THE LANGUAGE OF VENGEANCE: A GLOSSARY OF ENMITY AND PEACE

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ABSTRACT

Based on a conceptual historiographic and semantic analysis of the fundamental terminology of the ritual of vengeance, this paper presents an attempt to provide researchers with a linguistic, conceptual, and methodological framework for the study of vengeance as the customary system of conflict resolution in premodern Europe. For this purpose the key terminology, which also has abundant synonyms, has been collected in the accompanying septalingual glossary. While predicated on, foremost, European Medieval sources and studies thereof, the dissemination and interrelation of the universal human custom make the paper applicable for other areas and periods.

Keywords: vengeance, enmity, feud, truce, peace, fidelity, friendship, satisfaction, love, conflict resolution, ritual

IL LINGUAGGIO DELLA VENDETTA: GLOSSARIO DI INIMICIZIA E DI PACE

SINTESI

Alla base di un'analisi concettuale storiografica e semantica della terminologia fondamentale del rito di vendetta, l'articolo presenta un tentativo per fornire ai ricercatori un quadro linguistico, concettuale e metodologico per la ricerca della vendetta come sistema consuetudinario di risoluzione dei conflitti in Europa premoderna. A tal fine la terminologia fondamentale, ricca inoltre di molti sinonimi, venne scelta nel glossario

scritto in sette lingue. Sebbene il saggio si basa sulle fonti e sugli studi medievali, la diffusione e l'interrelazione della consuetudine umana universale rendono l'articolo applicabile ad altre aree e periodi.

Parole chiave: vendetta, inimicizia, faida, tregua, pace, fedeltà, amicizia, soddisfazione, amore, risoluzione dei conflitti, rituale

INTRODUCTION

The purpose of this paper[1] is to present a multilingual (Latin, English, Italian, German, Montenegrin, Albanian, and Slovene) collection of fundamental terminology or concepts that were used in the European Medieval and, to a degree, early modern periods for the customary and legal designation of the typical phenomena, phases, and procedures of conflict resolution within the community, either between individuals or groups, commonly known under the term *vengeance*.

With the paper the authors would like, *inter alia*, to point out the striking similarities as well as some particularities between the regions and nations (peoples) of continental Europe found in the customary system of conflict resolution. Furthermore, this paper places special emphasis on the Medieval rites of the custom of vengeance, which remained in use in some parts of Europe, especially around the Mediterranean, until the nineteenth and twentieth centuries. This enables an excellent possibility for a comparison to be made between rites in the Middle Ages and those in later eras, specifically in the early modern period. Perhaps somewhat immodestly, we are certain that the given results will be of help to researchers from the same fields of study and, particularly, that the collection of selected terms and concepts will encourage additional research in other linguistic areas. Hence this paper is also an appeal for the further collection of sources pertaining to the custom of vengeance, a system with the tendency to achieve social equilibrium and peace.

Even just a fleeting glance at the enclosed glossary shows the complexity of the issue at hand, so we are fully aware that all the terms enumerated in this paper cannot be explained

herein, nor is this our goal. We have limited ourselves only to, according to our estimation, the most important terms of the ritual of vengeance (injury, vengeance, feud, enmity, truce, satisfaction, fidelity, banishment, friendship, love, and peace),[2] most of which abound in synonyms, yet without attempting to explain them with the help of language history or linguistic analysis, as we would like to present our study through the lens of conceptual history, perhaps best established by Raymond Williams, Quentin Skinner, and Reinhart Koselleck (Williams, 1976; Skinner, 1980; Koselleck, 2004; Koselleck, 2006).

Conceptual history, as part of social history, analyzes the history of social concepts and structures in the *longue durée*, stemming from the methodological demand "*that past social and political conflicts must be interpreted and decoded in terms of their contemporary conceptual boundaries, and the self-understanding on the part of past speakers and writers of their own language-use,*" which "*must register the variety of names for (identical?) materialities in order to be able to show how concepts are formed. Hence, the concepts instruct us not only of the uniqueness of past meanings, but also contain structural possibilities, treating the concatenations of difference invisible in the historical flow of events*". They help us in theoretically elucidating the chronological relation between event and structure or the concurrence of the continuance and change of a given structure. "*It is only concepts which demonstrate persistence, repeatable applicability, and empirical validity – concepts with structural claims – which indicate that a once 'real' history can today appear generally possible and be represented as such.*" The methodological restriction to the history of concepts expressed in words demands a further argument to help distinguish between the terms *concept* and *word*: "*a word becomes a concept only when the entirety of meaning and experience within a sociopolitical context within which and for which a word is used can be condensed into one word.*" Conceptual history "*must always keep in view the need for findings relevant to intellectual or material history. Above all, the semasiological approach must alternate with the onomasiological*", thus making it self-evident, "*that historical clarification of past conceptual usage must refer not only to the history of language but also to sociohistorical data, for every semantic has its link to nonlinguistic content*" (Koselleck, 2004, 81–91). Or, as Medieval conceptualists would say, general concepts are not simply words, but also exist within reason.

With the enclosed glossary and, especially, the thematological analysis of the structural concept of vengeance, we want, based on the language of historical sources and the language of science, specifically predicated on the studies of the rituals of vengeance, to provide a starting point for the discussion of questions already posed by Koselleck: "*to what extent has the intentional substance of one and the same word remained the same? Has it changed with the passage of time, a historical transformation having reconstructed the sense of the concept?*" (Koselleck, 2004, 82).

2　Regarding the terms listed in the brackets above, the German historical lexicon *Geschichtliche Grundbegriffe* (eight books, 1972–1997), for instance, elaborates thoroughly only on peace (*Friede*), whereas many of the other terms are not given in the same context as in this paper: e.g. vengeance (*Rache*), friendship (*Freundschaft*), truce (*Waffenstillstand*), and love (*Liebe*). The Latin *vindicta* is also only given in the context of *vindicta divina*, while *treuga* and *satisfactio* have been left out (Brunner, Conze & Koselleck, 2004).

STATE OF THE ART: AN OUTLINE

The traditional (legal) history of the nineteenth and early twentieth centuries, whose interpretations still dominate recent historiography, formulated vengeance (feud) as a primitive stage of human mental, social, and legal evolution (cf. Burckhardt, 1956, 346–350, 362–363; Huizinga, 2011, 9, 19, 29–30; Beyerle, 1915, 216–217), a phase of humanity's path towards the Western-European State and rule of law, regarded as the ideal and highest stage of social and legal organisation and development. In this context vengeance is very often regarded as arbitrary or violent self-help, a necessary evil the State is forced to tolerate while its legal or judicial institutions (at least in their modern form) are still in their infancy. Predicated on entrenched interpretations of traditional historiography, historians continue to stress that it was only the state monopolisation of law and violence in the modern period that brought about an end to a social order based on brute force, characterised as the Hobbesian *bellum omnium contra omnes*. Until recently it was generally accepted that the primary function of the State was to suppress violence, thus also contributing to social harmony, believed to be non-existent in the "primitive" order originating in the presupposed irrationality and violent urges of premodern humans unable to control them, whether Medieval Europeans or "natives" from other continents. Simultaneously, with the State's eradication of "feudal anarchy", Europe is said to have undergone a "civilizing process", in which the internalization of social constraints was essential to the creation of "modern" society (Elias, 2000; Elias, 2001). Consequently the (non-)existence of vengeance in the legal order was a signifier of the dividing lines between the "darkness" of the Middle Ages and the "progress" of the modern period (Büchert Netterstrøm, 2007; Carroll, 2007; Broggio & Carroll, 2015).

Traditional historians had little faith in the role of law, custom, and religion in limiting violence, disregarding that the behaviour of premodern humanity was no less shaped by social constraint. In fact, early modern social change resulted in the breakdown of Medieval social constraints, worsening the violence. Michel de Montaigne (1533–1592) argued for heroism to be replaced with the virtues of mercy and clemency, distinguishing a true aristocrat from the mob by his self-control. This was corollary to the aspirations of inward constraint by the Reformers, both Protestant or Catholic. Thomas Hobbes's (1588–1679) exposition of the need for absolute sovereignty in the state also originated in his experience of popular disorder plaguing France. He claimed that peace could only be found in subordinating one's desires and will to the sovereign, as man can never be at peace with his neighbour, since enmity is rooted in human nature (Carroll, 2006, 308–312, 318; Skinner, 2008, 41). Hobbes cleared the way for a ruling class defined by an ethics of yielding (i.e. non-vengeance), which reinforced their right to rule (Carroll, 2016, 137–138). However, the transition from the Medieval to modern society was a very complex and gradual process.

A break with traditional perceptions of premodern society and vengeance occured in the mid-twentieth century and was the result of anthropologists who found that earliest human societies developed sophisticated systems of social control that upheld the peace in the feud. They showed that societies have developed mechanisms of interdependence

(familial, neighbourly, economic, etc. relations) that help to sustain them and regulate conflict. Paradoxically those same relations create conflicts in society, which can erupt and escalate with violations of social norms. Transgressions demanded satisfaction, exacted by the ruler in the name of the community (for incest, witchcraft, sacrilege, treason, oathbreaking) or by the community (homicide, theft, arson, oathbreaking etc.), either by its appointed members or the injured party itself (Radcliffe-Brown, 1952, 212–219). But social bonds also impede the escalation of violence resulting from delicts, which is easier, the greater the interdependence of the parties to the conflict. Conflict resolution was shaped by the culture of (masculine) honour (and shame), which limits the set of honourable targets and actions, imposing ritual limitations on violence according to principles of equivalence and reciprocity. The culture of honour also demands that actions be public, which enables the community to intervene in the conflict at any time. Social mechanisms of peacemaking are thus inherent in the custom of vengeance, ensuring that the conflicts are never entirely private. Subsequently the custom provides the functions of both conflict resolution and social control, with its tendency for the re-establishment or maintenance of social equilibrium (order) and peace (Gluckman, 1955, 1–55; Evans-Pritchard, 1940; Colson, 1953; cf. Durham, 1909, 25).

In the mid-twentieth century historians began applying the findings of anthropology to conflict resolution in premodern Europe and they soon established that medieval society was permeated by a tendency toward peace, not violence (Wallace-Hadrill, 1959; Bloch, 1961, 123–130). With the notable exception of German historiography the theoretical starting points of anthropology have been taken up in European historiography and adapted for research in the highly stratified societies of the Middle Ages and the early modern period (Büchert Netterstrøm, 2007). Predicated on anthropological research of conflict resolution, further research has shown that European classical, Medieval, and early modern societies had mechanisms for peace and social equilibrium at all levels. Peaceful relations and harmonious coexistence were imperative for legal professionals and the clergy, members of the ruling caste, and village elites. The desire for peace, also rooted in Christian teaching, permeated custom, Roman canon and written law, wherein all harmoniously complemented each other (White, 1986; Smail, 2003; Smail & Gibson, 2009; Carroll, 2006, 185–233; Nassiet, 2007). It has been confirmed that the custom of vengeance played the same role in politically and socially highly-stratified European societies as it did in more egalitarian tribal societies. The culture of honour,[3] which dictated a more or less equal requital for a sustained injury, limited the violence in conflicts and demanded that revenge be public. This enabled communities to intervene in conflicts at any stage, either through mediation or arbitration, which during the suspension of hostilities (truce) defined the terms for peace or made peace by settling the wrong with a composition payment and the establishment of a new relationship between the parties to the conflict. Marriage was often the means by which feuding groups were

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3   In the mid-1960s anthropological research established the concept of the culture of honour and shame, supposedly typical for Mediterranean patriarchal societies (Peristany, 1965). This was critically evaluated at the turn of the millenium (Hodren & Purcel, 2000, 489–523).

reconclied and turned into kin. As already noted by Max Gluckman, "*the rule of exogamy is a primary mechanism for spinning the network of alliances between groups*" (Gluckman, 1965, 97), and these alliances and ties were "*elaborately set in custom and backed with ritual beliefs*" (Gluckman, 1955, 18). Mediation and arbitration reinforced social hierarchy, as authorities (ruler/chief, elders, priests/clergy) and separate legal experts of a community (i.e. lawyer, notary) played prominent roles in the negotiations. The rituals of peacemaking as a key element of vengeance existed in all premodern European societies, underpinned by the spread of Roman canon law and its principle that injustice, including murder,[4] could be satisfied by a monetary compensation (Broggio & Carroll, 2015, 5; Cummins & Kounine, 2015, 3–7; Darovec, 2017, 88): from Montenegro (Boehm, 1993, 54–62, 121–142, 191–227; cf. Ergaver, 2016; Ergaver, 2017) to Iceland (Heusler, 1911, 38–124, 213–242; Miller, 1996, 179–299), from Italy (Bossy, 2004, 1–29; Povolo, 2015a, 97–133; Faggion, 2017) and France (Carroll, 2003; Bossy, 2004, 31–51; Carroll, 2015) to the Holy Roman Empire (Frauenstädt, 1881, 105–173; Mommertz, 2001; Bossy, 2004, 53–71; cf. Oman, 2016, 81–91; Oman, 2017, 158–173).

Settling a conflict was never easy, especially if triggered by a grave transgression of social norms, i.e. murder. Injured honour and emotions could take a very long time to cool and could lead conflicts through long sequences of mutual violent retaliations, suspended only by truces and fuelled by the memory of injustice (Dean, 1997; Dean, 2007; Muir, 2017). Thus arbiters always had to make an extra effort to achieve balance between the parties, as neither could noticeably prevail over the other if lasting peace was to be made. Honour and shame (humiliation) had to be equally divided. Self-humiliation on the part of the perpetrator played the key role in the restitution of both sides' honour, as only then could the forgiveness from the injured party follow, which was necessary for peace to be made (Boehm, 1993, 123–142; Darovec, 2017).

Balance was the fundamental principle of law. It was based on Aristotelian thinking and remained an essential element of premodern European legal order following the codification of vengeance into common law (*ius commune*) in the High Middle Ages (Smail & Gibson, 2009), particularly the codification of the custom's key rituals of peacemaking, and in the Empire also of the ritual limitations of violence (Vogel, 1998, 42–43). By taking over and adapting the custom and Roman canon law, premodern courts strived in settling conflicts towards the re-establishment of peace and social equilibrium, by encouraging and forcing the parties towards settlement. Settlement always saw the parties' social status and gravity of the transgression taken into account, e.g. for determining composition. The key change brought about by the codification and by the further adoption of criminal law was the strengthened role of the courts and those who established them, i.e. the authority/ruler (chieftain, prince, bishop, king, emperor) before which peace was made. Sentences issued by the courts were always more severe than stipulations in customary settlement (Miller, 1996, 238–239; cf. Dolenc, 1935, 417), and physical punishment was seen as shameful (Carroll, 2006, 228). Also, coercion into settlement

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4   With the notable exception of England, where the practice of blood money was already in retreat in the Middle Ages (Carroll, 2011, 88).

by the courts accompanied with threats of total property seizure, as was common in the Venetian Republic since the late 1500s, could lead to even graver retaliatory violence between parties to a conflict (Povolo, 1997, 293–297). However, this was also a time of growing financial, emotional, and strategic uses of legal action (Cummins & Kounine, 2015, 2). Especially since the courts and authorities continued essentially in playing the role of arbiters and some sort of "tax" (i.e. fines, trial costs) collectors, well into the early modern period. Nevertheless, the inquisitorial procedure did not entirely substitute the accusatorial procedure prior to the end of the *ancien régime*, and there was very little public prosecution as well (Wenzel, 2011). Concurrently, Central and Western-European modern criminal legislation classified ever more delicts from private to public, reserving their sanctioning and pardoning to the authorities/ruler. Beginning in the sixteenth century conflict resolution, by achieving peace through the pursuit of balance between the parties (restorative or restitutive justice), had by the end of the eighteenth century come to be replaced with punishment for the perpetrator (retributive justice). This was also a consequence of economic, political, and social change, which, along with the increase of itinerant forms of crime, ever greater social mobility, altered forms of warfare, religious and civil wars, all resulted in an increase of violence that delegitimized traditional forms of conflict resolution (Carroll, 2007; Povolo, 2015b; Povolo, 2017).

Up until the end of the Middle Ages, and in certain parts of Europe even until the nineteenth century, especially in the Mediterranean, conflict resolution had been, like all social relations, dictated by the universal human concept of their management: the principle of exchange (Mauss, 1996; Lévi-Strauss, 1969, 60–68, 480–483; Verdier, 1980, 30–31). It is telling that in some languages, including Slovene (Snoj, 1997, 327), the words for exchange and vengeance are etymologically related (Lévi-Strauss, 1969, 60). The principle of exchange also determined social relations of the European Medieval and early modern periods. This is shown in the rites of investiture (cf. Le Goff, 1977, 426–506) and other legal acts, i.e. contracts, peacemaking among them, as a three-phase ritual: 1) the gift and countergift (homage, self-humiliation, request for truce), 2) oath (*fides*, truce, friendship), which provides opportunities for 3) the conclusion of the exchange, i.e. the constitution of a new contractual relation (lasting peace, love, forgiveness), which establishes a new or renews an existing relationship between two parties (peace, vassalage, matrimony) (Darovec, 2014, 481–499; Darovec, 2016, 14–38; Darovec, 2017).

German historiography addressed vengeance differently. The break from traditional (legal) historiography came about in the late 1930s with the claim by Otto Brunner that the feuds (*Fehde*) among the nobility in the Medieval Holy Roman Empire were a constitutive element of its political structure rather than arbitrary robbery. Feuds were interpreted as legally normalized violence and a tool of establishing social contracts between the ruler and nobility, wherein the central concept of Medieval politics was not feud, but peace. However, this was a peace containing the notion of "just violence" as the indispensable part of the struggle for power, having the goal of establishing and maintaining order and peace. Brunner also argued, that vengeance as a custom of conflict resolution was only conceded to the nobility as the *Herrenklasse*, while (blood) feuding among the nonpriviledged orders and peoples outside Europe continued to be percieved as irrational

or instinctive. Consequently, by reading Medieval peace legislature (the Imperial peace, provincial peace) at face value, *Fehde* was defined as rigorous, normatively-regulated, violent conflict resolution reserved solely for the nobility, some kind of "righteous war" without the killing of (noble) adversaries, and a unique German(ic) ("civilized") custom, the so-called knightly feud (*Ritterfehde*). It was regarded as strictly separate from the ("primitive") affective blood feud of commoners and "natives" (Brunner, 1990, 1–110).

The theses on *Fehde* as a specific custom of the German nobility dominated the research on vengeance in German historiography almost until the end of the twentieth century. It tended to establish German customs as unique and not comparable with other regions (cf. Carroll, 2006, 6). Even the critiques of the custom's legitimacy did not break with the concept, still regarding *Fehde* as a custom of the nobility, either as thinly veiled robbery (Rösener, 1982) or as a tool of class warfare (Algazi, 1995; Algazi, 1996). Only at the start of the twenty-first century did research show that commoners resolved conflicts using the same customs as the nobility (Reinle, 2003). At roughly the same time further research on the feuds of the nobility showed that these did not only have a political, but also a social function (Zmora, 2007), corresponding to the custom of vengeance as understood by anthropology. At the same time German historians began to place more emphasis on the rituals of conflict resolution (Althoff, 1997). However, as a rule, German historiography still continues to ignore modern anthropological and historiographical research on vengeance. Even after the unprivileged orders were "included" into the concept of *Fehde*, it was still almost exclusively approached from a legal positivist standpoint, i.e. as a normative legal institution (cf. Patschovsky, 1996; Wadle, 1999; Reinle, 2013), rather than a complex social phenomenon. Doubts about the uniqueness of *Fehde* have only been expressed very recently and tentatively (cf. Reinle, 2014). The new research on vengeance comes from studies on the lower orders in the early modern period, when the *Fehde* was prohibited. However, as Raymond Verdier has argued, the custom of vengeance was everywhere in (early) modern Europe gradually incorporated into state legislature and replaced with newer and newer laws, which transfigured the custom, especially by substituting it with punishment (Verdier, 1980, 32–36). Due to the prohibition of *Fehde* in the early modern period, the latest German research on vengeance in the period also demanded the abandonment of the legal positivist approach in favour of an analysis of the social relationships dictated by the custom of vengeance (Mommertz, 2001; cf. Peters, 2000). The resulting findings on the structure and function of the custom consequently came very close to the findings of studies on vengeance outside of Germany.

TERMINOLOGICAL CONUNDRUMS

German historians were not the only ones to have attempted to define vengeance as a specific custom or cultural practice. Like *Fehde*, the Icelandic *ófrið* or *óvinr* (Miller, 1996, 182), the Italian *vendetta*, and the Lombard and Frankish *faida* (cf. Halsall, 1999) have all been studied as unique customs. Their supposed uniqueness was established on interpretations of the custom predicated on local and regional sources by national historiographies, ignoring the universality of the custom. On the other hand, feud is employed

as a technical term to encompass all manifestations of the custom of vengeance (Büchert Netterstrøm, 2007; Þorláksson, 2007). The transnational similarity of the custom had however been noticed in the custom of blood feud, especially in Southeastern Europe, i.e. between the Montenegrin *krvna osveta* and Albanian *gjakmarrje* (Ergaver, 2016, 104–106). Otherwise, more or less theoretical distinctions between *Fehde*, *vendetta*, and feud have also been established. That the distinctions are largely theoretical is best proven by a comparison of Western-European Medieval sources with the Montenegrin, Albanian, Greek, and Corsican custom of vengeance, which remained in use at least until the nineteenth century. The transmission of written and state law from Western (England) via Central to South-Eastern Europe was namely gradual. For instance, the process of establishing state legislature in nineteenth-century Montenegro (Andrijašević & Rastoder, 2006, 161–163; Marinović, 2007, 28–32, 157–167, 171, 181, 195–196, 624; Šćepanović, 2003, 25; Vujačić, 1997, 11–14; Bogišić, 1999, 321, 294–295; cf. Radov, 1997, 52–53) was almost identical to that in Western Europe from at least the fifteenth century onwards.

Jesse Byock formulates the difference between *vendetta* and feud as conflicts at different levels of social organisation, with the *vendetta* as vengeance at the village level and feud at the tribal level (Büchert Netterstrøm, 2007, 39). Otherwise researchers into vengeance in the Mediterranean, e.g. Trevor Dean, generally understand feud or *faida* as enmity: a prolonged exchange of retaliations for the original wrong (not necessarily homicide), before it is concluded by a peace settlement; and *vendetta* as a single retaliation that settles the injury, mainly homicide, i.e. as blood feud (Dean, 1997, 15; Büchert Netterstrøm, 2007, 39–40). Edward Muir and Claudio Povolo claim rather that *vendetta* denotes the entire conflict and that enmity (*inimicizia*) is a synonym for *vendetta* (Muir, 1998, xxii; Povolo, 2015b, 202–203). However, as intercultural studies show,[5] the number of retaliations is always, irrespective of the original injustice, determined by propriety demanded by the principle of exchange in balancing the injury and honour of both parties (Boehm, 1993, 191–222; Miller, 1996, 179–299). Peacemaking in blood feud demanded the exchange of blood for blood and life for life, which required ritual marriages to be made as composition and compensation. To replace the lives lost, the custom demanded the gift of women who would give birth to new life. Hence breaking off the engagement and commiting adultery were regarded as equal to murder, providing the injured party with the right to blood feud (Verdier, 1980, 28–30).

The terminological confusion originates not only in culturally based manifestations of the custom, but also in its very rich and complex terminology within the same culture. Medieval and certain early modern sources thus give a plethora of synonyms for every change in social relations that the custom dictates, from the outbreak of violence to the resolution of the conflict, with the most synonyms existing for the custom of vengeance

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5   The difference between war and vengeance is both quantitative and qualitative. The key divergence is generally understood to be the abandonment of ritual limitations to violence in war and a much lesser chance for intervention in the conflict save at the highest level (Gluckman, 1955, 8–9; Brunner, 1990, 8; Boehm, 1993, 212, 221; Miller, 1996, 218; Zmora, 1997, 122; Reinle, 2003, 25; Carroll, 2006, 16; Radcliffe-Brown, 1952, 215).

itself. In the sources vengeance (Lat. *ultio*, *vindicta*, Ita. *vendetta*, Ger. *rache*, Mne.[6] *osveta*, Alb. *hakmarrje*, Svn. *maščevanje*) is most often given with synonyms for conflict or dispute (Lat. *altercatio*, *discordia*, *intentio*, Ger. *irrung*, *misshelung*, *ungute*, *unrat*, *zwayung*, *zwitracht*), enmity (Lat. *inimicitia*, *faida*, Ger. *vhede*, *fedeschafft*, *feindtschafft*), and war (Lat. *bellum*, Ger. (*g*)*werra*, *krieg*, *reisa*, *urlog*), less often for clash (Ger. *auflauf*, *stöss*), challenge (Ger. *vordrung*), injustice (Lat. *iniuria*), unrest or disorder (Ger. *unfrid*, *unordnung*) etc. (ARS, AS 1063/4492, 4 September 1441, Graz; du Cange, 1710, 383–385; MGH, 318. §11, 451; Bizjak, 2016, 72; Krones, 1883, 87, 92; Wallace-Hadrill, 1959, 461, 484; Brunner, 1990, 37–38; Reuter, 1992, 312–313; Kos, 1994, 110–111; Halsall, 1999, 27; Throop, 2011, 11; Schäffer, 2013, 213; Oman, 2016, 85). Different forms of conflict are also given with synonyms in the sources.[7]

The most common synonym for vengeance in European Medieval and early modern sources is enmity, Latin *inimicitia*, French *inimitié*, *ennemi* or *haine*, German *Feindschaft* or *Fehde*. The last two, along with the English *feud*, originate from Germanic words for enmity (state of relations), hate (emotion) and conflict: *faehde*, *faithu*, *gifēhida*, *fǣhþ* etc., while feud is supposed to have originated from either an unrecorded Old English word, the Old French *fede* or *faide*, or, perhaps, the Old English word for enmity, *fæhð*.[8] The *faide* disappeared from French already during the Middle Ages, and the Italian *faida* was also very rare. It seems to have been rediscovered in the nineteenth century through the exhumation of Lombard legal codes (Carroll, 2016, 102). The Slovene word *fajda* was also certainly taken from German, French (cf. Dolenc, 1935, 173), or Italian literature. All originate in the Latinized form of a Germanic word, first given in the sources in the *Edictum Rothari*, a collection of Lombard law from the seventh century, that formulates feud as enmity: *faida hoc est inimicitia* (MGH, LL 4/I, 45., 20).

Just as common a term for vengeance is conflict or dispute, which has the richest collection of synonyms for the custom. It is, originating in the Latin word for complaint (*querella*),[9] very common in Italian (*querela*) and Spanish (*querella*) Medieval and early modern sources for both lawsuit and feud (Vocabolario, 1612; AKG 22, 396; AKG 24, 427).[10] As the word for feud it is also very common in French (*querelle*) and English (quarrel) early modern sources (Carroll, 2006, 8). As the word for lawsuit the Latin *querella* roughly corresponds to the Montenegrin term *svadja* (Boehm, 1993, xix), and the Medieval German term *geschrey* (Svn. *pokrik*) (Schwind & Dopsch, 1895, 94. 175–176; Vilfan, 1961, 271–273).

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6 Montenegrin relates to the terms, expressions, and phrases attested in the historical area of Montenegro, taken from sources and studies written in the Shtokavian dialect or specialised and scientific literature written in either Serbo-Croatian or Serbian.

7 For instance in 1521 *vede* was used for the Italian war of 1521–1526 between the Holy Roman Emperor Charles V and Francis I of France, while *Krieg* and *guerra* can be used for a feud between a nobleman and a monastery or church or for property disputes among kin (Kos, 1994, 111; Carroll, 2012; Darovec, 2016, 19).

8 *Feud*, http://www.thefreedictionary.com/feud (August 2017); *Fehde*, https://www.dwds.de/wb/Fehde#et-1 (August 2017); *feud*, http://www.etymonline.com/index.php?term=feud&allowed_in_frame=0 (September 2017).

9 *quarrel*, http://www.etymonline.com/index.php?term=quarrel&allowed_in_frame=0 (September 2017).

10 *Definición de querella*, https://definicion.de/querella/ (September 2017); *querelle in Vocabolario*, http://www.treccani.it/vocabolario/querelle/ (September 2017).

Fig. 1: King Rothar enthroned (detail). Edictum Rothari (http://www.studiarapido.it/ wp-content/uploads/2014/11/editto-rotari-3.jpg)

The most common straightforward term for vengeance in the sources is the Latin *vindicta*, from which originate the Romance words for vengeance like the Italian *vendetta* and the French *vengeance* (Büchert Netterstrøm, 2007, 39). However, *vindicta* originally also has multiple meanings: vengeance, (the staff of) manumission, punishment, redress and satisfaction, and vindication (Bradač, 1980, 576). From *vindicta* also seem to stem the French words *vindiquer* and *revindiquer* and the German *vindizieren*, all of which express a claim or right. From Latin *vindicare*, to vindicate, via Old French *vengeance* or *venjance* and *revengier* or *revenchier* also seem to originate the English words vengeance and revenge respectively.[11] The Latin *ultio* is often reserved for divine retribution (*ultio divina*) (cf. Wallace-Hadrill, 1959, 465–466), while in German sources *Rache* is far less common for the custom of vengeance (cf. MGH, Const. 2, 196a., 253) than words and phrases for enmity. In the Slavic-speaking regions of Southeastern Europe the most com-

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11 *Vengeance*, http://www.thefreedictionary.com/vengeance (August 2017); *vengeance*, http://www.etymonline.com/index.php?term=vengeance&allowed_in_frame=0 (September 2017); *Revenge*, http://www.thefreedictionary.com/revenge (August 2017); *revenge*, http://www.etymonline.com/index.php?allowed_in_frame=0&search=revenge (September 2017).

mon term is *osveta*, followed by *svadja* (Boehm, 1993, 52), with the Albanian equivalent for vengeance being *hakmarrje*.

The terms that stand for every change in social relations dictated by the custom of vengeance, from the outbreak of hostilities to intervention in the conflict and its temporary or lasting resolution, are however far more unified in the sources. As a rule, the terminology of vengeance in various languages cleary shows that it is a primary and universal custom or relationship. As emphasized by Claude Lévi-Strauss on the subject of exogamous marriage, "*it is always a system of exchange that we find at the origin of rules of marriage, even of those of which the apparent singularity would seem to allow only a special and arbitrary interpretation*" (Lévi-Strauss, 1969, 478). Put like this, a German and an Italian wedding or *Fehde* and *vendetta* are not separate customs, but culturally specific manifestations of the same custom. Like marriage, the system of exchange found at the origin of the rules of vengeance also (re-)establishes social relations. Yet, regardless of its tendency towards peace and social equilibrium, the exchange in vengeance is not directed by love, which brings it to an end, but enmity, fuelled by the obligation to one's kin and a duty to justice.[12] Understanding this led both to the various terms for vengeance worldwide, as well as to the seventh-century Latin translation of Lombard customs.

VENGEANCE AS RELATIONSHIP: THE CUSTOM'S STRUCTURE

Fundamentally vengeance as a system[13] of conflict resolution is an obligation to retaliate for a suffered injury, thus serving justice. Based on the principle of exchange (Lévi-Strauss, 1969, 479–485) the obligation was socially structured as a process (Miller, 1996, 182) for managing social[14] relations. Simultaneously, as with any other custom, it is in itself flexible, as its rites provide those involved in them with certain room for manoeuvering within the structures of custom and honour. Vengeance is consequently not to be taken as a set in stone legal institution, nor are the departures from rigid definitions to be understood as "feud-like" or *Fehdeanalog* (cf. Reinle, 2013, 9, 12, 23; Muir, 2017, 2). As long as these "departures" correspond with the custom's structure, they should be

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12 In the early modern period both Protestant and Catholic Reformers placed great emphasis on vengeance belonging to God alone. This created clashes between one's obligation to kin and Christian conscience, with Hamlet perhaps being the most famous example. Even so in the earlier (1570) French version that provided the raw material for Shakespeare's tragedy, Hamlet (*Amleth*) finds nothing disquieting about revenge: it is about justice (Carroll, 2003, 74).

13 According to Raymond Verdier: "*Nous sommes ainsi conduit à étudier la vengeance comme système – ou sous-système – à la fois d'echange et de contrôle social de la violence. Partie intégrante du système social global, le système vindicatoire est d'abord une ethique mettant en jeu un ensemble de représentations et de valeurs se rapportant à la vie et à la mort, au temps et à l'espace, à la personne et ses biens ; il est ensuite un code social ayant ses règles et ses rites pour ouvrir, suspendre et clôturer la vengeance; il est enfin un instrument et lieu de pouvoir identifiant et opposant des unités sociales, les groupes vindicatoires.*" (Verdier, 1980, 16).

14 With social change in the early modern period, however, vengeance also became to be understood as a passion that cannot be tamed. Still, at least until the late seventeenth century, many argued that vengeance was acceptable if based on justice and reason rather than passion (Carroll, 2006, 14).

Fig. 2: Banishment (variant). Pavle Paja Jovanović, ca. 1890–1900. Narodni muzej, Beograd (https://upload.wikimedia.org/wikipedia/sr/d/d0/Jovanovic_izdajica.jpg)

taken as part of it. The definition of vengeance as a legal custom is also too narrow, as the custom establishes and reflects all relations comprising society, from the political to the economic.

It would accordingly be better to see vengeance as a state of conflict. It is a collorary of enmity. It forms when the wrong that triggered the conflict is not appropriately (honourably) settled, or when a violent response is a culturally more appropriate response for an injury, especially homicide, than monetary settlement. The state of mutual enmity is maintained until lasting peace is made. Only then can the state of reciprocal hostility (exchange) come to an end, establishing a new public social relationship: enmity is substituted with love.

The basic structure of the custom of vengeance is dictated by the relationship of mutual animosty and the latter by the priniciple of exchange: injury-enmity-mediation-truce-peace.

The prerequisite for vengeance as a rule is not an entirely unprovoked wrong, but a previous existence of discord (Lat. *discordia*, Ger. *groll*, *unguette,* Mne. *svadja,* Alb. *armiqësi*) (Rolandino, 1546, f. 158r; Karadžić, 1966; Bogišić, 1999; Mann, 1948; Mommertz, 2001, 223; Schäffer, 2013, 212) between individuals and/or groups they belong to. It can originate from grievances or envy due to political, economic, or other social success or failure. It is

not necessary for the original relation to be one of friendship, it can simply be better than worse. The greater the resentment, the easier it can escalate by even a minor encroachment upon relations, rights, or property that constitute and maintain the social standing or honour of an individual and/or group. Both status and honour are continuously tested, confirmed, and demonstrated in the public that codetermines them. The state of discord is demonstrated by acrimony, coldness, disregard, etc. Discord generally escalates due to an event regarded as the original wrong (Lat. *iniuria*, Ger. *unrecht*) that demands retaliation[15] (Boehm, 1993, 92–93; Miller, 1996, 182, 187; Althoff, 1997, 11–13; Wieland, 2014, 416–425, 446).

Violent retaliation that can follow a sustained wrong had to be legitimized like any other public action. First, as also shown in Western and Central-European sources, the escalation of the dispute had to be made public, especially as it was a potentially danger-ous transformation of an amiable (Lat. *amicitia*, Ger. *freundtschafft*) into an animus (Lat. *inimicitia*, Ger. *feindtschafft*) relationship. Making the injury public acted as a public demand for its settlement, which gave it a role similar to that of a lawsuit (Mommertz, 2001, 240–241; cf. Vilfan, 1961, 271). As the demand to settle the injustice includes the threat of retaliation should it not be fulfilled, it is to be taken as the beginning of venge-ance or a state of enmity in a feuding society.

Gossip, public insults, and threats also have the function of demonstrating the altered relationship. By making the wrong public, the dispute passes into communal knowledge. Gossip is used to ascertain the legitimacy of one's demands and the support in the com-munity, which in turn uses gossip to constantly (keep in) check the morality and honour of its members. As the custom of vengeance dictates the changes in relationships to be public, it allows for the community to intervene in the conflict at any stage and to direct it towards settlement, should it consider this to be necessary. With the constant presence of the possibility for peace in the custom, it fulfills the functions of both social control and conflict resolution. The community advises both parties to the conflict, passes requests or threatens with supernatural (divine) retribution. When making the injury public does not lead to the desired settlement, the relationship can further escalate by public insults accompanied by various gestures (Gluckman, 1955, 9–10; Boehm, 1993, 125; Miller, 1996, 216; Mommertz, 2001, 235–237; Wieland, 2014, 216).

Insults (Ger. *schmähen*, *schelten*, Mne. *uvrijeda*, Alb. *fyrje*) are a further escalation, as they have to be returned "with interest", according to the principle of exchange, which dictates that a gift is to be repaid with a countergift (Mauss, 1996, 136, 148). When this is not possible by delivering a worse insult, the humiliation demands escalation using (also mutual) threats of violence, including those that are written or symbolic, or even violence itself, e.g. homicide. By killing the adversary the perpetrator displays courage, being fully aware that retaliation will follow, either from the kin or by official justice. Every alteration of the relationship accordingly had to be made in public. To do so was to

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15 An injury could also often be "selected" in retrospect or "invented" to legitimize illegitimate actions. In a longer dispute the injustice is often selected tactically, during the adversaries' time of weakness or an action of people only marginally connected to them (Miller, 1996, 215–217; Peters, 2000, 73, 82, 89–91; Dean, 2007, 136–137; Wieland, 2014, 419, 429–432).

Fig. 3: Count Gerhard Aaberg-Valangin sends the city of Bern a written declaration of enmity or Fehdebrief. Speizer Chronik des Diebold Schilling, 1339 (https://www. historisches-lexikon-bayerns.de/Lexikon/Datei:Artikel_45339_bilder_value_4_fehdew-esen4.jpg)

act honourably. The parties to a conflict had to know what response could be expected for their words, gestures, or other actions, so they (and the community) could act accordingly: those threatened with violence had to expect violence. Consequently the line between a threat with enmity and the declaration of enmity could be blurred (Boehm, 1993, 92–94; Miller, 1996, 54; Mommertz, 2001, 218–223).

Enmity (Lat. *inimicitia*, Ger. *feindtschafft*, *vhede*, Mne. *mržnja*, Alb. *urrejtje*, Svn. *sovražnost*), like every change in social relations, had to be declared in public. In the Holy Roman Empire the declaration of enmity also became a normative prescription in the thirteenth century (MGH, Const. 2, 196a., 253), resulting even in written declarations. Elsewhere, i.e. in Montenegro, the declaration was determined by the custom: had truce not been offered within a certain time period, violence would have followed (Ergaver, 2016, 108–110). Thus retributive violence was always legitimized only by the impossibil-ity of peaceful resolution (Gluckman, 1955, 14–17; Boehm, 1993, 125).

According to Medieval rites the declaration of enmity is the renouncement of fidelity/faith (Lat. *fides*) (Miklosich, 1888, 139) or peace (Lat. *diffidatio*, Ger. *Absage*). In the Empire enmity had to be declared in daytime, orally or in written form (Ger. e.g. *feindtbrieff*), often at the opponent's home. Following the declaration the adversary became an enemy (Lat. *inimicus*, *hostis*, Ger. *feindt*), one whom it was allowed to harm. In blood feud the homicide itself or a public confession of the act, as a rule by flight, was regarded as the declaration of enmity (Ergaver, 2016, 108). Flight to safety (i.e. banishment), whether abroad or, in asylum or some other refuge (Frauenstädt, 1881, 51–87; Gluckman, 1955, 15), could also express the wish for extrajudicial conflict resolution (Oman, 2017, 161, 173). The declaration of enmity was followed by a certain amount of time enabling the enemy to appropriately prepare for retribution or finally accept the settlement. In the Holy Roman Empire the term was generally three days (cf. MGH, Const. 1, 318. §17, 451), also ranging from a day and a night to six weeks and three days, i.e. three court days (Brunner, 1990, 11–12, 64, 68, 73; Mommertz, 2001, 219–223, 228; Reinle, 2013, 13–14).

Based on the principle of collective responsibility at every stage from the declaration of enmity to the peace settlement, vengeance includes a network of allegiances between all parties to the conflict, whether stemming from kinship, affection, dependence, or obligation. All of them constitute friendship (Lat. *amici*, Ger. *freundschafft*). In the Empire in the Middle Ages these relations were divided very roughly into cooperators (Lat. *cooperatores*, *complices*, Ger. *Helfer*, *Gesellen*) who perform specific functions in the feud, servants (Lat. *servitor*, Ger. *dyner*) connected to the principals of the feud as employees or subjects, and supporters (Lat. *fautores*, Ger. *Gönner*) as representatives in feud, e.g. a nobleman for a burgher. Everywhere, however, cooperators perform functions such as providing supplies, accommodation, and intelligence (all can also be performed by women) and, of course, exact violent retaliation (MGH, Const. 2, 427. §§5–12, 572–573; Brunner, 1990, 57–61; Schäffer, 2013, 204–205, 219–220; Mommertz, 2001, 218–219, 225–231, 244, 247; Peters, 2000, 74, 77–84, 90; Reinle, 2003, 171, 183, 197).

Medieval limitations on violence were determined by the culture of honour, the Church and customary law and this created personal, temporal, and spatial immunities. Also, as a consequence of the Peace of God (*Pax Dei*) movement, during the European Middle Ages the suspension of hostilities was especially practised on Sundays and the most important Church holidays, including the entire liturgical periods of Advent and Lent. Hostilities were also to be suspended in times requiring the cooperation of the whole community, especially in war (Gluckman, 1955, 8; Boehm, 1993, 210–211, 222; cf. Schwind & Dopsch, 1895, 34. 55, 68) and for collective labour (KLD, §§ 874–885; SK, 155; Hasluck, 1954, 155; Jelić, 1926, 96; Miller, 1996, 193). The custom was adverse to violent retaliation in sacred spaces (church, monastery, cemetery) and areas of certain sacral value such as homes (house, castle), settlements (village, town), fora (e.g. the Icelandic *alþingi*) and residences of authority (the chieftain's home, the court). Also communal production facilities (e.g. mills) and agricultural means of production (orchards, vineyards, pastures) were not to be damaged and could provide refuge. All cultures regarded vengeance upon women, children, the elderly, the ordained and other segments of society generally prohibited from carrying arms (e.g. Jews in Medieval Europe), as highly inappropriate or

Fig. 4: Ramón Berenguer IV receives homage from his vassal the Señor de Perelada in 1132 (https://www.pinterest.com/pin/540572761512953646/)

dishonourable. Except in blood vengeance (for homicide, grave insults or heavy wounds) the killing of an enemy was also generally inappropriate (MGH, Const. 2, 427. §§28–29, 574; MGH, Const. 2, 438. §31, 599; Bogišić, 1999, 355–356; Frauenstädt, 1881, 57–58; Jelić, 1926, 34; Gluckman, 1955, 8–9; Brunner, 1990, 32–33, 51–52, 95–102; Boehm, 1993, 58, 198, 212; Miller, 1996, 193, 207; Wadle, 1999, 79; Ergaver, 2016, 110).

Always appropriate was violence upon the enemy's property, mostly by raiding or robbery (of cattle, produce) and arson (of pens, stables, barns) (cf. Gluckman, 1955, 9). Alongside the customary limitations the tools of enmity were determined by the resources at the disposal of the parties to a conflict. Actual military engagements and sieges were rare, even in feuds among the nobility, while subjects mostly resorted to arson. Lawsuits were also an instrument of enmity, even though the judicial path was regarded as less honourable ("subsidiary"), even in the early modern period, making it foremost the tool of the weaker party (Reinle, 2003, 124–133; Hausmann, 1988, 263–287; Wieland, 2014, 426–427, 515). Ritual mutilation (Smail & Gibson, 2009, 54–61) and cannibalism as part of custom was rare, yet could also occur, as a breach of the custom, and consequently to the further dishonour of the perpetrator (SK, 266–267; cf. Kadare, 2006, 10–11), in particularly acrimonious conflicts, including in early modern Europe (Muir, 1998, 97; Martin, 2017, 102). "Magic" was also a common instrument of enmity, while memory was always present in vengeance, fuelling or sustaining animosity in stories, poetry, or chronicles, which offered a wide array of "injustices" to "legitimize" breaches of truce or

even peace. Especially women were the caretakers of familial memory (Brunner, 1990, 84–89; Boehm, 1993, 59; Peters, 2000, 83, 96; Carroll, 2006, 9, 17, 20; Dean, 2007, 137; Byock, 2007, 98–111; Reinle, 2014, 10; Muir, 2017, 4–8).

Still, enmity never lasted forever (Boehm, 1993, 221), even if many conflicts lasting for a very long time are attested in sources (Stanojević, 2007, 14–15, 18, 34–35, 43–45, 59–64; Bicheno, 2007; Smail, 2007; Darovec, 2016).

The first stage or rite of settling enmity was to make truce (Lat. *treuga*, *amicitia*, *concordia*, *compromisso*, *fides*, *fiducias*, *reconciliacio*, *pax*, *treugis manualibus*, Ger. *hantfrid*, *frid*, *schlechten frid*, *sůne*) (ARS, AS 1063/4491, 23 August 1440, Haimburg; Monasterium, HHStA Salzburg, AUR 1286 XII 16; MGH, Const. 1, 318. §18, 451; MGH, Const. 2, 196a. 253–255; MGH, Const. 2, 427., 570–579).

Truce is distinguised from peace by the durability of peace and specific words and gestures that conclude it. Until these were spoken and made, an agreement was always only a truce, regardless of the words used for peace (e.g. Lat. *pax*, Ger. *Friede*, *Sühne*) in the sources (Rolandino, 1546, 158r–159v). As stressed by Medieval jurists,[16] attention had to be given to the relationship that was established and publicly demonstrated through appropriate diction and gestures. The relationship established by truce was that of friendship (Lat. *amicitia*). Truce always had to be public to inform everyone involved in the conflict that it was made, so they would suspend hostilities. Truce was a shorter or longer but always temporary period of mutual renouncement of enmity, providing the parties to the conflict with time to assess the damages given and received, and to consider whether it was more honourable (worthwhile) to settle the conflict by making peace or to resume hostilities. Truce also served to cool the parties' emotions, easing peacemaking, just like banishment[17] (Ita. *bando*, Ger. *Bann*), i.e. the perpetrator's flight into church asylum or another refuge, particularly in settling homicides. The prerequisite for truce was a request for it, demanding ritual self-humiliation from the petitioner (gift and countergift, homage). The request could be also made by the wives and daughters (maidens) of the petitioner's kin (same for peace). As a rule, at least the first request was symbolically rejected (Gluckman, 1955, 15; Ergaver, 2016, 109), until finally accepted with an oath of security (Lat. *securitas*, Ger. *sicherheit*) or safe conduct (Lat. *salvus conductus*, Ger. *sicheres gleyt*), which protected the enemy from retaliation or arrest. The oath of truce (Lat. *fides*) was given by the injured party to the perpetrator and made on sacred (e.g. scripture, relics) and other symbolic objects. The agreement or compromise for truce can only exceptionally be made by the parties to the conflict themselves, and as a rule by mediators (Ger. *mitler*, Mne. *posrednik*, Alb. *ndërmjetës*, Svn. (*po*)*srednik*) or

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16   For instance by the renowned thirteenth-century notary, judge, and university professor Rolandino (Rolandinus Rudolphi de Passageriis, ca. 1215–1300). His monumental collection of norms, first published in print in 1546, is still used for the education of notaries today (Darovec, 2016, 16).

17   In the early modern period customary banishment of the perpetrator into another jurisdiction, intended to ease peacemaking, was transformed by central authorities into a legal institution aimed at the eradication of banditry, thus ignoring local jurisdictions. Consequently, the local fora were excluded from peacemaking, which at first both prolonged and intensified feuding (Povolo, 2015, 215, 219, 225; cf. Miller, 1996, 239, 263, 275).
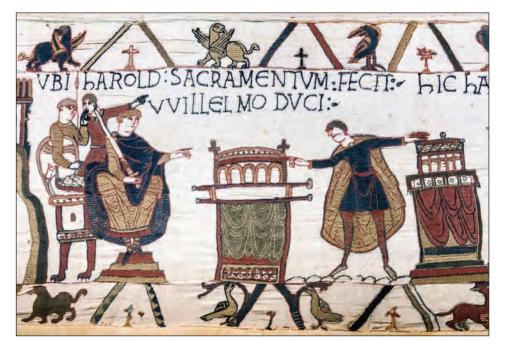
Fig. 5: HAROLD SACRAMENTUM FECIT VVILLELMO DUCI: "Harold made an oath to Duke William" (Bayeux Tapestry). This scene is said in the previous scene on the Tapestry to have taken place at Bagia (Bayeux, probably in Bayeux Cathedral). It shows Harold touching two altars with the enthroned Duke looking on, and is central to the Norman Invasion of England (https://en.wikipedia.org/wiki/File:Bayeux_Tapestry_scene23_Harold_sacramentum_fecit_Willelmo_ducit.jpg)

arbiters (Lat. *amicabilis compositor*, Ger. *compromitendt*, *schidman*, Mne. *kmet*, *arbitar*, Alb. *pleqnarët*). Generally there were an equal number of arbiters for both parties, and they were chosen and accepted by both based on their moral virtue and legal competence: respected members of society, e.g. village elders, clergy, representatives of urban authorities, influential local nobility or distinct keepers of legal customs or professional jurists (notaries, lawyers). In Medieval and early modern communities across Europe,[18] where both customary and the Roman legal order coexisted, at the beginning of the arbitration the parties to the conflict had to notify the arbiters as to whether they wished to settle according to law or according to custom (Lat. *per viam iuris vel per amicabilem viam*,

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18 In rural communities of South-Eastern Europe, especially in Montenegrin and Albanian territories, conflicts were settled exclusively by custom, which was by large also encouraged by both the Venetian and Ottoman authorities (Ergaver, 2017).

amicabilis compositio, Ger. *mit minne oder mir dem rehten*, *wilkhürlichen*), i.e. amicably and with love. In either case the parties pledged to respect the arbitration in advance and to pay any damages for the eventual violation of the truce to the arbiters who had guaranteed it (hence *fiducias*, surety). Sanctions for violations of a truce imposed by a court were harsher and included corporal punishment equal to that for perjury: the violator would lose the right hand or the index and middle finger used in the gesture for swearing an oath. Hence, in the Empire, the truce is also known as *Handfriede*, "peace by hand", opposite to a lasting peace concluded with a kiss from the representative of the injured party, the *Mundsühner*. The penalty for violating truce acted as peace with the court as the guarantor of the truce, otherwise the violator was outlawed (Ger. *Acht*). The penalty for violating truce by means of homicide was death. Accepting the compromise concluded the truce, which came into force when the security was given between the enemies.[19] As a rule truce lasted from a few months up to a year, when not renewed or extended. Once it expired or was broken, hostilities would be resumed. Truce could be renewed many times before peace was made. Thus, there could be many compromises and truces in vengeance, but only one lasting peace could be made. Generally truces were made and expired on an important Church holiday, e.g. Pentecost, All Saints' Day or Nativity of John the Baptist (ARS, AS 721, kn. 19 (1644–1651), 15 May 1646, 391–392; Rolandino, 1546, f. 147r–v; MGH, Const. 2, 427. §8, 573; MGH, Const. 2, 438. §8, 597; KLD, §§ 602–639; Schwind & Dopsch, 1895, 34., §63, 70; SK, 149–154; Frauenstädt, 1881, 75–83, 106–109, 131, 143; Miklosich, 1888, 137–138; Evans-Pritchard, 1940, 180; Medaković, 1960, 62–63, 67; Kos, 1994, 124; Althoff, 1997, 92; Leth Jespersen, 2009, 18–19, 40; Pitt-Rivers, 2012; Darovec, 2016, 14–15, 20–22, 38; Povolo, 2017; Oman, 2017, 169, 173).

Should the truce have held, it could be followed by lasting peace, made based on the terms agreed upon during the truce by the parties to the conflict, the arbiters, or the court. The peace treaty could undergo many editions before it was unanimously accepted and contractually composed (Lat. *instrumentum pacis et concordiae*, Ger. *Sühnevertrag*), including according to a notarial form. The Medieval and early modern notarial form begins stating, that the parties to the conflict have concluded peace, forgiveness, and concord, and put an end to their enmity with the kiss of peace: *fecerunt adinvicem osculo pacis vicissim inter eos veniente, Pacem perpetuam, finem, remissionem, atque concordiam* (Rolandino, 1546, f. 158r). Montenegrin sources also attest: *fine silenzio quiete et pace perpetua* (IAK, SN LXX, 22 July 1599, 137–138).

The contract was confirmed by the rituals or, rather, the ceremony of peacemaking, dictated by the injured party and publicly demonstrated with symbolic words, gestures, and objects. The rituals consisted of self-humiliation (gift and countergift, homage), friendship (faith, truce), and the establishment of lasting peace (compensation, love,

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19 As late as the end of the seventeenth century the central judicial authority of the Venetian Republic, the Consiglio di Dieci, resolved conflicts of blood among (at least) the urban nobility through mediation by presiding over the swearing of the oaths of friendship, thus concluding a truce. The truce allowed potential avengers to leave house arrest (*Liberazione di sequestro*) (ASVe. CCD-LR, b. 258, No. 197, 200–202, 206–210, Koper-Capodistria, 1684).

Fig. 6: Kiss of Peace settling the enmity. Cambridge Ee.3.59, The Life of King Edward the Confessor, ca. 1250–1260 (http://manuscriptminiatures.com/4450/10071/)

forgiveness), thus renewing certain rites that were already present in the making of truce. Self-humiliation (in the form of penance) followed the recording of the peace treaty, while the ceremony[20] was performed inside or in front of a church or court (e.g. town hall) or at the victim's grave. Especially perpetrators of homicide had to request peace barefoot and bareheaded, dressed only in penitential undergarments, sometimes having their hands tied. They would sometimes be carrying a dog or a saddle on their backs, yet as a rule a heavy penitential candle in their hands or the murder weapon hung around their necks. The perpetrator approached the victim's kin on all fours or on his knees, or kneeled (Lat. *flexibus genibus*, Ger. *Fußfall*, *Kniefall*) every few steps. Peace and forgiveness was requested by the perpetrator, his female kin, and/or arbiters or other members of the community witnessing the ritual. In peacemaking a burgher could be represented by the town or city council, a vassal or subject by his lord, a priest by his bishop, a member of a tribe or clan by his chieftain, a member of a kin by his father, godfather, or other blood relative, or head of the household. Following a few consecutive requests the representative of the injured party (Mne. *umirnik*, Alb. *pajtues*) lifted the perpetrator to his feet and they exchanged the kiss of peace (Lat. *osculum pacis*, Ita. *baccio di pace*, Ger. *Friedenskuss*, Mne. *cjelov mira*, *poljubac mira*) on the mouth or cheek. The kiss signified the parties'

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20 Cf. Vialla de Sommières: Voyage historique et politique au Montenegro, Acte de la réconciliation publique, 1820, p. 338 (Wikimedia Commons, VDS pg390 Act de Réconciliation publique devant le Tribunal du Kméti.jpg) (Darovec, 2017, 85).

equality[21] (Schmitt, 2000, 331–332; Bogišić, 1999, 371–372; Rovinskiĭ, 1994, 259; cf. Boehm, 1993, 136; Darovec, 2016, 24; Ergaver, 2017, 197) and alleviated any humiliating acts performed by the perpetrator (Carroll, 2011, 90–91), demonstrating that he had been forgiven from the heart and that the peace was sincere, thus uniting the former enemies in friendship, brotherhood, godfatherhood, and love (Lat. *amor*, Ger. *Minne*, *Liebe*) as a formal covenant (Petkov, 2003, 33–34). Medieval jurists explicitly stated that there was no lasting peace without the kiss of peace (Rolandino, 1546, f. 158r–159v). During the early modern period it was gradually replaced by the embrace and/or handshake,[22] which could also complement it, as attested *inter alia* in Montenegro: *si abracionno, et in segno di [...] perpetua pace bacciono* (IAK, SN LXX, 9 January 1599, 137–138). The kiss was followed by the oral reading of the peace treaty to those present, which was confirmed by a handshake as the fundamental legal gesture for concluding contracts (Schmitt, 2000, 108–109). With the peace treaty both parties for themselves and their heirs mutually and lastingly renounced enmity (Ger. *Urfehde*),[23] a composition (Lat. *compositio*, Ger. *Sühnegeld*) or, for homicide, blood money (Germanic *wergeld*, Mne. *krvnina*, *vražda*, Alb. *parë i gjakut*) was set, depending on the gravity of the offence and the status of those involved. In societies with little cash, composition could be symbolic or in kind: valuable tableware or weapons, arable land, livestock, produce, etc. (Petranović, 1868, 19; Bogišić, 1999, 372–273; Evans-Pritchard, 1940, 192, 197; Verdier, 1980, 20; Boehm, 1993, 137). The arbiters could also ask the injured party what the perpetrators had gained by paying composition, to which the wronged party answered: lasting peace (Lat. *pax et concordia perpetua*, *plenam celebraui concordiam*, Ger. *Ewige Sühne und Frieden*, *ewige*

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21 Thus it was inappropriate to be given to those of inferior status. In seventeenth-century Italy it was appropriate that "*inferiors receive their embraces around the neck; equals hold each other equally on their arms and they kiss; and superiors are to be approached by embracing them around the hips while bowing, making a sign of wishing to kiss their hand*" (Carroll, 2016, 130).

22 Reformers, both Protestant and Catholic, regarded the kiss as too "carnal", even though it had already been in decline since the fifteenth century. It was first removed from church service, vanishing as a legal gesture during the seventeenth century (Koslofsky, 2005, 25, 33; Carroll, 2016, 128–129; Marinelli, 2017).

23 Literally "not feud". The renouncement of enmity/vengeance was also the oath given by a released captive in a feud to his enemy or by the defendant or suspect to the court and plaintiff, as well as everyone who aided in his or her arrest. It was closely related to the idea of accomodation, having both the function of submission and an agreement to compromise. As a legal institution *Urfehde* originated in peace treaties, where it was given as a temporary (in truce) or lasting renouncement of enmity (*ewige orfeyde*) and had to be made public. In peace treaties the renouncement was descriptive and in the Holy Roman Empire rarely was the word *Urfehde* used, while in the early modern period *Urfehden* given to the courts were specific documents. These could be given for any offence punishable by imprisonment. In the seventeenth and eighteenth centuries *Urfehde* was only a formal confirmation (acceptance) of the judgement by the convict, as a rule including banishment and/or fine in return in place of corporal punishment. Corporal punishment, including the death penalty, was exacted if the renouncement was violated. In the early modern period *Urfehde* mostly had the function of maintaining the moral and social order. *Urfehde* and its English counterpart, the recognisance, were sworn in front of the magistrate, being a formal part of the legal process. Even if their Italian equivalent, the *rinunce*, was a private agreement (Kos, 1994, 118–120; Blauert, 2000, 13–21; Leth Jespersen, 2009, 38; Carroll, 2011, 87), it still required either a confirmation by notaries or before authorities even in the early modern period (Povolo, 1997, 158–166), as is attested in the statutes of the County of Val Morena from 1600 (Cesca, 2009, 110–115).

Fig. 7: Kiss of Peace beetwen Justice and Peace. Giovanni Battista Tiepolo (1696–1770) (https://commons.wikimedia.org/wiki/File:Tiepolo_Justice_and_Peace.jpg)

orfeyde, *vrvehe vnd si svne*, *gantze sůne*, *gantz ab vnd verrichtet*).[24] Composition settled all damages, including the treatment and care of the victim, and the costs of funerals, lawsuits, and trials. In Christianity settling blood included requiems for the victim's soul and the erection of memorials. Penance for homicide was also imposed by fasting, a temporary ban from attending church services, a pilgrimage, by giving alms, etc. In some areas following the peace the killer had to avoid the victim's kin as much as possible for a year and a day. Elsewhere, peace was demonstrated by sharing common meals or sleeping in the same bed, i.e. *convivia* (van Eickels, 1997, 137–139; Brown, 2011, 40). Always, however, bygones had to be bygones, as propriety demanded that the conflict had to be forgotten. Following the ritual ceremony of peacemaking in Christianity both parties jointly

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24　In Montenegro the newly established spiritual bonds of godfatherhoods and brotherhoods were regarded as the main accomplishments of peacemaking, being both new alliances and guarantees for the peace to last (Ergaver, 2017, 194–198).

attended mass, hence peace was commonly made on a Church holiday or on a Sunday. In Central and Western Europe, especially in the early modern period, settling of blood had to be approved by the court, which issued a written copy of the settlement to both parties. In Italy this could still in early modernity be issued by the notary, without involving the court. Peace could however never be truly enforced by the courts, as it would not last. Sanctions for violations of peace were monetary, but could also include the death penalty. The peace settlement could be followed by marriages and engagements or spiritual bonds such as godfatherhoods and brotherhoods. As already the kiss of peace signified the union of the two families, new familial bonds significantly reinforced and acted as sureties for the peace. The peace settlement brought the relationship of enmity and vengeance to an end and the parties entered into a new relationship (ARS, AS 1063/4511, 16 August 1443, Wiener Neustadt; Monasterium, HHStA Salzburg, AUR 1286 XII 16; Rolandino, 1546, f. 158r–159v; Frauenstädt, 1881, 115–119, 125–145, 153–157, 164; Brunner, 1990, 107; Verdier, 1980, 25–31; Althoff, 1997, 115–121; Peters, 2000, 70; Carroll, 2003, 92, 100; Carroll, 2006, 232; Leth Jespersen, 2009, 19; Withington, 2013; Darovec, 2014, 492; Darovec, 2016, 38; Darovec, 2017, 64, 69, 79, 84; Ergaver, 2017, 196–197).

The herein presented ritual of vengeance, which served as the basis for our selection of terms, at first glance definitely shows an idealized image or a myth. Yet, as numerous sources attest, it was a myth that worked well in practice, especially through ritual ceremonies.[25] Still, just as there are plenty of procedural complications and plenty of laws being violated in present times, there was just as much respect and disrespect for the rituals of vengeance in the past. Hence the power (political, economic, military, of social standing, etc.) or size of a community, as well as its capability to strike up alliances in the struggle for resources and defence, often determined the outcome of conflicts. However, and in this we can agree with Max Gluckman, "*over longer periods of time and wider ranges of society the conflicts between these relationships become cohesion*" (Gluckman, 1955, 19).

Regarding the questions raised in the introduction, it can be established that many terms and concepts of the ritual of the customary system of conflict resolution have by and large undergone a thorough redefinition in contemporary legal and public life, including the system's central phenomenon: vengeance. These redefinitions are a consequence of the fundamental social changes that have taken place since the end of the Middle Ages. Increasing social cohesion in particular, which resulted in increasingly larger tightly-knit units, necessitated the formation of appropriate institutions that allowed the state to establish control of its territory. The key role in the centralization of most early modern European states was played by their centralized judicial institutions, tax system, and military. In the customary system of conflict resolution since the end of the Middle Ages the state occupied the role of mediators and arbiters, gradually pushing them out of the ritual and taking control of the system of conflict resolution. This established the state as the only legitimate avenger.

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25 The website http://www5.unive.it/faida_msca contains a vast collection of illustrations from various sources and artists ranging from the sixth to the nineteenth century, which truthfully depict the ritual gestures, customs, and terms discussed in this paper.

Fig. 8: Wedding of Maria de Medici and Henry IV of France. Jacopo da Empoli (1600)
(https://commons.wikimedia.org/wiki/File:Marie_de_Medici%27s_marriage.jpg).

GLOSSARY

The following glossary[26] is meant as a tool for the research on vengeance as a customary system of conflict resolution, especially for studies predicated on European Medieval and also early modern sources. We also believe that the glossary can be of use for research on vengeance in other eras and/or on other continents. Due to the abundance of synonyms denoting the key rites of vengeance from the outbreak of hostilities to the establishment of peace, the glossary is limited to the most important or the most common terms and phrases found in the Western, Central, and Southern-European sources, particularly from the Holy Roman Empire and the Venetian territories. At the same time it is our intention to emphasize the existence of a plethora of synonyms for the most terms, concepts, gestures, and emotions expressed in the rituals of vengeance in the customary system of conflict resolution. While the glossary is primarily predicated on Medieval sources, many terms and phrases were still in use in the early modern period and, especially in the Mediterranean, even later.

The conceptual historiographical and terminological analysis presented in the paper has shown that regardless of the social and political organisation of a specific region, contextually corresponding key terms and phrases of the custom of vengeance existed in many European languages, especially during the Middle Ages and some even in the early modern period. The analysis already presented in the paper is expanded in the glossary with a broader language of vengeance.

It also has to be emphasized that in our research on vengeance we found an abundance of various synonyms for certain terms and phrases, especially in Latin, German, and (via dictionaries) Slovene. Almost all are used in the glossary.

Latin, as the primary language of law in premodern Europe, was chosen as the first language of the glossary. The herein used Latin terms and phrases are almost exclusively taken from Medieval and early modern sources, as are most Italian, Montenegrin, and Albanian terms and phrases. German and Slovene terms and phrases, on the other hand, are divided into modern and those taken from Medieval and early modern sources. German premodern terms and phrases are given in italics and in the original ortography. Slovene terms and phrases given in italics, yet transliterated into Gaj's Latin alphabet, are mostly taken from German-Slovene and Latin-Slovene dictionaries,[27] dating from the sixteenth and seventeenth centuries. At the same time we would very much like to see the glossary expanded with additional languages from around the world.[28]

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26 The glossary follows the example of Christopher Boehm, who presented corresponding English words for those used in the language of vengeance specific to the Montenegrin area (Boehm, 1993, xvii–xix).

27 Premodern legal sources in Slovene, especially those regarding criminal law, are very rare as most were written in either Latin or German, even if Slovene was the oral language of law (Golec, 2016, 148–149).

28 The words and phrases given in the glossary are taken from the sources and literature already cited in the paper thus far, while the rest are taken from: Megiser, 1592; Vorenc & Kastelec, 1680/85; Wolf, 1860; Karadžić, 1966; Mann, 1948; Stevanović et al., 1983; Dolenc, 1939; Berishaj, 1989; Hysa, 1995; Orel, 1998; Bernik et al., 2004; Golec, 2016.

LATIN	ENGLISH	ITALIAN	GERMAN (contemporary, *sources*)	SHTOKAVIAN (Montenegro)	ALBANIAN	SLOVENE (contemporary, *sources*)
alter-catio, con-tentio, dis-cordia, iniuria, intentio, iurgium, tumultus	conflict, contention discord, strife, quarrel	conflitto, discordia	Konflikt, Streit, Zwitracht, *beschwerung*, *groll*, *irrung*, *krieg*, *misshe-lung*, *rumor*, *ungute*, *unwill*, *zwayung*, *zwitracht*	svadja, konflikt, sukob	armiqësi, konflikt	spor, *hrup*, *krejg*, *sovraštvu*, *nadležnost*, *negliha*, *nepokoj*, *neskladnost*, *neštimnost*, *nevola*, *prepirajnje*, *svada*, *zatažba*, *zuparnost*
amica-bilis	customary, in accor-dance with custom	consuetu-dinario	nach Gewonheit, nach Gewon-heitsrecht, nach Rechtsgewon-heit, *mit minne*, *wilkhürlichen*, *freundlich*, *gütlich*	prema običaju, po zakonu zemaljskome, po kuštumu zemlje	i bërë zakon, zakonshëm	po običaju
amicabi-lis com-positio, arbitrium	arbitration, compositi-on, reconci-liation	arbitrato, composizi-one	Ausgleich, Vergleich, Schiedsurteil, *wilkur*	plemenski sud, arbitraža, pomi-renje, plećnija	pleqësia	poravnava, razsodba, sodni zbor, *dobra vojla*, *svoja vojlia*
amicabi-lis com-positor, arbiter, arbitra-tor, boni homines	arbiter, arbitrator, good men	arbitro, giudice, composito-re amiche-vole, buoni uomini	Schiedsrichter, *compromitendt*, *schidman*	kmet, arbiter, posrednik, sud dobrih ljudi	pleqnarët, pajtues, ndër-mjetësues, burrat e mirë, burrat e urtë	razsodnik, *ločnik*, *rezloč-nik*, dobri ljudje
amicitia	friendship	amicizia	Freundschaft	prijateljstvo	miqësia	prijateljstvo, *perjasèn*, *priazn*
amor	love	amore	Liebe, *minne*	ljubav	dashuria	ljubezen, *priazen*
arbitrari	to arbitrate	arbitrato	*compromitiern*	suditi	gjykoj, trup gjykues	razsojati, *mejniti*, *soditi*
arbiter esse, com-ponere, concilia-re, con-ciliare pacem, concor-dare, pacifica-re, recon-ciliare	to make peace, to reconcile	stringere la pace stabilire la pace	ausgleichen, einigen, vergleichen, versöhnen, *fried machen*, *richten*, *taidi-gen*, *verrichten*, *vertragen*	miriti se, miriti krvi, miriti rane	pajtoj, paqësoj	pomiriti se, poravnati se, spraviti se, *glihati*, *mir sturiti*, *miriti*, *složiti*, *spraviti*, *spet spraviti*, *spravo delati*, *sprijazniti*, *vkup rajmati*

bandum, exilium, excommunica-tio	banishment, exile, outlawry	bando	Bann, Verban-nung, Acht, *mordtacht*	odličenje, pro-gon, izgnanstvo	dëbim, dëboj	izgon; *bandižaj-ne*; *bando, dano slanu iz dežele*
caedes, homi-cidium, interfec-tus	homicide	omicidio	Totschlag	ubistvo	vrasje	uboj, *poboj, vbijanje*
caeremo-nia	ceremony	cerimonia	Zeremonie	svečanost, ceremonija	ceremoni	slavnost, slove-snost, svečanost, ceremonija
certamen	combat	combatti-mento	Gefecht	ratovanje, borba	betejë, luftë	spopad
compater	godfather	padrino, compare	Pate	kum	kumbarë	boter
compa-tritas	goodfather-hood	padrinato	Patenschaft	kumstvo	kumbari	botrstvo
compo-sitio	wergeld, wergild, blood money	tributo di sangue	Wergeld, *manngeld, sühnegeld*	krvnina, krvavi novac, vražda, odšteta	pare e gjakut, kompensim	spravnina, kom-pozicija, krvnina, odškodnina, *vražda, krvavi penez, krvarina*
com-positio, compro-missum, pacisci	agreement, compro-mise	composizi-one, com-promesso	Ausgleich, Einigung, Kompromiss, Vergleich	dogovor, kompromis, sporazum	marrëveshje, kompromis	dogovor; kompromis; *oblublenje dati, od ene inu druge strani za kakeršno glihin-go, s persego; pervoliti; v roko seči; zavezo delati; zglihati*
concor-dia	concord, unity	concordia	Einigkeit	sloga, jedinstvo	përshtatje, me ra dakord	sloga, složnost, *skladanje, zglihanje*
damnifi-care, dare damnum, nocere	to damage, to harm	danneggia-re, nuocere	schaden, schädigen	oštećenja, naškoditi	dëmtoj	škodovati
damnum	damage	danno	Schaden	šteta	dëm	škoda
deridere, offen-dere, vulnerare	to insult, to offend	offendere	beleidigen, beschämen, schimpfen, verspoten, *ausschreien, aussprengen, ausspeien, schmähen, schelten, spotten*	povrjediti, uvrje-diti, vrijeđati	ofendoj	žaliti,užaliti, *posmehovati, režaliti, spota-kniti, špotati, zadervižati, zameriti*

devasta-tio	devastation	devastare	Wüstung, *grundstöer*	devastacija, pustoš	mësymje, shkretoj	pustošenje, *zatrenje*
defensio per patrem	(legal) defence by ones father	difesa per patrem	Rechtsverteidi-gung durch den Vater	odbrana od strane oca	mbrojtje nga babai	obramba po očetu
diffidatio	renunciati-on of peace	rinunciare alla pace	Absage, *abkla-ge*, *austretten*, *widerbot*, *widersage*	odricanje od mira	me heq dorë nga paqja	odpoved miru, odpoved zvestobe
diffidator	the one who announces hostility, the one who renounces peace, defyer (in criminal law)	sfidante	Absager (in criminal law)	onaj koji najavljuje neprijateljstvo	sfidues	odpovednik (in criminal law)
dignatio, honor, honos	honour	onore	Ehre	čast	nder	čast, *spoštovanje*
dissidere, inimicari	in enmity	creare inimicizia	verfeindet sein, *zwiträchtig sein*	u svađi, u neprijateljstvu, u krvi, zakrvljeni	krijoj armiqësi	sovražnost imeti, v sovražnosti biti
expulsus, ex(s)ul, pro-scriptus, relegatus, homo sacer, excom-munica-tus	outlaw, bandit, exile, the banished	bandito, fuorilegge	Verbannter, Geächteter, Friedloser, *vogelfrey*	odličeni, prognanik	bandit, jashtë ligjit	izobčenec, izgnanec, brezpokojnež, *vižan*
faida, querella	feud, quarrel	faida, vendetta, querela	Fehde, *abgesagte feindtschafft*, *befehdung*, *fedeschafft*	osveta, zavađa	hakmarrje	fajda, maščeva-nje, spor
fama	reputation	fama	Ruf, Gesicht	ugled, reputacija, obraz	dinjitet	ugled
familia, cognatio	family, household, house, lineage, kin	famiglia, parentela	Familie, Ge-schlecht, Haus, Haushalt, Sippe, Verwandtschaft *freundtschaft*	porodica, rodbina	familja, lidhje farefisnore	družina, rod, rodbina, sorod-stvo, žlahta, *narod*
fide-iussor, sponsor	guarantor, warrantor	fide-iussore, fiduciario	Bürge, Garant	jemac, dorzon, garant	dorëzan	porok

fidem dare, iurare	to swear an oath	giuramen-to	schwören	dati tvrdu vjeru, zaklinjati se, položiti zakletvu	betim	priseči, *persega-ti*, *v roke seči*, *za gvišno oblubiti*, *zakleti*
fides	trust, fidelity, faith	fede, fiducia	Treue, Glaube	vjera, vjernost	besë	vera, zvestoba, *zveščina*
fiducia, fide-iussio, sponsio	surety, warranty	garanzia, fideiussio-ne piezaria	Bürgschaft, Haftung	jemstvo, garan-cija, dorezanija	dorëzan, garant	poroštvo, jamstvo, *obluba*, *obečanje*, *zavuplivost*
flectere genua, flexis genibus	to kneel	inginoc-chiarsi	die Knie biegen	klečati	me ra në gjunjë, me u gjunjëzu	poklekniti, *pokloniti*
forum	court of arbitration	composi-tori	Schiedsgericht, *taiding*	plemenski sud, skup, arbitražni sud, plećnija	pleqësia	razsodišče, veča, pravda
fraterni-tas	brother-hood, con-fraternity, fraternity	fratellanza, fraternità, confrate-rnità	Bruderschaft	bratstvo, pobratimstvo	fis, vëllazëri	bratstvo, bratovščina, pobratimstvo
furor, ira	anger, fury, rage	furore	Wut, Zorn	ljutnja, bijes	tërbim	bes, srd
homici-da, interfec-tor	killer	assassino, omicida, uccisore	Totschläger	krvnik, ubica	gjaks, gjaksor, vrasës	ubijalec, *bojnik*, *ubijavnik*, *vbijenik*
homi-cidium involun-tarium	involuntary manslaugh-ter	omicidio pensato	Tötung ohne Vorbedacht	ubistvo iz nehata, ubistvo grijehom	vrasje e pavullnet-shme	nenaklepni uboj
humili-atio	humiliation	umilia-zione	Beschämung, Demütigung, Erniedrigung	poniženje	poshtërim	ponižanje, *pohlevnost*
ignom-inia	dishonour, shame	disonore, vergogna	Schande	sram, bruka	turp	sramota, špot
indignans	the offended	offeso	Beleidigter	uvrijeđeni	i fyer	užaljeni, razžaljeni
infamia	infamy, bad reputation	infamia	Verruf, schlechter Ruf, böser Ruf	loš glas, sramota	famë e keqe	slab glas, zloglasnost
inimicus	enemy	nemico	Feind	neprijatelj	armik	sovražnik, *nepri-atal*, *sovraže*
inimi-citia, odium	enmity (as emotion: animosity, hate)	inimicizia, odio	Feindschaft, *feindtschafft*, *veht*, *uble unnachpar-schafft*, *zorn* (as emotion: Haß)	neprijateljstvo, mržnja, animozitet	armiqësi, urrejtje	sovražnost, čert, *nenavist*, *nepriatelstvu*, *sovraštvu* (as emotion: mržnja, sovraštvo)

iniuria, offensa, vulnus	affront, injury, insult, offence wrong	ingiuria	Beleidigung, Beschimpfung, Unrecht, Verspotung, *ehr verletzung, iniuiri scheltwart*	povreda, uvreda	dëmtim	krivica, žalitev, *sramota, zašmaganje, zašpotovanje*
inimicitia capitalis, inimicitia mortalis, vindicta mortis	blood feud, blood revenge	vendetta di sangue	Blutrache, Totschlagsfehde, *hauptveintschaft, totveintschaft*	krvna osveta	gjakmarrje	krvno maščevanje
intercessio	mediation	mediazione	Mediation	posredovanje	ndërhyrje	posredovanje, mediacija
interfectus voluntarius	murder, voluntary manslaughter	omicido puro e proditorio	Mord	ubistvo iz koristi, ubistvo navlaš	vrasje e pastër e vullnetare	naklepni uboj, umor
iudicium	court	tribunale	Gericht	sud	gjykatë	sodišče, sodni zbor
iuramentum	oath	giuramento	Eid, Schwur	zakletva	beja	prisega, *rotejnje, rote*
lex	law	legge	Gesetz	zakon	ligj, zakon	zakon
malefactor, auctor	perpetrator	colpevole, autore	Täter	krivac, izvršilac, rukostavnik	fajtor, autor	storilec, hudodelec
matrimonium	matrimony	matrimonio	Ehe	brak	martesë	zakon
mediator	mediator	mediatore	Vermittler, *mitler*	posrednik	ndërmjetës	posrednik, mediator, *srejdnik*
mos, consuetudo	custom	consuetudine	Gewonheit	običaj	adet, zakon	običaj
offensor	offender	offensore	Beleidiger	uvredilac, uvredioc, počinilac	fyes	žalivec
osculum pacis	kiss of peace	bacio della pace	Friedenskuss	cjelov mira, poljubac mira	puthja e paqes	poljub miru
pacificator	peacemaker	pacificatore, paciere	Friedensstifter, *mundsühner*	umirnik, mirotvorac	pajtues	pomiritelj, miritelj
pax sanguinis	settling blood	pace	Totschlagssühne	umir krvi	pajtimi i gjakut	pomiritev krvi
pax	peace	pace	Friede	mir	paqe	mir
pax et concordia perpetua, plena concordia	lasting peace	pace duratura	Ewige Sühne und Frieden, *ewige orfeyde, ewige sune und fried, gantze sune, urvehe und sune*	večni mir i ljubav	paqe ë qëndrueshme	trajni mir, *gvišen inu zažihran mir*

praeda, spoliatio, incursio	pillage, robbery	incursione, furto, rapina	Raub	pljačka, razbojništvo	bastisje, vjedhje, grabitje	plenjenje, ropanje, *pajdaš*
praedare, spoliare	to pillage, to rob	saccheggiare, rapinare	rauben	plačkanje, četovanje	plaçkitje	pleniti, ropati, *opuliti, po sili vzeti, porubiti, rezbijati*
querella	complaint, lawsuit	querela, acussa, denuncia	Klage, Beschwerde, *geschray*	parnica, tužba, žalba, svadja	padia, akuza, denoncimi	tožba, pritožba, pokrik, *vik, krik*, šrajanje
reconciliatio, compositio	pacification, peacemaking, reconciliation, settlement	pacificazione, riconciliazione	Sühne, Versöhnung	pomirenje, izmirenje, pomirba, umir	pajtimi	pomiritev, sprava, *sloš* čina, *smirovanje, vkup spravljanje*
rite, ritus	rite, ritual	rito, rituale	Ritual	obred, ritual	rit, ritual	obred, ritual
salvus conductus	safe conduct	salvacondotto	sicheres Geleit	sigurna pratnja	sjellje e sigurt	varno spremstvo
satisfactio	satisfaction	soddisfazione	Genugtuung	zadovoljstvo	kënaqësi	zadoščenje
securitas	security	sicurezza	Sicherheit	sigurnost	mbrojtje, sigurim	varnost, *žihrost*
sententia, iudicium	sentence, judgment	sentenza, giudizio	Urteil, Schiedsspruch	presuda	gjykimi, dënimi	sodba, razsodba
treuga, treugae manuales, amicitia, concordia, fides, fiducia, pax, reconciliacio	truce	tregua	Stillstand, Waffenruhe, Waffenstillstand, *hantfrid, frid, schlechter frid, sune*	primirje	besë	premirje
ulcisci, vindicare	to avenge, to take revenge	perseguire la vendetta	rächen	osvetiti se	hakmerrem	maščevati, *nazaj vzeti*
Urphaede	oath not to feud, oath to keep the peace, recognisance	rinuncia alla vendetta, rinunce	Urfehde, *orfeyde*	odricanje od osvete, zakletva za održanje mira	besë, heq dorë nga hakmarrja	odrek maščevanju, odrek sovražnosti, *urfeda*
verbum honoris	word of honour	parola d'onore	Ehrenwort	časna riječ, riječ od poštenja	fjala e nderit, besa	častna beseda
victima	(homicide) victim	vittima	Opfer, Totschlagsopfer	žrtva, ubijeni	viktimë	žrtev, ubiti

vindex, vindictor	avenger, vengeance taker, blood taker	vendica-tore	Rächer	osvetnik, krvnik	gjakmarrës, hakmarrës	maščevalec
vindicta, faida, alter-catio, bellum, discor-dia, inimi-citia, iniuria, intentio, ultio, vindica-tio	vengeance, revenge, feud	vendetta, faida	Rache, Fehde, *abgesagte feindtschafft*, *auflauf*, *befehdung*, *feindtschaft*, *vordrung*, *gwerra*, *handlung*, *irrung*, *krieg*, *lanndkrieg*, *misshelung*, *reisa*, *rache*, *stöss*, *teglich krieg*, *unfrid*, *ungute*, *unrat*, *urlog*, *zwayung*, *zwitracht*	osveta, krvna osveta	hakmarrje, gjakmarrje	(krvno) mašče-vanje, fajda
violentia	violence	violenza	Gewalt	nasilje	dhunë	nasilje
vulnus, plaga	injury, wound	ferita	Wunde	povreda, rana	plage	poškodba, rana

GOVORICA MAŠČEVANJA: SLOVAR SOVRAŽNOSTI IN MIRU

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POVZETEK

Pričujoča razprava, utemeljena na pojmovnozgodovinski analizi temeljnega izrazja obredja maščevanja, je poskus izdelave jezikovnega, konceptualnega in metodološkega okvira za raziskave maščevanja kot običajnega sistema reševanja sporov v predmoderni Evropi. V ta namen je članku dodan sedemjezični slovar, v katerem je zbrano ključno izrazje običaja maščevanja v latinskem, angleškem, italijanskem, nemškem, črnogorskem, albanskem in slovenskem jeziku. Čeprav je razprava utemeljena predvsem na evropskih srednjeveških virih in študijah le-teh, razširjenost in sorodnost občečloveškega običaja omogočata uporabo članka tudi za druga obdobja in celine. V razpravi predstavljeni pojmovnozgodovinska in jezikovna analiza sta pokazali, da so, neodvisno od družbene in politične organizacije nekega ozemlja, kontekstualno ustrezni ključni izrazi in pojmi običaja maščevanja obstajali v mnogih evropskih jezikih, zlasti v srednjem veku, deloma pa tudi še v zgodnjem novem veku.

Ključne besede: maščevanje, sovražnost, fajda, premirje, mir, zvestoba, prijateljstvo, zadoščenje, ljubezen, reševanje sporov, obred

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