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Partial or Absolute Authority: The Head (*Djed*) of the Bosnian Church as an Arbiter in Determining Culpability Between Bosnian Rulers and Nobles in the 14th and 15th Centuries

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Abstract

In medieval Bosnia, the existence of a unified legal code that defined the legal principles, duties, and obligations of the parties involved in a particular dispute was not recorded. One of the most significant relationships in the history of medieval Bosnia was the relationship between the ruler and the nobility. The rights and obligations of the nobles in relation to the ruler in the medieval Bosnian state were defined through the institution of "faithful service" on one side and "noble faith" on the other. Simply put, as long as the nobles faithfully served the ruler, they were secure and their possessions were protected. This article focuses on instances of treason against the ruler and the judicial body responsible for investigating charges and delivering judgments according to established legal customs. The nobles mentioned in the Bosnian charters played a role in defining the relationship between the ruler and the respective noble, as did members of the hierarchy of the Bosnian Church. The Bosnian Church was a religious institution formed in the territory of Bosnia after the displacement of the Catholic diocese in the mid-13th century and was first mentioned in the 1320s. It was considered a heretical movement by the Roman Church, and its followers were excommunicated. It was accepted by the Bosnian ruling dynasty of Kotromanić and by the majority of noble families. From the perspective of neighboring states, the hierarchy of this church was considered to be the authority characterized by exceptional moral values. The aim of this article is to provide the research results regarding the role of the head (*djed*) of the Bosnian Church in determining the culpability of Bosnian nobles during the 14th and 15th centuries.

Keywords

Medieval Bosnia – arbitration – determining culpability – Bosnian Church – rulers – nobility

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Feudal Features in Medieval Bosnia

In the medieval Bosnian state, there is no recorded existence of a unified legal code that extensively defines the legal principles, duties, and obligations of individual parties in a specific dispute, as is the case with neighboring states and coastal cities. The legal structure of medieval Bosnia, from today's perspective, is discernible only through the observation of individual cases and the creation of conclusions based on the combination and comparison of similar cases.¹ The feudal system in medieval Bosnia was based on land ownership known as *plemenita baština* (noble heritage) or *baština* (heritage). This refers to an institution whose origin likely dates back to the time when tribal property was divided, initially denoting property belonging to the entire tribe and later distributed among the members of this community. Over time, this term distinctly referred to the entire land ownership of a noble lineage. The basic characteristics of this type of possession were that it was indivisible and difficult to alienate, tied to an entire noble lineage connected by blood relations and economic interests. *Baština*, as a possession, formed a solid foundation on which the political power of Bosnian nobility developed, emerging as a counterbalance to central ruling authority in the later stages of feudal development.²

One of the most significant relationships in the history of medieval Bosnia concerns the interaction between rulers, be they bans or kings, and the nobility, as well as the relationships between superior nobles and those subordinate to them. Essentially, personal dependency relationships between individuals in the hierarchical scale formed the basis for the functioning of the state system. The hierarchy in medieval Bosnia was based on the Western European concept of property ownership through the system of "faithful service", i.e., the demonstration of loyalty to the ruler by the nobility through various deeds,³ and "noble faith" guaranteeing the nobleman the security of the assigned possession and life. Recognizing a specific noble as a vassal to the ruler or another major noble

1 SOLOVJEV (1949), pp. 80–82.

2 TRUHELKA (1942), pp. 595–597; SOLOVJEV (1949), pp. 96–97; ČOROVIĆ (1940), pp. 123–124; DINIĆ (1955), pp. 39–40; ČIRKOVIĆ (1958), pp. 156–159; ČIRKOVIĆ (1964a), pp. 93–94; BABIĆ (1987), pp. 79–82.

3 What "faithful service" entailed is outlined in the charter of Ban Stjepan II from 1351: *I did this for Vuk's faithful service, for that service when I was in a battle in Rascia, and Vuk gave me his horse, which was slaughtered. Another service he rendered to me when the Rascian emperor took my town Novi - thanks to Vuk, I regained my town, and Vuk shed blood for me there. The third service Vuk provided was when the king's renegade took my town Visučić - then Vuk Vukoslavić took the Triljski brod and thanks to that, I regained my town. That's how Vuk Vukoslavić served. I gave for these services, with my charter and the law, Banjica and Peč, and he shall serve no other way but with shield and spear.* MRGIĆ-RADOJČIĆ (2002), p. 81. In an earlier charter from Ban Stjepan II in 1326 addressed to Vukoslav Hrvatinić, it is mentioned: *to serve the lord with weapons as best as he can.* THALLÓCZY (1914), p. 8; MRGIĆ (2008a), p. 53. Similar statements are found in another charter issued to Vukoslav: *to serve the lord with weapons as best as he can.* MRGIĆ (2008b), p. 12. In a charter from Ban Tvrtko to Prince Vukac Hrvatinić in 1366, it is stated: *for his faithful service at the time when the Hungarian king named Louis rose against me and came on a campaign to Pliva and under Sokol, and then Duke Vukac faithfully served me.* MRGIĆ-RADOJČIĆ (2003), p. 169. King Dabiša, in a charter from 1395, highlights the Semković brothers' faithful service, especially in wars against the Turks, stating: *for their faithful and heartfelt service, serving me faithfully and sincerely, especially in wars against the Turks when they did not spare their lives for me.* RUDIĆ (2006), p. 161.

meant placing them in a position of a servant, someone with the duty to serve. “Faithful service” encompassed all the obligations that the noble owed to the ruler, and according to preserved sources, this included military engagement as well as the unwavering loyalty of the vassal. “Faithful service” or specific actions by the nobleman were often the primary motivation for the granting of land ownership, and preserved examples show how “faithful service” preceded the granting of land. Decisions regarding the granting of land ownership to nobles were frequently made after the deliberation of the state assembly, in which both the ruler and the nobility participated. The basic land ownership, *baština*, is considered protected in the hierarchy of Bosnian society as long as the owner continues to fulfill “faithful service”. “Noble faith”, according to preserved examples, indicated a lasting relationship between the nobleman and the ruler, guaranteeing the personal security of the nobleman, ensuring that he would not be imprisoned without the opportunity to have his potential guilt examined, and that his land ownership would not be taken away or diminished. This relationship continued even after the nobleman’s death, with his descendants inheriting the property and privileges associated with the given “noble faith”.⁴

The “noble faith” granted to a nobleman could only be revoked in the case of committed treason or betrayal towards their senior, the ruler. In Ban Tvrtko’s charter from 1367, it is stated that *nothing should be taken away from Duke Pavle Vukoslavić without a serious wrongdoing, for which a nobleman’s head would be worth severing*.⁵ A similar rule is mentioned in the charter of King Tvrtko I from 1380, confirming the possessions of Duke Hrvoje and his children. It is stated: *If any of them commit treason, or his descendant to our descendant, for which the mentioned villages could be taken away from them - they should not be taken away, but the transgressor shall pay with his head or wealth, as Bosnia (noblemen) judges him*.⁶ Beheading and confiscation of property for nobility that would commit treason is also mentioned in the charters of Juraj Radivojević from 1434 and Duke Stjepan Kosača from 1453.⁷ After the murder of Bosnian nobleman Duke Pavle Radinović in 1415, carried out by King Ostoja and Duke Sandalj Hranić, Sandalj explained to a Ragusan envoy, who witnessed this unexpected event, that the punishment for betrayal was beheading.⁸ In the absence of a larger number of sources, the case of the murder of Bosnian nobleman Duke Petar Pavlović, killed by the Ottomans in 1420, is interesting. In a charter from 1420, Duke Sandalj emphasized how *Petar Pavlović betrayed the Sultan and was killed by Isak, the emperor’s voivode, with the emperor’s army*.⁹ If a member of a noble family committed treason or betrayed the Bosnian ruler, potential sanctions did not extend to other members of that family. They could continue to enjoy their landownership and all privileges granted by the ruler. This is evident in Ban Tvrtko’s charter issued to

4 SOLOVJEV (1949), pp. 97–99; BABIĆ (1972), pp. 22–31; ANĐELIĆ (1976), pp. 31–32, 44–46; ĆIRKOVIĆ (1997), pp. 319–328.

5 JEČMENICA (2011a), p. 24.

6 MIHALJČIĆ (2002), p. 119.

7 MIKLOSICH (1858), p. 378; SMILJANIĆ (2011), p. 121; STOJANOVIĆ (1934), p. 68.

8 (24. 8. 1415) Dubrovnik State Archives, Lettere di Levante VII, fol. 134.

9 STOJANOVIĆ (1929), p. 310.

Duke Vlatko Vukoslavić in 1357, where it is stated that *there should be no guilt because of his cousin Grgur Pavlović, and he should suffer no harm due to Grgur's treason or any of Grgur's misdeeds*.¹⁰

In the case of an alleged wrongdoing, a nobleman had the right to defend himself. Although not issued by members of the Bosnian ruling dynasty Kotromanić, a charter from the then ruler of Bosnia, Ban Pavle Šubić, addressed to the Bosnian nobleman Duke Hrvatinić in 1305, indicates that the nobility enjoyed a privileged position. According to this charter, if Hrvatinić is accused of treason or any other wrongdoing, he is not obligated to respond unless he agrees to do so. If he commits a serious act of treason and cannot or will not rectify it, sanctions will be taken against him. However, even in that case, sanctions do not occur automatically. The nobleman who committed treason will be given a four-month period to defend himself, during which time no action will be taken against him that could jeopardize his freedom or property.¹¹ Preserved charters reveal various judicial bodies responsible for investigating guilt or treason, mostly composed of nobles. It is evident that the legal structure concerning treason granted significant concessions to the nobility, as the ruler did not have the right to take action until a judicial body pronounced guilt. The question of the mentioned body making the final decision is crucial. According to Bosnian charters, *dobri muževi*, *dobri ljudi* or *dobri Bošnjani*, i.e., nobles (according to the Latin variant *boni homines*), who swore an oath or participated in giving “faith”, together with the ban or king, but those nobles who were not present, played the role of arbiters in cases of treason.¹² The oldest charter of the ruling Kotromanić dynasty that explicitly mentions the composition of the arbitration body is the charter of Ban Stjepan II, written around 1326. This charter, issued to Duke Vukoslav Hrvatinić, states that *if Vukoslav were to err in something, he should appear before the dobri muževi (noblemen) to justify himself, and no one should rush to seize his property*.¹³ In the charter for Duke Vukac, dated between 1326–1329, Ban Stjepan II states that *the faith shall not be taken away from him or his children during their lifetime, as long as fourteen individuals who swore an oath with Ban Stjepan do not condemn him*.¹⁴ Nobles appear as witnesses to the issuance of charters and the granting of the ruler’s “noble faith”, and in specific cases, they are listed according to the region or “land” where their possessions are located. These integral parts of the Bosnian state included lands such as Bosnia (in the narrower sense), Usora, Donji Kraji, Hum, Zagorje, and others.¹⁵ The nobles who would constitute the body to investigate potential treason were also mentioned accordingly. According to a charter issued by Ban Tvrtko in 1354 to Duke Vlatko Vukoslavić, *if any slander or complaint were to fall upon Duke Vlatko, or if Duke Vlatko were to become a trai-*

10 THALLÓCZY (1914), p. 25; JEČMENICA (2011b), p. 10.

11 THALLÓCZY (1914), pp. 328–329; ISAILOVIĆ (2010), p. 16.

12 About the types of arbitration bodies according to Bosnian charters, see: DINIĆ (1955), pp. 40–41; ĆIRKović (1958), pp. 157–158; TRUHELKA (1942), pp. 613–614; ĆIRKović (1997), p. 328; ĆOŠKOVIĆ (2011), pp. 342–344.

13 THALLÓCZY (1914), p. 8; MRGIĆ (2008a), p. 52.

14 JEČMENICA (2009), pp. 13–14.

15 See examples in: MRGIĆ-RADOJČIĆ (2002), p. 81; JEČMENICA (2011a), p. 24.

tor, they would not be free to harm him until Bosnia, Donji Kraji, Zagorje, and Humuska zemlja pass judgment. And if Duke Vlatko were found guilty or involved in treachery, they would not be free to revoke the faith until he returns to his home in Ključ.¹⁶ Interestingly, it is noted that for the ruler, only a spiritual sanction is envisaged in case of disrespecting the given “noble faith”.¹⁷ The Bosnian Church, or its head, *djed*, also appears in this context. Mentioning the Bosnian Church, or its head, in this context is a rare occurrence that can be traced from the early 14th century to the mid-15th century. Further attention will be devoted to these cases in the continuation of the article.

The Bosnian Church: A Brief Overview

It is essential to outline the basics of what the Bosnian Church was. It was a religious organization first mentioned by name in a charter issued by Ban Stjepan II in 1326.¹⁸ The emergence of this religious organization is directly linked to events initiated by the Roman Catholic Church against Bosnian rulers and the population in the preceding century. The first records indicating the existence of teachings in Bosnia that did not conform to the rules of the Roman Catholic Church date back to 1199. At that time, the ruler of the Dioclea, Prince Vukan, wrote to the Pope, informing him of the spread of heresy in Bosnia, including Bosnian Ban Kulin and a large number of his subjects. This led to investigations and examinations, and in 1203, seven monastery officials publicly renounced heretical teachings. Essentially, the papal delegation found an unreformed ecclesiastical order in Bosnia, organized according to principles predating the general reform in the West led by the Cistercians from Cluny.¹⁹ From this time, the Bosnian Banate acquired the epithet of a territory where heretics expelled from other parts of Europe resided and freely operated. In the first half of the 13th century, denunciations against Bosnian bishops followed, motivated by the desire of Hungarian rulers to establish both ecclesiastical and political dominance over Bosnia. A crusade led by Hungarian Duke Coloman was launched against Bosnia in 1238, but all pressures passed without significant results. As a consequence of the military failure, Pope Innocent IV, at the insistence of Hungarian ruler Béla IV, relocated the bishopric from Bosnia to Đakovo no later than 1252. This act severed all ties between Bosnia and the Roman popes.²⁰ The Bosnian Church, emerging as a clearly defined and hierarchically organized religious organization with the same name as the earlier Catholic bishopric (*ecclesia Bosnensis*), took advantage of this vacuum. The approximate formation date of the Bosnian Church is not known, but it is estimated to have occurred between 1270 and 1280.²¹ The hierarchy

16 RUDIĆ (2003), p. 73.

17 MIKLOSICH (1858), p. 440; RUDIĆ (2019) p. 87.

18 MRGIĆ (2008a), p. 52.

19 HAŠIMBERGOVIĆ (2005), pp. 413–421; ZADRO (2005), pp. 27–31.

20 DAUTOVIĆ (2021), pp. 98–119.

21 ĆIRKOVIĆ (1987), pp. 205–206, 211–212; FINE (2005), pp. 159–160; DŽAJA–LOVRENOVIĆ (2009), pp. 242, 245–246.

of the Bosnian Church consisted of *strojnici* who were divided into the higher rank of *gosti* and the lower rank of *starci*, with the *djed* at its head, serving as the supreme spiritual figure of medieval Bosnia. A religious organization like the Bosnian Church was essential in the societies of that time, acting as the sole regulatory authority, superior to the ruler in legal matters, and capable of imposing its decisions on secular authority through divine spiritual authority.²²

Members of the Bosnian Church as arbitrators in (potential) disputes

Direct mention of the *djed* and other members of the hierarchy of the Bosnian Church in royal charters was first recorded in the aforementioned charter issued by Stjepan II to Vukoslav Hrvatinić around 1326. The Bosnian ban issues the charter *before Djed Radoslav, before Gost Radoslav, before Starac Radomir, and Žunbor and Vučko, and before the Church and before Bosnia* (noblemen). However, even though Stjepan II relied on the evidently established authority of the Bosnian Church and its prominent members, led by the *djed*, they do not appear in the role of those who will act as a judicial body in the case of wrongdoing. Duke Vukoslav was supposed to, *if he erred in something, appear before dobri muževi to justify himself*, indicating that in this case, the nobility is competent to decide on his guilt. The mention of members of the Bosnian Church in this charter seems to be somewhat related to the place of its origin, as it explicitly states that *the charter was written in the house of Gost Radoslav*.²³

Several years later, the Bosnian ban Stjepan II issued another charter, this time to Duke Grgur Hrvatinić. The charter is dated 1329–1330, and it confirms the possessions of Duke Grgur.²⁴ A significant detail speaks to the involvement of the Bosnian Church in the judicial body that will decide on the nobleman's guilt. The Bosnian ban states that those possessions *can never be denied to the nobleman, neither to him nor his family, until the Bosnian Church questions him*. If we interpret the term Bosnian Church in this context as the participation of its members in assessing guilt, it is quite certain that the head of this institution would have to be found in that capacity. Later mentions of the *djed's* participation in these activities support the thesis that, in this case as well, he could have served as an arbiter as the supreme authority of this religious institution. It is evident that Ban Stjepan, at the time of issuing these charters, had good relations with the entire hierarchy of the Bosnian Church, and by incorporating its members into his charters, he sought to provide a firmer background for his words. However, the role of the Bosnian Church and its members in these two charters also testifies to the strength and influence this organization possessed at that time. For a nobleman, especially Duke Grgur Hrvatinić, it is entirely acceptable that, in the case of alleged treason, members of this institution would be the ones to examine his case. From these examples, it is reasonable to

22 ČOŠKOVIĆ (2000), pp. 61–83; ČOŠKOVIĆ (2005), pp. 275–442.

23 THALLÓCZY (1914), p. 11; MRGIĆ (2008a), pp. 52–53; ČOŠKOVIĆ (2011), p. 344.

24 MRGIĆ-RADOJČIĆ (2004), pp. 20–21.

conclude that this mention should not be viewed through the prism of establishing the Bosnian Church but rather through the lens of their already established influence. The fact that in the charter to Duke Vukoslav, the name of this organization is mentioned parallel to the term for the entire noble class is indicative of the entrenched sense of authority held by members of this religious institution.

The members of the hierarchy of the Bosnian Church were no longer mentioned in the charters of Ban Stjepan II. There are several possible reasons why they no longer appear in the following decades as authorities who would determine a nobleman's guilt. One reason is undoubtedly the relationship of this institution with the ruler himself, while the other reflects the consideration of which side dictated the appearance of members of the Bosnian Church in charters as potential arbitrators in a dispute. When members of the Bosnian Church were mentioned in the aforementioned two charters as guarantors and as a judicial body, it seems that their role as such was dictated by the nobility. The fact that the charter is issued *before the Church* carries the need to instill confidence in the ruler's words to the nobleman. Therefore, the views and the relationship of these nobles with the Bosnian Church and its hierarchy should be characterized as very close. In the charter issued by Ban Stjepan II and his mother Elizabeta in 1330 to Duke Vukac Hrvatinić, 14 nobles who swore together with the ban are mentioned as arbitrators in case of a dispute.²⁵ Ban Tvrtko inherited a similar principle in a charter from 1354 addressed to Duke Vlatko Vukoslavić. In this case of determining guilt it is stated not to harm him until his guilt is investigated by nobles from *Bosnia, Donji Kraji, Zagorje, and Humska zemlja*.²⁶ On this occasion as well, there is no mention of members of the Bosnian Church as judges; instead, this body will be filled by nobles from the ban's immediate territory and surrounding lands under his rule.

It is difficult to say precisely what the reason is for the appearance and disappearance of members of the Bosnian Church hierarchy as a judicial body. One possible theory would relate to the already mentioned fact that protection is primarily needed for the one to whom the charter is issued and to whom freedoms in enjoying possessions and the ruler's favor are promised. In line with this, the fact that the guarantors of the execution of these acts, including determining guilt, had to be the authorities respected by the nobility is also relevant. It would imply, although not confirmed by other sources, that in the cases of Vukoslav and Grgur Hrvatinić, there seems to be a good relationship with the Bosnian Church, while in the cases of Vukac Hrvatinić and Pavle Vukoslavić, it did not possess the role of an adequate authority.

The reappearance of members of the Bosnian Church in charters of Bosnian rulers was noted about ten years later in a charter from the 1370s addressed to Stjepan Rajković, issued by Ban Tvrtko. In this charter, preserved in a transcript, the Bosnian Church and its entire hierarchy were shown respect and authority disproportionate to previous charters. In the charter that acknowledges Rajković's merits for returning the town of Bobovac to Ban Tvrtko, for which he was rewarded with possessions in Lašva, Brod, and

25 THALLÓCZY (1914), pp. 15–16; JEČMENICA (2009), p. 13.

26 RUDIĆ (2003), p. 72.

Usora, it is stated: *we handed him over to the djed's faith and to the Bosnian Church and to the Krstjans ... and that his Krstjan's faith cannot be taken away for any reason.* Regarding the question of determining guilt, it is mentioned that no harm should be done to him *until he is judged by the djed and two strojnici along with three nobles.*²⁷ The appearance of members of the Bosnian Church hierarchy in this prominent role, and the absence of the nobility in earlier approaches, is explained by political twists in the state caused by the rebellion of part of the nobility, with which ban's brother Prince Vuk sided. In the conflicts that followed, the authority of the opposing nobility proved to be an unreliable guarantee, and it needed to be replaced by a new social force, preferably neutral in conflicts and independent of the political will of the main actors.²⁸ It is quite certain that in the pivotal years of his rule, when he fought against his rebellious brother and the nobility that sided with him, the Bosnian ban sought refuge with the seemingly ever-present Bosnian Church. Such interpretations lead to the conclusion that in the period between the last appearance of members of the Bosnian Church in charters, from the late 1320s and early 1330s, to the 1370s, the influence and authority of members of this religious institution did not weaken. It seems that they finally managed to rise above the nobility in these troublesome times. In this regard, the question arises as to whether the causes of the earlier mention of members of the Bosnian Church as arbitrators can be sought in similar political conditions. Although we do not have preserved sources to support such a judgment, this possibility should not be easily dismissed.

The authority of *djed* in this charter is emphasized by the term “*djed's faith*”. From this, it follows that the contemporary head of the Bosnian Church, Rastudije, or his predecessor Radoje,²⁹ stood out as a head of a community with rooted moral principles in the constellations of the social relations of that time. Therefore, his appearance in such a significant role should not be viewed as an isolated event but as a logical sequence of his activities, although scarce sources do not provide a concrete insight into the actions of the *djed*. The influence carried by the institution of the *djed* at that time was undoubtedly known on the other side to the noble Stjepan Rajković and his brother Vuk because the *djed's* authority in this case clearly suited both parties. The substitution of the phrase “noble faith” with “Krstjan's faith” in earlier approaches has been interpreted in the sense of promising protection and guarantees provided by the Bosnian Church and the *djed* to the nobility, rejecting the possibility that this involves a specific belief in the teachings proclaimed by this Church.³⁰ It is quite certain that the fact of changing the previous form of “noble faith” represents a kind of emphasis that the Bosnian Church, led by the mentioned *djed*, has now replaced that institution. It seems that Tvrtko sought and succeeded in diminishing the significance of the nobility, replacing it with a worthy replacement that was in a position to provide the necessary guarantees. In any case, Ban Tvrtko still retained the participation of the nobility. In addition to the *djed* and

27 ŠIDAK (1975), p. 254.

28 ČOŠKOVIĆ (2011), p. 344.

29 ČOŠKOVIĆ (2005), p. 280.

30 ČIRKOVIĆ (1997), p. 329.

two *strojnici*, the role of arbitrators was supposed to be carried out by three nobles, two of whom are specifically mentioned, while the name of the first one is illegible due to the damage to the charter. Earlier perspectives have suggested that in this case, Stjepan Rajković would have the duty to choose these two *strojnici*, considering the fact that there were undoubtedly more than two *strojnici* in the hierarchy of the Bosnian Church at the same time. This theory is supported by the difficult-to-prove claim that Ban Tvrtko was a Catholic, while Stjepan Rajković was a follower of the teachings of the Bosnian Church.³¹ It is challenging to determine how the selection of these *strojnici* was planned. The fact that Rajković would choose them himself, in the case of his trial, would be at least unexpected because the selected *strojnici* could be considered biased. Considering that Rajković was entrusted to the “djed’s faith”, and that *djed* is also a member of the body that will decide on any guilt, seems logical that this choice would be made by the highest-ranking dignitary of the Bosnian Church. Managing the Bosnian Church, both in spiritual and secular matters, the *djed* undoubtedly had a decisive influence on all members of its hierarchy, so the fact that the *djed* was a possible selector of *strojnici* must be taken into account. In this regard, the fact that in the triangle of actors in the relationship Ban Tvrtko – Stjepan Rajković – *djed*, only the head of the Bosnian Church was a neutral party. However, due to the fact that Rajković’s guilt for the alleged treason was never examined, at least according to available sources, there are no direct indicators of how the *strojnici* were chosen.

The next mention of the *djed* and the Bosnian Church as an arbitrator is recorded in the year 1404 in a document attempting reconciliation between King Ostoja and Duke Pavle Klešić. This is essentially the only mention of the head of the Bosnian Church as a member of a judicial body that truly convened and made certain decisions on that occasion. The historical background of these tumultuous events unfolded in such a way that the rebellious Bosnian nobles Pavao Maštrović, Pavao Radišić, and Pavle Klešić found refuge in Ragusa. The admission of these nobles to the territory of Ragusa angered the Bosnian king, who in 1403 demanded that the Ragusans recognize him as the ruler, return the Primorje that he had sold to them, and hand over the Bosnian refugees. The Ragusans did not meet the demanded conditions, and war ensued. Within Bosnia itself, there was a division among the most powerful nobles: Sandalj Hranić and Pavle Radinović sided with the Ragusans, the Sanković nobility aligned themselves with King Ostoja, and Hrvoje Vukčić Hrvatinić remained neutral. Realizing that he would not emerge as the victor in such circumstances, Ostoja sought to reconcile with all the conflicting parties.³²

The reconciliation between King Ostoja and Duke Pavle Klešić can be observed through two preserved charters. In the charter dated January 6, 1404, in which he expresses his intention for reconciliation, Ostoja invoked the authority of the Bosnian Church, and this religious institution reappears as a guarantor of the promises after more than 30 years. Ostoja emphasizes that on this occasion, he invites Pavle Klešić to return to the state and

31 ČOŠKOVIĆ (2005), pp. 380–381.

32 The wider context of the Bosnian-Ragusan war in: ŠKRIVANIĆ (1958), pp. 35–60; ČIRKOVIĆ (1964a), p. 180.

is willing to return everything he had, except the town of Visući on the river Cetina and the coastal region under it, for which he would be ready to offer a substitute. The Bosnian king guarantees to Klešić *with our faith and lineage that he will protect him, handing him over to the djed and his strojnici and to the Bosnian Church, placing him in their hands and under their protection, ensuring that no harm will be done to him unless it is examined by the Bosnian Church and Bosnian nobility*.³³ This charter clearly reflects a similar principle witnessed thirty years earlier in the charter of Ban Tvrtko for Stjepan Rajković, with the role of safeguarding the noble extended to other members of the Bosnian Church. It is difficult to say how significant this change was, but it seems that Ostoja, on this occasion, sought to rhetorically demonstrate the breadth of participants and the institutional framework that would ensure nothing happened to him. Regarding the investigation of guilt in this charter, it is defined through the joint action of the Bosnian Church and the Bosnian nobility, as was the case in the previously mentioned charter of Tvrtko.

The clearer role of the action of the head of the Bosnian Church in this case is also defined in the letter of *Djed* Radomir dated January 8 of the same year. In this letter, *the lord bishop of the Bosnian Church* states: *We sent our strojnici and krstjani to summon Duke Pavle to come back to his land because we have invited the lord king to return to him what was unjustly taken from him*.³⁴ Specifically, *Djed* Radomir emphasized that guilt had been established, and it was determined that King Ostoja, without committing treason and without adequate guilt, had usurped the possessions of Duke Pavle, leading to the action of the *djed* to return those possessions to him. By sending *strojnici* and *krstjani* to Ragusa for Klešić, it is evident that *Djed* Radomir sought to complete the entire process with the involvement of the Bosnian Church, which, two days before this charter, had become responsible, together with the entire hierarchy, for taking care of the mentioned noble. According to earlier works, despite *djed's* claims that his arbitration declared Ostoja's actions as unfounded, *Djed* Radomir could not be the force that had the primary influence on Ostoja's decision to reconcile. Instead, that decision was conditioned by the broader context of historical events, in which the Bosnian king was forced, due to an unfavorable political situation, to achieve reconciliation in any way possible.³⁵ This observation is supported by the fact that, despite the efforts towards reconciliation, Ostoja retained the town of Visući, for which he seemingly had a special need. Klešić's case is particularly interesting because it represents a unique example of how the head of the Bosnian Church at the beginning of the 15th century had a concrete function in the judicial body that determined guilt. Previous mentions only related to cases where the noble committed treason towards the ruler, which, according to preserved sources, did not occur.

There are several cases preserved about the actions of the head of the Bosnian Church as an established moral authority in the 15th century. The first case concerns a charter preserved in the forged transcript of Ivan Tomko Marnavić from the 17th century. Marnavić almost certainly had the original charter of Bosnian King Tvrtko II from October

33 STOJANOVIĆ (1929), p. 434.

34 Ibid., p. 434.

35 ČOŠKOVIĆ (2011), pp. 347–348.

7, 1426, in his possession. However, in his efforts to prove the noble status of his ancestors during the medieval Bosnian state, he created a new charter, writing in it the name of his ancestor Ivan Marnavić as a Bosnian noble. For the investigation of this topic, this charter is essential because it states that *Djed* Mirohna was acting as an intermediary and guarantor of the granted rights, while in the letter, he mentions how he has taken over the noble and will protect him.³⁶ The Bosnian Church is mentioned two decades after the document of *Djed* Radomir, this time in the Latin form *fides ecclesiastica*, which earlier historiography interprets as the Latin equivalent of Tvrtko's Old Slavic phrase *to the djed's faith, to the Bosnian Church and to the Krstjans*.³⁷ In this case, this group of expressions would also include the aforementioned statement by Ostoja, *we handed him over to lord djed and his strojnici and to the Bosnian Church*, making these three pieces of information a whole. *Djed* Mirohna's letter is attached to this Tvrtko's charter. In this letter, *Djed* Mirohna emphasizes that King Tvrtko handed over Ivan Niški, nicknamed Turčin, for him to be given the church faith, and his descendants as well, for his "faithful service". It also states that he should not be deprived of what was given to him by the Lordship, which would not be examined by the Bosnian Church and *dobri Bošnjani* (noblemen). The letter also recommends that the lord *djed* who inherits Mirohna should inherit the care of this noble and issue a confirmation of this at the beginning of his tenure.³⁸ Here, as in previous cases, besides the fact that the king guarantees the noble's right to enjoy his possessions with the authority of the *djed*, there is again a joint arbitration body composed of members of the Bosnian Church and the nobility. However, even though the *djed* is not mentioned separately, as in some previous cases, we can still consider him, as the supreme head of the Bosnian Church, to be among those who will examine the noble's guilt from the ranks of the Church.

Another involvement of the head of the Bosnian Church in a potential investigation of guilt is guaranteed by the charter of Bosnian King Stjepan Tomaš from 1446. In this charter, King Tomaš granted certain possessions to the Dragišić noble family. In the charter, King Tomaš states: *We handed them over to lord Djed Miloje and the djed who comes after him into the hands of the church*.³⁹ Tomaš sought to emphasize continuity even after *Djed* Miloje when his successor should take the Dragišićs under his protection, all under the auspices of the Bosnian Church as an institution with a long duration. The phrase used in this Tomaš's charter could be brought to the same level as the statements from the previous three charters issued by Tvrtko I, Ostoja, and Tvrtko II. The general sense of all three statements is very similar: the noble is given the opportunity to live peacefully under the oath of the king that no harm will be done to him, as evidenced by the incorporation of the *djed* as a moral authority. In Tomaš's charter, rules regarding the treason of the Dragišić are established with the statement: *that this cannot be denied, changed, diminished*

36 The letter was published in: KERCSEICH (1770), pp. 257–258; FEJÉR (1844), pp. 845–847. More details about these forgeries by Ivan Tomko Marnavić can be found in: ŠIDAK (1965), pp. 282–297; ANĐELIĆ (1971), pp. 347–356; ČOŠKOVIĆ (2005), pp. 25–26.

37 ŠIDAK (1965), p. 289.

38 ANĐELIĆ (1971), pp. 359–360.

39 MIKLOSICH (1858), pp. 438–441; RUDIĆ (2019), p. 87.

for any treason or sin towards our kingdom, which would not be examined by lord djed and the Bosnian Church and *dobri Bošnjani*. Again, the head of the Bosnian Church is specifically emphasized, followed by the entire organization, clearly demonstrating that even during the strengthening influence of the Catholic Church in Bosnia, the Bosnian Church continued to represent a significant stronghold of authority for both the ruler and the nobility.

The last mention of the head of the Bosnian Church as an arbitrator in the case of assessing guilt in a dispute is recorded in the frequent conflicts of Herzog Stjepan Kosača and his family, his son Vladislav, and wife Jelena. In a document dated July 19, 1453, in which he forgives his wife and son and reconciles with them, it is also noted that their disputes should be resolved by a judicial body in the future. The charter records *that until they examine the true and complete truth, the head of the Bosnian Church and 12 strojnici, among whom is Gost Radin during his lifetime, and, in addition, 12 of our nobles.*⁴⁰ As seen from the text of this document, in the established form, the head of the Bosnian Church was given a more prominent place than all the others; he was mentioned ahead of the *strojnici*. The fact that Herzog (*herzeg*) Stjepan seeks to incorporate *Gost Radin* into the body of 12 *strojnici* is a clear attempt for his long-time collaborator to take a place in arbitration where, if necessary, he could assist the *herzog*. In addition to *djed* and *strojnici* of the Bosnian Church, 12 individuals from the nobility would fill the arbitration body. Despite the fact that members of the Kosača family, after the year 1453, repeatedly acted against each other, even openly warring, this arbitration body, through the lens of sources available today, did not meet to determine the guilt of any of the participants.⁴¹

A contribution to understanding the broader context of the involvement of religious authorities in determining guilt is attested in the charter of Duke Juraj Vojsalić dated August 12, 1434. With this document made in Podkreševu, Juraj confirmed the possessions of the Radivojević brothers, which Sandalj Hranić had previously taken from them. The charter states: *With everything written, we handed them over to the hands of Lord Vicar Žuvan and every vicar while there is a vicar and to our brothers friars of the Holy Catholic Church of the Roman faith of the order of St. Francis, that they may guard and protect them in all according to the church law.* Regarding the determination of guilt, it is stated: *That what is written above cannot be denied, changed, or ever taken away for any of their sins or guilt unless the Lord Vicar with the friars and with our nobles accuses them.*⁴² Clearly from the text of the charter, it can be discerned that, contrary to the practice known until then, the Radivojević brothers were taken under the protection of Vicar Žuvan and the Franciscans, and they were also competent, along with Bosnian nobles, to judge them in case they commit treason. In earlier works, this case was explained by the fact that both the issuer of the charter and the nobility to whom the charter was issued were Catholics, and they did not consider it appropriate to have members of the Bosnian Church as guarantors and arbitrators.⁴³ Obviously, Bosnian Franciscans, led by the vicar, could fill the role that was previously

40 STOJANOVIĆ (1934), p. 68.

41 Details about the charter and relationships within the family of Herzog Stjepan Kosača can be found in: ČIRKOVIĆ (1964b), pp. 197–199.

42 MIKLOSICH (1858), pp. 378–379; SMILJANIĆ (2011), p. 121.

43 ČIRKOVIĆ (1997), p. 330.

reserved for *djed* and other members of the Bosnian Church in several cases. This event, involving the participation of the Franciscans, was also related to the general historical context of that time when the Bosnian Church was losing its influence to the Franciscans from the 1430s.⁴⁴ Such a discourse on the Bosnian political stage of that time is not controversial; the influence of Catholicism was growing and culminated in the strong actions of King Stjepan Tomaš, but it is certainly necessary to remind once again that after this charter of the Vojsalićs, the *djed* with the Bosnian Church as a guarantor and arbitrator appears two more times.

In order to provide a clearer depiction of the comprehensive authority of the *djed* as the head of the Bosnian Church, it is necessary to examine several segments of his actions that are not directly related to the given thematic frameworks. In addition to the examples mentioned, the *djed* appears on multiple occasions as a mediator between feuding parties, with the aim of settling disputes and finding a peaceful agreement. Such situations are most often recorded in the relationships between Bosnian rulers and nobles with the Ragusans, where the head of the Church acted as an intermediary authority. One such case is documented through the prism of the actions of Duke Sandalj Hranić regarding the issue of owning the village of Lisac in 1405. Just before the conclusion of the agreement, the Ragusan authorities associated the highest authority of the Bosnian Church itself as a source of guarantees. At the end of April 1405, they proposed to Sandalj to formalize the framework of the agreement with three individuals, among them *lo diedo che e signor et padre spirituale dela glexia vostra de Bosna*.⁴⁵ The Ragusan authorities hoped that, through the authority of the *djed* and other participants, they would negotiate a favorable resolution to the situation, and their envoys eventually succeeded in doing so.⁴⁶ Just a month later, when reaching an agreement for peace, Sandalj initiated the charter to be stored in the custody of the *djed*.⁴⁷ This event testifies that, both among the Ragusans and the Bosnian nobleman Sandalj Hranić at the beginning of the 15th century, there existed the perception of the *djed* of the Bosnian Church as an authority capable of influencing agreements between conflicting parties and to whom state documents could be entrusted for safekeeping.

In the subsequent period, we encounter the head of the Bosnian Church in several similar situations. When one of the Bosnian customs officials caused difficulties for the Ragusans in their business dealings in 1428, they rebelled against the Bosnian king. However, as they failed to convince the king to take more active measures regarding their problem, they sought to appeal to the head of the Bosnian Church to intervene in this case. The Ragusan envoys did not manage to meet with the *djed* at the king's court, so in later diplomatic missions, they tried to present charters and privileges possessed by their merchants, including those granted by the *djed*, to seek his support for their issues.⁴⁸ This

44 ČOŠKOVIĆ (2011), p. 350.

45 DINIĆ (1967), p. 184; ČOŠKOVIĆ (2005), p. 144; KURTOVIĆ (2009), p. 401.

46 ČOŠKOVIĆ (2005), p. 144.

47 DINIĆ (1967), p. 184; KURTOVIĆ (2009), p. 401.

48 DINIĆ (1967), p. 190; ČOŠKOVIĆ (2005), p. 144.

example, where the Ragusans sought support from the *djed* for privileges they already possessed, clearly illustrates the entrenched perception of the *djed* as a just church leader who, according to established customs, would advocate for those who suffered unjustly and beyond regulations. Shortly after these events, during the Konavle War, on the advice of Sandalj Hranić, the Ragusans sought the *djed*'s help. However, this time, they were not fortunate enough for the *djed* to significantly advocate for their cause.⁴⁹ When attempting to withdraw his funds from Ragusa in 1438, Duke Radoslav Pavlović lacked adequate documents, and the Ragusan authorities demanded that he send a charter and letters confirming those charters written by the Bosnian king, Radoslav, and the head of the Bosnian Church. The problem arose from the fact that Radoslav's rival, Duke Stjepan Vukčić, came into possession of these charters. However, even though the *djed* never sent his letter, the Ragusans agreed to pay Radoslav.⁵⁰ The Ragusan authorities knew that sometimes they had to show special attention and respect to the head of the Bosnian Church, and through such concessions, they could expect his stronger engagement in potential disputes. Several cases of the Ragusans giving gifts to the *djed* are recorded; the first was in 1403 when they presented him with fabrics, and the second was during the Konavle War when, on Sandalj's initiative, they decided to send several boxes of sweets.⁵¹ Examining the chronological markers of these gifts, it is noticeable that both times the Ragusans sent presents to the *djed* during times of war between Bosnia and Ragusa.

Conclusion

A more comprehensive understanding and firm conclusions regarding the significance of the *djed*'s authority in the relationships between Bosnian rulers and nobility at the very beginning are hindered by the small number of preserved sources. The available charters demonstrate that the *djed* appears in this role within a chronological framework spanning a century. This timeframe becomes even longer if we accept the fact that the involvement of the Bosnian Church as an arbitrator between rulers and nobility implies the participation of the *djed*. According to the information presented in the work, it seems justified to advocate for such an opinion. In that case, in the charters issued to Grgur Hrvatinić and the charter of Tvrtko II to an unknown noble, the pronouncement of the verdict would be reserved for the *djed* and a specified number of *strojnici*. The issue of selecting *strojnici* to participate in the process of determining guilt is not definitively defined.

Concrete and precise indicators of the appearance of the head of the Bosnian Church as an arbitrator are preserved in four charters addressed to Stjepan Rajković, Pavle Klešić, the Dragišić brothers, and members of the family of Herzog Stjepan Kosača. Since guilt was only determined in Klešić's case, we have a small data set. Klešić's case demonstrated the partial authority of the *djed*, which, according to many, emerged in this role only after

49 DINIĆ (1967), p. 191; ČOŠKOVIĆ (2005), p. 441; KURTOVIĆ (2009), p. 402.

50 DINIĆ (1967), p. 225; ČOŠKOVIĆ (2005), p. 164.

51 DINIĆ (1967), pp. 191, 221–222; KURTOVIĆ (2009), p. 402; ČOŠKOVIĆ (2005), pp. 416, 437.

the Bosnian king expressed the need for reconciliation. Certainly, specific conclusions cannot be based on a single case. However, events within Herzog Stjepan's family confirm the mentioned thesis, as despite open hostilities, the head of the Bosnian Church did not activate in the role designated to him by the charter from 1453. Observing the *djed's* involvement within these parameters, one can conclude that the preserved sources do not record his more active engagement in determining treason. Still, it is important to consider the very small number of preserved Bosnian charters. Although the *djed's* role as an arbitrator in the cases considered is limited, his moral authority, based on the function he performed, played a significant role in medieval Bosnia. The appearance of the *djed* and the Bosnian Church as those before whom the charter is issued, and those who will pass judgment on the vassal's treason, places the institution of the Bosnian Church and the Bosnian nobility on an equal footing as equal actors in these matters.

Due to a lack of sources, it was not possible to determine in more detail the extent of the role played by the appearance of the *djed*, the Bosnian Church, or the Franciscan vicar in terms of the religious orientation of the person to whom the charter is issued. Certainly, it has been highlighted that the rule is established by which guarantees in the form of the *djed* and the vicar are intended to provide assurance to the person to whom the charter is issued. In line with such considerations, one might conclude that the nobles in whose cases the *djed* appears as a moral authority were followers of the teachings of the Bosnian Church, while cases in which this role was taken on by the Franciscans would indicate the nobility's affiliation with the Catholic Church. This thesis would have only theoretical significance, however, it should not be taken as absolute since there are no preserved data on the religious orientation of individuals. A more modest conclusion could be expressed by saying that the appearance of one or the other side in the charter was conditioned by the acceptance of the *djed* or vicar as a moral authority inclined towards just and fair judgment.

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Částečná nebo absolutní autorita: Hlava (*Djed*) bosenské církve jako arbitr při určení viny v procesu mezi bosenskými panovníky a šlechtou ve 14. a 15. století

Příspěvek, založený na rozboru listin bosenských panovníků, ilustruje vztah mezi bosenskými bány, králi a šlechtou. Vzhledem k tomu, že se v Bosně nedochoval žádný právní kodex z období středověku, slouží jako základ pro zkoumání jejich vzájemných vztahů právě listiny, které bosenský panovníci vydali pro šlechtu. Úvodní část práce je zaměřena na analýzu dat z listin, které hovoří o závazcích obou stran. Ve středověké Bosně se vztah mezi panovníky a šlechtici řídil systémem „věrné služby“, což znamenalo loajalitu a účast šlechty na vojenských taženích. Za prokázanou službu šlechtic často dostával půdu, jako odraz panovníkovy „ušlechtilé víry“, která zahrnovala záruky osobní bezpečnosti a ochranu nabytého majetku. V případech, že šlechtic zradil a vina mu byla prokázána, se počítalo s trestem stětí. Šlechtic měl ovšem právo na obhajobu a v takových případech pak podle dochovaných listin zastával určitý počet bosenských pánů a členů hierarchie bosenské církve funkci rozhodců.

Podle dochovaných listin z 20. let 14. století, z doby vlády bána Stjepana II., sloužili jednotliví členové bosenské církve, *djed a strojnici (gosti a starci)*, jako arbitři v procesu rozhodování o šlechticově zradě. Konkrétní a přesné zmínky o hlavě bosenské církve jako arbitra ve sporech dokládají čtyři listiny adresované Stjepanu Rajkovićovi, Pavlu Klešićovi, bratrům Dragišićům a členům rodiny hercega Stjepana Kosači. Vzhledem k tomu, že vina byla prokázána pouze v případě Pavla Klešiće, je zřejmé, že máme k dispozici pouze zlomek informací. Zachoval se list od *djeda* Radomira z roku 1404, z jehož obsahu vyplývá, že král Ostoja si uzurpoval majetek vévody Pavla, aniž by mu bylo náležitě prokázáno, že se provinil zradou. To následně vedlo k zásahu *djeda*, aby mu byl jeho majetek vrácen. Navzdory *djedovým* prohlášením, že Ostojoovo jednání bylo v rámci arbitrážního řízení prohlášeno za nepodložené, *djed* Radomir nedisponoval autoritou, která by měla stěžejní vliv na Ostojoovo rozhodnutí o usmíření; toto rozhodnutí bylo spíše podmíněno širším kontextem historických událostí, kdy byl bosenský král kvůli nepříznivé politické situaci nucen jakýmkoliv způsobem dosáhnout usmíření. Klešićův případ demonstruje neúplnou autoritu *djeda*, který se v této roli objevil až poté, co bosenský král vyjádřil potřebu usmíření. Z toho lze vyvodit závěr, že dochované prameny nezachycují aktivnější angažmá hlavy bosenské církve při rozhodování o vlastizradě. Je však nutné vzít v úvahu malý počet dochovaných bosenských listin. Ačkoli je role *djeda* jako arbitra v posuzovaných případech omezená, jeho morální autorita, založená na funkci, kterou zastával, hrála ve středověké Bosně významnou roli. To, že se *djed* a bosenská církev objevili jako ti, před nimiž je listina vydána, a ti, kdo vynesou nálezy o šlechticově zradě, staví bosenskou církev a bosenskou šlechtu jako účastníky této kauzy do stejného postavení.

