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**The Venetian Takeover
of the Margraviate of
Istria (1411–1421): The
Modality of a Passage
(with Eight Previously
Unedited Documents
in the Appendix)**

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The Venetian Takeover of the Margraviate of Istria (1411–1421): The Modality of a Passage (with Eight Previously Unedited Documents in the Appendix)

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The paper analyzes the incorporation of the Aquileian Margraviate of Istria into the expanding Venetian state in the first half of the fifteenth century. By analyzing this modality of a passage and comparing it to the integration formulae Venice employed in the rest of the Patriarchate of Aquileia, the author uncovers similarities and contrasts between the two models of incorporation. It is argued that Aquileian communities in Istria underwent a remodeling of communal institutions in order to mirror the salient administrative aspects of other Venetian subject centers on the Peninsula. This process, dubbed regional homogenization, did not take place throughout Aquileian Friuli. Finally, the paper deals with instances of negotiations between the newly annexed Istrian communities and the central government in Venice, demonstrating that this interplay resulted in re-negotiated governmental hierarchies that benefitted both the state's capital and the subject centers.

KEYWORDS

Istria, Patriarchate of Aquileia, Venice, 15th century, politics of administration, podestà, scale, empowering interactions

Times were bleak for the patriarch of Aquileia as the eventful summer of 1420 was coming to a close. One by one the strongholds across his temporal dominion, the Patriarchate of Aquileia, succumbed to the might of Venetian armies. Both urban communities and noble family clans across Friuli, the central possession of the Aquileian Church-state, signed their pacts of submission to the Most Serene Republic and like a crumbling row of dominos the pillars of the Patriarchate were collapsing in front of the growling winged lion of Saint Mark. It was the culmination of a series of intertwined processes that ultimately led to this state of affairs: Venetian proactive involvement in Friulian politics following the near disastrous events of the War of Chioggia; the inner instability in the Aquileian patriarchate provoked by the traditionally bellicose warring factions; and a monarch's desire to reclaim the coastal cities of his kingdom – sold to Venice by his adversary, the pretendent to the Hungarian throne – all led to the momentous conflict that ultimately resulted in the Venetian takeover of the entire Patriarchate of Aquileia.¹

The Aquileian communities in Istria, the *reliquia reliquiarum* of the Margraviate of Istria that once encompassed the entire Istrian peninsula, were drawn into this battle as well. These modest semi-urban centers were the last strongholds the patriarchs managed to retain in a region divided between Venice, the counts of Gorizia and the Habsburgs (see map 1 in the

¹ The literature on this momentous conflict is considerable and I will limit myself to citing just several important titles. Gaetano Cogo, "La sottomissione del Friuli al dominio della Repubblica veneta (1418-1420): con nuovi documenti," *Atti della Accademia di Udine*, ser. 3, 3 (1896): 95-146; Pio Paschini, *Storia del Friuli*, 3rd ed. (Udine: Arti grafiche friulane, 1975) (hereafter: *SdF*), 727-44; Pier Silverio Leicht, "Il tramonto dello Stato Patriarcale e la lotta delle parti in Friuli durante le tregue 1413-1418," in *Miscellanea Pio Paschini: Studi di storia ecclesiastica*, vol. 2 (Rome: Facultas theologica pontificii athenaei lateranensis, 1949), 83-108; Fabio Cusin, *Il confine orientale d'Italia nella politica europea del XIV e XV secolo*, 2nd ed. (Trieste: Lint, 1977), 173-227; Marija Wakounig, *Dalmatien und Friaul: Die Auseinandersetzungen zwischen Sigismund von Luxemburg und der Republik Venedig um die Vorherrschaft im adriatischen Raum* (Vienna: Verband der wissenschaftlichen Gesellschaften Österreichs, 1990), 81-127; Dieter Girgensohn, "La crisi del patriarcato d'Aquileia verso l'avvento della Repubblica di Venezia," in *Il Quattrocento nel Friuli occidentale. Atti del convegno organizzato dalla Provincia di Pordenone nel mese di dicembre 1993*, vol. 1, 2 vols. (Pordenone: Provincia di Pordenone, 1996), 53-68; Gian Maria Varanini, "Venezia e l'entroterra (1300 circa-1420)," in *Storia di Venezia dalle origini alla caduta della Serenissima*, eds. Girolamo Arnaldi, Giorgio Cracco, and Alberto Tenenti, vol. 3: *La formazione dello stato patrizio* (Rome: Treccani, 1997), 214-15; Michael E. Mallett, "La conquista della Terraferma," in *Storia di Venezia dalle origini alla caduta della Serenissima*, eds. Alberto Tenenti and Ugo Tucci, vol. IV: *Il Rinascimento. Politica e cultura* (Rome: Treccani, 1996), 189-92; Giuseppe Trebbi, *Il Friuli dal 1420 al 1797: La storia politica e sociale* (Udine: Casamassima, 1999), 8-16. Although the war between Venice and Sigismund has still not been described from the Istrian viewpoint in satisfactory details, I will not deal with the course of military operations as such an inquiry would require a separate article. Until a more detailed publication on the course of this seminal military conflict in Istria is published, see a brief sketch, written to appease a broader audience, in Josip Banić, "Pinguente: Bastione inespugnabile dell'Istria continentale," in *Buzetski statut / Statuto di Pinguente*, eds. Nella Lonza and Branka Poropat, *Kolana od statuti / Collana degli Statuti 4* (Buzet: Grad Buzet, 2017), 146-50. Cf. Kristijan Knez, "San Marco a Buie: Il contesto politico, diplomatico, militare. Una nota introduttiva," in *Atti Buie-Venezia 1412-1797: Atti della tavola rotonda Buie, 18.12.2012: Contributi storico, artistici ed etnografici su Buie in ricorrenza dei seicento anni della sua dedizione a Venezia 1412 - 2012* (Buje: Comunità degli Italiani di Buie, 2016), 8-23.

Appendix). Distant from the Aquileian central government and placed under an effete supervision of margraves designated by the patriarchs, the Istrian margraviate evolved into a unique administrative region situated at the frontier between Venetian and Habsburg territories on the peninsula.² It is the fate of these small communities during the tumultuous interlude of incorporation into the Venetian dominion that this article focuses on. Specifically, it deals with the issues of (dis)continuity concerning governmental structures and administrative practices resulting from the Venetian takeover. This inquiry into the “modality of a passage” has been successfully undertaken by scholars dealing with Friuli, but the incorporation scheme of Aquileian communities in Istria has still not been studied in the same manner.³ Since the communities of the Margraviate of Istria entered the Venetian state as a result of the same historical processes as those of Aquileian Friuli, the paper compares and contrasts the two modalities of incorporation, demonstrating that Venice did not employ the same policy of respecting the existing institutions and preserving the status quo in Istria as it did in Friuli.

The preferred engine of analysis is the concept of scale as a category of practice, “performed by sets of actors through the scalar stances they take within particular sociospatial contexts as they engage in politics of everyday life.”⁴ This performativity approach to scale, famously elaborated in a classic study by Robert Kaiser and Elena Nikiforova, rests on Judith Butler’s treatment of performativity as “the reiterative power of discourse to produce the phenomena that it regulates and constrains.”⁵ According to this paradigm, geographic scales such as Friuli, Istria or *Dominium Veneciarum* are all enacted “through reiterative practices used by actors taking particular scalar stances.”⁶ These scales are in turn “discursively deployed to naturalize and sediment a set of sociospatial relationships

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² Giovanni de Vergottini, “La costituzione provinciale dell’Istria nel tardo Medio Evo,” *Atti e memorie della Società istriana di archeologia e storia patria* 38, no. 2 (1926): 81-127.

³ Paschini, *SdF*, 745-49; Gherardo Ortalli, “Le modalità di un passaggio: il Friuli e il domino veneziano,” in *Il Quattrocento nel Friuli occidentale: Atti del convegno organizzato dalla Provincia di Pordenone nel mese di dicembre 1993*, vol. 1, 2 vols. (Pordenone: Provincia di Pordenone, 1996), 13-33; Sergio Zamperetti, *I piccoli principi. Signorie locali, feudi e comunità soggette nello stato regionale veneto dall’espansione territoriale ai primi decenni del ’600* (Venice: Il Cardo, 1991), 187-222; Alfredo Viggiano, “Forme dell’identità locale e conflittualità politico-istituzionale: La Patria del Friuli e Venezia nel Quattrocento,” in *Il Quattrocento nel Friuli occidentale: Atti del convegno organizzato dalla Provincia di Pordenone nel mese di dicembre 1993*, vol. 2, 2 vols. (Pordenone: Provincia di Pordenone, 1996), 17-48; Trebbi, *Il Friuli dal 1420 al 1797*, 25-44; Donata Degrassi, “Mutamenti istituzionali e riforma della legislazione: il Friuli dal dominio patriarchino a quello veneziano (XIV-XV secolo),” in *Continuità e cambiamenti nel Friuli tardo medievale (XII-XV secolo): saggi di storia economica e sociale* (Trieste: Centro Europeo Ricerche Medievali, 2009), 159-79; Miriam Davide, “Tolmezzo e la Carnia: organizzazione comunitaria e rivendicazioni di autonomia di una zona alpina durante il periodo patriarcale e in seguito alla dedizione a Venezia,” in *Le subordinazioni delle città comunali a poteri maggiori in Italia dal secolo XIV all’ancien régime. Risultati scientifici della ricerca*, ed. Miriam Davide (Trieste: Centro Europeo Ricerche Medievali, 2014), 165-85.

⁴ Robert Kaiser and Elena Nikiforova, “The Performativity of Scale: The Social Construction of Scale Effects in Narva, Estonia,” *Environment and Planning D: Society and Space* 26 (2008): 541.

⁵ Judith Butler, *Bodies that Matter: On the Discursive Limits of “Sex”* (New York: Routledge, 1993), 2.

⁶ Kaiser and Nikiforova, “The Performativity of Scale,” 545.

through everyday practices.”⁷ Furthermore, as a product of enactment, scale is necessarily dynamic and prone to changes via “gaps and fissures,” failures of performance that “contest or challenge” the scale effects.⁸ Thus, when the Venetian Senate addresses a certain Istrian community as *terra nostra Ystrie*, it takes an explicit scalar stance that both performatively rescales that community through a specific citational practice, and simultaneously constructs Istria as a geographic scale. The article analyzes the effects of Venetian scalar stances in relation to the Istrian margraviate’s modality of passage and the scale effects the associated reiterative practices produced in the newly annexed Istrian communities. As will be demonstrated, Venetian Istria was a scalar stance taken by the *Serenissima* in everyday political practice already before the final takeover of the Margraviate and it was enacted in matters of government through a certain reiterated jurisdictional discourse. The situation was markedly different in Friuli where Venice did not have any jurisdictions before the fifteenth-century military takeover. Thus, it is argued that one of the main reasons behind this disparity of integration models lies in the divergent rescalings of the newly acquired territories. The process of performative rescaling of communities through reiteration of regional governmental practices is dubbed regional homogenization.⁹

Finally, the paper examines the interactions between the newly annexed Istrian communities with the central government in Venice during the first decades of Venetian rule, illustrating the multifaceted nature of negotiations between the major and minor centers of the nascent *Dominium Veneciarum* as well as the “gaps and fissures” through which the local actors challenged the scale effects.¹⁰ In order to elucidate these historical processes — the modality of a passage — the paper begins with a brief sketch of the Istrian margraviate’s administrative structures and their connections to the waning Patriarchate of Aquileia right before the advent of Venetian rulership.

Prologue: *luxta Consuitudinem Marchionatus*

The Margraviate of Istria was a continuously shrinking administrative region throughout the medieval centuries. Already in the eleventh and twelfth centuries neighboring political forces, namely the growing Republic

⁷ *Ibid.*, 537–8.

⁸ Kaiser and Nikiforova, “The Performativity of Scale,” 542; Butler, *Bodies that Matter*, 10.

⁹ Region is here similarly defined as a performed, “imagined” geo-social area, “a product of both of reality (or nature) and of imagination (or human agency).” Peter Ainsworth and Tom Scott, “Introduction,” in *Regions and Landscapes: Reality and Imagination in Late Medieval and Early Modern Europe*, eds. Peter Ainsworth and Tom Scott (Oxford: Peter Lang, 2000), 19; Paul Claval, “Regional Geography: Past and Present (A Review of Ideas, Approaches and Goals),” *Geographia Polonica* 80, no. 1 (2007): 37.

¹⁰ For the transformation from the *Commune Veneciarum* into *Dominium* see Zamperetti, *I piccoli principi*, 15–34. Venice officially assumed the title of *Dominium* in 1423, a change that was described as “symbolically marking the beginning of Venice’s final transition from a loosely organized medieval commune to a Renaissance bureaucratic state.” Robert Finlay, *Politics in Renaissance Venice* (London: Ernest Benn, 1980), 43. For some examples of similar negotiations in 15th century *stato da mar* see Monique O’Connell, *Men of Empire: Power and Negotiation in Venice’s Maritime State* (Baltimore, MD: Johns Hopkins University Press, 2009), 31–33.

of Venice and the powerful knightly dynasty of the Counts of Gorizia, wrestled with the legitimate Istrian margraves for control over parts of the Peninsula.¹¹ In 1209, the entire Margraviate was officially bestowed upon the Patriarchate of Aquileia, making Istria a new temporal possession of a large Church-state protecting the “eastern door to Italy” for the Holy Roman Emperors.¹² However, by the middle of the fourteenth century, the patriarchs of Aquileia lost significant parts of the Istrian peninsula to both Venice – the governor of the entire western coast and the richest Istrian urban centers – and the Counts of Gorizia – the advocates of the Aquileian Church who became the rulers of central Istria, the so-called County of Pazin. The Istrian possessions of the *herren von Görz* passed to the Habsburgs in 1374 following the death of Albert III. of Gorizia.¹³

What remained of the original Margraviate was, by the beginning of the fifteenth century, practically reduced to eight walled hilltop towns – semi-urban centers organized as small communes with their own municipal organization and communal offices – and a single fort as the seat of the delegated margraves. The towns were divided into two sub-regions: on the northern side there were Buje (Ital. Buie), Oprtalj (Ital. Portole) and Buzet (Ital. Pinguento) with Roč (Ital. Rozzo) and Hum (Ital. Colmo) in its district; in the southern part Dvigrad (Ital. Duecastelli) and Labin (Ital. Albona) with Plomin (Ital. Flanona) in its district. The fort of Petrapilosa (Ital. Pietrapelosa from Germ. Rauenstein), the seat of the margraves, was situated between Buzet and Oprtalj. The towns were governed by *gastalds* (also called *vicari* or *capitani*) and the communal councils that elected, among a variety of other officials, their treasurers (*camerlenghi* or *camerarii*) and judges that adjudicated civil cases. In specific periods, especially during times of war, additional officials were delegated by the central government. For example, in 1397 a single *podestà* was appointed for Labin, Plomin and Dvigrad, and one for Buje, Oprtalj and Buzet.¹⁴ These new officials were not always welcomed by the local communities; the commune of Labin rejected a delegated *podestà* in 1397 and so did the communities of Buje, Oprtalj and Buzet in 1398.¹⁵ *Gastalds* were customarily distinguished locals, either elected locally and approved by the margrave or designated by the margrave himself.¹⁶ Unlike in Friuli, where *gastalds* were appointed by the central government and thus constituted a

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¹¹ For Venetian influence see Giovanni de Vergottini, *Lineamenti storici della costituzione politica dell'Istria durante il Medio Evo*, 2nd ed. (Trieste: Società istriana di archeologia e storia patria, 1974), 47–74. For the Counts of Gorizia during the period see Peter Štih, *I conti di Gorizia e l'Istria nel Medioevo*, Collana degli Atti 36 (Rovinj: Centro di ricerche storiche Rovigno, 2013), 55–66.

¹² Document is edited in Vincenzo Joppi, ed., *Aggiunte inedite al codice diplomatico istro-tergestino del secolo XIII* (Udine: Giuseppe Seitz, 1878), doc. 1. See also Reinhard Härtel, “Il Friuli come ponte tra Nord e Sud,” in *Comunicazione e mobilità nel Medioevo: Incontri fra il Sud e il Centro dell'Europa (secoli XI–XIV)* (Bologna: Il Mulino, 1997), 495–518.

¹³ For the Venetian takeovers see De Vergottini, *Lineamenti*, 111–63. For the passing of the County of Pazin from the counts of Gorizia to Habsburgs see Štih, *I conti di Gorizia*, 79–82.

¹⁴ Pietro Kandler, ed., *Codice diplomatico istriano*, 2nd ed., 5 vols. (Trieste: Tipografia Riva, 1986) (hereafter: *CDI*), vol. 3, doc. 885 (Dvigrad, Labin and Plomin) and doc. 891 (Buje, Oprtalj and Buzet).

¹⁵ *CDI*, vol. 3, doc. 891 and doc. 893.

¹⁶ Banič, “Pinguento,” 134–39.

direct link between the subject community and the patriarch, the gastalds in Istria were the intermediaries between their communities and the delegated margraves.¹⁷ Some of the towns also had their own communal statutes which were codified in the course of the fourteenth century.¹⁸ Finally, the office of the Istrian margrave was leased by the patriarchs to notable persons of confidence for a fixed term – usually one or two years, although the terms varied – for a price of 1000 pounds of denari (125 marks).¹⁹ The margrave was the representative of the central government, the chief military commander in charge of the region's defense, the principal administrator of justice and the only official allowed to shed blood.²⁰ Throughout his tenure he would visit the towns of the margraviate and preside over the courts (*placita*) made up of local jurymen.²¹

As such, the Margraviate of Istria functioned as a special administrative unit within the Patriarchate of Aquileia and was not considered a constitutive part of the patriarchs' worldly state; no Istrian community was present in the Friulian Parliament – the central governmental body of the Patriarchate – and the official laws of the Church-state, the *Constitutiones Patriae Foriulii* codified in 1366, did not pertain to Istria.²² Moreover, Istrian communities under Aquileia had privileges by which no Istrian subject of the Patriarchate was required to wage wars outside of the Peninsula.²³ The Mar-

¹⁷ Paschini, *SdF*, 350–52; Pier Silverio Leicht, ed., *Parlamento friulano*, vol. 1/1: (1228-1420) (Bologna: Zanichelli, 1927), xxiv–xxvi.

¹⁸ The codification of communal statutes took place throughout the Patriarchate of Aquileia during the first half of the fourteenth century. Degrossi, "Mutamenti istituzionali," 161; Michele Zacchigna, "Note per un inquadramento storico della produzione statutaria friulana," in *La libertà di decidere: Realtà e parvenze di autonomia nella normativa locale del medioevo. Atti del convegno nazionale di studi Cento 6/7 maggio 1993*, ed. Rolando Dondarini (Cento: Comune di Cento, 1995), 387–96. The statute of Labin dates from 1341 and it was published in Camillo de Franceschi, "Statuta communis Albonae," *Archeografo triestino*, ser. 3, 32 (1908): 131–229. The existence of the old statute of Buje, dating before the introduction of Venetian jurisdiction, is based on the sentence in the document from 1381 describing the margrave's rights in Aquileian Istria ("vigore statuti"). Vincenzo Joppi, "Diritti di Aquileia nel Marchesato d'Istria (anno 1381)," *Archeografo triestino*, ser. 2, 9, no. 1–2 (1883): 196. This statute is presumed lost. The statute cited by Ventura as the 14th century statute of Buje is in fact the statute of Buja in Friuli. Angelo Ventura, *Nobiltà e popolo nella società veneta del '400 e '500*, 2nd ed. (Milan: Unicopli, 1993), 117, fn. 81. Cf. Vincenzo Joppi, ed., *Il Castello di Buja ed i suoi statuti* (Udine: G. B. Doretti, 1877).

¹⁹ *CDI*, doc. 685; Gian Rinaldo Carli, *Appendici di documenti spettanti alla parte quarta delle Antichità italiane* (Milan: Imperial Monistero di S. Ambrogio Maggiore, 1791), 133, 223; Gian Rinaldo Carli, *Delle antichità italiane*, vol. 4 (Milan: Imperial Monistero di S. Ambrogio Maggiore, 1790), 260–61; Paschini, *SdF*, 687.

²⁰ Luca Gianni, *Fragmenta disiecta di Gaudiolo da San Vito al Tagliamento scriba patriarcale*, Serie medievali 10 (Rome: Istituto storico italiano per il Medio Evo, 2006), doc. 25. See also Banić, "Pinguente," 137.

²¹ Joppi, "Diritti di Aquileia nel Marchesato d'Istria," 195–99.

²² Leicht's introduction to *Parlamento friulano* (cited in fn. 9) offers a comprehensive overview of Aquileian administration in Friuli. For the edition of *Constitutiones* see Vincenzo Joppi, ed., *Constitutiones Patrie Foriulii a Generali Parlamento edite et promulgate a Rev. dd. Patriarcha Aquilegensis annis MCCCLXVI-MCCCLXVIII* (Udine: G. B. Doretti, 1900) (hereafter: *CPF I*).

²³ These privileges are known only from the *capituli* of the pacts of dedication to Venice. See the pacts in "Senato segreti - cose dell'Istria," *Atti e memorie della Società istriana di archeologia e storia patria* 4, no. 3–4 (1888): 275, 281 (hereafter: Senato segreti I). See also De Vergottini, "La costituzione I," 117.

graviate of Istria thus constituted a mere “appendix” to the temporal state of the Aquileian patriarchs.²⁴ Muggia (Slov./Cro. Milje), the richest urban commune in Istria that was still under the jurisdiction of the Patriarchate of Aquileia, was not governed as a part of the Margraviate, but as a special political unit directly responsible to the patriarch himself.²⁵

United by the office of margrave, its own judicial system and with a capital in Buzet, Istrian margraviate functioned as a distinct administrative region. A famous court case from 1371 exemplifies nicely the inner functioning of this region.²⁶ In a lawsuit between two communities, Buje and Roč, the nobles from the entire Margraviate united in Buzet and composed a sort of jury. The court was presided over by the Istrian margrave who, “volens in predictis procedere iuxta consuetudinem Marchionatus,” set up his court made up of the “homines locorum et castrorum Marchionatus.” The procedure that followed was in the form of the *per astantes* trials. The margrave, after having heard the case, proceeded with a ritualized question: *quid iuris?* Only after having heard the “consilium istorum bonorum virorum,” the margrave officially confirmed their sentence and thus ended the procedure. This specific type of judicial process – the *per astantes* trial with the ritualized *quid iuris* question – can be found throughout the Patriarchate of Aquileia.²⁷ It was, in fact, sanctioned by the *Constitutiones* and confirmed in 1397 as the only approved judicial process throughout the Patriarchate.²⁸ Since the source clearly testifies to the existence of a common judicial system and a social strata that identifies as the “people of the Margraviate,” Aquileian “appendix” in Istria formed a specific *land* in Otto Brunner’s sense of the word.²⁹ Following the Venetian takeover of the Patriarchate of Aquileia, the fate of this land was hanging on a thread.

Reframing Authority: Aspects of (Dis)Continuity

Detailed analyses of the strategies of integration that Venice employed in the period of its great territorial expansion have uncovered specific patterns: administration of criminal justice was regularly confined to the delegated Venetian rector while the existing governmental scheme, local institutions, as well as the old customs, laws and privileges of the

²⁴ De Vergottini, “La costituzione I,” 117.

²⁵ For Muggia see Franco Colombo, *Storia di Muggia: Il comune Aquileiese* (Trieste: Libreria internazionale “Italo Svevo,” 1970), 97–113; Paolo Cammarosano, “Muggia dal Patriarcato di Aquileia alla dedizione a Venezia,” in *Muggia e il suo Duomo: A 750 anni dalla fondazione*, ed. Giuseppe Cuscito (Trieste: Quasar, 2014), 63–70.

²⁶ *CDI*, vol. 3, doc. 807. Kandler’s dating should be corrected to August 27.

²⁷ Michele Leicht, “I giudizii feudali nella marca del Friuli,” *Ateneo veneto*, ser. 6, 3 (1882): 145–65, 193–203; Paschini, *SdF*, 362–63; Degrossi, “Mutamenti istituzionali,” 163–67.

²⁸ Joppi, *CPF I*, chaps. 6 and 52 and doc. XXXIV. For a detailed analysis of one such trial from 1401 see Darko Darovec, “Faciamus vindictam: Maščevalni umor in oprostilna sodba v Landarju leta 1401 med obredom maščevanja ter akuzatornim in inkvizitornim sodnim procesom [Faciamus vindictam: Vengeful Murder and Acquittal in Antro in 1401 between the Custom of Vengeance and the Adversarial and Inquisitorial Trial Rite],” *Acta Histriae* 25, no. 3 (2017): 653–700.

²⁹ Otto Brunner, *Land and Lordship: Structures of Governance in Medieval Austria*, trans. Howard Kaminsky and James Van Horn Melton (Philadelphia: University of Pennsylvania Press, 1992), 163–65, 169.

newly annexed communities, were generally acknowledged and confirmed. In that way Venice strived to make the transition of government as smooth and non-traumatic as possible while simultaneously reserving the utmost “symbol of sovereignty” and “the principal expression of the *Dominante’s* dominion” – criminal law – firmly in the hands of the *Dominium*.³⁰ As a famous line from the Venetian Senate minutes lucidly illustrates: “nihil enim est quod magis satisfaciat populis quam in suis vetustis rebus conservari.”³¹ Thus, the *Serenissima* hoped to minimise disruptions to the general flow of life and make the new subjects feel “at home” in their new state. The preferred instrument of this legitimization of the new equilibrium of power was the legal instrument of “pacts of dedication/submission” (*patti di dedizione*). Crafted to foster a sense of voluntary, negotiated submission to a just and benign rulership, these pacts follow the same schematic form: the commune presents a series of demands it deems important to the central government before officially becoming a part of the Venetian state and the Senate – stating which chapters are accepted and which are to be modified or denied – issues a response that usually serves to demonstrate Venetian generosity and willingness to negotiate.³² There were, however, noteworthy variations on this theme.

Several key factors significantly influenced the modalities of incorporation: the strategic position of a territory, its size and population, and the conditions surrounding the subjection to the *Dominium*.³³ A noted example of this practice is the marked continuity of administrative practices in Corfu – which peacefully entered the Venetian state – as opposed to the conspicuous reorganization of governmental institutions in Crete – a domain that was conquered in war.³⁴ The influence of all of the above factors is clearly discernible in the modality of passage Venice employed in the annexation of the Margraviate of Istria, although, as will be demonstrated, one more important determinant should be added unique to this case study: regional homogenization.

Out of all the communities of Aquileian Istria only Muggia, Labin and Plomin surrendered peacefully to Venice in 1420. Their pacts of dedication are preserved and the texts offer an illuminating account of negotiations

³⁰ Benjamin Arbel, “Venice’s Maritime Empire in the Early Modern Period,” in *A Companion to Venetian History, 1400-1797*, ed. Eric R. Dursteler (Leiden and Boston: Brill, 2013), 139; O’Connell, *Men of Empire*, 32; Michael Knapton, “Venice and the Terraferma,” in *The Italian Renaissance State*, ed. Andrea Gamberini and Isabella Lazzarini (Cambridge and New York: Cambridge University Press, 2012), 143–44.

³¹ Benjamin Arbel, “Colonie d’Oltremare,” in *Storia di Venezia dalle origini alla caduta della Serenissima*, eds. Alberto Tenenti and Ugo Tucci, vol. V: *Il Rinascimento: Società ed economia* (Rome: Treccani, 1996), 170. The *in extenso* edition of the document is published in Louis de Mas Latrie, *Histoire de l’île de Chypre sous le règne des princes de la maison de Lusignan*, vol. 3 (Paris: Imprimerie impériale, 1852), 372–82.

³² Antonio Menniti Ippolito, “Le dedizioni e lo stato regionale: Osservazioni sul caso veneto,” *Archivio veneto*, ser. 5, 162 (1986): 5–30; O’Connell, *Men of Empire*, 28–29; Gherardo Ortalli, “Entrar nel Dominio: Le dedizioni delle città alla Repubblica Serenissima,” in *Società, economia, istituzioni: Elementi per la conoscenza della Repubblica Veneta*, vol. 1: *Istituzioni ed economia* (Verona: Cierre, 2002), 53–54.

³³ Knapton, “Venice and the Terraferma,” 144; Ortalli, “Entrar nel Dominio,” 58–59.

³⁴ Arbel, “Venice’s Maritime Empire,” 144.

between the newly annexed minor centers and the Dominant.³⁵ The delegation of Labin “humbly asked” to be accepted into the Venetian *Dominum*, for their city to remain intact, and their customs and laws (“consuetudines et iura”) from the period of the patriarchs (“temporibus domini patriarche”) to be confirmed. Venice was pleased to oblige. Furthermore, Labin’s taxes were to remain identical; everything the commune paid to the margraves was now to be paid to Venice and to the captain of Rašpor.³⁶ The only chapter Venice did not approve involved the office of the podestà. Labin wanted to elect their own rectors who would administer justice together with judges and people (“una cum iudicibus, gentibus”) and simultaneously govern the communes of Plomin and Dvigrad. The plea was rejected. Instead, Labin was given the right to elect their rectors exclusively from among Venetian nobles. Plomin was to remain in Labin’s district, but not Dvigrad that was already submitted to Venice and was governed by a respective podestà. This Venetian decision mirrored the actual dimensions of Labin’s district since Dvigrad was only occasionally united with Labin and Plomin by the office of single delegated captain/podestà.³⁷ Finally, Venice asked for the standard of Saint Mark to be erected on the “usual place” as a sign of the commune’s new supreme jurisdiction. The local statute from 1341 was confirmed by Venice and, interestingly, left completely unaltered; even the introductory part of the statute mentioning the Patriarchate of Aquileia was left intact. This Venetian “disinterest” in the statutes of smaller, poorer and less important subject centers was noticeable elsewhere as well.³⁸ In 1438 the statute was used as a template for the newly codified statute of Plomin in a process dubbed “statutory adoption.”³⁹ Many other communal institutions continued to function in continuity: the local council, already of the “closed” type before the advent of Venice, continued to meet, deliberate and elect its citizens to various communal posts.⁴⁰ There were, however, some promises Venice failed to keep. Although the *Serenissima* vowed to respect Labin’s old customs and privileges, including what would seem from the pact of dedication as a broad autonomy related to justice administration, the newly annexed community in essence enjoyed the same liberties as all the other Istrian communes under Venice. The elected podestà of Labin was commissioned to administer justice “in civilibus et

³⁵ “Senato secreti I,” 280–85.

³⁶ On February 27, 1422 the taxes were redirected to the captain and podestà of Koper. Carli, *Appendici*, 141–43.

³⁷ This intermittency is also visible from the pacts themselves: “Item quando habemus capitaneum, debet stare in Albona, et sibi tenentur respondere etiam illi de Duobus Castellis, et nos de Flanona.” “Senato secreti I,” 283.

³⁸ Cozzi cites the examples of the statutes of Rocca Pietore, Sacile, Pordenone, Lendinara, Badia and Rovigo where the same practice can be found. Gaetano Cozzi, *Repubblica di Venezia e Stati italiani: Politica e giustizia dal secolo XVI al secolo XVIII* (Turin: Einaudi, 1982), 266–67.

³⁹ Ortalli defines this phenomenon as “processo per cui la comunità tende sempre ad identificare come sua specifica e connotante la norma che si trova ad applicare in modo funzionale, quale che ne sia l’originaria fonte di produzione.” Gherardo Ortalli, “Tra normativa cittadina e diritto internazionale: Persistenze, intrecci e funzioni,” in *Legislazione e prassi istituzionale nell’Europa medievale: Tradizioni normative, ordinamenti, circolazione mercantile (secoli XI–XV)*, ed. Gabriella Rossetti (Napoli: Liguori, 2001), 24.

⁴⁰ De Franceschi, “Statuta communis Albonae,” 135.

criminalibus sicut tibi videbitur esse secundum Deum et honorem nostri Domini.⁴¹ Moreover, the right to elect their own rectors from among the Venetian nobles was soon withdrawn due to many quarrels it caused among the locals.⁴² As this case of negotiating jurisdiction demonstrates, Venice was prepared to acknowledge considerable autonomy and respect the old governmental traditions of the communities that voluntarily submitted to the nascent *Dominium*, but there was a limit in how far it was ready to go.

Dvigrad was conquered in 1412 while both Roč and Hum suffered heavy casualties for their hostility.⁴³ Their pacts of dedication, if there ever were ones, remain unknown. Roč and Hum were transferred under the *potestas* of the captain of Rašpor and thus ceased to be a part of Buzet's district.⁴⁴ In 1421, doge Tomaso Mocenigo even conceded to Roč the right to rebuild their walls, destroyed by the captain of Rašpor in 1412.⁴⁵ Notwithstanding military actions that brought these communities under the "shadow of the *Dominium*," there were considerable continuities preserved in their administrative models as well. For example, the *urbarium* of Roč was confirmed shortly after the advent of Venetian jurisdiction and the taxes that the community once had to pay to the Church of Aquileia and the margrave were transferred to Venice and the captain of Rašpor, but they remained otherwise unaltered.⁴⁶ Dvigrad was placed under the governorship of a *podestà* and the town preserved its status as a small commune. Venice even codified the community's statute soon thereafter.⁴⁷

Buje and Oprtalj were also conquered in 1412, during the first phase of the war, and their pacts of dedication are recorded and edited; however, Oprtalj rebelled soon thereafter and persevered in open hostility along with Buzet until the summer of 1421.⁴⁸ Similarly to Labin and Plomin, Buje and Oprtalj were promised the respect of their old customs and laws, including the communities' statutes, but Venice did not allow the free election of *podestàs* and autonomous justice administration. In case of both Buje and

⁴¹ Cited from Lamberto Pansolli, *La gerarchia delle fonti di diritto nella legislazione medievale veneziana* (Milan: A. Giuffrè, 1970), 264. On the Venetian commissions in general see excellent studies in Alessandra Rizzi, ed., *Le commisioni ducali ai rettori d'Istria e Dalmazia (1289-1361)* (Rome: Viella, 2015).

⁴² The source is published *in extenso* in the appendix, doc. 5.

⁴³ "Senato misti - cose dell'Istria," *Atti e memorie della Società istriana di archeologia e storia patria* 5, no. 3-4 (1889): 314 (hereafter: Senato misti IV); "Senato secreti I," 277; *CDI*, vol. 3, doc. 941.

⁴⁴ Danilo Klen, "Urbar Roča iz prve polovice XV. stoljeća" [Urbarium of Roč from the First Half of the 15th Century], *Jadranski zbornik* 12 (1982-1985): 253-69.

⁴⁵ *CDI*, vol. 4, doc. 981.

⁴⁶ *Ibid.*

⁴⁷ The statute of Dvigrad closely resembles that of Buje and it is not sure whether it was adopted by the commune of Dvigrad before the advent of Venetian government or whether it was transplanted by Venice after Dvigrad's submission. The best edition of the statute is Nella Lonza and Jakov Jelinčić, eds., *Statuta communis Duorum castrorum / Statut dvigradske općine: Početak 15. stoljeća* [Statute of the Dvigrad Commune: Beginning of the 15th Century], *Kolana od statuti / Collana degli Statuti* 1 (Pazin: Državni arhiv u Pazinu, 2007). For the similarities between the statutes of Buje, Dvigrad, Oprtalj and Buzet see Nella Lonza, "Il gioco degli specchi: Lo statuto di Pinguente, i suoi modelli e affinità giuridiche," in *Buzetski statut / Statuto di Pinguente*, eds. Nella Lonza and Branka Poropat, *Kolana od statuti / Collana degli Statuti* 4 (Buzet: Grad Buzet, 2017), 202-24.

⁴⁸ "Senato secreti I," 274-77.

Oprtalj it was clearly underlined in the respective *patti di dedizione* that “rectores nostri, qui per tempora erunt, ministrare debeant ius et iusticiam prout servatur in aliis nostris terris Istrie.”⁴⁹ The statute of Buje from the period of the Aquileian patriarchs was somewhat modified as the Venetian-era statute mentions neither the Church of Aquileia nor the margrave.⁵⁰ The same was the case with the statute of Oprtalj, confirmed by Venice in 1421.⁵¹ Both communities were, as their pacts testify, organized similarly to all the other Venetian communes on the Peninsula: regardless of the approved old customs, laws and even statutes, the regularly rotating delegated podestà was to assume the role of the chief administrator of justice.

After the fall of the last bastions of the Margraviate – Oprtalj, Petrapilosa and Buzet – the Venetian Senate convened to deliberate the fate of the newly conquered towns.⁵² Although the proposal to destroy both Petrapilosa and Oprtalj was at one point considered and even put to vote, it was finally decided to accept the previously “very hostile” communities into the Venetian Dominion. Petrapilosa was organized as a castellany, given over to the jurisdiction of the commune of Koper who would delegate respective castellans from among their own citizens. The urbarium of Petrapilosa was issued in 1425 and it confirmed all the previous taxes, thus fostering a feeling of continuity for the local subjects.⁵³ Buzet was accepted in the *Dominium* and guaranteed the respect of rights and customs from the times of the Aquileian patriarchs.⁵⁴ The town retained its governmental structure of a modest commune, but its district was considerably diminished with the loss of both Roč and Hum to Rašpor. Also, it seems that the local council of

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⁴⁹ “Senato secreti I,” 275 (Oprtalj) and 276 (Buje).

⁵⁰ Another possibility is that the phrase “vigore statuti” mentioned in the 1381 document (cited here in fn. 10) does not refer to a codified communal statute. If that is the case, the statute of Buje could have been codified for the first time only after the advent of Venetian government. The Venetian-era statute is edited in Mirko Zjačić, “Sačuvani fragment staroga statuta općine Buje iza 1412. godine” [The Preserved Fragment of the Old Statute of the Commune of Buje after the Year 1412], *Jadranski zbornik* 7 (1969): 365–416.

⁵¹ Again, if the phrase “in suis antiquis statutis” mentioned in the pact of submission from 1412 does not refer to a codified communal statute of Oprtalj, it is possible that the first such statute was issued only after the advent of Venetian government. Due to the fact that both the statutes of Buje and Oprtalj seem very much alike – both visibly based on the 1333 statute of Muggia – it seems likely that both Buje and Oprtalj had some sort of codified communal statutes before entering the Venetian *Dominium*. The conclusion that Oprtalj’s statute dates from 1421 is drawn from the mentioning of Nicolò Coppo as the podestà and captain of Koper. That Coppo served in Koper between 1420 and 1421 is confirmed by a privilege recorded in the Capodistriian *liber niger* and the *regestum* is published in Angelo Marsich, “Effemeridi Giustinopolitane: Agosto,” *La Provincia dell’Istria* 11, no. 15 (1877): 113. On the dating of the statute of Muggia, sometimes also dated in 1341, see Colombo, *Storia di Muggia*, 223–27. The old statute of Muggia is edited in Maria Laura Iona, ed., *Le istituzioni di un comune medievale: statuti di Muggia del sec. XIV*, Fonti e studi per la storia della Venezia Giulia 3 (Trieste: Deputazione di storia patria per la Venezia Giulia, 1972).

⁵² Published *in extenso* here in appendix, doc. 1.

⁵³ Danilo Klen, “Urbar Petre Pilose iz 1425. godine” [The Urbarium of Petrapilosa from 1425] *Starine* 58 (1980): 85–124.

⁵⁴ “Ad gratiam nostram acceptavimus et acceptamus, volentes quod illis immunitatibus et consuetudinibus gaudere quibus soliti erant gaudere et habere antequam perveniret ad manus Nostri Domini.” Croatian State Archive in Rijeka, JU-67, Buzetska općina [The Commune of Buzet], “Prijeписi izvornih dokumenata XIII-XV. stoljeće” [Copies of original documents XIII-XV. centuries], fol. 12r.

Buzet “closed” following the advent of Venice.⁵⁵ Finally, in 1435 Buzet received its codified statute, a near mirror image of the statute of Oprtalj.⁵⁶ Just as Venetian senators famously stated in 1394 that “terre nostre Istrie reguntur cum statutis et ordinibus suis,” so too did the newly incorporated communes of the former Istrian margraviate receive their officially approved communal statutes.⁵⁷

Although both Oprtalj and Buzet were guaranteed to remain intact with their old customs and privileges confirmed, the rectors of both of these communities were henceforth to be elected by the podestà of Koper (Lat. Iustinopolis, Ital. Capodistria) from among the Capodistrian nobility.⁵⁸ This type of subjection of minor centers in Istria to Koper was a novelty at the time since all the other Istrian communes responded directly to Venice and received their rectors from among the ranks of Venetian nobility. This subordination to Capodistrian commune may very well be seen as a sort of a punishment for the military resistance these communities put up against the *Serenissima*. Indeed, all the communities that Venice had to persuade militarily to enter their *Dominium* were subjugated to Koper in the same way: the Capodistrian noblemen would serve as rectors in Buje and Dvigrad as well.⁵⁹ Moreover, the appellate jurisdiction for all four of these newly annexed communities was to reside in the office of the delegated Capodistrian podestà and captain. This too was a novelty for Venetian Istria at the time; all the other communes voiced their appeals directly to the institutions of the central government in Venice.⁶⁰

This model of incorporation cannot be explained solely by the modest size of the four towns. Indeed, their rectors received very small wages for their service: the podestà of Oprtalj received 500 pounds of Venetian denari, podestà of Buzet 600, podestà of Buje 800, podestà of Dvigrad 390, podestà of Labin 560 (70 marks).⁶¹ However, Labin was neither much larger nor much wealthier and there were several small centers in Istria and Dogado – like

⁵⁵ It is debatable whether Buzet’s council was of the “open” or “closed” type before entering the Venetian *Dominium*, but during the Venetian era the council was definitely closed. See more on Buzet’s councils in Josip Banić, “Consilia communis Pinguenti: Geneza i uloga vijeća buzetske komune” [Consilia communis Pinguenti: The Genesis and the Role of the Councils of Buzet Commune], *Buzetski zbornik* 42–43 (2016): 143–74. In the seventeenth century the bishop of Novigrad (Ital. Cittanova) Giacomo Filippo Tomasini wrote in his famous commentaries on Istria that “in the past” one could become a councilman in Buzet if accepted by the two thirds majority of the council. However, according to Tomasini, they later decided to close the council to the existing councilmen families whose male offsprings automatically enter the council after reaching twenty years of age. Giacomo Filippo Tommasini, “De commentari storici-geografici della provincia dell’ Istria libri otto con appendice,” *Archeografo triestino* 4 (1837): 515. Moreover, Muggia had an “open” council before 1420, but it closed following the advent of Venetian rule. Thus, it is possible that a similar process played out in Buzet as well. Colombo, *Storia di Muggia*, 154.

⁵⁶ Nella Lonza and Branka Poropat, eds., *Buzetski statut / Statuto di Pinguente*, Kolana od statuti / Collana degli Statuti 4 (Buzet: Grad Buzet, 2017).

⁵⁷ “Senato misti IV,” 284.

⁵⁸ Appendix, doc. 1.

⁵⁹ Appendix, doc. 2 and 3.

⁶⁰ Alfredo Viggiano, “Note sull’amministrazione veneziana in Istria nel secolo XV,” *Acta Histriae* 3 (1994): 10–11.

⁶¹ “Senato secreti I,” 281; Zjačić, “Sačuvani fragment,” 389; Egidio Ivetic, “Ai limiti d’Italia: L’Istria dei comuni,” *Atti del Centro di ricerche storiche Rovigno* 42 (2012): 83–84.

Novigrad (Ital. Cittanova) or Lido – that despite their modest size still received Venetian nobles for their rectors.⁶² On the other hand, regional centers within the nascent *Dominium Veneciarum* were being created in other parts as well. For example, the communal council of Corfu elected the rectors of Butrinto, Parga, Bastià and Paxo; the commune of Split (Ital. Spalato) elected the counts of Poljica (Ital. Poglizza); the podestà of Padova administered criminal justice in Camposampiero and Piove di Sacco; and the podestà of Vincenza was in charge of criminal law cases in the podestaria of Marsotica.⁶³ By promoting a subject commune to a regional governor, or at least to an appellate jurisdiction of a smaller center, Venice was rewarding the fealty of their faithful subjects and, consequently, strengthening the ties with their new provincial centers. Koper was the richest Istrian commune with its own civic nobility, but it was also a city known for rebelling against Venice.⁶⁴ By promoting Koper and rewarding its nobility while simultaneously punishing the former enemies Venice achieved two goals with one move. However, this model was not accepted without resistance.

Already by 1423 the complaints from Buje, Dvigrad, Oportalj and Buzet reached the Venetian Senate. The delegated rectors from Koper were said to be “*persone insufficientes*” and “*ad talia non apte*,” the subjected communities wanted to elect their own judges and “*regere se prout prius facere solebant*.”⁶⁵ As a result, Andrea Contarini and Giorgio Corner suggested a revision of the newly introduced governmental system: the Capodistrian privilege was to be revoked and the four communities were to be allowed to either choose their own judges and administer themselves as they used to do, or elect their own rectors from among the Istrian population under Venice. The four towns would continue to pay the same sum of money that they were now giving to the Capodistrian rectors either straight to Koper’s treasury or to the elected podestàs. The appellate jurisdiction for these self-governing communities would reside in the office of the captain of Rašpor (Ital. Raspo). Comparing this proposal with the constitution of the Margraviate of Istria, a set of continuities can be detected. First, the communes were to retain their right to elect their own judges and rectors who could administer justice just as they did during the jurisdiction of the patriarchs. Second, the jurisdiction superior to those of the communes was to be invested in the captain of Rašpor, a Venetian officer who in more ways than one acted as a quasi-successor of the Istrian margrave. Just like the margrave, the captain of Rašpor would assume the same role: an authority delegated by the state, a chief military commander, an appellate jurisdiction and a collector of taxes that had once belonged to the Aquileian official. The proposal does not state exactly whether the right to shed blood would reside solely in the hands of the captain of Rašpor, but if continuity was the goal, that was probably the case.

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⁶² Novigrad paid 500 pounds of denari for its podestà. Ivetic, “*Ai limiti d’Italia*,” 84. For the rectors of Lido as a particular Venetian sinecure see Donald E. Queller, *The Venetian Patriciate: Reality versus Myth* (Chicago: University of Illinois Press, 1986) (hereafter: VP), 34.

⁶³ Arbel, “*Venice’s Maritime Empire*,” 149–50; O’Connell, *Men of Empire*, 110; Cozzi, *Repubblica di Venezia e Stati italiani*, 275–76.

⁶⁴ On the Capodistrian rebellion of 1348 see Francesco Semi, *Capris, Iustinopolis, Capodistria: La storia, la cultura e l’arte* (Trieste: Lint, 1975), 89–130.

⁶⁵ Appendix, doc. 2.

The proposed organization of the newly incorporated communities thus mirrored the pre-existing situation closely. The proposition was, however, rejected by the Venetian senate. Instead, the old privilege issued to Koper in 1421 was reconfirmed and the governmental structure remained unaltered for the four newly annexed communities.

This reorganization of Aquileian communities into Venetian *podestarias* with regularly rotating rectors in charge of justice administration was not uniformly applied throughout the former Patriarchate of Aquileia. In Friuli, only four towns were initially remodeled according to this governmental scheme: Sacile, Marano, Monfalcone and Portogruaro. These centers were placed under a more direct Venetian control due to their strategic importance.⁶⁶ As a matter of fact, during the long and intricate diplomatic missions Venice undertook during the Council of Basel to justify the takeover of the entire Patriarchate, one proposal that was considered was to return the entire Friuli to the patriarch's worldly rule with the exception of these four strategically valuable towns.⁶⁷

Udine was designated as an undisputed capital of entire Friuli and became a permanent seat of the newly created office – the *luogotenente* – that functioned as a direct heir of the Aquileian patriarchs in matters of worldly government. Just like the patriarchs before him, the *luogotenente* appointed captains and *gastalds* throughout Friuli and acted as a supreme appellate court for all Friulian jurisdictions.⁶⁸ Notwithstanding *luogotenente's* presence, Udine continued to be governed by the appointed captains, regularly delegated from among the distinguished locals, who had the right to administer justice (barring criminal law, in the hands of the *luogotenente*). When the local captains administered justice, they were flanked by the three “*iurati*,” from 1470 onwards by the four “*astanti*.” Although the name of the office clearly evokes old judicial practices, the *per astantes* trials were abolished in Udine and the Venetian-era “*iurati*” or “*astanti*” lost their original judicial roles; they were a sort of *spoliae* in the new administrative system.⁶⁹

Many urban and semi-urban centers were, however, left largely intact in their previous administrative models. For example Tolmezzo, the capital of Carnia in Friuli, was not reorganized as a *podestaria*; it continued to be governed by a *gastald* – sent by the *luogotenente* from among the Friulian population – with virtually unchanged jurisdictions from the times of the Patriarchate.⁷⁰ Cividale, the main rival of Udine for the position of Friuli's capital, was also not put under the authority of a Venetian nobleman or a *podestà*. Instead, the communal council of Cividale continued to

⁶⁶ Trebbi, *Il Friuli dal 1420 al 1797*, 35.

⁶⁷ John E. Law, “Venetian Rule in the Patria Del Friuli in the Early Fifteenth Century: Problems of Justification,” in *Venice and the Veneto in the Early Renaissance* (Aldershot: Ashgate, 2000), 15.

⁶⁸ Sacile was exempted from *luogotenente's* jurisdiction. Trebbi, *Il Friuli dal 1420 al 1797*, 36. On the *luogotenente's* jurisdictions see Roberto Giummolé, “I poteri del *luogotenente* della patria del Friuli nel primo cinquantennio 1420-1470,” *Memorie storiche forogiuliesi* 45 (1962-1964): 57-124.

⁶⁹ Trebbi, *Il Friuli dal 1420 al 1797*, 36-37; Giummolé, “I poteri del *luogotenente*,” 101-2; Degrassi, “Mutamenti istituzionali,” 167.

⁷⁰ Davide, “Tolmezzo e la Carnia,” 174, 178.

elect their own gastalds and the community's old laws, customs and governmental structures, including the jury in the old *per astantes* trials, were left unaltered.⁷¹ Nonetheless, the Venetian luogotenente could always interfere with judicial processes as the main appellate jurisdiction for entire Friuli.⁷² Finally, numerous smaller centers throughout Friuli continued to be governed by their local institutions and the so-called "judicial banks" – juries composed of distinguished locals tasked with administering justice in the *per astantes* trials.⁷³ Gastalds would, almost identically to the judicial practices in the Istrian margraviate, visit these small communities several times a year, preside over the judicial *placita*, and confirm the sentences of the jury.⁷⁴

Why did Venice allow this type of self-administration to Friulian and not to the four Istrian communities? Why was Contarini's and Corner's proposal rejected by the Senate?

There are several possible answers to these questions that merit consideration. First, the factor of size and population should immediately be discarded as a potential answer to the different strategies of incorporation. Indeed, Friulian gastaldias of Antro and Merse had a modest population – 3904 in 1588 –, but so did the towns of the Margraviate. In the 1470s – following several decades of population growth after serious depopulation caused by the war between Venice and Sigismund – Buzet would have had between 800 and 1100, Labin with Plomin around 1300, Buje a maximum of 900, Roč around 500, similarly to Oprtalj and Dvigrad, and Hum just 150 people.⁷⁵ Second, if Venice erected podestarias simply due to strategic positions of urban centers, Roč and Hum – the walled hilltop towns situated along the border with the Habsburg County of Pazin – would be placed under the rule of a podestà, yet they were not.

There were some seminal differences between the Margraviate and the rest of the Aquileian patriarchate that influenced the employment of different incorporation strategies. Much unlike in Friuli, Venice controlled the majority of the Istrian peninsula already before the takeover of the Patriarchate. Furthermore, the notion of Istria as a specific region was already an established geographic scale performed by the local communities on the Peninsula as well as by Venice and the Patriarchate of Aquileia. For example, during the military confrontations between the Aquileian patriarchate and the *Serenissima* in 1274, the Venetian Great Council declared that "the people of Istria" were not to be subjected to the same sanctions as the "people of the Patriarchate" as "Istria is under the patriarchs not as a Patriarchate, but as a Margraviate."⁷⁶ On the other hand, the local population in Istria disposed

⁷¹ Zamperetti, *I piccoli principi*, 206. See also the description of Cividale by Marino Sanudo in Marino Sanudo, *Itinerario per la Terraferma veneziana*, ed. Gian Maria Varanini (Rome: Viella, 2014), 432.

⁷² Giummolé, "I poteri del luogotenente," 82.

⁷³ Zamperetti, *I piccoli principi*, 206; Giorgio Zordan, "Per lo studio delle banche giudiziarie nel cividalese d'età moderna: indirizzi metodologici e spunti di riflessione," *Rivista di storia del diritto italiano* 65 (1992): 43–49; Degrossi, "Mutamenti istituzionali," 167, fn. 26.

⁷⁴ Zordan, "Per lo studio delle banche giudiziarie," 43–44, 49.

⁷⁵ Egidio Ivetic, *La popolazione dell'Istria nell'età moderna: Lineamenti evolutivi* (Trieste and Rovinj: Centro di ricerche storiche Rovigno, 1997), 68–72.

⁷⁶ "Occasione represalium concessarum contra homines Patriarchatus, homines Ystrie non

of special privileges that confined their military service exclusively to *partes Ystrie*. As “the outer limits of the region were primarily defined in relation to the military obligations of residents,” Istria as a geographic scale was being enacted through everyday political practices by both central governments and subject communities alike.⁷⁷ Both Venice and local Istrian communities deployed this specific scale in order to “naturalize and sediment a set of sociospatial relationships through everyday practices.”⁷⁸ For Venice, the insistence on Istria as a specific scale served to sever the ties with the *de iure* sovereign of the entire Peninsula, the Aquileian patriarchate whose possessions were indeed usurped by the Republic of Saint Mark already in 1267 with the formal dedication of Poreč (Ital. Parenzo).⁷⁹ For the locals, the rescaling of their communities as *partes Ystrie* effectively reduced their military obligations. Hence, Venice was able to take a specific scalar stance when it negotiated the pacts of submission with the newly annexed communities – *prout servatur in aliis nostris terris Istrie* – and it did so to “naturalize and sediment” a specific “set of sociospatial relationships:” the one that was characteristic of all the other Istrian communes already under the Venetian *potestas*.

Venetian communities in Istria were organized as typical Venetian *reggimenti* already in the thirteenth century: they were placed under a regularly rotating authority of a delegated podestà who governed the commune together with the municipal institutions, “upheld the honor of *Commune Veneciarum*,” and administered justice flanked by the locally elected judges according to local laws and customs. Criminal law was, as elsewhere in the Venetian state, the exclusive prerogative of the Venetian podestà who was to judge these cases alone, “according to his honourable consciousness.”⁸⁰ Another characteristic of Venetian communes in Istria was that they were governed by a regularly rotating podestà despite their modest size and population. As such, Venetian Istria was structured like the Dogado.⁸¹ Thus, Venetian performance of this particular scale – *terre nostre Ystrie* – was enacted through reiterated jurisdictional discourse that produced the Venetian *reggimento* system in the subjected Istrian towns and cities.

Consequently, had Venice not reorganized the newly annexed communities into Venetian-type podestarias, had the proposal to let these

debeant impediri, cum Istria sit sub Patriarcha non pro Patriarchatu sed pro Marchionatu.” Antonio Stefano Minotto, ed., *Documenta ad Forumiulii Patriarchatum Aquileiensem, Tergestum, Istriam, Goritiam spectantia*, vol. 1 (Venice: Giovanni Cecchini, 1870), 140.

⁷⁷ “I limiti estremi della regione erano definiti principalmente in relazione agli obblighi militari dei residenti.” Donata Degrassi, “Frontiere, confini e interazioni transconfinarie nel Medioevo: Alcuni esempi nell’area nordorientale d’Italia,” *Archivio storico italiano* 160, no. 2 (2002): 218.

⁷⁸ Kaiser and Nikiforova, “The Performativity of Scale,” 537–38.

⁷⁹ Carli, *Appendici*, 41–42.

⁸⁰ Arbel, “Venice’s Maritime Empire,” 146–51.

⁸¹ Egidio Ivetic, *Oltremare: L’Istria nell’ultimo dominio veneto* (Venice: Istituto veneto di scienze, lettere ed arti, 2000), 38. On the Venetian administration in the 13th and 14th century Dogado see the excellent study by Ermanno Orlando, *Altre Venezie: Il Dogado veneziano nei secoli XIII e XIV (giurisdizione, territorio, giustizia e amministrazione)* (Venice: Istituto veneto di scienze, lettere ed arti, 2008).

towns “regere se prout prius facere solebant” been accepted by the Senate, two separate administrative sub-regions within Venetian Istria would have been created. Due to the fact that the communities of the former Margraviate were performatively rescaled as *terre nostre Ystrie* and that the Venetian performance of this scale materialized the *reggimento* system at the local level, the newly incorporated towns had to be remodeled for the scalar stance to remain producing the same naturalized and sedimented set of sociospatial relations.

This process of integration can be dubbed regional homogenization: governmental structures of newly annexed communities were modified – albeit only in most seminal aspects – to mirror those of the already incorporated regional centers. Therefore, the introduction of the delegated *podestàs*, the codification of statutes, the closing of the communal councils, the abolition of the judicial banks and *per astantes* trials, are all results of the Venetian performative rescaling of the communities of the former Margraviate of Istria as *terre nostre Ystrie*.

The situation was much different in Friuli. Although *Patria del Friuli* was also a well-established and routinely performed geographic scale, Venice had no prior reiterative practices through which it performed its jurisdiction in this region. Moreover, this was a much larger region with complex administrative structures centered around communities and seigniorial noble families. More importantly, it was a very unstable province conquered in war and Venetian rule was not officially confirmed and internationally acknowledged until 1451.⁸² In order to keep the traditionally bellicose region in peace, Venice needed to appease both communities and nobles; the best way to do so was to recognize to the fullest extent the previously existing governmental models as well as the old laws, customs and privileges. Therefore, when the *Serenissima* had to establish its authority in the region, it relied more heavily on pre-existing governmental practices. One of the main differences between the two modalities of passage thus lies in the fact that the process of regional homogenization did not take place in Friuli, where numerous governmental sub-regions continued to function after the advent of Venetian rule, while it did in Istria where the *Marchionatus Istrie* ceased to exist in favor of the existing Venetian *partes Ystrie*.

The described remodeling of the newly annexed communities in Istria as Venetian *reggimenti* should not be viewed as a process connected with the *stato da mar* scale effect. Although the *reggimento* system is characteristic of the Early Modern Venetian *stato da mar*, accurately described by Benjamin Arbel in the article aptly titled “Venice’s Maritime Empire in the Early Modern Period”, the scalar stance of *stato da mar* did not exist in the 1420s. The dichotomy between *stato da mar* and *terraferma* is still not realized in this transitory period; only in 1430 does the creation of special ministers (*savii*, sometimes translated as “sages”) responsible solely for the *terraferma* take place and only in 1440 do the Senate minutes begin to be recorded in separate series, one regarding *terraferma* deliberations and the other dealing with

⁸² Law, “Venetian Rule,” 17.

stato da mar.⁸³ Moreover, Istria is not considered exclusively a region of the maritime part of the *Dominium* even after this point and decrees regarding the Peninsula can be found in both the *Deliberazioni Terra* and *Deliberazioni Mare* archival material.⁸⁴ Finally, the actors behind both the 1421 and 1423 proposals were the *savii* for the newly acquired territories (*sapientes terrarum de novo aquisitarum*) who did not deal primarily with maritime regions. Thus, it would be anachronistic to view the modality of the passage of the former Istrian margraviate in connection to the performance of the Venetian *stato da mar* scale.

Although regional homogenization was one of the main processes that characterized the Margraviate's modality of passage, it was, however, only partial; the four newly incorporated communities subjected to Koper were still one step further removed from the central government in Venice than all the others. This unequal position of Buje, Dvigrad, Oprtalj and Buzet was the root cause of "gaps and fissures" that undermined – and ultimately renegotiated – the performance of the Venetian *partes Istrie* and the underlying factor that changed the process of regional homogenization from a top-down to a bottom-up phenomenon.

Empowering Interactions: Negotiating *Dominium*

A landmark publication on statebuilding processes in late medieval and Early Modern Europe explored the effects of interplay between the central government and its subjects on the gradual emergence of the modern state. In order to explore these relations and the ways they influenced statebuilding, André Holenstein, one of the book's editors, coined the term "empowering interactions:" "a specific communicative situation emerging from diverse, but nevertheless reciprocal interests and demands from both the state's representatives and members of local societies."⁸⁵ According to this approach, both the central government and the local community were strengthened through these interactions as "the bearers of particular interests [e.g. local communities] received authoritative support, while the state broadened its social acceptance and legitimacy."⁸⁶ Following the subjection of the four hostile communities to Koper, a unique case of empowering interactions came to pass.

At the same time as the complaints about the inapt Capodistriean rectors reached the Senators' ears, one other burning problem was plaguing the Venetian ruling elite: the growing number of poor nobles unable to get elected to a governmental post. One of the processes that aggravated the situation of the impoverished nobles was the monopolization of particularly important – and particularly well paid – offices in both the maritime and

⁸³ Arbel, "Venice's Maritime Empire," 129.

⁸⁴ Viggiano, "Note sull'amministrazione veneziana in Istria nel secolo XV," 8–9; Arbel, "Venice's Maritime Empire," 130; Michael Knapton and John E. Law, "Marin Sanudo e la Terraferma," in *Itinerario per la Terraferma veneziana*, ed. Gian Maria Varanini (Rome: Viella, 2014), 10.

⁸⁵ André Holenstein, "Introduction: Empowering Interactions: Looking at Statebuilding from Below," in *Empowering Interactions: Political Cultures and the Emergence of the State in Europe 1300–1900*, eds. Wim Blockmans, André Holenstein, and Jon Mathieu (Farnham: Ashgate, 2009), 26.

⁸⁶ *Ibid.*, 26.

continental parts of the nascent *Dominium*. For example, the governorship of wealthy and important centers such as Zadar (Ital. Zara), Crete and Cyprus regularly went to the “patricians of ‘authority and reputation.’”⁸⁷ Such a state of affairs ran contrary to the Venetian aristocratic ideal; according to the minutes of the Great Council “our forbearers intended that all [patricians] should have an equal share in the government.”⁸⁸ In order to deal with the growing discontent of poor nobles, Venice created new offices, usually of lesser importance – and, consequently, smaller salary – as a sort of a “welfare program.”⁸⁹ Moreover, offices that were previously entrusted to members of subject local communities were instead given to the needy nobles via the system of *grazie*: special privileges by which offices could be granted through bypassing the standard electoral procedures.⁹⁰ Newly annexed communities subjected to Koper in Istria proved perfect candidates for the granting of *grazie*. Already by 1432 the office of the podestà of Buje was bestowed by *grazia* to a Venetian noble.⁹¹ In 1435 the podestà in Buzet was the Venetian noble Iohannes Ferro, probably by way of a *grazia* because already in 1437 Buzet was again in the hands of a “local” podestà, i.e. of a Capodistriani.⁹² By 1444 the Venetian Iohannes Querini was already serving as a podestà in Oprtalj, also by way of a special *grazia*, and by 1458 Dvigrad too had a Venetian podestà that had been granted the post by a *grazia*.⁹³

For the four subjected communities this unclear position in the Venetian administrative network proved a good opportunity to negotiate a better position – the same position enjoyed by all the other Venetian communes in Istria. Moreover, episodes of warfare between the Aquileian and Venetian subjects in Istria, both during the War of Chioggia and the recent war between Venice and king Sigismund, were still fresh in collective memories of Capodistriani and the population of the former Margraviate. In addition, as Koper bordered with Buzet, the neighborly quarrels between the communities sometimes broke out into serious armed conflicts between local guerillas, especially during the periods of hostilities between Venice and the Aquileian patriarchate.⁹⁴ Consequently, to be governed by the nobility of a traditionally hostile city while all the other Istrian communes

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⁸⁷ O’Connell, *Men of Empire*, 39, 41–42.

⁸⁸ *Ibid*, 39.

⁸⁹ Queller, *VP*, 29–50.

⁹⁰ Queller, *VP*, 33. As O’Connell defines the term as “a whole range of special favors, permissions, pardons, remissions of debt, and awards of privileges and offices.” O’Connell, *Men of Empire*, 97.

⁹¹ Appendix, doc. 4.

⁹² Iohannes Ferro is featured in the introduction to the statute of Buzet from 1435. However, already in 1437 the Venetian government designates the capodistriani captain and podestà Lorenzo Minio as a syndic of Buzet tasked to solve the issues between the local population and the delegated “local podestà.” *Regestum* of the document in Angelo Marsich, “Effemeridi Giustinopolitane: Marzo,” *La Provincia dell’Istria* 11, no.5 (1877): 33.

⁹³ Appendix doc. 7 and 8.

⁹⁴ A famous example is the guerilla war fought between the Pinguentini and Capodistriani in 1398. It is described in some details in a letter written by the Istrian margrave. The document is edited in *CDI*, vol. 3, doc. 863 (the date needs to be corrected to 1398). See also Pio Paschini, “L’Istria patriarcale durante il governo del patriarca Antonio Caetani (1395–1402),” *Atti e memorie della Società istriana di archeologia e storia patria* 42 (1930): 113–15; Banić, “Pingvente,” 142–43.

answered directly to the state center was perceived as a sort of a violation of municipal honor, especially by the neighboring Buzet.⁹⁵ This explains the complaints against the Capodistriani rectors that reached the Senate in 1423 as well as the 1437 local uprisings in Buzet against the “local podestà” that the Venetian rector of Koper was tasked to settle.⁹⁶ Likewise, it also explains why the community of Buje “humbly asked” to be governed by Venetian rectors elected among the Great Council members.⁹⁷ Venice treaded carefully; the commune of Koper was not to be offended by ignoring its privilege while the ire of the newly incorporated subjects was not to be ignored as well. At the same time, the officeless Venetian nobles were still to be provided for and the four podestarias in Istria were still ideal candidates for the “welfare program.” Thus, in an exemplary case of empowering interactions, all four subjected communities officially started receiving their rectors from among the Venetian nobility. Buje’s “humble supplication” was answered positively in 1432; the office of podestà of Buzet was officially transferred as the prerogative of the Venetian Great Council along with several other “welfare” posts in 1442; finally, in 1444, in another case of “welfare program,” it was officially decreed that the rectors of both Oprtalj and Dvigrad were to be elected in the Great Council of Venice.⁹⁸

Capodistriani nobility tried to preserve the rights promised by their 1423 privilege, but in the end they managed only to retain the right to nominate the podestà of Dvigrad – the smallest and the poorest of all the four communities – by a decree of the Council of Ten in 1458.⁹⁹ In addition, Koper remained the appellate jurisdiction for all four communities and thus retained the position of a regional center. Interestingly, this new role of Koper as an appellate jurisdiction for smaller Istrian communities under Venice was the start of a century-long process that would end on August 4, 1584, when the captain and podestà of Koper officially became the supreme appellate jurisdiction for the entire Venetian Istria; the process ended with the birthday of a unique administrative region within the Venetian state, the Province of Istria.¹⁰⁰

⁹⁵ A classic definition of honour, albeit personal and not municipal, is the one offered by Julian Alfred Lane Fox Pitt-Rivers: “Honour is the value of a person in his own eyes, but also in the eyes of his society. It is his estimation of his own worth, his claim to pride, but it is also the acknowledgement of that claim, his excellence recognized by society, his right to pride.” Julian Pitt-Rivers, “Honour and Social Status,” in *Honour and Shame: The Values of Mediterranean Society*, ed. Jean G. Peristiany (London: Weidenfeld & Nicolson, 1965), 21. See also Frank H. Stewart, “What Is Honor?,” *Acta Histriae* 9 (2000): 13–28. For honour in connection to municipal government see Angela De Benedictis, “L’Onore delle magistrature: Per una individuazione della ‘cultura politica’ delle istituzioni in età moderna - note su alcuni libri recenti,” *Acta Histriae* 7 (1999): 19–38.

⁹⁶ See footnote 92.

⁹⁷ Appendix, doc. 4.

⁹⁸ Appendix, doc. 4, 6 and 7.

⁹⁹ Appendix, doc. 8.

¹⁰⁰ The law was passed in the Senate on the August 4, 1584. See the *regestum* in “Senato Mare - cose dell’Istria,” *Atti e memorie della Società istriana di archeologia e storia patria* 11, no. 1–2 (1896): 77–78. The official decree was issued the day after, on the August 5, and it is edited in *Leggi, decreti e terminazioni del Serenissimo Maggior Consiglio, dell’Eccellentissimo Pregadi, dell’Eccellentissimo Consiglio dei dieci e dei pubblici rappresentanti con la pubblica approvazione concernenti il buon governo dell’Istria* (Koper, 1683), 1–2. On the significance of

This reorganization of recently established administrative hierarchies in Istria should not be conceptualized as an exclusively top-down phenomenon; the process served the purpose of creating smaller, less significant posts for the poorer, less experienced patricians, but the structures that enabled this process to successfully actualize were both regionally and locally determined. First, Venetian Istria was a region of small *podestarias* and as such a fertile soil for the creation of new posts. Second, local communities welcomed the change to Venetian-delegated rectors as it erected them to the same status enjoyed by all the other communes under the *Dominante* on the peninsula. The fact that appellate jurisdiction resided with the captain and *podestà* of Koper did not matter so much as this official was also a Venetian nobleman. Therefore, the entire process should be viewed as an episode of negotiations between major and minor centers, an example of empowering interactions that served the needs of both the state center and the subjected communities while simultaneously strengthening ties between the two.

Epilogue: The Modality of a Passage

Venetian diplomatic missions to legitimize the jurisdiction of the newly annexed Patriarchate of Aquileia continued well into the middle of the fifteenth century. In numerous public confrontations during the Council of Basel, Venice staunchly defended its rights over Friuli but bothered very little with regards to the Istrian margraviate. Although the rightful patriarch in exile, Louis of Teck, continuously referred to the rights of his Church in Istria, Venice mentioned the Peninsula only once, stating that the Republic of Saint Mark held Istria legally, "ex titulo."¹⁰¹ This was far removed from the truth and both Venice and the patriarch knew it. Venice held the western coast of Istria – from Koper to Pula (Ital. Pola) – on the basis of two separate treaties, but there was no *titulus* officially bestowing the entire Margraviate to the *Serenissima*.¹⁰² Nonetheless, Venetian diplomats did not feel the need to further defend their jurisdictional prerogatives in Istria. Finally, after the death of Louis of Teck in 1439, Pope Nicholas V ratified the contract between

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this event see Giovanni de Vergottini, "La costituzione provinciale dell'Istria nel tardo Medio Evo," *Atti e memorie della Società istriana di archeologia e storia patria* 39, no. 1(1927): 29-31; Rolan Marino, "L'istituzione del Magistrato di Capodistria nel 1584: Contributo allo studio dei rapporti tra l'Istria e la Repubblica di Venezia nei secoli XVI e XVII," *Acta Histriae* 3 (1994): 117-22; Claudio Povolo, "Particolarismo istituzionale e pluralismo giuridico nella Repubblica di Venezia: Il Friuli e l'Istria nel '6-'700," *Acta Histriae* 3 (1994): 33-35; Egidio Ivetic, *L'Istria moderna: Un'introduzione ai secoli XVI-XVIII*, Collana degli Atti 17 (Trieste and Rovinj: Centro di ricerche storiche Rovigno, 1999), 44-45; Ivetic, *Oltremare*, 24-25.

¹⁰¹ Law, "Venetian Rule," 11.

¹⁰² The first wave of Venetian expansion was sanctioned by a treaty signed in 1300 between Venice and the Aquileian patriarch Pietro Gera. It was published in Minotto, ed., *Documenta ad Forumiulii*, vol. 1, 49-50. The treaty was officially ratified by the pope in 1307. *CDI*, vol. 3, doc. 523. The second wave of Venetian expansion that saw the County of Pula together with Vodnjan (Ital. Dignano) and Bale (Ital. Valle) pass under Venice was sanctioned by the 1335 treaty between Venice and the patriarch Bertrand de Saint-Geniès. The treaty was published in Camillo de Franceschi, "Il comune polese e la signoria di Castropola," *Atti e memorie della Società istriana di archeologia e storia patria* 20, no. 3-4 (1905): 17-22, doc. 29.

the new Aquileian patriarch – Ludovico Trevisan – and the Most Serene Republic in 1451, while the Holy Roman Emperor officially recognized Venetian jurisdiction in Friuli in 1469.¹⁰³ Interestingly enough, neither of the documents mention the Margraviate of Istria; Aquileian “appendix” was annexed to the Venetian *partes Istrie* without eliciting any need for an official international confirmation. Different diplomatic policies thus mirrored differing modalities of passage of the two regions.

With the Venetian takeover of the Patriarchate of Aquileia, Istrian margraviate officially ceased to exist. It was the end of a centuries long process that began with the first pact of dedication to Venice signed by the representatives of Poreč back in 1267. Organized as the typical Venetian *reggimenti*, modeled after the jurisdictional patterns of the communes in the Dogado, the administrative structure of these Istrian communities became *Serenissima*'s basic governmental principle on the Peninsula (i.e. seminal citational practice producing the scale effect of its *terre Ystrie*). Thus, when the remaining towns of the Margraviate entered the expanding *Dominium*, they were restructured to fit the governmental model of other Venetian communes in Istria (i.e. performatively rescaled as Venetian *terre Ystrie*): they were put under the administration of a foreign, regularly rotating podestà; their statutes were either confirmed (Labin), slightly readjusted to match the new offices (Buje, Oprtalj) or bestowed upon them (Buzet, Plomin, maybe Dvigrad); their local institutions were generally kept intact and their communal councils continued operating, although they changed to the “closed” type in cases where they were still “open;” and judicial institutions that were in direct contradiction with the *reggimento* system – such as “judicial banks” and *per astantes* trials – were completely abolished.

Notwithstanding the shifts of governmental schemes – the regional homogenization – Venice did experiment with the incorporation of the Aquileian towns in Istria. As a product of this Venetian statebuilding laboratory, Koper was erected as a sub-regional center in charge of the administration of four militarily conquered communities. Although the experiment ultimately failed as three out of four communes renegotiated their position, it still brought about seminal changes to the overall Venetian administration of the Peninsula. The captain and podestà of Koper remained the appellate jurisdiction for the four communities and this newly acquired authority slowly spread to all other Venetian centers in Istria. Finally, this office was officially recognized as the main appellate jurisdiction for the entire Venetian Istria and Koper as the region's undisputed capital, the true *metropolis Istriae*: it was the official constitution of the Province of Istria. The modality of passage of the Aquileian *Marchionatus Istrie* ultimately gave birth to the Venetian *Provincia del Istria*.

¹⁰³ 1451 treaty is edited in *CDI*, vol. 4, doc. 1066. For the 1469 imperial diploma see Giulia Ventura, “Sulla costituzione storica dello Stato friulano nel diploma imperiale di riconoscimento della sovranità veneta (1469),” *Ce fastu?* 67 (1991): 189–202.

APPENDIX**Notes on Transcriptions**

Absolutely no interventions to the text regarding word forms and grammar have been made. Modern punctuation has been added, capital letters have been regularized and all the cases of “i lunga” were rendered as an “i” and not a “j.” Letter “u” was rendered as a “v” when standing for a consonant sound. The names and titles written here in angle brackets refer to the proposers and originally stand on the left margin in the manuscript. All roman numerals have been spelled out and all abbreviations have been expanded.

Doc. 1

5.VIII.1421 - Venetian Senate debates the future of the newly conquered strongholds in Istria.

Source: ASV, Senato, Deliberazioni, Secrete, reg. 8, fol. 26r.

Die quinto augusti

<Ser Fantinus Michael, sapiens consilii, ser Laurentinus Bragadinus, sapiens super terris et cetera>

Cum obtinuerimus in partibus Istrie castra Portularum, Pinguenti, et Petre Pilose et dicta castra multum fuerint inimica locis et terris nostris Istrie et bonum sit providere, quod in futurum non possint nocere terris et locis nostris Istrie; vadit pars quod castrum Petre Pilose ruinari debeat, et muri Portularum similiter ruinari debeant et campanile dicte terre ruinari debeat usque ad illam partem que videbitur. Locus autem Pinguenti remanere debeat ad illam conditionem que continetur in infrascripta parte ser Albani Baduario et sociorum.

De parte – 21

<Ser Franciscus Bernardo, sapiens consilii>

Cum faciat de nostro Dominio evitare expensam in quantum fieri potest et sicut notum est, obtinimus castra Portularum, Pinguenti, et Petre Pilose; vadit pars quod castrum Petre Pilose ruinari debeat. De locis autem Portularum et Pinguenti observari debeat, sicut in parte ser Albani Baduario infrascripta et sociorum continetur.

De parte – 4

<Ser Albanus Baduario, ser Marinus Karauello procurator, ser Antonius Contareno procurator, ser Franciscus Fuscari procurator, sapiens consilii, ser Marcus Dandulo, sapiens terrarum et cetera>

Voluit quod locus Petre Pilose non debeat ruinari sed custodiri, quia dictus locus est una bastita castris Portularum et Pinguenti, in quo loco Petre Pilose poni debeat unus sufficiens comestabilis cum pagis duodecim, et quod loca Portularum et Pinguenti non debeant ruinari, sed remaneant in termino, quo sunt ad presens. Verum ordinetur, quod potestas et capitaneus noster Iustinopolis et qui per tempora erunt de anno in annum mittere debeant unum potestatem ex fidelibus nostris Iustinopolis ad quemlibet dictorum locorum, et habeant dicti de Portulis et Pinguenti illas immunitates et observentur eis ille consuetudines quas soliti erant habere quando erant sub ecclesie Aquilegensi, et debeant dicti potestates et capitanei Iustinopolis videre

computum ordinate introitum dictorum locorum, de quibus solvi debeant expense custodie castri Petre Pilose, et habeat potestas Pinguenti libras sexcentas in anno, et potestas Portularum libri quingentas, tenendo illam familiam que videbitur potestati et capitaneo nostro Iustinopolis.

De parte – 54

De non – 4

Non sinceri – 11

Doc. 2

21.V.1423 - Venetian Senate declines the proposal to modify the new governmental system in recently annexed Istrian communities of Dvigrad, Buje, Oprtalj and Buzet.

Source: ASV, Senato, Deliberazioni, Misti, reg. 54, fol. 111r and 111v.

Die supradicto

<Ser Andreas Contareno, ser Georgius Cornario, sapientes terrarum de novo acquisitarum>

Cum ad loca nostra Duorum Castrorum, Bullearum, Portularum et Pinguenti mittantur in potestates de civibus nostris Iustinopolis, qui eliguntur per potestatem et capitaneum nostrum Iustinopolis de tempore in tempus, et multotiens ad ipsa loca mittantur persone insufficientes ad talia non apte ac ipsis comunitatibus non accepte in displicentiam earum, et multe ex ipsis comunitatibus magis contentarentur eligere suos iudices et regere se prout prius facere solebant, dantes nichilominus Dominio nostro id quod dant suis rectoribus; vadit pars quod ut ipse fideles comunitates nostre dare cognoscant benignitatem et clementiam nostram, mandetur potestati et capitaneo nostro Iustinopolis et successoribus suis, quod deinceps sibi non debeant eligere nec mittere ad ipsa loca potestates vel rectores, sed permittant eos fideles nostros in eorum libertate. Et ex nunc captum sit, quod ipsis comitatibus predictis concedatur, quod sit in eorum libertate eligere suos iudices et regendi se prout per antea solebant, vel accipiendi potestates et rectores, ita tamen quod ille comunitates que eligere voluerint suos iudices et regere se ad commune dare debeant et numerare singulo anno camere nostre Iustinopolis tantum quantum dabat rectoribus suis predictis, qui eis mittebantur de Iustinopoli, et illi qui de sententiis per dictos iudices contra eos latis appellare se voluerint, habeant recursum ad nostram capitaneum Paysinaticorum Raspruch cui tales appellationes comittantur. Ille autem comunitates ex predictis que eligere et habere voluerint rectorem, sint in libertate [fol. 111v] sua eligendi et eligant ipsimet de fidelibus nostris terrarum nostrarum Istrie in potestates et rectores suos illos, videlicet qui eis videbuntur, ita tamen quod illi quos elegerint in potestates, confirmentur eis per rectores unde erunt ipsi electi, qui quidem potestates et rectores per ipsos eligendos sint, cum illo salario et conditionibus quibus sunt rectores sui presentes eis missi de Iustinopoli, declarantes quod qui fuerit rector in aliquo ipsorum locorum, non possit reeligi in ipso loco in quo fuerit rector usque ad tres annos tunc sequentes.

De parte – 45

Doc. 3

21.V.1423 - Venetian Senate reaffirms Koper's privilege to elect among their own citizens the rectors of Dvigrad, Buje, Oprtalj and Buzet.

Source: ASV, Senato, Deliberazioni, Misti, reg. 54, fol. 111v.

Die vigesimoprimum maii

<Ser Robertus Mauroceno, ser Fantinus Michael, ser Antonius Contareno procurator, sapientes consilii>

Cum considerata constanti et vera fidelitate nostrorum fidelium subditorum civitatis nostre Iustinopolis, fuerit deliberatum per istud consilium et commissum potestati et capitaneo nostro Iustinopolis et successoribus suis, quod de anno in annum mittere debeant duos ex fidelibus nostris Iustinopolis in potestates locorum nostrorum Pinguenti et Portularum, unum videlicet pro quolibet dictorum locorum, et ulterius etiam fuerit provisum et commissum potestati et capitaneo Iustinopolis, quod mittat unum ex civibus nostris Iustinopolis in rectorem communitatis et hominum Duorum Castrorum de partibus Istrie, et est unum rectorem loci Bullearum, et sit bonum etiam adhibere modum, quod dicti nostri potestates et capitanei Iustinopolis in executione predictae nostre deliberationis eligant et mittant personas idonee conditionis ad factum dictarum potestariarum; vadit pars quod mandetur potestati et capitaneo nostro Iustinopolis et successoribus suis, quod de anno in annum mittere debeant ex dictis nostris fidelibus Iustinopolis potestates predictorum quatuor locorum iuxta mandata nostra sibi commissa, destinando ex his, qui sint de consilio dicte nostre civitatis Iustinopolis, et qui sciant scribere, ut in dictis potestariis proficiantur, et habeantur persone electe et idonee conditionis prout requirit qualitas facti. Ceterum ordinetur, quod qui fuerit uno anno potestas in aliquo ex dictis quatuor locis, non possit usque ad unum alium annum esse potestas alicuius locorum predictorum.

De parte – 68

De non – 1

Non sinceri – 1

Doc. 4

21.II.1432 [1431 m.v.] - Venetian Senate concedes to the commune of Buje the right to be governed by a Venetian noble, elected by the community from among the members of the Great Council.

Source: ASV, Senato, Deliberazioni, Misti, reg. 58, fol. 101v.

1431, die vicesima prima februarum

<Consilium>

Quod concedatur communitati nostre Bullearum iuxta eius humilem supplicationem, quod sicut consuetum erat mitti in potestatem dicte terre unum ex civibus nostris Iustinopolis, et interdum mittebatur per gratiam Domini unus nobilis, ita de cetero dicta communitas possit eligere unum potestatem ex nostris nobilibus Maioris Consilii per duos annos, et qui fuerit potestas duobus annis, non possit eligi ad dictam potestariam nisi transactis quatuor annis secundum formam pretium nostrarum. Et electio que fieret per dictam communitatem de dicto potestate valere non debeat nisi confirmata fuerit per Dominum.

De parte – 87

De non – 15

Non sinceri – 0

Doc. 5

5.IX.1432 - Labin's privilege to elect their own podestàs among the Venetian noblemen is revoked by the Venetian Senate.

Source: ASV, Senato, Deliberazioni, Misti, reg. 58, fol. 147r.

Die quinta septembris

<Ser Laurentius Mudacio, ser Iohannes Longo, ser Filipus Taiapeta, capi de Quaranta>

Cum cives Albone et Flaone in electione potestatis sui fecerint multas novitates et divisiones inter se, ita quod inter eos secute sunt percussiones inter patres et filios et fratres maximo scandalo totius illius comunitatis, et adhuc in hac divisione perseverant occasione huius electionis, et plerique cupientes bene vivere valde desiderant, et petierint de gratia a comite nostro Pole, qui illuc pro sedando et pacificando eos accessit, quod de Venetiis per nostram solitam electionem aliquem ex nostris nobilibus Venetiarum in rectorem dictorum locorum mittere dignemur, et bonum sit complacere predictis qui cupiunt bene vivere, ut obvietur scandalis et novitatibus que in talibus electionibus fieri consueverit; vadit pars quod in primo Maiori Consilio eligi debeat per duas manus electionum unus potestas partis insularum cum salario, utilitatibus et aliis omnibus conditionibus, quibus soliti sunt esse potestates dictorum locorum, et de commissione sua provideatur per Dominium sicut videbitur. Nota quod de mandato Domini positum sint in commissione nobilis viri ser Marci Zancani electi ad suprascriptum regimen Albone et Flaone, quod esset per duos annos et tantum plus quantum eius successor illuc venire distulerit.

De parte – 133

De non – 0

Non sinceri – 0

Doc. 6

15.IV.1442 - The Great Council decrees that several administrative posts will be filled by poorer Venetian noblemen elected by the Venetian Senate for a term of four years.

Source: ASV, Maggior Consiglio, reg. 22, fol. 141r.

Die quindecima aprilis

<Ser Andreas Barbo, ser Lucas Faletro, capi de Quaranta>

Quia sunt multi pauperes nobiles nostri, qui sunt valentes et probi et tantum carent adiuamento nec possunt succurrere necessitatibus suis propter continuas expensas et angarias factionum quas in his guerris sustulerunt, et pro honore nostri Domini sit bonum subvenire dictis nostris nobilibus ut possint vivere sub umbra nostra; vadit pars quod ad infrascriptas castellanias, capitaneos et res eligantur per quatuor manus electionum in Consilio Rogatorum et per quatuor annos de nobilibus nostris, cum illis stipendiis et conditionibus cum quibus sunt illi qui sunt ad presens. Et consiliarii teneantur fieri facere dictas electiones infra duos menses sub pena ducatorum centum

pro quolibet consiliario, exigenda per advocatores comunis.

Castellanus Laurane;

Castellani Vincentie, Leonici, Colonie, Sancti Felicis Verone, Roche Montiffilicis, Garzete Brixie, Roche magne palazoli, Pergami;

Potestas Pinguenti, et Crudignani cum illo salario quod alias habebat nobilis vir quodam ser Donatus de Porto;

Comestabilis Citadelle ladre.

De parte – 469

De non – 56

Non sinceri – 19

In Consilio de Quaranta, die decima februaris 1441.

De parte – 25

De non – 5

Non sinceri – 3

Doc. 7

7.VI.1444 – The Great Council decrees that Venetian noblemen, elected by the Great Council, will be filling the following administrative posts: the rector of Medulin, podestà of Oprtalj, podestà of Dvigrad, treasurer of Kotor, treasurer and castellan of Rab, salt official in Lezhë and salt official in Shkodër.

Source: ASV, Maggior Consiglio, reg. 22, fol. 157v.

Die dicto 1444

<Ser Alexander Baseio, ser Petrus dela Fontana, ser Iohannes de Mulla, capi de Quaranta>

Cum numerus nobilium nostri Maioris Consilii per Dei clementiam valde auctus sit et in dies augeatur, et pro honore nostri Dominii ac pro bono regimine et conservatione terrarum et locorum nostrarum sit providendum, quod in regiminibus et officiis dictarum terrarum et locorum sint ex nostris nobilibus, qui de tempore in temporis mittantur per nostrum maius consilium; vadit pars quod in Dei nomine et in bona gratia eligi debeat in Maiori Consilio per duas manus electionum, et probetur ad unum unus noster nobilis, qui sit rector Medolini per duos annos et tantum plus quantum successoribus suis illuc ire destulerint, habeat de salario in anno et ratione anni id quod habet potestas nostri Adignani ab illa comunitate Medolini et regalias, et duceat secum illam familiam et equos quos tenet et habet potestas nostri Adignani, remanentibus villis que faciunt angarias cum dicto loco suppositis cum eodem loco.

Item eligatur in Maiori Consilio per modum et tempus predictum unus noster nobilis, qui sit potestas Portularum, habeat de salario in anno et ratione anni id quod habet ille, qui est ibi ad presens quod salarium recipiat, et habeat unde habet potestas qui ibi est, et habeat ac teneat illam familiam quam tenet potestas predictis qui est ibi. Et hoc fieri debeat postquam vir nobilis ser Iohannes Quirino cui concessum est dictum regimen per annos quinque compleverit.

Item simili modo eligatur in Maiori Consilio per modum et tempus predictum unus noster nobilis, qui sit potestas ad Duo Castella Istrie, habeat de salario in anno et ratione anni id quod habet potestas, qui ibi est ad presens, cum

omnibus aliis conditionibus ut superius dicitur de potestate Portularum.
Item eligatur in Maiori Consilio per modum et tempus predictum unus noster nobilis, qui sit camerarius Catari, habeat de salario in anno et ratione anni libris mille, tenendo unum famulum ab annis quattuordecim super suis expensis, recipiat salarium suum ab illa camera.

Item simili modo eligatur in Maiori Consilio per modum et tempus predictum unus noster nobilis, qui sit camerarius et castellanus in Arbo, habeat de salario libris mille in anno et ratione anni, habeat quod est partem contrabanorum et penarum, sicut habet rector. Qui rector tenere debeat unum scontrum cum camerario predicto de omnibus intratis, tenendo unum famulum de annis quattuordecim supra suis salario et expensis, recipiat salarium suum ab illa camera, remanentibus cassis Barberio qui exigit trentesimum et castellano [...] ¹⁰⁴

Item eligatur in Maiori Consilio per annos quatuor unus noster nobilis, qui sit salinarius Scutari, cum salario et utilitatibus illius qui ibi est ad presens, recipiat salarium suum ab illa camera nostra.

Item simili modo eligatur in Maiori Consilio per annos quatuor unus noster nobilis, qui sit salinarius in Alexio, cum salario et utilitatibus illius qui ibi est ad presens, recipiant salarium suum ab illa camera nostra.

De parte – 468

De non – 85

Non sinceri – 40

Doc. 8

30.VIII.1458 – The Council of Ten decrees that, based on old privileges, Dvigrad's podestà will no longer be elected in Venice, but in Koper from among the city's councilmen.

Source: ASV, Consiglio di Dieci, Deliberazioni miste, reg. 15, fol. 159v.

Die tricesima augusti

Quod auctoritate huius consilii scribatur et mandetur potestati et capitaneo Iustinopolis, quod pro observatione privilegii comunitatis Duorum Castellorum, et pro observatione partis capte in isto consilio 1444, quod potestas qui ad presens ibi est compleverit regimen, mittere debeat ad regiminem illius loci unum ex civibus de consilio Iustinopolis cum salario, quod sibi limitatum est per privilegium suum, et id plus salarii quod dabatur nostro nobile de pecunia nostri Domini, retineat in nostrum comune. Et de cetero non eligatur hic potestas dicti loci Duorum Castellorum pro observatione privilegii sui.

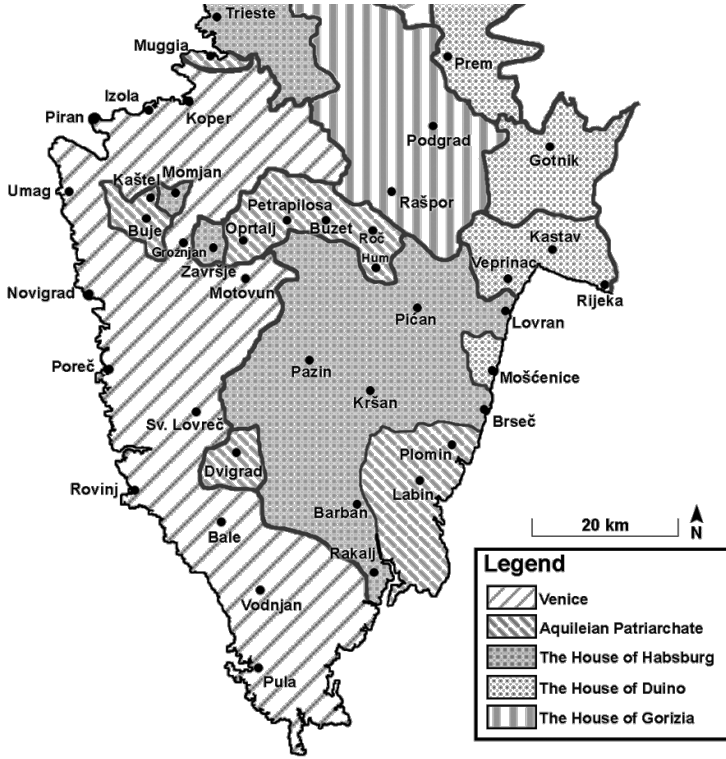
De parte omnes – 17

De non – 0

Non sinceri – 0

¹⁰⁴ The sentence is left unfinished.

Map 1. Jurisdictional map of Istria around 1382, after the War of Chioggia and before the Venetian takeover of the Patriarchate of Aquileia (1412-1421)



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List of Mapped Toponyms according to Jurisdictional Subregions

Venice

Koper (Ital. Capodistria)
 Izola (Ital. Isola)
 Piran (Ital. Pirano)
 Umag (Ital. Umago)
 Novigrad (Ital. Cittanova)
 Grožnjan (Ital. Grisignana)
 Motovun (Ital. Montona)
 Poreč (Ital. Parenzo)
 Sv. Lovreč (Ital. San Lorenzo)
 Rovinj (Ital. Rovigno)
 Bale (Ital. Valle)
 Vodnjan (Ital. Dignano)
 Pula (Ital. Pola)

Aquileian Patriarchate

Muggia (Slo./Cro. Milje)

Kaštel (Ital. Castelvenero) - enfeoffed to Francis, the son of late Peter Marcello from Venice (confirmed by the pope in 1396), disputed by both Piran and Buje, following the Venetian takeover of Buje, Kaštel was officially recognized as belonging to Piran (1425, confirmed by Venice several times and finally in 1463).

Buje (Ital. Buie)

Oprtalj (Ital. Portole)

Petrapilosa (Ital. Pietrapelosa)

Buzet (Ital. Pinguente)

Roč (Ital. Roccio)

Hum (Ital. Colmo)

Dvigrad (Ital. Due Castelli)

Labin (Ital. Albona)

Plomin (Ital. Fianona)

} The Margraviate of Istria

The House of Habsburg

Trieste (Slo./Cro. Trst) - Acquired in 1382

Momjan (Ital. Momiano)

Završje (Ital. Piemonte)

Pičan (Ital. Pedena)

Lovran (Ital. Lourana)

Pazin (Ital. Pisino)

Kršan (Ital. Chersano)

Brseč (Ital. Bersezio)

Barban (Ital. Barbana)

Rakalj (Ital. Castelnuovo d'Arsa)

} The County of Istria (*Grafschaft Isterreich*), pledged to Hugo VIII of Duino in 1380 for 8000 pounds of pfennigs.

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The House of Duino

Prem (Ital. Primano)

Gotnik (Germ. Guettenegg)

Kastav (Ital. Castua)

Rijeka (Ital. Fiume)

Veprinac (Ital. Apriano)

Mošćenice (Ital. Moschiena)

The House of Gorizia

Podgrad (Ital. Castelnuovo)

Rašpor (Ital. Raspo) - pledged to Venice in 1394 and finally sold in 1402 for 20 000 golden ducats

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