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Political Expressions of Pragmatic Literacy in Thirteenth-Century Trogir: A Sketch for a Portrait**

The author analyses the crucial factors in the development of pragmatic literacy in thirteenth-century Trogir, which is associated with significant transformations of the communal political and social order, primarily the increasing power of the municipal government at the expense of episcopal authority. Accumulation of power in the hands of not so many urban families resulted in the growing need to (re)define the position of communal institutions in relation to the external (the king, the Croatian nobility, Venice) and internal (the bishop, the contending factions) centres of power and other members of the local community. Greater reliance of the local political elite on the written word as a means to shape and maintain a desirable social order was becoming increasingly pronounced in this context. Hence, the paper regards the development of pragmatic literacy in thirteenth-century Trogir as one of the major pillars in configuring new government institutions and power relations, which is then associated with the creation of the first city statute, professionalization of the chancery, and transition from charters to notarial, court, council, and other communal registers.

Keywords: pragmatic literacy, power relations, medieval communes, Trogir, Middle Ages, thirteenth century

Introduction

The development of medieval literacy is one of those topics that have always been of interest to medievalists, its outcome being a huge body of scholarship including

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specific case studies, general surveys, and complex theoretical and methodological discussions. Accordingly, there are different views on what literacy meant to medieval people and what its purpose was in medieval societies, one of the most prominent approaches to medieval literacy being the study of its development from the perspective of power relations and building authority. Regardless of the different approaches, the notion of what is usually called medieval “pragmatic literacy” has long since taken root in historiography, although we cannot say its use has become universal.

Considering the great number of relevant studies on theoretical concepts and methodological approaches to medieval pragmatic literacy, these questions will not be discussed here.¹ The aim of this article is to examine the circumstances that influenced the development of pragmatic literacy in thirteenth-century Dalmatian cities, adding a few small pieces of knowledge to the overall global discussions on European pragmatic literacy in the Middle Ages. Putting it the other way around, the aim is to critically examine the accepted general approaches to medieval pragmatic literacy and the macro-historical models of its development on the example of a particular region and a particular local community. With that in mind, the article will not focus on listing different types of written documentation whose emergence in the thirteenth century fits into the already existing and predominantly factual local scholarship on pragmatic literacy in Dalmatian communes; instead, it will try to answer the question of what sparked the unprecedented increase in the quantity and diversity of written documentation in those cities throughout that same century. In order to do that, the discussion

¹ The relevant scholarship on medieval pragmatic literacy is so vast that it simply makes no sense to cite it all, nor is it necessary. Several important and relevant works with further bibliography include: Hagen Keller, Klaus Grubmüller, Nikolaus Staubach, eds., *Pragmatische Schriftlichkeit im Mittelalter. Erscheinungsformen und Entwicklungsstufen (Akten des Internationalen Kolloquiums 17.-19. Mai 1989)* (Munich: Wilhelm Fink Verlag, 1992); Richard Britnell, ed., *Pragmatic Literacy, East and West, 1200-1330* (Woodbridge: The Boydell Press, 1997); Anna Adamska, Marco Mostert, eds., *The Development of Literate Mentalities in East Central Europe* (Turnhout: Brepols, 2004); Christoph Dartmann, Thomas Scharff, Christoph Friedrich Weber, eds., *Zwischen Pragmatik und Performanz: Dimensionen mittelalterlicher Schriftkultur* (Turnhout: Brepols, 2011); Helen Lacey, “Pragmatic Literacy and Political Consciousness in Later Medieval England”, *Cahiers électroniques d’histoire textuelle du LaMOP* 5 (2012): 38-70; Isabella Lazzarini, “De la ‘révolution scripturaire’ du Duecento à la fin du Moyen Âge: pratiques documentaires et analyses historiographiques en Italie”, *Cahiers électroniques d’histoire textuelle du LaMOP* 5 (2012): 72-101; Michael T. Clanchy, *From Memory to Written Record: England 1066-1307* (Chichester: Wiley-Blackwell, 2013); Marco Mostert, Anna Adamska (eds.), *Writing and the Administration of Medieval Towns, Medieval Urban Literacy I* (Turnhout: Brepols, 2014); Katalin Szende, *Trust, Authority, and the Written Word in the Royal Towns of Medieval Hungary* (Turnhout: Brepols 2018). Exhaustive bibliography for consideration of these issues can be found in: Marco Mostert, “A Bibliography of Works on Medieval Communication”, in: *New Approaches to Medieval Communication*, ed. Marco Mostert (Turnhout: Brepols, 1999), 193-297; Mirjana Matijević Sokol, “Political and Practical Literacy”, in: *The Routledge Handbook of East Central and Eastern Europe in the Middle Ages, 500-1300*, ed. Florin Curta (London; New York: Routledge, 2022), 409-424.

will focus entirely on Trogir as a commune with a well defined body of empirical evidence, i.e. relatively well preserved thirteenth-century written traces of the past in comparison to other Dalmatian cities. The main conclusions reached are, however, directly applicable to all Dalmatian cities of the time, the only possible differences being in the dynamics of the whole development.

We should also note that the article will not pay attention to periods before the thirteenth century, and that its focus is not on the relationship between orality and literacy. Nella Lonza has already made an excellent attempt at systematizing this important issue for Dalmatian cities before the thirteenth century, analysing it through the development of legal culture and drawing conclusions from the fragmentarily preserved written sources.² More detailed case studies concerning Dalmatian cities before the thirteenth century are simply not possible, because it is only from that century that a slightly larger number of written sources is extant, and that was the time when written culture has already begun to take precedence over the oral one. Needless to say, this does not mean that the rapid rise of pragmatic literacy and the development of literate mentalities during the thirteenth century led to a definitive or dramatic break with oral culture. The thirteenth century was indeed a turning point in the relationship between orality and literacy in the European context. It was a period in which the written word caught up with oral culture and took over the social organization that had been relying predominantly on oral forms of memory and communication from the earliest centuries of the Middle Ages. But the oral forms of communication have not since become redundant. The written word was becoming the main carrier of communication in Europe, especially in the cities, but the functioning of societies was still relying heavily on oral tradition.³ Written documentation, especially that of administrative nature, was mainly an outcome of oral communication and always adapted to the requirements of particular groups or individuals. In addition, oral culture could never completely disappear from the social fabric of medieval societies. Even if a community could be labelled as literate (in terms of developing literate mentalities, more on that below), the majority of the population was still illiterate, and that is why auditory and visual rituals or procedures still occupied an important place within the system of communication.⁴

² Nella Lonza, "Pravna kultura srednjovjekovne Dalmacije između usmenosti i pismenosti", *Zbornik Pravnog fakulteta u Zagrebu* 63 (2013), no. 5-6: 1203-1232.

³ Cf. Brian Stock, *The Implications of Literacy: Written Language and Models of Interpretation in the Eleventh and Twelfth Centuries* (New Jersey: Princeton University Press, 1983), 3; Hagen Keller, "Gli statuti dell'Italia settentrionale come testimonianza e fonte per il processo di affermazione della scrittura nei secoli XII e XIII", in: *Le scritture del comune. Amministrazione e memoria nelle città dei secoli XII e XIII*, ed. Giuliana Albin (Turin: Scriptorium, 1998), 31.

⁴ Cf. Lonza, "Pravna kultura", 1212 and *passim*; Clanchy, *From Memory to Written Record*, 255-280; Marco Mostert, Paul S. Barnwell, eds., *Medieval Legal Process: Physical, Spoken and Written Performance in the Middle Ages* (Turnhout: Brepols, 2011); Martyn Rady, "Literacy, Performance and

With all this in mind, the article opens with a brief overview of the development of pragmatic literacy in thirteenth-century Europe and Dalmatian cities. Its development in Dalmatia was completely consistent with general European trends, but it cannot be pursued in greater detail due to the scarcely preserved written sources from the thirteenth century. An exception to this is Trogir, and the next chapter is completely dedicated to the development of its pragmatic literacy during the thirteenth century, with close attention to several types of communal writings (the statute, registers of notarial and court records, register of the council decisions) and the factors influencing their (re)shaping.

Pragmatic and structured literacy

At the broadest level, the phrase “pragmatic literacy” indicates its utilitarian value for individuals and various groups, mainly connected to shaping power relations and memorizing all sorts of things considered important.⁵ By creating and keeping different types of written records, the authorities sought to influence the moulding and propagation of a desirable social order, while individuals at lower strata of society were mainly trying to acquire a certain degree of legal protection. The notion of pragmatic literacy is directly opposite to “discursive literacy”, i.e. the ability to wage arguments through religious, historical, or any other texts.⁶ Since discursive literacy did not truly mature until the Early Modern Period, pragmatic literacy was the backbone of the development of European “literate mentalities” in the Middle Ages, another phrase coined by historians to explain the social and cultural transformations that gradually became some of the essential features of European history. It signifies the development of social knowledge by which the functioning of societies almost “naturally” relied on the written word, i.e. by which written communication became so embedded into the “social code” of communities that it began to be taken for granted and grew into a daily routine.⁷ Crucial to a comprehensive understanding of literacy in

Memory: The Áldomás (Trankopfer) in Medieval and Early Modern Hungary and Transylvania”, *Anuarul Institutului de Istorie George Baritiu* 54 (2015): 365-375; Dartmann, Scharff, Weber, eds., *Zwischen Pragmatik und Performanz*; Tomislav Popić, *Krojenje pravde: zadarsko sudstvo u srednjem vijeku (1358.-1458.)* (Zagreb: Plejada, 2014), 87-89, 123-124, 127, 152-154.

⁵ Cf. with additional explanations and views: Anna Adamska, “The Study of Medieval Literacy: Old Sources, New Ideas”, in: *The Development of Literate Mentalities in East Central Europe*, eds. Anna Adamska, Marco Mostert (Turnhout: Brepols, 2004), 13-47; Richard Britnell, “Pragmatic Literacy in Latin Christendom”, in: Richard Britnell (ed.), *Pragmatic Literacy, East and West, 1200-1330* (Woodbridge: The Boydell Press, 1997), 3-24.

⁶ For the notion of discursive literacy see: Michael Mann, *The Sources of Social Power*, Vol. 2: *The Rise of Classes and Nation-States, 1760-1914* (New York: Cambridge University Press, 1993).

⁷ Social knowledge can be defined as “the main element through which everyday reality is manifested and experienced, a key mechanism through which members of society ordinarily accept different institutions without even questioning their legitimacy”. See: Tomislav Popić, “Oblikovanje srednjo-

medieval contexts is that the development of pragmatic literacy and literate mentalities did not necessarily include proliferation of people who could read and write. The functional component of pragmatic literacy in the Middle Ages was inherent to entire societies, ranging from individuals to communities as a whole. As Franz H. Bäuml has put it quite clearly: “At all levels of society, the majority of the population of Europe between the fourth and the fifteenth centuries was, in some sense, illiterate. Yet medieval civilization was a literate civilization...”⁸

European pragmatic literacy burst into flame during the thirteenth century, but even before that it was at least smouldering. In fact, literacy always had pragmatic roots, and so was the case in the early Middle Ages as well, when we notice the development of literacy aimed at (re)configuring desirable power relations among the dominant ecclesiastical and secular groups.⁹ But during the thirteenth century, pragmatic literacy took on a whole new dimension, which can in short be described as the *Big Bang* and which resulted in an unprecedented increase in the quantity and diversity of written documentation. Pragmatic literacy became more present in the daily life of thirteenth-century communities and proved to be one of the key mechanisms of political control and the configuration of social orders in a world that had been seriously changing in all aspects since the second half of the eleventh century. This is especially true of medieval cities, which were becoming the flywheels of various social transformations. But it was not only the explosion of the quantity and diversity of written documentation that was significant. The most important transformation brought about by the political and social circumstances of the thirteenth century was a drastic change in the way written documents were used on one hand, and a radical change in their organization and structure through what is commonly referred to as the transition “from charters to registers” on the other.¹⁰ Regarding this, historiography also speaks of the development of “structured literacy”, which Mladen Ančić has appropriately described as a “system of written communication in administra-

vjekovne stvarnosti – sociologija znanja i povijest”, *Povijesni prilozi* 26 (2007), no. 33: 240. This definition relies entirely on: Peter L. Berger, Thomas Luckmann, *The Social Construction of Reality: A Treatise in the Sociology of Knowledge* (New York: Anchor Books, 1966).

⁸ Franz H. Bäuml, “Varieties and Consequences of Medieval Literacy and Illiteracy”, *Speculum* 55 (1980), no. 2: 237.

⁹ See, e.g.: Rosamond McKitterick, ed., *The Uses of Literacy in Early Medieval Europe* (Cambridge: Cambridge University Press, 1990); Anna Adamska, “The Introduction of Writing in Central Europe (Poland, Hungary and Bohemia),” in: *New Approaches to Medieval Communication*, ed. Marco Mostert (Turnhout: Brepols, 1999), 165-190; Lonza, “Pravna kultura”, 1213-1214.

¹⁰ See, e.g.: Thomas Behrmann, “Von der Sentenz zur Akte. Beobachtungen zur Entwicklung des Prozeßschriftgutes in Mailand”, in: *Kommunales Schriftgut in Oberitalien: Formen, Funktionen, Überlieferung*, eds. Hagen Keller, Thomas Behrmann (Munich: Wilhelm Fink Verlag, 1995), 71-90; Keller, “Gli statuti dell’Italia settentrionale”, 26-28; Christoph Dartmann, “Writing and Political Communication in Italian City Communes”, in: *Medieval Legal Process: Physical, Spoken and Written Performance in the Middle Ages*, eds. Marco Mostert, Paul S. Barnwell (Turnhout: Brepols, 2011), 199-203; Szende, *Trust, Authority and the Written Word*, 121-201.

tion and organization of social memory, aimed at constructing and configuring power and social order”.¹¹

As suggested above, the development of pragmatic and structured literacy in thirteenth-century Europe was linked to a series of social phenomena that had begun to intertwine even before that time. The most important of them was related to the configuration of social orders and to maintaining power, i.e. the fact that the dominant groups were beginning to rely more heavily on the written word as an instrument of political control. The ruling groups of medieval Europe were quick to grasp the benefits of written traces of various activities, because they allowed better control over human and material resources, making them a sort of documentary resources as well. Non-literate societies have a much smaller capacity to store information and knowledge, which is achieved through songs, stories, epics, myths, or rituals. Literacy and the creation of more or less developed systems for the written memorization of practical knowledge thus offered more possibilities to store information relevant to the authorities, along with their more complex organization and easier utilization.¹² This is why records that express the power of dominant groups and store knowledge on jurisdictional spheres, records of fiscal nature (incomes, expenses, taxes, etc.), and those that testify to the military capabilities of societies most often first appear in those communities that strive to memorize human activities in writing.¹³ And that is precisely why various conquerors were often demolishing archives by burning or stealing written documentation in order to secure their power. Destroying the archives was one of the prerequisites for the collapse of the existing social order. It was tying the local populations to their new masters, who were then to create new forms of domination through political, jurisdictional, social, property, or any other relations. For example, a lot less written documentation is extant today from medieval Slavonia, Bosnia, and the deep hinterland of the Eastern Adriatic than from the Dalmatian cities themselves, because

¹¹ Mladen Ančić, “Dva teksta iz sredine 14. stoljeća. Prilog poznavanju ‘društvenog znanja’ u Hrvatskom Kraljevstvu”, *Starohrvatska prosvjeta* 3 (2013), no. 40: 156. Cf. László Veszprémy, “The Birth of a Structured Literacy in Hungary”, in: *The Development of Literate Mentalities in East Central Europe*, eds. Anna Adamska, Marco Mostert (Turnhout: Brepols, 2004), 161-181.

¹² On the oral forms of memory storage and their relationship to the written ones, see: Jack Goody, Ian Watt, “The Consequences of Literacy”, in: *Literacy in Traditional Societies*, ed. Jack Goody (Cambridge: Cambridge University Press, 1968), 28-34; Jack Goody, *The Interface Between the Written and the Oral* (Cambridge: Cambridge University Press, 1993); Jack Goody, *Myth, Ritual and the Oral* (Cambridge: Cambridge University Press, 2012). As it goes beyond the scope of this study, we can just briefly mention that the great potential for storing relevant information in writing, which enables the establishment and maintenance of power relations, is one of the main reasons why certain communities try to escape the expansion of literacy in any way possible. See: James C. Scott, *The Art of Not Being Governed: The Anarchist History of Upland Southeast Asia* (New Haven, London: Yale University Press, 2009), 220-237.

¹³ For more on that in a diachronic perspective see: Jack Goody, *The Logic of Writing and the Organization of Society* (Cambridge: Cambridge University Press, 1986), 87-99. Cf. James C. Scott, *Seeing Like a State: How Certain Schemes to Improve the Human Condition Have Failed* (New Haven; London: Yale University Press, 1998), 22-23.

the majority of the written records from the areas just mentioned were destroyed by the Ottomans from the fifteenth century onward. On the contrary, Dalmatian cities were never subjected to the Ottoman rule.¹⁴ And taking only those cities into consideration, a lot less official late medieval communal records, such as registers of councils decisions, criminal courts records, etc., survived from all of the Dalmatian cities as opposed to Dubrovnik. And that is directly connected to the fact that Dubrovnik was never subjected to the Venetian rule from the fifteenth century onwards, unlike all other Dalmatian cities. Pragmatic literacy also enabled the horizontal control of society by reducing the possibilities of misconduct by the political elite and government officials.¹⁵ This aspect is particularly evident in the proliferation of financial documentation, i.e. records of the revenues and expenses of various public officials, but is also discernible from other types of administrative records, which were, among other things, facilitating the public officials' supervision to ensure regular operation of institutions.

The development of pragmatic literacy did not go hand in hand with the dominant groups alone; it served all strata of society, which is also confirmed by the growing number of studies that are tying the spread of pragmatic literacy with the development of trust in government institutions.¹⁶ When we leave the circle of the ruling classes, we are making our way into the field of a vast majority of the population where pragmatic literacy also began to take deeper roots during the thirteenth century. The second set of factors influencing the dizzying rise of thirteenth-century European pragmatic literacy is thus connected to the growth of population, cities, trade, and banking, which is just an extension of changes initiated in previous centuries.¹⁷ On top of that, the second half of the twelfth

¹⁴ Cf. Mladen Ančić, "Knin u razvijenom i kasnom srednjem vijeku", *Radovi Zavoda za povijesne znanosti HAZU u Zadru* 38 (1996): 55-56; Mladen Ančić, "Kasnorednjovjekovni Stolac", *Povijesni prilozi* 24 (2005), no. 29: 41-42.

¹⁵ Britnell, "Pragmatic Literacy in Latin Christendom", 4.

¹⁶ See, e.g.: Susan Reynolds, "Trust in Medieval Societies and Politics", in: Susan Reynolds, *The Middle Ages Without Feudalism: Essays in Criticism and Comparison on the Medieval West* (London, New York: Routledge, 2017), 1-15; Geoffrey Hosking, *Trust: A History* (Oxford: Oxford University Press, 2014); Ian Forrest, *Trustworthy Men: How Inequality and Faith Made the Medieval Church* (Princeton: Princeton University Press, 2018); Szende, *Trust, Authority, and the Written Word*; Petra Vručina, "The Role of Trust in Administering the Incomes of the Zagreb Chapter in the Late Middle Ages", *Annual of Medieval Studies at CEU* 27 (2021): 129-143.

¹⁷ See: Robert S. Lopez, *The Commercial Revolution of the Middle Ages 950-1350* (Cambridge: Cambridge University Press, 1976); Robert S. Lopez, "The Trade of Medieval Europe: the South", in: *The Cambridge Economic History of Europe, Vol. II: Trade and Industry in the Middle Ages*, eds. Michael M. Postan, Edward Miller (Cambridge: Cambridge University Press, 1987), 306-401; Peter Spufford, *Money and Its Use in Medieval Europe* (Cambridge: Cambridge University Press, 1988); Derek Keene, "Towns and the Growth of Trade", in: *The New Cambridge Medieval History, Vol. IV: c. 1024 - c. 1198*, eds. David Luscombe, Jonathan Riley-Smith (Cambridge: Cambridge University Press, 2004), 47-85; Alma Poloni, "Italian Communal Cities and the Thirteenth-Century Commercial Revolution: Economic Change, Social Mobility and Cultural Models", in: *Social Mobility in Medieval Italy (1100-1500)*, eds. Sandro Carocci, Isabella Lazzarini (Rome: Viella, 2018), 353-371.

century was a period of initial flourishing of European universities, which were becoming nurseries of legal culture.¹⁸ The broad-based transformations of law initiated in that century would spill over into the thirteenth and fourteenth centuries, with jurists continuing to discuss and resolve various problems stemming from political, social, and economic changes. Some of those issues were theoretical in nature, but a great deal of them originated in the practice of the courts. With that in mind, the second half of the twelfth century was also a period of initial transformations of the court procedure towards a new type of proceedings usually called the Roman-canonical procedure. This type of procedure was characterized by predefined rules of conduct, use of rational evidence, and the principle of literacy (only what is written in the court records becomes relevant for reaching the verdict).¹⁹ The gradual introduction and evolution of Roman-canonical procedure in ecclesiastical and secular courts also influenced the spread of pragmatic literacy to some extent. The establishment of court proceedings that were based on examination of rational evidence (documents and written witness depositions), along with a growing trend of institutional settlement of disputes, had an impact on the general growth of utilitarian value of written documentation. Little by little, the production, management, use, consulting, and safe-keeping of documents was becoming the *modus operandi* of courts, but also the *modus vivendi* of people, who were adapting to it and beginning to take more care of protecting their interests in writing.

One of the major consequences of the increasingly complex development of pragmatic literacy in the thirteenth century, at least in the cities, was the ever-growing need of communities for notaries and chancellors, masters of the quill who were developing their skills of converting spoken words into refined texts of nu-

¹⁸ See: Manlio Bellomo, *The Common Legal Past of Europe 1000-1800* (Washington: The Catholic University of America Press, 1995), 55-148; Robert N. Swanson, *The Twelfth-Century Renaissance* (Manchester: Manchester University Press, 1999), 12-39, 66-102; Paolo Grossi, *L'ordine giuridico medievale* (Rome; Bari: Laterza 1999); James A. Brundage, *The Medieval Origins of the Legal Profession: Canonists, Civilians, and Courts* (Chicago; London: The University of Chicago Press, 2008), 75-125, 219-282; James A. Brundage, *Medieval Canon Law* (London; New York: Routledge, 2013), 44-119, 154-174; Susan Reynolds, "The Emergence of Professional Law in the Long Twelfth Century", in: Susan Reynolds, *The Middle Ages Without Feudalism: Essays in Criticism and Comparison on the Medieval West* (London; New York: Routledge, 2017), 347-366.

¹⁹ For the development of court procedure and evidence in the Middle Ages, see: Arthur Engelmann, *History of Continental Civil Procedure, Continental Legal History Series*, Vol. 7 (Boston: Little Brown & Co., 1927), 269-332; Mauro Cappelletti, Joseph M. Perillo, *Civil Procedure in Italy* (The Hague: Springer, 1965); Raoul C. van Caenegem, *An Historical Introduction to Private Law* (New York: Cambridge University Press, 1996), 105-107; Daniel Lord Smail, *The Consumption of Justice: Emotions, Publicity, and Legal Culture in Marseille, 1264-1423* (Ithaca; London: Cornell University Press, 2003), 42-72; Mario Ascheri, *The Laws of Late Medieval Italy (1000-1500): Foundations for a European Legal System* (Leiden; Boston: Brill, 2013), 226-234; Brundage, *Medieval Canon Law*, 120-153; Wilfried Hartmann, Kenneth Pennington, eds., *The History of Courts and Procedure in Medieval Canon Law* (Washington: The Catholic University of America Press, 2016).

merous forms for various clients and purposes at notary schools and chanceries of ecclesiastical and secular administrations.²⁰ Although to some extent exaggerated, one of the facts that best illustrates the ultimate scope of thirteenth-century pragmatic literacy is a statement of the Milan teacher Bonvesin de la Riva, who estimated that more than 1,500 notaries and 40 copyists were working in Milan alone in 1288.²¹ The overall increase in the volume and variety of written documentation, which was the end result of all the changes mentioned so far, was accompanied by significant innovations in the form of records and their organization into separate books or registers, which enabled easier navigation and faster browsing on the one hand, and was an expression of the new language of power on the other.²²

Eastern Adriatic cities

The development of pragmatic literacy as one of the essential components of political and social life in Eastern Adriatic cities was in full agreement with general

²⁰ For the development of notarial institution and the professionalization of municipal chanceries, see: Gianfranco Orlandelli, "Genesi dell' 'ars notariae' nel secolo XIII", *Studi medievali*, series 3, 6/2 (1965): 329-366; Paolo Cammarosano, *Italia medievale. Struttura e geografia delle fonti scritte* (Rome: La Nuova Italia Scientifica, 1991), 267-276; Gian Giacomo Fissore, "Alle origini del documento comunale: i rapporti fra i notai e l'istituzione", in: *Le scritture del comune. Amministrazione e memoria nelle città dei secoli XII e XIII*, ed. Giuliana Albini (Turin: Scriptorium, 1998); Giorgio Tamba, *Una corporazione per il potere. Il notariato a Bologna in età comunale* (Bologna: Clueb, 1998); Massimo Giansante, "I notai bolognesi in età comunale. Tra cultura letteraria e impegno ideologico", *I quaderni del m.a.e.s.* 3 (2000): 65-88; Attilio Bartoli Langeli, "Il notariato", in: *Genova, Venezia, il Levante nei secoli XII-XIV*, eds. Gherardo Ortalli, Dino Puncuh (Genoa: Società Ligure di Storia Patria, 2001), 73-101; Brian R. Carniello, "The Rise of an Administrative Elite in Medieval Bologna: Notaries and Popular Government, 1282-1292", *Journal of Medieval History* 28 (2002): 319-347; Enrico Artifoni, "I governi di 'popolo' e le istituzioni comunali nella seconda metà del secolo XIII", *Reti Medievali Rivista* 4 (2003), no. 2: 1-20; Attilio Bartoli Langeli, *Notai. Scrivere documenti nell'Italia medievale* (Rome: Viella, 2006).

²¹ Quoted by: Thomas Behrmann, "The Development of Pragmatic Literacy in the Lombard City Communes", in: Richard Britnell, ed., *Pragmatic Literacy, East and West, 1200-1330* (Woodbridge: The Boydell Press, 1997), 25.

²² Britnell, "Pragmatic Literacy in Latin Christendom", 5; Isabella Lazzarini, "Records, Politics and Diplomacy: Secretaries and Chanceries in Renaissance Italy (1350 – c. 1520)", in: *Secretaries and Statecraft in the Early Modern World*, ed. Paul M. Dover (Edinburgh: Edinburgh University Press, 2016), 16-36. Innovations in the form of different records were then beginning to be summarized in a new type of previously unknown texts – notarial manuals that offered templates for compiling diverse public and private documents for various institutions and individuals. See: Linda Fowler-Magerl, *Ordines iudicarii and Libelli de ordine iudiciorum (From the Middle of the Twelfth to the End of the Fifteenth Century)* (Turnhout: Brepols, 1994); Antonio Padoa Schioppa, "Profili del processo civile nella Summa artis notariae di Rolandino", in: *Rolandino e l'ars notaria da Bologna all'Europa*, ed. Giorgio Tamba (Milan: Giuffrè, 2002), 585-609; Kenneth Pennington, "The Jurisprudence of Procedure", in: *The History of Courts and Procedure in Medieval Canon Law*, eds. Wilfried Hartmann, Kenneth Pennington (Washington: The Catholic University of America Press, 2016), 125-159.

European trends, especially those of Italian political, social, and cultural background. The significant rise of pragmatic literacy in these cities can be traced from the middle of the thirteenth century, when the first city statutes and registers of various communal records began to emerge. Before the mid-thirteenth century, only rare fragments of written documentation survive, such as individual charters, sentences, and provisions, but even they testify to the utilitarian nature of literacy and show that the municipal authorities began to entrust the making of public and private documents to members of the local clergy at least from the second half of the twelfth century. Decline of the bishop's position in thirteenth-century Dalmatian cities and appropriation of power by the corporation of the commune, which was the embodiment of urban nobility, changed this practice entirely, and professional notaries, mostly from Italy, began to be appointed as communal chancellors. The secularization and professionalization of the communal chancery in Split, for example, is noticeable from the 1240s, in Trogir from the 1260s, in Dubrovnik from the 1270s, and in Zadar roughly during the second half of the thirteenth century.²³ On the other hand, in cities with a still persisting influence of bishops in municipal affairs, the notaries were still mostly clerics.²⁴

Accumulation of power in the hands of urban nobilities and their promotion into a sole secular authority in the cities was accompanied by the creation of the first statutes, which became one of the key mechanisms in (re)shaping a desirable social order. Only the statutes of Korčula (1265) and Dubrovnik (1272) survive from the thirteenth century, but the first statutory collections in most of the other Eastern Adriatic cities were also formed at that time (those of Rab, Zadar, Šibenik, Trogir, Split, and Brač for sure, and probably the Skradin statute as well).²⁵ The smaller number of surviving statutes from the thirteenth century,

²³ See: Gregor Čremošnik, "Dubrovačka kancelarija do godine 1300. i najstarije knjige dubrovačke arhive", *Glasnik Zemaljskog muzeja Bosne i Hercegovine* 39 (1927): 231-232; Stipišić, "Razvoj splitske notarske kancelarije", 119-120; Branka Grbavac, "Notari kao posrednici između Italije i Dalmacije – studije, službe, seobe između dvije obale Jadrana", *Acta Histriae* 16 (2008), no. 4: 508-510; Branka Grbavac, "Notarijat na istočnojadranskoj obali od druge polovine 12. do kraja 14. stoljeća" (Phd dissertation, University of Zagreb, 2010), 11-33; Francesco Bettarini, "Il notariato dalmata e la 'Santa Intrada'", in: *Venezia e Dalmazia*, eds. Uwe Israel, Oliver Jens Schmitt (Rome; Venice: Viella, 2013), 114-117; Branka Grbavac, "The Professional Formation of Public Notaries in Dalmatia", in: *Writing and the Administration of Medieval Towns, Medieval Urban Literacy I*, eds. Marco Mostert, Anna Adamska (Turnhout: Brepols, 2014), 292-293.

²⁴ Grbavac, "The Professional Formation", 293.

²⁵ Ivan Beuc, "Statut zadarske komune iz 1305. godine", *Vjesnik Državnog arhiva u Rijeci* 2 (1954): 545-549 (with a note that the charter from 1260 to which the author refers, claiming it to contain the oldest mention of the Zadar statute, actually comes from 1360); Lujo Margetić, "Rapski protostatut iz 1234. godine", *Vjesnik Povijesnog arhiva Rijeka* 38 (1996): 105-117; Mirjana Matijević Sokol, "Od kapitulara Gargana de Arcindisa do Percevalova statuta", in: *Splitski statut iz 1312. godine: povijest i pravo*, eds. Željko Radić, Marko Trogrlić, Massimo Meccarelli, Ludwig Steindorff (Split: Književni

not only in Dalmatia, but in Italy as well, reflects the fact that they belonged to a new type of texts that were subject to frequent revisions as a result of fluctuating power relations and changing communal institutions.²⁶ With the never-ceasing corrections, amendments, and finally creations of new, consolidated versions of the statutes, the old collections were gradually losing their practical value and there was no particular reason to keep them anymore.²⁷

As elsewhere, an unmistakable sign of thriving pragmatic literacy in Dalmatian cities was the great increase in the volume and variety of administrative documentation from the middle of the thirteenth century, even though a more representative quantity of it survives from the fourteenth century onward. But regardless of that, all the surviving written traces of the past from medieval Dalmatian cities that are extant today still represent only the tip of the iceberg of the originally existing documentation. The development of medieval pragmatic literacy in Dalmatian cities cannot be followed in detail because of that, but its scale is quite clear from individual glimpses alone. As previously mentioned, the majority of Eastern Adriatic cities had already formed their first statutes and registers for miscellaneous administrative records in the thirteenth century. But it is also evident from the fact that no less than 75 professional lay notaries were working in Zadar communal administration alone during the fourteenth century (albeit unquestionably more),²⁸ that close to 14,000 pages of Zadar civil court (*Curia maior civilium*) records survive to this day from 1358 to 1409, which is estimated to represent a maximum of 15% of the original court documentation from that time (there were also a criminal court, a trade and maritime court, a court of movable property and the archbishop's court operating in Zadar),²⁹ that the Zadar *notarius ad civilia* had to reserve 40 pages for a transcript of the court

krug, 2015), 99-111; Ivan Strohal, "Uvod", in: *Statutum et reformationes civitatis Tragurii*, ed. Ivan Strohal (Zagreb: JAZU, 1915), XIV-XVI.

²⁶ Cf. Behrmann, "The Development of Pragmatic Literacy", 32-38; Cammarosano, *Italia medievale*, 153-155.

²⁷ The formation of new statutory collections did not, however, make the older statutes legally obsolete right away, because a number of provisions were still utilized in disputes that were emanating from the contracts made before the enactment of the new statute. A good example is the Trogir case from 1311 when a litigant made a reference to provisions from the old Trogir statute in defence of his rights. See: Miho Barada, ed., *Trogirski spomenici. Zapisnici kurije grada Trogira od 1310. do 1331.* (Split: Književni krug, 1988), 51. New provisions were also emerging from such practices, and these were then incorporated into the new versions of the statutes. See, e.g., the case of Zadar, where this regulation was added to the statute, but is also noticeable in court practice: Josip Kolanović, Mate Križman, eds., *Statuta Iadertina (Zadarski statut)* (Zadar: Ogranak Matice hrvatske Zadar; Hrvatski državni arhiv Zagreb, 1997), lib. I, cap. 2; lib. II, cap. 95; Croatia/Hrvatska (henceforth: HR) – Zadar State Archives / Državni arhiv u Zadru (henceforth: DAZD) – 22 – Curia maior civilium (henceforth: CMC), vol. 4, fasc. 1, fol. 5v.

²⁸ Branka Grbavac, "Zadarski notari u 13. i 14. stoljeću" (MA thesis, University of Zagreb, 2006), 166-172.

²⁹ Popić, *Krojenje pravde*, 34-35.

record, sentence, and all the documents submitted as evidence in a first-instance litigation from the beginning of the fifteenth century in order to compile a response file (*libellus responsionis*) to the appeal in a simple debt lawsuit (whereby the appellate file of the opposing party also contained transcripts of all those documents),³⁰ that 16,000 pages of Dubrovnik's city councils' proceedings survive for the first half of the fifteenth century alone,³¹ or that the court record in a dispute over the marriage of Maruša Bratosaljić, which took place at Dubrovnik's archbishop's court in 1480, is 206 pages long.³²

So, even though the situation for the fourteenth and fifteenth centuries is noticeably different, the development of new pragmatic literacy at its origins throughout the thirteenth century can only be roughly outlined for Eastern Adriatic cities from the sporadically and fragmentarily surviving written traces of the past. Of course, that is enough to conclude that its development fits those of Italian cities, where many political, social, cultural, and other influences were coming from, but it is impossible to supplement these claims with actual case studies that could reveal the driving forces behind its take off. One exception, however, exists.

The case of Trogir

Trogir is a convenient research point regarding the development of pragmatic literacy in thirteenth-century Dalmatian communes in relation to political transformations thanks to the relatively well-preserved written sources. And it is not so much the amount of surviving written records that matters the most, but a fair degree of their diversity that allows us to link specific changes with some of the political and social factors. Essentially, this refers to the oldest registers of notarial and court records fragmentarily extant from the 1260s, and the remains of municipal council decisions and other documents preserved mainly within the rich written legacy of the seventeenth-century historian Ivan Lučić.³³ When we add the fact that the written traces of the past enable us to date the creation

³⁰ HR-DAZD-22-CMC, vol. 2, fasc. 9, fol. 1-20v.

³¹ Danko Zelić, Ana Plosnić Škarić, eds., *Dubrovnik: Civitas et Acta Consiliorum 1400-1450* (Zagreb: Institut za povijest umjetnosti, 2017), 6.

³² Zdenka Janeković Römer, *Maruša ili suđenje ljubavi. Bračno-ljubavna priča iz srednjovjekovnog Dubrovnika* (Zagreb: Algoritam, 2007), 13-14.

³³ Miho Barada, ed., *Monumenta Traguriensia (Trogirski spomenici), Zapisci pisarne općine trogirске* (Zagreb: JAZU), vol. I/1 (1948) (henceforth: MT I/1), vol. I/2 (1950) (henceforth: MT I/2); *Zapisci sudbenog dvora općine trogirске* (Zagreb: JAZU), vol. II/1 (1951) (henceforth: MT II/1); Miho Barada, ed., *Trogirski spomenici, Zapisci Kurije grada Trogira od 1310. do 1331.* (Split: Književni krug, 1988) (henceforth: TS); HR – Archdiocesan Archive Split / Nadbiskupski arhiv Split (henceforth: NAS) – *Written Legacy of Ivan Lučić / Ostavština Ivana Lučića* (henceforth: OIL), vol. 539, 542; Tomislav Popić, Ante Bećir, eds., *Acta et reformationes consiliorum civitatis Tragurii (saec. XIII-XV)* (Zagreb: Hrvatski institut za povijest, 2022).

of the first Trogir statute more precisely, we can finally establish a correlation between changes in the Trogir political order during the thirteenth century and the development of pragmatic literacy. The restored mosaic of its development is not complete, nor can it be, but it is still more intricate than those of other thirteenth-century Eastern Adriatic cities.

Zooming in from the hitherto general discussion to thirteenth-century Trogir, we can begin by saying that the development of pragmatic literacy in this Eastern Adriatic city was also directly related to transformations in its local political landscape, which were the consequence of reinforcing the oligarchic social order, (re)defining the position of the local political elite towards other political groups outside and inside the city, and (re)adjusting the relationship between city officials and all other members of the local community. Consideration of these issues in thirteenth-century Trogir includes three essential elements coalescing into a complex interplay, which can merely be outlined here. The first element refers to the position of the city within the dominion of Šubići, the Croatian nobles of Bribir, and ordering the relations with other Dalmatian cities; the second one is related to the accumulation of power by the urban nobility and the concomitant waning of the bishop's influence in communal affairs, the formation of new municipal institutions, and their positioning in relation to other corporations; and the third element pertains to continuous fluctuations of power between factions struggling for control over the key positions and resources (human, material, and symbolic). All of these will be noticeable in the following examples.

Shaping the first statute

Guided by the already elaborated assertion that the key agent in the development of thirteenth-century pragmatic and structured literacy was the reinforcement of such forms of government that required greater reliance on the written word, we can start by saying that the forerunners of this new literacy in communal societies were the first statutes. This claim has been very well outlined by the Italian historian Giuliano Milani, for instance. Writing about the statutes of Italian cities in the first half of the thirteenth century, Milani pointed out that they are the most valuable sources for tracking the evolution of communal institutions, “not just because provisions gathered in them constitute a mirror of the functioning of these institutions, but because their very drafting, even beyond their actual application, was a central moment in the project of political control through the written word”.³⁴ The statute of Trogir is also a valuable written trace of the past in this respect, because its initial formation in the thirteenth century and all subsequent substantial changes known to us, and it seems that there were at least four of them before the end of the fourteenth century, support the hypothesis that

³⁴ Giuliano Milani, *I comuni italiani. Secoli XII-XIV* (Urbino: Editori Laterza, 2018), 80.

the main incentives for its creation and revisions can be traced in the exclusive appropriation of secular power by the urban nobility, the evolution of communal institutions, and the (re)definition of the dominant group's position towards external centres of power and the rest of the local community.

As far as we can say today, Trogir's first statutory collection was created in the 1240s or 1250s. The oldest surviving, though not entirely precise information about the possibility of its existence comes from the chapter of Thomas the Archdeacon's *Historia Salonitana* on the rule of the *podestà* Gargano de Arscindis from Ancona in Split. Gargano came to Split in 1239, when he also created the first Split statute, calling it *capitulare*. Thomas says that the people of Trogir "transcribed" this statute of Gargano's, which does not mean that they put it into practice in Trogir, but rather that they used it as a template for their own statute and certain legal solutions.³⁵ The oldest reliable mention of the Trogir statute, on the other hand, can be found in a charter from 1257,³⁶ which means that it was shaped between these two points in time. This first statute of Trogir is not extant, but its existence and utilitarian value are confirmed even by a superficial examination of Trogir's notarial and court records from the second half of the thirteenth century.³⁷

A more precise dating of the first statute of Trogir shows that its creation coincided with the first indications of the waning of the bishop's power over the municipal affairs. In all Dalmatian cities, bishops had occupied some of the most important positions in municipal governments since the early Middle Ages, which in most communes began to change during the thirteenth century. The bishops of Trogir had a great influence over the municipal affairs until the death of bishop Treguan (1254), which in turn signified the exclusive acquisition of power in the municipal affairs by the urban nobility. This is exactly the period when we notice the process of strengthening the corporation of the commune and developing the municipal institutions of government in the surviving sources, and by the end of the thirteenth century this would be reflected not only in written culture, but in the material (symbolic) one as well.

Unfortunately, exactly the period between 1216, when Trogir's *Curia* appears in the surviving sources for the first time as one of the predominant communal institutions, and 1267, when we first encounter a "city council" (*consilium civitatis*) that is making decisions without the bishop's consent, is almost completely

³⁵ *Thomae archidiaconi Spalatensis Historia Salonitanorum atque Spalatinorum pontificum* (Archdeacon Thomas of Split History of the Bishops of Salona and Split), eds. Damir Karbić, Mirjana Matijević Sokol, James Ross Sweeney (Budapest; New York: Central European University Press, 2006), 234.

³⁶ Tadija Smičiklas et alii, eds., *Codex diplomaticus regni Croatiae, Dalmatiae et Slavoniae* (Diplomatički zbornik kraljevine Hrvatske, Dalmacije i Slavonije) (henceforth: CD), Vol. V (1907) (Zagreb: JAZU), 65-66.

³⁷ See, e.g.: MT I/1, 48, 104, 128-129; MT I/2, 317; MT II/1, 16, 18, 49, 118, 156.

devoid of any indications of institutional development.³⁸ However, thanks to the oldest known decision of the Trogir authorities from 1239, made by the *Curia* in agreement with the bishop, we can at least track the transformation towards the 1267 decision, when we no longer encounter the bishop within the municipal government.³⁹ Even that is suggestive of the claim made in the previous paragraph about the waning of the bishop's power and its appropriation by the corporation of the commune. But the claim becomes even more tangible when we add that the outset of the 1260s was marked by the professionalization of the communal chancery, which essentially meant the permanent removal of clergy from that office, and that the construction of a new communal palace in the main city square was completed in the early 1270s.⁴⁰ From that time, the new palace was the central decision-making place and the material symbol of the corporation of the commune.

The 1270s and 1280s were then marked by more extensive changes in Trogir's municipal government, influenced by distinct trends emanating from Italian cities. But it is also important to note that all these reforms coincided with the rule of the Šubići over the city, and that they were certainly carried out in agreement with them. In the previous period, due to a reform of King Bela IV, the Šubići were forced to hand over the title of *comes Tragurii* to the Slavonian bans, which is why they tried to keep their power over the city by taking the position of the *podestà*. In the 1260s, different confidants of the Šubići were occupying that position, and during most of the 1270s it was held by the brothers Paul I and Mladen I Šubić. But the 1270s also brought palpable changes in this regard, which were certainly associated with the overall decline of royal authority and the emergence of Paul as the head of the family. After reinforcing their dominion over several Dalmatian cities, the Šubići re-assumed the title of municipal *comites*, delegating the election of the *podestà* to the local urban elites. In the case of Trogir, this change occurred in 1273, when we encounter Paul I as Trogir's *comes*, and in 1281 the practice of electing individuals from Italian cities as Trogir's *podestà* began, which would leave deep marks in the organization of the municipal administration as well.⁴¹

³⁸ HR-NAS-OIL, vol. 539, fol. 42-42v; Popić, Bećir, *Acta et reformationes*, doc. 2.

³⁹ Popić, Bećir, *Acta et reformationes*, doc. 1.

⁴⁰ On the construction of Trogir's communal palace, see: Irena Benyovsky Latin, *Srednjovjekovni Trogir: prostor i društvo* (Zagreb: Hrvatski institut za povijest, 2009), 49, 54-57; Irena Benyovsky Latin, "Governmental Palaces in Eastern Adriatic Cities (13th-15th Centuries)", in: Roman Czaja, Zdzisław Noga, Ferdinand Opll, Martin Scheutz, eds., *Political Functions of Urban Spaces and Town Types Through the Ages. Making Use of the Historic Towns Atlases in Europe* (Krakow; Toruń; Vienna: Wyd-ział Humanistyczny Uniwersytetu Pedagogicznego w Krakowie, 2019), 116-118.

⁴¹ More on all this in: Damir Karbić, "Šubići Bribirski do gubitka nasljedne banske časti (1322.)", *Zbornik Odsjeka za povijesne znanosti Zavoda za povijesne i društvene znanosti HAZU u Zagrebu* 22 (2004): 1-26; Damir Karbić, "Odnosi gradskoga plemstva i bribirskih knezova Šubića. Prilog poznavanju međusobnih odnosa hrvatskih velikaša i srednjovjekovnih dalmatinskih komuna", *Povijesni prilozi* 27 (2008), no. 35: 43-60; Judit Gal, *Dalmatia and the Exercise of Royal Authority in the Árpád-*

With all this in mind, we can deduce that the formation of Trogir's first statute in the middle of the thirteenth century did not deviate from the general trends in other, especially Italian cities. The first book of the extant Trogir statute from 1322 with its provisions on communal institutions, whose roots can be traced back to the thirteenth century thanks to the surviving court records, clearly shows that it was one of the key mechanisms of the local dominant group to secure the emerging social order for a longer period of time, and to associate the urban nobility with the institutions of government. Just like the first statutes of Italian cities, these provisions show that the first Trogir statute mainly established a set of rules for political action and regulation of relations between the dominant city group on the one hand and the external centres of power and members of local community on the other. The interests of the ruling class were actually woven into it; having secured the exclusive authority in secular city affairs, the corporation of the commune also sought to petrify such social order through normative framework.⁴²

The surviving sources up to the 1320s confirm that the same applies to the later versions of the statute as well, as they also reflect certain changes in the communal order. After all, the only extant redaction of the statute from 1322 proves the same thing. Apart from the reorganization of the statutory text, the main intention of its revision was to replace the provisions on the *podestà* with those on the Venetian count in order to restrict his authority. So, the interests of the corporation of the commune were always in the background, and the only thing changing were the political and social circumstances. Bearing that in mind, the statutes should not be characterized as the statutes of the cities alone, but as the statutes of the ruling corporations as well, at least in their beginnings. This is precisely why other corporations within the cities were drafting their own normative collections in order to protect their interests, such as the *matriculae* of various confraternities, which were essentially associations of commoners.⁴³ Our comprehension of the initial stages of this process in Dalmatian cities, when other normative collections could also be acting as rivals to those of the ruling corporations, is very vague. But it is literally in this context, for instance, that we

Era Kingdom of Hungary (Budapest: Research Centre for the Humanities, 2020), 141-146, 162-170; Mišo Petrović, "The Development of the Episcopal Office in Medieval Croatia-Dalmatia: Cases of Split, Trogir and Zadar (1270-1420)" (Phd dissertation, Central European University Budapest, 2021) 16-17, 79-82; Tomislav Popić, Ante Bećir, "Politički poredak i zapisnici komunalnih vijeća srednjovjekovnog Trogira", in: Tomislav Popić, Ante Bećir, eds., *Acta et reformationes consiliorum civitatis Tragurii (saec. XIII-XV)* (Zagreb: Hrvatski institut za povijest, 2022), 14-16.

⁴² For Split, see: Matijević Sokol, "Od kapitulara Gargana de Arscondisa", 99-111.

⁴³ Cf. Keller, "Gli statuti", 8-10. On confraternities in medieval Trogir, see: Ivan Strohal, "Bratstva (bratovštine) u starom Trogiru", *Rad Jugoslavenske akademije znanosti i umjetnosti* 201 (1914): 47-66; Irena Benyovsky Latin, "Uloga bratovštine sv. Duha u Trogiru u srednjem i ranom novom vijeku", *Povijesni prilozi* 26 (2007), no. 32: 25-61.

should consider the decisions of Trogir's Major Council from 1365 to abolish all confraternities in the city except that of the Holy Spirit, which was not to make any new provisions (*statuta et ordinationes*) without the express authorization of the count and the *Curia*.⁴⁴ These *statuta et ordinationes* of the confraternity were obviously considered as harmful in an ideological or any other way to the existing social order controlled by the urban nobility, and it seems not to be a coincidence that the Major Council was referred to as the "council of the nobles" (*consilium generale nobilium virorum ciuitatis Tragurii*) in 1368 for the first time in the extant sources. In contrast, the existence of competing normative collections is fairly well documented for the thirteenth-century Italian cities, whose hierarchy was often determined by whoever represented the dominant corporation at a given time, or in armed conflicts between city factions.⁴⁵

All of this shows that the statutes were always a powerful means of political struggle, and there is no need to deem the developments in Dalmatian cities as different in this respect. Trogir's written sources also reveal cases of disregarding the normative framework of the commune in order to achieve specific political goals, or attempting to repeal valid laws just to replace them with new ones that would benefit certain individuals or city factions. Such is the case, for example, with the rule of Matthew, son of George de Cega, who acted as the *podestà* and captain of the people of Trogir during most of the second decade of the fourteenth century, and who did not hesitate to bypass, change, or completely disregard the normative framework of the commune in order to facilitate his own political goals. By using or abusing the statute, Matthew managed to increase the number of his followers in the Major Council, partly by respecting the statutory provision that set the maximum number of councillors to 80 and partly by increasing their number to at least 125 "as it pleased him".⁴⁶ In this way, Matthew was able to make council decisions as he wanted, and one of the first was to elect him as the "eternal captain of the city and the people" and *podestà* for a period of five or ten years, which was unprecedented to that time.⁴⁷ He also used the Major Council to briefly suspend certain provisions if they did not serve his goals, and sometimes he was completely ignoring the statute to the point that a witness in the papal investigation on the demolition of the Trogir Franciscan monastery in 1315 could claim that Matthew had the old statutes burned, and that he did not rule by the statutes of the city, but by his own.⁴⁸

⁴⁴ Popić, Bećir, *Acta et reformationes*, doc. 59.

⁴⁵ Keller, "Gli statuti", 10.

⁴⁶ Popić, Bećir, *Acta et reformationes*, doc. 34.

⁴⁷ Popić, Bećir, *Acta et reformationes*, doc. 40.

⁴⁸ HR-NAS-OIL, vol. 542, fol. 70-73v. For more on the rule of Matthew in Trogir, see: Tomislav Popić, Ante Bećir, "Najstariji sačuvani sveščić srednjovjekovnih zapisnika komunalnih vijeća grada Trogira: pitanje datacije i kronologije", *Povijesni prilozi* 39 (2020), no. 59: 46-62.

Creation of the first notarial and court registers

It has already been pointed out that one of the most obvious milestones in the development of thirteenth-century pragmatic literacy was the increasing use of registers or books for various types of written documentation, i.e. the overall transition “from charters to registers”, which can at least be outlined in Dalmatian cities.⁴⁹ Looking from that perspective, the formation of the first statutory collections also represents a huge leap in that direction, because they were essentially no more than registers of the already existing and/or new laws. As for the other types of documentation, it seems that in most cities the development in this direction began with the creation of one register for the memorization of various notarial and court records. Further evolution involved the separation of public records from the private ones and the formation of new registers depending on the categories of written documentation. The important thing here is that the formation of the first notarial and court registers is noticeable in times of significant changes in the political and institutional landscape of individual cities, most often when the urban nobility affirmed itself as the only protagonist of local secular power. The creation of the first notarial and court register in Trogir in the early 1260s is thus directly related to the waning of the bishop’s influence in the municipal government after bishop Treguan’s death in 1254 and the full appropriation of secular decision-making authority by the corporation of the commune. The outcomes of such development can be traced in the abovementioned (re)formation of the municipal institutions and the creation of the first statute, but we should also add the professionalization of the municipal chancery at this point, which essentially entailed direct and exclusive control of the ruling group over its activities and records.

At least with regard to court registers, we should also add some further remarks related to the overall development of Roman-canonical procedure in medieval European courts and its principles, which have already been briefly described. The Roman-canonical procedure played a major part in changing the way court proceedings took place and the manner in which the court records were organized. Before the formation of court registers, the proceedings were conducted orally, and when the sentence was pronounced, a written summary of the case (*breve*) was made containing the sentence and a few records on the procedure and the subject matter. The establishment of Roman-canonical procedure in courts was beginning to change this by breaking the proceedings into multiple stages (from the suit all the way to the execution of the sentence) and generating written traces on each of them as they took place, thereby influencing significantly the organization of the court records. Hence, the initial creation of court registers was a testament to transformations in techniques of conducting court proceed-

⁴⁹ See note 23.

ings, and their further development involved branching off into several court registers depending on the procedural steps. The transition from oral to written court proceedings, and consequently in the field of documentary resources from the *breve* (sentence) to the record of an entire lawsuit, led to the fact that each step of the proceedings could be challenged, both in the subject of the dispute and in procedural accuracy. And this applied not only to the first instance, but to the appellate proceedings as well, because the written traces of all activities carried out during the lawsuit made it possible to consider their validity and consequently the legitimacy of the sentence at any time.⁵⁰

Thanks to a relatively well-preserved notarial and court records from the second half of the thirteenth century, the professionalization of Trogir's chancery can be traced at least in its outlines, beginning with the fact that all sworn notaries up to the 1260s were canons of the Trogir cathedral chapter. The first known to us is the later bishop Treguan, who appears as *Tragurii notarius* at the end of 1205.⁵¹ According to the extant written sources, he was followed by the Trogir canon John, who is labelled as *ciuitatis notarius* in a 1216 document.⁵² Starting from the next preserved document from 1227, John was regularly designated as the sworn notary of Trogir (*iuratus notarius*) until 1242.⁵³ From 1243 to 1254, the sworn notary of Trogir was the *primicerius* Gausinna,⁵⁴ and from 1256 to 1259, this position was occupied by Gervasius.⁵⁵ There have been attempts in historiography to proclaim Gervasius the first layman behind the bench of this institution, but the surviving sources disallow such conclusions, because he was also a canon of the Trogir chapter holding several positions (*primicerius* and archdeacon) from the 1250s to the 1280s.⁵⁶

⁵⁰ Cf. Dartmann, "Writing and Political Communication", 200-202; Behrmann, "Von der Sentenz zur Akte", 71-90. For the way in which court records could be regarded as an instrument in configuration of power and social order, based on the theoretical frameworks of Niklas Luhmann and James C. Scott, see: Tomislav Popić, "Traces of the Past and Social Realities: Late Medieval Court Records from Dalmatian Cities", *Open Library of Humanities* 5 (2019), no. 1: 1-17.

⁵¹ Grbavac, *Notarijat*, 26-27.

⁵² HR-NAS-OIL, vol. 539, fol. 42-42v.

⁵³ CD III, 269; CD IV, 179.

⁵⁴ The first mention of Gausinna in that position is from 1243 (CD IV, 197) and the last one from 1251 (Hodimir Sirotković, Josip Kolanović, ed., *Codex diplomaticus Regni Croatiae, Dalmatiae et Slavoniae* (*Diplomatički zbornik kraljevine Hrvatske, Dalmacije i Slavonije*). *Supplementa*, Vol. I (Zagreb: HAZU, 1998) 149).

⁵⁵ The first mention of Gervasius as *iuratus notarius Tragurii* is from 1256 (MT I/1, 47) and the last one from 1259 (CD V, 140).

⁵⁶ For Gervasius as a lay communal chancellor, see: Nada Klaić, *Trogir u srednjem vijeku* (Trogir: Muzej grada Trogira, 1985), 99; Grbavac, *Notarijat*, 27. However, a document written in 1271 (MT I/1, 252), the context of which is not entirely clear due to its damaged state, confirms that he was a canon of the Trogir chapter: "...per dominum Geruasium primicerium, olim notarium communis Tragurien-sis..."

If we start from the creation of the first Trogir statute in the middle of the thirteenth century and the first mention of the “city council” in 1267 (albeit it certainly existed before) that was no longer making decisions with the consent of the bishop, which we have characterized as an outcome of the waning of the bishop’s power in secular domain, the professionalization of the Trogir chancery fits perfectly into these transformations. By affirming the corporation of the commune as the only protagonist of secular power inside the city, the urban nobility appropriated the election of the municipal chancellor, and by putting a person who was not a canon of the Trogir chapter behind the bench of this institution, it actually made a departure from the usual practice for the first time. And so, in 1260, the Split canon and notary Luke was appointed the sworn notary of Trogir.⁵⁷ His quick departure from that position marks the end of electing clerics to operate the chancery, as well as the beginning of “domination” of professional notaries behind the steering wheel of this institution, who were mostly coming from Italy. From 1263 until the beginning of the fifteenth century, professional notaries regularly appear as Trogir’s chancellors. The first was Bonaventura Petri from Ancona, who signed himself as *auctoritate domini pape notarius et nunc notarius comunis Tragurii*.⁵⁸ Professionalization of the chancery under the auspices of the local ruling class soon resulted in the initial organization of the first notarial and court register, which would later start to separate into a number of books.

The oldest surviving fragment of Trogir’s notarial and court register comes from 1263, and it was kept by the aforementioned Bonaventura from Ancona. We can plausibly argue that this fraction of the register represents one of the first registers of administrative records in general, i.e. that its formation was an outcome of the professionalization of the municipal chancery carried out at the time. One provision of the Trogir statute is dedicated to punishing individuals who were forging or using forged documents, and it was to be applied retroactively to all documents written from the time when Luke was acting as municipal chancellor.⁵⁹ This could have been the canon Luke from Split, mentioned a few moments ago, who was acting as Trogir’s chancellor in 1260 and 1261. Bearing that in mind, this provision of the statute may indicate that the first register of notarial and court records was actually formed in the early 1260s, and that this important transition “from charters to registers” was taken as a *terminus ante quem non* for the possibility of verifying the authenticity of documents.⁶⁰

⁵⁷ The first mention of Luke in that capacity is from 1260 (HR-NAS-OIL, vol. 539, fol. 143) and the last one from 1261 (CD Suppl. I, 250).

⁵⁸ MT I/1, 1. For the sequence of professional chancellors in Trogir, see: Grbavac, *Notarijat*, 26-33.

⁵⁹ Ivan Strohal, ed., *Statutum et reformationes civitatis Tragurii* (Zagreb: JAZU, 1915) (henceforth: ST), lib. II, cap. 28.

⁶⁰ This assumption is only disturbed by the fact that, for some unknown reason, Luke’s name is recorded in the published version of the Trogir Statute (1708) only, edited by Ivan Lučić. All other surviving manuscripts of the statute, including the one created by Lučić as an archetype for the printed

Shortly after the formation of the earliest register for notarial and court records, the first changes in its organization emerge. The oldest surviving fraction of the court register dates back to 1266 and 1267, which means that the public municipal records were uncoupled from the private notarial ones. The new court register was then used for both civil and criminal cases.⁶¹ Through the rest of the century, the court register continued to differentiate further, depending on the types of court proceedings and written records. The third surviving fraction of the court records (May to October 1281) contains both civil and criminal cases until June, but only civil ones after that.⁶² And it is precisely from June 1281 that a fragment of the new court register used for criminal cases alone survives, although it still contains a few misplaced records, such as notarial contracts or notes from civil disputes.⁶³ A portion of the separate court register for keeping track of the court-imposed deadlines for different procedural steps and reports on execution of various legal actions made by court officials from 1281 also survives,⁶⁴ and from 1285 comes a fragment of the court register reserved for the criminal cases initiated *ex officio* and carried out using the inquisitorial procedure.⁶⁵ By the end of the thirteenth century, the system of court registers was also supplemented with the establishment of a separate register for criminal sentences at the very least, which means that there was a unique court register for civil sentences as well.⁶⁶

Register of council decisions

Registers of the city councils are specific books that were used to log the records of the council sessions and their decisions. From the position of a historian, these are among the most important categories of medieval written documentation, as they are excellent witness to the development of pragmatic literacy in the political and social circumstances of the thirteenth century. When it comes to Dalmatian cities, the most famous are the registers of Dubrovnik councils, which have

1708 version (which is kept in the National and University Library in Zagreb) contain a gap in that place for the subsequent entry of the chancellor's name. See: Giovanni Lucio, ed., *Statuta et reformationes civitatis Tragurii* (Venice, 1708), lib. II, cap. 28. Cf. HR – National and University Library Zagreb / Nacionalna i sveučilišna knjižnica Zagreb (henceforth: NSK) – *Statuta Tragurii* (henceforth: ST), manuscript of Ivan Lučić, Collection of Rarities / Zbirka rijetkosti, sign. R 5724, fol. 35v; ST, lib. II, cap. 28.

⁶¹ MT II/1, 5-110.

⁶² MT II/1, 111-147.

⁶³ MT II/1, 148-233.

⁶⁴ MT II/1, 234-240.

⁶⁵ MT II/1, 241-244.

⁶⁶ MT II/1, 245-251.

been preserved in the largest amount since 1301.⁶⁷ It is less known, however, that Trogir has the largest number of extant council decisions from the thirteenth to the end of the fifteenth century after Dubrovnik.⁶⁸ In the context of this article, several Trogir decisions from the thirteenth century are especially important, because they allow us to outline the circumstances in which the register of municipal council decisions was shaped. As is the case with other types of municipal records, its creation was also related to the development of pragmatic literacy as a powerful tool of political control.

It has already been pointed out that the second half of the thirteenth century was a key formative period of the Trogir commune, which was moving in the direction of developing oligarchic features. The main indication of this process is the accumulation of power in the hands of not so many urban families whose members were beginning to rotate ordinarily in the most important positions of the still changing municipal institutions. This development is characterized by a shift from general assemblies of citizens to smaller councils, and no later than 1267 (albeit unquestionably earlier) the already mentioned *consilium civitatis* emerges from the surviving written sources.⁶⁹ Shortly afterwards, this council began to be referred to as *consilium generale*. In 1284, the council transformed into the Major Council composed initially of 40 councillors, and by the end of the thirteenth century of 80.⁷⁰ Although this cannot be directly confirmed, it is plausible to assume that this development was a consequence of a significant increase in urban population, because the second half of the thirteenth and the first half of the fourteenth century was a period of general European demographic growth before the Great Plague decimated the population. If we start with that, we can say that the number of Trogir citizens who were not involved in political life of the city, and who deemed themselves worthy of that due to their wealth or reputation, grew considerably during the thirteenth century. So, shaping the Major Council and increasing the number of its members can be explained by the growing tensions in the city and the pressures exerted by various groups and citizens demanding entry into the urban political arena in a period of apparent population growth that all of Europe was experiencing at the time.⁷¹ This was

⁶⁷ Nella Lonza, "Odluke vijeća – izvor za dubrovačku povijest kasnog 14. stoljeća", in: *Odluke dubrovačkih vijeća 1390-1392*, eds. Nella Lonza, Zdravko Šundrica (Zagreb, Dubrovnik: HAZU, 2005), 7-15.

⁶⁸ Popić, Bećir, *Acta et reformationes*, doc. 1-268.

⁶⁹ Popić, Bećir, *Acta et reformationes*, doc. 2-5.

⁷⁰ The statutory provision regulating the maximum of 80 members of the Major Council has not survived, but a witness of its existence is the decision of the same council from 1340 (Popić, Bećir, *Acta et reformationes*, doc. 48), when that provision was nullified.

⁷¹ Cf. Popić, Bećir, "Politički poredak". For an Italian context, cf. George Dameron, "Revisiting the Italian Magnates: Church Property, Social Conflict, and Political Legitimization in the Thirteenth-Century Commune", *Viator* 23 (1992): 167-187, especially 175-176.

certainly one of the main reasons for the increase of factional conflicts, which were essentially taking place over the scarce resources of power and wealth. In the course of the fourteenth century, new attempts were made, both successful and unsuccessful, to further increase the number of councillors, and they were often taking place in the midst of open factional conflicts. So, the trend that implied decreasing the number of people in positions of power by creating smaller councils was reversed during the last decades of the thirteenth century, and from that time it was characterized by occasional successful attempts at increasing the number of citizens with a “seat at the table”.

Therefore, the formation of the register of Trogir’s council decisions was taking place in correlation with the transformations of political institutions and the concentration of power within a smaller number of urban families on the one hand, and the growth of population resulting in an increase of prominent citizens without political rights on the other. These were the circumstances that were leading to a considerable increase in the number of Trogir councillors by the end of the thirteenth century. Meanwhile, the Major Council tried to petrify the maximum number of 80 councillors in order to prevent the further dispersion of power by making it the law. The circle around the most prominent urban families holding the strings of power before that tried to shift the making of most important decisions to smaller councils – the *Curia* and the Council *pro bono statu civitatis*,⁷² but the important thing to note here is that the influence of Italian *podestàs* governing the city at the time was visible in the establishment of new decision-making procedure within the new and increasing Major Council, which they were familiar with from the Italian political milieu. This new council procedure would be legally standardized in the near future with a few statutory provisions, and a new register for the records of the council sessions and decisions was formed in order to keep track of it.⁷³ Considering that individual council decisions can still be found in the notarial registers during the 1270s, we can strongly argue that the register of council decisions was created in the 1280s, almost certainly in 1284 when the new Major Council was shaped. The register was kept by the municipal chancellors, but the authorities were deciding on its contents, thereby exhibiting elements that were pertinent to the decisions’ legitimacy only – records on the legitimate convoking of the council, its timely convening and valid performance, which includes the presentation of already prepared proposals and the results of the vote.⁷⁴ On the other hand, the chancellors were never putting down the records that could testify to the conflicts within the ruling class, and this is why no traces of council discussions can be found. The dominant groups were trying

⁷² For more on the development of these councils and their place within the municipal government, see: Popić, Bećir, “Politički poredak”, 18-22, 46-54.

⁷³ ST, lib. I, cap. 54-56.

⁷⁴ Popić, Bećir, “Politički poredak”, 60-61, 64-69.

to portray themselves as monolithic in this manner, even though the reality was actually far from it.

Conclusions

The development of pragmatic literacy in thirteenth-century Trogir took place in full harmony with the European trends. Behind its stage, we can observe transformations in the local political and social order that also influenced the dominant group's greater reliance on the written word as an instrument of control. Such development was reflected in the initial creation of various types of utilitarian documentation, which was later increasingly gaining an elaborate structure. The formation of the Trogir's first statute in the middle of the thirteenth century was thus directly related to the sole appropriation of power by the corporation of the commune and the concomitant waning of the bishop's power in municipal affairs. The creation of the first notarial and court registers in the early 1260s was connected to exactly the same process, which also gave rise to the development of different government institutions, including the professional municipal chancery. And the shaping of the first register of council decisions in the 1280s was an outcome of a series of political and social factors stemming from the growing demands of certain Trogir citizens or groups to enter the local political arena, and culminating in the formation of the substantially larger Major Council. Other categories of municipal documentation that were emerging from the newly established municipal institutions during the second half of the thirteenth century also fit into this framework, although we know a lot less about them. These include, for example, accounting books (books of municipal incomes and expenses), reports on the operations of the city officials who were required to submit them after their terms, municipal real estate property books, the register of correspondence with/from other political figures, the register of proclamations, and so on. Most of these writings are no longer extant, because it was mostly documentation for internal use with limited "shelf life" related to its utilitarian value. Once this intrinsic feature disappeared, or new versions of documents replaced the older ones, there was simply no need to keep them.

Nevertheless, it is far easier to track these processes in thirteenth-century Trogir than in other Dalmatian cities due to the rather well preserved written documentation. The relatively large volume and diversity of thirteenth-century written traces of the past coming from Trogir, and these include notarial and court records, occasional council decisions, other documents from the written legacy of Ivan Lučić, and the manuscript of the Trogir statute Lučić edited in hope of its publication make it possible to pursue the development of Trogir pragmatic literacy much better than it is possible for other Dalmatian cities, and to associate it directly with transformations in the local power relations and social order.

Having that in mind, this article is intended to serve as an important step towards more elaborate studies. Some of them have already been concluded by investigating the circumstances influencing the creation of the register for council decisions,⁷⁵ while others have just begun exploring the time layers of the Trogir statute, whose stratification from its original creation in the mid-thirteenth century to the last known revisions in the second half of the fourteenth century fits perfectly into the framework presented here.

The case of Trogir could thus become a model for studying medieval pragmatic literacy in other Dalmatian cities, which has been examined at the factual level to some extent, but lacks a context that would take into account the political and social factors behind its development. Considering that similar political and social developments were taking place in other thirteenth-century communal societies along the Eastern Adriatic coast, and that the bulk, if not all of the documentation mentioned here also came into existence in these cities during the thirteenth century, a comparable cause-and-effect relationship can be established in the development of their pragmatic literacy as well. The driving forces behind its ascent were also the specific political and social circumstances related to the (re) positioning of the communes towards the external centres of power (the king, Venice, the Croatian nobility), appropriation of secular power by the corporations of the communes and the concomitant waning of the bishops' influence in secular affairs, the creation of new municipal institutions, factional conflicts, and pursuit of political rights. The only difference is that these processes are not easily discernible in these cities because of the fog created by the loss of diverse written traces of the past. The only things visible are the results of such developments, and just like in Trogir, they are often reflected in the creation of the first statutes, registers of notarial, court, and council decisions, and so on. In other words, the key factors in the development of pragmatic literacy in thirteenth-century Dalmatian cities are the same, and the differences usually come down to the dynamics of the process influenced by the specific city-to-city situation.

The case of Trogir also shows that the major waves of pragmatic literacy formed in the periods of significant political and/or social changes that have been highlighted quite a few times throughout this article. This realization could be a guideline in studying pragmatic literacy in other Dalmatian cities, for instance to pinpoint more precisely the periods of shaping the first statutes or other communal registers. Inverse scenarios are possible as well: the specific surges of pragmatic literacy in thirteenth-century Dalmatian cities may serve as points in time for a more precise dating of important political or social transformations in the cities. As Nella Lonza has already noted, the formation of the Dubrovnik statute in 1272, for example, indicates that "the commune reached the stage of development when clear and ordinate legal provisions were important in the public

⁷⁵ Popić, Bećir, "Politički poredak".

sphere, where the bodies dominated by the growing local aristocracy had to be held in balance with the Venetian institutions and their representatives in the City”, and that “it is not by chance that in the same period the office of the notary was definitely professionalized (1278)”.⁷⁶

The burst of European pragmatic literacy initiated in the thirteenth century would never subside, and its development had a huge impact on the establishment of literate mentalities in an increasing number of communities. The ever-growing production of utilitarian written documentation from that time, which was gradually becoming one of the underlying features of European history, soon required new solutions for its organization, thereby contributing also to the increased normative activities concerning people in charge of running chanceries and writing documents, contents of various types of records, their annulment, keeping and access, and so on.

⁷⁶ Nella Lonza, “The Statute of Dubrovnik of 1272: Between Legal Code and Political Symbol”, in: *The Statute of Dubrovnik of 1272*, ed. Nella Lonza (Dubrovnik: Državni arhiv u Dubrovniku, 2012), 10.

Unpublished sources

Croatia/Hrvatska – Zadar State Archives / Državni arhiv u Zadru – 22 – Curia maior civilium, vol. 2, 4 (HR-DAZD-22-CMC)

Croatia/Hrvatska – National and University Library Zagreb / Nacionalna i sveučilišna knjižnica Zagreb – Statuta Tragurii, manuscript of Ivan Lučić, Collection of Rarities / Zbirka rijetkosti, sign. R 5724 (HR-NSK-ST)

Croatia/Hrvatska – Archdiocesan Archive Split / Nadbiskupski arhiv Split – Written Legacy of Ivan Lučić / Ostavština Ivana Lučića, vol. 539, 542 (HR-NAS-OIL)

Published sources and literature

Adamska, Anna. “The Introduction of Writing in Central Europe (Poland, Hungary and Bohemia)”. In: *New Approaches to Medieval Communication*, ed. Marco Mostert, 165-190. Turnhout: Brepols, 1999.

Adamska, Anna. “The Study of Medieval Literacy: Old Sources, New Ideas”. In: *The Development of Literate Mentalities in East Central Europe*, eds. Anna Adamska and Marco Mostert, 13-47. Turnhout: Brepols, 2004.

Adamska, Anna; **Mostert**, Marco, eds. *The Development of Literate Mentalities in East Central Europe*. Turnhout: Brepols, 2004.

Ančić, Mladen. “Knin u razvijenom i kasnom srednjem vijeku”. *Radovi Zavoda za povijesne znanosti HAZU u Zadru* 38 (1996): 55-56.

Ančić, Mladen. “Kasnosrednjovjekovni Stolac”. *Povijesni prilozi* 24 (2005), no. 29: 41-58.

Ančić, Mladen. “Dva teksta iz sredine 14. stoljeća. Prilog poznavanju ‘društvenog znanja’ u Hrvatskom Kraljevstvu”. *Starohrvatska prosvjeta* 3 (2013), no. 40: 155-200.

Artifoni, Enrico. “I governi di ‘popolo’ e le istituzioni comunali nella seconda metà del secolo XIII”. *Reti Medievali Rivista* 4 (2003), no. 2: 1-20.

Ascheri, Mario. *The Laws of Late Medieval Italy (1000-1500): Foundations for a European Legal System*. Leiden, Boston: Brill, 2013.

Barada, Miho, ed. *Monumenta Traguriensia (Trogirski spomenici)*. *Zapisci pisarne općine trogirске*, vol I/1 (1948), vol. I/2 (1950). Zagreb: JAZU. *Zapisci sudbenog dvora općine trogirске*, vol. II/1. (1951). Zagreb: JAZU.

Barada, Miho, ed. *Trogirski spomenici. Zapisci kurije grada Trogira od 1310. do 1331*. Split: Književni krug, 1988.

Bartoli Langeli, Attilio. "Il notariato". In: *Genova, Venezia, il Levante nei secoli XII-XIV*, edited by Gherardo Ortalli, Dino Puncuh, 73-101. Genoa: Società Ligure di Storia Patria, 2001.

Bartoli Langeli, Attilio. *Notai. Scrivere documenti nell'Italia medievale*. Rome: Viella, 2006.

Bäuml, Franz H. "Varieties and Consequences of Medieval Literacy and Illiteracy". *Speculum* 55 (1980), no. 2: 237-265.

Behrmann, Thomas. "Von der Sentenz zur Akte. Beobachtungen zur Entwicklung des Prozeßschriftgutes in Mailand". In: *Kommunales Schriftgut in Oberitalien: Formen, Funktionen, Überlieferung*, edited by Hagen Keller, Thomas Behrmann, 71-90. Munich: Wilhelm Fink Verlag, 1995.

Behrmann, Thomas. "The Development of Pragmatic Literacy in the Lombard City Communes". In: *Pragmatic Literacy, East and West, 1200-1330*, edited by Richard Britnell, 25-41. Woodbridge: The Boydell Press, 1997.

Bellomo, Manlio. *The Common Legal Past of Europe 1000-1800*. Washington: The Catholic University of America Press, 1995.

Benyovsky Latin, Irena. "Uloga bratovštine sv. Duha u Trogiru u srednjem i ranom novom vijeku". *Povijesni prilozi* 26 (2007), no. 32: 25-61.

Benyovsky Latin, Irena. *Srednjovjekovni Trogir: prostor i društvo*. Zagreb: Hrvatski institut za povijest, 2009.

Benyovsky Latin, Irena. "Governmental Palaces in Eastern Adriatic Cities (13th-15th Centuries)". In: *Political Functions of Urban Spaces and Town Types Through the Ages: Making Use of the Historic Towns Atlases in Europe*, edited by Roman Czaja, Zdzisław Noga, Ferdinand Opll, Martin Scheutz, 111-159. Krakow; Toruń; Vienna: Wydział Humanistyczny Uniwersytetu Pedagogicznego w Krakowie, 2019.

Berger, Peter L.; **Luckmann**, Thomas. *The Social Construction of Reality: A Treatise in the Sociology of Knowledge*. New York: Anchor Books, 1966.

Bettarini, Francesco. "Il notariato dalmata e la 'Santa Intrada'". In: *Venezia e Dalmazia*, edited by Uwe Israel, Oliver Jens Schmitt, 111-149. Rome; Venice: Viella, 2013.

Beuc, Ivan. "Statut zadarske komune iz 1305. godine". *Vjesnik Državnog arhiva u Rijeci* 2 (1954): 493-781.

Britnell, Richard, ed. *Pragmatic Literacy, East and West, 1200-1330*. Woodbridge: The Boydell Press, 1997.

Britnell, Richard. "Pragmatic Literacy in Latin Christendom". In: *Pragmatic Literacy, East and West, 1200-1330*, edited by Richard Britnell, 3-24. Woodbridge: The Boydell Press, 1997.

Brundage, James A. *The Medieval Origins of the Legal Profession: Canonists, Civilians, and Courts*. Chicago; London: The University of Chicago Press, 2008.

Brundage, James A. *Medieval Canon Law*. London; New York: Routledge, 2013.

Caenegem, Raoul C. van. *An Historical Introduction to Private Law*. New York: Cambridge University Press, 1996.

Cammarosano, Paolo. *Italia medievale: Struttura e geografia delle fonti scritte*. Rome: La Nuova Italia Scientifica, 1991.

Cappelletti, Mauro; **Perillo**, Joseph M. *Civil Procedure in Italy*. The Hague: Springer, 1965.

Carniello, Brian R. "The Rise of an Administrative Elite in Medieval Bologna: Notaries and Popular Government, 1282-1292". *Journal of Medieval History* 28 (2002): 319-347.

Clanchy, Michael T. *From Memory to Written Record: England 1066-1307*. Chichester: Wiley-Blackwell, 2013.

Čremošnik, Gregor. "Dubrovačka kancelarija do godine 1300. i najstarije knjige dubrovačke arhive". *Glasnik Zemaljskog muzeja Bosne i Hercegovine* 39 (1927): 231-253.

Dameron, George. "Revisiting the Italian Magnates: Church Property, Social Conflict, and Political Legitimization in the Thirteenth-Century Commune". *Viator* 23 (1992): 167-187.

Dartmann, Christoph. "Writing and Political Communication in Italian City Communes". In: *Medieval Legal Process: Physical, Spoken and Written Performance in the Middle Ages*, edited by Marco Mostert, Paul S. Barnwell, 197-209. Turnhout: Brepols, 2011.

Dartmann, Christoph; **Scharff**, Thomas; **Weber**, Christoph Friedrich, eds. *Zwischen Pragmatik und Performanz: Dimensionen mittelalterlicher Schriftkultur*. Turnhout: Brepols, 2011.

Engelmann, Arthur. *History of Continental Civil Procedure, Continental Legal History Series*, Volume 7. Boston: Little Brown & Co., 1927.

Fissore, Gian Giacomo. "Alle origini del documento comunale: i rapporti fra i notai e l'istituzione". In: *Le scritture del comune. Amministrazione e memoria nelle città dei secoli XII e XIII*, edited by Giuliana Albini. Turin: Scriptorium, 1998.

Forrest, Ian. *Trustworthy Men: How Inequality and Faith Made the Medieval Church*. Princeton: Princeton University Press, 2018.

Fowler-Magerl, Linda. *Ordines iudicarii and Libelli de ordine iudiciorum (From the Middle of the Twelfth to the End of the Fifteenth Century)*. Turnhout: Brepols, 1994.

Gal, Judit. *Dalmatia and the Exercise of Royal Authority in the Árpád-Era Kingdom of Hungary*. Budapest: Research Centre for the Humanities, 2020.

Giansante, Massimo. "I notai bolognesi in età comunale. Tra cultura letteraria e impegno ideologico". *I quaderni del m.ae.s.* 3 (2000): 65-88.

Goody, Jack. *The Logic of Writing and the Organization of Society*. Cambridge: Cambridge University Press, 1986.

Goody, Jack. *The Interface Between the Written and the Oral*. Cambridge: Cambridge University Press, 1993.

Goody, Jack. *Myth, Ritual and the Oral*. Cambridge: Cambridge University Press, 2012.

Goody, Jack; **Watt**, Ian. "The Consequences of Literacy". In: *Literacy in Traditional Societies*, edited by Jack Goody, 27-68. Cambridge: Cambridge University Press, 1968.

Grbavac, Branka. "Zadarski notari u 13. i 14. stoljeću". MA thesis, University of Zagreb, 2006.

Grbavac, Branka. "Notari kao posrednici između Italije i Dalmacije – studije, službe, seobe između dvije obale Jadrana". *Acta Histriae* 16 (2008), no. 4: 503-526.

Grbavac, Branka. "Notarijat na istočnojadranskoj obali od druge polovine 12. do kraja 14. stoljeća". PhD dissertation, University of Zagreb, 2010.

Grbavac, Branka. "The Professional Formation of Public Notaries in Dalmatia". In: *Writing and the Administration of Medieval Towns, Medieval Urban Literacy I*, edited by Marco Mostert, Anna Adamska, 285-312. Turnhout: Brepols, 2014.

Grossi, Paolo. *L'ordine giuridico medievale*. Rome; Bari: Laterza 1999.

Hartmann, Wilfried; **Pennington**, Kenneth, eds. *The History of Courts and Procedure in Medieval Canon Law*. Washington: The Catholic University of America Press, 2016.

Hosking, Geoffrey. *Trust: A History*. Oxford: Oxford University Press, 2014.

Janeković Römer, Zdenka. *Maruša ili suđenje ljubavi. Bračno-ljubavna priča iz srednjovjekovnog Dubrovnika*. Zagreb: Algoritam, 2007.

Karbić, Damir. "Šubići Bribirski do gubitka nasljedne banske časti (1322.)". *Zbornik Odsjeka za povijesne znanosti Zavoda za povijesne i društvene znanosti HAZU u Zagrebu* 22 (2004): 1-26.

Karbić, Damir. "Odnosi gradskoga plemstva i bribirskih knezova Šubića. Prilog poznavanju međusobnih odnosa hrvatskih velikaša i srednjovjekovnih dalmatinskih komuna". *Povijesni prilozi* 27 (2008), no. 35: 43-60.

Keene, Derek. "Towns and the Growth of Trade". In: *The New Cambridge Medieval History, Vol. IV: c. 1024 – c. 1198*, edited by David Luscombe, Jonathan Riley-Smith, 47-85. Cambridge: Cambridge University Press, 2004.

Keller, Hagen. "Gli statuti dell'Italia settentrionale come testimonianza e fonte per il processo di affermazione della scrittura nei secoli XII e XIII". In: *Le scritture del comune. Amministrazione e memoria nelle città dei secoli XII e XIII*, edited by Giuliana Albini, 67-102. Turin: Scriptorium, 1998.

Keller, Hagen; **Grubmüller**, Klaus; **Staubach**, Nikolaus, eds. *Pragmatische Schriftlichkeit im Mittelalter. Erscheinungsformen und Entwicklungsstufen (Akten des Internationalen Kolloquiums 17.-19. Mai 1989)*. Munich: Wilhelm Fink Verlag, 1992.

Klaić, Nada. *Trogir u srednjem vijeku*. Trogir: Muzej grada Trogira, 1985.

Kolanović, Josip; **Križman** Mate, eds. *Statuta Iadertina (Zadarski statut)*. Zadar: Ogranak Matice hrvatske Zadar; Hrvatski državni arhiv Zagreb, 1997.

Lacey, Helen. "Pragmatic Literacy and Political Consciousness in Later Medieval England". *Cahiers électroniques d'histoire textuelle du LaMOP* 5 (2012): 38-70.

Lazzarini, Isabella. "De la 'révolution scripturaire' du Duecento à la fin du Moyen Âge: pratiques documentaires et analyses historiographiques en Italie". *Cahiers électroniques d'histoire textuelle du LaMOP* 5 (2012): 72-101.

Lazzarini, Isabella. "Records, Politics and Diplomacy: Secretaries and Chanceries in Renaissance Italy (1350 – c. 1520)". In: *Secretaries and Statecraft in the Early Modern World*, edited by Paul M. Dover, 16-36. Edinburgh: Edinburgh University Press, 2016.

Lonza, Nella. "Odluke vijeća – izvor za dubrovačku povijest kasnog 14. stoljeća". In: *Odluke dubrovačkih vijeća 1390-1392*, edited by Nella Lonza, Zdravko Šundrića, 7-15. Zagreb, Dubrovnik: HAZU, 2005.

Lonza, Nella. "The Statute of Dubrovnik of 1272: Between Legal Code and Political Symbol". In: *The Statute of Dubrovnik of 1272*, edited by Nella Lonza, 7-25. Dubrovnik: Državni arhiv u Dubrovniku, 2012.

Lonza, Nella. "Pravna kultura srednjovjekovne Dalmacije između usmenosti i pismenosti". *Zbornik Pravnog fakulteta u Zagrebu* 63/5-6 (2013): 1203-1232.

Lopez, Robert S. *The Commercial Revolution of the Middle Ages 950-1350*. Cambridge: Cambridge University Press, 1976.

Lopez, Robert S. "The Trade of Medieval Europe: the South". In: *The Cambridge Economic History of Europe, Vol. II: Trade and Industry in the Middle Ages*, edited by Michael M. Postan, Edward Miller, 306-401. Cambridge: Cambridge University Press, 1987.

Lucio, Giovanni, ed. *Statuta et reformationes civitatis Tragurii*. Venice, 1708.

Mann, Michael. *The Sources of Social Power, Vol. 2: The Rise of Classes and Nation-States, 1760-1914*. New York: Cambridge University Press, 1993.

Margetić, Lujo. "Rapski protostatut iz 1234. godine". *Vjesnik Povijesnog arhiva Rijeka* 38 (1996): 105-117.

Matijević Sokol, Mirjana. "Od kapitulara Gargana de Arscindisa do Percevalova statuta". In: *Splitski statut iz 1312. godine: povijest i pravo*, edited by Željko Radić, Marko Trogrlić, Massimo Meccarelli, Ludwig Steindorff, 99-111. Split: Književni krug, 2015.

Matijević Sokol, Mirjana. "Political and Practical Literacy". In: *The Routledge Handbook of East Central and Eastern Europe in the Middle Ages, 500-1300*, edited by Florin Curta, 409-424. London; New York: Routledge, 2022.

McKitterick, Rosamond, ed. *The Uses of Literacy in Early Medieval Europe*. Cambridge: Cambridge University Press, 1990.

Milani, Giuliano. *I comuni italiani. Secoli XII-XIV*. Urbino: Editori Laterza, 2018.

Mostert, Marco. "A Bibliography of Works on Medieval Communication". In: *New Approaches to Medieval Communication*, edited by Marco Mostert, 193-297. Turnhout: Brepols, 1999.

Mostert, Marco; **Barnwell**, Paul S., eds. *Medieval Legal Process: Physical, Spoken and Written Performance in the Middle Ages*. Turnhout: Brepols, 2011.

Mostert, Marco; **Adamska**, Anna, eds. *Writing and the Administration of Medieval Towns, Medieval Urban Literacy I*. Turnhout: Brepols, 2014.

Orlandelli, Gianfranco. "Genesi dell' 'ars notariae' nel secolo XIII". *Studi medievali*, series 3, 6/2 (1965): 329-366.

Padoa Schioppa, Antonio. "Profili del processo civile nella Summa artis notariae di Rolandino". In: *Rolandino e l'ars notaria da Bologna all'Europa*, edited by Giorgio Tamba, 585-609. Milan: Giuffrè, 2002.

Pennington, Kenneth. "The Jurisprudence of Procedure". In: *The History of Courts and Procedure in Medieval Canon Law*, edited by Wilfried Hartmann, Kenneth Pennington, 125-159. Washington: The Catholic University of America Press, 2016.

Petrović, Mišo. "The Development of the Episcopal Office in Medieval Croatia-Dalmatia: Cases of Split, Trogir and Zadar (1270-1420)". Phd dissertation, Central European University, 2021.

Poloni, Alma. "Italian Communal Cities and the Thirteenth-Century Commercial Revolution: Economic Change, Social Mobility and Cultural Models". In:

Social Mobility in Medieval Italy (1100-1500), edited by Sandro Carocci, Isabella Lazzarini, 353-371. Rome: Viella, 2018.

Popić, Tomislav. "Oblikovanje srednjovjekovne stvarnosti – sociologija znanja i povijest". *Povijesni prilozi* 26 (2007), no. 33: 239-248.

Popić, Tomislav. *Krojenje pravde: zadarsko sudstvo u srednjem vijeku (1358.-1458.)*. Zagreb: Plejada, 2014.

Popić, Tomislav. "Traces of the Past and Social Realities: Late Medieval Court Records from Dalmatian Cities". *Open Library of Humanities* 5 (2019), no. 1: 1-17.

Popić, Tomislav; **Bećir**, Ante. "Najstariji sačuvani sveščić srednjovjekovnih zapisnika komunalnih vijeća grada Trogira: pitanje datacije i kronologije". *Povijesni prilozi* 39 (2020), no. 59: 31-65.

Popić, Tomislav; **Bećir**, Ante, eds. *Acta et reformationes consiliorum civitatis Tragurii (saec. XIII-XV)*. Zagreb: Hrvatski institut za povijest, 2022.

Popić, Tomislav; **Bećir**, Ante. "Politički poredak i zapisnici komunalnih vijeća srednjovjekovnog Trogira". In: *Acta et reformationes consiliorum civitatis Tragurii (saec. XIII-XV)*, edited by Tomislav Popić, Ante Bećir, 1-87. Zagreb: Hrvatski institut za povijest, 2022.

Rady, Martyn. "Literacy, Performance and Memory: The Áldomás (Trankopfer) in Medieval and Early Modern Hungary and Transylvania". *Anuarul Institutului de Istorie George Baritiu* 54 (2015): 365-375.

Reynolds, Susan. "Trust in Medieval Societies and Politics". In: Susan Reynolds, *The Middle Ages Without Feudalism: Essays in Criticism and Comparison on the Medieval West*, 1-15. London; New York: Routledge, 2017.

Reynolds, Susan. "The Emergence of Professional Law in the Long Twelfth Century". In: Susan Reynolds, *The Middle Ages Without Feudalism: Essays in Criticism and Comparison on the Medieval West*, 347-366. London; New York: Routledge, 2017.

Scott, James C. *Seeing Like a State: How Certain Schemes to Improve the Human Condition Have Failed*. New Haven; London: Yale University Press, 1998.

Scott, James C. *The Art of Not Being Governed: The Anarchist History of Upland Southeast Asia*. New Haven; London: Yale University Press, 2009.

Smail, Daniel Lord. *The Consumption of Justice: Emotions, Publicity, and Legal Culture in Marseille, 1264-1423*. Ithaca; London: Cornell University Press, 2003.

Smičiklas, Tadija et alii, eds. *Codex diplomaticus Regni Croatiae, Dalmatiae et Slavoniae (Diplomatički zbornik kraljevine Hrvatske, Dalmacije i Slavonije)*, Volume III (1905), Volume IV (1906), Volume V (1907), Supplementa, Volume I (1998). Zagreb: JAZU (HAZU).

Spufford, Peter. *Money and Its Use in Medieval Europe*. Cambridge: Cambridge University Press, 1988.

Stipišić, Jakov. "Razvoj splitske notarske kancelarije". *Zbornik Historijskog instituta Jugoslavenske akademije* 1 (1954): 111-123.

Stock, Brian. *The Implications of Literacy: Written Language and Models of Interpretation in the Eleventh and Twelfth Centuries*. New Jersey: Princeton University Press, 1983.

Strohal, Ivan. "Bratstva (bratovštine) u starom Trogiru". *Rad Jugoslavenske akademije znanosti i umjetnosti* 201 (1914): 47-66.

Strohal, Ivan. "Uvod". In: *Statutum et reformationes civitatis Tragurii*, edited by Ivan Strohal, I-XLII. Zagreb: JAZU, 1915.

Strohal, Ivan, ed. *Statutum et reformationes civitatis Tragurii*. Zagreb: JAZU, 1915.

Swanson, Robert N. *The Twelfth-Century Renaissance*. Manchester: Manchester University Press, 1999.

Szende, Katalin. *Trust, Authority, and the Written Word in the Royal Towns of Medieval Hungary*. Turnhout: Brepols 2018.

Tamba, Giorgio. *Una corporazione per il potere. Il notariato a Bologna in età comunale*. Bologna: Clueb, 1998.

Thomae archidiaconi Spalatensis Historia Salonitanorum atque Spalatinorum pontificum (Archdeacon Thomas of Split History of the Bishops of Salona and Split), edited by Damir Karbić, Mirjana Matijević Sokol, James Ross Sweeney. Budapest; New York: Central European University Press, 2006.

Veszprémy, László. "The Birth of a Structured Literacy in Hungary". In: *The Development of Literate Mentalities in East Central Europe*, edited by Anna Adamska, Marco Mostert, 161-181. Turnhout: Brepols, 2004.

Vručina, Petra. "The Role of Trust in Administering the Incomes of the Zagreb Chapter in the Late Middle Ages". *Annual of Medieval Studies at CEU* 27 (2021): 129-143.

Zelić, Danko; **Plosnić Škarić**, Ana, eds. *Dubrovnik: Civitas et Acta Consiliorum 1400-1450*. Zagreb: Institut za povijest umjetnosti, 2017.

Tomislav Popić*

Politički aspekti pragmatične pismenosti u trinaestostoljetnom Trogiru: Skica za portret

Sažetak

Autor u radu razmatra ključne čimbenike razvoja trogirске pragmatične pismenosti u 13. stoljeću, koji se dovodi u vezu s promjenama u komunalnom poretku, tj. s apropiacijom svjetovne vlasti u gradu od strane korporacije komune i pratećim slabljenjem moći gradskoga biskupa, potrebom za (re)pozicioniranjem komunalnih institucija vlasti u odnosu na vanjske (kralj, hrvatski velikaši, Venecija) i unutarnje (biskup, druge frakcije) centre moći, kao i u odnosu na druge članove gradske zajednice. Veći oslonac lokalne vladajuće skupine na pisanu riječ kao sredstvo oblikovanja i održavanja poželjnoga društvenoga poretka u tom kontekstu postaje sve izraženiji. Pragmatična pismenost u trinaestostoljetnom Trogiru stoga je bila jedan od glavnih nosivih stupova u razvoju novih institucija vlasti i (re)konfiguriranju odnosa moći pa se njezin razvoj povezuje sa stvaranjem prve statutarne zbirke, postavljanjem gradske kancelarije na profesionalne temelje i tranzicijom “od isprave prema registrima” u načinu organizacije komunalnih spisa.

Razdoblje 13. stoljeća bilo je ključno formativno razdoblje trogirске komune, koje karakterizira akumulacija moći u rukama ne tako velikoga broja gradskih obitelji čiji se članovi počinju redovitije izmjenjivati na najvažnijim pozicijama u tada još uvijek promjenjivim institucijama vlasti. Takav razvoj vodio je stvaranju manjih gradskih vijeća pa najkasnije 1267. godine iz sačuvanih pisanih tragova prošlosti izranja “vijeće grada” (*consilium civitatis*) sastavljeno od 20 “dobrih ljudi”, premda je nesumnjivo postojalo i ranije. Nedugo nakon toga ovo se vijeće počinje označavati kao *consilium generale*, a 1284. godine preobražava se u Veliko vijeće koje je inicijalno bilo sastavljeno od 40 vijećnika, da bi se do kraja 13. stoljeća broj povećao na 80 članova. Oblikovanje Velikoga vijeća sa znatno većim brojem članova zasigurno je bilo rezultat povećanih pritisaka raznih grupacija i pojedinaca koji su tražili ulazak u gradsku političku arenu u vrijeme znatnog demografskog rasta koji je Europa doživljavala u to vrijeme.

Imajući sve to na umu, oblikovanje prve trogirске statutarne zbirke sredinom 13. stoljeća izravno je povezano s isključivim preuzimanjem svjetovne vlasti u gradu od strane korporacije komune, koja je bila utjelovljenje gradskoga patricijata. Baš kao u talijanskim gradovima, prvi Trogirski statut također je najvećim dijelom definirao sklop pravila za političko djelovanje i “kalibraciju” odnosa između lokalne vladajuće elite i drugih članova gradske zajednice. Interesi gradskoga plemstva, koje je težilo petrificiranju takvog društvenog poretka, bili su utkani u njegovo tkivo. Taj proces vodio je

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profesionalizaciji gradske kancelarije početkom šezdesetih godina 13. stoljeća, što je u osnovi podrazumijevalo izravnu i isključivu kontrolu gradske vladajuće skupine nad njezinim osobljem, djelovanjem i spisima. To je pak rezultiralo stvaranjem prvoga registra bilježničkih i sudskih spisa, koji se kroz ostatak 13. stoljeća počeo računati na više knjiga; najprije razdvajanjem javnih komunalnih od privatnih bilježničkih spisa, a onda i daljnjom diferencijacijom komunalnih spisa ovisno o tipovima dokumentacije. Slično tome, registar odluka trogirskih komunalnih vijeća oblikovan je u korelaciji između spomenutih transformacija u političkom i društvenom poretku s jedne strane i povećanja broja građana koji su tražili politička prava s druge.

Ključne riječi: pragmatična pismenost, odnosi moći, srednjovjekovne komune, Trogir, srednji vijek, 13. stoljeće