



Christian Rus in the Making

Edited by

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Christian Rus in the Making

Worlds of the Slavs

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Christian Rus in the Making

1 Politics and Culture

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Captured by ideology: historians' descriptions of a document from Medyka of 19 October, 1404

Vitaliy Mykhaylovskiy

The document I address in this paper was transcribed on 19 October, 1404, in the town of Medyka, located near the city of Peremyshl (now Przemyśl). It concerns a dispute around the ownership of the town of Tyczyn and its surrounding villages that together comprised Zaliszka county (in Polish – Zalesie county). Two Peremyshl bishops, one Catholic and one Orthodox, a selected cohort of high-level officials, and a significant delegation of nobles from the king's Ruthenian domain convened to solve the issue. At first glance, it was a routine case, which even the king's participation as one of the parties did not turn into anything unique for that time. Subjects could dispute their ruler, even in this case, in which the king's godmother Jadwiga Pilecka acted as the opposing party. The uniqueness of this event stems from the document itself, written on parchment and sealed with the participants' stamps.

The document was bilingual. Two scribes supposedly transcribed the same document in two languages, Latin and Ruthenian, while separate manuscript sheets confirming the same judicial act in each language were joined with parchment ropes, to which the act's participants added their seals. The Latin version came first, followed by the Ruthenian one (see fig. 23.1, 23.2, 23.3).

What purpose did the royal chancellery have in presenting the document in two languages? Why was one not enough? Were these versions identical? Which was the translation of the other? If one is a translation, then which version prevailed and which was secondary? What can we learn about the status and role of the Ruthenian and Latin languages in Polish king's Ruthenian lands by studying the two versions of one judicial act? Were any elements interpolated? The questions keep coming, especially if one looks at the reason for the dispute, which entails studying the formation of Tyczyn county and surveying the participants of the deed who met at Medyka. In other words, this single document – consisting of 397 words in the Latin version and 345 in the Ruthenian – presents a wealth of research questions.

A short introductory overview of the context must mention that the written Ruthenian language was not marginalised in that part of the Ruthenian Kingdom that came under the rule of the Polish king in the mid-fourteenth century. Unexpectedly for those times, the king and his governors – the latter function carried out by *starostas* in this area from the 1340s and 1350s – calmly

accepted the fact that their new subjects had their own language, which they used not only in everyday life, but also for writing documents.¹ Furthermore, some of the first documents that have survived to the present – in which King Casimir III endowed property to nobles – include the demarcation of possessions written in Ruthenian.²

Of course, important privileges, such as those granted by Casimir III to the city of Lviv in 1356, were written in Latin and followed a format traditionally employed by the royal chancellery.³ However, at the same time, there was another parallel world, in which people bought, sold, received, bequeathed, and pledged property, not only orally but also in writing, and for which Ruthenian served as the primary language. Typically, *starostas*, for whom Ruthenian was not their native language, were often participants in the legal actions attested by these documents. As an example, in 1368 a charter recording a purchase by the burghers of Lviv was certified by a Ruthenian general *starosta*, Otto of Pilcza,⁴ the husband of Jadwiga Pilecka, who in 1404 would be one of the parties to the dispute described in the document studied in this chapter. Even Władysław of Opole, the governor of the Hungarian and Polish king Louis I in the latter's Ruthenian domain – despite Władysław's origins far from Ruthenia itself – had to carry out part of his office's paperwork in Ruthenian. This might mean that there was a need to produce documents in this territory not only in Latin, but also in Ruthenian. At least a few documents coming out of Władysław's chancellery, written in Ruthenian and sealed with princely stamps, have survived up to today.⁵

Discussing the language of a document is always a challenge for a historian. One can make a lot of mistakes with insufficient knowledge of historical linguistics or the necessary skills to work with early texts. In this case, what kind of knowledge can a historian – even one specialising in the late medieval period – bring to a document written in Latin and Ruthenian? The history of the dispute in question, with its variety of research questions, could generate a voluminous study in an extensive chronological context, which I will complete elsewhere. In this paper, however, I will cover just one aspect: the availability and role of this document in the national historiographies of

1 See, e.g.: Rozov 1928, no. 5, p. 9–10.

2 Prochaska 1900, no. 1, p. 51–54.

3 Pryvileii mista Lvova 1998, 27–28.

4 Rozov 1928, no. 8, p. 16.

5 Rozov 1928, no. 12, p. 23–24. About the Ruthenian documents of prince Władysław Oposłki see: Zhuk 2011, 280–286.

countries in central eastern Europe from the mid-nineteenth to the beginning of the twentieth century. Unfortunately, very often historians do not realise that the period they study has a significant, though unnoticed, impact on the language, vocabulary, logic, and purpose of their scholarship. This is no surprise. However, even in such non-ideological historical genres as the publication of documents, many colleagues – myself included – get trapped in the time we study. I think that historians can provide interesting retrospectives of how a certain document has been used, especially when the document concerned has a long scholarly history. Such earlier perspectives on a document very clearly demonstrate one basic tenet: a historian and his / her story very much depends on the time of their own work. Whether a certain ideological presentation is intentional or not is hard to say from today's perspective. Nevertheless, I will show that these otherwise overlooked aspects around how documents – including that of 19 October, 1404 – were described ultimately influenced their use in historical narratives and national historiographies. But let us first address the questions of language presented by the document.



I will start by looking at a simple, but very important, question: for this document, which language was primary, and which secondary? Did both versions have the same judicial power? At first glance, the answer is obvious: both versions had identical legal status, as both parchments are sealed with the same stamp. Maybe, the parchment placed first in the volume and written in Latin is a bit more important, but only because of the ordering of the leaves. This is a neutral assessment from today's perspective. Given that it is not typical for late medieval documents to survive in two versions in different languages, it is worth looking at its various publications. What did its publishers write about the language of the document, and how did they describe it in general from the 1860s to the 1920s?

These chronological limits are connected to the publication dates of the document. It was first published in 1863, and last printed in 1928, when, thanks to Ahatanhel Krymsky's efforts, a collection of Ruthenian documents from the second half of the fourteenth and first half of the fifteenth century was finally published, even though it had been prepared by Volodymyr Rozov over 10 years earlier.

Not everything was obvious to earlier historians, and the system in which they worked very often shaped their choices. It appears that for such figures – and this is especially relevant for researchers from the Russian Empire – only

the Ruthenian version of the document mattered. The Latin version could be presented as a translation from the Ruthenian or omitted altogether. Why, then, did the Ruthenian version come second in the volume?

Let us start our overview from the Latin version, published only once in 1905, in the fourth volume of *Kodeks Dyplomatyczny Małopolski* by Franciszek Piekosiński. It was hard for Piekosiński to omit this document from his project, since Piekosiński aimed to publish all the medieval sources available to him relating to the territory of historical Małopolska. In his description of the document, after its Latin text, Piekosiński noted that 'original parchment of the document is stored in the Czartoryski Princes Museum in Krakow, along with other *original* parchments (emphasis mine – VM) that include a Ruthenian text, and shared stamps fixed on parchment ropes that are combined and attached'.⁶ He described the document as consisting of two originals, sealed with 26 stamps, and indicated that the three ropes had two stamps each. Thus, there should have been 23 holes for these ropes. This is confirmed by a photocopy of the original (see fig. 23.1, 23.2, 23.3).

It is important to note at this stage that describing and counting stamps did not always interest the publishers of any of the document's versions. Not all these publishers were professional historians, and among those who were, they did not all conduct sphragistic analysis. Piekosiński was an exception here: in his source publications, he was among the first to describe stamps, in an attempt to explain their genesis. As an experienced source publisher and scholar of medieval history, he did not make errors, and provided an accurate determination of the two language versions of this document – two originals combined with parchment ropes, with stamps hanging from them.⁷

The history of the publication of the Latin version of this document ends there. After 1905, researchers – mostly Polish – only used Piekosiński's publication, and very rarely paid attention to the Ruthenian version. Those who published the document exclusively in Ruthenian took a different approach.

6 KDM 1905, no. 1084, p. 94: 'oryginał pergaminowy, przechowany w Muzeum XX. Czartoryskich w Krakowie, jest wraz z drugim oryginałem pergaminowym, obejmującym tekst ruski, wspólnymi pieczęciami, zawieszonymi na paskach pergaminowych, opatrzony i złożony'. Henceforth, all quotes are given without any modifications or alignment to modern Polish, Russian, or Ukrainian spelling.

7 Regarding the document and the stamps he notes: 'tych pieczęci było pierwotnie 26 (na 3 paskach wisiało razem po 2 pieczęci), wszystkie w ciemno-zielonym wosku wyciśnięte, krom pierwszej i drugiej, które były wyciśnięte w wosku czerwonym'. More detailed and professional descriptions in Piekosiński's publication are based on Jan Zamoyski's sphragistic notes: Jana Zamoyskiego 1907, 85–87. The story regarding the stamps attached to this document is a separate episode, starting in the sixteenth century.

While for Piekosiński there had been two originals, this conception changed when publishers of the Ruthenian version either placed the latter first, or even neglected to mention the availability of the Latin version.

Long before the publication of the fourth volume of *Kodeks Dyplomatyczny Małopolski*, the description of the document in *Akty odnosiaśchiesia k istorii Iuzhnoï i Zapadnoï Rossii* designated the document as the primary document concerning a dispute of King Władisław with Jadwiga Otina Pilecka and her daughter Elżbieta *about land demarcation* (emphasis mine – VM). Formally, it is hard to object to such a description, as the document addresses a dispute between these parties. However, after the text of the document itself, the publisher's comments read: 'this document and its Latin translation are written on separate pieces of parchment, folded together, and tied with twenty-three parchment ribbons'⁸ (see fig. 23.1, 23.2, 23.3). Thus, here the publisher or editor had no doubt that the Latin version was not an original, but only a translation (!) from Ruthenian. Given the document publishing practices of those times, one cannot blame this presentation on Mykola Kostomarov, who is listed as the editor of the volume. One can instead assume that it would be unlikely for Kostomarov to work with the original of the document, and would instead have relied on manuscript copies ordered from or done by archivists. To give a confident answer to this question, one would need to study the history of the volume's preparation for publication in the series and investigate if Kostomarov or another person involved in the project had access to the original. I note that the publication does not indicate where the document was stored.⁹

To claim that the Latin version is a translation from Ruthenian, one needs to bring linguistic and source-related arguments into play. However, in this instance there aren't any, since the Latin version came first and the Ruthenian second based on the filing order of the document. Neither of the versions states that it is a translation from the other. Not to mention that it is hard to imagine the target audience for such a translation. Who needed it? King Władysław II Jagiełło, who spoke both Ruthenian and Latin, or Jadwiga or Elżbieta, who more often had to deal with Latin than Ruthenian in similar legal transactions? There are many possible answers, but the publication seems intentionally to give prevalence to Ruthenian, from which the document allegedly was translated into Latin. Then why does the translation come first in the volume? The

8 'Документъ тотъ и Латинскій его переводъ написаны на отдѣльномъ пергаминахъ, сложены вмѣстѣ и перевязаны пергаминами ленточками, въ числѣ двадцати трехъ': *Akty odnosiaśchiesia* 1863, no. 9, p. 5.

9 *Akty odnosiaśchiesia* 1863, 5. The preceding and subsequent documents in this volume do include information about their storage places.

question probably did not even occur to the editor. Apparently, for imperial historiography and source studies it was important to emphasise the status of Ruthenian in this territory.

The inclusion of this document in a chapter titled 'II. Governance of Vytautas'¹⁰ (sic!) adds more confusion and demonstrates the quite political construction of fourteenth- and fifteenth-century history in imperial historiography. It is enough to look at the map and find Tyczyn (currently, the city of Tyczyn, to the south of Rzeszów) to see that Vytautas's dominions hardly stretched to include the town and its surrounding territory. Moreover, it is hard to explain the logic behind the editors' decision to ascribe Vytautas' territorial claims to areas under the rule of Władysław II Jagiełło; despite Vytautas' frequent claims over other territories, the suggestion that he held this specific land seems unrealistic because the land lay too far to the west.¹¹ Such suggestions promote the idea of the 'Lithuanian-Ruthenian State', which Russian imperial historiography constructed at the time to highlight Ruthenian as far as possible in the history of the Grand Duchy of Lithuania.

Next, let us pay attention to the way the first publisher of this document describes its stamps. The following is a full archeographic description included after the text of the document:

This document and its Latin translation are written on separate pieces of parchment, folded together, and tied together with twenty-three parchment ribbons; seventeen small wax stamps hang on them, along with two pairs of stamps attached with two ribbons, while the others are lost; two stamps belonging to bishops, pressed of a red material; Bishop Macej's stamp is larger than the others, and displays the Holy Mother holding Jesus in her hands, surrounded by the text *Sigillum Ma ... episcopi premisliensis*. The stamp of the Ruthenian bishop shows, it seems, Jesus being resurrected with a banner. All other images are pressed on a dark green material, half of which are absent except their traces.¹²

10 'II. Государствованіе Витовта'.

11 See a new biography of Vytautas: Nikodem 2013.

12 'Документъ тотъ и Латинскій его переводъ написаны на отдѣльномъ пергаментѣ, сложены вмѣстѣ и перевязаны пергаментными ленточками, въ числѣ двадцати трехъ; а на нихъ виситъ семнадцать малыхъ восковыхъ печатей, и двухленточныхъ по двѣ, другія отпали; двѣ первыя бискупскія вытиснуты на красной массѣ; печать бискупа Мацѣя больше всѣхъ другихъ и изображаетъ пресвятую Дѣву, держащую на рукѣ Иисуса; около надписи: *Sigillum Ma ... episcopi premisliensis*. Печать русскаго епископа изображаетъ, какъ кажется, воскресшаго Иисуса, с хоругвию. Всѣ прочія вытиснуты на темноземленной массѣ, половина выпала': *Akty odnosiaščiesia 1863*, no. 9, p. 5.

This description demonstrates that the person who copied or prepared the document for publication had either held this document in his hands or had a detailed description of the document, as it is hard to provide such a detailed account without visually studying the original document. In that case, why did he not mention the order of parchments in the volume? Today, it is easy to explain everything with reference to ideology and biased constructions of history at the time. However, was this an intentional manipulation? It is hard to say.

The next publisher of the Ruthenian version of the document was one of the members of the 'Ruthenian Triad', Yakiv Holovatsky. He did not change anything in the document description, which was re-published from the St. Petersburg publication. In a boldly-titled volume of Ruthenian language samples that came out several years after the St. Petersburg publication, he only repeated verbatim the document's description.¹³ Most likely, he did not see the original, but only copied the document in his new volume. It is worth noting that at this time he was an avid supporter of Moscopophile views, and moved to the Russian Empire the following year to become chair of the Vilnius archeographic committee.¹⁴ To accuse him of academic dishonesty from the standpoint of modern-day scholarly requirements for these kinds of publications is not fair. He was not the only one who worked in this way at that time.

At first glance, Holovatsky's publication is just the re-publication of the 1863 edition. Adopting the description from the St. Petersburg publication, Holovatsky indicated the series title, volume, and page number where the text begins, but also added his own information about several locations mentioned in the document. This description follows a quite Russocentric framework was most likely revised after the 1863–1864 uprising. The emphasis of Holovatsky's commentary is very interesting:

Tyczyn, a town located in Rzeszów county, is now fully Polonised. – Zalesie, a village in the same county, where there are still 213 Ruthenian people and a church named Church of the Holy Mother of God. Zalesie, Bila (now – Biała) (548 Ruthenian people), and Matisovka (now – Matysówka) (92 people), the westernmost Ruthenian settlements in Rzeszów county are surrounded by Mazur-Polish people.¹⁵

13 Pamiatniki diplomaticheskogo i sudebno-delovogo iazyka 1867, no. 27, p. 27.

14 Skrypnyk 2004, 138–139.

15 'Тычинъ, городокъ въ Решовскомъ окрузѣ, нынѣ совсѣмъ ополяченый. – Залѣсье, село въ томже окрузѣ гдѣ находится еще русскаго населенія 213 душъ и церковь подъ тит. Собора Пресвятыя Богородицы. Залѣсье, Бѣла (548 душъ русск.) и Матисовка, (92 душъ) самыя западныя поселенія русскіи въ Решовскомъ окрузѣ окруженныи

Holovatsky's commentary explicitly aimed to delineate the western boundary of settlements populated by non-Polish people, whom he designated the 'Ruthenian population'. He pays attention not to the content of the document, but to the number of non-Poles in Tyczyn and neighbouring villages, including those where it was possible to identify a significant number of Ruthenians at the time of publication. The publishers of the Ruthenian version of the document in the twentieth century continued this tradition of silencing the Polish aspects and content of the document, and instead emphasising the Ruthenian.

Next, at the beginning of the twentieth century, researchers received access to a high-quality image of the document, but only of its Ruthenian version (see fig. 23.4). This was useful for the publisher, Viktor Rozov, whose work I address below. An album of paleographic images – expensive for that time – was issued thanks to Aleksey Sobolevsky and Stanislav Ptashytsky (in Polish, Stanisław Ptaszycki), and describes this document in the table of contents under number 31:

A legal document of Peremyshl bishop Maciej, Peremyshl vладыka (Orthodox bishop) Afanasiy and the nobles of Halych land regarding a dispute about land boundaries between King Jagiełło and Jadwiga Pilecka and her daughter, dated 1404. Published in *Akty Yuzhnoy i Zapadnoy Rossii*, I, № 8 and in *Pamiętniki Holovatsky*, № 27. The original is stored in the Czartoryski Princes Museum in Krakow.¹⁶

Despite a detailed description of the document, and an indication of the two earlier publications of its Ruthenian version, the album's publishers repeated the phrasing of the first edition of 1863 and included all the of this legal action under the generic heading of 'nobles of Halych land', rather than reviewing in detail the persons mentioned in the document. This was not the purpose of the album. Most likely, in mentioning 'Halych land' they were referring to the so-called Halych Rus, a part of the former Halych-Volhynia Principality that

доокола народомъ мазурско-польскимъ': *Pamiętniki dyplomatycznego i sudebnodelovogo iazyka* 1867, 139.

16 'Правая грамота Перемышльскаго бискупа Мацея, Перемышльскаго владыки Афанасия и вельмож Галицкой земли по спору о земельных границахъ между королемъ Ягелломъ и Ядвигою Пилецкою съ дочерью, 1404 года. Издана въ Актахъ Южной и Западной Россіи, I, № 8, и въ Памятникахъ Головацкаго, № 27. Подлинникъ хранится въ Музее князей Чарторыскихъ в Краковѣ': *Paleograficheskie snimki* 1903, no. 31. I express my sincere gratitude to Sergey Polekhov, Ph.D. in history, of the School of Advanced Studies in the Humanities Institute of Social Sciences of the Russian Presidential Academy of National Economy and Public Administration, for providing a copy of this publication.

came under the rule of Polish king. They did not even mention the Latin version of the document, despite the need to remove or turn the pages of the Latin version – which comes first in the volume – in order to take a photo of the Ruthenian version (see fig. 23.1, 23.2). It is notable that the published photo is taken in such a way that it is difficult to understand that the previous page was turned over and that the document included stamps (see fig. 23.4). Besides, as for other documents in this album, there was no extended commentary of this document.

The next publisher of the Ruthenian version of the document was Ahatanhel Krymsky, a scholar of Ukrainian linguistics and Turkic studies. Publishing it from a photocopy of Sobolevsky and Ptashytsky's edition, he included only a short reference to the storage place of the document – 'from the Czartoryski Krakow Museum' – and titled the document according to earlier publications of the Ruthenian text: 'A Medyka legal document of the Peremyshl bishop and nobles on the dispute concerning land boundaries between King Jagiełło and Elżbieta Pilecka, dated 1404'.¹⁷ In his description, Krymsky omitted the mother of Elżbieta Jadwiga Pilecka, which is unusual given her significant role in the dispute. Neither did he mention the Latin version of the document. As a scholar of linguistics, and given the theme of the publication, he was predominantly interested in the Ruthenian language of the document.

From a linguistic perspective, the most accurate publication of the Ruthenian version of the document is Volodymyr Rozov's. Following the tradition started by his predecessors, but replacing the word 'legal' with 'litigation', he presented the document as follows:

Litigation letter of the Halych bishops and boyars regarding a dispute over the town of Tyczyn and Zalesie county between King Jagiełło and Jadwiga Pilecka and her daughter Elżbieta, issued in Medyka on 19 October, 1404.¹⁸

Why did he use the designation of Halych to describe two Peremyshl bishops and boyars? It looks odd, as the first line of the document defines both Maciej and Afanasiy specifically as Peremyshl bishops. Most likely, Rozov follows the notion that this territory should be rightfully designated as Halych, Rus, or a Halych principality.

Publishing the Ruthenian text of this document, Rozov conscientiously remarked that the original is stored 'in the Princes Czartoryski Museum in

17 Krymsky 1907, 420ж.

18 'Судная грамота галицких епископовъ и бояръ по спору изъ-за города Тычина и Зальской волости между королемъ Ягелломъ и Ядвигою Пилецкою съ дочерью Алжбетою, данная въ Медыкъ 19 октября 1404 года': Rozov 1928, no. 38, p. 69.

Krakow, Dypl. № 272.¹⁹ It is noteworthy that according to previously established tradition, he did not say anything about the fact that there was a Latin version of the document, which was already published at the time he was preparing the volume. The Latin version of the document, which comes first in the volume, is marked with the collection number '272'. The document is still stored under this number in the Manuscripts Department of the Princes Czartoryski Library in Krakow.²⁰ This information is missing from the publication of the Ruthenian version of the document. Moreover, his attitude to seals is very characteristic. He merely noted: 'for seals, see AiuZR, I, p. 5'.

Almost everybody, and perhaps everybody, who tried to present this document in its Ruthenian version, did not see it *de visu*. Rozov, publishing probably the exemplary Ruthenian version of the document, noted: 'the letter is published by its phototype, a picture from the Sobolevsky and Ptashytsky collection'.²¹ His publication stands out among the others because he attempted to present even the smallest paleographic and linguistic details of the document, as well as meticulously listing all its previous publications.



What do we have in the end? Franciszek Pekosiński produced the most accurate description of the document, noting that there were two originals written in Latin and Ruthenian, and correctly describing the seals preserved by 1905. Those who published the Ruthenian version of the document, even if they mentioned the availability of a Latin version of the original, preferred not to grant the latter any significance, for no reason simply assuming that it was a translation from the Ruthenian. It seems that the framing of history of that part of the Ruthenian kingdom, which from the 1340s came under the rule of Polish king, was based entirely on the spirit of the 'Lithuanian-Ruthenian state' ideology, where Ruthenian was the main language. Historians working in the second half of the nineteenth century and the first third of the twentieth viewed Halych Rus as if it had not been governed by the Polish Crown, and as if Latin had not been used to document transactions – and therefore documents written in Latin had not existed. If they came across Latin versions, they must have been translations from Ruthenian. In one way or another, all the publishers of the Ruthenian version of the document ignored the Latin version, even calling it a translation. This logic prevailed even an image of the Ruthenian

19 Rozov 1928, no. 38, p. 69.

20 Biblioteka Czartoryskich w Krakowie, Dział dokumentów pergaminowych, sygn. 272.

21 Rozov 1928, no. 38, p. 69.

version (fig. 23.4) was published, requiring the removal of the first sheet of the volume including the Latin version of the document.

Modern ideas around the methodology of publishing sources differ, given how historical science seeks to publish documents. Historians of today work like forensic pathologists: they work with the original manuscript; they pay attention to the smallest details of its preservation; they study its margins and sphragistic material; they search for the document's descriptions in older and more modern catalogues; they create a bibliography of its previous publications; and they explore the document's function. In short, our task is to obtain information from the document, present it accurately and correctly embed it in larger narrative.



Fig. 23.1 Document from Medyka of 19 October, 1404 (Latin version).



Fig. 23.2 Document from Medyka of 19 October, 1404 (Cyrilic version).



Fig. 23.3 Seals from document from Medyka of 19 October, 1404 (Latin version).

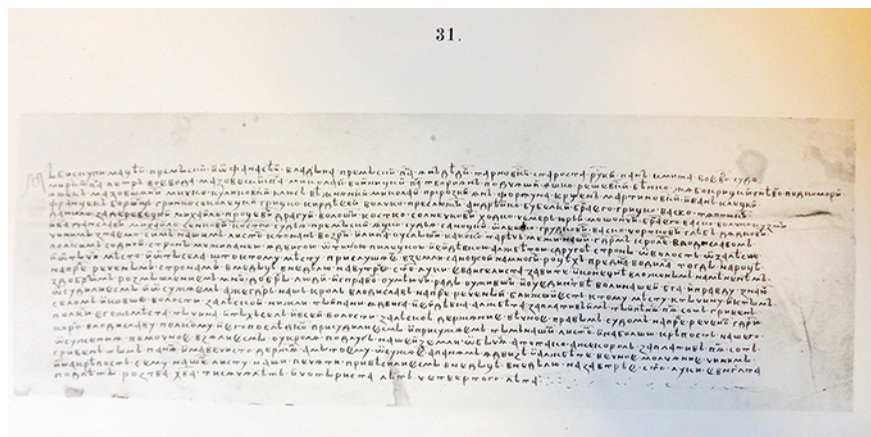


Fig. 23-4 Image of Ruthenian version of the document published by Aleksey Sobolevsky and Stanislav Ptashytsky in 1903.

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