First there is the matter of quickness and resolve with which the cases were tackled. The first judicial ritual, Iedrica’s case, commenced on the 23rd July and ended with a public demonstration of justice administration on August 10th. As such, this was the case the podestà of Buzet solved the quickest. As a comparison, two other cases of theft took incomparably longer to be solved: the second started on the 8th of April, 1459, and the sentence was read on April 20th, 1460; the third was a bit quicker, the accusation was presented before Ferro on the 20th of March 20, 1462, and the final sentence was publicly proclaimed on the 16th of May of the same year. Why such haste in solving the case of the stolen buttons?

¹³⁰⁴ “Ideo nos potestas sequentes et sequi volentes formam iuris et iusticie et nollentes quod dicti Antonius et Laurentius in futurum audeant se vanagloriari de simili excessu perpetuato, ut pena ipsorum aliis sit documentum, peccantes potius in misericordia quam in crudelitate Antonium Rasplich predictum in solidis viginti parvorum dandis et solvendis nostro Communi Veneciarum in hiis scriptis sententialiter condenamus et in expensis scripturarum; Laurentius vero Margonich absolvimus et absolutum esse volumus a superscripta querella dicti Antonii, quia invenimus dictum Laurentium non esse in culpa.” DAP, Buzet, Atti del podestà 2, fol. 18v.

The reasons for this unusual speed in adjudicating Iedrica's case lies in the victim's social status. *Domina* Iedrica was a widow, that in itself puts her in a position of needing more protection than a married woman who could always rely on her husband for added protection. More importantly, Iedrica was once married to a prestigious citizen of Buzet, a councilor stemming from an old, distinguished local family clan. If Ferro wanted the local elite by his side, if Venice wanted the trust of their new subjects, the widow had to be protected and the case had to be solved swiftly. This explains the rector's initiation of the *processum per inquisitionem*, thorough examination methods, torture of the originally accused duo; all of these facts were consciously not omitted even from the public reading of the absolutory sentence. By constructing the trial process as having done absolutely all that was in his power to solve the case and bring down the hammer of justice on the criminals, Ferro simultaneously represented the new government as thorough, competent, quick, protecting those that needed protection and ready to use brute force if needs be to get the job done. These are the traits of hegemonic, state-dominated judicial system in which "no crime should go unpunished" (*ne crimina remaneant impunita*) and in which torture was but a means to an end. At the same time, two other cases of theft received different treatments and the administration of justice was incredibly slower. Again, Venetian Lady Justice reveals itself as favoring the elites more than it does the "common folk." Finally, the elements of community law are present in spite of the hegemonic nature of justice administration in these cases. The sentence of pillory is definitely one such characteristic, but the fact that Ferro recorded, and thus acknowledged, extra-institutional settlement in John Zulle's case is another, even though it cannot be ascertained whether he modified his promulgated sentence because of it. Thus, similarly to the cases involving murder, the Venetian justice administration was leaning closer to the hegemonic ideal while retaining some aspects of the community law, mainly in carrying out ritualized punishments, and it also favored the social elites.

These cases of murder and theft, however, form a minute part of the overall criminal cases presented before and adjudicated by the Venetian delegated rectors. By far the largest percentage of criminal justice administration concerns an altogether different crime and the analysis of its treatment by the delegated podestàs will shed much more light on Venetian administration in late medieval Istria: anger-fueled violence.

Directing the Performance of Anger¹³⁰⁵

It was on the Sunday of 9th January 1446, that a vicious brawl broke out beneath the civic loggia of Poreč.¹³⁰⁶ The fight erupted between a Martin, the son of late Henry the Slav, and a master carpenter called Christopher. According to several written accounts of their scuffle, produced both by the brawlers themselves as well as by three eyewitnesses, the duo met by the seashore of Poreč. The carpenter approached Martin, asking him to settle his debts toward the commune by paying the money to him, as the very city owed him around twenty pounds of pennies for some work that he had been officially contracted for. Martin briskly replied that he would do no such thing as Christopher himself owed money to the communal granary. Notwithstanding the initial refusal, Christopher remained adamant in his effort to receive money directly from Martin. It was at this point that the tempers of both men began rapidly changing as insults began hurling around the civic loggia.¹³⁰⁷ According to Martin, it was Christopher who first accused him of lying with a standard expression “you lie in your throat” and Martin retaliated with the same accusation followed by a curse of hundred bloody stools.¹³⁰⁸ It was the invocation of this noxious curse—standard insult uttered across the communities of central and northern Italy and, according to Bolognese humanist Sabadino degli Arienti, the first Italian curse picked up by the foreigners—that triggered physical violence.¹³⁰⁹ Martin tried to slap the carpenter who somehow managed to evade his darting open palm. As a response to this attack, Christopher reached for a knife that he had underneath his robes, threatening to seriously harm his opponent. Luckily, the passersby

¹³⁰⁵ The chapter that follows stems from a paper presented on the 9th Istrian history biennale *Emotio, affectus, sensus...: o osjećajima u povijesti na jadranskom prostoru* [Emotio, affectus, sensus...: on emotions in the history of Adriatic area] held in Poreč between the 23rd and the 25th of May 2019 and subsequently published in the conference proceedings. Banić, “*Irato animo*,” 20–61. The following chapter is only slightly modified to fit the framework of the study.

¹³⁰⁶ The following is a narrative reconstruction of a court case registered in the acts of the podestà of Poreč Matteo Gradonico featured in DAP, Poreč, Atti del podestà, fol. 285r–v. The entire case, like the majority of others referenced in the chapter, is edited *in extenso* in Banić, “*Irato animo*: appendix,” case 1.

¹³⁰⁷ E.g. “Va ti fa foter!” Banić, “*Irato animo*: appendix,” case 1.

¹³⁰⁸ “Tu menti per la gola!” ... “Tu menti! Ti, che te vegna cento chagasangi!” ... “Et cum manu aperta admenavit, et si non se retraxisset, dedisset alapam.” Banić, “*Irato animo*: appendix,” case 1. On the syntagm “mentire per la gola,” a standard expression used to call someone a liar recorded throughout medieval Italy, at least from the 13th century onwards, and even in other non-Romance speaking territories (such as German-speaking lands), see Giuseppe Patota, “‘Mentire per la gola,’” *Lingua e stile* 48, no. 2 (2013): 155–76.

¹³⁰⁹ Trevor Dean, *Crime and Justice in Late Medieval Italy* (Cambridge: Cambridge University Press, 2007), 117. “[D]ixe [il cuoco tedesco] – O lupi, avete voi già divorate tutte le lasagne ch’io ve detti? Che ve venga el cacasanguè! – prima blastema che imparano li alamanni quando in Italia vengono.” Sabadino Degli Arienti, *Le porretane*, ed. Giovanni Gambarin (Bari: Laterza, 1914), 277, novella 46.

quickly intervened, retaining both men from further injuring each other. The fight, however, was far from over. In a bid to even the playing field, Martin ran to his house to grab a large kitchen knife of his own. Returning to the streets, he found Christopher by the shop of Peter the barber and posited a rhetorical question of whether he would like to continue their skirmish. The two men brawled across the streets of Poreč until Martin eventually managed to hit the carpenter with a rock straight to the head, a knockout shot that left Christopher bloodied and lying on the floor as the conflict finally came to a close.¹³¹⁰

This episode of extreme interpersonal public violence is but one of many similar cases that were presented daily to civic rectors across the European continent during the High and Late Middle Ages, the only difference being the quantity and quality of surviving primary sources and the modality by which such conflicts were being recorded.¹³¹¹ Traditionally, these episodes had been interpreted as mirrors into the highly unstable emotional psyche of medieval women and men whose mental state was, the old argument goes, crucially different from those of modern, 19th- and 20th-century counterparts.¹³¹² From the 1990s, however, this interpretative framework, originally popularized by the likes of Johan Huizinga, Marc Bloch, and Norbert Elias, started giving way to a more elaborate, anthropologically inflected analytical approach.¹³¹³ Historians such as Claude Gauvard, Charles V. Phythian-Adam, and Reiner Walz, all working on different regions of

¹³¹⁰ Banić, “*Irato animo*: appendix,” case 1.

¹³¹¹ See e.g. Nella Lonza, “*Coram domino comite et suis iudicibus*: Penal Procedure in Early Fourteenth-Century Dubrovnik,” *Criminal Justice History* 15 (1994): 1–38, esp. 19–20; Xavier Rousseaux, “Crime, Justice and Society in Medieval and Early Modern Times: Thirty Years of Crime and Criminal Justice History,” *Crime, History & Societies* 1, no. 1 (1997): 95; Andrew J. Finch, “The Nature of Violence in the Middle Ages: An Alternative Perspective” 70 (1997): 249–68, esp. 256–257; Dean, *Crime in Medieval Europe*, 1–28, esp. 22–24; Lonza, “Tužba, osveta, nagodba,” 57–104, esp. 85 and table 4; Claude Gauvard, “Violenza,” in *Dizionario dell’Occidente medievale: Temi e percorsi*, ed. Jacques le Goff and Jean-Claude Schmitt (Turin: Einaudi, 2003), 1204–12; Stuart Carroll, *Blood and Violence in Early Modern France* (Oxford: Oxford University Press, 2006), esp. 83–108; Dean, *Crime and Justice in Late Medieval Italy*, esp. 168–81; Orlando, *Altre Venezie*, 268–88, esp. 269–73; Andrea Zorzi, “I conflitti nell’Italia comunale: Riflessioni sullo stato degli studi e sulle prospettive di ricerca,” in *Conflitti, paci e vendette nell’Italia comunale*, Reti Medievali E-Book 14 (Florence: Firenze University Press, 2009), 7–43; Daniel Lord Smail, *The Consumption of Justice: Emotions, Publicity, and Legal Culture in Marseille, 1264–1423* (Ithaca, N.Y.: Cornell University Press, 2013), 89–132; Gordan Ravančić, “Rhythm of Crime in a Medieval City: Example of Dubrovnik,” in *Our Daily Crime: Collection of Studies*, ed. Gordan Ravančić (Zagreb: Hrvatski institut za povijest, 2014), 73–101, esp. 76; Petra Vručina, “Uvreda i fama publica u kasnosrednjovjekovnim istočnojadranskim komunama” [Insult and fama publica in the late medieval eastern Adriatic communes], *Povijesni prilozi* 54 (2018): 39–64; Luca Campisi, “Prassi giudiziarie a Vercelli nel XIV secolo,” *Studi di storia medioevale e di diplomatica*, n.s., 2 (2018): 131–50, esp. 139.

¹³¹² Johan Huizinga, *The Autumn of the Middle Ages*, trans. Rodney J. Payton and Ulrich Mammitzsch (Chicago: University of Chicago Press, 1996), 1–2, 15, 226; Marc Bloch, *Feudal Society*, trans. L. A. Manyon, 2 vols. (London: Routledge, 1989), 1: 73, 2: 135; Norbert Elias, *The Civilizing Process: Sociogenetic and Psychogenetic Investigations*, trans. Edmund Jephcott (Oxford: Blackwell, 2000), esp. 168–69.

¹³¹³ Dean, *Crime in Medieval Europe*, 23; Dean, *Crime and Justice*, 168–69.

premodern Europe, ushered in new conceptual vocabulary aimed at analyzing and contextualizing these workaday episodes of interpersonal violent confrontations.¹³¹⁴ In a nutshell, all three historians postulate the existence of “a well-defined and highly formalized code containing an exaggeratedly wide-ranging symbolic vocabulary” within which the ritual of confrontation was embedded: a “fairly regular and oft-repeated sequence of definable phases as each situation escalates.”¹³¹⁵

This “sequence” begins with a provocation—an interlude that sets off the entire play—continues with the verbal threats, insults and taunts; finally, in some cases, the sequence escalates to the third phase: actual physical violence performed not to injure or kill—even when weapons were drawn, one would usually attack with the pommel, not the blade of the sword—but to invite external intervention through which the performers are separated and the sequence ends.¹³¹⁶ The entire “ritual of confrontation”, concludes Phythian-Adams, “represented the institutionalization of acceptable physical and, indeed, verbal violence” that served the purpose of regulating and constraining the acts of upholding and defending one’s honor.¹³¹⁷

Similarly to Phythian-Adams but with a greater stress on the notion of honor, Walz elaborated his concept of “agonal communication”—a shared system of interplay in which “every interactant fearfully tried to defend his or her honor and mistrustfully gauged each utterance and action of others for possible assaults to that honor.”¹³¹⁸ Here Walz echoed the sentiment of Gauvard, who dedicated ample attention to the notion of honor opening the chapter on interpersonal violence with the statement: “honor is at the heart of violence.”¹³¹⁹ Thus, all three historians conceptualized the episodes of interpersonal violence as scripted performances and influenced a generation of scholars working on the history of violence and criminality, in the ambit of late medieval and Early Modern Europe most notably Trevor Dean and Gerd Schwerhoff, the

¹³¹⁴ Claude Gauvard, *“De Grace especial”: Crime, état et société en France à la fin du Moyen Age*, 2 vols. (Paris: Publications de la Sorbonne, 1991), 707–45; Charles V. Phythian-Adams, “Rituals of Personal Confrontation in Late Medieval England,” *Bulletin of the John Rylands Library* 73 (1991): 65–90; Reiner Walz, “Agonale Kommunikation im Dorf der Frühen Neuzeit,” *Westfälische Forschungen* 42 (1992): 215–51.

¹³¹⁵ Phythian-Adams, “Rituals,” 72, 76.

¹³¹⁶ Gauvard, *“De Grace especial”*, 707–19; Phythian-Adams, “Rituals,” 78–84.

¹³¹⁷ Phythian-Adams, “Rituals,” 80, 82, 88, 90 (quotation).

¹³¹⁸ Walz, “Agonale Communication,” 232–35; Gerd Schwerhoff, “The Dark Side of Community: Early Modern German Witch Hunts,” in *Potency of the Common: Intercultural Perspectives about Community and Individuality*, ed. Gert Melville and Carlos Ruta, *Challenges of Life: Essays on Philosophical and Cultural Anthropology* 3 (Berlin: De Gruyter, 2016), 215 (from where the quotation is taken).

¹³¹⁹ “L’honneur est au coeur de la violence.” Gauvard, *“De Grace especial”*, 705.

former focusing on Italian, the latter on German urban societies.¹³²⁰ Equally importantly, however, Gauvard, Phythian-Adams and Walz, as well as their followers, posit the concept of honor as a seminal factor in their analytical approaches, a notion that is intimately interconnected with anger.

The classic scholarly treatment of the complex notion of honor was famously penned by the renowned British anthropologist Julian Alfred Lane Fox Pitt-Rivers: “honor is the value of a person in his own eyes, but also in the eyes of his society. It is his estimation of his own worth, his claim to pride, but it is also the acknowledgement of that claim, his excellence recognized by society, his right to pride.”¹³²¹ As such, convincingly argues Pitt-Rivers, honor can be lost and gained, challenged and vindicated; this discourse of honor permeates, to a greater or lesser degree, all cases of interpersonal violence as any such conflict may be interpreted as ultimately stemming from one’s obligation to defend/uphold their honor.¹³²² In the words of Schwerhoff, “a central function of the semantics of honor,” is its ability to “homogenize the heterogeneous motives by translating them into a common language.”¹³²³ Moreover, the notion of honor is intimately linked with the medieval concept of *fama* in its narrow meaning of personal reputation—“the public talk that continually adjusts honor and assigns rank of standing” to an individual.¹³²⁴ The “law of honor” is therefore an obligatory backdrop against which all the performances of anger and rituals of confrontations are set upon.¹³²⁵

¹³²⁰ Trevor Dean, *Crime and Justice*, 168–181; Gerd Schwerhoff, “Social Control of Violence, Violence as Social Control: The Case of Early Modern Germany,” in *Social Control in Europe*, ed. Herman Roodenburg and Pieter Spierenburg, vol. 1: 1500–1800 (Columbus, OH: Ohio State University Press, 2004), 220–46. See also, Sharon T. Strocchia, “Gender and the Rites of Honour in Italian Renaissance Cities,” in *Gender and Society in Renaissance Italy*, ed. Judith C. Brown and Robert C. Davis (London: Longman, 1998), 52–60.

¹³²¹ Julian Pitt-Rivers, “Honour and Social Status,” in *Honour and Shame: The Values of Mediterranean Society*, ed. Jean G. Peristiany (London: Weidenfeld & Nicolson, 1965), 21.

¹³²² Pitt-Rivers, “Honour,” 29; Gauvard, “*De Grace especial*,” 705–6, positing honor as the origin on violence: “L’honneur est donc un bien qui doit être âprement défendu. Quand il ne peut plus être ni respecté ni reconnu, la situation devient conflictuelle. Nous sommes là aux origines de la violence et du crime;” quotation on 706). Claudio Povolo likens honor to “a deeply buried nerve that animated conflicts.” Povolo, “Liturgies of Violence” 518.

¹³²³ Schwerhoff, “Social Control,” 234.

¹³²⁴ The medieval term *fama* was highly polysemic. Beside the meaning given above, it could also refer to “rumor,” “idle talk,” and “memories.” On the concept of *fama* see, Thelma Fenster and Daniel Lord Smail, “Introduction,” in *Fama: The Politics of Talk in Medieval Europe*, ed. Thelma Fenster and Daniel Lord Smail (Ithaca, N.Y.: Cornell University Press, 2003), 1–8, esp. 3–4 for its connection to honor (and for the quotation) and 10 where the connection between *fama* and honor in medieval Italy is most explicitly made: “The most common terms, not wholly equivalent to *fama*, are *onore*, *onestà*, and the like. To say that he is a man of honor (*uomo d’onore*) is saying that he has good *fama*.”

¹³²⁵ Penetrating analyses of the role of honor in animating violent conflicts are featured in Claudio Povolo, *L’Intrigo dell’Onore: Poteri e istituzioni nella Repubblica di Venezia tre Cinque e Seicento* (Verona: Cierre, 1997), esp. 355–412. On honor more generally, see also Frank H. Stewart, “What Is Honor?,” *Acta Histriae* 9 (2000): 13–28; James R. Farr, “Honor, Law, and Custom in Renaissance Europe,” in *A Companion to the Worlds of the Renaissance*, ed. Guido Ruggiero (Oxford: Blackwell, 2002), 124–38.

Complementing the above-described approaches are the relatively young analytical framework devised withing the “history of emotions” paradigm.¹³²⁶ Focusing on emotions’ socially-determined aspects, the fact that the manifestations of emotions are always (de)coded within a specific society and are as such “cultural artifacts,” historians such as the Stearnses, William H. Reddy, and, most importantly in the ambit of medieval studies, Barbara H. Rosenwein, ushered in new analytical trajectories in historiography.¹³²⁷ Concepts such as “emotionology”—(institutionally supported) “conventions and standards” through which a society (de)valued certain emotions—and “emotional communities”—“group in which people adhere to the same norms of emotional expression and value—or devalue—the same or related emotions”—are potent analytical tools for studying the role of emotions within spatially and temporally bounded societies.¹³²⁸ In the context of this study, the emotion in question is anger (Lat. *ira*).

As Rosenwein demonstrated in her recent monograph dedicated to the history of this particular emotion, anger’s past is highly conflicted.¹³²⁹ On the one hand, the Middle Ages inherited the stoic tradition—championed by Lucius Annaeus Seneca—which utterly shunned anger, believing it to be “brief madness,” “a bestial, destructive vice,” on the other, however, an opposing school of thought coexisted simultaneously—popularized by the likes of Aristotle, Lucius Lactantius, and Saint Augustine of Hippo—which recognized a “just” face of anger, an emotion that ought to arise in one who had suffered a wrong.¹³³⁰ The concept of this “just anger” (Lat. *ira iusta*) received its canonical treatment in the writings of Thomas Aquinas, the most influential of the medieval theologians who wrote of anger as both a vice and a virtue, the latter being “good” or “zealous anger:” “directed against vice and in accordance with reason”.¹³³¹

¹³²⁶ A good introduction, among very many, remains Jan Plamper, *The History of Emotions: An Introduction* (Oxford: Oxford University Press, 2012), esp. 40–74.

¹³²⁷ Claire Armon-Jones, “The Social Functions of Emotion,” in *The Social Construction of Emotions*, ed. Rom Harré (Oxford: Basil Blackwell, 1986), 57–82; Clifford Geertz, “The Growth of Culture and the Evolution of Mind,” in *The Interpretations of Cultures: Selected Essays* (New York: Basic Books Inc., 1973), 81 (quotation).

¹³²⁸ For emotionology: Carol Z. Stearns and Peter N. Stearns, *Anger: The Struggle for Emotional Control in America’s History* (Chicago: University of Chicago Press, 1986), 14. For emotional communities: Barbara H. Rosenwein, *Emotional Communities in the Early Middle Ages* (Ithaca: Cornell University Press, 2006), 2. See also, Barbara H. Rosenwein, “Problems and Methods in the History of Emotions,” *Passions in Context* 1, no. 1 (2010): 11.

¹³²⁹ Barbara H. Rosenwein, *Anger: The Conflicted History of an Emotion, Vices and Virtues* (New Haven: Yale University Press, 2020).

¹³³⁰ Rosenwein, *Anger*, 24–38, 82–113. I have discussed this more in depth in Banić, “Irato animo,” 26–32.

¹³³¹ “[Ira] trahit rationem a sua rectitudine: unde habet rationem mali. Alio modo consequetur: prout scilicet appetitus sensitivus movetur contra vitia secundum ordinem rationis. Et haec est ira bona: quae dicitur ira per zelum.” Thomas Aquinas, “Summa theologiae,” in *Sancti Thomae Aquinatis doctoris angelici opera omnia iussu Leonis XIII*, vols. 4–12, ed. Leonine Commission (Rome: Vatican Polyglot Press - Sacra Congregatio de Propaganda Fide, 1882), 10: 272–73, question 158, article 1. The translation is taken from The Fathers of the English Dominican Province, trans., *The*

Following in Aristotle's footsteps, Thomas sees anger as arising from a "disdain" (orig. *parvipensio*), a perceived unjust injury to a person's "excellence" (orig. *excellencia*), and thus "every instance of harm inflicted on us is such that to the extent that it detracts from our excellence, it seems to involve disdain."¹³³² Anger, in this scheme, is a desire for "just retribution" "in response to something that has been done unjustly."¹³³³ Thomas Aquinas' notion of excellence can thus be easily likened to the concept of honor as treated by Pitt-Rivers.¹³³⁴

Finally, the concept of "just anger" even entered legal terminology, becoming invested with the power to exculpate the culprits—or at least mitigate their sentence—if their deeds were deemed to have been made "in accordance with reason." For example, Bartolomeo da Saliceto, a famed late medieval Bolognese jurist, supported the legal opinion that offenses committed "out of anger" should be judged more leniently as he conceptualized the emotional state of *iracundia*—especially in the form of a "just indignation"—as a mitigating factor.¹³³⁵ This juridical stance, that the penalties for quarrels involving insults and physical violence should be mitigated if the crime was committed by those of "enraged spirit," found its way into the medieval statutes of Italian communes in the form of a legal syntagm *irato animo*.¹³³⁶ This was also the case in Istria where the 15th-century statute of Buzet prescribes a punishment of one mark of shillings for a strike launched *irato animo*; for any other strike that does not draw blood, the prescribed punishment is

"*Summa Theologica*" of St. Thomas Aquinas in English, 22 vols. (London: Burns Oates and Washburn, 1911), vol: Second part of the second pars: Questions 141–170, 192, question 158. See also, Robert Miner, *Thomas Aquinas on the Passions* (Cambridge: Cambridge University Press, 2009), esp. 268–86; Rosenwein, *Anger*, 88–91.

¹³³² "Et ideo quodcumque nocumentum nobis inferatur, inquantum excellentiae derogat, videtur ad parvipensionem pertinere." Thomas Aquinas, "Summa theologiae," 6: 301, p. 1–2, question 47, article 2. The translation is taken from Alfred J. Freddoso, *New English Translation of St. Thomas Aquinas's Summa Theologiae*, <https://www3.nd.edu/~afreddos/summa-translation/Part%201-2/st1-2-ques47.pdf> [last access: 1 November 2020].

¹³³³ "[I]ra appetit nocumentum alterius, inquantum habet rationem iusti vindicativi: et ideo intantum quaerit vindictam, inquantum videtur esse iusta. Iusta autem vindicta non fit nisi de eo quod est iniustum factum: et ideo provocativum ad iram semper est aliquid sub ratione iniusti." Thomas Aquinas, "Summa theologiae," 6: 301, p. 1–2, question 47, article 2. The translation is taken from Freddoso, *New English Translation*, <https://www3.nd.edu/~afreddos/summa-translation/Part%201-2/st1-2-ques47.pdf> [last access: 1 November 2020].

¹³³⁴ For a discussion of Thomas' concept of *excellence*, see also Jan Rippentrop Schnell and Diana Fritz Cates, "Rethinking Anger as a Desire for Payback: A Modified Thomistic View," *Religions* 10, no. 11: 618 (2019): 11–14, <https://doi.org/10.3390/rel10110618>.

¹³³⁵ "[I]racundia minuit delictum." Bartolomeo da Sacileto, *Super Digesto veteri* (Lyon: Claude Servain, 1560), 167, chap. *De divortiis et repudiis*. On the mitigating circumstances in the writings of medieval glossators, see Woldemar Engelmann, *Die Schuldlehre der Postglossatoren und ihre Fortentwicklung: Eine historisch-dogmatische Darstellung der kriminellen Schuldlehre der italienischen Juristen des Mittelalters seit Accursius* (Leipzig: Duncker & Humblot, 1895), 112–26, esp. 117 for Bartolomeo da Sacileto.

¹³³⁶ Antonio Pertile, *Storia del diritto italiano dalla caduta dell'Impero Romano alla codificazione*, 2nd ed., vol. 5: *Storia del diritto penale* (Turin: Unione tipografico-editrice, 1892), 147; Tancredi Gatti, *L'imputabilità: I moventi del reato e la prevenzione criminale negli statuti italiani dei secoli XII-XV* (Padua: CEDAM, 1933), 106–20.

set at two marks of shillings.¹³³⁷ Thus, the juridical maxim *iracundia minuit delictum* categorized a crime as spontaneous, “attributable to a sudden impulse of anger,” and not premeditated.¹³³⁸ From high medieval Italy, this juridical stance spread across the Latin Christendom.¹³³⁹

Since both the historians of emotions as well as the social historians studying everyday violence approach the phenomena of interpersonal conflicts as scripted performances acted out according to socially determined systems of values and norms, the two scholarly paradigms harmoniously overlap, engendering an interpretative framework whose potential is still largely untapped, especially in the case of late medieval Venice and, especially, Venetian Istria. The principal heuristic potential of appropriating the “ritual of confrontation” as an analytical tool in the context of this study is twofold: on the one hand the concept allows for an intuitive classification of the various patterned performances of anger based on the completion of the respective acts of the play, while on the other it serves to categorize the verdicts of Venetian rectors based on this systematization, potentially uncovering if a “standard tariff” of adjudicating such crimes had been at work and, if so, to what extent. Finally, by appropriating the conceptual apparatus of the history of emotions paradigm, namely emotionology and emotional communities, it may be possible to uncover whether the delegated Venetian podestas enforced specific emotionologies and how different were the rectors’ appraisals of (just) anger in comparison to those of the locals.

Act 1: Overture

The performance of anger in the ritual of confrontation regularly begins with an “overture”—an act that is decoded by one of the actors as harmful to their social standing, as injuring their honor. In Aquinas’ words, this opening act would be played out by the *parvipensio* directed against one’s *excellencia*. This overture can take many forms: it can be actualized in the form of an immediate verbal or physical action such as an utterance deemed offensive or a physical

¹³³⁷ Lonza and Poropat, eds., *St. Buzet*, 338, article 27.

¹³³⁸ Matteo Moro, “La repressione dell’ingiuria fra legislazione statutaria e prassi giudiziaria (secoli XIII-XV),” *Bollettino storico vercellese* 47, no. 91 (2018): 23.

¹³³⁹ For some examples from German-speaking lands, see Allyson F. Creasman, “Fighting Words: Anger, Insult, and ‘Self-Help’ in Early Modern German Law,” *Journal of Social History* 51, no. 2 (2017): 272–92, esp. 283; Susanne Pohl-Zucker, “Hot Anger and Just Indignation: Justificatory Strategies in Early Modern German Homicide Trials,” in *Emotion, Violence, Vengeance and Law in the Middle Ages: Essays in Honour of William Ian Miller*, ed. Kate Gilbert and Stephen D. White, *Medieval Law and Its Practice* 24 (Leiden: Brill, 2018), 25–48, esp. 29–31. For England: Elizabeth Papp Kamali, *Felony and the Guilty Mind in Medieval England* (Cambridge: Cambridge University Press, 2019), 93–122, esp. 108.

action like a slight push or the grabbing of one's arm. In these cases, the overture will catalyze the conflict to the next stage more easily if performed in a public setting where one's injury of social standing can be perceived by a larger audience—streets, squares and, most prominently, taverns.¹³⁴⁰ In the presented case from 15th-century Poreč, the overture was the public disclosure of each other's debts on a civic square. This type of overture based on one's financial standing—most often in the form of public proclamation of one's debts, especially if the money is owed to one of the participants of the play—is a very common theme.¹³⁴¹ For example, a Blaise Pasqualini confronted a Paschal de Semo and his wife Ursa in the tavern of Bastian the Slav in Rovinj, asking them when they would settle their debts toward him for the shoes he had bought for them in Vodnjan. The couple retaliated with insults and a tavern brawl soon broke out.¹³⁴² In Poreč, a Iuri Sabac publicly spoke how Nicholas Mozal owed him money, prompting the very Nicholas, who overheard these words from his balcony, to storm off into the street and aggressively confront the slanderer.¹³⁴³

Other common themes of these overtures include various rights to pastures and the usufruct of land. These are often motivated by damages committed to one's fields by unknown perpetrators, and the actors go on to deduce the potential culprit on their own. For example, a Julian de Sisto went to inspect the damages incurred on his vineyards in Pical in the district of Poreč where he was accompanied by a Preto Peio and Andrew from Pical, the duo that at the time served as the communal estimators.¹³⁴⁴ When he was confronted with the fact that nobody had seen the perpetrators, Julian's frustration grew: "You lie in your throat that you did not find anybody! And I want you to pay me out of spite toward those who put you in this office!"—at least these are the words that Preto put in his mouth.¹³⁴⁵ Naturally, a brawl broke out immediately after. Other examples include the rights to pasture when two actors meet on the same field. For example, a

¹³⁴⁰ Schwerhoff, "Social Control," 229; Ravančić, "Rhythm of Crime," 92.

¹³⁴¹ E.g., Dean, *Crime and Justice*, 168; Strocchia, "Gender," 53. On economic reputation as an important and integral part of one's *fama* in late medieval Italy, see Giacomo Todeschini, "La reputazione economica come fattore di cittadinanza nell'Italia dei secoli XIV-XV," in *Fama e publica vox nel medioevo. Atti del convegno di studio svoltosi in occasione della XXI edizione del Premio internazionale Ascoli Piceno (Ascoli Piceno, Palazzo dei Capitani, 3-5 dicembre 2009)*, ed. Isa Lori Sanfilippo and Antonio Rigon (Rome: Istituto Storico Italiano per il Medio Evo, 2011), 105–18.

¹³⁴² DAR, Rovinj, Atti del podestà, 63r, edited *in extenso* in Banić, "Irato animo: appendix," case 2

¹³⁴³ DAP, Poreč, Atti del podestà, fol. 272v, edited *in extenso* in Banić, "Irato animo: appendix," case 3.

¹³⁴⁴ On the communal estimators (orig. Lat. *extimatores communis, officio extimarie*) in Poreč, see Zjačić, ed., *St. Poreč*, 41–43, book 1, article 16.

¹³⁴⁵ "Tu menti per la gola che tu ebi trova nessun! E voio che tu me pagi al despeto de chi t'a messo in questo offitio!" DAP, Poreč, Atti del podestà, fol. 269v, edited *in extenso* in Banić, "Irato animo: appendix," case 4.

Thero de Maure and Marin from Beram met on the pastures in the district of Rovinj, the former bringing his sheep, the latter his cows. At one point, Marin shooed Thero's cows to make way for his sheep to leave the field. This action, whereby Marin dared to command his cows, greatly infuriated Thero and the ritual of confrontation started that very instant.¹³⁴⁶

The most common setting for this overture, however, is a tavern or its immediate vicinity—"prime location where masculinity was asserted and tested."¹³⁴⁷ There, even a slight physical contact, let alone an utterance that could be interpreted as *parvipensio*, could rapidly lead to the initiation of the ritual of conflict. In the tavern of Tonse Drasich in Buzet, George the draper asked George Rubeus to give him a jug of wine that he was holding in his hands, believing it to be his; Rubeus replied that the jug, as a matter of fact, was not his.¹³⁴⁸ Punches began raining down soon thereafter. In Novigrad, Martin from Ljubljana bought a one shilling worth of wine in the tavern of Mark Gingaro and placed it on his table. Moments later, Stephen Bresano entered the tavern, sat at Martin's table and asked him to make a little bit of space by moving his jug of wine. This request was obviously deemed inappropriate and Martin retaliated by spilling the wine on Stephen's woolen shoes. The retaliation was quick to follow and the ritual of conflict was quickly propelled to its final phase.¹³⁴⁹ That this apparent oversensitivity to insults might be a consequence of overindulgence in alcoholic beverages is definitely a very sound hypothesis.¹³⁵⁰

Taverns were also the privileged spaces for games of dice and cards where men gambled for wine and money—a perfect setting for the performance of the confrontation play. For example, Gregory from Roč (Ital. Rozzo) and Pause Trascanovich were playing cards for money in the tavern of Simon Slamnich in Buzet. At one point, Gregory believed he had won the game whereas Pause thought they had played to a draw. When Gregory tried to put his hand on the money the overture was officially over and violence commenced in full force.¹³⁵¹ A much graver fight took place in the tavern of Martin of Voldrich in Rovinj where men gambled for wine. At one point, Nicholas of Philip demanded that Bastian the Slav pay him his due by relinquishing a bottle of wine that he had apparently lost; Bastian was very reluctant to do so, but Nicholas insisted, prompting the loser of the round to decode this behavior as an overture to a conflict. As Bastian

¹³⁴⁶ DAR, Rovinj, Atti del podestà, fol. 57v, edited *in extenso* in Banić, "Irato animo: appendix," case 5.

¹³⁴⁷ Dean, *Crime in Medieval*, 23.

¹³⁴⁸ DAR, Buzet, Atti del podestà 1/1, fol. 139r, edited *in extenso* in Banić, "Irato animo: appendix," case 6.

¹³⁴⁹ DAP, Novigrad, Atti del podestà, fol. 691v, edited *in extenso* in Banić, "Irato animo: appendix," case 7.

¹³⁵⁰ Gauvard, "De Grace especial", 714; Schwerhoff, "Social Control," 229.

¹³⁵¹ DAR, Buzet, Atti del podestà 1/1, fol. 167v–168r, edited *in extenso* in Banić, "Irato animo: appendix," case 8.

reached for his knife, Nicholas retaliated by quickly picking up a rock. The opening acts of the play soon progressed into violence that ended with a broken orbital bone.¹³⁵² Finally, a unique conflict took place in Poreč during the game of dice that involved Jacob from Senj and Simon called De Iuanci. The men gambled for money and wine until Simon attempted to snatch two shillings from Jacob. The two men quickly began arguing and Simon—“moved by anger”—unsheathed a bread knife and sliced Jacob under the throat.¹³⁵³ In his defense, Simon simply stated that they had both been drunk.¹³⁵⁴ The episode is unusual because it did not take place in a public setting, but inside a private house where the two players gambled alone by themselves. Nonetheless, it illustrates nicely how the effects of gambling catalyzed through alcoholic intoxication animated anger-fueled violence.

There are many more examples of tavern brawls and gambling games gone awry such as these, but the cases presented here demonstrate convincingly enough that *taberne*, especially in conjunction with gambling, were indeed the preferred stages for such performances of anger.¹³⁵⁵

Finally, it must be noted that there are other types of overtures: those that are not triggered by immediate actions, but by past events that merely catalyze into the ritual of confrontation when the individuals meet in a public setting. The motives behind such overtures are usually difficult to decipher as the judicial records do not explicate them in any detail—they are “hidden transcripts” in James C. Scott’s meaning of the term.¹³⁵⁶ For example, Bartholomew the tanner verbally attacked friar Anthony, the schoolmaster in Poreč, calling him a renegade Franciscan, a rotten rogue, accusing him that instead of teaching the children, he makes them clean his house and he even threatened to hit him.¹³⁵⁷ The judicial transcripts do not reveal the reason behind this altercation, but a witness testimonial uncovers that the two men had a history back in Piran: “You

¹³⁵² DAR, Rovinj, Atti del podestà, fol. 59v, edited *in extenso* in Banić, “*Irato animo*: appendix,” case 9.

¹³⁵³ DAP, Poreč, Atti del podestà, fol. 243r, edited *in extenso* in Banić, “*Irato animo*: appendix,” case 10.

¹³⁵⁴ “Constituti ambo in cancellaria confessi fuerunt ad invicem se percuisse quia erant ebrii.” Banić, “*Irato animo*: appendix,” case 10.

¹³⁵⁵ For more such examples from the medieval Venetian Dogado, see Gherardo Ortalli, “Il giudice e la taverna: Momenti ludici in una piccola comunità lagunare (Lio Maggiore nel secolo XIV),” in *Gioco e giustizia nell’Italia di Comune*, ed. Gherardo Ortalli, Ludica: Collana di storia del gioco 1 (Rome: Viella, 1993), 49–70.

¹³⁵⁶ James C. Scott, *Domination and the Art of Resistance: Hidden Transcripts* (New Haven - London: Yale University Press, 1990), 3–5, and 27 where the concept of hidden transcript is defined as “discourse-gesture, speech, practices—that is ordinarily excluded from the public transcript of subordinates by the exercise of power.” See also, Tomislav Popić, *Krojenje pravde: Zadarsko sudstvo u srednjem vijeku (1358–1458)* [Tailoring justice: Zadar’s judiciary in the Middle Ages (1358–1458)] (Zagreb: Plejada, 2014), 27–32 for an exemplary application of Scott’s concepts to medieval justice administration, in this case, the civil court of Zadar.

¹³⁵⁷ DAP, Poreč, Atti del podestà, fol. 263r, edited *in extenso* in Banić, “*Irato animo*: appendix,” case 11.

do not know him as I do back in Piran” said Bartholomew to Jacob de Facina.¹³⁵⁸ The podestà’s chancellery, however, decided not to delve further into their backstory, or at least not to officially record it. Another example comes from the public square of Buzet where Maticus Margonich charged at Leonard from Carnia, carrying a rock and flailing a short sword while screaming “Furlan! Rogue! I will teach you now since you are here!”¹³⁵⁹ Nothing more is recorded and their prior dealings that obviously frustrated Maticus to the point where he wanted to beat Leonard remain unknown.

Although the backstories to these conflicts will remain shrouded in mystery, they nonetheless reveal that a play of anger-fueled conflict could also be triggered by long lasting, harbored grudges that jumpstart the entire ritual when the actors cross paths in the appropriate, public setting.

Act 2: Indirect violence

Following this prelude, the confrontation reaches the stage of the so-called “indirect violence:” insults and intimidations such as the clenching of fists or the drawing of weapons. For Martin and Christopher, this part of the play was enacted through the insults of calling each other liars by way of a standard phrase “you lie in your throat,” followed by yet another typical curse of “may you shit blood a hundred times.” This phase of the ritual ended as Martin attempted to slap his adversary, prompting Christopher to unsheathe a weapon—a “central threatening gesture in the dramaturgy of a conflict.”¹³⁶⁰

The vocabulary of this second act has occupied the attention of historians for decades, generating a rich bibliography on the topic of verbal insults and the so-called “fighting words”.¹³⁶¹

¹³⁵⁸ “Tu non lo cognosi como lo cognoso mi a Piran.” Banić, “*Irato animo*: appendix,” case 11.

¹³⁵⁹ DAR, Buzet, Atti del podestà 1/1, fol. 147v, edited *in extenso* in Banić, “*Irato animo*: appendix,” case 12.

¹³⁶⁰ Schwerhoff, “Social Control,” 230.

¹³⁶¹ The following is not an exhaustive bibliography on the topic, but a selection based on the author’s discretion. Peter Burke, “Insult and Blasphemy in Early Modern Italy,” in *The Historical Anthropology of Early Modern Italy: Essays on Perception and Communication* (Cambridge: Cambridge University Press, 1987), 95–109; Daniel R. Lesnick, “Insults and Threats in Medieval Todi,” *Journal of Medieval History* 17 (1991): 71–89; Claude Gauvard, “Conclusion,” *Atalaya 5: L’Invective au Moyen Âge: France, Espagne, Italie* (1995): 249–58; Gauvard, “*De Grace especial*,” 715–34; Strocchia, “Gender,” 53–60; Sandy Bardsley, “Sin, Speech, and Scolding in Late Medieval England,” in *Fama*, 145–63; Trevor Dean, “Gender and Insult in an Italian City: Bologna in the Later Middle Ages,” *Social History* 29, no. 2 (2004): 217–31; Dean, *Crime and Justice*, 113–34; Nicole Gonthier, *Sanglant Coupaul! Orde Ribaudes! Les injures au Moyen Âge* (Rennes: Presses universitaires de Rennes, 2007); Elizabeth Horodowich, *Language and Statecraft in Early Modern Venice* (Cambridge: Cambridge University Press, 2008), 91–125; Vručina, “*Uvreda i fama*,” 43–58.

Contextualized more broadly, Istrian examples conform to the patterns found elsewhere in Latin Christendom during the same period: men insulted other men by attacking their courage and honesty whereas women resorted to insults pertaining to sexual morality—the attacks were thus directed at the seminal aspects of one’s honor, gendered as it was.¹³⁶² The most common insult that would regularly open act two of the performance was the accusation of lying. It has already been demonstrated how it escalated the conflict between Martin and Christopher on the streets of Poreč, between Blaise and Paschal in the tavern of Rovinj, and between Iulian and the communal estimators of Poreč in Pical, but similar cases are a multitude in the analyzed documentation.¹³⁶³ Regularly, the phrase used for accusing someone of lying was the standard “you lie in your throat” expression.¹³⁶⁴ This is also the most common “opener” of the new phase of the conflict in the cases studied by Gauvard, Lesnick and Dean.¹³⁶⁵

Other common insults among men featured invectives damaging one’s courage, the most prominent of which being “coward” (orig. *poltron*) and “traitor” (orig. *traditor* or *proditor*).¹³⁶⁶ Another regularly appearing insult in this context is “rogue” or “scoundrel” (orig. *ribaldo*) and “bastard” (orig. *bastardo*).¹³⁶⁷ Finally, men preferred to insult one another by attacking each other’s sexual prowess or the sexual conduct of their female family members: “cuckold” (orig. *becco*) and other allegations of cuckoldry are also prominent in the studies of primary sources as well as “son of a whore” (orig. *fiol de putana*).¹³⁶⁸ For example, two sailors, Benedict Sacerna and Peter Scarpa, met underneath the loggia by the coast of Poreč (the very same place where the altercation between Martin and Christopher began). Unfortunately, the precise overture to this play

¹³⁶² The literature on masculine and feminine honor is also abundant. A concise and penetrative analysis, based on case studies drawn from Early Modern Venetian *Terraferma*, is featured in Povolo, *L'intrigo*, 356–62 for women and 362–374 for men.

¹³⁶³ Banić, “*Irato animo*: appendix,” cases 1, 2, 4, 6, 15 and 19.

¹³⁶⁴ Patoto argues that the phrase “significava accusarlo di mentire attraverso l’organo che, per metonimia, indicava uno dei sette vizi capitali, era stato il primo peccato dell’uomo ed era, anche per il senso comune, la quintessenza stessa della mancanza di misura e controllo.” Patoto, “‘Mentire’,” 168–169.

¹³⁶⁵ Gauvard, “*De Grace especial*,” 717; Lesnick, “Insults,” 77; Dean, *Crime and Justice*, 114 and 116 for a vivid example of the insult at work. See also Vručina, “Uvreda i fama,” 50.

¹³⁶⁶ For “poltron” see Banić, “*Irato animo*: appendix,” cases 7 and 20. For “traitor,” DAP, Poreč, Atti del podestà, fol. 264v, reporting how a John from Vrsar screamed after Mathew and John from Hum “Ei traditor! Tu ha assassina mio fio!” On the insult “traitor,” see also Lauro Martines, “Ritual Language in Renaissance Italy,” in *Riti e rituali nelle società medievali*, ed. Jacques Chiffolleau, Lauro Martines, and Agostino Paravicini Bagliani (Spoleto: Centro italiano di studi sull’Alto Medioevo, 1994), 60–61.

¹³⁶⁷ For “ribaldo,” see Banić, “*Irato animo*: appendix,” cases 11, 12 and 20. For “bastard,” DAR, Buzet, Atti del podestà 1/1, fol. 125r reporting how Ianus Codeya insulted Sfetina Tramontana at the gates of Buzet by telling him “Va cativo bastardo!” Two insults were combined when Peter Talzich attacked Sfetina Tramontana in Buzet, calling him “poltron e ribaldo.” See Banić, “*Irato animo*: appendix,” case 20.

¹³⁶⁸ See Banić, “*Irato animo*: appendix,” cases 13 and 15.

cannot be determined, but the two men knew each other as both worked as helmsmen (orig. *pedoti*) and they both initially sat next to each other to share a meal. Even though the exact trigger of the conflict is not recorded, act two of the play commenced with Benedict calling Peter “a great cuckold because men sleep with his wife.” Peter uttered a classic insult: “You lie in your throat!” The ritual of confrontation progressed in a standard sequence from there.¹³⁶⁹ A twist on this theme of offending the women of one’s man family is an insult hurled on the streets of Buzet when Sfetina Tramontana called Peter Talzich “a son of priest,” inferring his mother’s sexual infidelity and promiscuity.¹³⁷⁰

These insults demonstrate what constituted ideal masculinity in the minds of late medieval Istrians: courage, integrity, honesty and sexual potency combined with taking care that the women of their family behave properly. Thus, common insults were aimed at attacking precisely these ideal traits. Consequently, “just anger” had to arise from these *parvipensiones* in order to vindicate one’s *excellencia*.

Conversely, when women played a role in the play of conflict the insults flung at them—either by other women or by men—regularly attacked different traits, mainly their chastity, fidelity and sexual morality. Virtually the only insult uttered in this context is “whore” (orig. *putana* or *meretrix*), coupled with various allegations of their sexual misconduct. For example, a salvo of insults was fired on the street of Buzet in an altercation involving Jelena, the wife of master Vidus from Ljubljana, and Ambrig the shoemaker. This is also one of the cases in which the overture remains a hidden transcript, but whatever set off the ritual of confrontation, the insults that marked act two of the play were exemplary of invectives attacking man’s and woman’s honor respectively. According to Ambrig, it was Jelena who started with the insults, calling him “a son of a rotten whore.” The shoemaker was quick to retaliate by calling the woman “a whore and a donkey.”¹³⁷¹ The ritual finished there and Jelena launched a formal accusation to the podestà, demanding justice for the suffered insults.

Another illustrative example of women’s anger at work also comes from Buzet. Malgarita accused Agnes Muta for calling her a *meretrix* and demanded justice from the podestà of Buzet. When Agnes came to defend herself, she did not deny the deed, proclaiming how she saw the very

¹³⁶⁹ DAP, Poreč, Atti del podestà, fol. 281r, edited *in extenso* in Banić, “*Irato animo*: appendix,” case 15.

¹³⁷⁰ DAR, Buzet, Atti del podestà 1/1, fol. 136v, edited *in extenso* in Banić, “*Irato animo*: appendix,” case 20.

¹³⁷¹ DAR, Buzet, Atti del podestà 1/1, fol. 148r, edited *in extenso* in Banić, “*Irato animo*: appendix,” case 13.

Malgarita underneath a blanket with her cousin Jacob Flegovich. The judicial records, however, reveal the entire story, including the overture. Namely, Malgarita first accused Agnes' son of damaging her fields with his lambs. This was the overture that jumpstarted act two of the play as Agnes quickly retaliated by attacking Malgarita's reputation, telling everyone how her "legs were tied" with her cousin.¹³⁷² With this insult, Agnes simultaneously tarnished Malgarita's honor while augmenting the reputation of her cousin, for sexual promiscuity was a highly regarded masculine trait.¹³⁷³ More importantly, the accusation of sexual promiscuity threatened to diminish Malgarita's *fama*—a notion that functioned as a judicial category because the depositions done by *persone male fame* held much less sway in the courtroom than those presented by those of good repute.¹³⁷⁴

An insult somewhat unique to Istria is a type of verbal attack based on one's perceived socio-linguistic background. Namely, two brawls featured a first act whereby one of the actors insulted another by calling him a "Slav." The already introduced confrontation between the sailors Benedict and Peter that took place beneath the loggia of Poreč featured this very insult in act two of their play: "Fucking *Schiavo*!" was the curse uttered by Benedict before he hit his colleague with a loaf of bread.¹³⁷⁵ Another example of this invective at work is the previously discussed brawl between Anthony the Slav from Zadar and George Niger of Corfu that took place at the harbor of Rovinj.¹³⁷⁶ The two sailors worked on a ship captained by Micheletto Galvani and their overture began as the ship docked. Although the sequence of events is difficult to reconstruct based on summary and contradicting depositions, it seems that George took issue with Anthony's handling of the anchor. At that point, the sailor from Corfu uttered the words: "What are you doing Slav?!"¹³⁷⁷ Even though Anthony's byname was Slav, he immediately understood that the utterance was channeled through anger and came in the form of an insult.¹³⁷⁸ Thus, the Zadran

¹³⁷² DAR, Buzet, Atti del podestà 1/1, fol. 126v, edited *in extenso* in Banić, "*Irato animo*: appendix," case 14.

¹³⁷³ "Se infatti nella donna il ritegno e l'atteggiamento riservato costituivano implicitamente i segni esteriori della propria purezza sessuale, nell'uomo le caratteristiche della sua mascolinità, quali il coraggio e la potenza sessuale, dovevano essere manifestate apertamente, altrimenti il suo onore sarebbe stato messo in discussione." Povoletto, *L'intrigo*, 362.

¹³⁷⁴ On *fama* as a judicial category, see Thomas Kuehn, "Fama as a Legal Status in Renaissance Florence," in *Fama*, 27–46, esp. 30–31.

¹³⁷⁵ "Que Benedictus postquam cenavit dicens: 'Schiavo futuo!' Et admenavit de uno pane." Banić, "*Irato animo*: appendix," case 15.

¹³⁷⁶ DAR, Rovinj, Atti del podestà, fol. 54v–55r, edited *in extenso* in Banić, "*Irato animo*: appendix," case 16.

¹³⁷⁷ According to Anthony: "Verum esse quod erat in navigio, et aptabat angollum. Et dictus Georgius existens in terra exclamabat dicendo: 'Quid facis Sclabone?'" Banić, "*Irato animo*: appendix," case 16.

¹³⁷⁸ This is reflected in the wording of Anthony's defense: "Et credendo dicto Georgio quod ei diceret iniuriam dictus Antonius." Banić, "*Irato animo*: appendix," case 16.

retaliated: “Damned be who awaits you at home!”¹³⁷⁹ This was enough for George, obviously Anthony’s superior at Galvani’s ship, to unleash a barrage of insults and threats: “Oh treacherous Slav! I will kill you and throw you in the water!”¹³⁸⁰ At first, Anthony yielded, kneeling in front of George, kissing his feet and asking forgiveness; George, however, would have none of it as he began pounding away at his inferior with a wooden club, opening a third act of the conflict drama.¹³⁸¹

Act 3: Direct violence

Finally, the third stage of the conflict involves physical violence and bloodshed, usually ending by way of external intervention. It must be noted that only a percentage of all the rituals of conflict reach this final act. For example, out of total of fifty-seven conflicts recorded in Poreč, thirty-nine ended in direct violence; in Buzet there are thirty-nine recorded confrontations, but only fifteen of them progressed to the final act of the play; whereas in Rovinj, where only a total of eleven court cases survive for the entire fifteenth century, ten out of ten registered confrontations ended in physical violence. This part of the act is also highly gendered as there is not a single record of women ever progressing the ritual of conflict to its final stage in the investigated primary sources—anger channeled through physical fighting was obviously a performance reserved exclusively for men.

The attacks featured in this phase include strikes of various kinds, pulling by the hair, dragging one to the ground, stomps and the use makeshift weapons: most prominently rocks, but also bottles, pieces of wood, kitchen cutlery and tools of various sorts. Again, the conflict between Martin and Christopher nicely exemplifies the variety of attacks that could be featured in act three of such plays: Martin ended act two with an attempted slap, Christopher responded by drawing a bread knife that he had underneath his robes; in the end, the knockout blow came from a hurled rock.¹³⁸² Since communal statutes banned the carrying of weapons inside the city walls, the actors

¹³⁷⁹ According to George: “Antonius Sclabonus marinarius dixit sibi: “Mal viazo chi in cha’ ve aspeta!” Banić, “*Irato animo*: appendix,” case 16.

¹³⁸⁰ “[D]ictus Antonius venit ad navigium et cepit sibi dare de uno ligno super brachiis et spatullus dicendo: “O Sclabone proditor! Ego interficiam te et proiciam te in aqua!” Banić, “*Irato animo*: appendix,” case 16.

¹³⁸¹ “Dicens etiam dictus Antonius, quod semper pettebat quod dimiteret stare amore Dei, et ter proiccit se contra eum genibus flexis osculando pedes illius, ut dimitteret eum stare, qui numquam voluit sed dicebat: “Sclabone vollo interficere te!” Banić, “*Irato animo*: appendix,” case 16.

¹³⁸² Banić, “*Irato animo*: appendix,” case 1.

performing act three of this play had to get creative.¹³⁸³ This creativity with which everyday objects could be repurposed as weapons comes to full display in the brawl between Benedict Sacerna and Peter Scarpa. As was noted, the two men began quarreling while dining together underneath the civic loggia of Poreč. Right after the insult “you fucking *Schiavo!*” was hurled, Benedict smacked Peter with a loaf of bread in the head. Peter retaliated in the same fashion and the ensuing “bread fight” left Benedict bloodied and with an open wound on his head.¹³⁸⁴ Sometimes, however, strikes from such improvised weapons incurred much more grievous injuries. Christopher was fortunate enough that a rock he hurled at Martin’s head did not seriously harm his opponent. John the Slav was not so lucky. In a brawl that broke out over gambling in Piran, John fired a rock at Maliz the Slav that hit him straight in the head, cracking his skull and leaving him dead on the spot.¹³⁸⁵

A strike that enjoyed a special status was a slap (orig. *alapa*), an attack that had the most pronounced disciplinary function and as such greatly diminished the honor of its unfortunate recipient.¹³⁸⁶ Even some Istrian statutes had special articles dedicated exclusively to this particular hit: a fine of twenty pounds of Venetian pennies for anyone daring to strike someone “with a slap or slaps that is called *poglušnica* in Slavic” is prescribed by the statute of Labin.¹³⁸⁷ This was the strike that started act two of a tavern brawl in Novigrad, and the one that ended the entire performance. Stephan did not hide the fact that he slapped Martin as he proudly admitted to doing so due to the spilling of the wine; Martin, however, hid the fact that he was slapped and simply reported being hit.¹³⁸⁸ Since the final podestà’s verdict is not preserved, it remains unknown whose version of the strike was eventually recorded in the officially promulgated judgment that was read aloud, in *volgare*, in the town’s square “to everyone’s knowledge”.¹³⁸⁹ Did the rector’s chancellor

¹³⁸³ E.g. Zjačić, ed., *St. Poreč*, 156–157, book 3, article 36: *De pena portantium arma per civitatem Parentii*; Kandler, ed., *St. Rovinj*, 102, book 3, article 5: *Che non si possi portar arme*; Pahor and Šumrada, eds., *St. Piran*, 262–63, book 2, article 19: *De portantibus arma in die vel in nocte*. The statutes of Buzet and Novigrad do not contain such a rule. Cf. Lonza and Poropat, eds., *St. Buzet*, 334, article 22: *De insultu facto cum armis*; Jakov Jelinčić and Nella Lonza, eds., *St. Novigrad*, 464, articles 7–8.

¹³⁸⁴ Banić, “*Irato animo*: appendix,” case 15.

¹³⁸⁵ SI PAK PI, Piran, Cathaverii, vol. 1, fol. 210r–v, edited *in extenso* in Banić, “*Irato animo*: appendix,” case 28.

¹³⁸⁶ Pertile, *Storia del diritto*, 5: 591–92.

¹³⁸⁷ “[S]i quis percuteret aliquem alapam vel alapas que Sclavonice dicitur poglusniza per iniuriam unam vel plures in castro Albone, solvat et solveat pene nomine facta querela coram rectoribus libras XX Venecialium parvorum. De Franceschi, ed., *St. Labin*, 210, book 3, article 31. The word *poglusniza* comes from Croatian adjective “gluh” meaning deaf. Thus, *poglušnica* would literally translate to a strike that makes one deaf.

¹³⁸⁸ Banić, “*Irato animo*: appendix,” case 7.

¹³⁸⁹ This practice is known from the acts of podestàs of Buzet, Poreč and Rovinj. E.g., “Lata, data et sententialiter promulgata fuit suprascripta sententia et condemnatio corporalis per prefatum dominum potestatem, et vulgarizata et lecta per me Iohanem de Parentio notarius et cancelarius suum, currentibus annis Domini MCCCCXXXIII, indictione

make it known to the public that Martin yielded to a slap? Or was it decided to spare the accuser of further damage to his honor by omitting this detail from the official verdict? For example, the podestà of Buzet Simone Ferro and his chancellor John from Oderzo were not so considerate toward those who yielded to an *alapa*: the official verdict that was read aloud on the square of Buzet contained this very detail, how Sfetina Pecarich slapped Iuan Codeya who, in turn, did not retaliate.¹³⁹⁰

Researchers studying rituals of conflict in medieval Italy and elsewhere showed that in those cases where weapons had been drawn, the strikes would usually come from the hilts, not the blades.¹³⁹¹ Thus, the point was not to seriously injure or even kill one's opponent, but simply to hurt them to the point where they would yield. This practice is also attested in Istria. For example, Preto Peio hit Dominic with a hilt of his javelin and then proceeded to threaten to pierce him in an effort to make him flee.¹³⁹² There were, however, plays in which the actors deviated from the script. Anthony the Slav pierced the chest of his assailant in the heat of the battle, leaving George Niger bleeding on the ground and in danger of losing his life.¹³⁹³ A drunk Jacob from Senj sliced open the neck of Simon with a bread knife, nearly killing his gambling partner.¹³⁹⁴ Finally, a tavern brawl in Rovinj resulted in a Martin of Shkodër piercing a Dussa from Albania five times with a sword, fatally injuring his opponent.¹³⁹⁵

The analyzed primary sources reveal that there were certain men who were much quicker to escalate the play to its final act than other. For example, a Vanto de Gravisi—the father of Niccolò, the future marquis of Petrapilosa—did not hesitate to seriously beat people up in the taverns of Piran even for the slightest acts that he decoded as *parvipensiones*, such as putting hands on his jug of wine.¹³⁹⁶ In Poreč, a John de Luna was particularly aggressive in his performances of

XI, die XVIII septembris, presentis ser Nicolao quondam ser Andree, ser Adamo quondam ser Antonii, Iohanem quondam Thome, et alliis multitudine copiossa." DAR, Rovinj, Atti del podestà, fol. 67r.

¹³⁹⁰ "Nullis aliis verbis sequitis, [Sfetina] admenavit unam alapiam super fatiem dicti Iuani." DAR, Buzet, Atti del podestà 1/2, fol. 7r.

¹³⁹¹ E.g. Dean, *Crime and Justice*, 169.

¹³⁹² "[C]um trunco gavarine admenavit et iunxit dictum Dominicum super speltum. Postea cum punctis gavarinarum ostendebant eis per modum quod oportuit eis retrocedere." Banić, "*Irato animo*: appendix," case 4.

¹³⁹³ Banić, "*Irato animo*: appendix," case 16.

¹³⁹⁴ Banić, "*Irato animo*: appendix," case 10.

¹³⁹⁵ DAR, Rovinj, Atti del podestà, fol. 66v–67r. Only the verdict is recorded and it is edited *in extenso* in Banić, "*Irato animo*: appendix," case 29.

¹³⁹⁶ E.g. "Vantum Andree de Gravisi, quia percussit Petrum de Segna famulum Petri ser Pertogna pluries de pugilo quod exivit ei sanguis per nasum et horem, condenatus in libris III." SI PAK PI, Piran, Cathaverii, vol. 1, fol. 3v. "Vantum quondam Gravissi de Pirano, quia percussit Antonium de Lorso de Glugia habitatorem Venetiarum cum

anger, cracking the faces of his opponents and even trying to impale them on a spear for the slightest deeds that he decoded as injurious to his honor. For example, he punched, dragged to the ground and stomped a Dominic de Lutter in a tavern in Poreč for an undisclosed reason.¹³⁹⁷ Moreover, as several people danced in a tavern in Poreč, a John the carpenter slipped and “slightly touched” De Luna. This was a good enough overture for De Luna not only to initiate the ritual of confrontation, but to catalyze it directly to act three of the play as he punched the carpenter in the face, leaving him bleeding from this mouth.¹³⁹⁸ Finally, a Matthew de Facina publicly accused John de Luna in front of the gates of Poreč that he unlawfully took his oxen to pasture to an off-limits field. John promptly replied that he indeed had a license from the podestà himself granting him access to this particular grazing field. Matthew apologized, but for De Luna the damage was already done. John quickly began insulting Matthew and soon escalated the play to act three by throwing a rock at him and perusing him with a spear.¹³⁹⁹

De Luna’s counterpart in Buzet was Sfetina Tramontana, another man who particularly aggressively defended his honor and maintained his *fama*. Unlike De Luna, however, Sfetina followed the script more closely; if the opponent relented in the phase of indirect violence, Sfetina would not progress the play to act three. Thus, in a verbal altercation with Iuan Codeya, Sfetina was quick to draw a sword and dare his opponent to face him. When Iuan failed to do so, the play ended in its second act.¹⁴⁰⁰ However, when the opponent was ready to play along, Sfetina’s attacks were brutal. Thus, when Sfetina and Primus Pengarich met in a tavern, the two began arguing over each other’s animals. According to Sfetina, it was Primus who first approached him, telling him how his pigs and chicken were damaging his property and that he wanted a share of their meat once they were brought to slaughter. According to Primus, Sfetina replied with a threat: “Someone has broken my cockerel’s leg. If you happen to know who did it, I would like to break his leg,”

pugno super faciem sinistram cum sanguinis efluxione uno vulnere, quia exportaverat certos denarios vini quod biberat in taberna, condenatus in libris decem parvorum.” SI PAK PI, Piran, Cathaverii, vol. 1, fol. 19v.

¹³⁹⁷ DAP, Poreč, Atti del podestà, fol. 252v, edited *in extenso* in Banić, “*Irato animo*: appendix,” case 17.

¹³⁹⁸ DAP, Poreč, Atti del podestà, fol. 259r, edited *in extenso* in Banić, “*Irato animo*: appendix,” case 18.

¹³⁹⁹ DAP, Poreč, Atti del podestà, fol. 294v, edited *in extenso* in Banić, “*Irato animo*: appendix,” case 19.

¹⁴⁰⁰ From the accusation: “Ianus Codeya habitator Pingeunti constitutus in cancellaria Comunis qurellanter exposuit quod dum die suprascripto [XXII septembris, 1457] fuisset ad portam parvam, ubi fuit custodie, et ibi sederet Sfetina Tramontana, qui ibi erat dicere habuit dicto Iuano querellanti: ‘Vuodo la mia chaxa!’ Qui Iuanus respondit: ‘Nihil habeo agere cum ista domo.’ Dicendo dictus Tramontana versus dictum Iuanum: ‘Va cativo! Vai zo!’ Et dictus Iuanus respondit dicto Tramontana: ‘Va cativo bastardo!’ Nullis aliis verbis, cepit unum gladium et voluit dare dicto Iuano, dicendo: ‘Io te amazero ti, o tu me amazera mi!’ Quare petit per vos magnificum dominum potestatem procedi debere secundum quod iustitia postulat et requirit.” DAR, Buzet, Atti del podestà 1/1, fol. 125r (accusation, defense, and the testimony of a witness); DAR, Buzet, Atti del podestà 1/2, fol. 191r (podestà’s verdict).

indirectly accusing Primus and threatening him. The transcripts do not record the words that were uttered after this exchange, but act three was ushered in with Primus punching Sfetina in the nose. At this point, Tramontana unsheathed a sword, ready to aggressively avenge this affront to his honor. The brawl that ensued saw Sfetina brutally massacre Primus, slicing him open in two different places and leaving him bloodied on the floor.¹⁴⁰¹

The biographies of particularly aggressive men such as John de Luna, Vanto de Gravisi and Sfetina Tramontana illuminate another aspect of the ritualized performance of anger. Namely, by overplaying their parts in conflict plays—by overreading social interactions with the intent of finding *parvipensiones*, by rushing to progress the play into new acts and, finally, by acting out the phase of direct physical violence with vicious brutality—these men were actively upholding their *fama*, grooming their reputations as “men not to be messed with.” This was not an easy task to accomplish. First, to uphold their reputation as “tough guys,” they had to continually perform their anger publicly and readily take part in rituals of conflict because *fama* has to be regularly “fed”.¹⁴⁰² Second, they had to walk a fine line between seriously beating up their opponents and actually killing them; their anger had to be carefully managed, its bursts controlled, lest they end up banished and/or sentenced to death by the Venetian authorities. Finally, they had to count on being reported to the podestà who would regularly punish their behavior with a monetary fine, an expense that they had to be able to cover in order to keep their reputation intact. Thus, the *fama* of a “guy not to be messed with” was gained through the performance of anger, but it came with an upkeep, a veritable “tax” on those (over)demanding honor. Sfetina, for example, failed to pay for this upkeep as the fine of twenty-five pounds of pennies for butchering Primus remained unpaid.¹⁴⁰³ Venetian officials decided not to deal with the matter legally by sequestering his assets, but by way of other, extrajudicial methods at their disposal. One day, as Sfetina was relieving himself by the small gates of Buzet, two men serving in the retinue of podestà Simone Ferro—Niccolò Ferro and squire John Grando—picked the local browbeater up and tossed him in a ditch.¹⁴⁰⁴ Sfetina suffered a broken leg from the fall and he even launched an official accusation

¹⁴⁰¹ DAR, Buzet, Atti del podestà 1/1, fol. 149r–149v, edited *in extenso* in Banić, “*Irato animo*: appendix,” case 21.

¹⁴⁰² Fenster and Smail, “Introduction,” 4.

¹⁴⁰³ This is known from the fact that the official verdict is not crossed out and there is no note on the margin specifying the day the podestà received the money. Since the notes on the margins of this manuscript date deep into the late 15th century, it is clear that Sfetina did not pay the fine.

¹⁴⁰⁴ Here is the entire accusation, the only recorded part of the lawsuit that, as it seems, was never processed: “Die 24 mensis novembris. Ser Sfetina Tramontana, existens in domo in lecto super palmento, presente Marcho Victoris iudex et me cancellario, denunciavit et cum querella acusavit nobilem dominum Nicolaum Ferro et Iohannem Grando,

against the two men with podestà Ferro, but most importantly, he suffered a tremendous blow to his *fama* as he could not cash the check his anger had been writing.

Epilogue: Podestà's Office

Finally, some performances of anger end with an epilogue: a legal process adjudicated by the delegated Venetian podestà. It should be noted that only a percentage of all such dramas of conflict end with the rector's involvement; whether that percentage constitutes a minority or the majority of all such rituals of confrontation is impossible to ascertain. However, the fact that a number of court cases involving interpersonal violence began not by an accusation from one of the parties involved in the brawl, but by a denunciation of either a communal feldsher or one of the members of the podestà's retinue, leads to the conclusion that a considerable percentage of anger-driven scuffles concluded without any involvement of the incumbent Venetian rector.¹⁴⁰⁵ Thus, the performances that did end up being reviewed by the delegated podestàs constitute what Eduardo Grendi dubs "exceptionally normal" cases: they were extraordinary in some aspects—otherwise they would not have been presented in front of the podestà, recorded in writing and adjudicated—, but they were embedded within workaday interactions of ordinary people in a quotidian setting.¹⁴⁰⁶

Since the only types of rituals of conflict available to historians' analyses are precisely these "exceptionally normal" cases, it should be borne in mind that there was always an element in each of them that in some way, to a greater or lesser degree, deviated from the standard script of performing anger. For example, those cases that were denounced to the podestà by the members of his retinue or by the communal officers regularly involved a deviation in terms of the gravity of the incurred physical injuries. Venetian law obliged the communal doctors to report all grave wounds deemed to be the result of violence to the civic authorities, and this was heeded in Venetian

armigerum domini Christofori de Tolemino, in eis, de eis, et super eis quod dum dictus Sfetina ivisset mingendum, prout faciant homines sub porta parva, et ibidem invenisset dictos ludentes, ambo ceperunt dictum Sfetinam querellantem et proicerunt ipsum Sfetinam deorsum <ex quadam rippa>, ex quo dictus Sfetina fracta fuit sibi una tibia. Quare petit iustitiam et hoc probare intendit per Perosam Margonich, ser Martinum Persich, Martinum Persich (sic, two times), Chirinum Berenich." DAR, Buzet, Atti del podestà 1/1, fol. 171v.

¹⁴⁰⁵ For example, from a total of 57 verdicts regarding various types of interpersonal violence promulgated by the podestà of Poreč, 11 were denounced by communal officials.

¹⁴⁰⁶ Grendi, "Micro-analisi," 512.

Istria as well.¹⁴⁰⁷ This is, for example, how the legal process between George Niger from Corfu and Anthony the Slav from Zadar commenced in Rovinj.¹⁴⁰⁸ Processes that were started by an involved party's formal accusation, however, could involve a variety of perceived deviations: the gravity of offenses that were believed to be disproportionate to the *parvipensio* could be one of the reasons, but more often than not, the main motive behind a personal accusation would lay in the perceived deviation from the very script. Virtually all the accusations brought by the actors of the play themselves feature the line "no other words exchanged" or "without showing any respect," thus implying that the "rules of the game" were broken and that the physical (or verbal) assault came out of thin air—unjustly.¹⁴⁰⁹ It is only when the defense and witness testimonies are heard that the personal assault in the vast majority of these cases assumes the contours of the standardized ritual of confrontation.

Thus, it was the podestà's job to evaluate and discern which of those cases played out according to the script and which of them did not; which of them vindicated the *parvipensio* appropriately and which of them involved a disproportionate amount of violence. For example, a mundane bar brawl such as that between Martin from Ljubljana and Stephan Bresanus in Novigrad had all the elements of the classic ritual of confrontation: the *parvipensio*, the verbal insult (*poltron*) and the physical violence (*alapa*) that ended the performance. Yet, Martin, the loser of the confrontation, presented the case as Stephen's violent attempt to unlawfully take away his jug of wine coupled with a strike that came out of nowhere. It was only when Stephen's side of the story was heard that it became clear that the case in point was in fact a standard performance of anger in a conflict play. The podestà, however, had to decide which story to back up. In the end, it was Stephan who was found guilty and condemned to a fine of two pounds. Thus, physical violence, interpreted as detrimental to public order, was punished and Martin got his *vindicatio* through the rector's administration of justice.¹⁴¹⁰ Whether Martin's honor and *fama* were revindicated in front of his fellow citizens of Novigrad is doubtful, especially if bearing in mind

¹⁴⁰⁷ Cessi, *Deliberazioni del Maggior Consiglio*, 2: 268. See also, Guido Ruggiero, "The Cooperation of Physicians and the State in the Control of Violence in Renaissance Venice," *Journal of the History of Medicine and Allied Sciences* 33, no. 2 (1978): 156–66, here 158.

¹⁴⁰⁸ Banić, "*Irato animo*: appendix," case 16.

¹⁴⁰⁹ Cf. for example, the wording of Gregory's accusation against Paul Trscanovich: "[S]ic ludendo, [Gregorius] volebat trahere ad se postam, quia vicerat et valent acciperat postam ad se, et magister Paulus – nullis aliis verbis – admenavit con pugno super fatiem et cum pedibus super persona ipsius querellantis." However, the defense and witness testimonies tell a different story. Banić, "*Irato animo*: appendix," case 8.

¹⁴¹⁰ Banić, "*Irato animo*: appendix," case 7.

the words of the jurist Paolo de Castro on what kind of men leave personal matters in the hands of the judges.

The adjudicated fine illuminates another important aspect of these public performances of anger. Namely, the penalty was very low, less than half of that prescribed by the communal statute.¹⁴¹¹ The same trend is evident in Poreč, Rovinj and Buzet as well: those cases where the podestà discerned that the confrontation went down according to the script—that a *parvipensio* justified a retort, that this vindication began with verbal insults and only then progressed to violence that was, in turn, proportionate to the attack on one's honor—the adjudicated fines were minimal, almost symbolic. For example, Simone Ferro regularly punished the actors who first opened acts two or three of the play with either one or two pounds of pennies respectively. Out of thirty-nine rituals of confrontations, only four were punished with a fine greater than three pounds and the only fine exceeding five pounds was Sfetina's sentence of twenty-five pounds of pennies for nearly killing Primus. The statute of Buzet prescribed much heftier fines, ranging from four pounds for verbal offences to sixteen pounds for various attacks.¹⁴¹² Thus, a "standard tariff" was at play: if the drama ended with act two and the cases ended up on the podestà's desk, the actor who propelled the ritual to this phase of indirect violence was punished with one pound of pennies; if the play ended with physical violence that was proportionate to the *parvipensio*, the actor who initiated act three would be punished with two pounds of pennies. A similar tariff was at work in Novigrad and Poreč—possibly even in Rovinj, although this is difficult to ascertain due to the quantity of surviving primary sources—with the only exception that Poreč was a bit "more expensive" than the other two: performers who stopped at act two were punished with one or two pounds, whereas those that propelled the play to act three incurred a pecuniary fine ranging from three to five pounds of pennies. The differences in tariffs can be ascribed to different standards of living and overall economic standing of the citizens of these two communes, but the fact remains that a tariff was at work that featured much more lenient fines than those prescribed by the communal statutes.¹⁴¹³

¹⁴¹¹ Namely, five pounds of pennies for an attack without weapons and without shedding blood. Lonza and Jelinčić, eds., *St. Novigrad*, 462, book 6, article 4.

¹⁴¹² Lonza and Poropat, eds., *St. Buzet*, 330, article 15, and 338, articles 27 and 28.

¹⁴¹³ The statute of Poreč does not feature a part dedicated to criminal law as that aspect of justice administration was firmly in the hands of the Venetian delegated podestà. A lone article does state, however, that an attack shedding blood is to be punished with twenty-five pounds of coins. Zjačić, ed., *St. Poreč*, 203, book 3, article 101.

For the sake of proper contextualization of these fines, it must be noted that, for example, in 1444 a contracted fisherman in Poreč received a yearly wage of twelve golden ducats, that is 68 pounds and 8 shillings according to contemporary conversion rates.¹⁴¹⁴ Moreover, a day's work in the fields of the marquises De Gravisi in the district of Petrapilosa next to Buzet was valued at fifteen shillings, thus three quarters of a pound.¹⁴¹⁵ A monthly wage for an unskilled worker in the salt pans of Piran ranged between ten and twelve pounds a month in 1413.¹⁴¹⁶ Finally, skilled professionals such as public notaries and doctors earned significantly more. For example, the Commune of Poreč contracted the services of a doctor Vitus de Cataniis from Urbino, promising him a yearly salary of one hundred golden ducats, that is five hundred and seventy pounds of pennies.¹⁴¹⁷ As for expenses, a jug of wine in a tavern cost a shilling, a bullock in Poreč in 1447 cost sixteen pounds of pennies and a livestock unit such as a sheep or a goat could reach a price of thirty-two shillings.¹⁴¹⁸ Thus, persons who were not considered poor would most certainly be able to afford to pay a fine ranging between one and five pounds of pennies. Consequently, the right to anger was a privilege reserved for those who had the means to pay for it and one is led to believe that the majority of citizens could indeed afford to pay these minimal fines.

Deviations from the Script

The cases that were punished with a fine greater than the “standard tariff” were regularly those that in some way deviated from the script: they skipped an act, avenged an injury disproportionately violently or affronted a person above their social standing.

For example, Andreolo de Luna struck Anthony Claudus from Rovinj with a jug in a tavern in Poreč for an undisclosed reason. According to the accuser and three eyewitnesses, Andreolo said absolutely nothing to Anthony before violently attacking him.¹⁴¹⁹ Thus, the script was not respected and the promulgated fine reflected this deviation: Andreolo was punished with six pounds of pennies.¹⁴²⁰

¹⁴¹⁴ Ladić, ed., *Registri porečkih bilježnika*, 86–87 doc. 52.

¹⁴¹⁵ Zjačić, ed., *Notarska knjiga*, 373–374.

¹⁴¹⁶ Bonin, *Piranske solne pogodbe*, 28, doc. 6.2.

¹⁴¹⁷ DAP, Poreč, Atti del podestà, fol. 33r.

¹⁴¹⁸ Ladić, ed., *Registri porečkih bilježnika*, 97–98, doc. 60, and 159–160, doc. 105.

¹⁴¹⁹ DAP, Poreč, Atti del podestà, fol. 286v, edited *in extenso* in Banić, “*Irato animo*: appendix,” case 22.

¹⁴²⁰ Banić, “*Irato animo*: appendix,” case 22.

Most numerous deviations from the script are those in which the administered physical punishment exceeded the tolerable limits of violence, especially in relation to the suffered *parvipensio*. Sfetina's butchering of Primus for a classic tavern altercation exemplifies this practice perfectly, but there is a multitude of similar, less extreme examples. Thus, in the case of a tavern brawl between Nicholas of Philip and Bastian the Slav that took place in a tavern in Rovinj, the former was punished with a fine of ten pounds and the latter with four pounds of pennies due to the incurred injuries, namely the broken orbital bone that required feldsher's interference.¹⁴²¹ For comparison's sake, a regular tavern brawl in Rovinj was punished with three pounds, similarly to the tariff of Poreč.¹⁴²²

It was already Aristotle who argued that one cannot be angry at their superiors due to the fact that they cannot be gainfully attacked.¹⁴²³ This line of thought was supported by the Venetian podestàs as well in a bid to uphold the existing hierarchies of power and social *status quo*. For example, when Bartholomew the tanner verbally attacked friar Anthony the schoolmaster, this affront was not tolerated in the same manner as other, "standard" performances of anger that ended in act two. Thus, Bartholomew was punished with a fine of ten pounds of pennies, five times higher than the "standard tariff" for *verba iniuriosa*. The podestà's verdict even details the reasoning behind such a high fine: "seeing that friar Anthony is a revered person, we condemn [Bartholomew] in these writings to a sentence of ten pounds of pennies by the virtue of our discretionary power."¹⁴²⁴ Similar was the case of Blaise the son of Tonse Marich who dared to strike his own father with a rock. In essence, this conflict between father and son followed the classic script of the play: Tonse hit a horse on its behind with an axe; Blaise, who was obviously emotionally invested with the horse, saw this action as a *parvipensio* and opened act two by calling his father a fool; the two began arguing and the play ended in act three as Blaise hurled a rock at his father's head.¹⁴²⁵ Thus, a standard tariff would prescribe a fine of either two or three pounds. Blaise, however, was punished with five pounds of pennies, as he dared to attack his superior, his

¹⁴²¹ Banić, "*Irato animo*: appendix," case 9.

¹⁴²² Nicholas of late John got into an argument with Henry of late Mondini over a chest that was thrown in a well. When act two ended, Nicholas hit Henry with a bottle. This classic ritual of confrontation was punished with a fine of three pounds for the man who opened act three, in this case Nicholas. DAR, Rovinj, Atti del podestà, fol. 61v.

¹⁴²³ [N]o one grows angry with a person on whom there is no prospect of taking vengeance, and we feel comparatively little anger, or none at all, with those who are much our superiors in power." Aristotle, "Rhetoric," in *The Complete Works of Aristotle*, ed. Jonathan Barnes, trans. W. Rhys Roberts, The Revised Oxford Translation, 2 vols., Bollingen Series 71/2 (Princeton: Princeton University Press, 1991), 1: 38, book 1. See also, Rosenwein, *Anger*, 194.

¹⁴²⁴ Banić, "*Irato animo*: appendix," case 11.

¹⁴²⁵ DAR, Buzet, Atti del podestà 1/1, fol. 164r–164v, edited *in extenso* in Banić, "*Irato animo*: appendix," case 23.

own father nonetheless. Podestà Simon Ferro explained his reasoning in the publicly read verdict: “moreover, that Blaise hit the said Tonse Marich, his father, deserves to be punished with a much greater fine than if he had hit some other person outside of his household.”¹⁴²⁶

On the other hand, the podestàs supported performances of “just anger”—in Lactantius’ sense of the term, as an emotion arising “in order that discipline be preserved, morals corrected”—directed at one’s inferiors: masters at their servants, husbands at their wives.¹⁴²⁷ Thus, when Martin de Brigna, a servant of Francino from Višnjan, accused his very patron of punching him and hurling a rock at him, the case was processed, but ultimately dismissed. The conflict in fact played out according to the script: Francino began milking Martin’s cow without his permission; Martin decoded the act as a *parvipensio* and approached his master saying “you have made yourself the master of my animals!”; act two ended with Martin putting his hands on a dagger, a threatening gesture; finally, Francino ushered in act three and beat up his servant.¹⁴²⁸ In a standard setting, Francino would be charged for this performance a standard tariff of three to five pounds. However, since he performed anger at his inferior who dared to challenge his better, the case was dropped and Francino was absolved.¹⁴²⁹ Much in the same way, Paul Iedrezich was not punished for beating his wife *irato animo*.¹⁴³⁰ In cases such as these, anger was considered as “disciplining”, and therefore non-detrimental to public order and, consequently, non-condemnable.¹⁴³¹

Finally, some Venetian podestàs upheld a gendered emotionology whereas others did not. For example, the podestà of Buzet Simone Ferro punished Agneta for calling Malgarita a whore with a harsh fine of four pounds of pennies, four times the standard tariff for men.¹⁴³² Interestingly, this practice is not attested in Matteo Gradonico’s administration of justice. This podestà of Poreč

¹⁴²⁶ Banić, “*Irato animo*: appendix,” case 23.

¹⁴²⁷ “Ergo surgimus ad vindictam, non quia laesi sumus, sed ut disciplina servetur, mores corrigantur, licentia conprimatur. Haec est ira iusta; quae sicut in homine necessaria est ad pravitatis correctionem, sic utique in Deo, a quo ad hominem peruenit exemplum.” Lactantius, *De ira Dei / La Colère de Dieu*, ed. Christiane Ingreneau, Sources Chrétiennes 289 (Paris: Cerf, 1982), 180, chap. 17/20. English translation is taken from Sister Mary Francis McDonald, *Lactantius: The Minor Works*, The Fathers of the Church: A New Translation 54 (Washington, DC: The Catholic University of America Press, 1965), 101.

¹⁴²⁸ DAP, Poreč, Atti del podestà, fol. 257v, edited *in extenso* in Banić, “*Irato animo*: appendix,” case 24.

¹⁴²⁹ This is known by way of two facts: first, there is no note on the margin next to the accusation that usually indicates the promulgated fine; second, there is no official verdict in the *Sententie criminalis* section of the book.

¹⁴³⁰ DAR, Buzet, Atti del podestà 1/1, fol. 178v, edited *in extenso* in Banić, “*Irato animo*: appendix,” case 25.

¹⁴³¹ Literature of women’s position in the patriarchal societies of the European Middle Ages is abundant and Istrian communities are no exception in this context. See for example, Ermanno Orlando, “Cultura patriarcale e violenza domestica,” in *Violenza alle donne: Una prospettiva medievale*, ed. Anna Esposito, Franco Franceschi, and Gabriella Piccinni (Bologna: Il Mulino, 2018), 13–36.

¹⁴³² Banić, “*Irato animo*: appendix,” case 14.

punished women charged with *verba iniuriosa* with lesser fines: one pound of pennies instead of the regular two pounds adjudicated to men.¹⁴³³ Even the podestà of Rovinj, who had to adjudicate the lone case of a woman participating in a tavern brawl, did not resort to higher fines to women. Instead he punished Ursa the same way he punished her husband Blaise Pasqualini, with two pounds of pennies. The official verdict did state that the verdict was promulgated in order “to provide an example to other women that they should not and dare not altercate or engage in brawls, which are a cause of great evil, especially with men.”¹⁴³⁴ Thus, gendered emotionology was enforced more rigidly only by some Venetian rectorors.

Anger vs. Hatred

The delegated podestàs differentiated between violence driven by anger and that stemming from a rather different emotion: hatred. Namely, anger was conceptualized as a sudden burst of emotion directed at vindicating a personally suffered injury. As such, one could not be angry at people with whom there was no prior contact.¹⁴³⁵ Thus, when Matthew from Hum and Paul Jacob the shoemaker verbally assaulted Bonaldus from Vrsar in a tavern in Poreč for no other reason than simply for him being from Vrsar, taunting him and his friend with the words “traitors and thieves from Vrsar!” and threatening him with unsheathed daggers, the conflict could not be conceptualized as one performed through anger. Consequently, the podestà’s sentence featured a unique line reserved for such non-anger-driven confrontations: “roused by the devil.”¹⁴³⁶ The adjudicated fine was also a bit higher than the usual tariff for indirect violence, three instead of the standard two pounds of pennies.

Moreover, anger was conceptualized as a momentary burst and the violence committed *irato animo* therefore had to be spontaneous, born on the spur of the moment. Accordingly, if a confrontation featured a premediated assault, it could not be interpreted as a standard performance

¹⁴³³ There are only two such cases: Martina the wife of Mathew Sepich was punished with one pound for insulting master Peter the barber with the insult “you are a son of a whore” (“Magistrum Petrum, qui iniuriabatur dicte Martine, dicendo: ‘Putana!’ Martina respondebat: ‘Tu he ben fio de una putana!’”). *Acta potestatis Parentii*, fol. 244r (accusation and defense), fol. 292r (verdict); and Billoca was punished with the same fine for insulting Colleta, the wife of Raphael the town crier with the insult “traitor.” DAP, Poreč, Atti del podestà, fol. 265r (accusation) and fol. 295r (the verdict).

¹⁴³⁴ Banić, “*Irato animo*: appendix,” case 2.

¹⁴³⁵ “Anger is always concerned with individuals—Callias or Socrates—whereas hatred is also directed against classes: we all hate any thief and any informer. Moreover, anger can be cured by time; but hatred cannot.” Aristotle, “Rhetorics,” 62, book 2, chap. 4; Thomas Aquinas, “Summa theologiae,” 6: 297, part 1–2, question 46, article 7, reply to objection 3.

¹⁴³⁶ DAP, Poreč, Atti del podestà, fol. 301v, edited *in extenso* in Banić, “*Irato animo*: appendix,” case 27.

of anger. For example, both Martin of Shkodër and John the Slav planned their assaults on their victims, waiting for them in ambush with arms in their hands. Such attacks do not fit the profile of anger-driven violence and this was recognized by the podestàs: the official sentences of both men featured the same line as Matthew's verdict: "spiritu diabolico instigato."¹⁴³⁷ Since Martin of Shkodër and John the Slav killed their victims, both men were sentenced to death by beheading.¹⁴³⁸ Even premeditated attempts at violence were punished more harshly. A Francis de Varga planned to assassinate Bertolutto the cobbler and his son Anthony in Poreč for some undisclosed reason, most probably perusing a *vendetta*. He secretly climbed the walls of Poreč at night, but he was caught before he managed to launch his attack. For this premeditated assault, De Varga was banished from Poreč for ten years.¹⁴³⁹ Thus, the Venetian rectors clearly differentiated between violence that resulted in the performance of anger and that which was born from a different emotion, one "much worse and much more grave than anger": hatred.¹⁴⁴⁰

***Irato animo* as a Legal Category**

The very word "anger," however, was rarely invoked in the official records. The contemporary words and phrases for anger—*ira*, *furor*, *irato animo*, *furor ductus*, et cetera—appear extremely rarely in the official records. Interestingly, when they do crop up, they are regularly invoked not by the defendant as is usually the case in other late medieval and Early Modern European regions, but by the accusers.¹⁴⁴¹ For example, Julian from Sisto accused his attacker Andrew of charging at him with a javelin *irato animo*; he certainly did not choose to employ this word in order to alleviate the charges he was pressing against him.¹⁴⁴² This specific use of this emotion word demonstrates that anger was not conceptualized as a mitigating factor in the communities of late medieval Venetian Istria. This was not the case in Venetian *Terraferma* dominions such as Vicenza. There, as was masterfully narrated by Claudio Povolo, anger was

¹⁴³⁷ Banić, "*Irato animo*: appendix," cases 28 and 29.

¹⁴³⁸ In John's case, the sentence was indeed carried out. Martin, however, had escaped from the prison in Rovinj; thus, he was perpetually banished from the town and, if caught, he was to be beheaded. Banić, "*Irato animo*: appendix," cases 28 and 29.

¹⁴³⁹ DAP, Poreč, Atti del podestà, fol. 302r. Only the podestà's verdict is recorded and it is edited *in extenso* in Banić, "*Irato animo*: appendix," case 30.

¹⁴⁴⁰ "Unde manifestum est quod odium est multo deterius et gravius quam ira." Thomas Aquinas, "Summa theologiae," 6: 296, part 1–2, question 46, article 6.

¹⁴⁴¹ Rosenwein, *Anger*, 74–75 for some examples from England and German-speaking lands.

¹⁴⁴² Banić, "*Irato animo*: appendix," case 4.

employed as a legal category in order to mitigate one's punishment for a violent crime.¹⁴⁴³ Thus, when Marcantonio Trissino defended himself in court for the assassination of Giulio Cesare Trissino, his main strategy was to point out that the murder had not been premeditated, but that it had come on the spur of the moment, born out of an explosive outburst of anger when he laid his eyes on his father's murderer.¹⁴⁴⁴ In the end, anger was indeed recognized as a mitigating factor and Marcantonio was not sentenced to a capital punishment, but merely confined to Bergamo for four years and banished from all the lands between Mincio and Piave—a sentence that was ultimately lifted by the Venetian *luogotenente* of Friuli.¹⁴⁴⁵

Marcantonio's defense would not work in 15th-century Venetian Istria. The lone example of the phrase “out of anger” used in someone's defense in an attempt at exculpation comes from Therus de Maure, but even here the invocation of this syntagm backfired as the man ended up sentenced to a fine greater than the one prescribed by the standard tariff: ten pounds instead of the standard three for a petty brawl; the podestà even explicated his stance: “considering the great contumacy of the said Therus, who so angrily and disgracefully hit the aforesaid [Marin].”¹⁴⁴⁶ Therefore, accusing someone of acting *irato animo* was much more often conceptualized not as a mitigating, but as an aggravating factor. That is, anger was seen as an emotion erupting only in those cases where the performance deviated from the script. In this way, the conceptualization of anger in late medieval Istria came close to the view of Pseudo-Chrysostom who argued that “[a]nger with cause is not anger but judgment.”¹⁴⁴⁷

Ultimately, however, it was in the podestà's discretion to decide whether the ritual of confrontation was played by the script or not. For example, Jacob de Facina accused Mathew Boldon of indirect violence, threats and insults, and one of the eyewitnesses produced by the accuser confirmed that “the said Matthew came at that instant and *irato animo* insulted the said sir Jacob with many dishonorable words.”¹⁴⁴⁸ Upon reviewing the entire episode and hearing

¹⁴⁴³ Claudio Povo, *Furore: Elaborazione di un'emozione nella seconda metà del Cinquecento*, Nordest nuova serie 145 (Verona: Cierre, 2015), 33–49.

¹⁴⁴⁴ Povo, *Furore*, 94, 98. Giulio Cesare murdered Ciro in front of his son Marcantonio who was at the time around twelve years old. Povo, *Furore*, 63–65.

¹⁴⁴⁵ Povo, *Furore*, 49.

¹⁴⁴⁶ Banić, “*Irato animo*: appendix,” case 5.

¹⁴⁴⁷ “Iracundia quae cum causa est, non iracundia est, sed iudicium.” Pseudo- Chrysostom, “Opus imperfectum in Matthaeum,” in *Patrologiae cursus completus: Series Graeca*, ed. Jacques-Paul Migne, vol. 56 (Paris: Migne, 1862), col. 690, homilia 11.

¹⁴⁴⁸ DAP, Poreč, Atti del podestà, fols. 279v–280r. The records of the case are edited *in extenso* in Banić, “*Irato animo*: appendix,” case 26.

Mathew's defense, the podestà discerned that this was in fact a textbook example of a ritual of confrontation that stopped in its second act: Jacob was caught slandering Mathew by bringing up the sad state of his olive groves, Jacob heard him, interpreted the act as a *parvipensio* and launched a counterattack in the form of indirect violence.¹⁴⁴⁹ Since the ritual did not progress beyond the second act, Mathew was punished with a standard fine of two pounds of pennies regardless of the fact that the verdict parroted how he threatened the accuser *irato animo*.¹⁴⁵⁰ Similar is the case in which Paul Iedrezich was accused of beating his wife and his brother *irato animo*. When the podestà had heard Paul's defense and the eyewitness accounts, he concluded that Paul had not struck his brother, but only beaten his wife. Therefore, he was acquitted of the charges as his *ira* was conceptualized as "a righteous one."¹⁴⁵¹ Thus, whether or not the emotion word had been uttered in the court, it was ultimately up to podestà to decide whether the performance of anger had been enacted "according to reason" or not.

Venetian-delegated rectors played a seminal role in the performances of anger and rituals of conflict in the communes entrusted to their administration: as these officials were alone in charge of adjudicating the cases of interpersonal anger-fueled conflicts, by deciding in which cases the anger was "just" and in which it was not, they were effectively directing these plays. Through their promulgated fines, the rectors upheld a specific emotionology: violence channeled through anger was always punished if the action had been performed between people of equal status; it was punished more harshly if one dared to attack their better; and it was wholly tolerated if one was "disciplining" those socially beneath them. If violence was deemed disproportionate to the suffered injury, especially if cold weapons were used and blood was shed, the pecuniary fines were high, discouraging people from performing anger "more than right reason demands."¹⁴⁵² However, those cases that were judged as "played according to the script"—the majority of them—were punished with very small, symbolic pecuniary fines. This leniency reveals that the apparent intolerance toward this emotion was but a thin veneer masking a more open attitude toward *ira* and its role in upholding social hierarchies and order. Thus, the conflicted attitude toward anger emerges in late

¹⁴⁴⁹ Banić, "*Irato animo*: appendix," case 26.

¹⁴⁵⁰ Banić, "*Irato animo*: appendix," case 26.

¹⁴⁵¹ Banić, "*Irato animo*: appendix," case 25.

¹⁴⁵² "Et sic potest malum in ira inveniri: quando scilicet aliquis irascitur plus vel minus, praeter rationem rectam." Thomas Aquinas, "*Summa theologiae*," vol. 10, 272, p. 2–2, question 158, article 1.

medieval Venetian Istria as well: *ira* was simultaneously an object and a means of social control.¹⁴⁵³ Anger was also a medium for upholding and defending one's personal honor and *fama*, but it came with an upkeep in the guise of the rectors' promulgated pecuniary fines; performing this emotion productively was a commodity that needed to be paid for.

Unfortunately, the analyzed primary sources cannot answer the question of the discrepancy between Ferro's more markedly gendered emotionology and the two other podestàs evaluation of female anger. Whether Ferro's attitude toward women's performance of anger stemmed primarily from his own disposition and world views, or if it was mainly influenced by the local population who advised him in these cases cannot be inferred. The only possible way to tackle these questions is to analyze several books of different rectors serving in the same commune in close temporal proximity. Such analysis would also shed more light on other quintessential aspects of Venetian justice administration in their late medieval dominions, namely the question of who influenced the functioning of the criminal justice system more profoundly: the distinguished locals who served as advisors and upheld the values of the community, or the individual Venetian nobleman who enforced his own worldviews upon the subjected commune. For late medieval Istria, the only case study that would allow such an investigation is Koper and this is the direction which future research ought to be directed toward.

Finally, in the Istrian communities subjected to Venice anger did not acquire a pronounced juridical dimension as it did in the regions of *ius commune*. Similar was the case in the nearby Trieste where anger was also not conceptualized as a mitigating factor.¹⁴⁵⁴ This situation can be ascribed to Venetian influence as the *Commune Venetiarum* famously shunned the juridical tradition of the *ius commune* and the *promissio maleficiorum* of Jacopo Tiepolo did not treat *ira* as a specific legal category.¹⁴⁵⁵ However, with the fifteenth-century Venetian expansion over the communes steeped in the judicial culture of the *ius commune* such as Verona, Vincenza, Brescia

¹⁴⁵³ On the concept of social control, best defined as "all forms by which historical agents define deviant behavior and react to it," see Pieter Spierenburg, "Social Control and History: An Introduction," in *Social Control in Europe*, 1: 1–10. The definition comes from Martin Dinges, "The Uses of Justice as a Form of Social Control in Early Modern Europe," in *Social Control in Europe*, 1: 161. Gerd Schwerhoff famously argued that violence in pre-modern Europe was simultaneously an object and a means of social control; I have extended his argument to the performance of anger. Schwerhoff, "Social Control," 238–39.

¹⁴⁵⁴ Miriam Davide, "La giustizia criminale," in *Medioevo a Trieste*, 230.

¹⁴⁵⁵ Bertaldo, *Splendor Venetorum*, 13; Pansolli, *La gerarchia delle fonti*, 13, 21. *Promissio maleficiorum* is edited in numerous editions of Venetian statutes. See for example, Rizzardo Griffo, ed., *Volumen statutorum, legum, ac iurium ducali Dominii Venetorum* (Venice: Evangelista Deuchino, 1619), 129–39, esp. 132, article XI on violent attacks. On Tiepolo's *promissio*, see Zordan, *L'ordinamento giuridico veneziano*, 154–55.

and Padua, Venice slowly began appropriating their legal traditions.¹⁴⁵⁶ Thus, a hypothesis stemming from this inference is that anger would indeed acquire a juridical dimension in Istria during the Early Modern Era due to Venice's gradual acceptance of the legal culture of *ius commune*. This hypothesis can be tested by analyzing an immensely rich and under-researched treasure trove of primary sources, hundreds of books of the acts of Istrian podestàs that are preserved for Novigrad, Labin, the Captainate of Rašpor and Koper dating from the sixteenth century onwards.¹⁴⁵⁷

State Interventions: Venetianizing Justice

Superimposed on the administration of justice performed by the delegated Venetian rectors was the intricate system of appeals which was available to all the subjects under the shade of the winged lion of St. Mark. Together, the justice administered by the local podestàs and the appellate jurisdictions centered in the capital formed the main pillar of *Serenissima's* jurisdictional state.¹⁴⁵⁸ The bodies in charge of hearing and adjudicating the appeals were the new auditors for civil cases, state attorneys for criminal cases, and the periodically delegated syndics for the mainland state. The Council of Ten as Venice's "supreme tribunal" reserved for itself the right to intervene in any case deemed particularly important and even initiate inquisitorial trials if deemed necessary.¹⁴⁵⁹ The fact that the scope of prerogatives of these bodies overlapped in many places allowed Venetian subjects to appeal their cases from body to another for years in the hope of obtaining a favorable ruling.¹⁴⁶⁰ This "game of appeals" was, however, accessible only to those who had the means to pay for these expensive judicial procedures.¹⁴⁶¹ As such, the system of appeals favored the more well-off subjects at the expense of those who could not afford the costs of "continuous

¹⁴⁵⁶ Grubb, *Firstborn of Venice*, 28–46.

¹⁴⁵⁷ The books of acts of the podestàs of Novigrad and Labin are held in the Croatian State Archives in Pazin, HR-DAPA-4 and HR-DAPA-2, respectively. The acts of the podestàs of Koper are held in the State Archive in Venice and they are indexed in Francesco Majer, *Inventario dell'antico Archivio municipale di Capodistria* (Koper: Cobol-Priora, 1904). The acts of the Captains of Rašpor are held in the private archive of the Società istriana di archeologia e storia patria in Trieste. See Grazia Tatò, *Guida al patrimonio documentario della Società istriana di archeologia e storia patria* (secc. 13.-20.), Quaderni 3 (Trieste: Società istriana di archeologia e storia patria, 2017), 51–70.

¹⁴⁵⁸ The best monographic treatment of Venice's appellate system remains Viggiano, *Governanti e governati*.

¹⁴⁵⁹ Viggiano, *Governanti e governati*, 179–274. I have found no cases of a verdict promulgated by the Venetian podestà in Istria being appealed all the way to the Council of Ten. Cf. Viggiano, "Note," 18–19.

¹⁴⁶⁰ Viggiano, *Governanti e governati*, 52–53, 83–84.

¹⁴⁶¹ O'Connell, *Men of Empire*, 84.

litigations”.¹⁴⁶² It does not surprise that the only appeal to the new auditors registered in the acts of the Istrian rectors herein examined comes from lady Pasqua, the widow of none other than Henry de Artizanibus, the member of the leading civic elite of Poreč.¹⁴⁶³

The surviving primary sources regarding the functioning of these courts of appeals in *Quattrocento* Venetian Istria are scarce and they have already been analyzed by Alfredo Viggiano, the author of the seminal monograph on the *Serenissima*’s appellate jurisdiction in late medieval *Terraferma*.¹⁴⁶⁴ Moreover, the majority of the records of these appeals—especially of the new auditors and syndics—are very summary and full of hidden transcripts, thus inhibiting a more coherent reconstruction of the entire backstory of the process the way that local acts of podestàs make possible.¹⁴⁶⁵ Nevertheless, Viggiano’s analyses of the surviving documentation, especially when situated in a broader Venetian context, point to several important conclusions that merit attention in the context of this study.

First, the main function of the entire system of appeals was to bind together all the constituent parts of the *Dominium* in a harmonious whole, providing a seminal focal point of “intermediation between the capital and the subject centers.”¹⁴⁶⁶ It was the appellate jurisdictions that were the privileged weapons to combat the stereotypes of “corrupt official,” very much alive in Venetian Istria as well: “Long live the new podestà for the last one was a thief!” was a customary verse with which Istrians would welcome the arrival of a new delegated official.¹⁴⁶⁷ By offering its subjects a chance to appeal to the capital against the administration of a delegated rector was a way to perpetuate faith in the *Dominium*, reinforce the state’s self-fashioning as a bastion of impartial justice administration, and demonstrate the benign effects of the winged lion’s shade.

¹⁴⁶² Edward Muir, “Was There Republicanism in the Renaissance Republics: Venice after Agnadello,” in *Venice Reconsidered: The History and Civilization of an Italian City-State 1297-1797*, ed. John Martin and Dennis Romano (Baltimore, MD: Johns Hopkins University Press, 2000), 139.

¹⁴⁶³ “Dictis millesimo [1445], indictione [octava] ac die [martis, tercio mensis augusti], prefata domina Pasqua tutrix ut superius vica voce se appellavit a dicta sententia ad dominos auditores sententiarum Communis Venetiarum sive ad quos presens appellatio de iure expectabit et omnibus suis loco et tempore dicendis et allegandis sub porticu palatii et residentie prefati domini potestatis.” DAP, Poreč, Atti del podestà, fol. 24r–v. The dispute involved a debt owed by the late Henry to a Michelino Polesini of Motovun which Pasqualina refused to pay. It is not known how the dispute ended and who eventually won the “game of appeals.”

¹⁴⁶⁴ Viggiano, “Note,” 12–16, 18–20.

¹⁴⁶⁵ Cf. Viggiano, *Governanti e governati*, 151 and 172–73, fn. 14 who was not able to reconstruct any backstories to 42 appeals registered in Istrian podestarias.

¹⁴⁶⁶ “Nel sistema giuridico veneziano una importanza fondamentale nelle modalità di intermediazione tra la capitale ed i centri soggetti era attribuita alla struttura degli appelli.” Viggiano, “Note,” 10. See also, Šunjić, *Dalmacija*, 142–44.

¹⁴⁶⁷ “Evviva el podestà novo, perché el vecchio iera un lovo.” Pietro Kandler, “Dei podestà veneti,” *L’Istria* 1, no. 28–29 (1846): 113. See also, Pahor, *Socialni boji*, 7.

This is the result achieved by the state's attorney condemnation of Taddeo da Ponte, a podestà of Umag who was in 1429 accused of a myriad of wrongdoings by the local subjects, including theft, disrespect of the community's "old customs," and liberal use of torture. Venice was quick to condemn such conduct, pronouncing Da Ponte's conduct "against the honor of our domination and the regime entrusted to him," "scandalous," and "manifestly highly dangerous to the wellbeing of our Dominion."¹⁴⁶⁸ The same was the case with the already mentioned Marco Magno, podesta of Labin between 1449 and 1451 who was officially condemned by the itinerant syndics for a myriad of transgressions including insulting and molesting the locals—including Matthew Scampich, the member of the civic elite, and especially a Peter who was the custodian of the prison during the fateful night Stephen the pirate's jailbreak—, spending communal revenues, refusing to pay his subjects for the services and goods he had bought from them, and overall disrespect of the communes customs and traditions.¹⁴⁶⁹ The system of appeals was thus an intervention making sure that the rector's *arbitrium* does not end up being arbitrariness.¹⁴⁷⁰

Second, the appellate courts were the correctives to justice administered inadequately by the delegated podestas. For example, the case of the validity of the testament of a Nicholas of Piran was not properly investigated by the delegated local podesta, and it was only after appealing to the new auditors that the judges ascertained the legal invalidity of the said document.¹⁴⁷¹ Similarly, a verdict of the podesta of Buje was overruled because the accused was never given the chance to testify (or his testimony was not registered in the official documentation).¹⁴⁷² Moreover, as the afore-discussed examples from Piran demonstrate, the syndics were also safeguarding the strength of the local statutes, annulling any sort of "tampering" that Venice had not officially confirmed. Thus, the court of appeals were both the protectors of local customs and laws as well as the guarantee that the word of law and the due legal process will be observed.

¹⁴⁶⁸ "Contra honorem dominationis nostre et regiminis sibi commissi, in damnum maximum, iacturam, murmur et scandalum omnium subditorum sibi commissorum et etiam periculum manifestum status domini nostri." Cited from Viggiano, "Note," 12. For similar cases of the rector's praepotenza in the ambit of Venetian Albania, see Nada Zečević, "Contra Formam Suae Commissionis: Three Examples of Abuses by Venetian Officers in Albania Veneta (Early Fifteenth Century)," *Annales Universitatis Apulensis, Series Historica* 20, no. 1 (2016): 73–84.

¹⁴⁶⁹ The long list of transgressions is detailed in the syndics verdict, edited *in extenso* in De Franceschi, *St. Labin*, 220–24, doc. 5. While the syndics' verdict rectified some of Magno's wrongdoings by forcing him to revoke some of his sentences and pay the money he owed, Marco Magno was not sentenced to a graver punishment; he resumed his career as rector of smaller Venetian communities in 1452 as the podestà of Buzet. *RVD*, record 15725.

¹⁴⁷⁰ Viggiano, "Note," 11.

¹⁴⁷¹ Viggiano, "Note," 14.

¹⁴⁷² Viggiano, "Note," 13.

Finally, and most importantly in the ambit of this study, court of appeals were also the embodiments of Venetian “honor” and “conscience,” projecting these worldviews from the capital onto their subject centers. There are many cases in which the sentences promulgated by the delegated rectors were rescinded, sometimes only in part, because the appellate bodies thought the verdicts to be too harsh, unproportionate to the committed crimes and thus harmful to the honor and wellbeing of the Dominion. For example, sentences of banishment from the commune promulgated for brawls were regularly annulled, as the punishment was regularly reserved for more serious crimes.¹⁴⁷³ More notably, verdicts steeped in “community law” such as public beatings, brandings, and various (some highly creative) shaming rituals were also denounced by the state attorneys: the ruling of the podestà of Umag sentencing a culprit to public beating across the entire urban core of the town before branding him with three marks is one such example;¹⁴⁷⁴ the sentence of the podestà of Motovun who condemned a criminal not only to perpetual banishment from the commune but to an elaborate shaming ritual as well (ornated with a picture of the devil on his head and marched across the town on a donkey) is another.¹⁴⁷⁵ Thus, it was precisely the capital’s appellate jurisdictions that were slowly changing the faces of justice in Istrian subject centers, distancing them from “community law” and bringing them closer to the hegemonic ideal. This transformation was slow and incomplete as many cases of justice administered in the spirit of community law across the Early Modern Venetian Dominion testify, but the state attorneys nevertheless influenced the move towards the “state law.”¹⁴⁷⁶ The effects of these “modernizations” (or “Venetianizations”) of justice administration can be analyzed and measured by comparing the acts of Istrian podestàs from the Early Modern centuries with the *Quattrocento* cases analyzed in this study.

From Negotiated to Hegemonic Justice (and back)

Finally, how does one evaluate the legal culture of late medieval Venetian Istria and the nature of *Serenissima*’s justice administration? Even though providing a more thorough answer to

¹⁴⁷³ Viggiano, “Note,” 20 for some examples from Istria.

¹⁴⁷⁴ Viggiano, “Note,” 13.

¹⁴⁷⁵ Viggiano, *Governanti e governati*, 77.

¹⁴⁷⁶ Povoletto, “Dall’ordine della pace,” 31–35.

this question is inhibited by the quantity and quality of surviving primary sources, several inferences may be put forth.

First, the available primary sources demonstrate almost a complete absence of what Benoît Garnot famously termed *infrajustice* and *extrajustice*: the former being formalized out-of-court dispute resolution through third-party mediation, the latter a private procedure in the guise of peace unmediated peace accords or *vendettas*.¹⁴⁷⁷ That private, out-of-court settlement of disputes existed as a mode of conflict resolution and that it was indeed exercised is, however, inferred from sources such as Mauro Amsich's official note begging Podestà Ferro to pardon John Zulle as the two litigants obviously reached a private settlement.¹⁴⁷⁸ Nonetheless, it remains difficult to ascertain whether or not, and to what degree, the delegated Venetian rectors acknowledged such infrajudicial accords. One example from Poreč demonstrates the limits of infrajustice in Venetian administration of *Quattrocento* Istria: the brawl between Martin of late Henry and Christopher the carpenter ended with podestà's verdict sentencing the latter to a fine of five pounds of pennies and covering Martin's medical treatments; however, the Venetian rector did not fail to mention that his sentence is influenced by the fact that Martin and Christopher made peace with each other following their bloody brawl.¹⁴⁷⁹ Thus, while infra- and extrajustice did operate side by side with the rectors' courts and with their official acknowledgment, such forms of conflict resolution still did not wield enough power to completely bypass the justice administered by the delegated Venetian patrician, at least not in matters falling within the domain of *criminalia*.

This observation leads to a second conclusion: once started, the judicial process was very rarely left unfinished by the delegated Venetian rectors. Only fifteen percent of all of Simone's processes ended without a recorded verdict and the number is even lower for Poreč: only five cases of interpersonal violence were left without a verdict, that is, less than ten percent. The judicial maxim *ne crimina remaneant impunita* was thus adhered to rigorously, which is a seminal aspect of state law or hegemonic justice. Unfortunately, since there are no preserved acts of Venetian rectors serving in Istria in the thirteenth and fourteenth centuries, it cannot be ascertained whether

¹⁴⁷⁷ Benoît Garnot, "Justice, infrajustice, parajustice et extrajustice dans la France d'Ancien Régime," *Crime, Histoire & Sociétés / Crime, History & Societies* 4, no. 1 (2000): 103–120, esp. 109–13 for infrajustice and 113–14 for parajustice. I am leaving aside extrajustice, that is, consciously ignoring committed crimes, although the concept is applicable to cases such as Paul Iedrezich beating up his wife and Francino of Višnjan beating his servant.

¹⁴⁷⁸ Case 3/3 in appendix 4.

¹⁴⁷⁹ "[H]abito ac considerato quod postea habent bonam pacem ad invicem... dictum Christoform in libris quinque parvorum et ad solvendum medicinis et scripturis in his scriptis sententialiter condenamus." Banić, "*Irato animo*:" appendix," case 1: podestà's verdict.

this uncompromising attitude towards closing court cases with podestà's verdicts was a new development, stemming from Venice's state-building processes ushered in following the War of Chioggia, or not. However, there are acts of Venetian podestàs serving in thirteenth- and fourteenth-century centers of the Dogado which may shed light on this matter. Namely, Orlando did not fail to stress that around forty percent of criminal cases presented before the rectors of Chioggia did not end with a podestà's verdict, meaning that the disputes were settled infra- or extrajudicially.¹⁴⁸⁰ If Venetian patricians governed the communes of the Dogado with such an attitude in the thirteenth and fourteenth centuries, there is no reason to suppose that justice was administered much differently in the neighboring Istria. These observations lead to the conclusion that a move towards the hegemonic ideal of justice administration, characterized by the disposition "not to let crimes go unpunished," was a product of Venetian *Quattrocento* state-building, of the historic transformation from *Commune* into *Dominium Veneciarum*.

At the same time, however, aspects of community law or negotiated justice did not fade entirely: punishments such as public shaming (Leonarda's sentence to a day in the pillory) and ritual dismemberment (Michola's ceremonial hand-cutting) were still decreed, especially for more serious crimes such as theft and murder. Moreover, inquisitorial procedures were initiated rarely with less than thirty percent of all criminal cases being led *ex officio*, the vast majority of them started by the denunciation of a member of the podestà's retinue or the communal medic.¹⁴⁸¹ While low, this percentage is still slightly higher than that of the fourteenth-century Dogado, another argument in favor of the thesis that justice administration started moving, however slowly, towards state law.¹⁴⁸² Thus, one may conclude that Venetian justice administration in *Quattrocento* Istria, while leaning closer to the hegemonic ideal in its rigor with which cases were being processed and crimes punished, still retained many distinct features of community law: it was state law with a distinctly communitarian character.¹⁴⁸³

¹⁴⁸⁰ Orlando, *Altre Venezie*, 322.

¹⁴⁸¹ In Rovinj, whose sample is extremely small with only 11 cases, there were 3 *ex officio* trials, 2 of them stemming from medic's denunciations. In Poreč, out of 93 verdicts, 26 were handled *ex officio* with 20 of them stemming from denunciations made either by feldsher or, more often, the members of the podestà's retinue, the "police" of *Quattrocento* Poreč. In Buzet, however, out of 57 verdicts only 2 of them were the result of an inquisitorial process.

¹⁴⁸² For example, between 1325 and 1326 only 17% of 107 criminal cases were handled *ex officio* in Torcello; 12% was the portion of inquisitorial trials in Murano between 1373 and 1374; the highest percentage of *ex officio* processes was recorded in Chioggia between 1385 and 1390, 22,5%. Orlando, *Altre Venezie*, 249.

¹⁴⁸³ Similar conclusions were reached by Povolo who studied Early Modern Venetian *Terraferma* courts. Povolo, "Dall'ordine della pace," 31.

It remains to be seen whether the Venetian rectors delegated to Koper administered justice differently from the fifteenth-century rectors analyzed in this study: Gradenico in Poreč, Zane in Rovinj, and Ferro in Buzet. Perhaps the civic nobility of *Commune Iustinopolis* managed to generate its own semi-autonomous social field potent enough to “morph” the face of Venetian justice administration and legitimize extrajudicial means of conflict resolution such as *venedettas* which are not otherwise attested in the analyzed books of podestàs. The fact that both blood feuds and private peace accords were very much accepted means of conflict settlement in sixteenth- and seventeenth-century Koper, as demonstrated by Darovec, begs the question of the origins of this apparent Capodistriian discrepancy: does it stem from the commune’s special social makeup and status dating back to the (late) medieval period, or whether it arose only subsequently, in the early modern centuries, as a consequence of other processes that impacted, among other things, the administration of justice.¹⁴⁸⁴ These are the questions that future research ought to tackle.

¹⁴⁸⁴ Darovec, *Vendetta in Koper*, 23–24.

Conclusion

On the 13th of April, 1669, the Venetian nobleman Agostino Barbarigo presented his report to the Senate after having served as the podestà and captain in Koper. In this nowadays famous text, at least in the context of Istrian historiography, Barbarigo depicted Venetian Istria through particularly evocative metaphors: “having had the honor of serving the most serene Venice as the principal official of the entire Province as the podestà and captain of Koper,” states Barbarigo as he proceeds to describe the local populace as “most faithful subjects,” and liken Istria to “the shield of the Dominant” which Venice would be wise to take great care of.¹⁴⁸⁵ When Barbarigo presented his *relazione* the Venetian *partes* on the Peninsula had already been consolidated into a distinct region, the *Provincia dell’Istria*, with Koper as its undisputed *metropolis*. This process of regional consolidation, of identifying with (and against) Venice, of gradual internalization of administration *more Veneto* and of Venetian conceptualization of the Peninsula as its own historical territory was a process that commenced in the distant second half of the thirteenth century and ended only on the 4th of August, 1584. The most decisive phase of this long journey towards a consolidated *Provincia* took place precisely during the turbulent age between the end of the War of Chioggia and the official assumption of the name *Dominium Veneciarum* on the 9th of May, 1462, the Age of Transformation, the Age of Great Territorial Expansion, the Age of Triumphs.

The present study aimed to explore the position and the role of Istrian peninsula in this glorious period of Venetian history, when the Myth of Venice reflected the quotidian reality most closely. It also endeavored to illuminate the type of relations connecting the subject centers to the capital, the nature of this relationship, and how these interactions shaped the identities of both the rulers and ruled. Finally, by focusing primarily on justice administration, the central and by far the most important governmental prerogative wielded by the jurisdictional state, the study intended to uncover the more exact modalities through which the Dominant manifested itself to its Istrian subjects on a local level. The voluminous chapters containing analyses of mostly unedited primary sources filtered through the elaborate (and somewhat pretentious) theoretical and methodological

¹⁴⁸⁵ “Hora havend’io havuto l’honore della serenissima Venezia di servirla nella carica principale di tutta la stessa Provincia [dell’Istria] come podestà e capitano di Capodistria corrono di mia particolar incombenza renderne quel ragguaglio e portarne quelle notitie che possono non solo conferir al publico servitio della patria, ma anco al bene di quei fidelissimi sudditti, [...] essendo l’Istria sotto gli occhi di questa Dominante, e come il suo scudo alla preservatione della quale tanto più deve invigilarsi.” “Relazioni dei podestà e capitani di Capodistria,” *AMSI* 8, no. 1–2 (1892): 88.

frameworks have yielded modest results, at least according to the expectations of the author, even though their heuristic value in the context of Venetian studies is unquestionable.

The first, broadest level of analysis that investigated Istria within the larger context of Venetian Great Territorial Expansion primarily reaffirmed the existing hypothesis that Venice acted defensively guided by the adamant determination never to allow a scenario similar to that of the War of Chioggia to ever happen again. The territorial expansion was thus a product of pericentric forces—lordly houses expanding their own jurisdictions and forging potentially dangerous political alliances—exerting pressure on the capital. However, by including Istria in this complex puzzle, certain regional discrepancies became more obvious. Mainly, Istrian peninsula was involved in the expansion of the lands of *Regnum Italicum*—the future Venetian *Terraferma*—through of the war waged against King (later Emperor) Sigismund by way of his Aquileian proxies centered around the figures of Count Frederick III of Ortenburg and, especially later, Patriarch Ludwig of Teck. The fact that this particular stage of Venetian territorial expansion was fought against the subjects of an ecclesiastical principality greatly influenced Venice’s course of action. Very much unlike the case in Dalmatia, Vicenza, Verona and Padua, Venice was extremely hesitant to annex a single territory *de iure* belonging to the Church *in temporalibus*. Instead, the preferred option was to intervene in the region’s government by way of local collaboration networks. This policy, however, turned out to be unsuccessful and Venice was eventually forced, especially after Pipo Spano’s 1411 *blitzkrieg*, to intervene more decisively in the region, including Istria. However, it was not until 1419 that it was finally decided to completely subjugate the entire ecclesiastical principality of the Aquileian patriarchs, Venice’s nearest neighbors on the *Terraferma*. Even after the subjection of the Patriarchate of Aquileia, finished in July of 1421 with the conquest of the Margraviate of Istria, the Venetian Republic had decades of diplomatic battles ahead during which it even contemplated to relinquish the lion’s share of the annexed territories in Friuli (but not in Istria). In the larger context of Venice’s territorial expansion of the early fifteenth century, the case of the Patriarchate of Aquileia shows that attitudes towards ecclesiastical dominions were drastically different than those towards temporal ones; it also shows how the performance of a specific regional scale—specifically in the case of Istria—was employed to chop off parts of the Church territories and (re)conceptualize the as “legitimately held” territories (*ex titulo*). This performance of the regional scale, used primarily in political and diplomatic purposes, had a profound effect on the ongoing process of regional consolidation of

Venetian *partes Istrie*. The first level of analysis was thus both hypothesis-testing and hypothesis-generating: the former confirmed the existing, dominant interpretation of the motives behind the Venetian territorial expansion and slightly added to it by highlighting different attitudes towards ecclesiastical principalities; the latter uncovered the employment of the regional scale as a potent political tool and instrument of legitimation.

The second level of analysis began as hypothesis generating and ended as hypothesis-testing as collective identification processes were investigated in late medieval Venetian Istria, showing that the vast majority of local populace identified primarily by way of their local origins and civic status: just like the vast majority of other European societies, especially those of more urbanized areas such as central and northern Italy, but also the entire Adriatic coast. In Istria, like in other communally-organized societies, the principal ecological niches for collective identity perpetuation were the communal institutions such as the civic councils and the overall hierarchically structured society where each individual preformed a specific role for the community and within the community—a socially structuring environment that necessarily had to privilege the local, communal sense of belonging and identification. Venice played an important role in reinforcing these identity-bestowing processes as it allowed considerable local autonomies to its subject communities and Istria was no exception. Regional and ethnic levels of identification, while existing, were not dominant and paled in comparison to locally and socially grounded collective identities. By respecting and upholding the Istrian marriage pattern and by centralizing the military administration of the Peninsula, Venice (inadvertently) helped the perpetuation of regional identity, but that level of collective identification remained weak in comparison to local and civic ones. Bandlerial identification, that is, identifying as a subject of the *Dominium Veneciarum* was activated sporadically, mainly as a result of quarrels with the neighboring subjects of House Habsburg, the “Other” to “Venetian Us.” While Venice did much to promote this level of identification, mainly through architecture and civic ritual, banderial identities also paled in comparison to local identification, at least in the quotidian setting of Istrian communities subjected to the *Serenissima*. The processes of social stratification that were inherent in every communal society of the European *ancien régime* were further catalyzed by Venetian model of “closed” communal councils and by favoring the civic elite that acted as the privileged social strata connecting the Venetian governmental offices to the rest of the local society. Finally, as a sort of a synthesis between promoting banderial identities and privileging the local elite, Venice would

create new nobility out of subjects who proved themselves particularly reliable in the face of danger and whose faithfulness towards the *Serenissima* was unquestionable—House Gravisi best exemplifies this practice and the induction of Niccolò de Gravisi to Capodistrian nobility and the civic council of Koper created local elites loyal to Venice in a city destined to become the *metropolis Istrie*. Thus, even this level of analysis was mostly hypothesis-confirming even though it introduced some new inferences: the fact that Koper was held on a tighter leash than any other Istrian commune and that it was consciously filled with carefully selected subjects who were promoted to its civic council shows that Venice was deliberately grooming the commune to become not only the regional capital, but a community dominated by loyal subjects.

The last, third level of analysis shed light on the inner mechanisms animating the Venetian state on the local level as it investigated the administration of justice. The results of the analysis showed that the Venetian *arbitrium* was far from any sort of arbitrational decision-making and that it mostly respected the communal statutes and customs, even in criminal justice administration where the rectors were officially not obliged to follow the local *iura propria*. In those verdicts where the statutes were not explicitly invoked—and this was regularly the case for pettier criminal delicts such as brawls—the adjudicated penalties were far more lenient than those prescribed by the codified local laws. Moreover, there were no tangible cases of legal transplantation from Venice to local communities and the ritual dismemberment on the scene of crime was the only case that might attest to this practice. With regard to the aims of justice, Venetian administration leaned much closer to the hegemonic or state type resting on the maxim *ne crimina remaneant impunita*. This is reflected in the fact that the delicts reported to the podestà—either by way of an accusation or by way of a denunciation—were regularly, albeit sometimes very slowly, processed to the end and adjudicated, even though the punishments would sometimes be minimal, almost symbolic. Since this was not the case in late thirteenth- and fourteenth-century Dogado, as demonstrated by Orlando, this move from negotiated towards the hegemonic ideal is interpreted as stemming from the Venetian late medieval state-building and the transformation from *Commune* into the *Dominium Veneciarum*. Notwithstanding this strengthening of the judicial apparatus, the Venetian justice was not—or better, did not aim to be—equally effective towards all. Sentencing Vanto and Michele de Gravisi to perpetual banishment had little to no effect and even the banishment of Michola proved impotent as the man simply moved to a neighboring town under

the *potestas* of House Habsburg. For these men banishment was indeed not “death mistermmed” as Shakespeare’s *Romeo* so lyrically portrayed it.¹⁴⁸⁶

Community law also did not entirely disappear: some sentences, such as public shaming on the pillory, ritual executions and dismemberments, and the influence of private peace accords on the rectors’ verdicts, all show that aspects of negotiated justice were still present, albeit to a lesser extent. Ultimately, the “Venetianization” of the judicial system, carried through primarily by the Venetian appellate jurisdictions such as the state attorneys, worked against these community law punishments, pushing the overall “face of justice” even more towards the hegemonic ideal. While this section of the study was also primarily hypothesis-testing, it nonetheless resulted with many new inferences, especially concerning the (in)tolerance of anger as a performed emotion and a legal category. As was noted in the closing sections of the fourth chapter, more research is needed, both synchronic and diachronic, to better contextualize these results.

Synthesizing the results of these analytical chapters, the answer to the perennial question of Venetian studies posited in the introduction may be offered: did the late medieval Venetian dominion, at least in relation to Istria, leaned more towards the colonial ideal or to the commonwealth ideal? In the aftermath of the War of Chioggia Venice was investing into Istrian communities in a bid to fortify its base in the case of another attack; it also intervened in the Aquileian Margraviate of Istria by way of its faithful collaborator Domnius of Castello, an intervention that favored Venetian subjects in Istria; with the purchase of Rašpor Venice aimed to offer the best possible protection to Istria population; during the war against King Sigismund Venice did much to protect Istria from the destruction of war and the plan was largely effective, at least in the 1418–1420 period, thanks to Venetian diplomacy; during the 1421 skirmishes against Buzet and the mysterious Rother Venice financed the army through its own surtaxes and back taxes; the Istrian communities that were subjugated to Venice between 1411 and 1421 were left largely intact (even though those that submitted willingly were treated better, primarily in terms of their centralities, than those that had to be militarily “persuaded” to “willingly” subject themselves); communal granaries were organized lest the communities face famine; justice was administered either according to the local customs and the statutes or more leniently than the local laws prescribed, and although it favored the elites, the podestà’s court was available to all and

¹⁴⁸⁶ William Shakespeare, *Romeo and Juliet*, ed. G. Blackmore Evans (Cambridge: Cambridge University Press, 2003), 151, act 3, scene 3.

relatively efficient in settling disputed; finally, and most importantly, from 1420s to 1460s the Venetian communities in Istria record economic prosperity, noticeable primarily by the fact that Venetian subventions for paying the yearly wages of the delegated rectors were no longer needed (the case of Poreč in 1457, for example, whose treasury if “full of money”). Simultaneously, however, Doge Foscari directs the plague-infested ship to Istria lest an outbreak occurs in Venice; the salt-production in Piran remains a state monopoly; as the communes become richer, so the wages of the delegated rectors’ rise; and the pleas of Pula’s commoners are mostly ignored to the advantage of the local nobility. This briefest possible sketch of the observations recorded during the writing of the analytical chapters decisively favors the interpretation that the Venetian dominion leaned more towards the commonwealth ideal. Nonetheless, the *Serenissima* of the *Quattrocento* should still not be dubbed a *Commonwealth*: it was a late medieval jurisdictional state that favored the capital and the Venetian nobility disproportionately more than their subjects. This was not an exclusively Venetian moral flaw as it was common to all the city-based jurisdictional states of the era. As the Florentine Francesco Guicciardini († 1540) famously argued:

It is most desirable not to be born a subject; but if it must be so, it is better to be under a prince than a republic. For a republic oppresses all its subjects, and shares out its benefits only among its citizens; whereas a prince is more impartial, and gives equally to one subject as to the other, so that everyone can hope to be beneficed and employed by him.¹⁴⁸⁷

As such, even though Venice cannot be dubbed “colonial,” it should still be conceptualized within its own age and culture: not as a *Commonwealth* but as a city-centric Dominion, priding itself on impartial justice administration and protection of its subjects, but favoring its own noble *conclaves* and its own city among anything and anyone else at the same time. The “diaphragm” Venice posited to divide its own patriciate from the local nobility—most clearly visible in the case of the De Gravisi clan who reached the absolute peak of the social ladder in Istria and still remained incomparable weaker than Venetian nobles—remained firmly in place throughout the late medieval and Early Modern Era.¹⁴⁸⁸

¹⁴⁸⁷ “È da desiderare non nascere suddito; e pure avendo a essere, è meglio essere di principe che di repubblica; perché la repubblica deprime tutti e’ sudditi e non fa parte alcuna della sua grandezza se non a’ suoi cittadini; el principe è più commune a tutti, ed ha egualmente per suddito l’uno come l’altro; però ognuno può sperare di essere e beneficato e adoperato da lui.” Francesco Guicciardini, *Ricordi*, ed. Giorgio Masi (Milan: Mursia, 1994), 53, n. 107; English translation is taken from Stephan R. Epstein, “The Rise and Fall of Italian City-States,” in *A Comparative Study of Thirty City-State Cultures: An Investigation*, ed. Hansen Hansen, Historisk-Filosofiske Skrifter 21 (Copenhagen: Kongelige Danske Videnskabernes Selskab, 2000), 290.

¹⁴⁸⁸ The motif of the “diaphragm” is taken from O’Connell, “The Contractual Nature,” 66–67.

In the end, late medieval Istria, a region that was believed to present a highly exceptional case in the context of the *Dominium Veneciarum*, turned out to be not special at all. According to Gerring's methodological guidelines for case-study research which were adopted in this study and the hypothesis presented in the introduction, Venetian Istria was supposed to emerge from this analysis as either a regular, deviant, or influential case in the context of fifteenth-century Venice. The results clearly show that in most cases Venetian Istria was, in fact, a regular case, very much comparable to Venetian Dalmatia, Dogado, and the Trevigiano. Even in those aspects which were believed to be Istrian unique characteristics, such as the region's ambiguous position within Venice's bipartite state, it turned out that Istria presented an influential, not a deviant case. Namely, by analyzing Istria within the structures of the *Dominium Veneciarum* and its division into the *Stato da Mar* and *Terraferma*, a simple modification of the standard interpretation was enough to explain the Peninsula's position: *Terraferma* was associated with the concept of Italy as a geo-cultural region whereas the *Stato da Mar* lands were seen as Venice's "old territories;" since Istria effectively belonged to both, it was at times conceptualized as "*lo stado Italico*" and therefore *Terraferma*, and at times as *Stato da Mar* since it had been Venetian for centuries. Of the two conceptualizations, it was the latter, the *Stato da Mar* one, that was by far the more dominant and it eventually triumphed over the former. All the other structures and processes analyzed and discovered through blatant overreporting and scrupulous analysis by the honed, surgically precise analytical tools and concepts ended up positioning Istria as a generally non-unique member of the Venetian *Quattrocento* family: a case that mostly confirms the existing hypothesis. A meager harvest from so ambitious a project?

Not necessarily. In fact, quite the contrary can be argued. O'Connell has correctly noted, and this observation guided this study in more ways than one, that studying Venetian *Terraferma* separately from the *Stato da Mar* (and conversely), creates a detrimental chasm in historiography with Istria, seemingly belonging to neither parts, more often than not lost in that chasm.¹⁴⁸⁹ The results of the present study have the potential to fill that chasm and close it for good. Indeed, many scholars avoided dealing with late medieval Venetian Istria simply because there was not much up-to-date, readily available scholarship on the topic and primary sources were virtually unknown. This study changed this sad state and gathered the majority of the relevant scholarship and primary source material regarding Venetian *partes Istriæ* in the Late Middle Ages in one, easily accessible

¹⁴⁸⁹ O'Connell, "Individuals, Families, and the State," 18.

study. From this point on, there really is no reason whatsoever not to include Istrian communities when discussing either the *Terraferma* or the *Stato da Mar*. True, the surviving primary source material is modest, especially in comparison to that of the larger *Terraferma* communes with richly preserved local archives, but it nonetheless provides ample research opportunities, especially in terms of justice administration; archive of the Commune of Koper that was recently made available for consultation in Frari, the central archival institution for any scholar dealing with Venice, is a historiographic treasure trove waiting to be opened. Moreover, any future analysis of Venetian justice administration will have to take into account the results of this study as they present a *unicum* in the context of Venetian studies, primarily due to the methodological framework and the fact that the primary sources have been published *in extenso*. Finally, Venetian Istria can serve as a perfect bridge elegantly connecting the *Stato da Mar* with *Terraferma* and as such no future monographic treatment of Venetian state or even one of its two constitutive parts—the continental or the maritime—should exclude the *partes Istrie* from the analysis. From seemingly fitting nowhere, Venetian Istria now fits everywhere—the region has finally received its deserved place in the contemporary Venetian studies as the integral part of the *Dominium Veneciarum*.

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Appendices

Appendix 1: Gazetteer of Istrian Places

Order of appearance: from north to south, from west to east, structured according to jurisdictional subregions (circa 1425).

Latin	Italian	Croatian / Slovenian
Partes Iстри Veneciarum	L'Istria veneta	Mletačka Istra / Beneška Istra
Castrum Mugle	Muggia	Milje
Civitas Iustinopolis	Capodistria	Kopar / Koper
Castrum Insule	Isola	Izola
Castrum Pirani	Pirano	Piran
Castrum Humagi	Umago	Umag
Castrum Bullearum	Buie	Buje
Castrum Veneris	Castelvenere	Kaštel
Castrum Grisignane	Grisignana	Grožnjan
Castrum Portularum	Portole	Oprtalj
Castrum Petrepilose	Pietrapelosa	Petrpilosa
Castrum Pinguenti	Pinguente	Buzet
Castrum Rotii	Rocio	Roč
Castrum Cholmi	Cholmo	Hum
Castrum Raspruch	Raspo	Rašpor
Civitas Emonie	Cittanova	Novigrad
Castrum Montone	Montona	Motovun
Civitas Parentii	Parenzo	Poreč
Castrum Sancti Laurentii	San Lorenzo (del Pasenatico)	Sveti Lovreč (Pazenatički)
Castrum Boraye	Torre di Boraso	Turnina
Castrum Rubini	Rovigno	Rovinj
Castrum Valis	Valle	Bale
Castrum Duorum Castrorum	Duecastelli	Dvigrad
Castrum Dignani	Dignano	Vodnjan
Civitas Pole	Pola	Pula / Pulj
Castrum Albone	Albona	Labin
Castrum Flanone	Fianona	Plomin
Comitatus Iстри	La Contea d'Istria	Istarska grofovija
Castrum Mimiliani	Momiano	Momjan
Castrum Racice	Racizze	Račice
Castrum Pedemontis	Piemonte	Završje
Villa Visinade	Visinada	Vižinada
Castrum Nigrignani	Nigrignano	Nigrinjan
Villa Turris	Torre	Tar
Villa Visignani	Visignano	Višnjan

Castrum Pisini	Pisino	Pazin
Castrum Sancti Vincenti	Sanvincenti	Savičenta
Castrum Gologorize	Monclavo di Pisino	Gologorica
Castrum Grimalde	Grimalda	Grimalda
Castrum Barbane	Barbana	Barban
Castrum Rachle / Castrum Novum	Castelnuovo d'Arsia	Rakalj
Castrum Lupoglane	Lupogliano	Lupoglav
Castrum Cosliachi	Cosliacco	Kožljak
Castrum Gardoselle	Gherdosella / Castelveverde	Grdoselo / Zelengrad
Castrum Chersani	Chersano	Kršan
Castrum Bogliuni	Bogliuno	Boljun
Castrum Passberg	Passo	Paz
Ecclesiastical lordships		
Castrum Ursarie	Orsera	Vrsar
Villa Sancti Laurentii	San Lorenzo di Daila	Lovrečica
Ville Scopliaci et Tupliaci	Scopliaco e Tupliaco	Škopljak i Tupljak
Castrum Caliseti	Caliseto / Giroidia	Gradina
Monasterium Sancti Michaelis de Lemno	Monastero San Michele di Leme	Samostan Svetog Mihovila na Limu

Notes on Venetian Istria:

Kaštel was awarded to the Commune of Piran in 1404, but Buje protested this Venetian decision throughout the fifteenth century; eventually, Doge Christoforo Moro confirmed Kaštel as the possession of Piran in 1463.

Roč and Hum had been put under the district of Rašpor until 1511, after which they were placed under the jurisdictions of Buzet, the new seat of the provincial captainate.

Petrapilosa was originally put under the district of Koper, but in 1440 it was made into a marquisate and bestowed upon Niccolò de Gravisi (without the *ius sanguinis* though, as the criminal jurisdictions remained with the podestà of Koper).

Nothing is known regarding the jurisdictions over the fort Turnina before its enfeoffment to House Borisi in the second half of the sixteenth century; it was probably managed by the Commune of Rovinj as part of its district.

Finally, Dvigrad was part of Koper's dislocated district.

All the other listed places were governed by their own rectors, delegated by Venice, and elected among the members of its Great Council.

Notes on the Habsburg's County of Istria:

The County of Istria was formed of a number of captainates and smaller jurisdictional islands that were loosely connected under the supreme jurisdiction of House Habsburg.

The largest and principal possession of the County of Istria was the County of Pazin (Ital. Contea di Pisino, Cro./Slov. Pazinska knežija) that included, besides the eponymous town as its jurisdictional center, Tinjan (Ital. Antignana), Kringa (Ital. Corridico), Žminj (Ital. Gimino), Pićan (Ital. Pedena)—the seat of the bishopric, Gračišće (Ital. Gallignana), Lindar (Ital. Lindaro), Zarečje (Ital. Sarezso), Beram (Ital. Vermo), Trviž (Ital. Terviso), Kašćerga (Ital. Padova), Zamask (Ital. Zamasco), Novaki (Ital. Novacco di Pisino), Cerovlje (Ital. Cerreto), Previš (Ital. Previs), Črišnjevica (Ital. Ceresnevizza), Butonega (Ital. Bottonega), Kršikla (Ital. Chersicla), Borut (Ital. Borutto), Draguč (Ital. Draguccio), Sovinjak (Ital. Sovignacco), Vrh (Ital. Vetta), Boljun (Ital. Bogliuno), Vranja (Ital. Vragna), Brest pod Učkom (Olmetto di Bogliuno) and, on the eastern shore of the Peninsula, Lovran (Ital. Laurana) and Brseč (Ital. Bersezio).

Separated from the County of Pazin, but still forming part of the County of Istria were:

the Lordship of Momjan;

the Lordship of Račice;

the Captainate of Završje with Vižinada;

Nigrinjan and Tar—held *de iure* from the Bishopric of Poreč;

Višnjjan—held partly from the Bishopric of Poreč and partly from the Commune of Motovun;

(a part of) the Lordship of Savičenta;

the Lordship of Gologorica;

the Lordship of Grimalda;

the Lordship of Lupoglav which included Gorenja Vas (Ital. Goregna), Dolenja Vas (Ital. Dolegna), Semić (Ital. Semi), Lesiščina (Ital. Lesischine), Krajcarbreg (Ital. Montecroce di Gimino), Sutivanac (San Giovanni d'Arsa), Šumber (Ital. Casali Sumberesi), Karbune (Ital. Cherbune) and Tibole (Ital. Tibole);

the Lordship of Kožljak which included Posert (Ital. San Martino d'Arsa), Letaj (Ital. Lettai), Šušnjevica (Ital. Valdarsa), Nova Vas (Ital. Villanova d'Arsa), Jasenovik (Ital. Iessenoviza), Grobnik (Ital. Grobenico), Brdo (Ital. Briani), Čepić (Ital. Felicia) and Malakras (Ital. Villa Crasca);

the Lordship of Grdoselo;

the Lordship of Kršan;
the Lordship of Paz-Gradinje;
the Lordship of Barbana;
and the lordship of Rakalj.

The so-called Meranian lands that included Mošćenice (Ital. Moschiena), Veprinac (Ital. Apriano), Kastav (Ital. Castua) and Rijeka (Ital. Fiume), all situated between the eastern side of the Učka mountain range and the River Rječina, were not integral parts of the County of Istria, although they belonged to House Habsburg by way of their retainers, the lords of Walsee, who in turn inherited it from the lords of Duino.

Notes on ecclesiastical properties:

Vrsar was the only place that remained under the Bishopric of Poreč *in temporalibus*;
Lovrečica was the only place that remained under the Bishopric of Novigrad *in temporalibus*;
Škopljak and Tupljak were lordships subjected to the Bishopric of Pićan *in temporalibus*;
Gradina was the only place in Istria that remained under the Bishopric of Trieste *in temporalibus*, traditionally enfeoffed to House Girolodi from Istria;
between Vrsar and Gradina was the Monastery of St. Michael with its own temporal jurisdictions, independent of the Bishopric of Poreč and subjected to the Venetian monastery of St. Michael in Murano;
Savičenta was (partly) owned by the Bishopric of Poreč and enfeoffed to the Castropolas (later, via inheritance, in the hands of the Venetian Morosini family).
All the other ecclesiastical jurisdictions enfeoffed to various retainers did not include any temporal jurisdictions, only tithes and/or other tributes (originally) owed to the Church.

Appendix 2: Yearly Salaries of Venetian Rectors Delegated to Istrian Subject Centers (Second Half of the 14th- and First Half of the 15th-Century)

Subject center	Yearly salary converted into pounds of Venetian pennies according to the contemporary conversion rates	Primary source from which the data is taken (date of the primary source) [edition of the primary source]	Additional notes [edition of the primary source]
Koper	2000	Ducal instructions to the podestà and captain of Koper (1382–1400) [Rizzi and Zuccarello, ed., <i>Le commissioni</i> 2, 56, doc. 1]	Plus all the regalia owed by the villages of the district estimated to c. 1024 pounds of pennies in 1388 [“Senato misti IV,” 269].
Rašpor	1800	Ducal instructions to the captain of Rašpor (1400–1413) [Rizzi and Zuccarello, ed., <i>Le commissioni</i> 2, 235, doc. 15]	Lowered to 1350 (45 groats) in 1404 by the decree of the Venetian Senate [“Senato misti IV,” 305].
Muggia	1500	Ducal instructions to the podestà of Muggia (1420–1423) [Rizzi and Zuccarello, ed., <i>Le commissioni</i> 2, 173, doc. 9]	
Pula	1200	Ducal instructions to the count of Pula (1382–1400) [Rizzi and Zuccarello, ed., <i>Le commissioni</i> 2, 152, doc. 7]	Of the 1200 total, 240 was reserved for the yearly wage of the obligatory legal expert that had to accompany the delegated count to his regimen in Pula. The yearly salary was raised to 1320 pounds of pennies (44 groats) in 1402 by a decree of the Venetian Senate [doc III/B in the appendix]. The statute

			of Pula from 1431, however, lists the yearly wage of the count at 2100 pounds (i.e. 420 golden ducats) [St. Pula, lib 1, chap. 1].
Poreč	1100	Ducal instructions to the podestà of Poreč (1382–1400) [Rizzi and Zuccarello, ed., <i>Le commissioni</i> 2, 123, doc. 5]	Of the 1100 total, 800 is paid by the Commune of Poreč, and the remaining 300 is subsidized by the state. The salary paid by the Commune of Poreč was raised to 1000 for a total of 1300 pounds of pennies [source]. By 1457 however, state subventions reached 700 pounds for a total of 1700 at which point the Venetian Senate decreed to stop subsidizing the salary and the entire yearly wage of 1700 was to be paid by the Commune of Poreč [Doc III/D in the appendix].
Motovun	1100	Ducal instructions to the podestà of Motovun (1382–1400) [Rizzi and Zuccarello, ed., <i>Le commissioni</i> 2, 191, doc. 11]	Of the 1100 total, 750 is paid by the Commune of Motovun in two terms (500 + 250), and the remaining 350 is subsidized by the state, also in two terms (200 + 150).
Piran	1000	Ducal instructions to the podestà of Piran (1382–1400) [Rizzi and Zuccarello, ed., <i>Le</i>	Raised to 2000 in 1422. [Doc. IV/C in the appendix].

		<i>commissioni</i> 2, 79, doc. 2]	
Sv. Lovreč	900	Ducal instructions to the podestà of Sv. Lovreč (1394–1400) [Rizzi and Zuccarello, ed., <i>Le commissioni</i> 2, 213, doc. 13; cf. “Senato misti IV,” 285].	Reduced to 750 (25 groats) in 1404 by the decree of the Venetian Senate [“Senato misti IV,” 305].
Buje	800	The Statute of Buje (1427) [St. Buje, cap. 2]	
Grožnjan	750	Ducal instructions to the podestà of Grožnjan (1400–1413) [Rizzi and Zuccarello, ed., <i>Le commissioni</i> 2, 226, doc. 14]	Reduced to 600 (20 groats) in 1404 by the decree of the Venetian Senate [“Senato misti IV,” 305].
Izola	700	Deliberation of the Venetian Senate, 1376 [Doc. IV/A in the appendix]	Of the 700 total, 600 is paid by the Commune of Izola, and the remaining 100 is subsidized by the state. By the decree of the Venetian Senate, promulgated in 1388, the yearly wage was reduced to 540 pounds of pennies in total, of which 440 paid by the Commune of Izola and the remaining 100 through state’s subsidies. [Doc. IV/A in the appendix].
Labin + Plomin	632 (560 from Labin and 72 from Plomin; originally expressed as 70 marks from Labin and 9 marks from Plomin); later (1451) raised to 900 for Labin	Labin’s and Plomin’s pacts of submission (1420) [“Senato secreti I,” 281 and 283, respectively]; Labin’s pacts from	In 1423 the entire sum owed by the communes of Labin and Plomin to their delegated rectors was transferred to the treasury of Koper [Carli, <i>Appendice</i> ,

		1452 [“Senato Mare I,” 246].	140, doc. 47]. From that point on, the delegated podestàs were to receive only 100 pounds of pennies in cash as a yearly wage, plus numerous tributes in kind: 150 modia of wheat, 150 modia of vine, 100 modia of oats from Labin; 50 modia of wheat, 50 modia of wine and 50 modia of oats from Plomin; a single sheep from every <i>mandria</i> ; and a third of all the fines collected in Plomin. Cf. Ducal instructions to the podestà of Labin and Plomin (1432) [Rizzi and Zuccarello, ed., <i>Le commissioni</i> 2, 249, doc. 16]. Finally, on the 11 th of June, 1451, the Venetian Senate acceded to Labin’s plea that the delegated rector be annually paid only in money, and a total sum was set at 900 pounds of pennies for Labin [“Senato Mare I,” 246].
Novigrad	600	Ducal instructions to the podestà of Novigrad (1382–1400) state the yearly wage of only 500 pounds of pennies [Rizzi and Zuccarello, ed., <i>Le commissioni</i> 2, 109, doc. 4], but	Of the 600 total, 500 is paid by the Commune of Novigrad, and the remaining 100 is subsidized by the state [Doc. IV/A in the appendix].

		the deliberations of the Venetian Senate from 1374 state a total of 600 [Doc. IV/A in the appendix]. Most probably, the ducal instructions to the podestàs of Novigrad were not updated accordingly.	
Rovinj	600	Ducal instructions to the podestà of Rovinj (1382–1400) [Rizzi and Zuccarello, ed., <i>Le commissioni</i> 2, 139, doc. 6]	Of the 600 total, 500 is paid by the Commune of Rovinj, and the remaining 100 by the state. In 1410, the salary paid by the Commune of Rovinj was raised to 700 for a total of 800 pounds of pennies [Rizzi and Zuccarello, ed., <i>Le commissioni</i> 2, 139, fn. 310, doc. 6]
Buzet	600	Deliberation of the Venetian Senate (1421) [<i>FIM</i> , doc. 1421 SS58].	
Bale	600	Ducal instructions to the podestà of Bale (1382–1400) state the yearly wage of only 500 pounds of pennies [Rizzi and Zuccarello, ed., <i>Le commissioni</i> 2, 178, doc. 10], but the deliberations of the Venetian Senate from 1374 state a total of 600 [Doc. IV/A in the appendix]. Similarly to the	Of the 600 total, 500 is paid by the Commune of Bale, and the remaining 100 is subsidized by the state [Doc. IV/A]

		case of Novigrad, the most probable explanation is that the ducal instructions to the podestàs of Bale were not updated accordingly.	
Vodnjan	600	Ducal instructions to the podestà of Vodnjan (1382–1400) [Rizzi and Zuccarello, ed., <i>Le commissioni</i> 2, 167, doc. 8]	Plus tributes in kind: 40 <i>staria</i> of wheat and 40 <i>staria</i> of oats for horses.
Umag	550	Ducal instructions to the podestà of Umag (1382–1400) [Rizzi and Zuccarello, ed., <i>Le commissioni</i> 2, 95, doc. 3]	Of the 550 total, 300 is paid by the Commune of Umag, and the remaining 250 is subsidized by the state.
Oprtalj	500	Deliberation of the Venetian Senate (1421) [<i>FIM</i> , doc. 1421 SS58].	
Dvigrad	390	Deliberation of the Venetian Senate (1413) [“Senato misti V,” 6]; Mocenigo’s <i>ducale</i> from the 7 th of February, 1414 [Jelinčić and Lonza, eds., <i>St. Dvigrad</i> , 302, doc. 1].	

Although the conversion rates for ducats varied from the late 14th to the late 15th century (rising from 4 pounds of pennies per ducat in 1382 to 6 pounds and 4 schillings per ducat in 1456), the instructions to the Venetian rectors fixed the rate at one hundred schillings of pennies (i.e. five

pound of pennies) per one ducat, which was the conversion rate of 1417.¹⁴⁹⁰ Thus, even though the rectors of Koper and Muggia had their yearly wages expressed in golden ducats in their instructions (400 and 300, respectively), they were in all likelihood paid in pennies (2000 and 1500 pounds, respectively).

The Venetian groat was fixed at 32 pennies per groat in 1282, but in 1374 a deliberation of the Venetian Senate explicitly gives the conversion rate of 30 pennies per groat when paying the yearly wages of Istrian rectors.¹⁴⁹¹ Thus, all the conversions from groats into pennies in the table above have been made with the 1374 rate; a yearly wage of 44 pounds of groats was converted into 1320 pounds of pennies.

¹⁴⁹⁰ “Comitetur [salarium] ad rationem soldorum centum pro ducato vigore partis capte in Collegio die VIII augusti 1428.” Rizzi and Zuccarello, eds., *Le commissioni* 2, 56, fn. 8.

¹⁴⁹¹ Lane and Mueller, *Money and Banking*, 126–27; doc. IV/A in the appendix.

Appendix 3: Critical Editions of Previously Unedited Documents

Note on editorial principles:¹⁴⁹²

- Absolute fidelity to the lexical, grammatical, and syntactical forms of the original is preserved; absolutely no “corrections” to the authors’ Latin whatsoever.
- For the reason above, there shall never be a note such as “(sic!)” pointing to a non-standard Latin form; it should be born in mind that 15th-century Venetians did not write, and did not bother to write, in Ciceronian Latin.
- The letter “u” or “v” are rendered as a “v” when standing for a consonant sound and as a “u” when standing for a vowel.
- All the cases of “j” are rendered as an “i”.
- All the cases of a “y” at the end of a word standing for “ii” are rendered as “ii”.
- Numbers are not expanded and written out; *IV^{or}* in the original standing for the cardinal number four (4) will be rendered as “IV^{or}”, just like *XIIcima* standing for the ordinal number twelfth (12th) will be rendered as “XIIcima”. Arab numerals will also not be expanded and written out.
- Absolutely all the other contractions and abbreviations are expanded.
- Standard graphical signs are rendered as following: “(SN)” for a *signum* of a scribe, “(SC)” for a sign of the cross; “(SM)” for a monogram of a sovereign king or emperor.
- Capitalization is regularized and follows present day conventions; titles of offices and ranks are not capitalized (e.g. imperator, rex, marchio, patriarcha, episcopus, etc.), but the titles of institutions and geo-administrative regions are capitalized (e.g. Imperium, Regnum, Marchionatus, Patriarchatus, Episcopatus, Dominium, Commune, etc.); adjectives derived from proper nouns are also capitalized (e.g. patriarcha Aquileiensis, denarii Veronenses, etc.); names of days and months are not capitalized (e.g. die veneris, undecima mensis madii); the noun “Deus” and all the nouns and pronouns standing for “Deus” and “Iesus” are capitalized (quod Deus avertat, anno Eius nativitatis, anno Dominice incarnationis, in nomine Patris, Filii et Spiritus Sancti, etc.); adjectives

¹⁴⁹² These are largely based on Paolo Cammarosano, *L’edizione dei documenti medievali: Una guida pratica*, Collana strumenti 3 (Trieste: CERM, 2014) and they are identical to the ones used in *FIM*, <https://fontesistrie.eu/editorial>, from where they are largely taken.

qualifying sainted or beatified persons are also capitalized (Sancti Fortunatus et Hermagoras, Sanctus Maurus, Beatus Bertrandus, Beata Virgo Maria, etc.); when standing for the community and not a specific building the noun “Ecclesia” is always be capitalized.

- Modern punctuation is introduced; reported speech will always be preceded by a colon and put between quotation marks (Et dixit Vantus Iohanne: “Va con Dio.”).
- Text originally written on the margins of a manuscript is transcribed and put between angle brackets (<>).

Documents related to Introduction

Doc. A

Date: 17th of June, 1403, Venice.

Regestum: The Great Council decrees that from now on no Venetian nobleman is allowed to hold benefices, receive gifts of any kind, or serve as a rector in any land other than in those directly subjected to the Commune of Venice.

Source: ASV, MC, reg. 21: Leona, fols. 135v–136r.

MCCCCIII, indictione XI^a, die XVII mensis iunii.

<Consiliarii ser Petrus Zanchani, ser Franciscus Vallerio, ser Dominicus Contareno, ser Nicolaus Mudatio, ser Paulus Zane, ser Bartholomeus Donato sextus consiliarius non se impedivit>

Cum inter alia que magis possent cedere ad damnum et periculum status nostri Domini esset, ut antiqui nostri optime cognoverunt ad consentiendum, quod cives nostri recipiant vel habeant per se vel alios ab aliquo domino vel comuni vel ab aliis pro eis feudum, pinsionem, imprestitum, donum sive stipendium aut procurationem vel terras aut domos ad afflictum vel ab livellum vel alio quovismodo, et similiter quod vadant rectores, potestates, capitanei vel officiales in aliqua terra vel loco non subiecto Comuni Veneciarum, et bonum ymo necessarium sit propter rationes et causas omnibus satis notas providere per modum, quod timeant et caveant sibi a predictis et etiam, quod contrafacientes non transeant impuniti,

vadit pars, quod aliquis noster nobilis originarius modo aliquo ingenio seu forma non posset recipere vel habere pro se vel alium ab aliquo domino vel comuni vel ab aliis pro eis pheudum, pinsionem, imprestitum, donum sive stipendium aut procurationem vel terras aut domos ad afflictum vel ad livellum vel alio quovismodo; etiam siquis haberet aliquid de predictis sub aliqua

forma, modo vel ingenio tenentur usque ad unum annum proxime omnino exivisse de eis in totum et renuntiasse et refutavisse, ita quod non habeat nec recipiat aliquid de predictis per se vel alium ullo modo.

Insuper quod aliquis noster nobilis originarius non possint modo aliquo vel ingenio seu forma ire vel esse rector, potestas, capitaneus vel officialis in aliqua terra vel loco non subiecto Comuni Veneciarum.

Et si aliquis noster nobilis originarius aliquo modo ingenuo seu forma contrafaceret suprascriptos vel alterum suprascriptorum contentorum in hac parte, cadat eis penam librorum mille, et ultra hoc sit privatus per quinque annos de omnibus officiis, regimentibus et beneficiis ac consiliis Communis Veneciarum intus et extra; et quolibet anno dictorum quinque annorum in diem quo elligetur potestas Clugie per unum ex advocatoribus comunis debeant stridari et publicari contrafacientes in Maiori Consilio, nominatum a legi quid et in que contrafecerint predictis vel alicui predictorum.

Et de suprascriptis ac infrascriptis vel aliquo superscriptorum vel infrascriptorum contentorum in hac parte non possit fieri gratia, donum, remissio, recompensatio, revocatio, suspensio vel aliqua declaratio aut presentis partis revocatio sub illamet pena suprascripta pro quolibet ponente vel consentiente partem in contrarium.

De qua quidem pena non possit etiam fieri aliqua gratia, donum, remissio, recompensatio, revocatio, suspensionem nec aliqua declaratio sub eadem pena, et sic procedatur de pena in penam usque infinitum cum stricturis predictis predicta non committatur, comittantur advocatores comunis, qui teneantur sub penis et sindicamentis predictis inquirere de contrafacientibus et exigere penas, habendo partem ut de aliis sui officii.

Et si accusator fuit per quem sciatur veritas, habeat medietatem dicte pene pecuniarie et teneatur de credentia, de alia medietatem medietas sit advocatores comunis, et alia medietas sit nostri Comuni.

Et ultra hoc teneantur et debeant dicti advocatores comunis per accusationem quam per inquisitionem et evidencias vel presumptiones et alio quocumque modo possibile sine aliqua negligentia facere officium suum, ita quod nullus audeat contrafacere predictis vel alicui contentorum in hac parte, et si advocatores vel aliquis eorum esset negligentes ad exequendum predicta vel aliquod predictorum, tenenantur et dabant Capita de XL sub penis et sindicamentis predictis ipsos ducere et placitare cum observatione eis totum presentis predictis et executione

ipsius contra dictus advocatores, vel aliquem ipsorum qui essent negligente in predictis vel aliquid predictorum eis commissorum.

Et predicta pars non intelligatur nec sine vigore extendat ad aliquas personas, que de huiusmodi rebus tenuissent a XXV annis supra, nec ad personas que habitarent ad presens, vel nati essent in dictis locis, nec etiam ad illas personas que a suis antecessoribus hec cognavissent, quibus rebus supradictis frui et gaudere possint liberaliter sine ulla conditione.

Reservata etiam parte et ordine ambaxatorum et nuntiorum, qui mittuntur extra per Dominium nostrum, et recipiunt dona que vadunt in commune, verum propter predicta vel aliquid predictorum non intelligantur esse evocate alie meliores pene et stricture, que invenientur continere in aliquo ordine vel parte alias capta in nostris consiliis, sed remaneant, cum omnibus singulis que continentur in ipsis, in illo vigore quo erant ante captionem [136r] presentis partis, et tantum plus quod de aliquo contentorum in ipsis ordinibus vel partibus non possit fieri aliqua declaratio sub penis et stricturis predictis, et teneantur insuper dicti advocatores sub penis stricturis predictis facere publicari presentem partem quolibet anno in die quo elligetur potestas Clugie.

De parte 272

De non 132

Non sinceri 90

Documents related to Chapter II

Doc. II/A

Date: 18th of February, 1385 (1384 *more veneto*), Venice.

Regestum: The Venetian College issues instructions to Gerardo de Guaconi, their ambassador in Friuli, on how to demand from Cardinal and Aquileian Patriarch Philip of Alençon the extradition of Nicoletto Rizo and his associates who were captured for piracy in the Adriatic Sea by the Aquileian subjects of Labin, and how to ask the patriarch to join their League organized for the defense of the homeland of Friuli.

Source: ASV, CS, reg. 1382–1385, fols. 63r–63v.

Antonio Venerio Dei gratia dux Veneciarum et cetera.

Gerarde, super omnia habemus cordi negotium Nicoleti Rizo¹⁴⁹³ Veneti nostri et sociorum, que capti sunt et retenti per illorum de Albona subditos domini cardinalis et patriarche Aquilegiensis, et propterea comittimus tibi, quod cum litteris nostris credulitatis ire debeas ad reverendissimum dominum cardinalem¹⁴⁹⁴ et patriarcham predictum, cui facta reverentia et salutatione sicut convenit ex parte nostri Domini, exponere debeas, quod sicut sue reverendissime paternitati notum est, per illos de Albona subditos suos pridie captus fuit Nicoletus Rizo Venetus noster et alii socii sui, qui erant in uno galedello, cum quo comiserunt pirateriam in mari, quod mare a tempore cuius non est memoria in contrarium, cum sanguine, sudore et expensis nostris et nostrorum semper custodiri fecimus et facimus specialiter propter piratas, ut omnes possint cum securitate plenissima navigare, et qua negotium predictum super omnia est nobis cordi pro conservatione honoris, libertatis et status nostri et iurium et iurisdictionum nostrorum, sequentes in hac parte vestigia progenitorum nostrorum rogando ipsum dominum cardinalem et patriarcham, tantum efficacissime quantum plus possimus, quatenus consideratis predictis, et atento quod nullam dereobationem fecerunt in aliquo loco vel parte sue reverendissime Patriarchatis nec alicui vel alique videlicet de subditis suis, sed solum in mari, cuius custodia et iurisdictio spectat ad nos, ut dictum est, placeat eidem domino cardinali et patriarche tenere modum et ordinare cum effectum, quod dicti Nicoletus Rizo et alii socii sui predicti detempti in Albona dentur et assignentur cum bonis et rebus suis in manibus et fortia nostra, ut possimus de eis facere iusticiam propter culpas eorum, ita quod transeat propterea aliis ad exemplum, et res et bona illa dare illis quibus spectant de iure sicut de sua reverendissima paternitate plene speramus.

Et licet petitio et requisitio nostra predicta sit iusta et rationabilis tamen, reputabimus nobis hoc ad pronitatem singulare concludendo et dando ad intelligendum ipsi domino cardinali et patriarche, quod nullum maius pronitatem vel placere nostro Dominio facere posset ullo modo.

Et circa obtinendum intentionem nostram predictam que super omnia est nobis cordi opereris et facias posse tantum cum verbis et rationibus predictis et omnibus aliis rationibus, instantiis et verbis, que tibi utilia videbuntur, qua id quod fati non est nisi pro faciendo iusticiam de ipsis malefactoribus, que reluceat per totum orbem.

Facta vero experientia possibili non possendo obtineri nostram intentionem predictam in fine dicas domino cardinali et patriarche, quod non conplacendo nobis de re tantum iusta et rationabiliter

¹⁴⁹³ *The following word is crossed out.*

¹⁴⁹⁴ *The word is underlined by a double line in the middle.*

esset nobis importabile, nec possemus talia tolerare ullo modo pro conservatione honoris et status nostri et iurium et iurisdictionum nostrorum acquistarum cum tanto sanguine, expensis nostris et nostrorum, ut superius dictum est.

Ymo omnino oportent nos providere de remedio opportuno.¹⁴⁹⁵

Et cum eo quod scieris et obtinueris, redeas Venetiis de omnibus, plene informatus quam eius esse potest.

[fol. 63v] Insuper committatur Gerarde notario nostro, quod debeat dicere domino cardinali et patriarche Aquilegiensi ex parte nostri Dominii, quod ad honorem et statum¹⁴⁹⁶ Sancte matris Ecclesie et reverendissime sue paternitatis firmata est liga et unio inter nos et Commune nostrum et illos de patria Foroiulii, qui esse voluerunt in illa solum pro bono et conservatione terrarum et locorum patrie Foroiulii et Ecclesie Aquilegiensis, et quia ista liga nedum est utilis ymo necessaria pro infinitis utilibus et bonis respectibus sicut diximus alias.

Item rogamus reverendissimam paternitatem suam quatenus eidem placeat iuvare in ea, quia intrando in ipsa cessabunt omnia litigia, scandala et errores; patria Foroiulii tota manebit in pace et in quiete, et hoc erit causa specialis conservationis honoris et status et iurium suorum.

Et circa obtinendum hanc nostram intencionem fac totum posse tuum¹⁴⁹⁷ sicut de tua fidelitate plene speramus.

Erit etiam causa, quod omnes de patria faciant sibi plenam hobedientiam, et quod hanc omnia sua iura¹⁴⁹⁸

Factis vero omnibus experienciis possibilibus, si non posses obtinere nec habere bona et res dictorum captorum, ut superius dictum est, et posses habere in manibus et fortia nostra personas dictorum Nicoleti Rizo et sociorum, sis contentus, dum modo possimus de ipsis piratis et malefactoris facere iustitiam, ut superius dictum est.

Datum die XVIII februarii, VIII^a indictionis.

Doc. II/B

Date: 13th of March, 1394, Venice.

Regestum: The Venetian Senate deliberates on the reorganization of the provincial captainates of Istria, deciding to elect two overseers who are to journey to Istria and inspect the local forts,

¹⁴⁹⁵ *This line is written by a different hand.*

¹⁴⁹⁶ *Written above the line.*

¹⁴⁹⁷ *s crossed out before the word tuum.*

¹⁴⁹⁸ *The following lines are crossed out and the sentence is left unfinished.*

especially Rašpor, Sv. Lovreč and Grožnjan, and decide which should be the seat of the new captainate, how it should be organized and manned.

Source: ASV, SMi, reg. 42, fol. 155v.

MCCCLXXXVIII, indictione octava, die terciodecimo marcii.

<Ser Leonardus Dandulo, miles, procurator, ser Petrus Mocenigo, ser Petrus Cornario, ser Petrus Aymo, miles, ser Benedictus Superantio, sapientes consilii>

Capta.

Cum pridie, quando fuit acceptum castrum Raspurch, ipsum acceptus fuit duabus de causis principaliter et ad duos fines: primo pro securitate et conservatione terrarum et fidelium nostrorum Istrie, secundo pro possendo scansare expensas et augere si possibile foret introitus nostri Communis; et ut hec duo sufficientius et cum meliori informatione et deliberatione fieri possint, sit necessario providendum, quod vadant ad ipsas partes Raspurch et alias terras et loca nostra Istrie persone bene sufficientes, que sciant examinare omnia ista facta, et videre quecumquam necessaria fuerint circa hoc,

vadit pars, quod eligantur in hoc consilio duo sufficientes provisores per duas manus electionum et una per scrupinium in Collegio dominii consiliariorum, capitum et sapientum consilii, qui possint accipi de omni loco et officio et iudicatu petitionum non eligendo ultra unum pro officio et non perdendo officium nec eius utilitatem pro isto modico tempore, et tenentur reducere die, qua fuerint electi vel alia ad tercias, et recedere ad beneplacitum Dominii ducendo secum tres famulos pro quolibet et unum notarium cum uno famulo; possint expendere ducatos quinque in die inter ambos in omnibus expensis quocumquam occurrentibus non intellectis nabulis navigiorum et agociis equorum; et committatur ipsis provisoribus, quod primo et principaliter vadant ad ipsum castrum Raspurch, et ibi diligenter et solícite examinare debeant condicionem et situm eius et omnes introitus loci, ac quot gentes forent necessarie et cuius condicionis ad implendum nostrum intentionem, scilicet: de reducendo ibi paysanatica et ad securitatem contrate et cum quanto soldo et sub quot capitibus et similiter, si qua sunt necessaria fieri pro habitatione dictarum gentium et que, ubi et cum quanta expensa ac qualiter, et etiam que erunt necessaria reparatione loci et habitatione nostri rectores, et modos que sibi viderentur de faciendo ibi nostrum rectorem et cum quanta familia et expensa et pro quanto tempore, et quomodo ac unde deberent recipere solutionem suam, et ut ad regulandum introitus dicti loci possit fieri aliqua provisio et quantas,

et de modo regiminis soliti fieri et servari ibi, et inter alia si esset modus reducendi gentes ad habitandum contratam, et omnia illa alia que ipsis provisoribus circha hanc nostram intencionem utilia et necessaria videbuntur; et de rebus necessariis pro munitione et securitate dicti loci.

Et facta diligenter ista examinatione tunc scribant nobis presto omnia, que ibi fecerint et examinaverint, et postea vadant ad loca nostra Sancti Laurentii et Grisignane, et ibi similiter providere debeant de modo regulandi ipsa loca, ad complementum rectorum que nunc sunt ibi tam, circha factum rectorum quomodo fieri debebunt et cum quanto salario et expensa, et quomodo debebunt remanere fulcita custodia, et de omnibus aliis que eis circha nostram intencionem copedientia videbuntur visitando etiam alia loca Istrie, ut possint examinare et providere ad ea, que forent utilia et fructuosa pro honore et utilitate nostri Communis et bono terrarum et fidelium nostrorum de inde.

Informant se etiam de modo et regula, que videretur eis dandis nostris rectoribus Istrie, ut intelligerent se taliter cum rectore dicti loci Raspurch per signa vel aliter, quod in omni casu occurrente possint providere ad conservationem et securitatem terrarum et locorum nostrorum ac subditorum nostrorum et eorum bonorum.

Et cum dictis examinationibus debeant redire Venecias ad presentiam Domini et ad faciendum relationem omnium, possendo venire ad Consilium Rogatorum cum provisoribus, que eis videbuntur, et ponere partem non capiendo nec ponendo balotam nisi sint de consilio.

Electi provisore:

Ser Symon Michael¹⁴⁹⁹ reffutavit

Ser Michael Contareno¹⁵⁰⁰ reffutavit

Ser Aluisius Iustiniano¹⁵⁰¹ reffutavit

Ser Lucas Contareno¹⁵⁰² reffutavit.

Doc. II/C

Date: 12th of May, 1394, Venice.

¹⁴⁹⁹ *The name is crossed out by a single horizontal line.*

¹⁵⁰⁰ *The name is crossed out by a single horizontal line.*

¹⁵⁰¹ *The name is crossed out by a single horizontal line.*

¹⁵⁰² *The name is crossed out by a single horizontal line.*

Regestum: The Venetian Senate deliberates on the organization of the newly constituted Istrian provincial captain of Rašpor, fixing their yearly salaries, the size of their retinues, their obligations to Venice and to their local subjects.

Source: ASV, SMi, reg. 43, fols. 2r–2v.

MCCCLXXXIII, indictione secunda, die duodecimo maii.

<Ser Leonardus Dandulo, miles, procurator, ser Petrus Mocenigo, ser Petrus Cornario, procuratores, ser Benedicto Superantio, sapientes consilii>

Capta.

Quia una de principalibus causis, propter quas Dominatio nostra habere voluit castrum Raspurch, fuit pro reducendo ibi pasanatica nostra tam pro meliori custodia totius Istrie quam etiam pro scasando expensas, quia locus est aptissimus ad ipsam custodiam, et propterea necessarium sit providere ibi de uno sufficienti rectore et capitaneo, et de tali custodia quod intencio nostra possit impleri,

vadit pars, quod in bona gratia eligi debeat unus capitaneus dicti loci per quatuor manibus electionum in Maiori Consilio, probando electos ad unum ad unum et illic, que habuerit plures ballotas aliis transeundo medietatem consilii, sit firmus per duos annos et tantum plus, donec successor suus illuc ire distulerit.

Et habeat de salario in anno et ratione anni libras sexaginta grossorum habendo et tenendo ad suum salarium et expensas quinque domicelios, duos ragacios et sex equos, qui equi sint annorum quatuor completorum vel inde supra, sub pena libras quinquaginta pro quolibet equo quem conduceret minoris etatis, quid revocari non possit sub eadem pena pro quilibet ponente vel consentiente parte in contrarium.

Item habere et tenere debeat unum socium Venetum annorum XXV vel inde supra, qui placeat nostro Dominio, et ipsi dare debeat aut unam robam et soldos XL grossorum aut robas duas et soldos viginti grossorum in anno.

Insuper tenere debeat unum notarium ad suas expensas oris solummodo, qui notario habeat¹⁵⁰³ utilitates, quas soliti erant habere notarii, qui ibant cum capitaneis nostris Sancti Laurentii.

Ipsam autem salarium recipere debeat dictus capitaneus per illum modum, et secundum quod recipiebat capitaneus Sancti Laurentii.

¹⁵⁰³ *The following* habeat crossed out.

Et quia ville supposite ipsi castro Raspurch solvunt et dant omni anno multas regalias et honorificentias tam curie quam capitaneo et tam in pecunia quam multis aliis rebus, inter quas sunt ligna, fenum et ova, secundum quod apparet per quaternum nobis missum per capitaneum Sancti Laurentii,¹⁵⁰⁴ habeat dictus capitaneus de feno et lignis predictis tantum quantitate, quanta erit ei necessaria pro domo sua et per equis suis, et omnia ova que presentantur ipsi curie omnis autem alie regalie et honorificentie quocumquam sint, remaneant et sint in nostrum Commune.

Verum dari debeat sibi copia dicti quaterni et committi, quod quando erit deinde faciat diligentem examinationem, si quaternus ille bene stat, et si alie regalie solverentur ultra predictas illas et istas; si non forent in bona forma, faciat ordinate notari faciendo unum inventarium retinendum penes eum, et copiam nobis mittat, tenendo modum, quod omnis tempore et modo debito solvantur, habeantur ac ponantur in nostrum Commune, cum quam maiori avantagio potuerit ultra fenum et lignam sibi necessaria et ova etiam, que ut superius dictum est, debent esse sua.

Pro custodia vero et securitate dicti castri et totius Istrie ordinetur, quod in castro esse et stare debeant duodecim boni ballistarii de Venetiis vel de locis nostris sub uno capite, que habeant de soldo libras XIII parvorum in mense, et caput habeat viginti; et istos conducere debeat dictus capitaneus secum, quando ibit ad regiminem ante dictum; sed fiant per solutores armamenti, ut melius videatur, si erunt persone confidentes.

Verum, ut semper ibi sint persone sufficientes, quilibet rector conducere debeat ballistarios quatuor cum soldo predicto, qui accipiantur per solutores, et quam erit deinde, casset totidem de minus sufficientibus, ut castrum semper sit bene custoditum.

Insuper debeant ibi deputari viginti bone lancee ad duos equos pro lancea et viginti ballistarii equestres vel ballistarii et arcerii, secundum quod utilius videbitur, bene munitati et cum bonis armis et ballistris sub duobus bonis comestabilibus de gentibus paysanaticorum, si erunt sufficientes; et si non forent sufficientes, accipiantur de aliis; quorum comestabilium unus sit Paulus de Polesiis, qui est homo expertus, et cum nunc est commissa custodia dicti loci et notus in partibus, et alii tres comestabili paisinaticorum probentur in Consilio Rogatorum, et ille, qui habuerit plenes ballotas aliis transeundo medietatem consilii, remaneat; et si non acceptaretur aliquis eorum, accipi debeat unus alius sufficiens per dictum modum, habeant de soldo pro qualibet

¹⁵⁰⁴ This *quaternus* is nowadays stored in the *Libri commemoriali* of the Venetian State Archive and it has been edited *in extenso* in Danilo Klen, "Rašporski urbar," 15–27 (regestum in Predelli, ed., *LC* 3: 221, doc. 401).

lancea includendo ballistarium vel arcerium¹⁵⁰⁵ libras quadragintaquinque parvorum in modo et ratione mensis; comestabiles vero habeant per sua lancea, in qua sit unus ballistariorum predictorum, et pro uno tubeta quam tenere teneantur, libras nonaginta parvorum in mense.

[fol. 2v] Capta.

Omnes autem alie gentes tam equestres quam pedestres paysanaticorum Sancti Laurentii et Grisignane cassari debeant, salvo quod ad custodiam Grisignane et Sancti Laurentii remanere debeant due banderie peditum una pro quolibet loco accipiendo de melioribus et sufficientioribus per bono et conservatione locorum predictorum.

Verum ex nunc detur libertas capitaneo supradicto possendi expendere in reparando coperturas palatii et habitationis sue et in aliis rebus sibi magis necessariis pro comodo suo et sue familie usque ad quantitatem ducatorum centum, faciendo quam meliorem et minorem expensum potuerit pro bono nostri Communis.

Et insuper quia diverse opiniones sunt de faciendo habitationes soldatorum nostrorum equestrium, qui ibi debent stare, scilicet, de loco in quo fieri debent, committatur ipsi capitaneus, quod quando erit deinde, fieri faciat cum bono consilio diligentem examinationem, ubi erit utilius eas facere et de expensa quam constare, et nobis omnia debeat ordinate denotare, quia postea providebitur per Consilium Rogatorum, secundum quod utilius apparebit.

Commissio autem sua formetur per Collegium de commissionibus locorum duorum predictorum, secundum quod necessarium eis apparebit, salvo si eis vel alicui eorum videretur corrigendum, addendum vel minuendum, quod illud fiat ordinate cum consiliis terre.

Ad finem vero seu ante complementum capitaneorum paysanaticorum predictorum providebitur pro futuro tempore de regimibus predictis, secundum quod utile et expediens apparebit.

Doc. II/D

Date: 23rd of December, 1395, Venice.

Regestum: The Venetian Senate instructs the incumbent captain of Rašpor to begin negotiations with the patriarch of Aquileia regarding fort Petrapilosa that Venice would like to possess, preferably by way of purchase or pledge, in case Countess Anne of Gorizia buys back fort Rašpor.

Source: ASV, SMi, reg. 43, 95v.

¹⁵⁰⁵ *The phrase from includendo to arcerium written above the line.*

[MCCCLXXXV^o, indictione quarta, die XXIII^o decembris.]

<Sapientes consilii>

Capta.

Quia multis respectibus, et specialiter eorum que quotidie habemus a domina comitissa Segnie de volendo extrahere seu extrahi facere de manibus nostris locum Raspurch, faceret pro nobis et securitate locorum nostrorum Istrie experiri, et videre si per aliquam bonam viam et modum nos possemus habere in manibus nostris locum Petrepilose, que est in manibus domini Hordiborgi olim Istrie marchionis pro domino patriarcha, quia si haberemus illum, quando adhuc dictum castrum Raspurch nobis acciperetur, loca nostra mediante dicta custodia custodirentur et salverentur, vadit pars, considerato quod istud melius tractari et procurari poterit per ipsum capitaneus quam per aliam personam, quod detur sibi libertas possendi intrare in tractatu de habendo istum locum cum illa vel illis utilioribus, condicionibus que sue sapientie videbuntur, trahendo et sentiendo totum illud quod trahere, sentire et habere poterit pro ista nostra intentione obtinenda, et totum id quod traxerit, senserit et habuerit non firmando vel promittendo aliquid sine nostro speciali mandato, nobis scribat singulariter et distincte, quia habita informatione predicta nos postea providebimus, secundum quod nobis utilius et melius apparebit.

Verum reducatur ad memoriam ipsius capitaneus, quod nobis magis gratum esset habere dictum locum pro aliquo censu quam pro aliquem aliam modum, et quod ad istud debeat vigilare. Sed si tractaret de habendo locum per viam pignoris, procuret quod expensa quam faceremus in custodia et reparatione loci nobis restituatur cum pecunia mutuata ut vitemus inconvenientias in quibus summus ad presens de castro Raspurch.

De parte 64

De non 23

Non sinceri 21

Doc. II/E

Date: 8th of July, 1396, Venice.

Regestum: The Venetian Senate decrees to modify a line of ducal instructions to the rectors delegated to administer Venetian centers in Istria so that they immediately share their respective lists of banished criminals with each other instead of waiting to do so until the end of their terms.

Source: ASV, SMi, reg. 43, fol. 136r.

Die predicto [8. iulii, 1396.]

<Sepientes omnes>

Capta.

Cum in comissionibus rectorum nostrorum Istrie sit quiddam capitulum continens, quod ipsi non debeant tenere in suis terris aliquem forbanitum per aliquem potestatem alicuius dictaroum terrarum, que sit forbanitus pro furto, irubaria, vel tradimento suarum terrarum, et quod teneantur dicti rectores in fine suorum regiminum mittere in scriptis unus alteri forbanitos de suis terris pro causis predictis seu pro alio notabili excessu, ut in dicto capitulo continetur, et in facto tradimenti et assasinarie non debeat sufficere quod tales homines expellantur, ymo sit conveniens, quod capiantur et mittantur ad locum ubi commiserunt delictum, corrigatur dicta pars in illo puncto, ubi dicit quod non possint stare in terris nostris, et ordinetur, quod illi qui essent pro tradimento vel assasitaria capi debeant et mitti ad illam terram nostram ubi commiserint dictum excessum, ut sed eorum demerita puniantur,

propterea in illo puncto ubi dicitur in capitulo, quod rectores Istrie in fine suorum regiminum debeant mittere in scriptis unus alteri forbanitos de suis terris pro furto, robaria, vel tradimento sive alio notabili excessu, corrigatur in facto tradimenti et assasinarie in hunc modum, videlicet, quod dicti rectores debeant statim – et non spectando ad finem suorum regiminum – notificare et mittere in scriptis unus alteri malefactores qui essent pro tradimento et assasitaria, ut si reperti fuerint in terris nostris capiantur et mittantur, ut dictum est.

De parte – alii

De non – 4

Non sinceri – 3

Doc. II/F

Date: 6th of July, 1402, Venice.

Regestum: The Venetian Senate decrees to enter into negotiations with John of Rabatta, representing Henry and John Maynard, the counts of Gorizia, and purchase the fort Rašpor from him for a sum not exceeding twenty thousand ducats.

Source: ASV, SMi, reg. 46, fol. 35r.

[Die VI iulii.]

<Sapientes consilii et sapientes ordinum>

Capta.

Cum comparuerint ad presentiam Domini nobilis vir Iohannes de Rabata capitaneus Goricie ambaxiator dominorum Henrici et Maynardi comitum Goricie cum syndicatu seu procuratorio et mandato ad plenum possendi vendere et nomine venditionis in nos transfere castrum Raspurch, quod habemus in pignus a comitissa Segne pro ducatorum XI^mV^c, et bonum sit quod ipsum castrum non exeat de manibus nostris, considerato quante utilitatis et securitatis est omnibus terris Istrie, quia cum veritate dici potest, quod postquam ipsum castrum fuit in potestate nostra, tota Istria fuit secuta ad incursionibus latronum et predarum qui omni modo predabantur dictam contratam, vadit pars, quod Collegium domini, consiliariorum, capitum et sapientum consilii habeat libertatem essendi cum dicto pro[curatore] Iohanne de Rabata et procurandi de veniendo secum ad compositionem, ita quod ipsum castrum et districtum eius cum vilis, iuribus et iurisdictionibus omnibus ad ipsum spectantibus et pertinentibus in manibus nostris libere per viam venditionis habeamus, possendo eidem promittere propter istam venditionem et dationem usque ad quantitate XX^m ducatorum, faciendo quam melius forum fieri poteret pro nostro Communi usque ad dictam quantitatem, ita tamen quod illi XI^mV^c ducati, quos habuit domina comitissa soror dictorum duorum comitum, difalcentur in quantitate, que eis promittetur, et quod habeamus bonas quietationes ad eius filio domino comite Segne, ita quod per futura tempora non molestaremur de pignoratione nobis facta per eius matrem de dicto castro.

De parte 111

De non 14

Non sinceri 9

Doc. II/G

Date: 20th–21st of February, 1411 (1410 *more Veneto*), Venice.

Regestum: The Venetian Senate deliberates on the matter of Muggia, Buje and Oprtalj—lands formally belonging to the Patriarchate of Aquileia—being subjected to the *potestas* of Count Frederick III of Ortenburg, the imperial vicar and close ally of King Sigismund of Luxembourg. The first proposal (20th of February, here referenced as “P. 1”), to quickly occupy the strategically important town of Buje and conscript one hundred and fifty soldiers in Istria, is rejected. The second proposal (21st of February, here referenced as “P. 2”), largely identical to the first with the

seminal difference being that a standard of the Patriarchate of Aquileia is to be erected following the successful occupation of Buje and that the pope and the Patriarch Pancera are to be notified of this undertaking, was accepted.

Source: ASV, SS, reg. 4, fols. 160v–161r.

[P.1]

Die XX^o februarii [MCCCCX^o.]

<Ser Nicolaus Delphino, ser Iohannes Navagerio, ser Barbanus Mauroceno, consiliarii, ser Nicolaus Victuri, ser Leonardus Mozenico, ser Antonius Contareno, ser Benedictus Capelio, sapientes consilii>

Cum per ea que scribit potestas et capitaneus Iustinopolis satis clare comprehendi possit, quod dominus rex Hungarie conatur omnibus viis et modis possibilibus facere ea que possint ad damnum et ruinam nostram redundare, et iam sicut apparet terra Mugle, Portuli et Bullearum in partibus Istrie existentes, que sunt Patriarchatus Aquilegie, se submisserunt a obedientia dicti domini regis, et sicut marchio Istrie retulit dicto nostro potestati videtur eundem dominum regem esse dispositum mittere ad partes Istrie equorum tria millia propter quod necessarium est nostro Dominio facere omnes illas provisiones, que habeant securitatem inducere terris et locis nostris et quantum prestius fiet, tamen securius et utilius erit, nam differendo id, quod ad presens leviter fieri potest, postea cum magno posse difficiliter posset obtinere, et considerato situ et conditione loci Bullearum, qui est situs quasi in medio terrarum Istrie, prout per informationem lectam isti consilio satis clare apparet, multa damna possent inferri terris et locis nostris Istrie, nisi fiat bona et presta provisio,

vadit pars, quod collegium domini, consiliariorum, capitum et sapientum consilii et ordinum habeat libertatem pro faciendo istud factum secretum quantum plus fieri potest de accipiendo dictum locum Bullearum aut per vim aut aliter prout dicto Collegio melius et utilius apparebit, et possit dictum Collegium presto extrahere de terris nostris provisionatos et alios subditos nostros usque centum et quinquaginta¹⁵⁰⁶ et quando et sub illis capitibus qui dicto Collegio videbuntur, et scribere capitaneo Raspurch et rectoribus nostris Istrie pro habendo gentes nostras et terrarum

¹⁵⁰⁶ A single undecipherable character follows.

nostrarum in puncto et in ordine, si et quando videbitur opus esse et circa hoc possit facere illas provisiones, que videbuntur opportune et necessarie pro executione intentionis suprascripte.

De parte 38 – 40 – 40 – 42 – 41

Non 42 – 49 – 42 – 42 – 44

Non sinceri 24 – 14 – 12 – 11 – 10

[fol. 161r]

[P. 2]

Die XXI februarii.

<Ser Nicolaus Delphino, ser Iohannes Navaierio, ser Barbanus Mauroceno, consilarii, ser Nicolaus Victuri, ser Leonardus Mozenico, ser Antonius Contareno, ser Benedictus Capelio, sapientes consilii>

Capta.

Cum per ea que scribat potestas et capitaneus Iustinopolis satis clare comprehendere possit, quod dominus rex Hungarie quirere conatur omnibus modis et viis possibilibus facere ea, que possint ad damnum et ruinam nostram redundare et iam sicut apparet terra Mogle, Portuli et Bullearum in partibus Istrie existentes, que sunt Patriarchatus Aquilegie, se submisserunt obedientie dicti domini regis, et sicut marchio Istrie retulit dicto domino potestati videtur eundem dictum regem esse dispositum mittere ad partes Istrie equorum tria millia, propter quod necessarium est nostro Dominio facere omnes illas provisiones, qua habeant securitatem inducere terris et locis nostris, et quantum perstius fient tantum securius et utilius erit, nam differendo id, quod ad presens leviter fieri potest, postea cum magno posse difficiliter posset obtinere, et considerato situ et conditione loci Bullearum, qui est situs quasi in medio terrarum Istrie prout per informationem lectam isti consilio satis clare apparet multa damna possent inferri terris et locis nostris Istrie, nisi fiat bona et presta provisio,

vadit pars, quod collegium domini, consiliariorum, capitum et sapientum consilii et ordinum habeat libertatem pro faciendo istud factum secretum quantum plus fieri potest de accipiendo dictum locum Bullearum aut per vim aut aliter, prout dicto Collegio melius et utilius apparebit, et possit dictum Collegium presto extrahere de terris nostris provisionatos et alios subditos nostros

centum et quinquaginta si et quando et sub illis capitibus qui dicto Collegio videbuntur et scribere capitaneo Raspruch et rectoribus nostris Istrie pro habendo gentes nostras et terrarum nostrarum in puncto et in ordine si et quando videbitur opus esse et circa hoc possit facere illas provisiones qua videbuntur opportune et necessarie pro executione intentionis nostre.

Et habita nostra intentione de dicto loco Bullearum, levare debeant banderia Patriarchatus Aquilegie et dictum locum custodire donec fuerit de patriarcha provisum, et notificeretur domino patriarche, quod accepimus dictum locum ne remeneret in manibus suorum et nostrorum inimicorum et similiter scribere domino pape, quod hoc fecimus ista de causa.

Ambaxiatoribus autem domini patriarche respondetur, quod intelleximus omnia que exposuerunt ex parte sui domini et si his que nobis notificare fecit, eidem domino suo immense regratiamus, et respondemus quod in brevi ad requisita per dominum suum per nuntium nostrum eidem domino patriarche faciemus responsionem per modum paternitati sue gratum, et de quo ipse dominus patriarcha et tota patria habebunt causam remanendi contenti.

Et quando Collegio videbitur, scribatur Francisco della Sega notario nostro in patria Foroiulii, quod debet comparere ad presentiam domini patriarche et nostra parte dicere qualiter fuit ad nostram presentiam unus ambaxiator suus requerendo subventionem nostram pro recuperatione terrarum suarum Mugle, Bullearum et Portuli, ad que respondemus debitus sue paternitati, quod in brevi respondebimus per modum paternitati sue gratum, et de quo ipse et tota patria habebunt causam remanendi contenti.

De parte 74

De non 11

Non sinceri 11

Doc. II/H

Date: 19th of March, 1411, Venice.

Regestum: The Venetian Senate strikes a deal with the Commune of Muggia, acknowledging that the Muggians will officially retract its support to Sigismund's imperial vicar, erect the standard of the Aquileian Church, and accept a temporary Venetian rector until the election of a new, universally acknowledged patriarch.

Source: ASV, SS, reg. 4, fols. 164v–165r.

[MCCCCXI] die XVIII martii.

<Ser Anthonius Contareno sapiens consilii>

Capta.

Cum sicut notum est, per praticas habitas cum ambaxiatoribus comunitatis Mugle dicti ambaxiatores scripserint ea, que praticata fuerunt inter nos et ipsos, et heri habita responsione fuerunt cum auditoribus nostris sibi deputatis et responderunt, quod habuerunt responsionem a sua comunitate, que in effectum fuit, quod sua comunitas erat contenta se extrahere ab hobia obedientia comitis Ortemburgi, et non dare transitum nec receptum nec victualia gentibus dicti comitis nec alicui alteri volenti venire ad damna nostra; et nostris gentibus dare receptum, victualia et favorem contra quoscunque volentes damnificare nostrum Dominium; et quod supplicabant nostro Dominio, ut essemus contenti, quod ibi remaneret potestas, que ibi est, qui complet usque tres menses, quia completo termino suo contenti erant accipere unum potestatem de Venetiis vel de aliis terris nostris, et quod nostra dominatio teneretur eos deffendere a quibuscunque volentibus eos offendere, qua responsione audita dicti auditores fuerunt cum nostro Dominio, et fuit eis responsum, quod nostra dominatio audiverat responsionem suam, et quod esset cum suis consiliis, et eisdem faceret responsionem dicti autem ambaxiatores Mugle.

Audita responsione eis facta dixerunt, quod volebant dicere totum id, quod habuerunt in mandatis a sua comunitate, quod in effectum est, quod dicta comunitas Mugle contenta est se remove ab obedientia comitis Ortemburgi et dictam obedientiam facere et prestare nostro Dominio, qua obedientia in effectum est, quod ipsi debent esse obedientes dicto comiti et levare banderias Ecclesie Aquilegiensis, et subesse dicto comiti donec fuerit de patriarcha unico et vero Patriarchatu Aquilegiensi provisum; et sic volunt facere nostro Dominio, videlicet, prestare obedientiam et acceptare intra dictam terram Mugle gentes nostras in quacunque numero et expellere illum potestatem [fol. 165r] qui ibi est, et accipere unum nostrum potestatem de Venetiis vel aliis terris nostris, et esse contra quoscunque volentes venire contra nostram dominationem, terras et loca nostra et contra terras et loca Patriarcatus Aquilegie, et levare banderias Ecclesie Aquilegiensis donec fuerit de unico patriarcha provisum; nam habito unico et vero patriarcha volunt reversi ad suam pristinam obedientiam, cum conditione quod nostra dominatio non debeat reducere in Mugla extititios dicte comunitatis nec permittere eas stare in terris circumvicinis, et quod nostra dominatio teneatur dictam comunitatem deffendere a quibuscunque volentibus illam offendere vel

opprimere, et ista est finalis intentio sue comunitatis, et faciat pro nostro Dominio acceptare promissionem suam predictam propter cuasas omnibus satus notas, vadit pars, quod respondatur dictis ambaxiatoribus Mugle, quod nostra dominatio audita ultima intentione sue comunitatis est contenta acceptare obedientiam et promissiones sue comunitatis per modum superius declaratum; et si habent syndicatum ad plenum, debeat concludi cum dictis ambaxiatoribus per modum et formas superius declaratas, et fiat syndicatus necessarius in personam illius vel illorum, que Dominio videbuntur.

De parte 64

Non 16

Non sinceri 8

Doc. II/I

Date: 7th of November, 1411, Venice.

Regestum: Venetian Senate deliberates on the fate of the recently conquered Roč and, if conquered in the near future, Hum as well. The proposal to destroy the two towns is, however, rejected.

Source: ASV, SS, reg. 5, fol. 84v.

Die VII^o novembris [MCCCCXII.]

In Consilio C.

<Ser Nicolaus Victuri, ser Antonius Mauro procurator sapientes consilii>

Quia potestatem et capitaneum nostrum Iustinopolis nobis scribitur per suas literas obtinuisse castrum Rozii ad obedientiam nostri Domini, recordando nobis quod quia illud castrum et aliud castrum Colini fuerunt causa destructionis villarum Raspurch, utile foret facere illa loca destrui et ruinari; et bonus sit facere secundum consilium potestatis, quia tenendo dicta loca tenemus gentes nostras occupatas et tamen nunquam possent conservari sub vera fidelitate,

vadit pars, quod auctoritate huius consilii scribi debeat et mandari potestati nostro Iustinopolis quatenus secundum quod scribit, debeat facere ruinari et destrui castrum Roci et similiter castrum Colmi, si illud pervenerit ad manum suas; verum antequam hoc faciat, debeat notificari facere cum bono modo habitatoribus loci, ut se reducant cum bonis suis ad aliquam terrarum nostrorum ubi eis placuerit, quia tenebimus eos pro fidelibus servitoribus nostris; et hoc facto debeat facere destrui locum predictum seu loca predicta.

De parte 35 – 38 – 39 – 39 – 38

De non 22 – 22 – 25 – 25 – 26

Non sinceri 24 – 20 – 17 – 16 – 17

Doc. II/J

Date: 14th of March, 1413, Venice.

Regestum: Venetian Senate deliberates on the fate of Bale that was recently conquered and razed by King Sigismund and his forces. It is decided that Bale was to be exempted from both having to pay their rectors salaries as well as from the contributions owed to the provincial captainate for five years during which they would use their own incomes to rebuild their town. During this period, they will be governed by their own local judges, elected according to tradition, but criminal justice will be administered by the captain of Rašpor who will also act as the appellate jurisdiction.

Source: ASV, SMi, reg. 49, fol. 164r.

Die XIII^o marcii [MCCCCXIII.]

In [Consilio] C.

<Sapientes consilii>

Cum omnibus sit manifesta fidelitas fidelium subditorum nostrorum de Valle, qui modo nuper contra exercitum regis Hungarie se tam probe et viriliter deffenderunt, et passi fuerunt omnia incomoda et damna usque ad ultimum pro faciendo honorem nostram; et tandem longa et potenti obsidione affecti et non valentes amplius se tenere fuerunt subacti per Hungaros cum eorum inextimabili damno atque iactura; intantum quod ipsa terra dirrupta fuit, sicut est omnibus manifestum,

vadit pars, quod humiles supplicationes dictorum fidelium subditorum nostrorum, quod complaceatur eis in hunc modum, videlicet: quod sint et esse debeant absoluti et exempti a solutionibus et contributionibus quas facere consueverunt, tam pro rectore suo quam pro paisinaticis per spatium annorum quinque proximorum venturorum, ut isto medio possint rehedicare et relevare dictum castrum Vallis sicut se offerunt suis expensis; et insuper quod eligant isto tempore iudices suos iuxta consuetudinem dicte terre, qui redant ius in civilibus tantum; in criminalibus autem et in appellationibus habeant recusum ad capitaneum nostrum Raspurch; elapsis autem quinque annis, si faciebant—sed si ante temporis quinque annorum dictum castrum

erit rehedificatum—, accipiant rectorem ante et tamen non teneantur ad dictas solutiones, nisi elapsis quinque annis.

De parte 100

De non 0

Non sinceri 0

Doc. II/K

Date: 23rd of May, 1413, Venice.

Regestum: Venetian Senate deliberates on the fate of Vodnjan and Mutovran, the two places that had suffered great destruction during the war against King Sigismund. Due to their indefensibility, it is decided that both of these places would be stripped of their walls and governed as mere villages subordinated to one of the Venetian communes of Istria; for Mutovran, that will remain Pula; the denizens of Vodnjan are given the right to freely elect under which commune they would place themselves.

Source: ASV, SMi, reg. 49, fol. 186r.

MCCCCXIII, die XXIII maii.

In Rogatis.

<Sapientes consilii>

Cum comes noster Pole, antequam aliquid occurreret de locis Adignani et Momarani in hac guerra cum rege Hungarie, daret nobis informationem quod ipsa loca non possent teneri et conservari contra aliquam potentiam, et quod bonum esset providere ut relinquerent loca et se reducerent cum bonis suis ad loca proximiora et tutiora; et per capitaneum nostrum Raspurch et ipsum comitem Pole fuerit datus bonus ordo habitatoribus ipsorum locorum, qui noluerunt ipsum ordinem observare; intantum quod secutum est de ipsis locis, id quod est omnibus manifestum; et ob hoc comes Pole¹⁵⁰⁷ misserit ad nostrum Dominium, supplicando ut dignemur providere de ipsis duobus locis Adignani et Momarani, que loca sunt – et precipue Adignanum – diruinata per Hungaros et consumpta, et quod videtur manifeste quod stantibus ipsis locis aliqua fortitudine sive reperatione sunt bastiti civitati Pole et aliis terris Istrie, et fuerunt causa illationis multorum damnorum; et

¹⁵⁰⁷ Inserted above the line.

propterea consulat quod melius esset ut ipsa loca stent modo rurium sine fortilitio, ita quod homines et habitatores stent ibi solum pro laborando et colendo terras et fructus suos, et habeant causam tenendi bona sua de valore in terris proximis ad quas se reducerent in casibus opportunis, vadit pars, quod ex nunc captum sit quod ipsis locis non debeant construi fortilitia, sed dirrui illam partem fortilitiorum que restarent dirrui in ipsis locis, sed quod remaneant pro reductibus incolarum deinde modo rurali pro possendo laborare et colere fructibus suos ac terras, euntibus sicut solebant ire illi de Momarano ad ius Polam, sub qua sit suppositus, sicut continue fuit ipse locus Momarani; et de Adignano observetur hic modus: quod per capitaneum nostrum Raspurch, qui equitet Adignanum, debeat sciri intentio illorum de Adignano ubi sunt magis contenti ire ad ius et ad quam terram et iudicium rectoris, et secundum quod elligent de rectoribus nostris et de loco, ita complaceatur et observari debeat quod vadant ad ius et quod ipse locus sit suppositus illi rectori et terre quem et quam magis libentius elligerint, ut habeant causam remanendi contenti, intelligendo tamen quod de redditibus, regaliis et daciis ac erbadiis cum ceteris nostris redditibus observetur sicut est solitum observari quousque per istud consilium fuerit provisum.

De parte 98

De non 6

Non sinceri 4

Doc. II/L

Date: 23rd of April, 1419, Venice.

Regestum: The Venetian Senate permits the incumbent podestà of Koper to enter into negotiations with the captain of Rihemberk regarding a separate peace treaty between the lands of the said captain and Venetian Istria.

Source: ASV, SS, reg. 7, fol. 72r.

MCCCCXVIII^o, die XXIII^o aprilis.

<.. sapientes consilii et ser Andreas Contareno sapiens guerre>

Cum sicut habemus per literas nostri potestatis et capitanei Iustinopolis, capitaneus Reiffenberg pluries requisiverit cum de tregua cum duobus castris Belingradi¹⁵⁰⁸ et Seroctuznell¹⁵⁰⁹ sui Capitaneatus, et bonum sit providere ubi et quantum sit possibile tenere loca nostra cum civibus bonis et habitatoribus illorum in via securitatis,

vadit pars, [quod] attenta requisitione predicta et consideratis considerandis quod auctoritate huius consilii detur libertas potestati et capitaneo nostro Iustinopolis possendi si ei videbitur facere treguam cum dicto capitaneo dictorum duorum castrorum pro illo tempore et per illum modum quem pro bono status nostre in illis partibus cognoverit esse cum proficuo et bono nostri Domini.

De parte 132

De non 1

Non sinceri 0

Doc. II/M

Date: 17th of May, 1419, Venice.

Regestum: The Venetian Senate gives license to the incumbent podestà of Koper to close the deal negotiated with the captain of Rihemberk regarding the peace between the subjects of the said captain and the subjects of Venice in Istria.

Source: ASV, SS, reg. 7, fol. 77v.

Die XVII suprascripto [mensis maii, MCCCCXVIII].

<Ser Albanus Baduario, ser Rossus Marino, ser Marinus Karavello procurator, ser Antonius Contareno procurator, ser Franciscus Fuscari procurator sapientes consilii>

Cum pridie habitis literis nostris potestatis et capitanei Iustinopolis de tregua quam secum querebat facere capitaneus Reifferberg possitum et captum fuerit in isto consilio quod pro bono nostrorum locorum Istrie posset facere treguam cum dicto capitaneo¹⁵¹⁰ Reifferberg cum duobus castris sui capitaneatus sicut nobis scripsit predictus noster potestas et capitaneus Iustinopolis, qui modo nobis rescriptis quod ille capitaneus Reifferberg et alii nuntii magnificorum comitum Guritie querebant et velent facere treguam cum et pro omnibus locis suis quod non faceret pro nostro

¹⁵⁰⁸ Beligrad in northern Istria, north of Roč? It cannot refer to Belgrado in Friuli as that town was under the *potestas* of the counts of Gorizia and geographically it also makes no sense geographically as well.

¹⁵⁰⁹ Švarcenek (Germ. Schwarzenegg) in the Karst region, present-day Slovenia.

¹⁵¹⁰ *The following 1 crossed out.*

Dominio, nec hoc facera possemus respectu nostri exercitus existentis in patria qui ivit pluries et ire posset circa inimicum ubi in dicta patria dicti comites habunt agere,
vadit pars, quod omnibus consideratis quod respondeatur dicto nostro potestati et capitaneo Iustinopolis quod sumus contenti quod non ponendo Comitatum Guritie nec aliquem locum existentem in patria possit cum dictis magnificus comitibus Guricie seu existentibus suo nomine facere treguam cum locis existentibus in partibus Istrie, nam cum aliquo alio loco respectu dicti nostri exercitus treguam facere non possemus quia gentes armorum nesciunt neque possunt morum custodire mensuram; et faciat dictus noster potestas et capitaneus Iustinopolis dictam treguam per illum terminum qui ei videbitur non faciendo illam cum minori termino quatuor mensis.

De parte omnes alii

De non 0

Non sinceri 0

Doc. II/N

Date: 17th of June, 1420, Venice.

Regestum: The Venetian Senate gives license to the incumbent podestà of Koper to work together with the envoys of Muggia in obtaining the subjection of all the remaining communities of the Patriarchate of Aquileia in Istria.

Source: ASV, SS, reg. 7, fol. 160v.

Die XVII iunii [MCCCCXX].

<Sapientes consilii omnes>

Cum potestas et capitaneus noster Iustinopolis scripserit nostro Dominio, quod illi de Mugla habentes intencionem permanendi in bona fidelitate nostri Dominii querunt reducere ad nostram obedientiam loca Patriarchatus Aquilegie que sunt in partibus Istrie, videlicet Petram Pilosam, Portulas, Pinguentum, Albonam et Flanonam, et quod de hoc ipsi de Mugla dederunt notitiam dicto nostro potestati, qui noluit eis superinde determinare respondere, nisi primo declaretur de mente nostri Dominii, et sit superinde necessario providendum,
vadit pars, quod dicto nostro potestati et capitaneo respondetur et detur licentia possendi per medium dictorum de Mugla praticare ac accipere ad fidelitatem et obedientiam nostri Dominii dicta loca et alia spectantia Patriarchatui Aquilegiensi qui sunt in partibus Istrie.

Et si per alium modum vel medium posset obtinere dicta loca magis placeret nobis salvis havere et personis.

Et simili modo possint accipi et acceptari ad obedientiam nostri Dominii omnia alia loca et fortificia que restant aquiri in patria Foroiulii.

De parte 119

De non 6

Non sinceri 3

Doc. II/O

Date: 3rd of July, 1420, Venice.

Regestum: The Venetian Senate decrees that envoys should be sent to Marano Lagunare and Muggia with the task of procuring their respective pacts of subjection to the Venetian dominion because the rest of the Patriarchate of Aquileia is at this point under Venice as well.

Source: ASV, SS, reg. 7, fol. 166r.

Die tertio iulii [MCCCCXX].

<Sapientes omnes consilii suprascripti>

Cum gratia Dei nostri terre et loca patrie Foriulii pervenerint in totum ad obedientiam nostri Dominii, et sicut notum est, illi de Marano, qui sunt de dicta patria, si starent neutrali modo ut manent, venient stare exclusi et separati soli ad non essendum sub nostro Dominio cum aliis locis patrie, quod non est conveniens; nam dabent dicti Maranensi esse sub nostra obedientia prout est reliquum totius patrie,

vadit pars, quod mittatur unus noster notarius ad dictam comunitatem Marani cum nostris literis credulitatis, cui committatur, quod presentatis ipsi comunitati Marani dictis nostris literis credentialibus cum verbis pertinentibus boni hortaminis de sincera dilectione quam portavimus et gerimus dicte comunitati, debeat sibi dicere parte nostri Dominii, quod, sicut clare vident, termini et esse illius patrie Foroiulii sunt mutati valde, et reducti ad modum prout sibi est manifestum, quod gratia nostri Domini Dei tota patria est reducta ad obedientiam nostram, et postquam reliquum patrie est in totum sub nostro Dominio, est conveniens quod dicta comunitas non stet exclusa et separata sola ab aliis locis et terris dicte patrie, cuius est membrum et quod veniat et faciat debitum suum bone et fidelis obedientie nostro Dominio, quibus consideratis dominatio

nostra optans bonum et quietem comunitatis predictae hortatur eandem ad submittendum se sub obedientia et gubernatione nostri Dominii, sicut fecerunt reliqui omnes de aliis terris et locis dicte patrie, prout dictum est; et habita responsione dicte comunitatis, debeat subito redire ad presentiam nostram de omnibus informatus.

Scribatur etiam potestati et capitaneo nostro Iustinopolis, quod mittat unum de illis nostris fidelibus Iustinopolis cum suis literis credulitatis ad comunitatem Mugle cum commissione suprascripta, que sibi mittatur, faciendo mentionem de ipsa terra Mugle, mutatis mutandis.

De parte 118

De non 5

Non sinceri 2

Doc. II/P

Date: 28th of September, 1420, Venice.

Regestum: The Venetian Senate permits the construction of a new fort from which the attacks against Buzet would be led, deploys more soldiers to Istria to combat the foes, and instructs the incumbent captain of Rašpor to either conquer the enemies or negotiate a ceasefire due to approaching winter.

Source: ASV, SS, reg. 7, fol. 181v.

MCCCCXX, die XXVIII septembris.

<Ser Marinus Karavello procurator, ser Anthonius Contareno procurator, ser Franciscus Fuscari procurator sapientes consilii, ser Iacobus Trivisano, ser Andreas Contareno, ser Georgius Cornario, sapientes guerre>

Quod scribatur nobili viri ser Iohanni Cornario capitaneo Raspurch in hac forma:

Litteras vestras datas die XXIII^o septembris recepimus die XXVIII dicti mensis, quas et contentia in illis audivimus et intelleximus diligenter; et quia scribitis quod vobis appareret certum castellum super culmine montis de lapidibus in paucis diebus construi et fieri posse, volumus et fidelitati vestre cum nostris Consiliis Rogatorum et additionis mandamus, postquam scribitis habere calcem et lapides paratos quatenus in quantum videatis posse facere contrui dictum castellum in viginti diebus, ita quod sit in bona ordine fortitudine, et quod habeat aquam et alia necessaria, debeatis in bona gratia illud facere fieri et construi in bona fortitudine, ut cognoveritis fore necesse; et ut

contra illos de Pinguento faciatis viriliter nostrum honorem, illuc mittimus strenuum virum Iohannem Sanguanatio conductorem nostrum equestrem cum suis lanceis quadraginta, illuc etiam misimus probos viros Cuchagnam de Gondola et Stichinum de Vincentia ac Capelletum de la Fossa comestabiles nostros pedestres cum suis peditibus CXXV, cum quibus debeatis viriliter attendere et facere honorem nostrum.

Destinamus etiam vobis pulvere et spago a ballistis prout vestris literis quesivistis.

Verum si pur videretis non posse obtinere intentionem nostram et haberetis modum possendi venire ad treugum, debeatis in dicto casu ad treugum venire, prout a nobis habuistis in mandatis; si vero videretis propter tempestatem acris et propter yhemem supervenientem oportere vos inde levare, debeatis dictas nostras gentes dividere et ponere aut in bastitis aut in locis circumstantibus in quibus melius possint damnificare inimicos, et obviare quod ad damna fidelium nostrorum Istrie venire non possint.

Scribatur etiam rectoribus nostris Istrie quod mittant de fidelibus nostris dictorum regiminum ad obedientiam nostri capitanei Raspurch ad damna et exterminium inimicorum nostrorum in illa forma que videbitur Collegio.

De parte 68

<Dominus> vult quod scribatur, quod si potest venire ad treugum, prout a nobis habet in mandatis, debeat ad illam devenire; si autem, debeat se et gentes nostras inde levare.

De parte 20

De non 4

Non sinceri 6

Doc. II/Q

Date: 20th of January, 1421, Venice.

Regestum: The Venetian Senate issued two letters regarding the dire situation in Istria and the fight against their enemies in Buzet: first, a letter to the podestà of Koper is dispatched, praising his actions and assuring him that help is on the way as Marquis Taddeo d'Este with five hundred equestrian units had already been dispatched to aid the war effort in Istria; second, a letter to the captain of Rašpor is sent, severely admonishing the incumbent officer for having retreated to Rašpor, leaving his units underneath Buzet leaderless and causing their defeat; the captain of the

province is ordered to regroup underneath fort Podpeč and lead his units to battle personally as befits a military commander.

Source: ASV, SS, reg. 7, fol. 198r–v.

[P. 1]

Die XX^o ianuarii [MCCCCXX].

<__ sapientes consilii>

Quod scribatur potestati et capitaneo Iustinopolis in hac forma:

Audivimus vestras litteras per quas nobis denotavistis modos per vos servatos in facto congregationis nostrorum fidelium de inde pro mittendo eos cum capitaneo nostro Raspurch contra gentes que venerunt in subsidium inimicorum nostrorum Pinguenti, qui modi non modicum nobis placuerunt, et vos de bona providentia commendamus fidelitati vestre scribentes atque mandantes cum nostris Consiliis Rogatorum et additionis quatenus impendere debeatis superscripto capitaneo nostro Raspurch omnem favorem et subventionem vobis possibilem, ut exequi valeat et procurare honorem nostrum et conservationem nostrorum fidelium Istrie et rerum suarum atque bonorum. Nam per litteras nostras presentibus allegatas, quas sibi presto mittere debeatis, scribimus intencionem nostram, ut viriliter et solícite attendat ad ea, que sint honoris nostri et conservationis atque defensionis partium nostrarum Istrie.

Scriptis presentibus recepimus alias literas vestras datas XVIII presentis, quas plene intelleximus pro vestra informatione vobis significante, quod ante receptionem ipsarum, dederamus ordinem quod equi V^o sub conducta Thadeii marchionis ad partes Istrie se conferant, qui prestissime illuc erunt quia sunt in itinere, sed donec illuc applicaverint, provideatis cum Iohannem Sanguinacio et gentibus nostris Istrie ad defensionem locorum et fidelium nostrorum et oppresionem inimicorum per quam meliores modos fieri poterit.

De parte omnes

[P. 2]

XX ianuarii

<__ sapientes consilii>

Quod scribatur capitanei paisinaticorum Raspurch in hac forma:

Intelleximus displicenter, quod dimissa obsidione hostium nostrorum Pinguenti vos reduxistis cum gentibus vestris ad castrum Raspurch, propter quam causam gentes nostre que illuc remanserant sine gubernatore et capite, videlicet propter defectum presentie vestre, receperunt ab hostibus antedictis sinistram, et converse fuerunt in fugam atque disperse cum gravi damno nostrorum et onere nostri Domini et certe cum parvo honore vestro, quia non debebatis inde vos absentare in tali tempore suspectissimo in quo undique resonabat de gentibus que veniebant in subventionem nostrorum hostium predictorum, prout etiam litere vestre nobis misse date XII et XIII^o presentis denotant; nec estis absque suspicione quod timore dimiseritis tali tempore dictum locum, quod est cum magna ignominia vestra et summa displicentia nostri Domini.

Cum autem habeamus secundum ordinem datum per potestatem nostrum Iustinopolis, quod in villa Popechii sunt cohadunati ex fidelibus nostris Istrie in multa quantitate pro faciendo honorem nostrum, fidelitati vestre scribimus et vos quanto plus possumus oneramus cum nostris Consiliis Rogatorum et additionis, quatenus absque mora debeatis reducere vos ad dictam villam Popechii, in qua vestri [198v] precessores solent coadiuvare fideles nostros paisinaticorum Istrie, et cum eis procurare et facere que sunt cum honore nostro et conservatione fidelium nostrorum et totius Istrie, ad que viriliter et cum omni sollicitudine insistatis, ne defectu presentie vestre dicti fideles nostri coadiunati dispergantur, et res iste sic pretereant cum onere nostro et manifesto periculo totius Istrie.

Res eidem bellice requirunt presentiam capitaneorum et subitas provisiones contra pericula que occurrunt, unde taliter vos geratis, quod emendetis illud quod debite hactenus non fecistis, nam pro conservatione et defensione fidelium nostrorum Istrie estis vos specialiter constitutus capitaneus paisinaticorum, propterea vobis mandamus quod sollicitet facere nostrum honorem et vestrum, dimittendo in omni casu sub bona custodia et securitate castrum nostrum Raspurch.

De parte omnes

Doc. II/R

Date: 15th of February, 1421 (1420 *more Veneto*), Venice.

Regestum: The Venetian Senate issues a letter of warning to the counts of Celje and the lords of Walsee because of the help they had provided to a certain Rother who came to aid Venetian enemies in Istria.

Source: ASV, SS, reg. 7, fol. 206v.

Die XV februarii [MCCCCXX].

<__ sapientes consilii et __ sapientes super terris de novo aquisitis>

Quod scribatur magnificis dominis __ comiti Cilie et __ domino de Valse in ista forma:

Nostra semper fuit intentio cum vestra magnificentia bonam amiciciam conservare, et ex hoc indubie credebamus quod vos viceversa consimilem bonam intentionem habentes, nichil nobis damnosum vel incomodum facere aut consentire aliquo debueretis; sed spes huiusmodi nos fefellit quoniam—sicut vera informatione experientiaque cognovimus—ille Rother, qui pridem cum quibusdam gentibus equestribus et pedestibus ad partes nostras Istrie hostiliter venit ad damna locorum fideliumque nostrorum, in locis vestris et iurisdictioni vestre suppositis favorem, gentium et victualium receptum et transitum liberum pro sua voluntate suscepit, sine quibus adminiculis et favoribus idem Rother—cum quo aliquid facere non habemus—ad damna nostra venire non potuisset, de qua re valde mirari compellimur et dolere, nam contra vos et vestros nullo modo talia fecissemus; ymo gentibus nostris armigeris quas ad partes ipsas Istrie contra illum nefarium Rother ad reprimendam eius et gentium suarum proterviam destinavimus, expresse dedimus in mandatis quod a damnis locorum et subditorum vestrorum magnificentie—quantum haberent gratiam nostram caram—abstinere deberent, ymo quod eos amicabiliter tamquam nostros proprios absque lesione tractarent; et licet ob receptis iniuriis nostro honori providere per alia media licuisset; nichilominus, per honestiorem et mitiorem semitam procedentes, vestre magnificentie hec scribere et notificare decrevimus illamque affectuose rogare ut tales provisiones et remedia placeat adhibere, quod talia vel similia de cetero non occurrant quoque sub umbra vel favore vestro, locorum [et] subditorum vestrorum, nobis aut locis et subditis nostris iniurie vel damna non inferantur quia non possemus id modo aliquo tollerare, sed ad indemnitatem nostram nostrorumque fidelium et iniuriarum ultionem opportunis remediis procedere cognoscere, super quibus placeat nobis respondere ac de dispositione vestra nostrum Dominium declarare, ut scire et intelligere valeamus qualiter vobiscum vicinari et vivere debeamus.

Similiter domino de Valse.

De parte 71

De non 0

Non sinceri 1

Misse XVI [februarii].

Doc. II/S

Date: 13th of March, 1421, Venice.

Regestum: Since a Rother defeated the Venetian army station underneath Buzet, the Venetian Senate makes provisions to quickly conquer the enemy's territories in Istria: five hundred infantry units are dispatched, additional equestrian units, gunpowder, bombards and other war machinery is deployed according to College's discretion, and the funds for the military campaigns are to be collected from surtaxes and back taxes on forced loans.

Source: ASV, SS, reg. 8, fol. 4r.

MCCCCXXI, die XIII^o marcii.

<[Leonardus] Mocenigo procurator, [Antoni]us Contareno procurator, [Francisc]us Lauredano, [Francisc]us Fuscari procurator, [Fantin]us Dandulo sapientes consilii, Franciscus Fuscari, [Marcus] Iustiniano, [Andreas] Mocenigo, [Nicolaus] Georgio, [Georgius] Maripetro sapientes super terris de novo aquisitis>¹⁵¹¹

Quia sicut notum est, istis diebus proxime preteritis quidam Rother cum equitibus quadringentis veniens in subsidium Pinguenti et Portularum multa damna intulit fidelibus nostris Istrie, et removit exercitum nostrum que tenebamus contra Pinguentum, quod fuit cum onere nostri Domini; et secundum ea que senciuntur a diversis partibus idem Rother cum maiori quantitate gentium se parat ad veniendum iterum ad partes Istrie; et considerato situ Istrie et fidelitate subditorum nostrorum dictarum partium pro honore nostro faciat providere ad defensionem et securitatem subditorum nostrorum et terrarum nostrorum Istrie, et ad subiugandum dicta castra Portuli et Pinguenti,

vadit pars, quod Collegium, domini consiliariorum, capitum et sapientum consilii et terrarum de novo aquisitarum habeant libertatem mittendi ad partes Istrie pedites quingentos, accipiendo illos de illis quos habemus in terris nostris, et illi qui deficerent conduci debeant de novo, prout dicto Collegio vel maiori parti videbitur; et illi pedites qui de novo conducerentur conduci debeant cum soldo cum quo soliti sunt conduci alii pedites nostri, et per illud tempus quod videbitur dicto

¹⁵¹¹ The names in angle brackets are not readable from the document due to the binding of the folios; they have been reconstructed based on adjacent entries.

Collegio; et detur libertas dicto Collegio mittendi dictos pedites quingentos et illam quantitatem gentium nostrorum equestrum ad partes Istrie que dicto Collegio videbitur et quando dicto Collegio apparebit; et pro obtinendo dicta castra Pinguenti et Portularum et Petre Pilose dictum Collegium habeat libertatem mittendi pulverem a bombarda, bombardas, ver-tonos et alia instrumenta bellica, prout fuerit necessarium, et etiam victualia opportuna; et ne deffectu denariorum dilateretur intentio nostra, ordinetur quod omnes denarii duarum et trium pro C^o que exigentur per omnes extraordinarios et similiter omnes denarii refusurarum imprestitorum non possint in aliqua alia re expendi, nisi in expensis fiendis in partibus Istrie occasione superscripta, exceptis illis denariis qui obligati sunt et illis qui darentur gubernatori et solutoribus armamenti, prout videbitur Collegio, sub pena ducatorum V^c pro quolibet consiliario capite, sapiente vel alio ponente partem in contrarium aut expendente pecuniam predictam; et non possint dicti denarii expendi pro dictis factis Istrie nisi cum deliberatione maioris partis Collegii predicti.

De parte 74

De non 4

Non sinceri 5

Doc. II/T

Date: 31th of May, 1421, Venice.

Regestum: In spite of his poor health, the Venetian Senate decides to send Count Filippo Arcelli to Istria along with his men to subjugate the enemy forces alongside Marquis Taddeo d'Este.

Source: ASV, SS, reg. 8, fol. 14v.

Die ultimo maii.

<Ser Bulgarus Victuri, ser Iacobus Gussoni, ser Delfinus Venerio, ser Nicolaus Maripetro consiliarii>

Cum viri nobiles ser Marcus Iustiniano et ser Franciscus Fuscari procurator sapientes nostri consilii et super terris de novo aquisitis fecerint nobis exponi per providum virum Anastasium Chrispiano¹⁵¹² notarium nostrum quem remiserunt ad nos, quod secundum parere suum magnificus comes Filippus de Arcellis gubernator nostrarum gentium propter invaliditatem sue persone non

¹⁵¹² *Unsure reading; xpiano with an abbreviation sign over the first three letters.*

poterit cum dictis gentibus equitare, et quod hoc nobis significant ut providere possimus sicut nobis videbitur, et sit necessarium debite providere superinde, ne facta nostra trahantur in longum cum ammissione temporis et pecuniarum nostrarum ac turbatione locorum nostrorum et nostrorum fidelium partium Istrie,

vadit pars, quod respondeatur dictis nostris sapientibus quod audivimus ea que nobis retulit parte sua Anastaxius predictus, et laudantes virtutem et sollicitudinem suam eis mandamus quod sine mora providere debeant de essendo cum gubernatore nostrarum gentium predictarum, et in casu quo de persona sua taliter se habeat quod possit cum dictis nostris gentibus equitare, dicere ei debeant quod gratum valde habebimus quod ipse equitet et vadat personaliter cum gentibus antedictis, recedendo de Padua die lune proxime sicut promisit nobis; quando vero ipse gubernator non esset in termino possendi cum dictis gentibus equitare, provideant ipsi sapientes et omnino modum teneant quod dicte gentes, que deputate sunt ad eundum ut supra, recedeant die lune proxime de Padua, facta prius monstra gentium conducte gubernatoris sicut nobis scripserunt; et omnino se ponant ad iter cum viro strenuo Thadeo marchioni, qui Thadeus simul cum viro nobile ser Melchiore Grimani, qui ire debeat etiam cum comite Filippo de Arcellis, esse debeant gubernatores et conductores dictarum nostrarum gentium usque ad partes Istrie; et isto interum venietur ad istud consilium et providetur de gubernatore vel aliter, sicut isti consilio melius videbitur.

De parte 84

De non 12

Non sinceri 3

Doc. II/U

Date: 20th of August, 1434, Venice.

Regestum: The Venetian Senate replied to the letters of their ambassadors with the Council of Basel, instructing them how to proceed regarding the matter of the proposed compromise with Patriarch Ludwig of Teck regarding the temporal jurisdictions of the Aquileian Church that would be leased to Venice for a fixed term. The Senate instructs them to accept the proposed deal only as a last resort to avoid interdict and excommunication, to make sure that the deal refers only to Friuli and not to other jurisdictions of the Aquileian Church—that is, the Margraviate of Istria—, to make sure that the jurisdictions are leased to at least eight, preferably ten years, that the annual

payment does not exceed five thousand florins, that the patriarch may appoint a vicar approved by Venice to exercise only spiritual jurisdictions, that Ludwig may not enter the lands of his Church personally and that following the completion of the agreed upon term Venice receives some kind of gage that would make sure that they could live in peace with their Friulian neighbors. The sketch of the proposed treaty follows the accepted deliberation.

Source: ASV, SS, reg. 13, fols. 98v–99v.

Die XX augusti [MCCCCXXXIII].

Oratoribus in Basilea.

<Ser Leonardo Mocenigo procurator, ser Marcus de Molino, ser Paulus Truno sapientes consilii, ser Marcus Fuscari sapiens super terris>

Postquam expeditur alias nostras literas vobis scriptas sub die XVII presentis, recepimus literas vestras datas octavus mensis huius atque capitula illis incussa et reliquis informationes et actus in facto patrie Foriulii, quibus omnibus intellectis et bene discussis cum nostro Consilio Rogatorum et additionis vobis respondemus, quod licet videamus et apertissime cognoscamus fieri nobis expressam iniusticiam et violentiam—cum sint multi domini, dominia et alii, quos non expedit nominare, qui temporibus preteritis atque modernis occuparunt et occupant ac tenerunt et tenent absque aliquo legitimo titulo de terris et locis Ecclesie, qui pro honore [fol. 99r] et statu Ecclesie et fidei Catolice nunquam fecerunt aliquid quod sit comparandum uni minime parti eorum que nos et nostra Res Publica fecimus et facimus pro Ecclesia Dei ac pro salute et defensione fidei Cristiane—, tamen ut illud Concilium et totus mundus intelligat nos esse veros Ecclesie filios et a pace et concordia nolle discedere, contenti sumus venire ad concordiam cum reverendo domino patriarcha per medium illius sacri Concilii seu deputatorum ab eo in facto patrie Foroiulii cum capitulis, modis et condicionibus infrascriptis, que ferme per omnia sunt conforma capitulis formatis per illos reverendos cardinales excepta remuneratione.

Nam intentio nostra non est facere illam renunciationem, que requiritur, in manibus ipsius patriarche. Et si facto huius renunciationis fieret difficultas aut instantia, dicere poteritis quod ista renunciatio non est necessaria quoniam si nos, sicut dicunt, non habemus ius in illa patria, non expedit ut renuntiemus, nam talis renunciatio esset inanis, ac bene sufficet et sufficere debet quod ab eo tamquam a patriarcha habere et recognoscere contentemur patriam Foroiulii nomine affectus.

Et quod promittamus restituere ipsam patriam completo termino cum modis et condicionibus in illis capitulis declaratis.

Quando vero penitus videretis facta omni instantia et experientia quod prorsus¹⁵¹³ vellent quod ipsa renunciatio fieret, et quod propter hoc hec pratica et concordia tenderet ad fracturam, eo casu contenti sumus—non possendo aliter facere—quod nomine nostro fiat dicta renunciatio, videlicet de iurbis que habemus in patria et locis patrie Foroiulii.

Et si omnino vellent quod talis renuntiatio esset generalis, faciatis omnem instantiam et experientiam quod non se extendat ad aliud quam ad patriam Foroiulii; sed si aliter fieri non posset, tandem contenti sumus quod ista renunciatio se extendat ad patriam Foroiulii et ad loca que idem patriarcha tenebat tempore quo erat in Patriarchatu.

De tempore autem afflictationis, quia in capitulis non specificatur aliquod tempus, voluimus quod faciatis omnem possibilem instantiam et experientiam ut illam patriam habeamus ad afflictum per illo longiori tempore quo fieri poterit usque ad decem annos; sed si non possetis obtinere per annis X, contenti sumus quod demum condescendatis ad annos octo.

In facto autem seu quantitate afflictus, quia in capitulis nostris non specificatur aliqua quantitas, contenti sumus quod usque ad summam florenorum quinque millium in anno et ab inde infra ad partem ad partem condescendere possitis, procurando totis viribus et ingeniis diminueri hanc quantitatem quam plus poteritis a florenis quinque millibus infra¹⁵¹⁴ singulo anno.

Et in hoc et in reliquis omnibus capitulis et condicionibus procuretis prerogativare nostrum Dominium quanto plus poteritis, sicut de prudentia vestra confidamus.

Verum si ad receptionem presentium res iste essent in aliis terminis, ita quod speraretis quod venire posset ad aliquam meliorem conditionem pro nostro Dominio absque quod voveretur¹⁵¹⁵ ad modum compositionis predictae, eo casu non appropriatis hanc materiam, sed prosequimini ad alia que vobis viderentur utiliora pro statu nostro. Nam hec compositio et renunciatio est ultima res ad quam venire volumus, principaliter ad vitandum inconvenientes monitorii, excommunicationis et interdicti; sed non possendo melius facere, veniatis ad modum compositionis suprascripte.

De parte 65

De induciando 40

¹⁵¹³ A crossed out minim follows.

¹⁵¹⁴ *The following* in anno *crossed out*.

¹⁵¹⁵ Sic: pro voveretur.

De non 4

Non sinceri 5

Cras vobis mittemus alias similes literas replicatas atque novum syndicatum sive mandatum circa materiam superscriptam in forma sufficienti.

Capitula pro concordia patriarche Aquilegiensis

[I] Quod reverendissimus dominus patriarcha Aquilegiensis proprio motu ac sponte pro pace et tranquillitate Patriarchatus locabit seu dabit et dare debeat ad afflictum seu arendam illustrissimo ducali Dominio Venetiarum seu .. oratoribus suis nomine suo et cetera patriam Foroiulii et quantum ad temporalitatem ac omnia loca ipsius patrie et Patriarchatus que idem dominus patriarcha possidebat tempore quo erat in Patriarchatu et patria superscripta pro annua pensione florenorum ... solvenda ipsi domino patriarche seu agentibus pro eo et hoc pro tempore annorum

[II] Item quod elapso dicto tempore annorum ... prefatum illustrissimus Dominium libere et absolute et absque aliqua contradictione vel exceptione quibus ex nunc renunciat, restituet et relaxabit dictum Patriarchatum ac omnia et singula superscripta in manibus ipsius domini patriarche seu successoribus sui omni fraude et dolo cessantibus, prius tamen cauto¹⁵¹⁶ sufficienter ipso Dominio de securitate status sui per ipsum dominum patriarcham qui pro tempore fuerit. [fol. 99v]

[III] Item quod ipsum illustrissimum Dominium ex nunc prestabit securitatem infrascriptam super restitutionem ipsius patrie finito tempore superscripta, videlicet quod sub iuratoria cautione et aliis penis iuris nec non sub pena Lm florenorum, pro quibus fidevibebit dominus marchio Mantuansis, obligabit se quod predictam patriam restituet finito tempore antedicto, repetita semper conditione et clausula superscripta de cautione fienda super securitate status ipsius Domini.

[IV] Item quod predicto tempore annorum ... elapso si predicto Dominio videbitur periculosum pro statu suo quod predicta patria libere relaxetur, vel aliter petat ipsum Dominium cautionem aliquam certam sibi per patriarcham prestari, et ipse patriarcha contrarium iudicaret, debeant tunc in casu predicto tam pro parte ipsius Domini quam pro parte ipsius patriarche eligi arbitri unum pro qualibet parte, et quicquid illi arbitrati fuerint, debeat per partes executioni mandari; et in eventum quod causa arbitri discordarent, ipsi arbitri sic discordantes debeant sibi assumere tertium arbitrum et quicquid maior pars illorum arbitrata fuerint, debeat similiter executioni mandari; et

¹⁵¹⁶ *The following ipso crossed out.*

casu quo ipsi duo primi arbitri a partibus electi non possent de uno tertio convenire vel postquam convenissent de uno tertio controversiam huiusmodi non diffinirent infra tres menses, tunc huiusmodi potestas arbitrando devolvatur ad Collegium reverendorum dominorum cardinalium pro tempore in curia existentium arbitrato quorum partes debeant acquiescere.

[V] Item quod patriarcha possit unum vicarium in spiritualibus in dicta patria ponere, qui suo nomine totam spiritualitatem regat, gubernet et exercent, qui vicarius non sit suspectus sed gratus et acceptus Dominio prelibato.

[VI] Item quod toto tempore dictorum annorum ... durante cavebit idem patriarcha antedicto Dominio per suas patentes literas sub cautione et aliis penis iuris quod nunquam vexabit, molestabit vel procurabit aliquid quod sit contra statum et honorem ipsius Dominii, necque quod firmatis et conclusis capitulis contraveniet aliquo modo, neque ipsam patriam intrabit durante tempore suprascripto.

Doc. II/V

Date: 14th of January, 1436, Venice.

Regestum: Venice formally complains against the sentence of excommunication and interdict promulgated by the Council of Basel in favor of Patriarch Ludwig of Teck. Included in the complaint are the official power of attorney and the aforesaid sentence of excommunication.

Source: ASV, Commemoriali, reg. 12, fol. 153r–v, doc. 235.

Appellatio interposita coram reverendo in Christo patre domino L.¹⁵¹⁷ episcopo Venetiarum per spectabiles et generosos dominos Marcum Foscari procuratorem et Zachariam Bembo syndicos et procuratores Dominii a quadam asserta sententia lata per Concilium Basiliense contra ipsum Dominium et in favorem domini Ludovici asserti patriarche Aquilegiensis ad summum pontificem et ad futurum concilium

In Christi nomine, Amen.

Anno a nativitate Eiusdem MCCCCXXXVI, indictione XIII^a, mensis ianuarii die undecimo.

Coram reverendis in Christo patribus et honestis viris domino L. Dei et Apostolice Sedis gratia episcopo Venetiarum, domino P.¹⁵¹⁸ episcopo Clugiensi, domino Nicolao de Curso plebano

¹⁵¹⁷ Laurentius Iustinianus.

¹⁵¹⁸ Pasqualinus Centoferrus.

Ecclesie Sancti Bernabe et pro Sede Apostolica vicario deputato in Patriarchatu Gradensi et domino Paulo priore claustrali monasterii Sancti Georgii Maioris comparaverunt magnifici viri domini Marcus Foscari procurator Sancti Marci et egregius legum doctor Zacharias Bembo procuratores ac syndici illustrissimi principis domini Francisci Foscari Dei gratia ducis Venetiarum ac incliti Dominii et Communis Venetiarum.

Et primo et ante omnia prodixerunt unum instrumentum sindicatus scriptum manu ser Alexandri quondam ser Absolonis de Fornacibus de Venetiis cuius tenor ad literam sequitur ut infra:

In Christi nomine, Amen.

Anno nativitatis Eiusdem millesimo quadringentesimo trigesimo sexto, indictione XIII^a, die decimo mensis ianuarii.

Illustrisimus princeps et excellentissimus dominus dominus Franciscus Foscari Dei gratia dux Venetiarum¹⁵¹⁹ una cum suis consiliis more solito congregatis habentibus ad hec et alia exercenda et ..¹⁵²⁰ successoribus suis ac nomine et vice incliti Dominii et Comunis Venetiarum sponte, libere et ex certa scientia animoque deliberato omni modo, via, iure et forma, quibus melius et validius potuerunt et possint, cum interventione omnium solemnitatum que tam de iure quam de consuetudine requiruntur, fecerunt, constituerunt et ordinaverunt ac faciunt, constituunt et ordinant suos ac dicti Dominii et Comunis Venetiarum actores, factores, nuncios ac veros et legitimos procuratores et syndicos, et quicquid aliud melius dici fieri vel esse possunt, spectabiles et egregios viros dominum Marcum Foscari quondam domini Nicolai procuratorem Sancti Marci et dominum Zachariam Bembo domini Hectoris honorabiles cives Venetiarum presentes et hoc mandatum sponte suscipientes et utrunque eorum insolidum, ita quod occupantes conditio potior non existat, sed quod unus eorum eorum inceperit, alter mediare proseguere et finire possit, in omnibus eorum et dicti Dominii et Comunis Venetiarum causis, litibus, controversiis, differentiis et querellis civilibus et criminalibus presentibus et futuris quas habent vel habituri sunt cum domino Ludovico asserto patriarcha Aquilegiensis specialiter et expresse ad provocandum et appellandum ad sanctissimum in Christo patrem et dominum nostrum dominum Eugenium divina providentia sacrosancte Romane et universalis Ecclesie summum pontificem papam quartum et Sedem Apostolicam et ad sacrum futurum concilium, et ad illam vel illud, prout elegerit, a quadam asserta sententia per Basiliense Concilium, ut dicitur, lata contra prefatos dominum ducem, Dominium et Comune Veneciarum et in eorum preiudicium in favorem ipsius domini Ludovici asserti patriarche Aquilegiensi, et ab omnibus actibus, gravitatibus, preiudiciis et lesionibus per ipsum Concilium contra dictos constituentes quomodolibet factis, pronuntiatis aut aliter declaratis, et ad eligendum bonos et honestos viros et ad protestandum coram eis et quascumque opportunas protestationes faciendum circa predicta ubicumque, qualitercumque et coram quibuscumque fuerint opportunum, ac dictis sindicis et procuratoribus videbitur et placebit, et generaliter ad omnia et singula

¹⁵¹⁹ et c follows, originally written as a sign for et with c appended, subsequently corrected to et, but still nonsensical in the context of the sentence.

¹⁵²⁰ Sic!

dicendum, gerendum, tractandum, opponendum, producendum et quomodolibet exercendum que in predictis et circa predicta et singulis predictorum ac independentibus et conexis fuerint opportuna, dantes et concedentes dicti domini constituentues prefatis eorum sindicis et procuratoribus et utrique eorum insolidum in predictis et circa predicta et conexis et dependentibus ab eis plenum, liberum et generale mandatum cum plena, libera et generali administratione et potestate promittentesque firma, rata et grata habere et tenere quecumque dicti eorum syndici et procuratores et uterque eorum insolidum in predictis et circa predicta duxerint faciendum, et non contrafacere vel venire sub ypotecha et obligatione omnium bonorum suorum presentium et futurorum.

Actum Venetiis in ducali palatio in sala superiori duarum napparum, presentibus egregio¹⁵²¹ et sapientibus viris domino Francisco Bevaçano honorabile cancellario Venetiarum, ser Iohachino Trivisano et ser Marcho Bono ducalibus secretariis et aliis testibus ad premissa vocatis, habitis et rogatis.

In premissorum autem fidem et evidentiam pleniorum prefatus illustris dominus dux presens instrumentum sindicatus fieri mandavit et bulla sua plumbea pendente muniri. Ego Alexander a Fornacibus natus domini Absolonis de Venetiis publicus imperiali auctoritate et prelibati illustrissimi domini domini ducis et Domini Venetiarum notarius ac iudex ordinarius predictis omnibus et singulis presens fui eaque de mandato ipsius illustrissimi domini domini ducis scripsi et in hanc publicam formam redigi, signumque meum consuetum apposui.

Deinde produxerunt infrascriptas protestationes et appellationes quarum protestationum et appellationis tenore infra sequitur de verbo ad verbum:

Coram vobis reverendis patribus et ad hunc actum pro bonis et honestis coiris electis dominis L. episcopo Castellano, P. episcopo Clugiensi, Nicolao de Curso plebano Ecclesie Sancti Bernabe et pro Sede Apostolica vicario deputato in Patriarchatu Gradensi et domino Paulo priore monasterii Sancti Georgii Maioris comparuerunt magnifici et spectabiles viri dominus Marcus Foscari quondam ser Nicolai procurator Sancti Marci [fol. 153v] ac Zacharias Bembo domini Hectoris procuratores et syndici illustrissimi principis et domini domini Francisci Foscari Dei gratia ducis ac incliti Domini et Communis Venetiarum, et dixerunt, exposuerunt et protestati fuerunt quod cum novissime ex literis reverendi patris domini episcopi Paduani presidentis domini nostri pape in Basiliensi Concilio ad aures et noticiam ipsius domini ducis et Domini pervenerit, contra ipsos dominum ducem et Dominium prelibatum latam fuisse quandam sententiam—si sententie nomen habere meretur—in favorem domini Ludovici asserti patriarche Acquilegiensi, et notorium sit ex decretis ipsius Concilii pretenditis summum tribunal¹⁵²² nullo modo a sententiis per ipsum

¹⁵²¹ Sic!

¹⁵²² Sic!

Concilium latis appellari posse, quinimo ipsi appellantes de facto carceribus mancipantur et puniuntur asperime, ut in pluribus et pluribus appellantibus visum est, propter quas punitiones, penas et incarcerationes nullus saltem palam ausus est appellare.

Et sic verisimiliter existimant predictus dominus dux et Dominium, quod nullus ipsorum procurator fuerit ausus appellare, maxime attentis cominationibus et protestationibus factis contra oratores dicti Dominii volentes tunc ab una interlocutoria appellare, obtenta in duabus tantum vel tribus deputationibus cum tamen non obstantibus predictis intendat ipse serenissimus dux et illustrissimus Dominium, uti beneficio iuris, nullitatis, defensionis et appellationis nec hic sit copia iudicis coram quo predicta fieri possint, protestantur predicti syndici et procuratores nomine quo superius, quod si et in quantum aliqua appellatio legitima ibi interposita esset, illam ex nunc ipse dominus dux et Dominium confirmat, laudat et approbat et ipsi dicto nomine adherent; in quantum vero ex supradictis causis non reperiretur interposita, ex nunc dicto nomine vos eligunt in bonos et honestos viros coram quibus dicta protestatione premissa intendunt suum instrumentum libellum nullitatis et appellationis producere, et sic realiter et actualiter producunt, animo tamen intimandi interpositionem huius appellationis ipsi Concilio et parti adverse, si et in quantum de iure teneantur infra tempus debitum, cuius libelli sic producti tenor infra sequitur et est talis:¹⁵²³

Coram vobis reverendis patribus et ut superius electis et cetera dicunt et exponunt spectabiles et generosi viri domini Marcus Foscari quondam domini Nicolai procurator Sancti Marci et Zacharias Bembo de Hectoris honorabiles cives Venetiarum procuratores et syndici et procuratorio ac sindicatio nomine serenissimi principis domini Francisci Foscari illustrissimi ducis et Dominii Venetiarum, quod ad noticiam supradicti domini ducis et Dominii ex literis reverendi patris domini episcopi Paduani presidentis in Basiliensi Concilio presentatis die lune secunda ianuarii pervenit, quod per ipsum Concilium lata fuit et est quedam asserta sententia in favorem domini Ludovici dicti patriarche Aquilegiensi in effectum infrascripti tenoris:

Christi nomine invocato de cuius vultu omne procedit iudicium, per hanc nostram sententiam, quam pro tribunali sedentes ferimus, in his scriptis pronunciamus, decernimus et declaramus dictos ducem, consiliarios, procuratores, advocatos, nobiles, locumtenentes¹⁵²⁴ et quosunque aliorum quomodolibet obnoxios anathematis et

¹⁵²³ What follows is the official sentence of excommunication promulgated by the Council of Basel on the 23rd of December, 1435 against Venice. This sentence is published *in extenso* in Martène and Durand, eds., *Veterum scriptorum* 8: cols. 885–86, on the basis of another manuscript (I cannot ascertain which one precisely). The annotations that follow compare the Venetian *LC* copy with the text edited by Martène and Durand hereby referenced as *V*.

¹⁵²⁴ locum tenentes *V*.

excommunicationis comunitatemque interdicti contentas penas et sententias incidisse pro et ex eo quod civitatem, castra, terras, villas, loca, iura, iurisdictiones et dominia ac alia spoliata, occupata seu detenta ad Ecclesiam Aquilegiensem¹⁵²⁵, ut prefertur spectantia iuxta monitorii tenorem, dicto Lodovico patriarche¹⁵²⁶ non restituerunt nec causam seu causas rationabiles cur monitorio nostro parere non deberent allegantes decuerint¹⁵²⁷ et pro talibus habendos, denuntiandos, repudandos, vitandos et tractandos fore tamdiu et quousque dux, comunitas, consilarii, procuratores, advocati, nobiles, locumtenentes et alii obnoxii predicti civitatem, castra, terras, villas, loca, iura, iurisdictiones et dominia ac alia spoliata, occupata seu detenta ad ipsam Ecclesiam Aquilegiensem¹⁵²⁸, ut predicitur spectantia, prefato Lodovico patriarche absque dolo et fraude seu alicuius excusationis interventione omnino una cum fructibus perceptis, et que percipi potuerunt, resituerint libere cum¹⁵²⁹ effectu, ipsumque Lodovicum patriarcham integre restitutum Ecclesie Aquilegiensi in spiritualibus et temporalibus pacifica¹⁵³⁰ sinant possessione gaudere, et ad gremium sancte matris Ecclesie revertantes absolutionis meruerint beneficium obtinere; necnon ipsos ducem, comunitatem, consiliarios, procuratores, advocatos, nobiles, locumtenentes¹⁵³¹ et alios obnoxios predictos in expensis in ipsa causa factis condemnados¹⁵³² fore et condemnamus, ipsarum expensarum taxationem nobis in posterum reservantes, supplentes omnes defectus que¹⁵³³ in huiusmodi intervenissent processu.

Ut hec omnia per hec verba vel equipolentia patent ex verbis ipsius asserte sententie, et quod ipsa sententia est nulla ex pluribus et pluribus causis:

[I] Et primo quia lata a non competente iudice et sine aliquo ordine iuris cum processus cause sit fundatus nullus, ut ex eius lectione evidenter apparet.

[II] Item quia lata nulla etiam subsistente petitione et nullis datis dilationibus.

[III] Item parte non citata seu vocata.

[IV] Item quia ipsa sententia continet in se evidentes et expressos errores.

[V] Item quia lata contra ordines et decreta ipsius Concilii.

[VI] Item ex pluribus aliis causis suis loco et tempore dicendis, allegandis et proponendis, propter quas vel aliquam earum dicunt ipsam sententiam nullam et nullius roboris vel momenti, et si in quantum esset aliqua quid negatur, dicunt eam iniustam et perperam ac inique latam ex pluribus causis et maxime obstantibus exceptionibus excommunicationis, litispendentie, nullitatis monitorii.

¹⁵²⁵ Aquilegiensi *V.*

¹⁵²⁶ patriarche *V.*

¹⁵²⁷ docuerunt *V.*

¹⁵²⁸ Aquilegiensem *V.*

¹⁵²⁹ *The following* fructibus *crossed out.*

¹⁵³⁰ pacifice *V.*

¹⁵³¹ loca tenentes *V.*

¹⁵³² condemnatos *V.*

¹⁵³³ scilicet qui *V.*

[VII] Item quia notorium est, nullum potuisse subesse spoliū, tum quia constat ipsum Dominium semper fuisse in pacifica possessione Marchionatus Istrie et cum titulo, tum quia ipse dominus Lodovicus forte ab aliis spoliatus eo tempore quo dicit se expulsum non erat in patria, sed per multa tempora prius exiverat patriam et illam habebat pro derelicta.

[VIII] Item quia nullo pacto potest restitui obstantibus exceptionibus criminum exceptione scandali, mendatii, notorii narratorum, defectus tituli, licentie etiam a superiore obtente, et aliis exceptionibus pluribus in processu contentis, quas exceptiones, defensiones et processum verbo producunt ad liquidationem predictorum, et in his partibus tantum, que pro parte sua¹⁵³⁴ faciant, et non aliter propter quas causas vel aliquam earum si et in quantum esset aliqua quod negatur, dicunt esse iniustam et iniuste ac perperam latam.

Et ideo cognoscentes ipsum dominum ducem et Dominium prelibatum gravatos et in futurum amplius posse gravari dicto nomine in his scriptis appellant ad sanctam Sedem Apostolicam et ad futurum concilium et ad illam vel illud, prout elegerit pars sua, cuius eligendi examini se committunt in investigatione supradictarum defensionum, petentes ex nunc apostolos seu literas dimissorias sibi dari instanter, instantius et instantissime.

Et quod ad ulteriora non procedatur obstantibus superdictis alias de nullitate attentatorum protestantur et de damno et interesse expensisque factis et fiendis in posterum, protestantes et ultimo quod per hanc appellationem non intendunt derogare aliis appellationibus suis alio tempore per suos oratores interpositis, sed potius confirmare et illas validare.

Quibus auditis et intellectis prefati reverendi patres et honesti viri electi ut superius, ipsam appellationem admiserunt cum protestationibus iam factis et concesserunt apostolos reverentiales iuxta petita, statueruntque terminum LX dierum ad prosequendum appellationem suprascriptam.

Actum Venetiis in camera cubiculari suprascripti reverendi patris domini L. episcopi Castellani M^oCCCC^oXXXVI, indictione XIII^a, die XI ianuarii, presentibus venerabilibus viris dominis Georgio plebano Sancti Simeonis et Iude de Venetiis, presbitro Antonio de Modoetia beneficiato in Ecclesia Sancti Severi de Venetiis, presbitro Iacobo de Gaieta in ipsa Ecclesia Sancti Severi etiam beneficiato, domino Elleutario monacho claustrali Sancti Georgii Maioris de Venetiis et Petro de Rechanetis Venetiarum cive et aliis testibus ad hec vocatis specialiter et rogatis.

Ego Ieronimus de Nichola publicus imperiali auctoritate notarius et cetera.

¹⁵³⁴ written above the line.

Doc. II/W

Date: 14th of January, 1416 (1415 *more Veneto*).

Regestum: The Venetian Senate modifies the yearly contributions owed to the provincial captainate by Istrian communities; since Izola cannot afford to pay its usual tariff, the community's tribute is reduced, but the tribute owed by Pula, Poreč, and Motovun is therefore raised.

Source: ASV, SMi, reg. 51, fol. 89v.

Die XIII ianuarii [MCCCCXV].

<Sapientes omnes>

Capta.

Cum certe ex comunitatibus nostris Istrie propter novitates elapsas conquiste fuerint coram nostro Dominio, dicentes propter earum imposibilitatem non posse solvere denarios debitos pro paisinatico, et supplicaverunt ut dignemur ad hoc providere; quapropter videntes ad hoc providere facimus ad presentiam nostram venire duos pro qualibet comunitate pro audiendo iura sua, qui in presentia nostra constituti dixerunt et declaraverunt conditiones et impossibilitatem eorum, et facta diligenti examinatione sapientes nostri consilii repperiant quod tribus ex dictis comunitatibus posset addi aliquid pro contributione predicta et quod defalcari debeat aliqua pars comunitati Insule propter minima gravitatem eius quod solvit, et quod alie comunitates remaneant ad conditionem presentem,

vadit pars, quod sicut comunitas Pole solvit pro paysinatico singulo anno libras novemcentum sexaginta, ita solvere debeat libras mille et ducentas; et sicut comunitas Parentii solvit libras trecentas et sexaginta, ita solvere debeat libras quadrigentas L^{ta}; et sicut comunitas Montone solvit libras 768, ita solvere debeat libras noningentas; et comunitas vero Insule sicut solvebat libras VIII^c LX, ita solvere debeat solum libras quingentas; omnes autem alie comunitates Istrie remaneant ad conditionem ad quam sunt ad presens pro contributionibus suis pro paysnatico predicto; et duret ista provisio pro quinque annos et ultra sicut videbitur isti consilio.

De parte omnes alii

De non 1

Non sinceri 0

Doc. II/X

Date: 15th of December, 1387, Venice.

Regestum: The Great Council decrees that at the behest of its envoys, the community of Vodnjan will be given their respective Venetian delegated rector serving as the commune's podestà; the community will pay the official from its own incomes six hundred pounds a year in addition to the extra two hundred pounds that the first delegated rector will receive for the first year in office.

Source: ASV, MC, reg. 21: Leona, fol. 22r.

Die XV decembris [1387].

<Consiliarii>

Capta.

Cum isti boni homines de Adignano qui sunt hic pro se et aliis de Adignano comparuerint coram nostro Dominio, dicentes quod ut habeant rectorem bonum et sufficientem, in isto principio sunt contenti ultra libras VI^C limitatas pro consilia terre pro salario sui potestatis dare pro isto primo anno dicto suo rectori alias ducentas libras parvorum de suo proprio ultra regalias, dacia et introitus deinde,

vadit pars, quod acceptatur id quod offerunt de istis libris ducentis pro isto anno et pro ista vice tantum secundum oblationem eorum, et ut iste primus potestas sit sufficiens persona pro regulando bene et sufficienter dictum locum, debeat pro ista vice tantum fieri per quatuor manibus electionum in Maiori Consilio probando electos ad unum ad unum, et ille qui habuerit plures ballotas transeundo medietatem Maioris Consilii, sit firmus; et de ista promissione quam faciunt de istis ducentis libris pro primo anno tantum, sunt contenti dicti boni homines, qui sunt hic¹⁵³⁵ obligare se in eorum propriis bonis, quod alii deinde similiter erunt contenti, et si non essent contenti illi deinde, isti qui sunt hic sunt contenti solvere dictas libras ducentas parvorum de suo proprio pro isto primo anno, ut dictum est.

Non sinceri 2

De non 20

De parte alii

¹⁵³⁵ *Written above the line.*

Doc. II/Y

Date: 28th of January, 1419 (1418 *more Veneto*), Venice.

Regestum: The Venetian Senate decrees that henceforth the fees paid to Vodnjan in whose districts sand is extracted and shipped to Venice will be set at forty schillings and thus standardized throughout Venetian Istria.

Source: ASV, SMi, reg. 52, fol. 147v.

M^oCCCC^oXVIII^o, die XXVIII ianuarii.

<Consiliarii>

Capta.

Cum comunitates nostrarorum terrarum Istrie sub quarum districtibus est consuetum facere fieri de cineribus, habeant suos ordines quod de quolibet miliari ceneris, qui extrahitur de illis partibus pro conducendo Venetias, solvuntur soldi XLta parvorum comunitatibus suis, et videatur quod comunitas Adignani non ex lege neque ordine statuto sed sic videtur servari in dicto loco quod pro cineribus illius loci solvitur ducatus unus pro milliari et ista de causa non fiunt de cineribus in illo loco, qui est fertilis et aptus ad faciendum cineres, quid esset cum maxima utilitate communis, sed propter dictam gravitatem non potest dictus cinus fieri nec conduci Venetias,

vadit pars, ut servetur equalitas inter dictas nostras terras Istrie ad huiusmodi cineres fiendas habiles, quod cinis qui conficietur et habebitur de territorio et partibus Adignani sit ad conditionem aliarum terrarum et locorum nostrorum Istrie, solvendo sicut solvunt alie comunitates Istrie pro milliari de eo qui habebitur de territorio Adignani et sic iniungatur in comissione rectorum nostrorum Adignani, ut faciant observari.

De parte omnes

De non 0

Non sinceri 1

Doc. II/Z

Date: 21st of June, 1394, Venice.

Regestum: The Venetian Senate decrees to restitute to the Commune of Koper the privilege to be governed by its own communal statutes and modifies certain articles of the said statute.

Source: ASV, SMi, reg. 43, fol. 11r.

MCCCLXXXIII^o, indictione octava, die vigesimoprimo iunii.

<Ser Leonardus Danudlo miles, ser Petrus Mocenigo procurator, ser Petrus Cornario, ser Bernardinus Superantio sapientes consilii>

Capta.

Quia comparuerunt coram Dominio aliqui cives civitatis nostre Iustinopolis nomine totius comunitatis humiliter supplicantes quod pro consolatione sua et universali bono omnium civium dicte terre dignemur eis concedere quod regantur per nostros rectores in civilibus et criminalibus secundum ordines et statuta sua solita, ita tamen quod ipsi rectores soli existant ad iudicandum et regendum et soli habeant libertatem in constituendo et eligendo officiales necessarios et oportunos ultra constitutos et constituendos per gratiam nostri Domini,

vadit pars, considerando quod omnes alie terre nostre Istrie reguntur cum statutis et ordinibus suis, quos credendum est suos antecessores condidisse, quia cognoverunt eos utiles et necessarios ad bonum statum et conservationem dictarum terrarum, examinatis etiam bene dictis statutis et ordinibus ac habito bono et diligenti consilio super illis et precipue aliquibus qui videbantur non ita rationabiles respectu nostrorum, et quantum difficile est regimen unius civitatis ex toto difformare a statutis et ordinibus in quibus fundati sunt, et pro complacendo etiam ipsis nostris fidelibus, ut habeant causam perservandi in bona dispositione sua, quod ordinetur et mandetur omnibus nostris rectoribus dicte civitatis Iustinopolis tam presenti quam futuris, et sic ponatur in sua commissione, quod decetero debeant non obstante aliquo alio nostro mandato nec alia forma sue commissionis regere illam civitatem in civilibus et criminalibus secundum formam et ordinem statutorum suorum cum ista correctione et declaratione: quod ipsa statuta et ordines non habeant locum, sed anulentur et pro anulatis et cassis habeantur in quacumque parte faciunt mentionem quod potestas iudicet et faciat cum voluntate et consensu suorum officialium et quod officiales eligantur per eorum consilium, sed sit solus ad iudicandum et etiam ad eligendum officiales necessarios ultra constitutos et constituendos per nostrum Dominium; servata in omnibus aliis forma dictorum statutorum et ordinum cum hac etiam declaratione capituli centesimisexti libri secundi contentis quod de debitis pecunie mutata vel deposite nulla testificatio valeat a libris decem parvorum supra, nisi fuerit per publicum instrumentum, et a decem libris infra, nisi probatum fuerit per duos ydoneos testes vocatos sive rogatos a partibus et quod nulla probatio testimonii de predictis mutuo vel deposito valeat contra defunctos, quod hec locum habeant in

civibus et habitatoribus Iustinopolis et districtus; in aliis autem forinsecis remaneat in libertate rectorum nostrorum, qui per tempora fuerint, accipiendi et non accipiendi testificationes superinde, sentiendi et terminandi prout eis secundum Deum et suam bonam conscientiam videbitur iustum, conveniens et honestum; et ita intelligatur et declaretur ultima pars captiuli octavi dicti libri continens quod contra defunctos nulla probatio testium pro aliquo debito recipiatur.

De parte 49

Documents related to Chapter III

Doc. III/A

Date: 15th of March, 1392, Venice.

Regestum: The proposal of the returning podestà of Poreč is accepted by which the communal offices of Poreč will no longer be elected by the incumbent officers, but by the civic council presided by the delegated podestà voting secretly with ballots.

Source: ASV, SMi, reg. 42, fol. 49v.

MCCCLXXXII, die XV marci.

<Ser Anthonius Michael qui fuit potestas Parentii>

Capta.

Cum in Parentio per consuetudinem fiant quatuor iudices qui sunt per quatuor menses, et isti iudices ad suum complementum fatiant loco sui alios quatuor iudices et sic de tempore in tempus, et fatiunt etiam duos iusticiarios, duos camerarios, unum scribam et quatuor advocatos, et elapsis quatuor aliis mensibus illi iudices fatiunt similiter, unde sunt circa tredecim personas que habent istud regimen semper in manibus, de quo male contetatur alia bona gens illius terre, et esset valde contenta quod dominatio provideret quod regimen illud non fieret per istum modum, sed fieret electio dictorum iudicum et aliorum officialium per illum meliorem modum qui ducali Dominio videretur, ita quod tam pauci illius terre non haberent hanc prerogativam;

et non reperiatur ulla scriptura que faciat mentionem quod illi qui eligunt, ut dictum est, debeant soli facere hoc, sed divulgatur per ipsos quod quando civitas Parentii data fuit ducali Dominio, fuerunt quatuor domus que fuerunt causa quod ipsa daretur, et quod dictis domibus tunc reservatum fuit quod haberent istam auctoritatem fatiendi iudices et officiales illius terre, sed in pactis vel in

receptione facta per Dominium de illa terra non continetur de hoc aliquid nec in aliqua alia scriptura; et etiam illi de dictis quatuor domibus decesserunt ita quod nullus superest, et pervenit dicta liberatas in alias personas existentas et forenses in quas illi primi per se ipsos translataverunt istam auctoritatem per pecuniam et amicitiam;

et istud non sit conveniens quod iudices et officiales fiant per istum modum, sed fiant sic quod boni homines dicte terre contententur,

vadit pars, quod pro servando equalitatem et pro contentamento omnium quod de cetero iudices et omnes alii officiales dicte terre de tempore in tempus fiant per consilium Parentii per electionem ad busolos et ballotas secundum ordinem qui dabitur per potestatem et consilium dicte terre, et scribatur potestati et comunitati dicte terre quod sic debeant observare, et addatur in commissionibus potestatem quod decetero ibunt ad regimen istud.

De non 0

Non sinceri 4

Doc. III/B

Date: 2nd of June, 1444.

Regestum: The Great Council of Venice decrees that henceforth, in order to unburden the workload of the old auditors of sentences, Istria will be placed under the jurisdictional prerogatives of the new auditors of sentences.

Source: ASV, MC, reg. 22, fol. 157r (original) (A); ASV, Auditori novi, b. 184, 51v–52r (15th-century copy) (B).

Die dicto [secundo iunii, MCCCCXLIII].

<Consiliarii>

Quia experientia comprobatur quod appellationes que convertuntur ad officium¹⁵³⁶ auditorum veterum solummodo de corpore Venetiarum sunt tot, et in tantum multiplicaverunt, et in dies multiplicant, quod nullo modo possunt expediri¹⁵³⁷ imo nec dari sufficientem audientiam appellare nolentibus; et per contrarium appellationes que sunt deputate auditoribus novis sunt ita pauce et etiam diminute, quod eis super est multum tempus quo possent audire et expedire multas alias res;

¹⁵³⁶ offitium B.

¹⁵³⁷ non solum expediri B.

et sicut omnibus notum et manifestum est, tam cives nostri Venetiarum quam subditi et fideles nostri qui ad illud officium agere habent conqueruntur, quod non possunt habere audientiam nec expeditione in causis suis ad auditores veteres quorum offitium ita est oneratus, et sic in eo appellationes abundint¹⁵³⁸ et quotidie multiplicant, ut non modo debita expeditio prestari non potest, sed multotiens infra multum tempus vix potest haberi principium audientie; et bonum sit et necessarium pro honore nostri Domini et contentamento ac expeditione tam civium quam subditorum nostrorum providere et alleviare dictum officium in aliqua parte, ut cause celerius expedianur,

vadit pars, quod omnes appellationes que de cetero venient de partibus Istrie, et que iam venerunt et nondum intromisse neque disfinite sunt, decetero devolvantur, et audiri ac expediri debeant per auditores novos, per illos modos et conditiones cum quibus audiuntur et expediuntur ad presens per auditores veteres, et erit sine damno dicti officii quia de huiusmodi causis non percipiuntur carati, et similiter erit cum alienatione expensarum et sine tanta temporis amissione personarum illarum qui ad dictum officium agere habent.

De parte – 234

De non – 27

Non sinceri – 7

Documents related to Chapter IV

Doc. IV/A

Date: 6th of May, 1376, Venice.

Regestum: The Venetian Senate modifies the yearly wages of a number of podestàs delegated to Istrian podestarias, namely of Poreč (P. 1), Umag (P. 2), Izola (P. 3), Rovinj (P. 4), Novigrad (P. 5) and Bale (P. 6).

Source: ASV, SMi, reg. 35, fols. 108v–109v.

¹⁵³⁸ abundant B.

MCCCLXXVI, mensis maii die sexto.

[P. 1]

<Sapientes predicti¹⁵³⁹> Capta.

Cum potestas Parentii habeat de salario in anno a Communi Parentii libras VIII^c parvorum et a Communi Veneciarum libras CC ad grossos, quod regimen est male solutum consideratis oneribus et expensis ipsi regiminis que sunt pro uno sotio, uno notario, sex servitoribus et equis tribus, vadit pars, quod addantur potestatibus Parencii decetero eligendis de salario in anno pro quolibet libras CC ad grossos de pecunia nostri Communis.

[De parte] omnes alii

De non 8

Non sinceri 1

[P. 2]

<Predicti> Capta.

Cum potestas Humagi habeat de salario a dicto Communi libras CCC in anno et a Communi Veneciarum libras CLII solidos IIII parvos IIII ad grossos, quod regimen similiter est male solutum consideratis oneribus et expensis ipsius que sunt pro tribus servitoribus et duobus equis, vadit pars, quod sicut habet a Communi Veneciarum libras CLII solidos IIII parvos IIII ad grossos, sic decetero potestates Humagi eligendi decetero habeant CCL ad grossos in anno a dicto Communi Veneciarum.

[De parte] alii omnes

De non 4

Non sinceri 0

[P. 3]

<Predicti> Capta.

Cum potestas Insule habeat de salario in anno a communi dicte terre libras VI^c parvorum computando sibi grossum pro XXX denariis et recipiunt in totum circa libras XXI grossorum, quod regimen similiter est male solutum eius oneribus consideratis que sunt pro uno notario, quatuor servitoribus et tribus equis,

¹⁵³⁹ According to the previous entry on fol. 108r, these were: Ser Iohannes Nicolaus Rubeo, ser Iohannes Bembo, ser Lucas Gradonico, ser Daniel Chanco, ser Andreas Michael sapientes ad corrigendum commissiones capitularia et consilia Veneciarum.

vadit pars, quod addantur potestatibus Insule decetero eligendis libras C ad grossos in anno de pecunia nostri Communis Veneciarum.

[De parte] omnes alii

De non 4

Non sinceri 0

[P. 4]

<Predicti> Capta.

Cum potestas Rubini habeat de salario in anno a Communi Rubini libras V^c parvorum, quod parum est consideratis oneribus que sunt pro uno notario, tribus servitoribus et duobus equis,

vadit pars, quod addantur potestatibus Rubini decetero eligendis libras C ad grossos in anno de pecunia nostri Communis.

[De parte] omnes alii

De non 5

Non sinceri 0

[P. 5]

<Predicti> Capta.

Cum potestas Emonie habeat de salario in anno a communi dicte terre libras V^c parvorum, quod parum est consideratis oneribus que sunt pro uno notario, quatuor servitoribus et¹⁵⁴⁰ duobus equis,

vadit pars, quod addantur potestatibus Emonie decetero eligendis libras C ad grossum in anno de pecunia nostri Communis.

[De parte] omnes alii

De non 10

Non sinceri 1

[P. 6]

<Predicti> Capta.

Cum potestas Vallis habeat de salario in anno a communi dicte terre libras V^c parvorum, quod parum est consideratis oneribus que sunt pro tribus servitoribus et duobus equis,

vadit pars, quod addantur potestatibus Vallis decetero eligendis libras C ad grossos in anno de pecunia nostri Communis.

[De parte] omnes alii

¹⁵⁴⁰ Inserted above the line.

De non 8

Non sinceri 0

Doc. IV/B

Date: 20th of May, 1402, Venice.

Regestum: At the behest of the envoys of the Commune of Pula, the Venetian Senate revokes the previously promulgated decree and promises to respect the old custom of sending along the delegated rector of Pula a vicar learned in civil law whose yearly wage of eighty ducats is to be paid entirely by the local community and not by Venice; the yearly wage of the delegated counts of Pula is also raised to forty-four groats (circa one thousand and four hundred pounds of pennies), also paid by the local community.

Source: ASV, SMi, reg. 46, fol. 21r.

Die XX maii [MCCCCII, indictione X^a].

<Ser Petrus Cornario, ser Ludovicus Lauredanus procuratores, ser Donatus Mauro, ser Ludovicus Maurocenus, ser Rambolus Quirino, ser Iustus Contareno, ser Zacharias Trivisanus miles sapientes consilii> Capta.

Cum comparuerint ad presentiam Domini oratores comunitatis Pole, dicentes et exponentes quod quedam pars pridie positam per nobilem virum ser Raynerium Victuri olim comitem Pole—quod comites Pole decetero non debeant conducere vicarium quem semper ceteri conduxerunt et cui de introitibus dicte terre dant salarium suum—erat dicte comunitati valde inutilis et damnosa, et non solum eis sed etiam aliis terris Istrie cum multi casus quotidie occurrant super quibus est necessarium quod habeant consilium sapientis iuris, nam ubi statuta sua non provident, reguntur per formam iuris civilis; erat etiam contra illa que continentur in partis que habet illa comunitas cum excelsa dominatione nostra, et propterea supplicabant quod dignaremur providere quod ipsa pars revocaretur, et quod secundum usum procederetur per comites illuc ituros, addendo quod si foret necesse et videretur Dominio, essent contenti—ut habeant personas bene sufficientes—addere eidem vicario salarium ultra ducatos octuaginta quos habere debet,

vadit pars, consideratis que semper facti sunt et quod non solvitur ipsi vicario de introitibus seu pecuniis nostri Communis sed Communis deinde, et¹⁵⁴¹ quod illa civitas ab antiquo accepta fuit per nostrum Dominium cum dicta conditione vicarii, et quod non est displicendum eis in hoc postquam asserunt quod ipse vicarius est sibi tante necessitatis, quod ipsa pars revocetur in totum, et quod rectores et comite Pole teneantur et debeant conducere dictum vicarium bonum et sufficientem cum salario et conditionibus solitis, tenendo ipsum omnino ad expensas suas in domo sua, ita quod habitet in domo cum eis; verum salarium ipsius vicarii, quid est ducatos octuaginta in anno, solvatur non per comites et rectores sed per Commune dicte terre Pole, ut melius impleatur intentio terre de habendo personam sufficientem et bonam; comitibus autem dari debeant decetero libras XLIII grossorum in anno ut etiam vadant persone magis sufficientes, cum de hoc ipsa comunitas sit valde contenta cum omnibus aliis conditionibus solitis.

Doc. IV/C

Date: 5th of January, 1421 (1420 *more Veneto*), Venice.

Regestum: The Venetian Senate decrees that the yearly wage of the podestà of Piran is to be doubled, from one thousand to two thousand pounds of pennies.

Source: ASV, SMi, reg. 53, fol. 212v.

Suprascripto die¹⁵⁴²

Capta.¹⁵⁴³

Quia necessarium est ut habeamus in dicta terra Pirani potestatem qui a dictis Piranensibus timeatur et habeatur in reverentia, ordinetur quod potestates decetero eligendi sicut habent de salario libras mille ita habere debeant libras duas mille parvorum, qui denarii solvi debeant prout solvuntur dicte libre mille, teneantur tenere suis salario et expensis septem famulos armatos a XX annis supra et a LX infra et unam barcham et unum socium militem qui habeat libras C in anno et expensas oris, et fiant dicti potestates de cetero per quatuor manus electionum in Maiori Consilio,

¹⁵⁴¹ The following il crossed out.

¹⁵⁴² Quarto ianuarii.

¹⁵⁴³ The names of the councilors are not stated, but it is implied that they are the same ones who proposed the previous pars. Thus they would be: Ser Marinus Karavelo procurator, ser Franciscus Bernardo, ser Franciscus Foscari procurator, ser Georgius Cornario.

verum remaneat in libertatem dictorum potestatum tenendi equos in sua commissione contentis
vel non tenendi, prout eis placebit.

De parte omnes alii

De non 1

Non sinceri 0

Doc. IV/D

Date: 3rd of October, 1457, Venice.

Regestum: The Venetian Senate decrees that, since the treasury of Poreč is loaded with money, the yearly wage of the delegated Venetian podestàs to this podestaria will henceforth be paid entirely by the commune.

Source: ASV, SMa, reg. 6, fol. 38r.

<Ser Laurentio Gritti, caput de XL^{ta}>

Cum zo sia che el rector de Parenzo habia de salario lire 1700 [de] picoli dela qual summa el se paga alla chamera de Parenzo de lire 1000 el resto, che son lire 700, el se paga qui ali chamerlengi, e considerato che qusta chamera de Parenzo sia sempre grassa de denari et habia de entrada lire 5500, i qual denari se consumano e spendeno per mal muodo senza utilità del nostro Chomun, vada parte, che decetero tuti i rectori nostri de Parenzo chussi chome da quella camera se pagano de lire 1000 chussi etiam i se possi e debia pagar integramente nel resto de le lire 700, le qual i die haver per suo salario.

Da parte 117

De non 5

Non sinceri 7

Appendix 4: Critical Edition of Court Cases (Rovinj, Poreč, Buzet)

1: Civil Law

Case 1/1

Date: 25th of October, 1445, Poreč.

Source: DAP, Poreč, Atti del podestà, fol. 193r (podestà's verdict only as the other parts of the process are not recorded).

Die XXV octobris.

<Sententia Dominice uxoris Mathei Simonis>

Cum coram prefato domino potestate et iudicibus suis verteretur questio inter Dominicam uxorem Mathei Simonis de eius licentia tan suo nomine proprio quam procuratorio Nicolai de Velcina¹⁵⁴⁴ successorum in bonis quondam Catarucie relicte Iuani¹⁵⁴⁵ ex una parte petentem et¹⁵⁴⁶ agentem, et ser Antonium Mochorii ex alia se defendentem.

In qua quidem lite petebat dicta Dominica cogi et per sententiam artari debere dictum ser Antonium ad relaxandum et consignandum sibi quamdam vineam positam in confinibus Parentii in contrata Monspinos circa operas duas cum dimidia, confinat cum Damiano quondam Sisti in ortu solis et a ponente cum dicto ser Antonio et cum heredibus quondam Francisci de Anchona, quam vinea dictus ser Antonius tenuit et usufructavit et tenet nullo iuris titulo et per indirectum quia dicta vinea erat quondam Iuani viri dicte Catarucie, que Catarucia contraxit matrimonium cum dicto Iuano secundum consuetudinem patrie “ad fratrem et sororem.” Item quod dictus Iuanus dimiserat omnia bona sua dicte Catarucie, sichut de iure dicta vinea pertinet et expectat dicte agenti et dicto nomine successoribus dicte Catarucie, ut constabat per cartam successionis fieri factam per dictum dominum potestatem et rescriptam manu mei cancellarii; petens quod in expensis condenari et cetera.

Ex adverso dictus ser Antonius opponebat et se¹⁵⁴⁷ defendebat iusto titulo possidere dictam vineam quia habebat in pignere, et quod quondam Iuanus predictus sibi pigneraverat pro libris XXV

¹⁵⁴⁴ *Unsure reading: there are two dots above the first two minims and the following letter is botched, only the final lcina is clearly legible.*

¹⁵⁴⁵ *The following habitatoris in v crossed out.*

¹⁵⁴⁶ *The following ge crossed out.*

¹⁵⁴⁷ *The following op crossed out.*

parvorum, ut constabat instrumento scripto manu ser Nicolai dela Boaria publici notarii M^oCCCC^oXXXV, indictione XIII, die VI martii, ut in eo continetur; et insuper, quod dicta vinea fuerat dicti Iuani et dicta Catarucia non habeat aliquid agere in ea, et habendo suos denarios contentus est ipsam restituere; petens absolvi et ipsam ut superius in expensis condenari.

Unde visis omnibus et singulis que dicte partes dicere, producere et allegare voluerunt; visis dictis petitione et responsione oretenus factis et omnibus aliis quo videnda erant datis quam pluribus terminis presentibus; viso dicto instrumento pignorationis, visaque terminatione successionis in bonis dicte Catarucie facta per dictum dominum potestatem in favorem dicte Dominice ut superius, et considerato quod quondam Catarucia contraxerat matrimonium “ad fratrem et sororem” cum dicto quondam Iuano secundum consuetudinem patrie per modum quod medietas dicte vinee de iure expectat dicte Dominice succeditrici ut superius,

Christi nomine invocato qui¹⁵⁴⁸ lucidat mentes hominum ad vera et recta iudicia, sedens pro tribunali ad bancum iuris solitum, de oppinione iudicum suorum terminavit quod dictus ser Antonius relassare et consignare debeat medietatem dicte vinee dicte Dominice ut superius, cui de iure expectat et de cetero in ipsa non se impediat dictus ser Antonius¹⁵⁴⁹, et quia partes ambe licitam causam habuerunt litigandi, quod una pars alteri non teneatur refficere aliquas expensas, sed quod dictus Antonius solummodo solvat expensas presentis sententie.

Lata et data fuit predicta sententia per prefatum dominum potestatem et lecta et publicata per me Iohanem de Victore eius cancellarium sub logia fontici Comunis presentibus ser¹⁵⁵⁰ Dominico Bevilaqua, ser Ambrosio quondam ser Vilani testibus, M^oCCCC^oXLV, indictione VIII, die XXV octobris.

Case 1/2

Date: 21st of January, 1446, Poreč.

Source: DAP, Poreč, Atti del podestà, fols. 199v–200r (podestà’s verdict only as the other parts of the process are not recorded).

Nos Matheus Gradonico potestas Parentii cognitor litis, cause et controversie vertentis inter Andream Çolma habitatorem Parentii sive ser Dominicum Bevilaqua eius advocatum ex parte una

¹⁵⁴⁸ *The following lied crossed out.*

¹⁵⁴⁹ *dictus ser Antonius inserted and written above the line.*

¹⁵⁵⁰ *ser repeated again.*

petentem et Dominicum de Choridigo habitatorem Parentii sive ser Christoforum de Bullicis eius advocatum ex altera se tuentem,

in qua quidem lite et questione dictus ser Dominicus nomine dicti Andree petebat cum instantia cogi et sententiari debere dictum Dominicum ad dandum et consignandum dicto Andree omnia bona tam mobilia quam stabilia que fuerunt condam domine Seboche eius matris et condam uxoris dicti Dominici, quia per testamentum suum ipsa dimisit bona sua dicto Dominico eius viro, et dicto Andree filio suo aliquid non reliquit¹⁵⁵¹ de bonis suis, quod est contra formam legis et statutorum Comunis Parentii super hoc disponendum a capitulis LXVII ut in ei cavetur,¹⁵⁵² et ex hoc dictum testamentum venit esse nullum, et dicta bona pleno iure ei expectant iuxta formam dictorum statutorum ac legum imperialium, et ipsumque Dominicum in expensis condenari debere, ex adverso dictus ser Christoforus nomine dicti Dominici respondebat et alegabat quod aliquid de dictis bonis dicto Andree non pertinebat, quia dicta condam Sebocha eius mater privavit eum dictis bonis et noluit eum nominare neque sibi aliquid dimittere per dictum suum testamentum scriptum M^oCCCC^oXLV indictione VIII, die quartodecimo februarii sub signo et nomine ser Iohannis Lango publici notarii, ut in eo¹⁵⁵³ legitur, quod fuit factum manu legalis notarii et in presentia iudicis et testium fidedignorum et cum solemnitatibus que in similibus requiruntur, et per illud totaliter dictum Andream a dictis bonis exclusit et ademit petens absolvi et ipsum in expensis condenari,

unde visis dictis petitione et responsione factis per dictas partes, et omnibus aliis et singulis que dicere, respondere, producere et allegare voluerunt, viso primo dicto testamento, viso quoque dicto statuto et omnibus que videnda erant, habitoque super his bono respectu cum bona et matura deliberatione, Christi nomine invocato, qui lucidat mentes hominum ad recta et vera iudicia, sedentes pro tribunali ad bancum iuris in cancellaria comunis, quem locum nobis pro iudicio elegimus, datoque termino presentibus ad hunc diem ad audiendum hanc nostram sententiam diffinitivam de voluntate, consensu et oppinione ser Dominici condam ser Nicolai, ser Marci de Rippaldis et ser Francisci de Messina iudicum suorum (ser Nicolao de Facina quarto iudice non

¹⁵⁵¹ dereliquit *with de crossed over*.

¹⁵⁵² *Here is the cited chapter:* Quod uxor alicuius quamdiu est in potestate viri non possit obligari et cetera. Statuimus et ordinamus quod mulier nulla coniugata et in potestate viri sui existens ulla ratione vel causa obligari possit alicui, nec cartam alicuius obligationis nec securitatis nec plezariam aliquam facere abseque licentia et consensu viri sui, quod si faceret nullius sit valoris. Et hoc intelligatur in illis mulieribus que nupte sunt secundum consuetudinem provincie Istrie que appellatur frater et soror. Zjačić, ed., St. Poreč. 99–100, book 2, chap. 67.

¹⁵⁵³ *The following V crossed out.*

existente de oppinione), dicimus, diffinimus et terminamus quod primo et ante omnia legata dimissa per dictam testatricem secundum formam dicti testamenti adimpleantur et adimpleri debeant cum effectum, et residuum bonorum dicte¹⁵⁵⁴ hereditatis dividatur et dividi debeat in duas partes, una sit dicti Dominici alia dicti Andree equali portione, et dictum Dominicum in expensis huius cause condenamus.

Lata, data et pronuntiata fuit suprascripta sententia per prefatum dominum potestatem ut superius, et lecta ac publicata per me Iohanem de Victore eius cancellarium in cancellaria comunis presentibus ser Iacobo de Facina, ser Dominico condam ser Nicolai dela Porta et Raphaele preconis testis et aliis, currentibus annis Domini millesimo quadringentesimo quadragésimo sexto, indictione nona, die veneris XXI ianuarii.

2: Criminal Law: Murder

Case 2/1–2

Date: 30th of April, 1458, Buzet.

Source: DAR, Buzet, Atti del podestà 2, fols. 189r–190v (podestà's verdicts only as the other parts of the processes are not recorded).

[Intro]

Dominus Iesus.

In nomine Dei eterni, Amen.

Hec sunt quedam condennationes corporales et sententie condennationum corporalium late et date et in his scriptis sententialiter pronuntiate et promulgate per magnificum et generosum dominum Simeonem Ferro pro illustrissimo et excellentissimo ducali dominio Veneciarum et cetera dignissimum potestatem castri Pinguenti et eius districtus, sedentem sub logia communis ad solitum banchum malleficiorum in hac parte ubi similes condennationes proferuntur et publicantur, vocata populi multitudine ad sonum campane ac voce preconis ut moris est in castro Pinguenti, contra et adversus infrascriptos homines et personas pro infrascriptis suis malis, excessibus et delictis per eos commissis et perpetratis prout inferius apparebit.

¹⁵⁵⁴ *The following testat crossed out.*

Nos Simeon Ferro pro illustrissimo et excellentissimo ducali Dominio Veneciarum et cetera, potestas Pinguenti et eius districtus, infrascriptas condemnationes corporales et sententias condemnationum corporalium contra et adversus infrascriptas personas pro suis malis, excessibus et delictis per eos commissis et perpetratis vigore libertatis et bailie nobis a prefato ducali Dominio datis, concessis et in hac parte attributis dicimus, processmus, pronuntiamus et sententialiter condemnamus in hunc modum, videlicet:

[case 2/1]

Vantum [et] Michelem fratres et filios ser Nicolai de Gravis marchionis Petre Pilose, et Antonium de Tobra habitatorem Iustinopolis, homines male conditionis et fame contra quos processum fuit et est per spectabilem et generosum dominum Marcum Magno precessorem nostrum ex quadam denuntia seu querella data et denunciata per quondam Iacobus Fergovich in eis, de eis, et super eis quod de anno millesimo quadragentesimo quinquagesimo sexto, indictione 4^a, die iovis duodecima mensis Augusti preteriti, hora tertiarum vel circha, dum dictus ser Iacobus esset ad eius curtinum positum in contrata de Mnum districtus Pinguenti, venit ibidem dictus Vantus et dixit dicto ser Iacobo: “Iacomo, quando me vostù dar la mia regalega?” Qui ser Iacobus respondit: “Quando averò arcogliesto el vin e ve la darò. Io vi darò spodi do de formento e spodi 3 de vin.” Qui Vanto respondit: “E son contento.” Et sic remanserunt concordas. Et facto dicto accordio, dictus Vanto recessit ab inde et ibat versus castrum Petre Pilose. Et ipse ser Iacobus, dubitans quod marchio non esset contentus de tali acordio, ivit subito post dictum Vantum et exclamavit illum dicendo: “Ser Vanto, aldì! Io volentiera voria saver quando vostro padre fosse ala Piera Pelosa, che vignerave da lui e dirge questo se el serà contento, perchè non voria pagar do volte.” Qui Vanto respondit dicendo: “Quello fazo mi, mio padre serà contento.” Qui ser Iacobus dixit: “E voria pur parlar de questo con lui.” Qui Vanto dixit: “Vien doman al castello che mio padre è li.” Et dictis istis verbis, dictus Vanto tetigit manum dicto ser Iacobo et dixit: “Sta con Dio.” Et ipse respondit: “Andè con Dio.” Et sic ipse Vanto recessit et ivit versus castrum Petrepilose. Et dictus ser Iacobus venit ad suum curtinum, et ibidem stetit usque ad meridiem vel circha, quia ibidem habebat batatores quos verberabant furmentum. Et circha dictam horam meridiei dictis ser Iacobus accepit duo plaustra, et ivit ad certum suum campum in contrata de Mnum pro onerando de furto pro conducendo ad aram suam. Et onerato 1^o plaustro, dictus ser Iacobus erat super dictum plastrum oneratum, et illo tunc venit dictus Vanto ibidem cum dictis Michael e et Antonio et dixit dictus Vanto dicto ser Iacobo: “Va zo de quello caro.” Qui ser Iacobus videns sic timuit, et subito saltavit

deorsum de plaustro et cecidit in terris. Et tunc dictus Vanto evaginavit unum cultellum longum, quem habebat ad latus, et iuit supra dictum ser Iacobum pro dando sibi. Et dictus ser Iacobus cito surrexit et cepit fugam. Et dictus Vanto et alii sequebantur cum, et sic curendo dictus Vanto percussit dictum ser Iacobum tribus vulneribus cum maxima sanguinis effusione, videlicet: uno vulnere super auriculam dexteram et scindit eam in duas partes, uno vulnere in maxilla sinistra cum incissione ossis, et uno vulnere in cosia dextera. Et tunc ipse ser Iacobus cecidit in terris, et dictus Michael dum sic cureret semper dicebat dicto Vanto: “Dai traditor, Vanto, non vedistu che el te fuze?” Et currit per spatium medie balestrate vel circha, et quando percussus fuit in cosia ut supra, cecidit ut supra. Et dum esset in terris sic vulneratus, dictus Vanto percussit dictum ser Iacobum cum dicto cultello duobus vulneribus cum maxima sanguinis effusione, videlicet: uno vulnere super gambam sinistram usque ad ossium, et uno vulnere super zonturam manus sinistre. Et ibidem superimponit dictus Antonius cum uno spelto, et percussit dictum ser Iacobum iacentem in terris tribus vulneribus cum puncta dicti spelti cum maxima effusione sanguinis, videlicet: uno vulnere per cosiam, et uno vulnere in collo a latere sinistro. Et dimisserunt cum sic in terris permortuum, et recesserunt ab inde. Qui dictus ser Iacobus Fergovich ex dictis vulneribus mortuus fuit et est.

Que omnia et singula nobis nostroque iuditio constant vera esse et fuisse tam per denuntiam precessoris nostri quam per dicta testium examinatorum superinde quam per nos, prout in actis precessoris mei apparet, quam per contumaciam dictorum delinquentium qui proclamati fuerunt ad se excusandum de dicto homicidio statuendo eis terminum unius mensis ad conperendum, qui minime conparauerunt, sed perseveraverunt in eorum contumacia, que contumacia indicat ipsos fore culpabiles de dicto homicidio.

Idcircho nos potestas antedictus sequentes et sequi volentes formam iuris et iusticie et statuta communis Pinguenti et prescriptum capitulum XIII positum sub rubrica “De termino dando accusatis ad se excusandum” et cetera, et capitulum XXXIII positum sub rubrica “De pena homicidiarum” et cetera, nollentes quod dicti Vanto et Michael fratres et filii ser Nicolai de Gravis marchionis Petrepilose et Antonius de Tobra de dicto homicidio gloriari se valeant, sed potius eorum punitiones aliis et ipsis sit utilissimum speculum, exemplum et documentum, non declinantes a dexteris neque a sinistris sed semper Deum et iusticiam pre oculis habentes, Cristi nomine invocato, a quo cuncta bona iudicia procedunt, prefatos Vantum et Michaellem fratres et filios ser Nicolai de Gravis marchionis Petre Pilose, et Antonium de Tobra de Iustinopolis,

perpetualiter banimus et bannitos esse volumus a castro Pinguenti et eius districtus, et si quo tempore in fortiis nostris sive successorum nostrorum dicti Vanto et Michael fratres et Antonius de Tobra pervenerint, quod ducantur ad locum iusticie, et ibidem per magistrum iusticie capita eorum amputentur, ita et taliter quod anima seperetur a corpore, in his scriptis sententialiter condemnamus.

[Case 2/2]

Michola olim generum cuiusdam Berzegich ad presens habitorem Suvignachi hominem pessimum, male conditionis et fame, contra quem processum fuit et est per spectabilem et generosum dominum Marchum Magno precessorem nostrum ex quadam denuntia seu querella data per magistrum Andream pilipparium de Pinguento, ut in ea denuntia evidenter constat, qui magister Andreas pilipparius iacens in palmento super quadam pugnaria die decimo quinto augusti del 1457 nuperrime elapsi, interrogatus per spectabilem dominum Marchum Magno precessorem nostrum quis eum vulneravit, ubi et quando vulneratus fuit, respondit fuisse vulneratus a Michola, et his dictis nullus amplius voluit proficere, verbum dicens minime loqui valere propter vulnere oppresionem.

Unde nos potestas visa denuntia dicti magistri Andree defuncti in actis precessoris nostri nec non dicta testium superinde examinatorum et per nos nec non relationes cirorchi, et conscideratis omnibus que conscideranda sunt, et visa proclamatione quia dictus Michola proclamatus et stridatus fuit ut comparere debeat in terminum dierum octo secundum quod statuta Pinguenti mandant, qui dictus Michola non comparuit, ymmo in eius contumacia perseveravit, que contumacia facit ipsum fore culpabilem de dicto homicidio.

Idcircho nos potestas antedictus sequentes et sequi volentes formam iuris et iusticie et precipue statuta communis Pinguenti et prescriptum capitulum XIII positum sub rubrica de termino dando accusatis et cetera et capitulum XXXIII positum sub rubrica de homicidiarum et cetera, nolentes quod dictus Michola de suo malo gloriari se valeat, sed potius eius punitio aliis et sibi sit speculum et documentum, non declinantes a dexteris neque a sinistris sed per rectum tramitem iusticie perambulando, Cristi nomine invocato, a quo cuncta recta iuditia procedunt, dicimus proferimus et sententiamus in hunc modum: Micolam predictum bannitum et banitum esse volumus perpetualiter a castro Pinguenti et eius districtus, et si in tempore nostro aut successorum nostrorum pervenerit, quod ducatur ad locum ubi vulneratus fuit dictus magister Andreas defunctus et

incidatur ei manus dextera; deinde ducatur ad locum iustitie et amputatur sibi caput, ita et taliter quod anima seperatur a corpore, in his scriptis sententialiter condemnamus.

[Outro]

Late, date et promulgate fuerunt suprascripte sententie corporales per prefatum dominum potestatem pro tribunali sedentem ad banchum malleficiorum ubi similes condenationes corporales et peccuniarie solent fieri et publicari, lecte vero et publicate per me Iohanem Nicolaum Oppiterginum et ipsius domini potestatis cancellarium curentis annis Domini MCCCCLVIII, indictione sexta, die vero domenica ultimo mensis aprilis, presentibus ser Marcho de Victore et magistro Iohane Petrovich callegario civibus Pinguenti testibus et aliis quam pluribus.

3: Criminal Law: Theft

Case 3/1–2

Date: 10th of August, 1460, Buzet.

Source: DAR, Buzet, Atti del podestà 2, fols. 10r–11v.

[Intro 1]

Hic est quedam sententiam absolutoria data et facta per magnificum et generosum dominum Simonem Ferro, pro serenissimo ducali Dominio Veneciarum et cetera dignissimum potestatem Pinguenti et eius districtus, in favorem Agnetis uxoris Petri Scudius et Sfetine Tramontane de Pinguento.

Nos Simon Ferro pro Serenissimo ducali Dominio Veneciarum et cetera potestas Pinguenti, sedentes sub logia communis Pinguenti in publico et generali arengo ubi similes actus proferi et publicari solitum est, infrascriptam terminationem seu absolutionem in favorem Agnetis et Sfetine Tramontane, infrascriptam¹⁵⁵⁵ terminationem dicimus et proferimus in hunc modum, videlicet:

[Case 3/1]

Agnetem uxorem Petri Scudius et Sfetinam dictum Tramontanam ambobus de Pinguento,

¹⁵⁵⁵ *The following condemnationem crossed out.*

contra quos denuntiaturum fuit quod dicta Agnes et Sfetina Tramontana furati fuerunt de domo domine Iedriche relique quondam ser Cusmam Pengarich botonos circha quinquaginta quinque de argento in aureatos et anullos duos.

Unde dominus potestas habita dicta denuntianone et intendens ne talia furta ullo modo comitti debeant, et pro habendo optimam et veram intelligentiam mandavit mihi cancellario ut irem domum dicte Agnetis et ipsam ducere coram prelibato domino potestas, quia ipse omnio intendebat ab ipsa Agnete declarari pro tale furto.

Que sic ducta iussit ipsam carcerari et sic carcerata fuit.

Que Agnes constituta coram prefato domino potestate et ducta ad torturam in campanilo presente ser Luzicho Belenich iudice et de prius interrogata de plano per prefatum dominum potestatem ut dicere vellet veritatem, quid scit de botonis et anullis acceptis dicte domine Iedriche, numquam haberet aliquas torturas, que nihil dixerat scire.

Intendens prelibatus dominus potestas habere veritate ab ipsa Agnete, iussit ipsam ligari ad torturam, que sic ligata et levata modicum de terra et interrogata per prefatum dominum potestatem ut dicere vellet veritatem pro dictis botonis et anullis, que Agnes semper constans et firma stetit in suo preposito nihil scire.

Deinde Sfetina Tramontana constitutus personaliter et ductus ad torturam pro declaracione botonum anullorum et interrogatus per prefatum dominum potestatem, ut dicere vellet veritatem de botonis et anullis furatis et subtractis de domo domine Iedriche, qui Sfetina Tramontana existente super eo finem tormenti confessus fuit nihil scire.

Prout omnia¹⁵⁵⁶ in actis nostris evidenter manifesta nec vera esse videntur, unde nos potestas superscriptus sedentes pro tribunali ut supra, visis circha hanc causam et omnia que videnda et consideranda fuere, et non declinantes potius a destris quam a sinistris superscriptos Agnetem uxorem Petri Scudius et Sfetinam Tramontanam absoluimus et absolutos pronuntiamus, et terminamus ab omnia querella seu denuntia contra ipsos indebito modo facta tamquam personas non culpabiles ut superscriptum est.

[Intro 2]

Dominus Iesus.

In Cristi nomine, Amen.

¹⁵⁵⁶ The following cons crossed out.

Hec sunt quedam condenationes corporales et sententie corporalium lata et date et in hiis scriptis sententialiter pronunciate et promulgate per magnificum et generosum dominum Simonem Ferro pro illustrissimo et excellentissimo ducali Dominio Veneciarum et cetera dignissimum potestatem castri Pinguenti et eius districtus, sedentem sub lobia communis ad solitum banchum malleficiorum in hac parte ubi similes condenationes corporales proferuntur et publicantur, vocata populi multitudine ad sonum campane ac voce preconis ut moris est in castro Pinguenti, contra et adversus homines et personas pro infrascriptis suis malis excessibus et furtis per eos commissis et perpetratis prout inferius apparebit.

Nos Simeon Ferro pro potentissimo et excellentissimo ducali Dominio Veneciarum, et cetera, potestas Pinguenti et eius districtus, infrascriptas condannationes corporales contra et adversus infrascriptas personas pro suis malis excessibus et furtis per eos commissis et perpetratis vigore libertatis et baylie a nobis a prefato ducali Dominio datis et concessis et in hac parte atributis, dicimus, proferimus, pronuntiamus et sententialiter condenamus in hunc modum, videlicet:

[Case 3/2]

Leonardam filiam Matei Margonich et Vitum callegarium de Rocio eius maritum homines male condicionis et fame et latrones, contra quos processum fuit et est per nos et curiam nostram vigore unius inquisitionis contra ipsos informate in eis, de eis et super eis quod dum die et loco in ipsa inquisitione contentis,¹⁵⁵⁷ intendens nos potestas venire in lucem qui fuerunt hii qui furati fuerunt botonos de auro circha quinquaginta et anullos duos de domo domine Iedriche Relicte quondam ser Cusmam Pengarich de Pinguento, unde nos potestas intendens habere optimam informationem de tali furto comisso et perpetrato mandavimus cancellario nostro ut iret domum habitationis dicte Leonarde, quam suspectam habuimus, et ducere ipsam coram nobis, quia omnino intendebamus ab ipsa inquirere et declaravi, quid nam sciret pro dictis botonis et anullis furatis dicte domine Iedriche.

Qui cancellarius de mandato nostro ivit domum dicte Leonarde et ipsam non invenit, qua absentavit se de castro,¹⁵⁵⁸ et similiter mandavimus dicto cancellario nostro ut iret pro Vito de Rocio, qui se deberet presentare coram nobis et officio nostro, qui invenire non possit sed fugam aripuit.

Unde nos potestas habita rellacione cancellarii nostri de fuga predictorum videlicet Leonarde

¹⁵⁵⁷ *The following eos potestas crossed out.*

¹⁵⁵⁸ *The following mihi crossed out.*

et Viti, mandavimus cancellario ut deberet de mandato nostro proclamari facere super plateam communis Pinguenti dictos Leonardam et Vitum de Rocio, quos usque ad dies octo proxime futuros coram nobis debeant se presentasse, statuendo ad huc alium terminum dierum trium proxime futurorum ut habeant cancellario conparendi, qui predicti in primo nec in secundo termino ipsis concesso minime conparere nolluerunt, sed potius persenaverunt in eorum contumacia, que contumacia indicat ipsos fore culpabiles, prout apparet in proclamationibus.

Unde nos potestas sequentes et sequi volentes ius et iusticia, et nollentes quod similia excessa et delicta furta remaneant impunita, sed potius penam ipsorum aliis sit speculum et documentum,¹⁵⁵⁹ peccantes potius in misericordia quam in crudelitate Leonardam predictam condenamus in hunc modum, videlicet: <quod si venerit in tempore nostro et nostrorum sucessorum>, quod dicta Leonarda stare debeat per unum diem in berlina de die doménice in mane usque ad fero et baniatur per sex mensis a castro Pinguenti et eius districtus et solvere debeat libras sex pro botonis sexdecim predicte domine Iedriche accepte;

Vitum callegarium predictum condenamus in hunc modum, videlicet: quod si in tempore nostro et nostrorum sucessorum venerit, quod stare debeat unus mensis in carceribus Pingenti et baniatur per sex mensis a castro Pinguenti et eius districtus, et ita dicimus proferimus et sententiamus.

<1461 die 6 augusti magister Iohanes Petrovich nomine Viti callegarii petit gratiam domino potestati de diebus quindecima quod sit absolutus, quia stetit alios quindecima dies sub logia, qui dominus potestas absoluit dictum vitum et quod ipse possit venire et stare in Pinguento et eius districtus ad sui libitum.>

[Outro]

Late, date et promulgate fuerunt suprascripte sententie corporales per prefatum dominum potestatem sedentem sub lobia ad eius solitum iuris banchum curentis anno domini 1460, indictionis octava, die vero doménica decima mensis augusti, lecte vero et publicate per me Iohanem Nicolaum Oppiterginum cancellarium ipsius domini potestatis, presentibus ser Marino Persich, magistro Iohane Petrovich et Iacobo fabro et aliis quam pluribus.

Case 3/3

Date: 20th of April, 1460, Buzet.

¹⁵⁵⁹ *The following dicimus, profe[rimus] crossed out.*

Source: DAR, Buzet, Atti del podestà 2, fol. 6v.

Ivanum Zulle filiastrum Blasii di Chanii contra quem processum fuit et est¹⁵⁶⁰ per nos et curiam nostram vigore unius accuse facte per Maurum Amsich de Pinguento, in eo, de eo et super eo, quod dum die domenica octava mensis aprilis del 1459 preteriti, dum dictus Maurus fuisset extra castrum ad eius cortinum et venisset in castro pro suis negotiis, repperit in eius domo sibi defficere pecciam unam casei, item carnes porcinas, item furmentum circha unum spodium, item milleum circha duo spodia, item unum cingulum album de coreo, quod quidem cingulum invenit in manibus dicti Ivani Zule, qui Ivanus promiserat velle restituere et dare dicto Mauro querellanti.

Unde dictus Maurus reperto dicto cingullo in manibus dicti Ivani Zule habebat ipsum suspectum.¹⁵⁶¹

Citatus¹⁵⁶² et proclamatus dictus Zule super plateam, ut moris est, ut debeat se presentare ad fatiendum suam deffensionem, qui nolluit comparere.

Unde nos potestas sequentes et sequi vollentes iusticiam et ut ista res non transeat impunita, dicimus proferimus et pronuntiamus quod si dictis Ivanus Zule venerit in fortiis nostris aut nostrorum succesorum quod¹⁵⁶³ stare debeat quindecim dies in carceribus et solvere dictas res dicto Mauro, in hiis scriptis sententialiter condenamus et in expensis scriptuarum.

<1462 die 30 maii comparaviti Blasius di Chanii nomine domini Ivani Zule coram domino Simone Ferro honorabilis potestatis Pinguenti, petendo et supplicando quod dictus Ibanus sit absolutus a carceribus in termino ei assignato. Deinde comparavit Maurus Amsich, qui denunciavit dictum Ivanum Zulle a scriberis et contineris et solutus esse a dicto Ivano de rebus per ipsum ablati, ita et tali quod de cetero Maurus predictus causa predicta non posset molestare dictum Ivanum Zule in aliqua parte. Presentibus ser Bastiani Gorgoralich, magistro Iohani Petrovich, magistro Blasio Zorenich, magistro Iacobo fabro quam pluribus presentibus.>

¹⁵⁶⁰ *The following* vigore unius *crossed out*.

¹⁵⁶¹ *The following* Unde nos potestas *crossed out*.

¹⁵⁶² *The following* dei *crossed out*.

¹⁵⁶³ *The following* retineatur et ducatur ad torturam pro habendo ab ipso veritatem de tali furto accusato *crossed out*.