

## ***Veche and the terms “All Pskov” and “Pskov Men”: The Russian Medieval City Assembly as a Communal Structure***

Alexei A. Vovin\*

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The article focuses on the collective political institution, the *veche*, of the Russian medieval city of Pskov. The author argues that the horizontal political ties within that city prevailed over the vertical ones in the period before its subjugation to the Muscovite State in 1510. Pskov is put into a broad comparative perspective which results in the conclusion by the author that the development of Pskov in the fourteenth–fifteenth centuries very closely resembled that kind of urban synoecism which was practiced by Western European communes in their early stage of development (eleventh–twelfth centuries). It means, first, that the Russian Middle Ages repeated in some important features that which had occurred in Western Europe, and, second, that it happened not due to a borrowing of political institutions (as was the case with many East European countries) but independently because of similar conditions arising, albeit after a two-century delay.

Keywords: Russian Medieval City. Pskov. Urban Commune. West and East Middle Ages. Medieval City Assembly. *Veche*. Horizontal Ties within a Medieval Society.

### **Introduction**

The word *veche* appeared in the chronicles in the pre-Mongolian period and obviously referred to a political assembly in some Old Rus' cities. "Making" their *veches*, the inhabitants of Kiev, Novgorod etc invited or expelled princes, and declared war and peace. As the source data remains very scarce, we know little of how it really functioned, besides the undoubted fact that its nature was very archaic (no vote counting, and not even an idea of majority is found in the sources). After the Mongol invasion the *veche* disappears from the political life of most Russian cities with the two key exceptions of Novgorod and Pskov, where the phenomenon seems to have developed and even prospered further.

At first glance, the reason seems evident: because the Mongols never reached the remote area in the north-west of Russia where Novgorod and Pskov are situated. The fate of this region had contrasted deeply with that of the rest of the Old Russian lands where the Mongols had razed to the ground more than 90% of cities and killed or enslaved their populations. So, north-western cities were able to continue the pre-Mongol urban political culture with *veche* traditions as a key feature. The restored cities in the north-east and south-west of the old Russian lands (which had become the main scene of the invasion) were re-settled by "new" inhabitants who were alien to the urban traditions of the previous period and who were consequently subjugated to strong princely powers. So, we should take into consideration that there was a pre-Mongol *veche* as a phenomenon well spread among most of the old Russian cities and a post-Mongol one which is known mostly (with few exceptions) in Novgorod and

\* Alexei A. Vovin, Ph.D., Saint Petersburg Institute of History, Russian Academy of Sciences, Russian Federation; [avovin@eu.spb.ru](mailto:avovin@eu.spb.ru); [avovin@hse.ru](mailto:avovin@hse.ru)

Pskov. The latter was probably a result of the further development of the former but they cannot be studied together as a single form of institution remaining untouched over the course of four centuries.<sup>1</sup>

On the one hand, there is a strong tendency in Old Rus' studies to consider veche-cities (Novgorod and Pskov) a specifically Russian medieval urban form. On the other hand, those scholars who focused on the Western- and Central European medieval city as a complex phenomenon have usually seen the latter's limits within the borders of Latin Europe. In this article, I will challenge these tendencies, exploring the nature of medieval Pskov's power system through its key political institution – the city assembly – and placing the Pskov data in a wider comparative context of medieval urban life. In the article co-authored with M. Krom I provided an analysis of the previous historiography as well as the general contribution to the problem.<sup>2</sup> That article, however, focuses mostly on the theoretical issues while the comparison itself was just outlined. Here I intend to fill that gap and go further with the comparison, making it more practical at the source level. Doing so, I will be taking into consideration the main conclusion of the aforementioned article: Pskov in the fourteenth–fifteenth centuries was very close in its development not to the contemporary Western cities, but to the early communes of the Latin world, i.e. to the cities of the period when the communes had just appeared and were making their very first steps (late eleventh–twelfth centuries). Moreover, the greatest similarities seem to be found between the Russian veche-cities and early communes of northern and central Italy.

One of the historiographical debates always accompanying the study of the socio-political life of Novgorod and Pskov is the problem of the elitist or egalitarian nature of power in these cities prior to their inclusion in the Muscovite state (1478 and 1510, respectively). As a rule, to the fore in this conversation has been the discussion of veche and, specifically, how broad or narrow was the contingent of its participants and what its prerogatives were.<sup>3</sup> However, at least in the case of Pskov, such an approach

1 This has not always been taken into consideration by previous scholars. Since the nineteenth century there has been a strong tendency in Old Rus' historiography to study the pre-Mongol society as a complex phenomenon without special attention being paid to local or temporal diversity. For example, in the contemporary historiography on veche problematic there are such research as that one of I. Y. Froyanov who believed that old Russian veche was not but a direct analogous of Old Greek polices assemblies in which every free man, i.e. a city-state citizen, could participate regardless of whether he lived inside the city walls or in the countryside (see: FROYANOV, *Drevnyaya Rus*. FROYANOV – DVORNICHENKO, *Goroda gosudarstva*). That point of view, however, is based on a primordial theoretical frame, rather than on a reliable source analysis (for more critics of I. Froyanov and A. Dvornichenko's theory see: LUKIN, *Novgorodskoye veche*, 402–428, 461–518. VOVIN, *Gorodskaja kommuna srednevekovogo Pskova*, 251–263).

2 VOVIN – KROM, *The City of Pskov*, 313–330.

3 There are two main points of view on the Novgorod veche in the modern historiography: 1) That of Valentin L. Yanin (and his school) who believed that the veche was a very elitist institution with few participants, all of whom were totally under the control of the Novgorod aristocracy – boyards. Yanin made this suggestion on the basis of a source description of Novgorod veche according to which Novgorodians "were sitting on the veche". Taking into consideration that "siting" character of the veche and the place where it gathered, the scholar calculated that approximately just 300 people could take part in it. According to Yanin, that number correlated with the number of boyards and a few of their dependants participating in the assemblies, with most Novgorod city-dwellers excluded from the political institution. See: YANIN, *Problemy socialnoy organizatsii*, 50; for more general views of V. L. Yanin see: YANIN, *Novgorodskie posadniki*. 2) That of Pavel Lukin who, challenging Yanin's argumentation, argued that the Novgorod veche had a much more egalitarian character. Lukin demonstrated, on the basis of Hanseatic sources on Novgorod, that the participants of an assembly were staying and not sitting, while the Old Russian verb "to sit" meant not a certain position but was a synonymous of the verb "to be". In that case, the square where the veche gathered could host several thousands of people, i.e. the

(dealing with just the *veche*) does not appear to be fruitful. The notion of *veche* appears in Pskov sources (both in narratives and in documents) comparatively lately: from the middle of the fifteenth century. Besides, the word *veche* is never used in the sources as a grammatical subject of a sentence, but always indicates a place or a manner of action.<sup>4</sup> I believe that by stepping outside of the *veche* problem per se, we can take a fresh look at the problem of the extent of the participation of non-privileged Pskov inhabitants in the administration of Pskov and its land. In order to do so, we have to discuss two key notions recurring in the Pskov sources: "all Pskov" and "men of Pskov".

The comparative mirror I will use to reflect the Pskov *veche* (however it was named in the sources) is the city assembly of the early medieval communes in the Latin West, however a specific assembly is named in the sources, which was the only institution all of them shared regardless of the country, language etc. That was probably the key political institution of any early communal city. It was called the *conventus populi*, *contio*, *arreglo* or *parlamentum* in the communal sources of Latin Europe. Such governing consisted of adult male city inhabitants and elected the first magistrates. It was there that the *coniuratio* occurred.<sup>5</sup> They were the primary institutions of power in the commune and possessed judicial authority. Such an assembly functioned wherever a commune appeared: in England,<sup>6</sup> in Germany,<sup>7</sup> in Dalmatia<sup>8</sup> and in Italy,<sup>9</sup> including Venice,<sup>10</sup> which is usually considered a particular commune case due to the Byzantine influence there. An assembly usually gathered on a central square in front of a cathedral when summoned by the latter's bell toll (exactly as the Pskovians did). A city assembly was a kind of directly democratic institution, but nevertheless a primitive one. There was no vote counting but just an acclamation of the main political decisions made by a vociferation.<sup>11</sup> Generally speaking, we know little about Western city assemblies either. Exactly as in the case of the *veche*, the *conventus populi* is mentioned many times in the sources but never described (just several descriptions of comparatively late gatherings came to us). The city assembly had played a very prominent role in the early communal cities but declined in the second communal period when a new city patriciate took the cities under control creating a new governing body: a city council. The latter has never appeared in Pskov, but at the very end of the Pskov independence in the late fifteenth century the new city oligarchy was attempting to limit the *veche*'s power.<sup>12</sup>

In fact, before the 1980s the historiography had never focused on the assemblies due to an "elitist" paradigm in which special attention had been paid to the city patriciate. It changed when a new approach appeared, in which the research focus shifted from the urban elites and the consuls (who belonged to these elites) to the problems of joint action, deliberation and political decision-making in city assemblies.

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assembly could consist of all *pater familias* of Novgorod including the commoners. For Lukin's argumentation see: LUKIN, *Novgorodskoye veche v XIII – XV vv.*, 20–24.

4 For more details on *veche* in Pskov sources see: VOVIN, *Gorodskaja kommuna srednevekovogo Pskova*, 75–82.

5 For more details on medieval assemblies see: VOVIN, *Gorodskaja kommuna srednevekovogo Pskova*, 346–367.

6 REYNOLDS, *Kingdoms and communities*, 155–214.

7 ISENMANN, *Die deutsche Stadt im Mittelalter*, 181–192.

8 CARTER, *Dubrovnik (Ragusa)*, 50–52.

9 TANZINI, *A consiglio*, 4–32.

10 CRACCO, *Societa' e stato*, 28–48.

11 BERENGO, *L'Europa delle citta'*, 178–179.

12 VOVIN, *Gorodskaja kommuna srednevekovogo Pskova*, 160–227.

In the twenty-first century, this particular area of research has become one of the main ones. So, in 2003, the almanac of “Le genre humain” came out under the heading “Qui veut prendre la parole?”<sup>13</sup> and his main topic was the problem of discussion and decision-making by collective institutions at different times and in different cultures. At the same time, the central place in the volume was occupied by the theme of Italian assemblies of the early commune period. In 2014, the first monograph was published entirely devoted to the early communal assembly and its further transformations.<sup>14</sup>

So, the research focus has recently shifted from the urban elites to the horizontal ties of the communal society, from socio-economic issues to socio-political. That shift required changes in the researcher attitude to the sources. Most of the documents that have come down to us from the eleventh–twelfth centuries are related to land ownership and have been preserved thanks to the monastery archives. We should argue, however, that it happened not because the private land acts predominated by themselves in the Middle Ages, in comparison with other types of documents, but only due to the best preservation being that of church archives. Ignoring this fact, we run the risk of making the Middle Ages seem even more agrarian and even more churchly than they actually were, as Arnold Ash noted.<sup>15</sup> However, the private land acts are mostly unsuitable for the researching of the socio-political structure. Since the relatively few preserved public acts of the eleventh–twelfth centuries are insufficient, researchers should pay more attention to the narrative sources. In that case, the historian faces the task of correlating the conceptual apparatuses of narrative and documentary sources, which often differ. So, for example, the question arose of whether it is necessary to equate *iudices* of documents with chronicle *capitanei*, *milites* with *cives maiores*, and *pedites* with *cives minores* etc. So, the research problems faced by scholars focusing on the early Western commune and Pskov<sup>16</sup> are very similar. First of all, there is the problem of a lack of documentary sources with a relative abundance of narrative ones and, accordingly, the problem of correlating their data.

### The terms “all Pskov” and “Pskov men” and their Latin world analogues

The notions above are synonyms. It is easy to observe this on the basis of both narrative and documentary sources. They often alternate even within one and the same document. Thus, for example, we read in the treaty of Pskov with the Livonian order of 1417: “our government, the Posadnik<sup>17</sup> of Pskov and all Pskov sent us ... not to help ... against us, the Pskov men”.<sup>18</sup> In the Pskov 1477 letter to Tsar Ivan Vasil’evich we find the following words: “we, the posadniks of Pskov, and the ex-posadniks, and the sons of posadniks, and noblemen, and merchants, and commoners, all Pskov, bow

13 DETIENNE, *Le genre humain*.

14 TANZINI, *A consiglio*.

15 ESCH, *Überlieferungs-Chance*, 529–570.

16 In the Pskov case, the main body of documents that have come down to us is also private by nature and basically survived as a part of collections whose origin is connected with the Church.

17 The word “posadnik” is etymologically derived from the verb “posadit” (to seat, to put, to place). Originally, “posadnik” was a prince lieutenant “placed” in a city in his stead. Later, when the princely power in Pskov declined, “posadnik” became an independent city magistrate (mayor). Later the word was used also to designate members of a powerful social group (patricians). To emphasize the difference between these two meanings of the notion a new adjective “stepennyoy Posadnik” appeared that referred just to a Posadnik-in-office, i.e., a Mayor. For more details on this evolution see: VOVIN, *Gorodskaja kommuna srednevekovogo Pskova*, 160–227.

18 VALK, *Gramoty Velikogo Novgoroda i Pskova* [hereafter GVNPN], 318.

deeply to the Great Prince Ivan Vasil'evich, the Tsar of all Russia ... freewill people, all Pskov bow deeply".<sup>19</sup>

One can see from this last example that "freewill people" are the "all Pskov". The former is a definition frequently occurring in the *Pskov Chronicles* starting from the second half of the fifteenth century. As a rule, it was used in the *First Pskov Chronicle* description of Pskov's relationship with Moscow princes: "[great prince] being concerned about his patrimony, Pskov men, the freewill people".<sup>20</sup> In that fragment "freewill people" refers to "Pskov men" and not to "all Pskov". At the same time "Pskov men" are called a "patrimony of a Great Prince". Therefore, because the "patrimony" as a land cannot be equated with people, then in the fragment above "Pskov men" are used in the meaning "all Pskov". Consequently, "all Pskov" was not but a synonym for "Pskov men"; both of them could mean a territory as well as a political people that ruled there.

A parallel reading of the *First* and the *Second Pskov Chronicles* provides the evidence for the fact that "men of Pskov" is used synonymously with "all Pskov".

Table 1: References to wall constructions in the *1st* and *2nd Pskov Chronicles* respectively

<i>1st Pskov Chronicle</i>	<i>2nd Pskov Chronicle</i>
Prince Grigorii Eostaf'evich and Posadnik Zakharija and <b>all men of Pskov</b> started [to build] a new wall <sup>21</sup>	Prince Grigorii Ostaf'evich and Posadnik Zakharija and <b>all Pskov</b> laid the foundation to a wall <sup>22</sup>

Therefore, "all Pskov" and "(all) men of Pskov" are synonyms. Certainly, it is possible to note peculiarities in the usage of one or another term depending on the nature of a given source. While in the chronicles they are used 50/50, in the official Pskov documents the first variant "all Pskov" is more dominant. This probably indicates that it was slightly more official.

I would like to direct the attention of my readers to another idea that was mentioned in passing in another article of mine: the analysis of the formulae of Pskov official documents could possibly raise the curtain on the evolution of the Pskov socio-political structure.<sup>23</sup> A similar analysis has been already adopted by Yurii Alekseev, who has been analysing the social differentiation in Pskov during the fourteenth and fifteenth centuries.<sup>24</sup> Let us review these documents in chronological order.

The treaty of Pskov with Rīga (fourteenth century) starts with the words: "From Posadnik Sidor and from Raguil, and from all Heads of hundred men, and from all Pskov men".<sup>25</sup>

In the land purchase document of Prince Skirgailo (1370s or 1380s) we read: "From Posadnik Yurii, from all Heads of hundred men, and from all Pskov men".<sup>26</sup>

19 Ibidem, 324.

20 NASONOV, *Pskovskie letopisi*. Vol. I. [hereafter *Pskov Chronicles I*], 58.

21 *Pskov Chronicles I*, 26

22 NASONOV, *Pskovskie letopisi*. Vol. II. [hereafter *Pskov Chronicles II*], 30.

23 VOVIN, *K voprosu o knjazheskoj vlasti v Pskove*, 103–114.

24 ALEXEEV, *Chernye liudi*, 242–274.

25 GVNP, 317.

26 MARASINOVA, *Novye Pskovskie Gramoty* [hereafter – NPG], 46.

In the treaty of Pskov with the Livonian order (1417) it is said: "Dar umme heft unsere herschaft uns utgesandt, de borgermeister von Pleskow und alle Plekowe" (we were sent by our masters, the Posadnik of Pskov and all Pskov men).<sup>27</sup>

The Pskov letter to Revel (1418–1419) starts with the paragraph: "From Prince Fedor Oleksandrovich and from Posadnik of Pskov Mikola Pavlovich, and from all Posadniks of Pskov, and all the heads of hundred men, and from all Pskov".<sup>28</sup>

In the treaty of Great Prince Kazimir with Pskov (1440) we find: "from all Pskov".<sup>29</sup>

In the Pskov letter to Rīga (1462–1463) there is: "From Pskov Prince Ivan Aleksandrovich and from Posadnik-in-office Maksim Larionovich and from all Posadniks of Pskov, and from noblemen of Pskov, and from merchants, and from all Pskov".<sup>30</sup>

In the Pskov letter to Ivan III (1477) we find: "Pskov Posadniks-in-office and ex-Posadniks-in-office, and sons of Posadniks (Patricians), and noblemen, and merchants, and zhit'i lidi (well-off people)<sup>31</sup> and all Pskov".<sup>32</sup>

In the treaty of Pskov with King Kazimir (1480) there is: "This was done by Vasilii Val'evich, the Prince of Pskov and all Posadniks (Patricians) and all Lord Pskov".<sup>33</sup>

The Pskov charter to Kolyvan' (1486) contains the passage: "From Iaroslav Vasil'evich, the Prince of Pskov, and from all Posadniks-in-office and from all Pskov...".<sup>34</sup>

The treaty of Pskov with the Livonian order (1503) has the following: "Von dem fursten von Pleskaw Dimitre Volodimerewitz, von den borgermeistern to Pleskaw de oversten, von olden borgermeistern, und von alle grote Pleskaw" (from Dmitrii Vasil'evich, the Prince of Pskov, from Posadniks-in-office, from ex-Posadniks-in-office, and from all Great Pskov).<sup>35</sup>

On the basis of these examples, we can see clearly the evolution of the formula of Pskov official documents. While in the second part of the fourteenth and the beginning of the fifteenth centuries it included posadniks, heads of hundred men and Pskov men, in the following period it becomes more complex. First, there is the addition of a prince (for the first time in treaty with Kolyvan' 1418–1419), and consequently some other social groups of the present Pskov commune start to be included. The terms connected with posadnik become more complex: we see the appearance of "Posadniks-in-office", "ex-Posadniks-in-office", and "children of Posadniks".<sup>36</sup> The general direction of the formula's development is quite clear: from the simple to the complex. We can observe striking chronological parallels between the appearance of certain notions in the official document formulae and the first utilization of the same words in the chronicles. Thus, for example, "well-off men" are referred to in both documents<sup>37</sup> and chronicles<sup>38</sup> for the

27 GVNP, 318.

28 VALK, *Novye gramoty*, 234.

29 GVNP, 321.

30 GVNP, 323.

31 "well-off people" were the highest strata of free commoners.

32 GVNP, 324.

33 GVNP, 325.

34 SOKOLOVSKY – BELEZKY, *Pskovskaya gramota*, p. 140.

35 GVNP, 331.

36 VOVIN, *Gorodskaja kommuna srednevekovogo Pskova*, 160–227.

37 GVNP, 324.

38 *Pskov Chronicle II*, 204.

first time in the 1470s, while “Posadniks-in-office” appear in the official documents from the beginning of the 1460s in charters,<sup>39</sup> and in the chronicles from 1436.<sup>40</sup> Given the miniscule number of official acts (only one within this time span), and the peculiarities of chronicles as a form of writing in Russia, the difference of twenty years does not seem to be significant. Data from chronicles and official documents complement each other, providing us with a picture of the evolution of Pskov’s societal structure and its political institutes that was reflected in the change of the formulae of Pskov official documents and of the “formulae of power” utilized in the chronicles.<sup>41</sup>

It is important to note that the only part of these formulae that was never omitted was the expression “all Pskov”. The texts of Pskov official documents are especially significant in this respect. Thus, for example, the treaty of Pskov with the Livonian order (1417),<sup>42</sup> where the formula “our government, the Posadnik of Pskov, and all Pskov” is used repeatedly, also contains the short formula “all Pskov”. The Magister of the Livonian order was invited to sign the peace treaty with “all Pskov”, and not just with its Posadnik.<sup>43</sup> The same situation can be observed in the treaty of Prince of Pskov Vasilii Vasil’evich with King Kazimir of Poland (1480).<sup>44</sup> Its title contains the broad formula “Pskov Posadniks and all Pskov”, and below there is an even broader formula: “Posadniks of Pskov, and ex-Posadniks, and sons of Posadniks, and noblemen, and Heads of hundred men, and merchants, and zhit’i liudi (well-off people), and all Pskov make the low bow”.<sup>45</sup> However, further below in the text, it is claimed that the Magister of the Livonian order is guilty in his doings with Pskov. Therefore, it is exactly “all Pskov”, “Pskovians”, who are the main representatives of the administrative power, and not a prince of Pskov or its posadniks. Both the Livonian order and the Polish king conclude the peace treaty with “all Pskov” and not with a prince of Pskov or its posadniks, who are not mentioned in these texts separately. They are the representatives of Pskov and ambassadors of Pskov’s will. A prince of Pskov and its posadniks are included in the broad formulae that demonstrate the power structure in the city, but they are not its rulers, who might conclude a treaty.

Article 108 of the Pskov Judicial Charter states:<sup>46</sup> “If [in the present,] original [Pskov Judicial] Charter some matter is missing, then the posadniks are to refer the matter to Lord Pskov at a veche and write that case [into the Pskov Judicial Charter]. If in the future some provision in this Charter will not be to the liking of Lord Pskov, then it is free to remove that provision from this Charter”,<sup>47</sup> which established the accountability of

39 GVNP, 323.

40 *Pskov Chronicle I*, 43.

41 For more details see: VOVIN, *K voprosu o knjazheskoj vlasti v Pskove*, 103–114.

42 GVNP, 318.

43 GVNP, 318–319.

44 *Ibidem*, 325–326.

45 *Ibidem*, 326.

46 Pskov Judicial Charter is the only statute-like law code of Medieval Rus’ which came to us (there was also Novgorod Judicial Charter, but only its relatively small fragment survived). PJC articles refer to different parts of Pskov urban life, it describes political, social, civil and criminal issues all together. PJC is cited on basis of its existing English translation (slightly edited by me because of the translation obvious defects): KAISER, *Pskov Judicial Charter* [Hereafter PJC], 87–105.

47 PJC, 103–104.

posadniks to “Lord Pskov”, and not to the veche, as Kolosova suggested.<sup>48</sup> This is quite apparent from the expression “will not be to the liking of Lord Pskov”, while the veche is mentioned only as the necessary procedure of legitimization. This demonstrates that it was exactly “all Pskov” that was perceived by Pskovians and their contemporaries as the collective representative of power.

Certainly, we have to differentiate the purely symbolic power bearers from the real ones. Would it be possible to state that Pskovians could take any decisions independently of princes and posadniks? I believe that it is possible to provide a positive answer to this question. In the *Pskov Chronicles* we find a description of the military expedition to Livonia led by Princes Ivan and Ostafii and Posadnik Vododets. When the Pskovians were returning with their loot, they were overtaken by a “great German chase”, and they had to take their stand. In the first engagement, Posadnik Koroman and Onton, the son of Posadnik Il’ia, and “many other Pskov men” were killed. Nevertheless, according to the chronicle, the Pskovians emerged victorious in spite of their losses. At the very beginning of the battle someone called “Ruda, the priest of the church of Saints Boris and Gleb, the grandson of Loshak”, abandoned his horse, weapons, and armour, and ran away from the battlefield. When he reached Pskov, he reported that Germans had killed “all men of Pskov and all men of Izborsk”. The Pskovians were at first going to send a messenger to Novgorod asking for help, but then “not believing the priest’s words, did not let him to go to Novgorod, but sent Iakov Domashinich to Izborsk to obtain information about the Pskovians”.<sup>49</sup> This means that the Pskovians could make such an important decision independently while the princes and posadniks (one of them had perished, the others were with the militia engaged in the battle) were not present in Pskov.

Similar occasions are frequently described in the *Pskov Chronicles*. For example, one more episode (1509–1510) is recorded in “The Tale of the Fall of Pskov”. According to the *Pskov Chronicles*, the Pskovians sent an embassy to Novgorod, where the great prince was at that time. The composition of the embassy is defined as: “nine Posadniks and Heads of merchants of all ranks”.<sup>50</sup> Besides, even before that, the Pskov posadniks Iurii and Leontii had been to the great prince in Novgorod with mutual charges. However, Vasilii III did not deliver his judgement and demanded that the plaintiffs wait until Christmas in Novgorod.<sup>51</sup> Upon arriving at the palace of the great prince, the “Posadniks and noblemen and Heads of merchants were led inside, but the junior people were left standing in the yard”. Then Moscow noblemen took custody of those inside the palace, and juniors were distributed for homestays with Novgorodians. When the news reached Pskov, Pskovians gathered for a veche. First of all, they complained that the “Posadniks and noblemen and all the best people are now held by him”.<sup>52</sup> Probably, all or most of the Pskov elite members had been taken at this moment as prisoners by Vasilii III. Nevertheless, Pskovians gathered the veche and decided to send to the great prince one more ambassador: Head of hundred men, levstafii. The Pskovians left this embassy underrepresented in sending just the head of hundred men to the great prince, if it is to be compared with previous embassies, which had always

48 KOLOSOVA, *A posadnikom dolozhit’*, 89–92.

49 *Pskov Chronicles I*, 12, 20.

50 *Pskov Chronicles I*, 93.

51 *Ibidem*.

52 *Ibidem*.

included several *posadniki*. But this choice was probably dictated by the absence of other more appropriate candidates, because all “the best people” were already held captive. Consequently, it can be seen that political decisions could be taken without the participation of *posadniki* and other magistrates.

At first glance, these “all Pskov” or “all Pskov men” had nothing in common with Latin-world communal realities where the notion *Communitas* or *Commune* served to describe the political people of a city. This, by the way, led L. Steindorf to state that Novgorod cannot be considered a kind of communal city due to the lack of the word “commune” in its sources.<sup>53</sup> In the article of 2017, M. Krom and I have already challenged that kind of approach, arguing that the absence of the notion itself should be explained by the linguistic specifics of Old Rus', while the commune-like institution could be hidden behind other notions, such as “All Pskov” or “Pskov men”.<sup>54</sup> However, I dare to state that even in the case of Western cities the notion “commune” appears in the sources just after the institution itself appeared and not before.

If we take, for instance, the *Annales Pisani*, we will see that, from 1098 the notion *populus Pisanus* commenced to be used, and that date can hardly be considered accidental. Between 1088 and 1092 Archbishop Diabert of Pisa resolved a conflict between the warring families of *milites* by setting the maximum allowed height of private towers. For the first time, it was the *populus pisanus* (understood in the context of the document as a collective community of city residents) which guaranteed and witnessed the resolution. The archbishop made the decision in the commune *colloquio civitatis*, i.e. at the general meeting of the city. This event is known in historiography as *Lodo delle torri* (Decision on the Towers), and the act in which it is recorded was the first document which mentioned a collective community of townspeople who were making a decision at a city assembly.<sup>55</sup>

The use of the concept of *populus pisanus*, however, was not stable; in parallel, in the same text of the *Annales Pisani*, the expressions *pisani*, *homines pisani* (if we translate it from Latin it will be fully analogous to “Pskov men”), *cives pisani* and *universus pisanus* are used synonymously.<sup>56</sup> In the same way, there is no uniformity in the Pskov sources: to designate the inhabitants of the city, the concepts of “all Pskov”, “men of Pskov”, “Pskov” and later “Lord (Great) Pskov” are used.

The appearance of such concepts as *populus pisanus* (*universus pisanus*) and “all Pskov”, respectively, in the Pisa and Pskov texts is symptomatic. Even the periodic use of such concepts in the singular to designate a total of people shows that such a crop begins to be perceived as a politically and/or legally separate single body, a commune. *Populus pisanus*, “all Pskov” and their synonyms are used in the description of strictly defined situations, the analysis of which makes it possible to understand the functional content of the notions.

*Populus pisanus* occurs primarily in two contexts. The first is any military action by Pisa. The very first use of this concept in the *Annales Pisani* is associated with the dispatch of the fleet to the shores of the Holy Land during the First Crusade.<sup>57</sup> Further, such word usage in the text occurs more than once; for example: “Pisanus populus urbem

53 STEINDORFF, *Pravilno li schitat' Novgorod communoj?*, 228–241.

54 VOVIN – KROM, *The City of Pskov*, 313–330.

55 TANZINI, *A consiglio*, 3–10.

56 *Annales Pisani*, 8–9.

57 *Annales Pisani*, 7.

fortissimam cepit". Here, obviously, the *populus pisanus* is the army that is fighting. The use of the notion *populus* in the meaning of an army takes us back to the period of the Roman archaic period, when *populus* was one of the designations for the Roman city militia. Thus, one should not see in the word usage of *populus* any reference to the traditions of the political culture of late republican or imperial Rome with its ideals of civic virtues, understood exclusively in the socio-political, but not military, sense. On the contrary, we are dealing with a very archaic meaning of the word, revived due to the similarity of situations (early communal Pisa and early republican Rome), when the political people of the city and its military forces were the same.

The second context for the use of the expressions "all Pskov" and *populus pisanus* is in the making of peace or taking of an oath. So, under 1158, the Pisa chronicle says: "Comes Ildebrandinus iuravit fidelitatem universo populo pisano" (the count Ildebrandinus swore allegiance to the Pisan people),<sup>58</sup> and earlier, when describing the conclusion of peace between the Pope and Pisa, the following expression is used: "pace perpetua cum populo Pisano" (a perpetual peace with the Pisan people).<sup>59</sup> Thus, the expression *populus pisanus* describes the bearer of supreme power in Pisa and its subordinate lands.

This use of the concept of *populus* or its synonyms can be considered neither a specifically Pisa phenomenon nor characteristic only of narrative sources. Consider the example of the preamble to the Statute of the City of Piacenza, in comparison with the preamble of the Pskov Judicial Charter.

Table 2: Preambles of the Statute of Piacenza and PJC

Statute of Piacenza	Pskov Judicial Charter
Et hoc statutum est a <b>populo Placentino</b> et in communi concione per sacramentum firmare fecerunt (This was decided by the people of Piacenza and they made [them] confirm it with an oath made in general assembly) <sup>60</sup>	That charter was copied out of the charter of Grand Prince Alexander and the charter of Prince Konstantine and from various other additions to Pskov Law and [it is issued] with the blessing of our fathers, the priests of five cathedrals [in Pskov] and the hieromonks and deacons and priests and the entire clergy of God <b>by all Pskov</b> at veche <sup>61</sup>

Thus, we see two main functions of *populus*. This is the townspeople with supreme power, approving the code of laws at the assembly, and at the same time the militia, consisting of these same townspeople, who go to war in case of danger. In Italy, to distinguish between situations of peace and war, a different bell signal was used during the convocation of the city assembly: a single chime for the people to gather in the assembly without weapons to resolve peaceful issues, such as the election of consuls, the declaration of war, the conclusion of peace, the sending of an embassy or the passing of a law; but a twice-ringing of the bell for adult male citizens, who

58 Ibidem, 25.

59 Ibidem, 13.

60 SOLMI, *Le leggi piu' antiche*, 56.

61 PJC, 87.

were actually members of the commune, to come to the square with weapons, ready to march.<sup>62</sup>

Such a dual character of the early commune, as we assume, corresponds to the Pskov realities. We do not know the different signals of the veche bell for different occasions, although the fact that the veche always gathered at the ringing of the bell is undoubted. The very manner of the convening of a city assembly by means of a bell in these cases and in other medieval communes outside Italy testifies in favour of the thesis that the origins of the city assembly and communes in general are closely related to Christianity.<sup>63</sup>

The early communal period was characterized by conceptual instability. The political community of the townspeople is denoted as *populus*, *universus*, *cives* or simply a word denoting the inhabitants of a given city, such as "Pisans" or "Genoese", sometimes supplemented with some definition. Local variants appear, characteristic of one particular city, such as the Genoese *Compagna*. And from this array of terms, denoting much the same as one another, it would only be later that the Latin terms of *commune* or *communitas* would be settled upon as a norm. As we have already noted above, the word *populus* was the first term that came to designate the political community of the townspeople in the *Annales Pisani*. The word *commune* is found in the sources later, and initially as an adjective, and not as a noun: "Fuit sententia lecta et data in vigilia Assumptionis Sancte Marie per Consules Pisanos et Lucenses, in comuni parlamento Pisanorum, et in comuni parlamento Lucensium" (This decision was made and given by the consules of both Pisa and Lucca at the general assembly of Lucca on the eve of the Assumption of St Mary).<sup>64</sup> This passage describes the events of the second half of the twelfth century, and here *comuni* (Abl. S. Neutr.) is used as an adjective consistent with *parlamento*. If it was a noun, the phrase would be "*in comunis* (Gen. S.) *parlamento Pisanorum*". In the same way as the adjective, *comuni* is used in the preamble of the 1135 Statute of Piacenza already cited above: in *comuni concio*. In *Annales Pisani*, the first use of *commune* as a noun occurs in the 1165 news as part of the construction *pro Comuni Pisane*.

The above examples illustrate the importance of the political phenomenon of the city assembly in the life of communal cities. The conceptual apparatus of the early communal city is especially complex here. In different cities, this assembly was designated variously as *parlamentum*, *concio* (*contio*), *arango*, *conventus* and *placitum*. Moreover, even within the framework of one city, as the study of Jean-Pierre Delumo showed, in one source it could vary in the twelfth century each year. The researcher also made very valuable comments about the time of the assembly and the stages of its development. So, the most ancient city assemblies have been known to us since the proto-communal period – the ninth to the first half of the eleventh centuries. A terminological harmony is again not observed here. Sometimes it is *placitum*, sometimes *parlamentum*, sometimes *in presentia populi*, and twice in the acts of Arezzo of the first half of the eleventh century, the assembly, apparently, was hidden behind completely unusual expressions: *infinita multitudo aliorum hominum* and *aliorumque plurimum quorum nomina meminere non possumus*. At the same time, it can hardly be doubted that we are facing an assembly. Chronologically, between these two cases, the

62 TANZINI, *A consiglio*, 6–10.

63 MICHAUD-QUANTIN, *Universitas*.

64 *Annales Pisani*, 18.

assembly itself is also mentioned: *placitum in civitate Aretina abuerunt*. Such ancient assemblies, according to J.-P. Delumeau, were in all respects different from the later assemblies of communal times since, in fact, the presence of the people served only to legitimize the decisions already taken by the lord who gathered the assembly. That is, the assemblies of the proto-communal period did not yet participate in decision-making, but the townspeople got experience at them to gather in the presence of the authorities, and the assembly itself embarked on the path of transformation from a fictitious political body into a real one.<sup>65</sup>

L. Tanzini strongly disagreed with the genetic relationship of the communal assembly with the pre-communal one; in Tanzini's opinion the assembly of the communal period was an absolutely new, urban phenomenon, reflecting a new political reality and having no connection with previous assemblies, in the urban nature of which one cannot be completely sure.<sup>66</sup> This dispute is very similar to that regarding the aforementioned pre-Mongol *veche* of Old Rus'. Meanwhile, disorder, irregularity, instability and, most importantly, the absence of subjectivity as magistrates express their will all point to the pre-Mongol *veche* having much in common with the assemblies of Italian cities on the eve of the era of the early commune.

In the early communal cities of Lombardy, the assembly is denoted by the word *arrego*, probably of Germanic origin, associated with the concept of "army". As shown above, the city assembly itself was often a meeting place for armed members of the city commune, ready to go to war. In the cities of Lombardy, German influence was much stronger than in central Italy, where there were significantly fewer Lombards. In Tuscany and Umbria, terms of Latin origin predominated: *concio*, *parlamentum*, *placitum* and *universus*, which, as Pierre-Michaud Quantin showed, were borrowed from the language of the Church.<sup>67</sup> In general, the connection between the city assembly and church life was manifested not only at the language level. In historiography, the idea was expressed that the source of such assemblies were parish meetings in the square in front of the central cathedral of the diocese. As Marino Berengo noted, "the church was a place where people came and discussed common affairs and interests arising from living together in the city ... [the church] has for a long time served as a haven for secular institutions".<sup>68</sup> There are, however, some exceptions. First, such assemblies also appeared in cities which were not diocesan centres, for example, in Venice (and Pskov). Second, quite often the place for such meetings was not originally the square in front of the cathedral, but another place, and this depended on the nature of the episcopal powers. So, for example, if in Milan the bishop at the beginning of the communal period, that is, in the eleventh century, was at the same time the signor of the city, then in Pisa the situation was different. Signor of the latter until his expulsion in 1153 was the Viscount of Pisa, vassal of the Tuscan marquis. Accordingly, the original place where the city assemblies of Pisa met was in *curia marchionis*.<sup>69</sup> Similarly, in Novgorod, the place of *veche* meetings was not only the square in front of the Cathedral of St Sophia, but also the Yaroslav courtyard (the former prince's palace), which obviously preserved, as in the case of *curia marchionis* in Pisa, the meaning of

65 DELUMEAU, *De l'assemblée precomunale*, 213–228.

66 TANZINI, *A consiglio*, 10–14.

67 MICHAUD-QUANTIN, *Universitas*, 11–59.

68 BERENGO, *L'Europa delle città*, 171.

69 ROSSETTI, *Entre Pise et Milan*, 229–242.

a “place of power”, even if no prince or marquis really lived there. In most cases, and Pskov is no exception here, city assemblies gathered on the square in front of the main cathedral or, less often, inside it. The choice of the location depended on reasons connected to the particular urban morphology. Not all cities had enough space for city assemblies, and it happened that due to the lack of the necessary space within the city, sometimes assemblies were held outside the city walls.

The problem of lack of space for all citizens was one of the factors that subsequently led to the crisis of direct democracy characteristic of the early commune. In the thirteenth century the city assemblies of Italian cities were replaced by city councils, elected for a fixed term. A *parlamentum*, as an assembly of all the townspeople, by its very nature was little capable of solving pressing issues. It could deal only with the most important ones, such as issues of war and peace, elections etc. At the same time, the council, being a rather representative body, could meet regularly to resolve problems of varying degrees of significance. Moreover, the assembly, precisely because of its large size, was incapable of working out any positive programme. It could only approve or reject proposed solutions. At the same time, the council, as a body much narrower in composition, could participate in the discussion and amendment of certain proposals made by the magistrates. The principles of co-optation into the council were different, but a prerequisite for being the *consigliere* of a city was the holding of citizenship. The emergence of the institution of citizenship, like the emergence of councils, marks the end of the early commune, where there were either no clear rules regarding the right to participate in the political life of the city at all, or rules were inconsistently enforced. In the early communal era, the main criterion for participation in decision-making was the presence of a home in the city. In this Pskov also looks like a typical early communal city. There was no institution of citizenship here, and belonging to the “Pskov men” is determined by living inside the city walls.<sup>70</sup>

In Pskov the council did not appear by the end of the era of independence, although problems associated with the excessive cumbersomeness of the *veche* had already arisen after the construction of the wall in 1465.<sup>71</sup> The Pskov *veche* bore the obvious features of an early communal assembly: the participation of all townspeople without distinction between citizens and mere residents, an assembly in a symbolic “place of power” at the signal of a bell, and two hypostases – peaceful and military. The most important feature of the early communal assembly – the procedure for the making of decisions at it – was also characteristic of Pskov. In general, we know little about how the early communal Italian assembly functioned. We know most about this from the critics of the communes. In this vein, there is a judgment by Boncompagno da Signa, a specialist in Latin rhetoric of the early thirteenth century, who sharply criticized assembly practices. For him, as a person who devoted his life to the study of Roman law and Roman rhetoric, the practice of urban assemblies seemed unacceptable: too much shouting, chaos and too much freedom.<sup>72</sup>

So, by the thirteenth century in Italy, assemblies had mostly disappeared. The powers of the remaining assemblies were kept to a minimum. There were, however, exceptions. Thus, in Florence, the city assembly continued to function until the capture of the city by Medici in the sixteenth century. One case has preserved for us a description of such

70 VOVIN, *Gorodskaja kommuna srednevekovogo Pskova*, 155–158.

71 Ibidem, 157–158.

72 BONCOMPAGNO da SIGNA, *Rhetorica Novissima*, 249–297.

a city meeting at the end of the era of independence, made by the Venetian diplomat Marco Foscarelli, who was indignant and surprised at the rude and archaic customs of the Florentines: "Almost every sneeze in the affairs of the government of Florence should be decided at the assembly. When they get together, the leaders of the factions block the streets with the help of armed men and only let through those who belong to their faction or who are completely rude, uncouth and stupid. And their henchmen, when necessary, immediately begin to shout 'yes, yes', so these fools repeat after them".<sup>73</sup>

This later testimony is extremely valuable, despite its tendentiousness. We see that even in a later era, the city assembly in Florence did not utilize such mechanisms as voting and counting. Decisions were taken by the shouting of the crowd, either supporting or rejecting any decision. So, the city assembly of the Italian commune differed little from the Pskov veche of the fourteenth–fifteenth centuries, which also lacked such mechanisms, and there is reason to believe that decisions were made in a similar way to that described by Marco Foscarelli.

### Court of assembly

As we tried to show in the previous section, the Pskov veche (often hidden behind the notion "all Pskov") and Latin world communal assemblies shared most of the specific features. There is also one very important formation which needs to be considered separately: that is assembly courts, i.e. courts formed on and by a city assembly.

The problematization of veche courts has a long history that is connected to the interpretation of the third article of the PJC: "Posadnik ... [must swear that] neither at court at veche (city assembly) will be condemned a man without an [appropriate] investigation".<sup>74</sup> The interpretation of this article of the PJC is controversial. Engelmann understood this as "neither at court nor at veche".<sup>75</sup> He observed here a contradiction with the following article four: "And the prince and mayor do not conduct a court at veche; they are to conduct court at the prince's residence";<sup>76</sup> which, in his opinion, prohibited courts at veche per se. On this basis this scholar came to the conclusion that these two articles were written at different times.<sup>77</sup> Cherepnin and Yakovlev interpreted this passage rather as "at the court of veche", providing the cases of veche courts known to us from chronicles as supportive evidence for their point of view.<sup>78</sup> Alekseev argued that the formulation of article three of the PJC concluded the text of the pledge of a posadnik on the occasion of his assumption of his position.<sup>79</sup> While he did not provide any specific comments to this passage, he further interpreted the beginning of article four as a general prohibition of veche courts and expressed his doubts in their existence.<sup>80</sup> I am inclined to agree with the theory of Cherepnin and Yakovlev, because such an interpretation is in better agreement with the legal regulation of article four that says: "And the prince and mayor do not conduct a court

73 *Relazioni degli ambasciatori veneti al Senato*, 74–76.

74 PJC, 88.

75 ENGELMAN, *Systematicheskoe izlozhenije*, 43.

76 PJC, 88.

77 ENGELMAN, *Systematicheskoe izlozhenije*, 43.

78 CHEREPNIN – YAKOVLEV, *Pskovskaja Sudnaja Gramota (Novyi perevod i kommentarii)*, 263–297.

79 ALEXEEV, *Pskovskaja Sudnaja Gramota. Text*, 58.

80 *Ibidem*, 59.

at veche”.<sup>81</sup> This article only literally prohibits a *posadnik* and a prince from conducting court procedures at *veche*, but there is no evidence that it prohibited such a court in general or barred a *posadnik* from participation in such a court as a private person, rather than as a magistrate. Consequently, the opinion of Alekseev, who believed that article four prohibits the *veche* court, does not seem to be sufficiently justified. This opinion also contradicts the legal regulation outlined in article 108, which asserts the right of Pskovians to change the contents of the PJC and establishes the accountability of a *posadnik* to “Lord Pskov”.<sup>82</sup>

Let me review the cases of *veche* courts known to us from the chronicles that follow the latest possible dating of the PJC (1467) that was argued to prohibit such a practice. The first such case is a note in the *First Pskov Chronicle* about the execution of *Posadnik Gavriil* in 1483: “*Posadnik Gavriil* was killed, and he was killed by all Pskov at *veche*”.<sup>83</sup> The formula “by all Pskov at *veche*” that is included in the neutral report of the chronicle emphasizes the legitimacy of the execution, while in the *Second Pskov Chronicle* the execution of *Gavriil* is mentioned in passing without the addition of the formula “by all Pskov at *veche*”.<sup>84</sup> It is not so important whether the execution of *Gavriil* was indeed legitimate, or was a spontaneous lynching. However, it is important that the author or the person who ordered the compilation of *First Pskov Chronicle* probably understood that an execution “by all Pskov at *veche*” would be legitimate, but that without this formula the report “*Posadnik Gavriil* was killed” would look like an illegitimate lynching.

A description of another case of a *veche* court is found in the *First Pskov Chronicle* report for the year 1509, when “they caught Sexton Ivan from the Church of the Trinity, who was stealing money from coffers, and before being caught he managed to get 400 rubles, and Pskovians tortured him by whipping at *veche*, and he admitted his guilt. Then Pskovians put him in the dungeons, and in the same year on the day of the Trinity in the first week after the fast, they burned him at the stake at the Great River”.<sup>85</sup> This case clearly cannot be qualified as a lynching. The court investigation accompanied by torture was conducted at *veche*. After the admission of guilt by the accused he was taken into custody, and the execution occurred later.

There is a similar case, in which neither “all Pskov”, nor the *veche* are mentioned directly, but in which the same punishment leads us to presume that this was another occasion of a *veche* court. There was a fire in the Pskov citadel, which is described in more detail: “*Chiukhno* was the arsonist who went in secretly, and he was sent by Germans, who promised to him many gifts. With the help of the Holy Trinity he was caught in the Pskov citadel, and he was burned at the stake on 12 April”.<sup>86</sup> The mentioning of the date and the whole structure of the sentence makes me think that the execution was not immediate, but sometime after the event, as in the case of the execution of Sexton Ivan.

What do these all cases of *veche* courts discussed above have in common? They all involve court investigations of the gravest crimes punishable by death according

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81 PJC, 88.

82 PJC, 103–104.

83 *Pskov Chronicles I*, 84.

84 *Pskov Chronicles II*, 65.

85 *Pskov Chronicles I*, 92.

86 *Pskov Chronicles I*, 82.

to article seven of the PJC: "And execute [the following]: a person who steals in Pskov [or just its citadel],<sup>87</sup> the horse thief; the traitor; and the arsonist".<sup>88</sup>

The crime of Posadnik Gavriil was treason, but in the sense of the internal, and not of the external politics. It involved an attempt on the political organization of Pskov. He, together with Prince Iaroslav, "composed a new charter and put it in the coffer at the Prince's Residence ... and Pskov did not know about that".<sup>89</sup> This served as a catalyst for the first known social conflict in Pskov. The falsification by the highest magistrates of a charter, and possibly not just a charter as was surmised by Cherepnin, but the "Pskov law code" itself,<sup>90</sup> was certainly perceived as treason by Pskovians, Sexton Ivan of the Trinity Cathedral (in Pskov citadel) stole from it, and an unknown "Chiuxno" (a person from a finno-ugrian ethnic minority) committed arson, and they all paid with their lives according to the legal definition found in article seven of the PJC. In the first two cases they were judged by a veche court, and in the third one probably, too. We are unaware of any cases of death penalty by the judgement of the court of magistrates, that is the court consisting of a prince and posadnik and the heads of hundred men. This means that the right to deliver the death sentence solely belonged to the assembly of city inhabitants, and not to magistrates. That is, grave crimes remained in the jurisdiction "of all Pskov", and not in the jurisdiction of the court of princes and posadniks "in the Prince's Palace".

The opening articles of the PJC must be understood not as the interdiction of veche courts, but as a differentiation between the jurisdictions of the veche and of magistrates consisting of princes and posadniks. This bipartite structure of judicial power is well illustrated by a chronicle entry of in the *First Pskov Chronicle* from 1495 regarding the refusal of priests to supply "one mounted warrior from ten ploughs"<sup>91</sup> from church lands. The priests were supporting their refusal by the church law of Nomokanon, but their response did not satisfy the posadniks and Pskovians and they "started to press the priests very much, and went many times to the Prince's Palace and to the veche and again went to the veche and wanted to shame the priests by whipping".<sup>92</sup> The "Prince's Palace" is not mentioned here accidentally. The PJC defines the place of a prince's court as "in the Prince's Palace".<sup>93</sup> In the same way, a charter of 1483 describes the legal complaint "in the Prince's Palace".<sup>94</sup> Consequently, going "to the Prince's Palace and to the veche and again to the veche" can probably be understood as going back and forth to different judicial institutions, which can be explained by the lack of the exact differentiation between the respective prerogatives. This lack of differentiation was due, in the first place, to the nature of "Pskov poshlina" (Pskov

87 The translation in Laws of Rus, "the person who steals in the [town] fortress, the horse thief...", does not seem to be reliable; therefore, I slightly modified it.

88 PJC, 88.

89 *Pskov Chronicles I*, 92.

90 CHEREPNIN, *Russkije feodalnye archivny*, 408–436.

91 The old Russian notion "plough" meant not only an agricultural instrument, but also a quantity of land (which could be treated with only one plough).

92 *Pskov Chronicles I*, 81.

93 PJC, 87–88.

94 GVNP, 326.

written law code),<sup>95</sup> which consisted of norms of customary law that had no strict judicial definition.

I think that there may be several explanations for the lack of direct references to veche courts in the PJC. First, as I mentioned before, the initial articles do not prohibit veche courts, but introduce the differentiation between jurisdictions. It is possible to make a further and a more precise argument. The phrase "Judges or an archbishop's lieutenant are not to [re]try the prince's trial"<sup>96</sup> represents a protective attitude towards the prince's court. Namely, it means that such an overruling had happened in the past, but from now on it was prohibited. Moreover, in the first article, "These [are the subjects litigated in the] prince's court" can be understood in the same way: a prince's court is introduced, and its place "in the Prince's Palace" and the conditions of its conduct "with a *posadnik*" are formalized. The concrete crimes that are in its jurisdiction are listed, and accordingly judges as representatives of Pskovians are prohibited to interfere in its conduct. Certainly, all the facts mentioned above do not mean that a prince's court did not exist before that. The conduct of a court was one of the prerogatives of princely power in Rus'; however, keeping in mind the ease of the expulsion of princes by Pskovians, we can hardly doubt that the assembly of Pskovians could easily overrule its judicial decisions.

Second, the veche court exactly as "veche court" in the PJC might simply have been left unmentioned. The very term "veche" was alien to Pskov, and was probably borrowed from Novgorod only in the fifteenth century. The word veche was practically used only in its locative form or as a *modus operandi*.<sup>97</sup> Therefore, the notion "veche court" could not yet appear.

Third, it is useful to remind of the hypothesis of Cherepnin regarding the nature of extant manuscripts of the PJC.<sup>98</sup> He suggested that the Voroncov manuscript<sup>99</sup> of the PJC is not the Pskov *poshlina* (Pskov written law code) itself, but a version thereof edited in Moscow. Therefore, it may mean that the manuscript is not complete. A Moscow editor might preserve only certain articles of the Pskov *poshlina* for certain reasons and omit others. Thus, it cannot be excluded that in the archetype of the Voroncov manuscript there was an article ("This is in the jurisdiction of all Pskov") preceding the article about crimes punished by death, which, as we have seen, were in the jurisdiction of this court.

Therefore, I come to the conclusion that in the Pskov of the second half of the fifteenth century there were two secular judicial institutions (besides them there

95 "Pskov *poshlina*" is no longer extant although it is mentioned several times in the *Pskov Chronicles* and documents. The only text which is probably an abbreviated Moscow redaction of "Pskov *poshlina*" is the PJC, but this text is apparently incomplete. The idea that "poshlina" meant Pskov written law code derives directly from the word usage in the PJC itself. "This charter was written down from the charter of Prince Alexander, from that of Prince Konstantine and from all additions of Pskov *poshlinas*". I guess that is a direct testimony that here "*poshlinas*" (plural) are the written texts the PJC was based on. We see the same context in the *Pskov Chronicles* when "poshlina" was given to a prince during his intronization ceremony: "[they] gave to him a prince *poshlina* and he kissed the cross to Pskov men in all Pskov *poshlina*" (*Pskov Chronicles I*, 48). In that example, of course, one can argue that the first usage tells about "prince taxes" not the text, but the second usage makes that understanding difficult. Another description of that procedure, however, is more clear: "kissed the cross on veche according to *poshlina* charter" (*Pskov Chronicles I*, 81). Here, obviously, "poshlina charter" is not but a written text containing Pskov laws.

96 PJC, 87.

97 VOVIN, *Datirovka zhalovannoj gramoty*, 75–82.

98 CHEREPNIN, *Russkije feodalnye archivy*, 408–436.

99 The most complete copy of two which survived.

was also the court of the archbishop’s lieutenant): a magistrate’s court that included a prince, *posadniks* and heads of hundred men; and the court of Pskov, which on the basis of the historiographical tradition, but not the verbal usage in the sources, can be called a “veche court”. The latter was in charge of the most serious crimes against Pskov, those that were punishable by death. This is a very important point. It turns out that a Pskovian could be sentenced to the death penalty only by all Pskov, but not by the court of a prince, *posadniks* and heads of hundred men.

Like the Pskov *veche*, Italian assemblies could be in charge of trials for the most important crimes. As in Pskov, it happened infrequently and, in any case, the sources have not preserved many examples of such courts, but the few that have come down to us are emblematic. One of the fragments of *First Pskov Chronicle* (the case of the trial and execution of the Trinity sexton in Pskov in 1509) is compared below with the story from the *Florentine New Chronicle* by Giovanni Villani.

Table 3: Comparison of the trials at assembly in Florence and Pskov

Florence 1258 (Villani, Nuova Cronaca, VII, LXV)	Pskov 1509 (P1)
<p>And then the following September, the people of Florence ordered the capture of the Abbot of Valembroza, who came from the noble family of the Beccheria lords of Pavia in Lombardy, accusing him of plotting treason for the Gibbelins who had been expelled from Florence. And [the people of Florence] tortured him to confess, and on the square of St Appolinarius, at the cry of the people, they villainously chopped off his head, despite his noble birth and priestly dignity. (E poi del mese di settembre prossimo del detto anno il popolo di Firenze fece pigliare l’abate di Valembrosa, il quale era gentile uomo de’ signori di Beccheria di Pavia in Lombardia, essendoli apposto che a petizione de’ Ghibellini usciti di Firenze trattava tradiment, e quello per martiro gli fece confessare, e scelleratamente nella piazza di Santo Appolinare gli feciono a grido di popolo tagliare il capo, non guardando a sua dignità, né a ordine sacro)<sup>100</sup></p>	<p>they caught Sexton Ivan from the Church of the Trinity, who was stealing money from coffers, and before being caught he managed to get 400 rubles, and Pskovians tortured him by whipping at <i>veche</i>, and he admitted his guilt. Then Pskovians put him in the dungeons, and in the same year on the day of the Trinity in the first week after the fast, they burned him at the stake at the Great River<sup>101</sup></p>

The court procedure in the two cases coincides literally to the smallest detail. The accused, of a grave crime (in one case of treason, in the other of theft) in a specific protected area (in the citadel), was tortured on the square in front of the city assembly. The torture-investigation was initiated by the “political people” – *popolo* (the form in *volgare*, corresponding to the Latin *populus*). The expressions “Pskovians tortured him by whipping at the *veche*, and he admitted his guilt” and “[*popolo di Firenze*] per martiro gli fece confessare” ([the people of Florence] tortured him to confess) could hardly be perceived as an indication that Pskovians or Florentines directly participated in the execution; rather, it is about the fact that it was done with their consent. The latter, in

100 *Nuova Cronaca*, 293.

101 *Pskov Chronicles I*, 92.

addition, is directly mentioned in the Florentine text describing the later execution – *a grido del popolo* (at the cry of the people). Apparently, this is the phenomenon the vulgarity of which Marco Foscarelli was so indignant at in the sixteenth century. Probably, the shout of “*Si, si*” (yes, yes), which was an acclamation, was the usual way of approving decisions at the *veche* in Pskov and in Novgorod. In other cases of the *veche* court known from Pskov sources, there is also an indication of the consent of the Pskovians to execution. The “political people” of Pskov and Florence could act as a kind of jury, making decisions on the most important criminal cases. The story from the *First Pskov Chronicle* does not contain any assessments of what happened, while the Florentine chronicler was at least sympathetic to the executed abbot (this is evidenced by the adverb *scelleramente* – villainously), but did not deny the legality of the execution “at the cry of the people”. We see from the above examples that we are not talking about a lynching, as P. V. Lukin characterized the *veche* court, but about a certain procedure, which implies inquest (torture), and then the approval of the sentence by the city assembly.

The city assembly court is known in many regions of Europe where communes existed, and can even be considered one of its features. In pre-Norman England, all free men in a city could take part in a *bourgemoot* trial. However, on the continent, we know of a trial involving all residents of the city. Later, in the era of legal changes in the twelfth–thirteenth centuries, such a collective court was replaced by special judicial bodies, also of a collegial nature, but at the same time consisting of a limited number of members, called *scabini* in Italy, *Schoffen* in Germany, and in France *echevins*. However, the collective court of the community did not disappear immediately: it gradually faded away.<sup>102</sup> At the same time, nowhere, perhaps, did it acquire such a stable and institutionalized character nor last as long as in some Italian communes and in Pskov.

The collective *veche* court in Pskov has been known to us only since the fifteenth century (note that the example of the court of the “Florentine people” being examined chronologically already goes beyond the framework of the “early commune”). However, the mention of such a court in the Pskov chronicles (1483, 1496, 1509) was preceded chronologically by its indirect delimitation in the PSG (1397–no later than 1462), which indicates that it had existed before. The primary form of the court in Pskov was the court of the Pskovians, and not that of the special judicial body the *gospoda* (literally “lords”) which consisted of the Pskov prince, *possadnik*-in-office and some other magistrate. The idea that only a gathering of fellow citizens, but not a judicial body, could take a life, testifies to the high development of horizontal relations within society in both Pskov and the Western commune.

### Conclusion

The Pskov (fourteenth–fifteenth centuries) and early Latin world (late eleventh–early thirteenth centuries) communes shared their key features: a city assembly, constituted of male adult townspeople not yet divided into “citizens” and “inhabitants”. That kind of assembly which was in effect the commune itself (but which due to terminological instability would be named in varying ways) possessed the supreme power in a city: it elected (in its own way, of course) the city magistrates, dealt with issues of war and peace, and provided a court for the most serious criminal cases. One can ask whether such similarities were a result of Pskov’s borrowing of the communal structure from its

<sup>102</sup> REYNOLDS, *Kingdoms and communities*, 51–64.

trading partners, as E. Ennen once suggested,<sup>103</sup> many of whom (like the Livonian cities) actually were communes. The answer is, however, negative for some significant reasons.

First, as was shown in my other article co-authored with M. Krom, the commune in Pskov rose due to social and economic conditions which had much in common with those that appeared in Western Europe after the decline of the Carolingian Empire. Thus, the Pskov development was natural per se, and as sometimes (but not necessarily) happens, the similar conditions gave birth to similar phenomena. If Pskov had borrowed some of the political structures from its neighbours, the former would have had some traits of contemporary Livonian cities and would not have looked so like an Italian city of a couple of centuries before.

Second, the mechanism of a possible adaptation of political structures remains unclear in the case of Pskov. Of course, one cannot doubt that in the Middle Ages the Catholic lands of Eastern Europe and Scandinavia borrowed communal structures from various German law "families", mostly from the Magdeburg Rights and Lübeck Law. The same happened with several Croatian cities, which adopted the Venice political system. All these institutional transfers, however, occurred within the borders of Catholic Europe, which was united by the religion and the common lingua franca, Latin, the two of which provided a channel for transfers of any kind. How a similar adaptation could happen in non-Latin and Orthodox Pskov remains a matter of doubt.

Third, (and this seems to me a much more important argument) we can see no traces of such borrowing on a linguistic level. All Pskov political and social notions have a clear Slavic origin.<sup>104</sup> Moreover, all but one<sup>105</sup> of the Pskov institutions differed so deeply from the Livonian ones that they could never be considered adaptations from the latter: for example, the Pskov term "posadniks" has little in common with the Livonian *Ratmann*, *Bürgermeister* etc. But even here the diversity is paradoxically a sign of similarity. In developing the single institutions on its own, Pskov was very similar to the Latin world communes in its vector of development and key features (city assembly, law codification, local patriotism etc). The institutions (with the exception of *veche*) were original, as they were in all parts of Europe compared to each other. In other terms, the institutions differed, but the general content remained similar.

Another paradox is that the idea of the communal nature of Pskov (and Novgorod) could be more interesting for "European" medievalists than for Russian ones. The latter just perceive it mainly as an old-new page in the almost two-centuries-long historiographical debates over the nature of Russian culture (in the nineteenth century continued by the Slavophiles who believed in Russian *Sonderweg* vs Westernizers who argued for their following in Europe's footsteps; the dispute is still going on). These debates, however, appear to have garnered little interest from European medievalists who, nevertheless, I dare to suppose, could be interested in another implication.

103 ENNEN, *Die europäische Stadt des Mittelalter*, 182–191.

104 Of course, as L. Steindorf argued, a local word could be chosen as a translation of foreign adopted institution as it happened in case of *opkina* (Slavic translation for Latin *Communitas*) in Dubrovnik (STEINDORFF, *Pravilno li schitat' Novgorod communoj?*, 228–241). Moreover, there is another well-known example of that kind – German *Gemeinde* for the same Latin notion. In case of such translation, however, a new notion should share the old one content. That is not obviously the Pskov case.

105 The only exception is Pskov *veche* which was really very close to *conventus populi*. Even in its case, however, it is obvious that it could not be adopted from Livonian cities (which lived according to Lübeck law), where city assembly in the period had already lost all its real power, converting in nothing, but ritual annual gathering for acclamation of new council members. Comparing to the latter Pskov *veche* was much more archaic, powerful and unpredictable.

If a Russian medieval city developed as a commune two centuries later than in the Latin world, then a feudal-like system (land for military service) appeared in the fourteenth–fifteenth centuries and serfdom in the 1500s, before early parliaments prospered in the seventeenth century, could it mean that Russia repeated, independently, many of the European experiments after several-centuries delay, reinventing, but not copying them. If so, Russian history (before Peter the Great’s modernization) could serve as an interesting reference point, a peculiar mirror, in which various European phenomena (some of which aforementioned) are better seen through their later Russian reflections.

#### ABBREVIATIONS

AP	Annales Pisani
GVNP	Gramoty Velikogo Novgoroda i Pskova (The Charters of Great Novgorod and Pskov)
NPG	Novye Pskovskije Gramoty (New Charters of Pskov)
PJC	Pskov Judicial Charter

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