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THE CLERICS AS TRUSTWORTHY MEN IN THE MEDIEVAL SERBIAN STATE*

Abstract: The aim of this work is to show the different roles that clerics had in the Medieval Serbia, which proves that they were very trustworthy persons. The high dignitaries of the Serbian Church performed important diplomatic missions. The priesthood also had a prominent place in legal proceedings, whether its representatives were members of judicial collegiums or witnesses. The members of the clergy enjoyed a great reputation in Serbian towns, where residents could not alienate property without their testimony. The performance of ecclesiastical duties gave them the moral prestige to exercise many other activities in medieval Serbian society.

Keywords: clerics, trust, Medieval Serbia, Byzantine Empire, diplomacy, judiciary witnesses, towns.

The clergy played the role of one of the pillars of medieval society. However, in this paper, a role of the clergy will be analysed outside of purely religious sphere. The members of the clergy were certainly the most educated members of medieval Serbian society. That is another reason why they had great reputation and trust. For earlier period, on the other hand, there are almost no preserved sources on their activity. The majority of the sources relate to period between the thirteenth and fifteenth centuries. They testify that the clerics played important role in politic, diplomacy, judiciary and state administration.

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Clerics as diplomats

Serbian rulers chose prominent represents of the clergy to perform important diplomatic missions, such as first Serbian Archbishop Sava who was particularly active in that field. Grand Župan Stephen Nemanjić (1196–1227) testifies that his brother Sava tried to reconcile him with Bulgarian local lord Strez who planned to attack the Serbian state.¹ It is need to notice that Strez and Stephen were former allies.² However, Sava's attempt was unsuccessful, and Strez was killed under unclear circumstances.³ This event most probably occurred in 1214.⁴

Domentian and Theodosius, the hagiographers of the first Serbian Archbishop, mention that King Stephen the First Crowned informed his brother Sava that King Andrew II of Hungary (1205–1235) wishes to attack him. That is reason why he asked Sava to negotiate with the Hungarian ruler; negotiations which were unsuccessful at first. However, the situation changed after Sava invoked a miracle. Doing so, he proved God was on his side. This led to King Andrew fulfilling the pleads of Sava so

¹ СТЕФАН ПРВОВЕНЧАНИ, *Сабрана дела*, прир. ЉИЉАНА ЈУХАС ГЕОРГИЕВСКА – ТОМИСЛАВ ЈОВАНОВИЋ, Београд 1999, 84–85 [STEFAN PRVOVENČANI, *Sabrana dela*, прир. LJILJANA JUHAS GEORGIEVSKA – TOMISLAV JOVANOVIĆ, Beograd 1999].

² Ibidem, 82–85; Р. РАДИЋ, Обласни господари у Византији крајем XII и у првим деценијама XIII века, *Зборник радова Византолошког института* 24–25 (1986) 151–289, pp. 225–227 [R. RADIĆ, Oblasni gospodari u Vizantiji krajem XII i u prvim decenijama XIII века, *Zbornik radova Vizantološkog instituta* 24–25 (1986) 151–289]; И. КОМАТИНА, Историјска подлога чуда Св. Симеона у житију Симеоновом од од Стефана Првовенчаног, *Зборник радова Византолошког института* 51 (2014) 111–134, pp. 119, 122–125 [I. KOMATINA, Istorijaska podloga čuda Sv. Simeona u žitiju Simeonovom od od Stefana Prvovenčanog, *Zbornik radova Vizantološkog instituta* 51 (2014) 111–134].

³ СТЕФАН ПРВОВЕНЧАНИ, *Сабрана дела*, 84–88; ДОМЕНТИЈАН, *Живот Светога Саве*, прир. ЉИЉАНА ЈУХАС-ГЕОРГИЕВСКА, Београд 2001, 171–180 [ДОМЕНТИЈАН, *Život Svetoga Save*, прир. LJILJANA JUHAS-GEORGIEVSKA, Beograd 2001]; ТЕОДОСИЈЕ, *Живот Светога Саве*, прир. ЂУРА ДАНИЧИЋ, Београд 1860, 108–112 [TEODOSIJE, *Život Svetoga Save*, прир. ĐURA DANIČIĆ, Beograd 1860]; Р. РАДИЋ, Свети Сава и смрт обласног господара Стреза, *Свети Сава у српској историји и традицији*, ур. С. ЋИРКОВИЋ, Београд – Краљево 1998, 51–61, pp. 53–61 [R. RADIĆ, Sveti Sava i smrt oblasnog gospodara Streza, *Sveti Sava u srpskoj istoriji i tradiciji*, ur. S. ĆIRKOVIĆ, Beograd – Kraljevo 1998, 51–61].

⁴ Р. РАДИЋ, Обласни господари у Византији, 234; И. КОМАТИНА, Историјска подлога чуда, 126.

that both could live.⁵ The exact date of this Sava's mission cannot be determined, but it is certain that was at some point time after 1217, the most probably around 1220.⁶

Also, archbishop Sava had a significant role at the time when Stefan Vladislav overthrew his brother, King Stefan Radoslav (1227–1233), from the throne in 1233.⁷ Namely, it seems that at first he was not consenting to the change of rulers. Later on, he agreed to crown Vladislav.⁸ Sava's decision was extremely significant because the new king had to be crowned at the seat of the Archbishopric.⁹ Furthermore, after that, Theodosius noted that Archbishop Sava himself brought the daughter of Emperor Ivan II Asen of Bulgaria (1218–1241) to be a wife for King Vladislav.¹⁰ This information cannot be verified from other sources. Yet, that marriage marked a new orientation of foreign policy of the Kingdom of Serbia; the Bulgarian Empire was the most powerful state on Balkans at that time.¹¹

⁵ ДОМЕНТИЈАН, *Живот Светога Саве*, 252–270; ТЕОДОСИЈЕ, *Живот Светога Саве*, 152–158; СТ. СТАНОЈЕВИЋ, О нападу угарског краља Андрије II на Србију због прогласа краљевства, *Глас Српске краљевске академије* 161 (1934) 107–130, pp. 109–125 [ST. STANOJEVIĆ, О нападу угарског краља Андрије II на Србију због прогласа краљевства, *Глас Српске краљевске академије* 161 (1934) 107–130].

⁶ *Историја српског народа* I, ур. С. ЋИРКОВИЋ, Београд 1981, 301–302 (Б. ФЕРЈАНЧИЋ) [*Istoriја srpskog naroda* I, ур. S. ĆIRKOVIĆ, Београд 1981]; СТ. СТАНОЈЕВИЋ, О нападу угарског краља Андрије II, 120–130.

⁷ ДОМЕНТИЈАН, *Живот Светога Саве*, 339–340; ТЕОДОСИЈЕ, *Живот Светога Саве*, 177–178; *Историја српског народа* I, 309 (Б. ФЕРЈАНЧИЋ); И. КОМАТИНА, *Црква и држава у српским земљама од XI до XIII века*, Београд 2016, 296 [I. KOMATINA, *Crkva i država u srpskim zemljama od XI do XIII veka*, Београд 2016].

⁸ ТЕОДОСИЈЕ, *Живот Светога Саве*, 178; *Историја српског народа* I, 310 (Б. ФЕРЈАНЧИЋ); И. КОМАТИНА, *Црква и држава у српским земљама*, 296.

⁹ СТЕФАН ПРОВОЕНЧАНИ, *Сабрана дела*, 116–117; *Зборник средњовековних ћириличких повеља и писама Србије, Босне и Дубровника*, књ. 1: 1186–1321, прир. В. МОШИН – С. ЋИРКОВИЋ – Д. СИНДИК, Београд 2011, 94 [*Zbornik srednjovekovnih ćirilichkih povelja i pisama Srbije, Bosne i Dubrovnika*, књ. 1: 1186–1321, eds. V. MOŠIN – S. ĆIRKOVIĆ – D. SINDIK, Београд 2011]; Ј. КАЛИЋ, Претече Жиче: крунидбена места српских владара, *Историјски часопис* 44 (1997), 77–87, pp. 83–85 [J. KALIĆ, Preteče Žiče: krunidbena mesta srpskih vladara, *Istorijski časopis* 44 (1997) 77–87].

¹⁰ ТЕОДОСИЈЕ, *Живот Светога Саве*, 178; *Историја српског народа* I, 310, 312 (Б. ФЕРЈАНЧИЋ).

¹¹ *Историја српског народа* I, 310, 312 (Б. ФЕРЈАНЧИЋ); J. FINE, *The Late Medieval Balkans. A Critical Survey from the Late Twelfth Century to the Ottoman Conquest*, Ann Arbor 1994, 124–126.

The trusting associate of King Milutin (1282–1321) was monk Daniel who held on several important ecclesiastical positions during his life. This includes the position of Serbian Archbishop from 1324 to 1337.¹² Also, he was author of a few hagiographies of Serbian Kings and Archbishops.¹³ Unknown author, one of Daniel's Continuator,¹⁴ noted that King Milutin called Daniel, who was hegoumenos (superior) of Hilandar at that time,¹⁵ to come to him with other monks from Mount Athos. Daniel did that and met with the king in town of Skoplje. Due to some affairs, as writer testifies, King Milutin sent him to his brother Dragutin, who ruled independently over a particular area.¹⁶ The details of this mission at Dragutin's court remain unknown, but anonymous author states that Daniel successfully accomplished his task for which he was sent. Dragutin and his wife Katalina gave him and the other monks the rich gifts. Upon his return, Daniel handed over Dragutin's letters to King Milutin. Also he conveyed Dragutin's oral messages to the king. Out of gratitude, Milutin endowed him richly.¹⁷ At the end of this story unnamed

¹² See: М. ЖИВОЛИНОВИЋ, Светогорски дани Данила II, *Архиепископ Данило II и његово доба*, ур. В. ЂУРИЋ, Београд, 1991, 75–81 [М. ŽIVOJINOVIĆ, Svetogorski dani Danila II, *Arhiepiskop Danilo II i njegovo doba*, ed. V. J. ĐURIĆ, Beograd 1991, 75–81]; М. ЈАНКОВИЋ, Данило, бањски и хумски епископ, *Архиепископ Данило II и његово доба*, ур. В. Ј. ЂУРИЋ, Београд 1991, 83–88 [М. ЈАНКОВИЋ, Danilo, banjski i humski episkop, *Arhiepiskop Danilo II i njegovo doba*, ed. V. J. ĐURIĆ, Beograd 1991, 83–88]; Р. ПОПОВИЋ, Архиепископ Данило II и управљање црквом, *Архиепископ Данило II и његово доба*, ур. В. Ј. ЂУРИЋ, Београд 1991, 89–96, pp. 89–95 [Р. РОПОВИЋ, Arhiepiskop Danilo II i upravljanje crkvom, *Arhiepiskop Danilo II i njegovo doba*, ed. V. J. ĐURIĆ, Beograd 1991, 89–96].

¹³ Г. МАК ДАНИЕЛ, Генезис и састављање Даниловог зборника, *Архиепископ Данило II и његово доба*, ур. В. Ј. ЂУРИЋ, Београд 1991, 217–223 [G. MAK DANIEL, Genezis i sastavljanje Danilovog zbornika, *Arhiepiskop Danilo II i njegovo doba*, ed. V. J. ĐURIĆ, Beograd 1991, 217–223].

¹⁴ Г. МАК ДАНИЕЛ, Генезис и састављање Даниловог зборника, 221–224.

¹⁵ Daniel was hegoumenos (superior) of Hilandar monastery from 1306 or 1307 to 1311: М. ЖИВОЛИНОВИЋ, Светогорски дани Данила II, 76–80; ЕАДЕМ, *Историја Хиландара I. Од оснивања манастира 1198. до 1335. године*, Београд 1998, 131 [М. ŽIVOJINOVIĆ, *Istorija Hilandara I. Od osnivanja manastira 1198. do 1335. godine*, Beograd 1998].

¹⁶ More about Dragutin's position: М. ДИНИЋ, Област краља Драгутина после Дежева, *Глас Српске академије наука* 203 (1951) 61–82, pp. 61–80 [М. ДИНИЋ, Oblast kralja Dragutina posle Deževa, *Glas Srpske akademije nauka* 203 (1951) 61–80].

¹⁷ АРХИЕПИСКОП ДАНИЛО И ДРУГИ, *Животи краљева и архиепископа српских*, пр. Ђ. ДАНИЧИЋ, Загреб 1866, 43–46 [ARHIEPISKOP DANILU I DRUGI, *Životi kraljeva i arhiepiskopa srpskih*, ed. Đ. DANIČIĆ, Zagreb, 1866].

author concluded that from his youth, Daniel always worked in accordance with the king's will.¹⁸ That statement indicates that Daniel enjoyed a great trust of Milutin. That was probably the consequence of the fact that before becoming a monk, Daniel was a courtier of King Milutin.¹⁹ The exact date of Daniel's mission cannot be determined. Most likely it took place in 1310 when the brothers Milutin and Dragutin were at war.²⁰ It should be emphasized that this conflict between brothers began as early as 1301;²¹ the war, however, did not end with this mission.

Soon after, King Milutin used again the service of Daniel when Dragutin wanted to overthrow his brother from the throne and install his son instead. According to unknown Daniel's hagiographer all the nobles left king's side. Because of that Milutin asked Daniel to take care of monastery of Banjska where the king's treasury was. Additionally, bishop of Banjska died that year. By sending many letters, King Milutin convinced Daniel to return from Mount Athos. Daniel's Student pointed out that Daniel accepted to manage monastery only after the king promised him that he would not prevent him from going to Mount Athos, if he returned unharmed from war. After that, Daniel was appointed bishop of Banjska. Unnamed author emphasizes that only two of them knew that Daniel was guarding the king's treasury.²² Thanks to the Oriental mercenaries (Tatars, Turkopoles and Alans) King Milutin managed to achieve victory.²³ Afterwards, respecting their earlier agreement, Daniel returned to Mount Athos.²⁴ The exact date of Daniel arrival to Banjska is not

¹⁸ Ibidem, 45–46.

¹⁹ Ibidem, 333; Д. БОГДАНОВИЋ, *Историја старе српске књижевности*, Београд 1980, 175–176 [D. BOGDANOVIĆ, *Istorija stare srpske književnosti*, Београд 1980].

²⁰ М. ЖИВОЛИНОВИЋ, Светогорски дани Данила II, 79–80; ЕАДЕМ, *Историја Хиландара I*, 130.

²¹ М. ДИНИЋ, Однос између краља Милутина и Драгутина, *Зборник радова Византолошког института* 3 (1955) 49–82, pp. 57–59 [M. DINIĆ, Odnos između kralja Milutina i Dragutina, *Zbornik radova Vizantološkog instituta* 3 (1955) 49–82]; *Историја српског народа I*, 451 (С. ЋИРКОВИЋ).

²² АРХИЕПИСКОП ДАНИЛО И ДРУГИ, *Животи краљева и архиепископа српских*, 357–359; М. ЈАНКОВИЋ, Данило, бањски и хумски епископ, 83–84.

²³ АРХИЕПИСКОП ДАНИЛО И ДРУГИ, *Животи краљева и архиепископа српских*, 359; А. УЗЕЛАЦ, Најамничке војске краља Стефана Уроша II Милутина, *Војно-историјски гласник* 2 (2011) 9–27, pp. 14–15, 26 [A. UZELAC, Najamničke vojske kralja Stefana Uroša II Milutina, *Vojno-istorijski glasnik* 2 (2011) 9–27].

²⁴ АРХИЕПИСКОП ДАНИЛО И ДРУГИ, *Животи краљева и архиепископа српских*, 359.

known; it happened in the middle of 1311²⁵ or at the beginning of 1312.²⁶ The war between Milutin and Dragutin probably ended in 1312.²⁷ Taking care about the construction of the monastery Banjska, Daniel remained in the position of the bishop until end of 1314 or the first half of 1315.²⁸ The monastery of Banjska was the king's main endowment, where he was to be buried.²⁹ The describing events clearly show that Daniel was the most trusted associate of King Milutin. Their close relationship dates back to the time of Daniel's youth. As is well known, Daniel wrote Milutin's hagiography in 1324 with aim to support his cult.³⁰

Another representative of the clergy played an important role in reconciling brothers, King Milutin and Dragutin. Nicodemus, Daniel's successor in the position of hegoumenos of Hilandar monastery,³¹ testifies that he was sent to Constantinople by decision of the brothers and Serbian council. It is clear from his note that this mission was connect to the relationship among the brothers. During his stay in Constantinople, Byzantine Emperors were Andronikos II Palaiologos, his son Michael IX Palaiologos and his grandson Andronikos III. Beside them, Patriarch of Constantinople Nephon I, Patriarch of Jerusalem Athanasius and Patriarch of Antioch, were also present. Based on Nicodemus's statement, it can be concluded that he successfully completed his task, after which peace was established in Serbia.³² However, the details of this mission remain unknown. Mihailo Dinić presented three possible hypotheses about the character of Nicodemus's mission; first two assumptions are that Byzantine court and Patriarchate of Constantinople were supposed to be the arbitrators in some matters or to be guarantors of the agreement.³³

²⁵ М. ЈАНКОВИЋ, Данило, бањски и хумски епископ, 84; М. ДИНИЋ, Однос између краља Милутина и Драгутина, 70.

²⁶ М. ЖИВОЛИНОВИЋ, *Историја Хиландара* I, 131.

²⁷ М. ДИНИЋ, Однос између краља Милутина и Драгутина, 68–70; *Историја српског народа* I, 460 (С. ЋИРКОВИЋ).

²⁸ М. ЈАНКОВИЋ, Данило, бањски и хумски епископ, 84–85; М. ЖИВОЛИНОВИЋ, *Историја Хиландара* I, 131.

²⁹ *Историја српског народа* I, 480, 485 (Г. БАБИЋ-ЂОРЂЕВИЋ).

³⁰ Г. МАК ДАНИЕЛ, Генезис и састављање Даниловог зборника, 220.

³¹ More about Nicodemus: Д. ЖИВОЛИНОВИЋ, Архиепископ Никодим I, *Историјски часопис* 60 (2011) 97–112, pp. 97–110 [D. ŽIVOJINOVIĆ, Arhiepiskop Nikodim I, *Istorijski časopis* 60 (2011) 97–112].

³² Љ. СТОЈАНОВИЋ, *Стари српски записи и натписи* I, Београд 1902, 22–23 [LJ. STOJANOVIĆ, *Stari srpski zapisi i natpisi* I, Београд 1902].

³³ М. ДИНИЋ, Однос између краља Милутина и Драгутина, 71. Mirjana Živojinović considered that the Byzantine Emperors and the three Patriarchs provided

The last hypothesis is that Nicodemus delivered the decisions of Serbian council to the Byzantine authorities and Church. In that case, the goal was that someone outside of Serbia has a text of the agreement if dispute arises.³⁴ Also, the date of Nicodemus's mission has not been determined precisely. Vladimir Mošin considered that Nicodemus was in Constantinople in autumn of 1313,³⁵ while according to Sotiros Kissas, he was there at the end of 1311 or beginning of 1312.³⁶ For our topic, it is more important to clarify that Milutin and Dragutin had great confidence in hegoumenos Nicodemus's ability and good will to find the best solution.³⁷

It must be emphasized that diplomatic mission was reserved only for the most important church dignitaries. The members of the clergy also had important role in Byzantine diplomacy, especially from 1204 to 1453. At that time when the mission was bigger, at least one ambassador was a churchman. Among them were patriarchs, bishops, abbots and high officials of the patriarchate. This also applied to embassies that did not dealing ecclesiastical questions.³⁸ Therefore, it is not surprising that clerics had an important place in the diplomacy of Serbian rulers. They have proven to be successful middlemen in political disputes. In addition, it should be said that the persons, like Sava and Daniel were probably the most educated people in Serbia at that time.

Clerics in the state administration

Clerics had an important place in the diplomacy of medieval Serbia; it seems that ecclesiastical function was difficult to reconcile with the

guarantees for the peace that was established between the brothers: M. ЖИВОЛИНОВИЋ, *Историја Хиландара* I, 150.

³⁴ М. ДИНИЋ, Однос између краља Милутина и Драгутина, 71.

³⁵ В. МОШИН – М. ПУРКОВИЋ, *Хиландарски игумани средњег века*, прир. М. ЖИВОЛИНОВИЋ, Београд 1999, 38 [V. MOŠIN – M. PURKOVIĆ, *Hilandarski igumani srednjega века*, ed. M. ŽIVOJINOVIĆ, Beograd 1999]; M. ЖИВОЛИНОВИЋ, *Историја Хиландара* I, 150.

³⁶ С. КИСАС, Данило II и солунска околина. Белешке о византијско-српским односима почетком XIV века, *Архиепископ Данило II и његово доба*, ур. В. Ј ЂУРИЋ, Београд 1991, 29–41, pp. 37–38 [S. KISAS, Danilo II i solunska okolina. Beleške o vizantijsko-srpskim odnosima početkom XIV века, *Arhiepiskop Danilo II i njegovo доба*, ed. V. J. ĐURIĆ, Beograd 1991, 29–41].

³⁷ В. МОШИН – М. ПУРКОВИЋ, *Хиландарски игумани*, 38.

³⁸ N. OIKONOMIDES, Byzantine diplomacy, A.D. 1204–1453: Means and Ends, *Byzantine Diplomacy. Papers from the Twenty-Fourth Spring Symposium of Byzantine Studies, Cambridge, March 1990*, eds. J. SHEPARD – S. FRENKLIN, Aldershot 1992, 73–88, pp. 80–81, 83.

secular performance. There is no example that Orthodox priests or monks officially had a position in the state administration. However, from the sources, one Catholic priest is known to have held a secular title. Ivan (John), Catholic priest from Serbian mining town Novo Brdo, was *protovestiarior* of the Lazarević family from 1398 to 1403.³⁹ The duty of *protovestiarior* was to manage ruler's finances.⁴⁰ The Ragusans considered him to be Serbian nobleman. It is however most likely that he was from the town of Bar on the Adriatic coast or that he was Albanian.⁴¹ Available sources testify that he was a close associate of Prince Stefan Lazarević and his mother, nun Jevgenija. In April 1400, Ragusans asked of him to alleviate Despot Stephen's anger toward them. Namely, Despot was dissatisfied because of some delay in diplomatic correspondence which caused that response of the authorities of Ragusa did not arrive on time.⁴² After the battle of Ankara in 1402, Ivan seems to have been in contact with Stefan, and, at that time, the Commune of Ragusa expected them both to arrive in Ragusa.⁴³ However, this never happened. Ivan was mentioned for the last time in sources in December 1403.⁴⁴ Just a little over a year earlier, he had left a large amount of gold, silver and money in Ragusa as a deposit.⁴⁵ This fact shows that Ivan gained great wealth even though he was a cleric. He might have been chosen for the function of *protovestiarior* because he was skilled in financial affairs or it could

³⁹ К. ЈИРЕЧЕК, *Историја Срба. Књ. II. Културна историја*, Београд 1952, 365–366 [К. ЈИРЕЧЕК, *Istorija Srba. Knj. II. Kulturna istorija*, Beograd 1952,]; А. ВЕСЕЛИНОВИЋ, *Држава српских деспота*, Београд 2006², 209 [А. VESELINOVIĆ, *Država srpskih despot*, Beograd 2006²]; М. БЛАГОЈЕВИЋ, *Државна управа у српским средњовековним земљама*, Београд 1997, 192–193 [М. BLAGOJEVIĆ, *Državna uprava u srpskim srednjovekovnim zemljama*, Beograd 1997].

⁴⁰ М. БЛАГОЈЕВИЋ, „Протоветијар“, *Лексикон српског средњег века*, ур. С. ТИРКОВИЋ–Р. МИХАЉЧИЋ, Београд 1999, 596–597 [М. BLAGOJEVIĆ, „Protovestijar“, *Leksikon srpskog srednjeg veka*, eds. S. ĆIRKOVIĆ–R. MIHALJIĆ, Beograd 1999, 596–597]; ИДЕМ, *Државна управа*, 186–203.

⁴¹ N. IORGA, *Notes et extraits pour servir à l'histoire au XV^e siècle*, t. II, Paris 1899, 75; К. ЈИРЕЧЕК, *Историја Срба II*, 365–366; А. ВЕСЕЛИНОВИЋ, *Држава српских деспота*, 209.

⁴² ЈБ. СТОЈАНОВИЋ, *Старе српске повеље и писма I–1*, Београд – Сремски Карловци 1929, 478–479 [Ј. STOJANOVIĆ, *Stare srpske povelje i pisma I–1*, Beograd – Sremски Karlovcі 1929, 478–479].

⁴³ N. IORGA, *Notes et extraits*, 83, 85; К. ЈИРЕЧЕК, *Историја Срба II*, 366.

⁴⁴ М. ПУЦИЋ, *Споменици српски од 1395. до 1423. године*, I, Београд 1858, 49 [М. PUCIĆ, *Spomеници srpski od 1395. do 1423.godine*, I, Beograd 1858]; А. ВЕСЕЛИНОВИЋ, *Држава српских деспота*, 209.

⁴⁵ К. ЈИРЕЧЕК, *Историја Срба II*, 366.

have been because he was a priest in Novo Brdo, the most important economic center in the country. It seems that the position of *protovestiarior*s was in some way related to Novo Brdo.⁴⁶

The role of the clergy in legal proceedings

Priests and clergy also had an important role in legal proceedings in medieval Serbia. A special place in that respect belongs to the legal code of Serbian Emperor Stephen Dušan (1331–1355) known as the *Dušan's code* (1353 or 1354),⁴⁷ and one stipulation in the *code* ordered that every jury should be held in church. The priest in robes had an obligation to swear jurors.⁴⁸ Since jurors were solving disputes by the power of their oaths it is obvious that the priests were supposed to provide divine validity of their testimony. Unfortunately, there is no information how the process actually worked in practice. It should be emphasized that legal code *The Syntagma of Matthew Blastares* from 1335, translated to Serbian during 1340s,⁴⁹ foresaw special penalties for priests and deacons who would falsely testify. If they did that in property disputes they could lose a priestly rank either for three years or permanently. This regulation has its origins in the time of Emperor Justinian I (527–565).⁵⁰ It is difficult to estimate how much exactly this old Byzantine stipulation was relevant for Serbian social reality of the fourteenth century. Many charters testify that the Church dignitaries and priests assisted to settle litigations on the boundaries of possessions. Furthermore, the largest number of data relates to disputes in which members of the clergy were at least one party. These aspects will be discussed in the following lines.

⁴⁶ М. ДИНИЋ, *За историју рударства у средњовековној Србији и Босни II*, Београд 1962, 45 [M. DINIĆ, *Za istoriju rudarstva u srednjovekovnoj Srbiji i Bosni II*, Beograd 1962].

⁴⁷ The first part of *Dušan's code* was passed in 1349, while the second part was promulgated in 1353/1354: Ђ. БУБАЛО, О Душановом законику (Постанак, састав, значај и судбина), *Душанов законик*, ед. Ђ. БУБАЛО, Београд 2010, 13–24, р. 14 [Ђ. BUBALO, О Dušanovom zakoniku (Postanak, sastav, značaj i sudbina), *Dušanov zakonik*, ed. Ђ. BUBALO, Beograd 2010, 13–24].

⁴⁸ *Душанов законик*, прир. Ђ. БУБАЛО, Београд 2010, 107, 207 [*Dušanov zakonik*, ed. Ђ. BUBALO, Beograd 2010].

⁴⁹ А. СОЛОВЈЕВ, *Законик цара Стефана Душана 1349. и 1354. године*, Београд 1980, 7 [A. SOLOVJEV, *Zakonik cara Stefana Dušana 1349. i 1354. godine*, Beograd 1980].

⁵⁰ МАТИЈА ВЛАСТАР, *Синтагма*, прев. Т. СУБОТИН ГОЛУБОВИЋ, Београд 2013, 175 [МАТИЈА VLASTAR, *Sintagma*, trans. T. SUBOTIN GOLUBOVIĆ, Beograd 2013].

The bishop of Prizren, George resolved the dispute about one possession between monastery of Saint Mary in Htetovo and nobleman by the name of Progon in November 1342. The witnesses, who were the local noblemen and ordinary people, swore in front of bishop George and noble called Markuš. The document about this dispute was composed by priest Nikola who was designated as *nomik*,⁵¹ which was title for a public notary in medieval Serbia.⁵² The statements of witnesses were in favour of the monastery. Therefore, bishop George issued a verdict following their testimonies and redeemed the disputed possession.⁵³ In this way he was both the judge and executor of the verdict at the same time.⁵⁴ Additionally, bishop imposed a fine that the offender of this decision would have to pay a fine to the king.⁵⁵ This case shows that bishop had great influence in this case and the trial was carried out in the spirit of Byzantine court practice.⁵⁶ The Serbian medieval law envisaged that litigation over possessions was settled by the court of the ruler.⁵⁷ What remains unknown is whether the bishop conducted the lawsuit at the order of the ruler or independently.⁵⁸

Another provision of *Dušan's code* gave to clergy important place in judicial system of Serbian Empire. It should be mentioned that at the beginning of the text, the Emperor pointed out that he was confirming to all the towns the laws that were valid under previous Emperors. The part that interests us here is that Emperor Dušan ordered that litigations between the citizens should be resolved before the headmasters of the city and before the clergy. If a man from countryside wanted to initiate a lawsuit against a citizen, he should sue him before aforementioned representatives of the city.⁵⁹ It is not entirely clear whether the regulation applied to all the towns in the country or only to those that Stephen Dušan conquered from Byzantium.⁶⁰ The mentioning of previous Emperors undoubtedly refers to Byzantine rulers. There is no information on the application of this regulation in the old Serbian towns.⁶¹ On the other hand, the sources confirm that this

⁵¹ Ђ. БУБАЛО, *Српски номици*, Београд 2004, 136–143, 248 [Ђ. BUBALO, *Srpski nomici*, Beograd 2004].

⁵² *Ibidem*, 49–64.

⁵³ *Ibidem*, 141–142, 248.

⁵⁴ *Ibidem*, 141–142.

⁵⁵ *Ibidem*, 248.

⁵⁶ *Ibidem*, 142.

⁵⁷ *Ibidem*.

⁵⁸ *Ibidem*.

⁵⁹ *Ibidem*, 113–114, 216.

⁶⁰ *Ibidem*, 217.

⁶¹ *Ibidem*.

stipulation has been implemented in the former Byzantine towns.⁶² The metropolitan court in city of Serres transformed into a mixed secular-ecclesiastical court.⁶³ That court did not only solve ecclesiastical matters, but it was a regular court for all lawsuit between citizens.⁶⁴ The presiding of this court was the Metropolitan of Serres, who also managed the work of this panel. Its members were also prominent representatives of metropolis and the most important nobles. The *kephalai* of Serres and former *kephalai* usually met among the laymen of this court.⁶⁵ The name of the Metropolitan was always in the first place among the signatories of documents.⁶⁶ It should be however mentioned that all preserved acts originate from the archives of monasteries,⁶⁷ but secular people also appear as litigants in these documents.⁶⁸ It is necessary to point out that this type of court already existed in Byzantium. Namely, Emperor Andronikos III Palaiologos (1328–1341) formed supreme court which consisted of four “universal judges.” As a rule, two were clerics and two were layman.⁶⁹ The creation of such

⁶² А. СОЛОВЈЕВ, Судије и суд по градовима Душанове државе, *Гласник Скопског научног друштва* 7–8 (1930) 147–162, pp. 147–161 [A. SOLOVJEV, Sudiје i sud po gradovima Dušanove države, *Glasnik Skopskog naučnog društva* 7–8 (1930) 147–162].

⁶³ М. ЖИВОЛИНОВИЋ, Судство у грчким областима српског царства, *Зборник радова Византолошког института* 10 (1967) 197–246, p. 201 [M. ŽIVOLINOVIĆ, Sudstvo u grčkim oblastima srpskog carstva, *Zbornik radova Vizantološkog instituta* 10 (1967) 197–246]; Г. ОСТРОГОРСКИ, *Серска област после Душанове смрти*, Београд 1965, 83 [G. OSTROGORSKI, *Serska oblast posle Dušanove smrti*, Београд 1965].

⁶⁴ А. СОЛОВЈЕВ, Судије и суд, 155–156.

⁶⁵ ИДЕМ, Судије и суд, 153–160; Г. ОСТРОГОРСКИ, *Серска област*, 84, 88–95; М. ЖИВОЛИНОВИЋ, Судство у грчким областима, 201.

⁶⁶ *Archives de l'Athos II². Actes de Kutlumis*, ed. P. LEMERLE, Paris 1988, 93; *Actes de Chilandar, première partie. Actes grecs*, publiés par L. PETIT – В. КОРАБЛЕВ, *Vizantiiskii vremennik* 17 (1911), *Priloženie*, 309–310, 320; *Actes de Zographou*, publiés par W. REGEL – E. KURTZ – В. КОРАБЛЕВ, *Vizantiiskii vremennik* 13 (1907), *Priloženie*, 94; *Archives de l'Athos VI. Actes d'Esphigmenou*, ed. J. LEFORT, Paris 1973, 163.

⁶⁷ Г. ОСТРОГОРСКИ, *Серска област*, 82.

⁶⁸ *Actes de Chilandar*, 316–321; Б. ФЕРЈАНЧИЋ, *Византијски и српски Сер у XIV stoleћu*, Београд 1994, 77 [B. FERJANČIĆ, *Vizantijski i srpski Ser u XIV stoleću*, Београд 1994].

⁶⁹ Г. ОСТРОГОРСКИ, *Серска област*, 87; А. КАЗХДАН, “Kritai katholikoi”, *The Oxford Dictionary of Byzantium*, vol. 2, ed. A. KAZHDAN, New York – Oxford 1991, 1158; А. СОЛОВЈЕВ, Судије и суд, 158; М. ЖИВОЛИНОВИЋ, Судство у грчким областима, 202.

mixed court was a result of the fact that during the thirteenth and fourteenth centuries, episcopal courts expanded their area of expertise to include the resolution of all civil lawsuit.⁷⁰

Despot Jovan Uglješa, ruler of Serres region from 1365 to 1371,⁷¹ included the prominent Athonite monks in the composition of this court.⁷² Such situation is not surprising because Mount Athos was one of the most important supporters of Uglješa's politics in general. Before the start of his campaign against the Ottomans in 1371 he visited Athonite monasteries, Hilandar and Vatopedi.⁷³ At that time, the court was chaired by Despot Jovan Uglješa himself, who was also making the decision.⁷⁴ Practically, there was no difference between the ruler's and the metropolitan's mixed court.⁷⁵ However, it should be underlined that the representatives of the clergy were very numerous in the court body gathered by Despot Uglješa in 1369 on the occasion of a dispute between Zograf monastery and bishopric of Ierissos. The archbishop of Ohrid Gregory and *hegoumenoi* of Athonite monasteries stand out among the aforementioned representatives. However, nobles were not mentioned by name, but only collectively.⁷⁶

Finally, it is worth mentioning that members of the clergy appear in private documents in Byzantine towns conquered by Stefan Dušan. One contract regarding sale of the land, drawn-up in town of Zichna in 1355 was done before church dignitaries and nobles.⁷⁷ In the same year, a similar contract for the sale of land was signed in town of Melnik, by the bishop and dignitaries of episcopate, although both involved parties were lay individuals. The last stipulation of this document specified that the contract has to be regarded as valid before every court, whether being ecclesiastical or urban court.⁷⁸

⁷⁰ А. СОЛОВЈЕВ, Судије и суд, 152, 158–159; М. ЖИВОЛИНОВИЋ, Судство у грчким областима, 200.

⁷¹ Г. ОСТРОГОРСКИ, *Серска област*, 6–19.

⁷² Ibidem, 84; М. ЖИВОЛИНОВИЋ, Судство у грчким областима, 203.

⁷³ Г. ОСТРОГОРСКИ, *Серска област*, 84, 141.

⁷⁴ Ibidem, 84; М. ЖИВОЛИНОВИЋ, Судство у грчким областима, 203–204; Б. ФЕРЈАНЧИЋ, *Византијски и српски Сер* 77, 79.

⁷⁵ Г. ОСТРОГОРСКИ, *Серска област*, 83.

⁷⁶ А. СОЛОВЈЕВ – В. МОШИН, Грчке повеље српских владара. Издање текстова, превод и коментар, Београд 1936, 270–279 [А. Solovjev – V. Mošin, *Grčke povelje srpskih vladara. Izdanje tekstova, prevod i komentar*, Београд 1936]; Г. ОСТРОГОРСКИ, *Серска област*, 83–85.

⁷⁷ *Actes de Chilandar*, 301–303; А. СОЛОВЈЕВ, Судије и суд, 156.

⁷⁸ *Actes de Chilandar*, 303–305; А. СОЛОВЈЕВ, Судије и суд, 156.

Several disputes were recorded in charter of Serbian local lord Konstantin Dragaš for Hilandar monastery from 1375/1376. According to the text of this document bishops Daniel and Gregory participated in the process of determining boundaries in four cases. Their role was to swear the *elders*, who as witnesses pointed to the borders of the disputable estates. Among the elders, the priests were mentioned on first place.⁷⁹ That fact clearly indicates that the priest had the greatest reputation among the elders who were not just ordinary witnesses, but also experts in a way as well.⁸⁰ The aforementioned bishops were also signed at the end of the charter.⁸¹ It can be seen that their role was exactly the same as the role described in *Dušan's code* in the case of jury.

Almost a century later, priests appear again in the case about setting the boundaries between possessions of Hilandar monastery and monastery of Holy Archangels in January 1454. Despot Đurađ Brnaković's nobleman Oliver Golemović used the service of twenty-four elders together with one of his servants to resolve this dispute. They set disputable boundaries. Furthermore, twelve well-known men and three priests swore in front of them in connection to this decision. Also, twenty-four elders swore that they had shown right boundaries in accordance with the previous charter and former decision of *čelnik* (head of chief) Nikola. At the end of the document, the list of elders who complied this act is written down.⁸² It is not clear what was the role of well-known men and priests, whose names are mentioned collectively. Probably, they should have strengthened the decision of the elders who were also the composers of the document. In a sense, they were assistants of the elders.⁸³ The priests also appear as reputable witnesses in land disputes in Byzantine countryside.⁸⁴

⁷⁹ А. СОЛОВЈЕВ, *Одабрани споменици српског права (од XII до краја XV века)*, Београд 1926, 169–171 [A. SOLOVJEV, *Odabrani spomenici srpskog prava (od XII do kraja XV veka)*, Beograd 1926].

⁸⁰ М. ИВАНОВИЋ, „Добри људи“ у српској средњовековној држави, Београд 2017, 97–99 [M. IVANOVIĆ, „Dobri ljudi” u srpskoj srednjovekovnoj državi, Beograd 2017].

⁸¹ А. СОЛОВЈЕВ, *Одабрани споменици српског права*, 171.

⁸² В. ПОЛОМАЦ, О правопису и језику двају аката о хиландарским међама из средине XV века, *Средњи век у српској науци, историји, књижевности и уметности VI*, ур. Г. ЈОВАНОВИЋ, Деспотовац 2015, 235–252, р. 237 [V. POLOMAC, O pravopisu i jeziku dvaju akata o hilandarskim međama iz sredine XV veka, *Srednji vek u srpskoj nauci, istoriji, kniževnosti i umetnosti VI*, ed. G. JOVANOVIĆ, Despotovac 2015, 235–252]; А. СОЛОВЈЕВ, *Одабрани споменици српског права*, 214–215.

⁸³ М. ИВАНОВИЋ, „Добри људи”, 61.

⁸⁴ Б. ФЕРЈАНЧИЋ, Оглед о парохијском свештенству у позној Византији, *Зборник радова Византолошког института* 22 (1983) 59–117, pp 105–112 [B.

Reputation of clerics in the Serbian medieval towns

Novo Brdo Legal Code from 1412 of Despot Stefan Lazarević testifies that the clergy enjoyed great trust in the Serbian towns.⁸⁵ Namely, Novo Brdo was the most important Serbian town in fifteenth century and one of the greatest mining centers in Europe of the period.⁸⁶ One provision of mentioned *Code* regulated that *voivode, knez, protopopa, burghers* and *boni homines* were panel of judges that was supposed to settle litigations concerning great issues like as immovable property.⁸⁷ Protopriests (*protopope*) were assistants of bishops who were mediators between priests and bishops. Also, they were representatives of bishops in towns.⁸⁸ There is no information on which it can be concluded what role they had in these trials. Through the analogy with *Dušan's code* it could be assumed that protopriests had an obligation to swear witnesses.⁸⁹ Also, it should be mentioned that the protopriest was the head of special ecclesiastical court which gathered priests.⁹⁰ Therefore, it is clear that civil urban and ecclesiastical courts were separate institutions. That was a significant difference in comparison with region of Serres. On the other

FERJANČIĆ, Oglad o parohijskom sveštenstvu u poznoj Vizantiji, *Zbornik radova Vizantološkog instituta* 22 (1983) 59–117]; A. LAIOU, Priests and Bishops in the Byzantine Countryside, Thirteenth to Fourteenth Centuries, *Church and Society in Late Byzantium*, ed. D. ANGELOV, Kalamazoo 2009, 45.

⁸⁵ More about *Novo Brdo Legal Code*: С. ЋИРКОВИЋ, Новобрдски законик деспота Стефана Лазаревића из 1412. године, *Ново Брдо*, ур. В. ЈОВАНОВИЋ – С. ЋИРКОВИЋ – Е. ЗЕЧЕВИЋ – В. ИВАНИШЕВИЋ – В. РАДИЋ, Београд 2004, 162–181 [S. ĆIRKOVIĆ, Novobrdski zakonik despota Stefana Lazarevića iz 1412. godine, *Novo Brdo*, eds. V. JOVANOVIĆ – S. ĆIRKOVIĆ – E. ZEČEVIĆ – V. IVANIŠEVIĆ – V. RADIĆ, Beograd 2004, 162–181].

⁸⁶ More about Novo Brdo: М. ДИНИЋ, *За историју рударства II*, 27–95; С. ЋИРКОВИЋ, Производња злата, сребра и бакра у централним областима Балкана до почетка новог века, *Работници, војници, духовници. Друштва средњовековног Балкана*, Београд 1997, 79–103, р. 94 [S. ĆIRKOVIĆ, Proizvodnja zlata, srebra i bakra u centralnim oblastima Balkana do početka novog veka, *Rabotnici, vojnici, duhovnici. Društva srednjovekovnog Balkana*, Beograd 1997, 79–103].

⁸⁷ Н. РАДОЈЧИЋ, *Закон о рудницима деспота Стефана Лазаревића*, Београд 1962, 52 [N. RADOJČIĆ, *Zakon o rudnicima despota Stefana Lazarevića*, Beograd 1962].

⁸⁸ М. КОПРИВИЦА, *Попови и протопопови Српске цркве у Средњем веку*, Ниш 2012, 90–102 [M. KOPRIVICA, *Popovi i protopopovi Srpske crkve u Srednjem веку*, Niš 2012].

⁸⁹ М. ИВАНОВИЋ, “Добри људи”, 43–44.

⁹⁰ Н. РАДОЈЧИЋ, *Закон о рудницима*, 52.

hand, aforementioned provision is similar to resolution of the trial mentioned in the charter of Emperor Andronikos II for the town of Ioannina from 1319. Selection of “good men” should be found among the citizens, who will judge all the litigations with the *kephalai*, except those who should be taken care of by the church.⁹¹

According to the *Novo Brdo Legal Code* the protopriest and *boni homines* had to testify when any of the citizens wanted to alienate their patrimonial estates. All these transactions had to be recorded in the *nomik* (notary) book.⁹² One document composed in 1434 in Novo Brdo confirms that the described procedure was respected. The text of this act records that monk Savatije adopted priest Bogdan and gave him half of his church and house, with the further provision that Bogdan would receive the rest of his property after his death. Bogdan was obliged to bury Savatije and to commemorate him. Eight priests, four laymen, protopriest Cagrič, voivode Hrnjko and knez Stepan were mentioned as witnesses.⁹³ The names of priests and laymen are listed before the names of the protopriest and representatives of the town authorities who were more respectable personalities than them. The reason for that probably lies in the fact that priests lived in the suburb where the property of monk Savatije was located.⁹⁴

The sources indicate that similar regulations were also valid in other Serbian towns. Sometime between 1346 and 1371, when Dobroslava, daughter of Karos together with her children sold her house in Prizren to Mano, priests Dabiživ and Pelača were mentioned first among the witnesses.⁹⁵ This document indicates that the procedure for alienation of property, as described in *Novo Brdo Legal Code*, existed already before 1412.⁹⁶ In January 1438, Radosava, wife of Radonja Miraković, sold his house in mining town Trepča to the monastery of Saint Paul under the condition that she and her sister could use one room in case of trouble. After her death, the monastery would take over the ownership of the whole house. Protopriest Nikola and three other laymen were witnesses of this legal act.⁹⁷ Novak and his wife Jela from an unknown town decided in April 1453 to bestow half of their house to the monastery of Saint

⁹¹ А. СОЛОВЈЕВ, Судије и суд, 158; ЛЈ. МАКСИМОВИЋ, *The Byzantine Provincial Administration Under the Palaiologoi*, Amsterdam 1988, 151, 243–244, 258–259.

⁹² Н. РАДОЈЧИЋ, *Закон о рудницима*, 56.

⁹³ Ђ. БУБАЛО, *Српски номици*, 181–183, 258–259.

⁹⁴ *Ibidem*, 183; М. ИВАНОВИЋ, “Добри људи”, 118.

⁹⁵ Ђ. БУБАЛО, *Српски номици*, 147–148, 250–251.

⁹⁶ М. ИВАНОВИЋ, “Добри људи”, 52.

⁹⁷ Ђ. БУБАЛО, *Српски номици*, 260.

Paul. The transfer of property was to be carried out after their deaths. Among the nine witnesses, protopriest Stepan was listed first, then the civil servant (*sebastos*) Raš, followed by two priests. At the same time, protopriest Stepan wrote down the document.⁹⁸ None of these priests are mentioned in other sources.⁹⁹ However, the presented documents clearly show that members of the clergy held great reputation in Serbian towns. They are first on the witness list in all of documents. A certain exception is the document where the *sebastos* is listed behind protopriest, but before the priests. Probably the reason is that *sebastos* was a representative of the state authority, who at the same time participated in compiling the document.¹⁰⁰ In any case, it is clear that individuals with spiritual authority had an advantage as witnesses in compiling notarial documents.¹⁰¹ It is worth noting that priests in general were considered to be the most trusted witnesses in Byzantium as early as the end of the eighth century.¹⁰² Such practice continued in Byzantium of the late medieval period.¹⁰³ As we have seen, private contracts were concluded before the church dignitaries in the former Byzantine towns in Serbian Empire. The fact that one of protopriest was *nomik* indicates that this person enjoyed additional reputation as the composer of the document. Also, there are well-known examples that the priests were *nomiks* in Byzantium as well.¹⁰⁴

Conclusion

The reputation of clergy was certainly a consequence of the position they had in society. In this respect it should be emphasized that researches indicated that social and juridical status of countryside priests in late Byzantium did not differ from the position of other villagers.¹⁰⁵ Consequently, a number of them had the status of *paroikoi* (dependent peasants). Exam-

⁹⁸ Ibidem, 198, 261; Д. Синдик, Српске повеље у светогорском манастиру Светог Павла, *Мешовита грађа – Miscellanea* 6 (1978) 181–205, p. 199 [D. Sindik, Srpske povelje u svetogorskom manastiru Svetog Pavla, *Mešovita građa – Miscellanea* 6 (1978) 181–205].

⁹⁹ М. ИВАНОВИЋ, “Добри људи”, 119–121.

¹⁰⁰ Ђ. БУБАЛО, *Српски номици*, 199.

¹⁰¹ Ibidem, 209.

¹⁰² Ibidem, 209, n. 23.

¹⁰³ Б. ФЕРЈАНЧИЋ, Оглед о парохијском свештенству, 106–113; А. LAIOU, *Priests and Bishops*, 45–46.

¹⁰⁴ Б. ФЕРЈАНЧИЋ, Оглед о парохијском свештенству, 106–108.

¹⁰⁵ А. LAIOU, *Priests and Bishops*, 43–44.

ples of rich priests among them were rare.¹⁰⁶ Legal texts testify that priests in medieval Serbia were personally free, but not all were in the same economic position. A small number of them had their patrimonies (*baštine*), while other were given modest possessions for subsistence. If these priests took additional land, they would have obligations with it, just like other dependent population.¹⁰⁷ However, they had spiritual prestige and were obliged to lead exemplary life.¹⁰⁸ In addition, the priests were constantly in contact with their believers. That was reason why they could have known better the population in comparison to others. Therefore, it can be assumed that they had a key role in internal property disputes between villagers in Byzantium.¹⁰⁹

The position of the clergy before the face of the law in Serbia was special only in the case of punishment for the murder of a bishop, monk or priest.¹¹⁰ It is important to note that from 1330 onwards, service of the priest was to be (exclusively) hereditary in Serbian state.¹¹¹ Whether this regulation was respected or not remains unknown, but it shows that office of the priest was increasingly tied to one circle of families. As a result, the reputation of priestly families was certainly higher. Finally, it can be assumed that most of them were literate unlike the other residents. They were often the only literate person in the Byzantine provinces.¹¹² The situation in that respect must have been similar in the medieval Serbia. Due to that, they could use and compose documents. Some information indicates

¹⁰⁶ Б. ФЕРЈАНЧИЋ, Оглед о парохијском свештенству, 87–105; А. LAIOU, Priests and Bishops, 44.

¹⁰⁷ Душанов законик, прир. Ђ. БУБАЛО, 81, 88, 160, 172; М. КОПРИВИЦА, Попови и протопопови, 187–208; Д. ДИНИЋ-КНЕЖЕВИЋ, Прилог проучавању свештенства у средњовековној Србији, *Годишњак Филозофског факултета у Новом Саду* 11/1 (1968) 51–61, pp. 51–56 [D. DINIĆ-KNEŽEVIĆ, Prilog proučavanju sveštenstva u srednjovekovnoj Srbiji, *Godišnjak Filozofskog fakulteta u Novom Sadu* 11/1 (1968) 51–61]; Р. ПОПОВИЋ – Д. ДИНИЋ-КНЕЖЕВИЋ – Р. МИХАЉЧИЋ, “Поп”, *Лексикон српског средњег века*, 553–554 [R. POROVIĆ – D. DINIĆ-KNEŽEVIĆ – R. MIHALJČIĆ, “Pop”, *Leksikon srpskog srednjeg veka*, 553–554].

¹⁰⁸ Б. ФЕРЈАНЧИЋ, Оглед о парохијском свештенству, 65.

¹⁰⁹ А. LAIOU, Priests and Bishops, 46.

¹¹⁰ Душанов законик, прир. Ђ. БУБАЛО, 94, 183; М. КОПРИВИЦА, Попови и протопопови, 208–218.

¹¹¹ М. ГРКОВИЋ, *Прва хрисовуља Манастира Дечани*, Београд 2004, 78 [M. GRKOVIĆ, *Prva hrisovulja Manastira Dečani*, Београд 2004]; М. КОПРИВИЦА, Попови и протопопови, 198.

¹¹² А. LAIOU, Priests and Bishops, 47; Б. ФЕРЈАНЧИЋ, Оглед о парохијском свештенству, 59.

that the clergy in Hungary had special methods to secure institutionalizing remembrance. Namely, there was an expectation that clerics should register and remember important events and affairs in their parishes. They tried to pass on what they remembered to their successors in the position of the priest.¹¹³ It is possible that Serbian medieval society had similar expectations from the clergy.

Милош Ивановић

**КЛИРИЦИ КАО ОСОБЕ ОД ПОВЕРЕЊА
У СРПСКОЈ СРЕДЊОВЕКОВНОЈ ДРЖАВИ**

Резиме

Клирици су представљали један од стубова средњовековног друштва. У овом раду се анализира њихова улога у српском средњовековном друштву, ван чисто религијске сфере. Извори, углавном за период од XIII до XV века, сведоче да су припадници свештенства играли важну улогу у политици, дипломатији, судству и државној управи. Свети Сава је обављао важне дипломатске мисије у корист свог брата великог жупана и краља Стефана Немањића (1196–1227). Такође, крунисањем краља Владислава одобрио је његово збацивање краља Радослава са престола. За време владавине краља Милутина (1282–1321) на сличан начин се истакао Данило, који је касније постао и српски архиепископ. Извршавао је важне задатке у корист краља Милутина током његовог рата са братом Драгутином. Поводом завршетка тог сукоба важну дипломатску мисију у Цариграду обавио је хиландарски игуман Никодим. Римокатолички свештеник из Новог Брда, Иван, управљао је од 1398. до 1403. године финансијама Лазаревића носећи титулу протовестијара.

Припадници свештенства имали су важну улогу у правним поступцима. Према *Душановом законнику* свака порота имала је бити у цркви и требало је свештеник да је закуне. Законски зборник *Синтагма Матије Властара* који је око 1340. године преведен на српски предвиђао је посебне казне за свештенике и ђаконе који би лажно сведочили.

¹¹³ E. FUGEDI, *Verba volant...* Oral Culture and Literacy among the Medieval Hungarian Nobility, *Kings, Bishops, Nobles and Burghers*, London 1986, 4–5.

Познато је да су клирици били део судијских колегијума у градовима које је краљ и цар Стефан Душан (1331–1355) освојио од Византије. Митрополијски суд у Серу се трансформисао у мешовити световно-црквени суд. За време владавине деспота Јована Угљеше Серском облашћу, од 1365. до 1371. године, светогорски монаси били су бројни међу члановима тог суда. Практично у то време није било разлике између тог суда и оног који је окупљао деспот Јован Угљеша. Једна од одредби *Новобрдског законика* деспота Стефана Лазаревића из 1412. године је предвиђала да протопопа буде део судијског колегијума који је имао да разрешава важније парнице, попут оних које су се тичале непокретне имовине. Исти правни споменик је предвиђао да протопопа мора бити међу сведоцима када би неки грађанин желео да изврши трансакцију свог баштинског поседа. Сачувани документи потврђују да је слична пракса важила и у осталим српским градовима. Свештеници су уживали велики углед у српском друштву, како због свог духовног ауторитета, тако и због чињеница да је њихова служба требала бити наследна. Најзад, мора се имати у виду да су они били већином писмени, за разлику од осталог становништва.

Кључне речи: клирици, поверење, средњовековна Србија, Византијско царство, дипломатија, судски сведоци, градови.

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