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ЗАПАДНЫЕ И ВИЗАНТИЙСКИЕ ВЛИЯНИЯ В СРЕДНЕВЕКОВОЙ СЕРБИИ И БОСНИИ

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Средневековая Сербия и Босния находились в прямом контакте с Западной Европой и Византией. Босния являлась частью Рашики (Сербии) до середины X в. и с тех пор пошла путем независимого развития. В это время Босния была под властью Византии, а потом, посредством Венгрии, западное влияние одержало верх. В средневековой Сербии видны и западные, и византийские влияния. Со времени Стефана Немани и его сына Саввы (Святого Саввы) византийское влияние одержало верх. В статье двойные, западные и византийские влияния на средневековую Сербию и Боснию показываются через анализ четырех вопросов: государственное устройство; общественный строй; система наказаний; духовная (церковная) сфера.

Ключевые слова: Сербия, Босния, Средние века, влияние, Византия, Западная Европа

WESTERN AND BYZANTINE INFLUENCE IN MEDIEVAL SERBIA AND BOSNIA

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Medieval Serbia and Bosnia were in direct contact with Western Europe and Byzantium. Bosnia was part of Rascia (Serbia) until the middle of the 10th century, and since then it has embarked on the path of independent development. At that time, Bosnia was under Byzantine domination, and later, by virtue of Hungary, Western influence prevailed. Both Western and Byzantine influences are visible in medieval Serbia. Since the time of Stefan Nemanja and his son Sava (Saint Sava), Byzantine influence has prevailed. The dual, Western and Byzantine influences on medieval Serbia and Bosnia will be presented through the analysis of four issues: state system, social organization, the penal system and the spiritual (ecclesiastical) area.

Keywords: Serbia, Bosnia, Middle Ages, influence, Byzantium, Western Europe

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The state and social development of medieval Serbia and Bosnia was directly associated with Western Europe and Byzantium.

Bosnia was first mentioned in the work of Konstantin Porphyrogenitus as the western part of Serbia. Until the middle of the 10th century, it was part of Rascia (Serbia), and then it embarked on the path of independent development. Bosnia was initially under Byzantine domination, and then, by virtue of Hungary, Western influence prevailed. Both Western and Byzantine influences were observed in Serbia. Since the time of Stefan Nemanja and his son Sava (Saint Sava) and the final commitment to Eastern Orthodoxy, the Byzantine influence has become stronger.

The dual Western and Byzantine influence on medieval Serbia and Bosnia will be presented through the analysis of four issues: the state system, the social organization, the penal system and the spiritual (ecclesiastical) area.

The state system

Leader. The royal crown was of Western origin. The first Serbian ruler to be crowned with a royal crown was Mihailo Vojislavljević, ruler of Dioclea (Duklja). He received the crown from the Pope in 1077. The tradition of the royal title of Duklja continued to live in the title of the Young King. The mentioned institute of the Young King was introduced according to the Hungarian model. Since the second half of the 14th century, a co-ruler was appointed in medieval Serbia, according to the Byzantine model.

The first Nemanjić to be crowned with the royal title was Nemanja's son, Stefan. Stefan Nemanjić received the crown from Pope Honorius III in 1217. Although he was not the first Serbian king, he is remembered as the "first-crowned king". The previous Vojislavljević dynasty was consigned to oblivion thanks to the persistent claims of the Nemanjić that they laid the foundations of Serbian statehood.

The etymology of the word "king" in Slavic languages is not reliably established, but in science it is associated with the name of Charlemagne (771–814).

The title of king corresponded to the title of rex in Latin texts. Kings were often depicted on frescoes and coins sitting on a throne with a scepter or sword, with a flag and a cross. They wore purple colored clothes and belts decorated with precious stones. Later, an image of a double-headed eagle appears, symbolizing the imperial and patriarchal power, under the direct influence of Byzantium. There were no heraldic symbols in medieval Serbia until the early 15th century. Coats of arms began to appear then under the influence of the West. In Bosnia, heraldic customs were formed under Western, Hungarian influence.

In 1346, King Dusan proclaimed himself tsar (*caesar*, *цъесарь*) and thus elevated the title of ruler to a higher rank. The word tsar in the Serbo-Slavic language indicates its origin from the personal name of Caesar.

In 1402, the title of despot appears. It was the title of Serbian rulers before the conquest by the Ottoman Empire in 1459. The title of despot was one of the three so-called imperial dignities at the Byzantine court.

From the end of the 12th century, Bosnian rulers have been called Bans. The Slavs adopted the word "ban" from the Avars. When the ruling Nemanjić family in Serbia died out, the ban of Bosnia, Tvrtko I, was crowned with a double crown in 1377 and became the "king of Serbia and Bosnia". Since then, the title of king remained with the ruler of Bosnia until the conquest of Bosnia by the Ottoman Empire in 1463.

Both Western and Byzantine elements can be seen in court etiquette and names. According to Western custom, the king was called Lord King (*dominus rex*), and the queen was called Lady Queen (*domina regina*). It was believed that the royal dignity has a divine origin. The ruler was given the epithets "faithful" and "Christ-loving" according to the Byzantine model.

In Serbia, all the nobles were under the direct rule of the ruler, according to the principle of vassalage of the crown. This is due to the influence of the Byzantine model, according to which the title of autocrat (autocrat) implied the unlimited power of the ruler.

In Bosnia there was a system of hierarchical ladder. The noble nobles had subordinate nobles who could also raise nobles of lower rank and so on. It was a typical feudal system adopted from Western Europe.

With regard to the election of rulers, there was a conflict in Serbia between the principles of rulers election among the heirs, who were members of the dynasty, and the accession of the first-born son to the throne. In Bosnia, the electoral principle was applied almost to the end of its State development. Namely, the aristocracy, assembled in Parliament, elected the ruler from among the members of the ruling Kotromanić dynasty. This is noted in the literature as one of the main reasons for the weak power of rulers in medieval Bosnia.

State administration. In Serbia, local units – župas were led by a representative of the ruler – župan. In Bosnia, the title of župan remained until the end of its state existence.

Other names of representatives of the State administration are also appearing in Serbia. These were the names – tepčija, kaznac, and they had Slavic origin. The title of prince was worn by officials, from the village head to the courtiers and members of the dynasty. This title corresponded to the Latin title of count (*comes*).

Since the beginning of the 13th century, Byzantine titles, sevast and especially kefalija have appeared. During the reign of tsar Dušan, kefalija became a general term for the rulers of cities and some administrative districts, and completely abolished the title of župan. It should be noted that tsar Dushan introduced many Byzantine titles and titles in his time. He also introduced the title "judge of my kingdom" on the model of ecumenical judges from Byzantium since the time of the Palaiologos.

In the Serbian Despotate since the beginning of the 15th century, the militarization of public administration begins. The Ottoman perception of the ruling power as absolute prevailed, to which both the state administration and all subjects are completely subordinate. Hungarian influence was present in the arrangement of the ruler's court. Thus, the title "great *čelnik*" at the Serbian court was very similar to the title "count palatine" (*comes palatinus*) at the Hungarian court.

The capital. Since the beginning of the 13th century, there has been no permanent capital in Serbia. The capital was the place where the ruler lived at the moment. It was the same in the then German countries and in Hungary.

In the 15th century, only Belgrade (from 1404 to 1427) and Smederevo (from 1430 to 1459) could be considered real capitals, that is, cities in which the most important state bodies were constantly located.

The social organization

The nobility. The development of the nobility in Serbia can be traced only from the late 12th century. Until that time there was no nobility. The nobility arose in the same way as in other countries of medieval Europe. The nobility are descendants of the old ruling and *župan* families, branches of the ruling house, senior government officials who become family members through marriage.

From the 13th century, society in Serbia has been divided into privileged and unprivileged classes, as in other medieval European countries. People had different rights and responsibilities depending on the class they belonged to.

The influence of the nobility was manifested at meetings or conferences of the aristocracy. These meetings were called "Sabor" in Serbia and "Stanak" in Bosnia. The Bosnian assemblies had more influence, and they retained the right to choose a new ruler.

Nobles in both Serbia and Bosnia owned free hereditary property, which was called "bashtina".

Since the beginning of the 13th century, the Byzantine institute of *Pronoia* was introduced in Serbia. The owner of the *pronoia* was obliged to perform military service in the interests of the ruler, and this property could not be alienated without the permission of the ruler. In Bosnia, the *pronoia* institute system was not practiced. This is the proof of a weaker power of the ruler of the realm and a more intensive process of feudalization in Bosnia.

The peasantry. As for the peasantry, both Serbia and Bosnia developed in the same way as the West. The attachment of serfs to the land was also codified in the Law of Dušan. The Dušan's Code, incidentally, obtained Byzantine law to a certain extent. However, in this respect, he could not follow the Byzantine model, because Byzantium maintained the Roman principle until the end of its existence, according to which all inhabitants are equal before the law (since Caracalla granted Roman citizenship to all residents of the Roman Empire in 212).

Cities. Medieval cities in Serbia and Bosnia arose in the same way as other cities of continental Europe. Cities arose as settlements next to fortified castles, which were administrative centers. The same word "city" meant both a fortified castle and an urban settlement. Some of these cities became important trade and craft centers, but did not obtain the importance that they had in Western Europe. They have not achieved the development and autonomous status that reached its peak in German countries thanks to the rule which said: "Urban air makes free" (*Die Stadtluft macht frei*).

The Byzantine cities, which were conquered by Serbia during the reign of Tsar Dusan, retained their municipal structure and, above all, the judicial system. This judicial system was characterized by the participation of state officials (*kefalija* and former *kefalija*) and the ecclesiastical, metropolitan court.

Cities in Serbia and Bosnia, which arose as a result of the development of the mining industry, owe their structure to miners of German origin, the *Sachs* (Saxons, as they were called in Serbo-Slavic pronunciation). At the beginning of the 13th century, Saxons appeared on Serbian lands. They had an autonomous status. The Saxons brought with them Saxon mining legislation. It clearly defined the rights and obligations of miners, maintenance of mines, standards of mining and mineral extraction. The rulers of Serbia granted the Saxons privileges: the right to freely explore minerals and start mining, freedom of religion and judicial autonomy embodied in the Saxon court (*curia Theotonicorum*).

The penal system

For a long time, the main and most common criminal penalties was a fine, that is, monetary penalties. It is only in the Dušan's Code that corporal punishment appears for the first time: mutilation, branding and beating. According to the rules, the mutilation involved amputation of hands, ears, tongue, nose and blinding. The burning was also applied – branding on the cheek, as well as hair and beard burning. The beating was carried out with sticks. These corporal punishments in the Dušan's Code were taken from Byzantine law. There is no saved data about their use. Corporal punishment is mentioned only twice in almost three centuries. These were cutting off the tongue of the leader of the Bogomils on the orders of Stefan Nemanja, as well as punishment of a woman by beating in a Žiča charter. Therefore, it can be concluded that corporal punishment, taken from Byzantium, did not take root in medieval Serbia. Apparently, the norms of customary law continued to be applied in these criminal cases.

Dušan's Code also provides for the death penalty for the "sebri" who raped a noblewoman, for the murderer of a church person, the murderer of a close relative, a robber and thief, etc. There is not a single mention in the surviving sources that the death penalty was used for these crimes. It is most likely that the death penalty, both before and after the adoption of Dušan's Code, was applied to so-called political crimes, infidels (traitors), rebels, etc.

For centuries, the penalty for murder among the Slavs was the payment of a fine (the so-called compositional system). Slavic concepts of punishment for murder collided with both Western and Byzantine ones very early. In 1308, King Milutin rejected the request of Dubrovnik inhabitants that, in case of murder, his subjects should not be subjected to payment of monetary penalties (fines), called "enmity", but the death penalty. From this we can conclude that at the beginning of the 14th century, the Serbs' "enmity" in the form of a fine for murder still excluded the death penalty.

Thus, the penalty for murder in medieval Serbia was a fine of 500 perpers, as a remnant of the compositional system. Only in Dušan's Code an attempt was made to change this and, in addition to fines, to accept the punishments from the Byzantine penitentiary system: punishment by mutilation and the death penalty for qualified types of murder in addition to "enmity" (fines).

There is no evidence that the new penalties for murder, the death penalty and the punishment by mutilation, were actually applied (even during the reign of King Dushan). Rare preserved sources of the 15th century speak of the use of "enmity".

In the criminal law of Bosnia, a fine prevails – the main type of penalty in the system of customary law.

The spiritual (ecclesiastical) area

During the time of Stefan Nemanja and his sons Stefan and Sava, the Eastern Orthodox church tradition was adopted. It was an important turning point in the church and social life of the Serbs. In 1219, thanks to the diplomatic activity of monk Sava (Nemanjić), the Patriarchate of Nicaea granted the right to establish an autocephalous archbishopric in Serbia. Since then, Serbian bishops have elected and ordained an archbishop by themselves.

The Orthodox Church in medieval Serbia actually had the position of a state within a state, status in status. Relations between the state and the church in medieval Serbia, as a rule, were built on the principle of symphony (harmony). The Church had its own legislation, administration and judicial system in the religious sphere. Church dignitaries participated in the work of the State Assembly and took an active part in the most important political decisions.

However, many subjects living in medieval Serbia, especially in coastal and provincial towns (where Saxons and other foreigners lived), were Catholics. There were also Catholics at the Serbian court. The famous Nikola Buća, a Catholic from Kotor, was for many years the Minister of Finance (protovestiar) of tsar Dušan. Dušan's mercenary army consisted of several thousand mostly Catholic Germans, led by the knight Palaman, the closest associate of tsar Dušan in military affairs.

Catholics enjoyed freedom of religion, the right to freely profess their Catholic faith. The Serbian state respected the principle of religious tolerance towards born Catholics. However, Serbia was a confessional

Orthodox state. This meant that Orthodoxy was the official state religion, and that those who were born Orthodox were not allowed to leave this religion and adopt another. Therefore, there was no freedom of religious conscience – it did not exist in other Orthodox and Catholic countries of Europe at that time. The principle of religious tolerance, in the form in which it existed at that time in European countries, was also observed in medieval Serbia. Proselytism, which means, the conversion of the Orthodox to Catholicism, was prohibited, the difference in religion was considered an obstacle to marriage, etc. From a historical point of view, adherence to the Eastern Christian Orthodox Church tradition was one of the key events in construction of the national identity of the Serbs.

The religious situation in medieval Bosnia was more complicated due to the presence of the so-called Bosnian Church. It was about a heretical movement that was originally almost a people's church. The Bosnian church was poor, without monasteries and estates. It opposed the feudal system. Its church rite was Oriental, its service was Slavic. The liturgical books were in Church Slavonic in the Serbian edition. The doctrine of this Bosnian Church was dualistic – it was based on the idea of a struggle between good and evil. Real crusades were waged against the Bosnian Church. Over time, the Bosnian rulers and nobles realized that the persecution of the Bosnian Church was not a religious, but a political issue, that, after all, it was a question of the survival of the Bosnian state and that by defending the Bosnian Church, they were also defending state independence. The Bosnian Church disappeared with the disappearance of the Bosnian state.

Most of the believers of the Bosnian Church have accepted the Serbian Orthodox Church. It was close to them because of the same Eastern rite, the same Serbo-Slavic language of liturgy and, of course, because of the same ethnic origin and customs. A certain number of believers have converted to the Catholic faith, primarily due to the patient work and activities of the Franciscan Order. The Franciscans arrived in Bosnia at the end of the 13th century and founded their monasteries in central Bosnia, which have remained the main stronghold of Catholicism for centuries to this day. A certain number of believers of the Bosnian Church converted to Islam after the arrival of the Ottomans. As a result, Bosnia suffered separation based on religion, which played a decisive role in its entire history.

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