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THE 'ZAKONIK' OF TSAR DUŠAN: A SOCIO-POLITICAL STUDY

MURIEL HEPPELL

The subject of this paper was the *Zakonik* or law code first promulgated by the Serbian Tsar Dušan in 1349, with an expanded version five years later.

After a brief sketch of the historical background, the transmission of the text and the legal documents and traditions which influenced the *Zakonik*, most of the paper was devoted to an analysis of its content and a discussion of the light it throws on the social and economic structure of medieval Serbia. The majority of the clauses of the *Zakonik* (which are not arranged in any logical order) deal with ecclesiastical affairs, property and land tenure, and crimes and their punishment. There are also a number of items relating to the administration of justice and court procedure. Particular stress is laid on the operation of the three-tier jury system (one of the most interesting aspects of the *Zakonik*), and the conception of law as the sovereign force in the state.

21-24 MARCH 1981, BIRMINGHAM:

FIFTEENTH SPRING SYMPOSIUM OF BYZANTINE STUDIES

BYZANTIUM AND THE SLAVS

HAGIOGRAPHICAL WRITING AMONG THE ORTHODOX SLAVS

FAITH C.M. WIGZELL (KITCH)

That hagiographical writing among the Orthodox Slavs was dependent on Byzantine models is not a matter of dispute: as is well known, the Slavs received Byzantine hagiography in its various forms (sub-genres) through translations, and imitated them according to their needs: the *vita* (both *synaxaria* and longer forms), the *encomium*, the *patericon*, the *martyrion* and subsidiary forms such as accounts of the translation of relics are all to be found in Slavonic. Similarly, the stylistic range of Byzantine hagiography, from high-style rhetorical to popular, was reproduced in Slavonic. Given widely differing dates and place of composition as well as stylistic and generic variety, it might be argued that it is not possible to determine any distinctive Slavonic features, especially since the relationship with Byzantine hagiography was a continuing one. Certainly the task presents con-

difficulties, not the least of which stems from the fact that Byzantine hagiography has been little studied from a literary point of view, rendering general observations necessarily tentative. Despite the problems however, some general conclusions may be drawn, and these are offered here as a spur to discussion and further research. They are based upon necessary restrictions in the material examined middle and high-style *vitae* of the two main periods of Slavonic hagiography, the ninth-early twelfth centuries and the second half of the thirteenth-fifteenth centuries.

Among high-style *vitae* of the earliest period may be included not only the lives of Cyril and Methodius, but also Bulgarian, Bohemian and Kievan works. The first of these, the *Vita Constantini*, reaches a level of sophistication in structure, style and exposition that is never again to be found in Slavonic, though other early *vitae* also reveal a commendable familiarity with traditional *schemata* and *topoi*. The differences between the *Vita Constantini* and other lives may be attributed to the authors' varying acquaintance with a Byzantine training in rhetoric, logic and theology. Use of traditional structural and stylistic features does not seriously hinder clear narrative, though stylistic register varies. At this period encomiastic elements are generally restricted to the conclusion, and the body of the work contains a high degree of factual information (the supreme example is the *Vita Constantini*), though this must be attributable in part to the *vitae* being composed at a time when the memory of the respective saint was still fresh in the minds of those who had known him. The only exception to the above is Nestor, whose *Zitije Feodosiya* contains a vivid but uncanonical portrait of the saint's mother, and whose *Čtenije o Borise i Glebe* deliberately shuns historical detail as well as dramatic narrative. The possible reasons for this are unfortunately outside the scope of the present discussion. Finally one may note a tendency, natural where Christianity has only recently been adopted officially, for rulers and members of ruling families to be canonised and to form the subject of *vitae*.

By the thirteenth century, some of the features of early Slavonic hagiography had been lost, while others had been developed, over the whole or part of the area of Serbia, Bulgaria and Russia. Thus although Slavonic hagiography of this period displays unifying features, it has also developed some features that may tentatively be called 'national' the term having limited validity because of close contacts among the Slavs and with Byzantium. The chief unifying feature of the period is a minimising of the factual element in *vitae*. In those composed by the Bulgarian Patriarch Evtimij of Turnovo,

simple lack of information about holy men and women long since dead does much to explain the phenomenon, though Evtimij seems also not to have wished to place his saints in a concrete historical setting. It is most marked in Serbian hagiography, particularly in the extended *vitae* of Domentian. In *vitae* written by the Russian Epifanij Premudryj, it is not so much an actual as an apparent absence of facts, which are swamped in the ornate tirades of his *pletenije sloves*. This style consists in taking panegyric elements traditionally found in the conclusion of *vitae*, intensifying their expressive properties and placing them in the body of work. As a result, works become excessively long and the boundaries between the genres of *encomium* and *vita* are blurred. In the extreme case of Domentian, the Serbian hagiographer, the traditional *schema* virtually disappears beneath the weight of panegyric. Although in Byzantium there was a renewed interest in rhetoric in the fourteenth century, attitudes appear to differ among Orthodox Slav writers: for most of them an ornate rhetorical style was part of a 'hieratic' language, rather than the elegant clothing for appropriate material, whether ecclesiastical or secular. This applies more to Serbia and Russia (the two traditions are close in spirit at this period) than to Bulgaria, where members of the Church hierarchy, which produced most of the literary figures, were Byzantine educated. Hence also less broadly educated Slav hagiographers sometimes wrote up fantastic material in a high rhetorical style which a Byzantine writer would probably have considered inappropriate. However, by the fifteenth century, *pletenije sloves* had been adopted for historical writing in Russia and Serbia as it had earlier in Bulgaria, and thus ceased to be a special ecclesiastical style. In Serbia there may be some connection with the interest in a cult of national rulers, which was considerably extended from its role in early Slavonic hagiography.

Despite certain regional trends (such as the predilection of Russian hagiographers for factual information), further divergence was hindered by the active role of figures like the Bulgarian Kiprian, Grigorij Camblak or Pachomij Logofet, who all lived and worked in at least two parts of the 'Byzantine Commonwealth'. Other cultural links, together with the emergence of literary traditions, probably explain the fondness of the Slavs for the type of historical exordium found in the *Life of Methodius*, and for popular passages of Slavonic origin (the best example is the quotation from Ilarion of Kiev's sermon, which became standard in Russian *vitae* and is also found in Serbian). The same factors may help to explain the wider use of the humility *topos* among the Slavs than the Greeks, though its frequent appearance in Kievan and later Russian writing may re-

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flect

a national tradition.

A study of hagiography reveals a fascinating interrelationship of cultural and literary attitudes, and suggests interesting literary developments within *Slavia Orthodoxa*. It must not be forgotten, however, that in spite of some local features which partly result from geographical and linguistic isolation from Byzantium, Slavonic hagiography remains firmly tied to Byzantine canons.

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THE IMPORTANCE OF THE CHILANDARI MUSIC MANUSCRIPTS FOR THE HISTORY OF SERBIAN CHURCH MUSIC DANICA PETROVIĆ

The full repertoire of Serbian liturgical music has been preserved in the Chilandari 18th-century manuscripts, written in Late Byzantine notation with Church Slavonic texts. In the collection of fifty manuscripts there are four Slavonic and eight Greek-Slavonic manuscripts; the rest are in Greek. As far as their contents are concerned, these manuscripts are mostly *Sticheraria* and also *Anthologies*, translated from Greek originals.

Comparative musical analyses have produced the following conclusion: the melodic version preserved in the Chilandari Slavonic music manuscripts is identical to the Greek melodic version, attributed to the 17th-century Byzantine composer, Chrysaphes the New. This melodic version represents a much older musical tradition formed on Byzantine prototypes.

The Chilandari Slavonic manuscripts are the link which connects 15th-century Serbian composers to the Serbian popular church chant, established at the end of the 18th- beginning of the 19th century, and still in use in the Serbian Orthodox Church.

MELODIC ORIGIN OF A STICHERON IN HONOUR OF PRINCE LAZAR
DIMITRIJE STEFANOVIĆ

The melody of a Sticheron in honour of Prince Lazar (Hilandari ms No. 668, 18th c., ff. 72-73) corresponds to the melody of the Slavonic Dogmatikon of Mode VI of the Oktoechos as written down in the Hilandari ms No. 309, 18th c., ff. 36r+v.

The text and the melody of the Sticheron in honour of Prince Lazar contains an extension for which we do not have the model either in the Dogmatikon or elsewhere. Perhaps it was a creative effort of an unknown musician from Hilandari.

Even the Slavonic melodic version of the Dogmatikon is mostly based on the Greek melody of the Dogmatikon (ms M R 1, 18th c., of Matica srpska, Novi Sad, Yugoslavia, ff. 60r+v).

The results of our analysis show that the melody of the Greek Dogmatikon of Mode VI served as a model a) for the Slavonic version of the Dogmatikon and b) for the Sticheron in honour of Prince Lazar. These results are of importance for explaining the origin of melodies in honour of other Serbian saints (Simeon, Sava, Arsenije, Milutin, Stefan Dečanski, and Prince Lazar) and point the direction in which future research should be carried out.

The Serbian version of this communication is printed in Manastir Ravanica, Spomenica o šestoj stogodišnjici, Beograd, 1981, pp. 201-204.

THE NEXT STEP AFTER TRANSLATING:
THE IMITATION OF BYZANTINE MODELS
WILLIAM R. VEDER

The earliest *Paterika*, translated from Greek into Slavic, i.e. the *Paterik Egipetski* (= *Historia Monachorum in Aegypto* + *Historia Bragmanorum et de gentibus Indiae* + *Historia Lausiaca* + *appendix*), the *Paterik Sinajski* (= *Pratum Spirituale*) and the *Paterik Skitski* (= *Apophthegmata Patrum, collectio systematica* + *appendix*) share a common feature not hitherto observed in other Old Slavic texts: they have been extensively reworked by Slavic scribes who knew no Greek, as certified by numerous errors of interpretation in the resulting compilations, i.e. the *Limonis*, the *Paterik Egipetski Kratkij* and the *Scaliger Paterikon*.

These reworkings can all be dated before the *Izbornik of 1076*, which partially reflects them, and more specifically to 10th century Bulgaria, since they exhibit early Bulgarian linguistic peculiarities.

The fact that they were compiled by *monolingual* Slavic men of letters provides our very first data to judge the *reception* and *imitation* of the Byzantine models previously received: all of them follow the general textual model of the translated *Paterik Skitskij* (numerous short entries composed of a succinct narrative introduction + direct speech), which also formed the basis for the reworking of the *Iestvica* (= *Scala Paradisi*) to the *Izbor Ioanna Lestvičnika*; moreover, the latter and the *Paterik Egipetskij Kratkij* follow the technical model of an *ecloga*, whereas the *Limons* and the *Scaliger Paterikon* follow the technical model of *syllogai*, compiled from previously prepared *eclogai*.

No other works from the earliest period of Slavic literature before the 12th century can provide such data, because even if they are not straight translations, they are still documents of *transplantation* of Byzantine models by *bilingual* Slavs who oriented themselves upon the original texts, not upon the models received through and assimilated in translation.

Postscriptum:

The data on imitation of models must, indeed, at the same time be considered as data on the reception and, more specifically, the hierarchical status of those models. This idea found a most interesting corroboration in a collection of 24 inscriptions on scrolls of anchorite saints in frescoes from Lesnovo, Meteora, Poganovo, Psača and Rudenica, which I received from colleague Gordana BABIĆ (Beograd) after the Birmingham symposium: 12 of them were direct quotations from the Paterik Skitskij, applied not only to the Desert Fathers, but also to later anchorites like S.Gabriel Lesnovski, S.Euthymius, S.Joachim Osogovski, S.John Rilski and S.Prochor Pčinski. This application of the text, like its imitation, bears testimony of its relative domination over other, related texts, in the 10th century, just as in the 14-15th century. Did the Apophthegmata Patrum occupy a similarly dominant place in 9th century Byzantine literature and is it for this reason that S.Methodius (most probably) translated them into Slavic? Or is this relative domination a feature of the Slavic translation, derived from its Methodian authority?

SLAVONIC TRANSLATIONS OF SAINT BASIL'S WORKS

FRANCIS J. THOMSON

St. Basil is famous as one of the leading theologians who upheld the Nice-
ne Creed against the Arians, as a teacher and pastor of his flock and as
the father of Eastern coenobitic monasticism. As one of the great Cappado-
cian Fathers the influence of his thought on the formation of Orthodox
doctrine and worship was tremendous.

There can be no doubt that the Orthodox Slavs knew about him, not me-
rely from his various *vitae*, the major one being the *Vita et miracula Ba-
sili Magni* ascribed to Amphilochius of Iconium, of which no less than
three Slavonic translations were made,¹ but also from liturgical hymns
and prayers.² However, a Slav with no knowledge of Greek could obtain no
real idea of Basil's theological teachings. Of his two major works on
Christian dogma, *Liber de Spiritu Sancto* and *Adversus Eunomium libri V* on-
ly tiny fragments were translated of the former a short passage³ is
found on ff. 4-5 of the 1073 *Florilegium*,⁴ while of the latter two small
excerpts from cc. 27 and 29 form Basilian canons 91-92 and are thus in
the *Nomocanons*.⁵

As a teacher and pastor his care for his flock is expressed in his

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- (1) The earliest translation of the 10th century is edited by A. SOBOLEV-
SKIJ in *Pamjatniki drevnej pis'mennosti i iskusstva* 149(1903):19-39;
a 14th century translation is found in the *Grand Macarian Menologium*,
Jan 1-6. Moskva 1910:8-53; the third is unpublished. Unfortunately,
it contains many apocryphal elements which were absorbed by the Slavs
(cf. Cosmas of Bulgaria's comments on the Basilian liturgy in his
Treatise against the Bogomils, cf. the edition by Ju. BEGUNOV. *Kozma
Prezviter v slavjanskix literaturax*. Sofia 1973:313).
 - (2) Including, of course, the pseudo-Basilian liturgy, for the earliest
Slavonic form of which see M. ORLOV. *Liturgija svjatago Vasilija Veli-
kogo*. St.-Peterburg 1909.
 - (3) Viz. MIGNE. PG 23:752-761.
 - (4) Ed. G. KARPOV. *Izbornik velikogo knjazja Svjatoslava Jaroslaviča 1073
goda*. St.-Peterburg 1880:7-9.
 - (5) The earliest translation is in the *Nomocanon XIV titulorum* translated
in the early 10th century, ed. V. BENEŠEVIČ. *Drevne-slavjanskaja korm-
ščaja XIV titulov bez tolkovanič, V. 1, pt. 3*. St.-Peterburg 1907:525-
531; with Aristenus' commentary they form c. 21 of St. Sabas' *Nomoca-
non* of the early 13th century and as such are c. 21 of all editions
of the printed *Nomocanon*.

epistles and homilies. Completely impersonal excerpts from the former constitute 90 of the 96 Basilian canons and thus are also in the *Nomocanons*,⁶ but that was all. Of his panegyric homilies only one was translated in its entirety, viz. *Sermo panegyricus in martyres Sebastenos* found in the 11th century *Codex Suprasliensis*,⁷ while a short excerpt from his *Homilia in martyrem Julittam* is found on ff. 263v-264v of the 1076 *Florilegium*.⁸ As for his exhortatory sermons only one short excerpt from his *In ebriosos* is found in translation, also in the 1076 *Florilegium*, on ff.264v-267v.⁹ It is only when we come to the exegetic homilies that a translation of a considerable part of any of his major works is to be found: the basis of John the Exarch's *Hexaameron*¹⁰ compiled between 893 and 913/5 is made up of the greater part of Basil's *Homiliae IX in Hexaameron*, translated either literally or in paraphrase. This work reveals Basil's grasp of the scientific knowledge of his day (cf. his comments on polyps or on grafts) and it became for the Slavs one of the main sources of data on the natural sciences, biology, geography etc. Although Basil's aim of showing the relation between Creator and creation is conveyed, John adapted the homilies to his simpler audience by omitting the more abstruse passages. Here in lies the danger of the use of Slavonic: when later generations would have preferred more "meat", it was unavailable.

Almost all of the constituent works comprising the *Asceticon magnum*, the theoretical base of Eastern monasticism, are spurious and thus give no true picture of Basil as the father of coenobitic monasticism. However, this applies equally to the Greek as to the Slavonic and thus need not be considered here. There are traces of a 10th century translation of the *Agceticon*, viz. the two folia of Zographou containing the end of rule 34 and the beginning of 35 of the *Regulae fusius tractatae* in the *recensio vul-*

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- (6) See note 4 for two translations; in addition John Scholasticus' *Synagoge L titulorum*, translated in Moravia in the 9th century, contains 35 of them, ed. (1971):246-363. Two more epistles (22 and 295) are in Basil's *Ascetica*, cf. infra, note 15.
- (7) Ed. S.SEVER' JANOV. *Suprasl'skaja rukopis'*, V. 1. St.-Peterburg 1904: 81-97.
- (8) Ed. S.KOTKOV. *Izbornik 1076 goda*. Moskva 1965:676-678.
- (9) Ibidem 678-684.
- (10) Ed. R.AITZETMÜLLER. *Das Hexaameron des Exarchen Johannes, 7 vols.* Graz 1958-1975.

gata,¹¹ while the 1076 *Florilegium* on ff. 101v-108v¹² contains the *Sermo XII De ascetica deisciplina* in a revised form, the original form of which survives in the 14th century Barsanuphius codex of the *Nomocanon*.¹³ In addition the same *Sermo XII* as well as the *Constitutiones asceticae* are found as c. 63 of the *Patericon aegyptiacum* which was translated in the 10th century.¹⁴ The surviving translation of Basil's *Ascetica* in the Studite recension was made only in the 14th century.¹⁵

It is true to say that Basil the theologian, orator and pastor remained almost unknown to the Slavs who only knew (pseudo-) Basil, the father of monasticism, a classic illustration of the way in which the very use of Slavonic hindered the cultural and spiritual growth of the "Slavia orthodoxa"

(11) Эа. А.МИНЦЕВА. *Starobălgarski kirilski otkāsleci*. Sofia 1978:40-42.

(12) Ed. KOTKOV op.cit. 460-474.

(13) As yet unedited.

(14) Also as yet unedited.

(15) The first edition appeared at Ostrog in 1594. There is no critical edition. The corpus has the following entries in this order: *Epistola 22*, *Prologi 6-8*, *Moralia*, *Prologi 5,4*, *Regulae*, *Constitutiones asceticae*, *Sermones 12,11*, *Epistola 295*, *Poenae in monachos delinquentes*, *Epitimia in canonicas*, *Praecepta de mensa*. As in many Greek codices the corpus is prefaced by pseudo-Amphilochius' *Vita Basilii Magni* and to it are appended three homilies: *Homilia in illud "Attende tibi ipsi"* and *De ieiunio homiliae 1-2*.