



On State Archives of Montenegro - Kotor Historical Archives Edition "The 1616 Statute of the Town of Kotor"

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On the occasion of 1200th anniversary of the translation of St. Tryphon's relics from Constantinople to Kotor, who has since been the patron saint of the Town, then on the occasion of the 700th anniversary of the oldest preserved document in Kotor Historical Archives, as well as on the occasion of the 60th anniversary of this first-founded archival institution in Montenegro, the archivists from this institution prepared for printing the two-volume edition of the medieval Statute of the Town of Kotor. Because of certain aggravating circumstances during the implementation of this multi-year project, the edition of Kotor Statute could not be completed in the Jubilee year 2009, but two years later, in 2011.

The original of the printed edition of Kotor Statute from 1616 is stored with Kotor Historical Archives in the archival collection of printed material, with the filing reference DACG IAK, ŠTAMP I – 1.

This capital edition of Kotor Historical Archives: Statuta Civitatis Cathari = Statut grada Kotora, consists of two volumes (I and II), as well as the CD ROM with the electronic version of the entire edition. The edition was printed in "Obod" - Cetinje printing house, with the circulation of 600 copies. The editors are: Mrs. Jelena Antović, head-archivist of Kotor Historical Archives, who also acted as the Editorial Board Secretary, and Mr. Stevan Radunović, Director of Montenegro State Archives, as the publisher. The translation of Kotor Statute from Latin to Montenegrin, was performed by six archivists from Kotor Historical Archives: Mrs. Jelena

Antović, Mrs. Anita Mažibradić, Mrs. Snežana Pejović, Mr. Joško Katelan, Miss. Aleksandra Milić and Mr. Mirko Vukasović M.Sci., with the engagement of two external expert collaborators: Mrs. Lenka Blehova Čelebić PhD, and Mrs. Gordana Mušura. The Professional editorial board, which took care of the following texts: Introduction, Explanation of the key terms and Orthographic principles, was composed of the prominent experts from Montenegro and the Republic of Serbia: Mr. Miloš Milošević PhD, Mr. Sima Ćirković PhD, and Mrs. Jelena Danilović PhD.

The Volume I (CIP - Catalogue of the National Library "Đurđe Crnojević" in Cetinje, ISBN 978-9940-9170-8-1; COBISS.CG-ID 17551888) is a facsimile edition of the original Statuta et Leges Civitatis Cathari, printed in 1616 in Venice, as indicated in the subtitle of this book consists of 440 pages (from 1 to 440/5).

The Volume II (CIP - Catalogue of the National Library "Đurđe Crnojević" in Cetinje, ISBN 978-9940-9170-9-8; COBISS.CG-ID 17552656), has 598 pages. It contains the following texts: Introduction; On Kotor Statute; Explanation of the key terms; Orthographic principles in translating the Statute and Kotor Statute – Translation from Latin, on 414 pages. In addition to the translation of the text elaborating on the Statute in English and Italian, there is also a very detailed Index on 65 pages.

The electronic version of this edition on the CD ROM contains the following: the Volume I – The Facsimile of

the Original from 1616; the Volume II - The Translation of the Original from 1616 with the Scientific Apparatus; the Volume III - The Transcript of the Original of Kotor Statute from 1616.

The tradition of writing statutes in the coastal towns on the eastern Adriatic coast dates back to the 13th century. Besides the fact that the statutes represented a codification of the legal system and the instrument of governance, they were also the symbols of civic autonomy in medieval communes. In the text of Kotor Statute one observes that some of its decisions had their roots in the 12th century. However, the oldest provision of the Statute, which dates back to 1301, indicates that serious work on its codification had begun in the 14th century.

Just like the majority of medieval statutes, Kotor Statute had also originally been created and preserved in the form of manuscripts. So far, the researchers have managed to record four preserved manuscripts of the Statute: one in the library of Kapor family on the island of Korčula, one in Zagreb University Library, one in Bogišić Library in Cavtat (Croatia), and one in Marciana Library in Venice (Italy). However, with the lapse of time the number of copies of the printed edition got decreased, so before World War I, only 10 copies had been recorded in the entire world.

The decision on the printing of the original version of Kotor Statute was passed at the joint session of the Small (Secret) and the Great Council on 27th October 1614. From the text of this decision one finds out that the manuscripts of Kotor legal provisions had been kept in a special folder and that they had been in a very worn out condition, thus in danger of "being lost" with the lapse of time. Therefore, first of all, it had needed an "industrious and reliable person" in Kotor to make a transcript of the original for the needs of the Venetian printing house. In order for the approved project to be realized, five noblemen had been elected to propose their own candidates for editors, who were then voted for. The work on the printing was probably completed in June 1616. The editors of this codification, two noblemen from Kotor, Marijan Buća and Frano Bolica, explained to the readers in their preface to the Statute, written in a Baroque style, why had the codification been printed exactly in this period. Besides the reason that legal written material should be "printed for immortality", it had been considered that once printed and accessible the text would have to be appreciated more and respected in practice and that it could contribute to the strengthening of the positions of Kotor nobility during the Venetian rule.

The editors of the first edition of Kotor Statute divided the presentation of the legal matter in four separate parts. However, they were obviously facing a huge problem of how to perform a methodologically clear classification of the previously selected, most important material. This could not have been reconciled in haste, thus the effort regarding the thematic sections was greatly unsuccessful. There are many non-dated chapters, often lacking basic chronological order.

All these deficiencies in the first printed edition of the Statute represented a great problem for translators and

editors of the new edition. There was an attempt to overcome this through the scientific apparatus, which, nevertheless, was not to be too extensive. Because of that the editors chose only the most important terms and gave their interpretation in order to facilitate the understanding of the text of the Statute. Together with that part of the scientific apparatus, the editors also explained some orthographic principles related to the translation of the Statute.

In the Latin original of the printed Statute no attention was given to the stylization of the text and the consistency in orthography, rather the handwritten texts were taken in their original form, as they had been created by notaries and later on by some editors of the statutory provisions. In addition, Latin Statute is written in the spirit of the Baroque, but even there consistency was lacking. In order to preserve the authenticity of the original text keep as much as possible, during the translation minimal interventions were being made or only then when it was for the purpose of the accuracy of legal formulations and better understanding of the content.

Despite the fact that the work on the translation of Kotor Statute and its interpretation lasted for more than ten years, the intention to prepare a critical edition of Kotor Statute remained unfulfilled. It should have included comprehensive legal material that had been being created in the medieval Town of Kotor. It should be emphasized that much of the legal material had not even been included in the 1616 Statute. However, only such edition could be able to provide a complete picture of the legislation and legal life of a medieval commune on the eastern Adriatic coast, i.e. Mediterranean. That would imply for various municipal legislative decisions from notary documents and other archival material from the town of Kotor to be explored and collected. That would also mean that the legislative documentation of the Town of Kotor should also be explored and collected in Croatian Archives, in Zadar and in the Academy of Sciences and Arts in Zagreb, and then in Italian archives, especially in those centers where there had been university colleges responsible for the appeals of Kotor citizens (Vatican Archives, Bologna, Perugia, Padua, Vicenza, Verona and Treviso). However, such project implied far greater financial resources and engagement of expert teams which would devote themselves to researching abroad.

Until better times, this edition of Kotor Statute represents a huge contribution to further research in the field of legal and historical sciences in Montenegro, as well as in many other countries. Also, the life of the original from 1616 was prolonged, as one of the rare examples of medieval printing which has survived to this day.

Footnotes

The author reports no competing interests.



Snežana Pejović, professor of literature and archivist, was born in Kotor, (Montenegro). She graduated from Belgrade University, (Department for Yugoslav and World literature). She continued her studies on a postgraduate course at the Philological faculty, at the Department for Science of literature.

Since 1981 she has been working at State Archives – Kotor Historical archives as an archivist who deals with processing of oldest archival material kept in Montenegro (from 1309). Currently she is the head of the Kotor Historical Archives.

She is included in many projects concerning the development of archival profession as well as projects of research and publishing of archival material, working with many cultural and scientific institutions, government bodies, etc. in Montenegro, former Yugoslavia and in abroad.

She participated with papers in many international conferences, symposiums, etc. in Montenegro, around former Yugoslavia and abroad. She took part in the realization of more than 20 archival exhibitions. In addition, she obtains three international grants for broadening of her professional knowledge.

From 1999 she became one of founders of the professional NGO: Centre for the preservation and presentation of Kotor's documentary heritage »Notar« and she is its president, (<http://www.cdknotar.org>)

She is a regular member of some international archival institutions (the International Institute of Archival Sciences Trieste-Maribor - IIASTM, International Centre for Archival Research - ICARUS). In addition, she was/is active member of some societies and organizations in the former Yugoslavia. Actually, she is the member and one of founders of the South East European Heritage Network (<http://www.seeheritage.org>) the member of Steering Committee of the Community of Italians in Montenegro, the member of the Montenegrin Cinematheque Council, etc. Until now she has published about 130 bibliographic items in the country and abroad.