

The Vinodol Law provisions related to wheat as the most important agricultural crop in the Middle Ages

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Abstract

Wheat, as one of the most important agricultural crops grown in the medieval times, was mentioned in the Vinodol Law, the oldest Croatian legal monument. These legal provisions dating back to the 13th century show the importance of wheat to medieval people. The Vinodol Law mentions wheat in two separate articles and prescribes high penalties for wheat theft in granaries or arson in the field. Since the Vinodol Law punishments for stealing of wheat or for setting a fire to wheat were rather harsh, it is concluded that wheat, as an agricultural product, was highly valued in daily life of medieval people.

Key words: Croatia, Vinodol Law, wheat, theft, arson

Introduction

Based on the archaeological evidence, the earliest form of wheat cultivation was associated with the Fertile Crescent of the Near East, dating back to the period of 9000 to 7000 BC. The beginnings of plant domestication are dated around 8000 BC (Bell, 1987). Over the centuries, wheat grain was used mainly for human nutrition. Nowadays, its main usage remained the same, since wheat is used in bread making, for biscuits, cookies, cakes, breakfast cereal, pasta, noodles, as well as for fermentation of beer and some other alcoholic beverages. Wheat is also indispensable in livestock feeding, its straw is used as a construction material, and recently its usage extends to industry of biofuels. Until the early 19th century, growing and harvesting of wheat did not differ much from the methods of the ancient world. Farmers harvested wheat by hand with a sickle or a scythe.

Wheat, as one of the most important agricultural crops of the medieval times, was mentioned in the oldest Croatian legal monument. Barley, oats and rye were also grown by Croatian medieval peasants. Growing of olives was very popular on the seaside. Other crops included pulses (beans and peas), as well as fruits and vegetables. Production of cereals (mainly wheat, barley, oats and rye) was important in most European regions, not just in Croatia.

Presently, next to maize, wheat is the most common field crop in plant production of Croatia and the world (Iljkić et al., 2019).

Material and methods

In order to conduct proper research on the subject, full text of the Vinodol Law (both in Croatian and English) was used, from the book by Lujo Margetić: *Vinodolski zakon* from 1989. For the purpose of comparison of punishments, based on the methodology of comparative legal research, the oldest Slavic law in the world *Zakon sudnyj ljudem* was also used in this article from the book by H. W. Dewey and Ann Kleimola: *Zakon sudnyj ljudem*

(Court law for the people) from 1977. Several other books and scientific articles were consulted in order to complete this article and they are listed below.

Results and Discussion

The Vinodol Law (in Croatian: Vinodolski zakon or zakonik) is one of the oldest Slavic codes in the world and one of the most important legal and cultural monuments of the Croatian people. It is also one of the most important historical documents of medieval Europe. It is written in the Croatian Glagolitic script and in the Chakavian dialect of Croatian language (Haman, 2021).

The Law was compiled by a commission of 42 members on 6th January 1288 in Novi (today the city of Novi Vinodolski) on the Croatian Adriatic coast. The document is based on ancient customs of “old and tested laws” that locals lived by. At the end of the 13th century, it was quite rare that people themselves, represented through others, set forth their legal traditions in writing and in their own native language. The Vinodol Law was first published in 1843 by Croatian writer and linguist Anton Mažuranić in the magazine Kolo (Margetić, 1988). The Law itself was not preserved in the original manuscript, but the copy from the 16th century is preserved and kept in the National and University Library in Zagreb, Croatia.

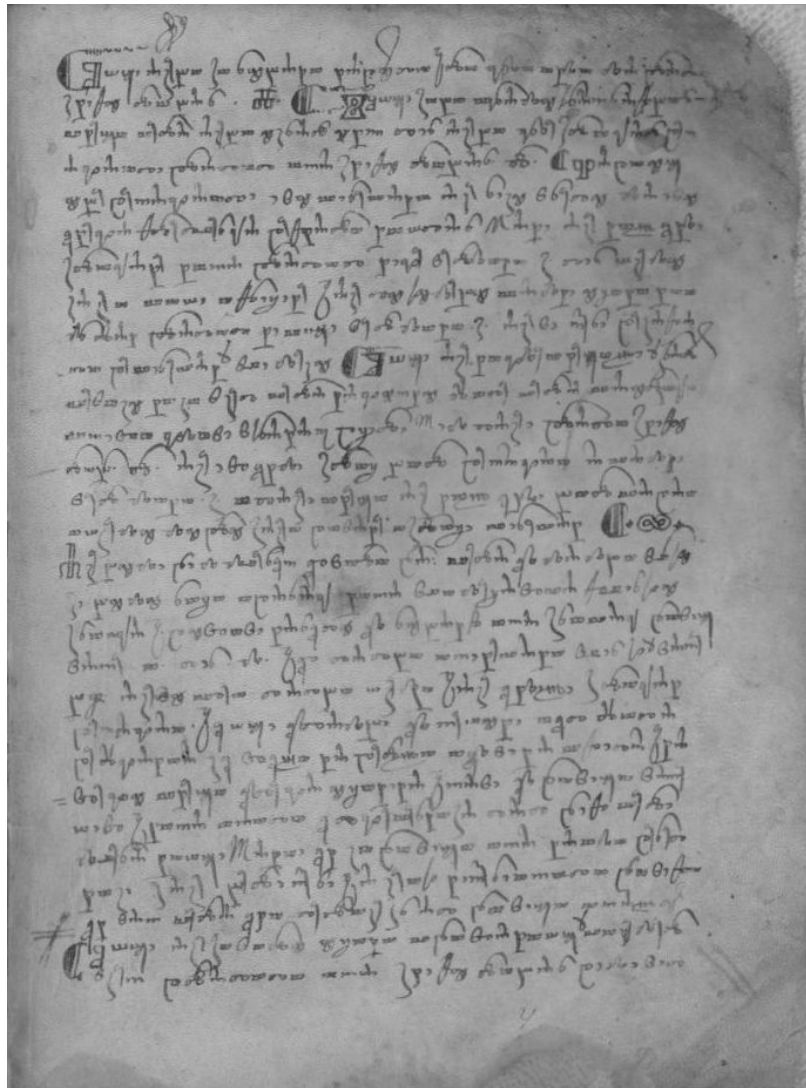
Initially, the Law was neither divided into articles nor marked with numbers. That was done later on by publishers and scholars. Croatian legal historians Marko Kostrenčić, Josip Bratulić and Lujo Margetić divided the Vinodol Law into 75 articles, Anton Mažuranić into 76 and Vatroslav Jagić, Franjo Rački, Miho Barada and Vjekoslav Štefanić into 77 articles (Bartulović, 1997). The Vinodol Law is providing a great insight into the Croatian past. As opposed to the so-called political chronicles, which present important individuals and battles, yet miss an elementary aspect of any historical study - daily life of a common man, the Vinodol Law offers an extensive source of information about the everyday life of ordinary Croatian ancestors. It does not deal with the life of a feudal lord or his court, nor does it deal with some general legal principles. Its compilers did not bother much to write down the Law's provisions in an especially solemn or formal style. The Vinodol Law deals exclusively with usual, daily problems of simple commoners living at that time. It is justified to say that writing a law for the commoners was not an easy task, as feudal lords actively protected their own interests, which often appeared in the text of the Law. The compilers of the Vinodol Law tried to protect simple people from the overwhelming and overpowering influence of the feudal lords, especially in the judicial system (Haman, 2021). In the Middle Ages, peasantry was usually engaged in agricultural activities, so the Vinodol Law provided some legal regulations related to agriculture and crop production.

In the Vinodol Law, there are two articles (8 and 10) mentioning wheat and its importance to a common medieval man.

(Art. 8) Furthermore, if someone during the night stole an animal from a stable or wheat from the thrashing floor or honey from a beehive, where honey-bees are kept, he must also pay the lord 50 libras, if there was a cry of »help« while if he committed the crime during the day he must pay 40 soldins, and also the same if he committed the crime at night and there was no cry of »help« as well as double damages, as is written. The cry is credible.

As regulated by the mentioned article, stealing of wheat, just as stealing an animal or honey, was considered a crime so serious that it had to be regulated in writing by the Vinodol Law, instead of dealing with it by a customary procedure of unwritten, common law, which was practiced at that time. The seriousness of the crime committed by stealing of wheat is

reflected in the high financial penalty. Since the Vinodol Law prescribed the same amount of fine for assault and battery, it is obvious that agricultural products like wheat, and animals used in wheat production were highly appreciated in the community.



Picture 1. Forth page of the Vinodol Law with articles 8 and 10 (Courtesy of the National and University Library in Zagreb).

The second article that mentions wheat is connected with arson.

(Art. 10) And furthermore, regarding theft in a stable and for the setting of fire to wheat which is standing in the fields and also for the taking of hay from a hay-stack at night - for these acts the wrongdoer must wage his law with 5 compurgators. And then he may not have an assistant without the court's permission.

Nevertheless, let he who must swear find compurgators as he knows best and if he cannot have them, he must swear himself or the compurgators must swear as many times as the oath must be taken.

Arson was a very serious crime during the Middle Ages. Just for an example, *Zakon sudnyj ljudem* as the oldest Slavic law in the world, prescribes capital punishment only for arsonists (Dewey and Kleimola, 1977). Legal provisions contained in the Vinodol Law did not differ much from *Zakon sudnyj ljudem*, even though there are around four centuries time lapse between those two law codes.

While we cannot be certain regarding the punishment for setting wheat on fire, according to the Vinodol Law's article 62, the punishment for a culprit committing arson was a very high fine and in case the same culprit repeated the same crime, the death penalty was sentenced.

Conclusions

Unlike the most of Croatian medieval legal documents, the Vinodol Law is a monument to the old Croatian and Slavic law. Punishments and fines were regulated by commoners themselves, so they reflect social values of medieval communities. Since the Vinodol Law punishments for stealing of wheat or for setting a fire to wheat were rather harsh, it is concluded that wheat, as an agricultural product, was highly valued in daily life. In the past, wheat was indispensable in making of bread for human nutrition, thus being a symbol of human existence and well-being. In this sense, wheat as a symbol of food production has retained its significance throughout history up to the present time.

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