



DOI: <https://doi.org/10.15688/jvolsu4.2022.6.19>

UDC 811.16:34(091)
LBC 81.41-03

Submitted: 21.02.2022
Accepted: 27.04.2022

**ITINERARIES OF MEDIEVAL SLAVIC LEGAL TEXTS:
BYZANTINE “FARMER’S LAW”
IN MS. SLAV. 466 FROM HILANDAR MONASTERY¹**

Mariyana Tsibranska-Kostova

Institute for Bulgarian Language, Bulgarian Academy of Sciences, Sofia, Bulgaria

Abstract. The author aims to summarize, analyze, and supplement the knowledge about the Slavic copy of the Byzantine Farmer’s Law in Ms. Slav 466 from Hilandar monastery, second quarter of the 15th century. It has long been in the focus of Serbian philology and history of law. The current observations refer to the following spheres: the relationship between text and manuscript, the axiological significance of precedential texts in culture, the importance of this copy for Byzantine-Slavic interactions in the legal system, the uninterrupted cultural role of Holly Mountain’s monasteries for Eastern Christian culture. The Slavic copy of the “Farmer’s Law” in Hil. 466 is unique by structure and peculiarities. The manuscript testifies to the only known combination of the Farmer’s Law and the Prochiron in the South Slavic tradition. It is hypothesized that this combination was a conscious choice of the compilers of the collection influenced by tendencies in the post-Byzantine tradition. It corresponded to the strong anti-heretical line of the overall manuscript, inherited from the struggles against heresies on Mount Athos in the 14th century. The manuscript is a typical monastic miscellany. The linguistic nature of the “Farmer’s Law” copy reveals its undoubted South-Slavic character, without russification, strongly influenced from the Greek protograph. Copy and translation may probably be of close chronology. Owing to being a precedential text, the Slavonic copy of the “Farmer’s Law” in Ms. Slav. 466 holds a special place in the attempts of reconstructing the stages and processes of reception of the Byzantine juridical legacy among South Slavs, of establishing the geographic-areal scope and the cultural itineraries of the spread of this text.

Key words: Slavonic translations of Byzantine Farmer’s Law, Slavic juridical manuscripts, legal culture.

Citation. Tsibranska-Kostova M. Itineraries of Medieval Slavic Legal Texts: Byzantine “Farmer’s Law” in Ms. Slav. 466 from Hilandar Monastery. *Vestnik Volgogradskogo gosudarstvennogo universiteta. Seriya 4. Istoriya. Regionovedenie. Mezhdunarodnye otnosheniya* [Science Journal of Volgograd State University. History. Area Studies. International Relations], 2022, vol. 27, no. 6, pp. 298-309. (in Russian). DOI: <https://doi.org/10.15688/jvolsu4.2022.6.19>

УДК 811.16:34(091)
ББК 81.41-03

Дата поступления статьи: 21.02.2022
Дата принятия статьи: 27.04.2022

**МАРШРУТЫ СРЕДНЕВЕКОВЫХ СЛАВЯНСКИХ ЮРИДИЧЕСКИХ ТЕКСТОВ:
ВИЗАНТИЙСКИЙ ЗЕМЛЕДЕЛЬЧЕСКИЙ ЗАКОН В MS. SLAV. 466
ИЗ ХИЛАНДАРСКОГО МОНАСТЫРЯ¹**

Марияна Цибранска-Костова

Институт болгарского языка, Болгарская академия наук, г. София, Болгария

Аннотация. Автор ставит своей целью обобщить, проанализировать и дополнить знания о славянском списке Византийского земельного закона в рукописи № 466 из Хиландарского монастыря, вторая четверть XV века. Он давно находится в центре внимания сербской филологии и истории права. Наблюдения относятся к следующим сферам: отношения между текстом и рукописью; аксиологическое значение прецедентных текстов в культуре; важность этого списка для византийско-славянских взаимодействий в правовой системе; непрерывная культурная роль монастырей Святой Горы для восточно-христианской культуры. Славянский список Земледельческого закона в Хил. 466 уникален по структуре и особенностям. Рукопись свидетельствует о единственно известном сочетании Земледельческого закона и Прохирона в южнославянской традиции. Высказано предположение, что такое сочетание было сознательным выбором составителей сборника под влиянием тенденций в поствизантийской традиции. Это соответствовало сильной антиеретической линии всей рукописи, унаследованной от борьбы с ересями на Афоне в XIV веке. Рукопись представляет собой типичный монастырский сборник. В языковом характере Земледельческого закона обнаруживается его несомненный южнославянский характер, без русификации, с сильным влиянием греческого протографа. Списки перевода, вероятно, имеют близкую хронологию. Благодаря тому что это прецедентный текст, славянский список с XV в. занимает особое место в попытках реконструкции этапов и процессов рецепции византийского правового наследия у южных славян, установления географическо-пространственного покрытия и культурных маршрутов распространения рассматриваемого текста.

Ключевые слова: славянские переводы Византийского земельного закона, славянские юридические рукописи, правовая культура.

Цитирование. Цибранска-Костова М. Маршруты средневековых славянских юридических текстов: Византийский земельный закон в *Ms. Slav. 466* из Хиландарского монастыря // Вестник Волгоградского государственного университета. Серия 4, История. Регионоведение. Международные отношения. – 2022. – Т. 27, № 6. – С. 298–309. – (На англ. яз.). – DOI: <https://doi.org/10.15688/jvolsu4.2022.6.19>

1. Introduction. The notion of itinerary in medieval literary tradition denotes not only the space movement of texts and manuscripts, but the cultural exchange between communities and peoples. Both translated canon and secular law texts of *Slavia Orthodoxa* emerge as an independent sphere of Greek-Slavic interaction with a wide geographical and chronological scope. They were of great importance with regard to the adoption of Byzantine political theory in Orthodox Slavic states, the creation of Christian identity, and the building of new social perceptions. Among them, the precedential texts and phenomena take a special place. Precedence here is understood primarily as one of the parameters that define the multifaceted term: the axiological significance of a text embodying such recognizable sociocultural concepts for a society, which imposes it as a benchmark, reproduced and renewed long after its creation. Our purposefully synthesized definition is based merely on selected works on the topic [29, pp. 28–30; 26, p. 204].

The Byzantine “*Νόμος γεωργικός*” (mid – 8th century), a monument of early Byzantine law, is justly considered a unique source of knowledge on the history of Byzantine rural communities [6, esp. p. 45]. The Byzantine manuscript tradition of this monument has been the topic of multiple past

and contemporary studies [33; 5; 38]. This also holds true for its Slavic reception under the general designation “Farmer’s Law” (hereafter *FL*). The precedential feature of the work is its agricultural theme, which is not similarly developed in any other monument; we notice a particularity in the work’s chronology and territorial dissemination – in other words, in the history of the book and the geographical-cultural trajectory of its manuscript copies. The original Byzantine monument consists of 85 cases (articles) regulating agricultural production, the norms of ownership and use of agricultural land in the free rural community, the workforce, livestock and farming equipment, the distribution of harvests, and multiple legal aspects related to all these. In the time of the First Bulgarian Empire, conditions for its translation first appeared in the 10th century, but no early copies are extant. It was only in the 15th century that the two lines of dissemination of *FL* first appeared; in terms of degree of completeness of translation from the Greek original, we should consider these to be the most significant trails of reception among the Slavs in the manuscript’s history. These lines of dissemination correspond to two different translations [27, p. 16]:

1. The Russian translation, included in the so-called “*Knigi Zakonnye*” («Книги законные»,

or “Law Books”); it may have had a South Slavic protograph. It was published with commentaries by A.S. Pavlov [25], and later reproduced from this edition in what has been the fullest study, to date, of the Greek and accompanying Russian tradition of the monument [5, pp. 233-256]. In academic literature, the designation “Knigi Zakonnye” refers to the compilation of Byzantine secular legislation in four parts: 1. *FL*; 2. The 39th title of the “Prochiron” (see farther) on punishments; 3. The 11th title of the “Prochiron” on prohibited marriages; 4. The 27th title of the “Prochiron” on witnesses; 5. The excerpts in the 14th title of the “Ecloga”. All these were united in an integral whole through a revised and abridged version of the Foreword to the “Ecloga”. The compilation “Knigi Zakonnye” was disseminated in manuscript copies starting from the 15th century; all the copies derive from a common archetype.

2. The South Slavic (Serbian) translation extant in a single, partially preserved copy, consisting of five leaves, in collection № 466 of the Hilandar Monastery of Mount Athos; the copy dates from the second quarter of the 15th century (hereafter Hil. 466). Due to loss and damage of leaves, only 71 numbered articles are preserved in the text, standing in various relations to the Greek original.

In the present article, we shall touch upon a specific aspect in the history of this late copy of *FL* – the relation between the text and the manuscript. As to *FL* in Hil. 466, its digitalized text is available at [19]. Today this option is taken for freely accessible to scholars, and henceforth we are able to analyze it de visu and to try to surmount obstacles for limits of our observations to what can be gleaned from the information available thus far. This way the precedent copy of the *FL* can be placed in its historical and literary context, as well as to stimulate the further research of the relationship between the legal and dogmatic part of the Hilandar manuscript.

II. General historical-archeographic information. *FL* in Hil. 466 has long been in the focus of Serbian philology and history of law. The greatest credit for introducing the work to the scientific community should go to Dj.Sp. Radojičić: in 1955 he published the text contained in the Hilandar miscellany, dating it to the period 1426–1432 [27]. He made broad-

ranging contributions, especially by clarifying the relation between Hil. 466 and the so-called «Law of Tsar Justinian”² (created after a Greek model), which contains excerpts from *FL*; he also discovered a third redaction, different from the two mentioned above, which has a specific history and lexical content. The compilation entitled “Law of Tsar Justinian” was disseminated together with the “Zakonik” [Code] of the Serbian tsar Stefan Dušan (1331–1355)³ and the Serbian abridged versions of Matthew Vlastar’s “Syntagma”. As is known, one of the most valuable copies of the full redaction is preserved in Bulgaria – the miscellany “Sudats”, dating from the second half of the 17th century, manuscript № 293, from the National Library in Sofia [20]. This witness, discovered in Kratovo, is an example of South Slavic compilations of customary law from the time of Late Middle Age. It is noteworthy that, within the sources of this compilation, parts of both *FL* and the “Law for Judging People”⁴ are to be found [20, p. 9]. The text of the monument has an independent history and the excerpts from *FL* are secondary, i.e., they were most probably reproduced from a specific Byzantine source in which the loan from *FL* had already been made.

M. Blagojević published a new edition of the original text together with its translation into Serbian and a comprehensive study on *FL* in Hil. 466 [4]. The study is entirely devoted to the contents of the text but the author has added a first-of-its-kind lexical register of the Slavic copy of *FL*. He also comments on a number of terms in the irrelation to Serbian customary law, to the study of which M. Blagojević has notably contributed. Now a number of legal and philological studies have been devoted to Serbian manuscript, of which we cite only a small share here [10; 11]. G. Trifunović translated the work into modern Serbian [31].

Research on Hil. 466 has a long history. Old descriptions refer to it as a *miscellany*. Sava Hilendarets supports this designation (dating the manuscript to the 16th century), and so does archimandrite Leonid [43, p. 55; 21, p. 17]. Its description is more complete in D. Bogdanović’s fundamental inventory of Slavic manuscripts in the Hilandar Monastery, where it is given a more comprehensive description [3, p. 178]. The English-language description given in P. Matejić and H. Thomas has also been

unquestionably important for the manuscript’s popularization [40, p. 556]. There, it is once again presented *as a collection of legal and dogmatic-polemical works*, comprising 358 leaves in semi-uncial writing and with a mixed Raška-Resava orthography. On the official site of the Hilandar Research Library in Ohio, we find the most comprehensive to date description of the text units, which thus give a fuller picture of the manuscript⁵.

Scholars are unanimous in dating the Hil. 466 copy to the second quarter of the 15th century. Some date-defining terms occur in the text. For instance, the monetary term динаръ in article 59 in Hil. 466, as opposed to грошь in articles 21 and 59 of “Knigi Zakonnye”, corresponding to the Greek “φόλλις” (“follis”; the bronze coin “follis” is a division of the nomisma) [38, p. 34, 67]. This is one of the indications that date the translation in Hil. 466 «пре пада Србије под власт Турака 1459 г.» (“before the fall of Serbia under the power of the Turks”) [2, p. 150] or, very generally, to the second quarter of the 15th century. There are no data permitting to define localization of this translation. The metadata contained in the manuscript themselves are very meager. All scholars repeat the information that there is an undated note on leaf 356: **Он законикъ Михаила еромонаха** [27, p. 19; 2, p. 10]. The term is more rarely used for ecclesiastical regulations (for instance, **Словеса избранныя шть законника стыхъ ѿца**) [37, p. 125]), because it is associated with foundational monuments of secular law among the Slavs, such as the 1349 “Zakonik” of Stefan Dušan. The Dušan Code was sanctioned at council of the Orthodox Church, in which high-ranking clergy took part; and a clear distinction is made in its provisions between the prerogatives of secular and ecclesiastic courts. Hence, Hil. 466 comprises both secular and canonical norms, with a preponderance of the former. The marginal note is not relevant to the translation, but reveals how the old legal texts were perceived by later users or owners.

Another late note in Hil. 466 abounds in geographic designations and ethnonyms, mostly referring to Serbia and the West Balkans. The last note on leaf 358 recalls that St. Theodore Stratelates was tortured in Heracleia Pontica. This is the eastern most location mentioned, and it connects the other references to the Black Sea

and Nessebar, where the saint’s relics were long kept before being transferred to Venice by the Crusades. The fact that the manuscript is kept in the Hilandar monastery does not categorically indicate its place of origin, but its localization in Mount Athos remains, for now, a possible assumption. The linguistic data cannot resolve this question, but can only mark the indisputable South Slavic origin of *FL*. It combines an Old South Slavic lexical stratum with a sustained agricultural and domestic vocabulary consisting of colloquial idiomatic terms used in Late Medieval Serbian and Bulgarian. By these features, *FL* in Hil. 466 differs sharply from the work’s Russian copies in the compilation “Knigi Zakonnye”. The most frequent terms used by various authors regarding the translation of *FL* in Hil. 466 are “Serbian text” («српски текст»), “Slovenian translation” («словенски превод»), “Old Serbian text” («старосрпски превод»), “Serbian-Slovenian translation” («српско-словенски превод»); the translator is considered to be a Serb [27, p. 15; 2, p. 178; 31, pp. 225-226].

III. The combination of *FL* and the “Prochiron” in Hil. 466. No other written evidence for a combination of *FL* and the “Prochiron” in one and the same body has so far been recorded in the Slavic South Law. This fact increases the special value of Hil. 466. As it is established, “Πρόχειρος νόμος” (“Procheiron Nomos” or “Prochiron”) ⁶ was an official legal code of the Byzantine Macedonian dynasty of 870–879 (from the time of the co-rule of Basil I the Macedonian and his sons Constantine, passed away 879 г., and Leo, the future emperor Leo VI the Wise (886–912). The full Slavonic translation of “Prochiron”, in Slavonic translation named as “Zakon Gradskiy” (“City Law”), appeared with a large gap of about three centuries in the South Slavic “Kormčaja” ⁷ with commentaries (“Nomocanon” of Saint Sava), attested in its earliest Ilovitsa copy from 1262 [18]. *FL*, in its turn, remained the unique South Slavic copy of the Byzantine prototype. A recorded South Slavic filiation lacks in regards to other juridical texts as well, such as the “Law for juggling people”, and the “Ecloga”. The combination of *FL* and “Prochiron” in one manuscript body was adequately brought to scholarly attention by Dj.Sp. Radojičić (summarized in [2, pp. 10-11]). After thorough work de visu and upon photos,

the outstanding Serbian scholar was the first to point out after that after *FL* in Hil. 466, the first five chapters, the 55th and the 56th from the St. Sava's Nomocanon have been taken. Further contemporary descriptions allow to claim the combination of *FL* and "Prochiron" a result of a conscious choice, as indeed, after *FL* on first place (1r–5v), the following textual unities were included: the Heading of the St. Sava's Nomocanon; the Exposition about the Seven ecumenical councils; Interpretations of Lord's Prayer; the Symbol of the Faith, and the Prologue, or Preface to the rules of the St. Orthodox Church in 14 titles with commentaries (6r–42r). Immediately afterwards, "Prochiron" occurs in its full volume of 40 titles (42v–147v), while it takes 55th chapter of Saint Sava's Nomocanon. Following is the tomos of patriarch Sisinnios II on forbidden marriages up to the seventh degree. It was promulgated on February 21, 997 [39, p. 66]. The date is indicated in the table of contents of the Slavic text: **У БЕЗАКОННИЙ ВРАЦѢ... ВЪ, ꙗа. ФЕВРОУАРИА МЦА. ВЪ ЛѢ СФЕ** (6505–5508, 147r–156v). The next unity is the disposition of the same council concerning the marriage with the daughter of a second cousin (156v–157v). From then on, dogmatic, anti-heretical (especially anti-Catholic, anti-Jewish and anti-Monothelite) texts, parts of older florilegia, sermons and various speeches of the Holy Fathers make part of the manuscript. They stay apart from our direct observations⁸.

Thus, the collection was given a specific organization. The outlined feature in the composition of Hil. 466 was not accidental. It holds that while "Prochiron" in Hil. 466 was directly borrowed from St. Sava's Nomocanon, the origin and the way of penetration of *FL* in the manuscript was independent and so far not entirely clarified. The supposition of having been copied upon a previously-made protograph seems much plausible. In the Greek-speaking tradition of *FL*, which counts more than 120 copies now, one can observe the following regularity. While in the 10th–11th cc. earliest manuscripts, *FL* was combined with the Byzantine "See Law" ("Νόμος Ναυτικός") and the Byzantine "Military Law" ("Νόμος στρατιωτικός"), the unifying with "Prochiron" was attested from the 11th–12th cc. onwards, and became more frequent in the 13th–14th cc. [38, pp. 24-25]. Some well-known

manuscripts from the 15th century reflect the Greek legacy in Mount Athos monasteries Vatopedi and Iviron; in addition to *FL* and "Prochiron", they consist of the Syntagma of Matthew Blastares, parts of the "Ecloga", legal glosses, excerpts from the "Hexabiblos" ("Six Books") of Constantine Harmenopoulos⁹, which have never been fully translated into Slavic [42, pp. 10-11, 25]. The active combination of legal secular texts in the Greek tradition has given impetus to the compilations of translated juridical works among South Slavs.

Why and how the combination of *FL* and "Prochiron" in Hil. 466 arose? Here are some considerations on this issue.

1. Dominant for the Byzantine original of *FL* is the biblical-Christian understanding of the specific production and moral relationship between farmers. The influence of the Old Testament is strongly felt, concentrated mainly in the excerpts from the book of "Exodus" for the legal responsibility of shepherds in the protection of arable land or the use of working cattle [5, p. 157]. After the leading researches of A. Schminck and P. Pieler the most recent studies confirm those conclusions [38, p. 38]. This suggests the relevance of *FL* in the early stages of the Christianization of Slavia Orthodoxa, whose cultural center in the 9th–10th cc. was the First Bulgarian Kingdom. In the Byzantine tradition, *FL*, "Νόμος Ναυτικός" and "Νόμος στρατιωτικός" take part of private legal collections, ("leges speciales"), as considered not a manifestation of the official imperial law¹⁰. The Maritime and the Military laws, however, have never been translated into Slavonic. "Detached" from Byzantine texts, with which it marked a positional proximity, *FL* created its own textual history in Slavic ambience, and as the "Ecloga", did not become part of the Old Bulgarian Nomocanon in 14 titles without commentaries [24]. This fact predetermined the flexibility of the textual environment in which it occurred. The gathering of *FL*, parts of "Prochiron" and "Ecloga" in compositions, similar to such as the Russian "Knigi Zakonnye", illustrated the later attempts of Slavic compilers to summarize the most important criminal law aspects of the three legal texts. Both lines of *FL* spreading during the 15th century kept the traces of a much earlier process of reception. They reveal the attempt

to combine the fundamental translated texts of Byzantine secular jurisdiction.

The content of Hil. 466 stresses this historical particularity of the Slavonic tradition: FL regulates agrarian issues; “Prochiron” – mainly marital and hereditary. Dj. Radojčić pointed out the purpose aimed at spiritual circles in order to settle issues concerning church or monastic property [27, p. 19].

2. The translation of *FL* in Hil. 466 may presumably coincide with the epoch of Serbian despot Stefan Lazarević (1402–1427). Despite the looming threat of the Ottoman invasion of the Balkans, his rule restored the power of the Serbian state, cultural and political flourishing took place, and a number of models of power were established in literature [30, pp. 184, 230–232]. However, there is no data for conscious authorities’ endorsement, nor does the content of the manuscript support such a hypothesis. Even the lack of ornamentation speaks to a monastic miscellany. In the 15th century, the creation of miscellanies was one of the elaborated mechanisms in South Slavic literature to preserve the Orthodox religious identity and the cultural memory [32]. They arose primarily in monastic centers. Monks found additional grounds for interest in agricultural issues. By definition, the labor activity in monasteries was a value. Labor, especially the cultivation of the land, was a pleasing act to God, a form of his glorification; its denial was a manifestation of heresy. The strong anti-heretical line in Hil. 466 might be considered a continuation of the dogmatic controversy and the hesychast struggle against the heresies on Mount Athos in the 14th century, when Massalians and their new branches were indicated as extremely dangerous, because seemingly for constant prayer sake, and in opposition to true hesychia, they renounced manual labor and land cultivation [45, p. 189]. Hence, the anti-heretical line in Hil. 466 goes together with socially significant issues of economic nature, problems of family, inheritance and criminal law. It is not coincidental that on Mount Athos hesychastic and ascetic collections were created during the whole 14th century. Athonite traditions spread to various parts of the Balkans. In the first quarter of the 15th c., on Athos, the Slavonic translation of the Second book of “Panoplia Dogmatika” a rose [7]. This is the best example of translated medieval heresiology.

In the dramatic moment when the Balkans were threatened by the Ottomans, this translation was the spiritual response of the monastic Brotherhood with outlined contextualization to achieve the consolidation of Orthodoxy through fundamental textual legacy. Legal texts took part in this process too. Areas of strong influence from Mount Athos were formed around Kratovo, Kosovo, Morava, the lands north of Skopje, the monasteries of Resava and Ravanitsa, the dioceses of Ohrid Archbishopric, which defended the Slavic-Byzantine interactions and the influence of Byzantine culture [28].

3. Although its singularity, without a stemma in its written dissemination, FL in Hil. 466 was copied from a photograph, chronologically close to the emergence of the overall codex. The common orthographic features of FL and “Prochiron” require a detailed study on whether they come out from one hand. This subject has not been thoroughly clarified.

IV. A few linguistic examples. Thanks to the abundant research, important linguistic features of FL in Hil. 466 have already been introduced into scholarly circulation.

1. *Words of ancient vocabulary layer:* ΔΕΛΑΤΕΛЬ, γεωργός; ИСКРЬНЬ, πλησίον; ΟΧΡΟΜΗΤΗ, ἐπικλάω; ПАСТЬОРЬ, ἀγελάριος; ΣΟΥΓΟΥΒΑΙΑ Ц’ЕНА, διπλή ποσότης; СЪВ’ЕД’ЕТЕЛЬ, μάρτυς, as well as in the typical collocation for the earliest juridical texts ДОСТОВ’ЕРЬНЬ СЪВ’ЕД’ЕТЕЛЬ, ἀξιόπιστος; СЪВ’ЕТЪ (“contract”), βούλευσις, СЪВ’ЕТОВАТИ СЪ (“make a contract, negotiate”); ЧР’ЕДА (“herd of similar animals”), ἀγέλη; *Formula, spread in Old testimonial texts:* ЖИВОТЪНО ЗА ЖИВОТЪНО, ψυχή ἀντὶ ψυχῆς (the famous principle of talion); *Etymological figures* – Δ’ЕЛ’ЕТЕЛЬ Д’ЕЛАТИ. Part of lexical data consists of basic vocabulary inherited from Proto-Slavic, as relationship between man and earth is constantly significant. This is one of the reasons for the long lasting written tradition of *FL* among Slavs in the Balkans, and in Russia. J. Koder found out about 58 terms exclusively specific to the Byzantine original of *FL*, therefore, the lexical originality was embedded in the prototype itself [38, p. 37]. At the same time, a text related to agricultural practice must be updated by new terms appropriate to the area of emergence and spread.

2. In comparison to “Knigi Zakonnye” Hil. 466 testifies to *strong composite word formation and keeping of untranslated grecisms:*

αραβωνα, ἀραβῶν (art. 15) against «задаток» in “Knigi Zakonnnye”; χαρακόςати “to fence with stakes when cultivating vines” (only in art. 11 of Hil. 466), χαρακόςω [38, p. 89]; .ѣ. травординъ (only in art. 17 of Hil. 466), τὰ ἐκστράορδινα τοῦ δημοσίου. The cognitive aspect of this mistake – rather of the translator than of the copyist, has already been clarified. It is about the misunderstanding of the Latin term decomposed into .ѣ. травординъ господско [2, p. 109].

Regarding the grecisms, it is worth noting that *P* in Hil. 466 bears the traces of redaction. This issue needs an independent study. In the current research scope, there placement of вѣно with прикиа (“dowry”), against “προίξ”, in the Greek original, may be given example. In the third chapter of “Prochiron” «ῶ дарѣхъ вероученнѣа», which consists of 7 paragraphs, the word «вѣно» has nine-times appearance in Povitsa copy. In the same context, Hil. 466 witnesses to seven replacements of «вѣно» with «прикиа», and only two uses of «вѣно», provided the rest of the text segments are absolutely identical or with slight prefix variations:

Povitsa copy, f. 269v: .ѣ. ЯЩЕ МОУЖЬ ПРИЕМЬ ВѢНО. ВЪСХОЩЕТЬ ЕЖЕ ПО ОБЫЧАЮ ВѢНО СТВОРИТИ СВОЕИ ВЕРОУЧЕННИЦИ ХОТЕЩИ ЗА НЬ ПОНТИ...;

Hil. 466, f. 46r: .ѣ. ЯЩЕ МОУЖЬ ПРИЕМЬ ПРИКИЮ. ВЪСХОЩЕТЬ ЕЖЕ ПО ОБЫЧАЮ ПРИКИЮ ТВОРИТИ СВОЕИ ВЕРОУЧЕННИЦИ ХОТЕЩИ ЗА НЬ ПОНТИ...

The word «вѣно», recorded as early as in the first Slavonic Nomocanon translated by St. Methodius, is a very ancient borrowing from Balkan Latin. «Прикиа» in Hil. 466 is of Greek origin and later substitute. Given its distribution in the Balkan Slavic dialects, it interconnects the presence of untranslated Greek words with a vernacular stream of language. This feature supports the hypothesis of deliberately compiling the collection of ready-made translations.

V. Findings and perspectives. The copy of *FL* in Hil. 466 appears as part of the chain of the spread of the Byzantine legal model among Slavs, which is much older and longer, than it is evidenced by written facts. It is a typical South Slavonic phenomenon. Its exceptional role as a precedent text does not diminish, but even raises the opportunities for studying *the continuity in the stages of the legal culture* in the Balkans and in Russia. The South Slavonic language nature of *FL* in Hil. 466 makes it applicable in a wide Balkan

area. Linguistic evidence reveals that a lexical choice has been made, the archaic lexical layer has been upgraded by contemporary phenomena apt to the new translation. The Athonite copy has preserved the traces of an older state of the written tradition of the Byzantine original in a Slavic environment. Its indisputable significance for the Byzantine-Slavic interactions in law turns it into the core of various and numerous research strategies; its combination with the copy of the Slavic translation of the “Procheiron” and with Canon law texts in the Hil. 466 is an expression of the main concept of “symphony” between secular and spiritual power. Though the contributions made to date are so large that every future scholar would be strongly hesitant about what new could say, study on “Farmer's Law” in Ms. Slav. Hilandar 466 should continue.

NOTES

1. The financial support from the Bulgarian Academy of Sciences under Bilateral grant agreement between BAS and the Romanian Academy is gratefully acknowledged. The author express the deepest thanks to the Hilandar monastic brotherhood for the enormous contributions to the preservation of the Slavic written heritage. Sincere gratitude is also extended to Prof. Predrag Matejić and Dr. Mary-Alan Johnson. Scientific Editor Yu. Ya. Vin.

2. “Law of Tsar Justinian” – it means “Zakon tsara (Constantin) Justinian” (“Закон цара (Константина) Юстинана”). This original Slavic title, which meets the compiled part of the Byzantine secular laws, was distributed along with the original Dušan’s codification (see: [20]. More about its place in Stephan Dušan’s legislative activity see: [44]).

3. The Code of Tsar Stephan Dušan has been legalized at a Council in Skopje in 1349, and supplemented in Serres in 1354. Dušan’s legislation deservedly constitutes an independent area of Byzantine-Slavic relations in law. The editions and studies on Dušan’s Code are very numerous, for example: [12; 4]. Here the main literature is pointed. Besides them, it should be especially noted on the facsimile editions of Dušan’s Code [13–17].

4. “Law for Judging the People” – the first and most archaic Slavic compilation, based on the title 17th of the Byzantine “Ecloga”, supplemented by canon law norms. It is believed to have emerged in Great Moravia in the 9th century. See: [22]. As well see: [8].

5. See HM.SMS.466 [36].

6. See: [41, pp. 114-228]. About the “Procheiros nomos” see: [23, esp. pp. 179-182 etc.; 35, pp. 25-29].

7. About “Kormčaja Kniga” (“The Pilot’s Book”) see: [1]. Also see: [35, p. 125].

8. It should be, however, noticed, that the heading «Прѣдѣлы съ вѣтъ различни по прѣданію и вѣрѣ стѣны съворьныи», (ff. 158r–177r), is the same as the title of the first article, having given the name of Vladislav the Grammarian’s miscellany “Predeli” (“Limits”) of 1456. The manuscript consists of mostly anti-Catholic texts [9, pp. 33–41]. Therefore, it was about translated works, very popular during the whole 15th century. The last text is («стезаніе бывшее выкратцѣ в вѣрѣ хрѣстиансцѣи и о законѣ евренскомъ») from the Council in Jerusalem in 634, at the times of patriarch Sophronios.

9. “Hexabiblos” (or “Six Books”) of 1345 – a compilation of secular law, composed by Constantine Harmenopoulos, Byzantine jurist of XIV c. [46] “Hexabiblos” is sometimes thought to be a supplementary legal manual to the “Prochiron”. See: [35, p. 112 etc.; 23, p. 233 etc., 508 etc.].

10. The so named “leges speciales” – a common name for private Law collections in the Byzantine Empire [35, pp. 103–132, esp. p. 109 etc.; 34, pp. 53–64].

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Information about the Author

Mariyana Tsibranska-Kostova, DSc, Professor, Institute for Bulgarian Language, Bulgarian Academy of Sciences, Boulevard Schipchenski prohod, 52, Bl. 17, 1113 Sofia, Bulgaria, tzibran@ibl.bas.bg, <https://orcid.org/0000-0002-5699-7503>

Информация об авторе

Марияна Цибранска-Костова, DSc, профессор, Институт болгарского языка, Болгарская академия наук, бул. Шипченски проход, 52, бл. 17, 1113 г. София, Болгария, tzibran@ibl.bas.bg, <https://orcid.org/0000-0002-5699-7503>