

УДК [94(476+474.5)-89+354.075.5(476+474.5)-89(091)]«13/15»

*A. I. HRUŠA*

**CHANCERY OF GRAND DUKE OF LITHUANIA  
IN THE END OF THE 14<sup>th</sup> – FIRST HALF OF THE 16<sup>th</sup> CENTURY**

*Yakub Kolas Central Science Library of the National Academy of Sciences of Belarus*

*(Has been reseeded 15.04.2014)*

In terms of the institutionalization of secular literacy, social significance of a document, development of a bureaucratic management method and professionalization of the activity connected with the making of legal documents, the formation and functioning of chancery is the most impressive and complete phenomenon. The aim of this article is to classify the data which concern the following questions: the concept «Chancery as institution», building of staff of the Chancery of Grand Duke of Lithuania, establishment of leading activity of this Chancery, formation of key position of its – the chancellor and the Chancery official system, some other questions.

**What ought to be understood under Chancery?** Speaking about state level of organization of work on issuing documents, the following types of this organization should be distinguished. The sovereign could issue documents without having special institution at his disposal for their making and even having no professionals to perform this type of work in his administration. It could be done by specially engaged for this purpose people, including from counterpart. The sovereign could, from time to time, dispose certain specialists performing specified kind of work. It could be one expert, there could be several or more. This type of organization should be differentiated from the chancery as an institution. The latter implies a group of constantly operating personal, experts, united by solutions of common problems and acting on the principle of division of labor and subordination.

Issuing documents and the letters of Mindouh, the letters of Hedymin, the documents and letters of Alherd and Jahajla (up to 1386) is not yet an attribute of existence of chanceries or clerks affiliated to these Sovereigns. From the sources, for example, it is credible that some letters of Hedymin were composed by Franciscan monks, being at his court. The assumption of M. Kosman that the work on issuing Ruthenian documents and the letters of Alherd and Jahajla (until 1386) the Orthodox clergy from the environment of Alherd's wife – Princess Ul'iana of Tver could be involved sounds quite credible [1, p. 98].

It is not worth overestimating external relations of the sovereign to create a chancery. The need to draw up a large volume of correspondence and a large number of international agreements does not lead to the creation of this institution. A chancery opens only in case when the sovereign needs in confirmation of relations with the help of documents with the most numerous and active counterparts – the subjects.

**From one short-term scribes to a full-time staff of clerks.** Creation of a Chancery relates to the reign of Vitaūt in 1392 when the king of Poland made him the governor of GDL and from 1401 when Vitaūt became Grand Duke the Chancery was progressively developing. Let us summarize some of the supposition and conditions of its creation: the society went out from cultural isolation and it became adoptive to innovations, traditional institutions collapsed. Contacts with neighboring countries facilitated, among other things, not only to the adoption of Christianity, but also the penetration of new social and legal institutions. The decay of traditional institutions led to the necessity to introduce new ways to confirm relations, particularly those which were related to land ownership and disposition of property.

Increased integration of the state into international system required from the Sovereign more frequent and prompt contacts with the sovereigns of other states with the help of written correspondence.

The Chancery of Vitaūt was created as a result of institutionalization of his court. Its institutional framework is a synthesis of patterns, some of which were borrowed from the West (Poland, the Teutonic Order), others from the subjects, Ruthenians.

Vitaūt's clerks were divided into two groups, one of them was involved in the making of documents and letters in Latin and German, the other drew up documents and letters in the Ruthenian language [1, p. 101–103]. Vitaūt's clerks are known in Latin-sources as *secretarius* and *notarius*, in German sources – as *schreiber*. The earliest name of Ruthenian clerks was *d'jak*. *D'jak*, *deacon*, a representative of clergy, who served at the church, but did not have the right to conduct worship services, an assistant of a priest. Apparently, initially their task was to draw up wills. Later they were involved in making of documents and letters by order of sovereigns, at the request of subjects of these sovereigns. Their involvement in the implementation of these services eventually turned into such a strong tradition that their name became the name of one of the positions of the Chancery.

Attention should be paid to the following fact. Latin-German department of the Chancery of Vitaūt engaged exclusively the Poles and the Germans [1, p. 104–112; 2, p. 300–301]. The GDL society was unable to give this Grand Duke the necessary for him a field-oriented staff, which could write in Latin and German for his Chancery [2, p. 313–314]. Unavailability in Vitaūt's Chancery staff the head [1, p. 103] who would ensure Chancery's continuous performance evidences about a relatively small volume of documents coming out from the pen of Chancery's clerks.

The researchers point to the close personality connection between Vitaūt and his Chancery [1, p. 104, 116; 3, p. 271–272]. It disintegrated after his death. This reflects not only a dominant type of relationship between the Sovereign and the subjects in a young state based on the close personality connection but also shows that the existence of this Chancery was conditioned, in large part, by its activities related to solving the problems of transient – political – nature, namely, making of private and diplomatic correspondence. The staff of this Chancery was of little use for Grand Dukes to come.

**From communication with the outside world to communication with the subjects.** Very little is known about the Chancery of Svidryhajla (1430–1432) and the Chancery of Žyhimont Kejstutavič (1432–1440). Apparently in the reign of Kazimir linguistic differentiation of «Ruthenian clerks» and «Latin clerks» or secretaries (both categories of clerks in the Latin-source were called *notarius*, *secretarius*) finally entrenched itself. Under Kazimir, as well as Aliaksandr and Žyhimont I Old Ruthenian clerks elicited their potential. These clerks drew up documents in the language which had a written tradition and was understandable for most of the population of the state. The following thing is of significant here. The activities of Ruthenian clerks were focused on the making of documents which regulated home rather than foreign relations. Sovereign now needed in not only and even not so much in diplomats but in experts who know how to organize the work of the regular issuing of a large number of standard documents and letters. The staff of Ruthenian clerks should be correspond these skills.

That significant preference which was given to Ruthenian document in GDL in the 40s of 15th–16th centuries in dealing with internal affairs made «Ruthenian Chancery» the larges by the number of clerks. Prior to the reorganization of the Chancery in 1516 and in the years of 1522–1523 the Ruthenian clerks twice outnumbered the Latin clerks [4, p. 61]. There existed a strict division of labor between the clerks in making of the texts of documents in the Ruthenian and Latin languages, which lasted until the first half of the 40-s of the 16th century [4, p. 60–61].

In everyday speech *pisar'* (clerks) were called all the staff involved in the making of documents and letters. However, in the second half of the 15th century in the official language the name, *pisar'* spread to a group of officers who performed the most significant types of work. The old name *d'jak* started to be applied to the staff whose performance did not require high skills and high responsibility.

In the reign of Žyhimont I Old we come across a large group of scribes who in sources are known as gentry (*dvoriane*). It is apparently the fact that part of gentry regularly performed special duties in the Chancery [4, p. 47–48].

**Who had the right to order to issue documents?** Ever-increasing volume of documents issued necessitated the introduction of a position of the head the Chancery – Chancellor (in 1440 or 1441).

The introduction of this position was dictated by the need of transferring a specifically authorized person of part of functions on public administration for the execution. One of the main duties of the chancellor was the right to order to issue documents. The growth of power of Chancellor is best seen in the development of his right to give the order to issue such a variety documents as granted document, privileges.

The dominant type of relationship, based on close personality connections, made the members of Council of Lords key figures in the act of grants and issuing privileges, who acted as intermediaries between the petitioners of a grant and Grand Duke. In case of a positive decision on granting namely the intermediary gave the clerks the order of Grand Duke to draw up a document, and it was he who supervised its making. This activity of the intermediaries was reflected in the formulas applied to the documents: in Ruthenian documents – *prikazal* («ordered»), *pravil*, in Latin documents – *comissio*, *ex comissione*, *relacio*, *relaciones*, *ad relacionem*. Chancellor could also act as an intermediary, but only as one of the members of Council of Lords. This happened when Sovereign was in the GDL, when he was amongst Council of Lords. However, Grand Duke, being at the same time, king of Poland, stayed in Poland for a long time beyond Council of Lords. Grand Duke being outside GDL had no limitations in his right to give grants. Those people who appealed to Sovereign with a request on grants could do it without intermediaries. If approved, Grand Duke personally gave the order to the clerks to draw up the required documents. In Ruthenian documents this order was fixed in the formula *sam* («personally»), forestalling the intitutionation of Grand Duke (in the documents in Latin, this formula corresponded to *dominus rex per se, per se*) [5, p. 76–83]. The members of Council of Lords and the clerks, Grand Duke and clerks in passing an order contacted directly, bypassing the Chancellor.

In the 50s of the 15th century an attempt was made to transfer the order to issue privileges to Chancellor. The means of its actualization a practice of assigning to a position of Chancellor (in 1458 or 1459) the person who held the position of Vilna voevoda (the highest secular position in GDL). He was a fellow of «forward» of the Council of Lords. Since Vilna voevoda most often acted as a mediator between Grand Duke and the petitioner for a grant, then, as a result of this assignment Chancellor-Vilna voevoda put under his control making and issuing a large number of documents. Actually, Chancellor-Vilna voevoda acted a mediator between Grand Duke and the petitioner for grant only if Grand Duke stayed in GDL.

**Clerks under control and out of control.** Increasing stream of issues the solution of which required written resulted in one practice. From the 20s of the 16th century the clerks arranged an active issue of the so-called «in absentio» letters, i.e., letters, which contained solutions of Grand Duke adopted without prior study of the case. Thus, for example, Grand Duke could, by the complaint of the party, make a decision which contradicted his previous decision taken as a result of investigatory actions, and even actions of the court. In this case, Sovereign acted on the principle: «We being unaware of the gist of the matter order to issue from the Chancery the letters in the way they are asked for». Mechanical character of these decisions, often requiring no personal audience of the petitioner with Grand Duke contributed to the fact that the clerks, reducing a number of petitions to be submitted to Grand Duke, began to make written decisions on behalf of Grand Duke without informing him. In this practice one should see the results of deepening of bureaucratic forms of work in part of releasing Sovereign from personal participation in solving everyday issues an delegating these issues to an institution for solution. The practice of issuing «in absentio» letters led to the emergence of public distrust to grand-duke documents [6, p. 263–264].

Quite possible that had been practiced before at the beginning of 16th century. And, at all this going on, it had been practiced spontaneously and resulted in its termination by authorities who dismissed part of clerks. In 1516, out of the seven operating clerks exposed in issuing documents without the will and the order of Grand Duke, five were removed from the office. The purpose of control for the remaining clerks was brought under the order in 1516 which prescribed systematic signing by the clerks of outgoing documents (since the signature made it possible to detect who of the clerks personally was responsible for the making of this or that document) [4, p. 62–70].

**From a grant to a position.** To understand the principles of personnel nomination, adjustment of numerical composition of a group of Chancery workers involved, being attached to Grand Duke, in the making of the documents, it is necessary to understand the way Grand Duke and society considered

nomination of personnel. This nomination was a kind of grant (similar to the grand on land, etc.). The grant was given as a reward for faithful service, an incentive to devote more effort to the service. With this understanding of nomination, the latter could be unlimited in number, and the selection for the position could be made from a wide range of applicants, with the different levels of qualification, into the bargain. More than 10 clerks could simultaneously work in Grand Dukes apparatus.

A grant in the form of nomination was expressed by giving the candidate a higher status and additional income. This income was closely related to performance of certain activities. Understanding the nomination as a kind of grand for a certain type of income, dependence of certain activities and certain types of income formed the basis to shape official duties. The scribes earned an income from such work as re-writing the documents (making of clean copies, various copies, including those introduced into Chancery Books) [4, p. 49–50]. Then at a later stage they gained income from making of drafts of the documents. The clerks raised revenues from making of the text of the documents, its editing [4, p. 48]. Chancellor profited from setting the seal to the document.

The dependence between earning a certain types of income and performing a certain type of activity conditioned the possibility of effective involvement of chancellor's and clerks's personal servants to write grand-duke documents and letters. From sources it is well-known about personal scribes of clerks. Apparently, their main purpose was to help clerks in work of the Chancery. There were one Chancellor's clerk attached to the Chancery [4, p. 50–51].

Understanding assignment to a position as a kind of a grant makes it possible to understand the reasons for a number of quantitative changes in the staff of Sovereign's Chancery. In the given case it is significant to what degree the main motive of a grant – to give kindness to a faithful servant – was limited by another motive and, namely, to find in a person of this servant a good worker, an expert in performance of a certain kind of work. Namely the manifestation of the latter motif expresses a tendency of formation of rational relations, in the basis of which mainly professional values lay. When in 1516, a number of Ruthenian clerks was dismissed new clerks were not nominated in their place. This points to the fact, that the authorities before the dismissal or immediately after it had far-reaching plans, containing in reducing and regulating the number of clerks. From 1516 to 1522 two Ruthenian clerks worked in the Chancery. In 1522 their number made up three. From 1531 to 1543 the number of Ruthenian clerks did not exceed two people. Approximately in 1522–1523 Latin clerks were reduced as well. Over the 20s – early 40s of the 16th century the number of leading clerks, i.e. those clerks who systematically issued documents made up 2–3 people. After combining Ruthenian and Latin departments and delegation of responsibilities for the making of documents in Ruthenian and Latin to one group of clerks (it happened in the 40 of the 16th century) only two clerks issued the grand-duke documents on regular basis [4, p. 76–77].

**From an organized group to an institution.** One of the attributes of an institution is the presence of subordination between workers based on doing job different in degree of responsibility, delegating some workers or their group administrative or organizing power.

Let us point out one feature of functioning of the Chancery in the 40s of the 15th – first half of the 16th centuries. One of the dominant – hierarchical – types of relations «lord-servant», verified, for example, between the clerk and Grand Duke, among other things, by an oath, held a firm place in the relationships between the Chancery workers. As it has been already mentioned, in the Chancery there were personal servants of clerks (scribes), personal servants of Chancellor (clerks). How were the relationships of subordination between Chancellor and his clerks, on the one hand, and the scribes of Sovereign's clerks on the other, between Chancellor's clerks and Sovereign's clerks, between Chancellor and Sovereign's clerks built up? All these relationships did not get through «lord-servant» scheme, did they? It should be noted, that, for example, there was no rigid subordination between Chancellor and Sovereign's clerks. The new Chancellor, taking a position, had on his disposal the clerks who worked under the former chancellor. It is impossible to prove the dependence of taking position of these or those clerks when a new Chancellor took his office. We can only guess that the chancellor pulled strings for new clerks. It was not Chancellor but Sovereign who assigned clerks to a position. The feeling of certain independence of the clerks from Chancellor can be proved by the fact that for various matters relating to the activities of both the clerks and the Chancery Grand Duke turned to the clerk

directly and not through the Chancellor, though not always. At the same time, the Chancellor was not always able to effect his «subordinates» independently. Mighty «Vice Roy» the voevoda of Vilna and Chancellor Albreht Marcinavič Haštold complained to Sovereign on the clerk Pavel Naruševič that the latter refused to return him a due income [5, p. 93].

At the same time, work in the Chancery was gradually processing the existing traditional relationships changing the latter from «lord-servant» to *work-related* relationships, based on *official* subordination of the people united by a solution of common tasks. This subordination was manifested, for example, in the fact that the personal scribe of Chancellor could write documents not only for the chancellor but also for Sovereign's clerks [4, p. 85]. In this regard the relationships between Chancery workers represented a new model of relations. In light of this, no matter how strange, at first sight, would it seem the use of the following verbs, but the Chancellor from the first third of the 16th century really began to *affect* and influence the *activities* of the Chancery. In particular, it is evident, on the initiative of Chancellor Mikalaj Mikalaevič Radzivil in 1516 the Chancery was reorganized, resulted in reduction and regulation of the number of Ruthenian clerks. Probably, that he initiated a clerk oath, according to which the clerks were not allowed to issue documents without an order of Sovereign or Chancellor [4, p. 131]. In all of this, apart from personal merits of Chancellor M. M. Radzivil, it is necessary to see the understanding of authorities the need of rational innovations.

From the second half of the 15th – beginning of 16th centuries there is certain information about the existence of the direct supervisors of Ruthenian and Latin departments of the Chancery – respectively the highest clerks and the top secretaries. At one time, in 1505–1517 there was a position of the top secretary – the head of these two departments [4, p. 54].

**From head of the Chancery to the forerunner of Minister of Justice.** Dependence between a particular activity and a certain type of income stipulated the appearance and existence of two, to a certain degree decentralized groups of Chancery workers. One of them was directly connected with Grand Duke, the other with the Chancellor. This dependence identified further development of official duties of the clerks and the chancellor. The activity of the clerks was more connected with work on the making documents and letters. Chancellor's position started to manifest the features of state, rather than court status – status of future Minister of Justice which defined the legal effect of these or those decisions of the authorities. In particular, Grand Duke started to commission him making of more important legal documents, such as, for example, the making of the Statute of GDL, their issue [4, p. 133]. One has to agree with the opinion of well-known Lithuanian historian S. Lazutka that namely Chancellor M. M. Radzivil headed the making of the first edition of the Statute GDL, and after his death his successor A. M. Haštol'd took over the editing as Chancellor [7, p. 54–62].

**Conclusion.** Outwardly the Chancery of Grand Duke of Lithuania was similar on modern chanceries. Actually, there is a deep distinction between them. The main their differences pass on the following line: structure of persons which had the right of the order to issue documents, the relations «a position as a grant – performance of professional duties», subordination between representatives of various groups of workers of Chancery. Changes which the Chancery of Grand Duke concerned have occurred in a direction of centralization of management in issuing documents and professionalization of activity Chancery employees.

The article is written in the framework of Polish-Belarusian project «Crown Metrica and Lithuanian Metrica» (research manager – dr hab. Wojciech Krawczuk, Jagiellonian University in Krakow).

## Literature

1. Kosman, M. Kancelaria wielkiego księcia Witolda [The Chancery of Grand Duke Witold] / M. Kosman // Studia Źródłoznawcze. – 1969. – T. 14. – S. 91–119.
2. Szybkowski, S. Kancelaria wielkiego księcia Witolda w dobie wielkich konfliktów z Zakonem krzyżackim w latach 1409–1422. Organizacja, zadania, personel [Chancery of Grand Duke Witold in the time of great conflicts with the Order of Crusaders in 1409–1422. Structure, tasks, personnel] / S. Szybkowski // Kancelaria wielkich mistrzów i Polska kancelaria królewska w XV wieku. Materiały z międzynarodowej konferencji naukowej. Malbork. 2–3 IX 2004 [The Chancery of Great masters and the Polish royal Chancery in XV century. Materials of the international scientific conference. Malbork, 2–3 X 2004] / ed. J. Trupinda. – Malbork, 2006. – S. 299–318.

3. *Szybowski, S.* Kariera Mikołaja Cebulki z Czechowa w służbie wielkiego księcia Witolda 1407–1430 [The career of Mikołaj Cebulka from Czechow at the service of Grand Duke Witold in 1407–1430] / S. Szybowski // *Władcy, mnisi, rycerze* [Possessors, monks, knights] / ed. B. Śliwiński. – Gdańsk, 1996. – S. 253–320.

4. *Груша, А. І.* Канцелярыя Вялікага княства Літоўскага 40-х гадоў XV – першай паловы XVI ст. [Chancery of Grand Duchy of Lithuania of the 40s of the XV century – first half of the XVI century] / А. І. Груша. – Мінск, 2006. – 215 с.

5. *Hruša, A. I.* Problemy badań kancelarii Wielkiego Księstwa Litewskiego lat 40. XV wieku – pierwszej ćwierci XVI wieku [Problems in research of Chancery of Grand Duchy of Lithuania of the 40s of the XV century – first quarter of the XVI century] / А. І. Hruša // *Belliculum diplomaticum IV Thorunense. Dyplomatyka staropolska – stan obecny i perspektywy badań* [Old Polish diplomatics – current situation and prospects for research] / eds W. Chorążyczewski, J. Tandecki. – Toruń, 2011. – S. 75–94.

6. *Груша, А.* «Просите, и дано будет вам» (Мф.7:7): ещё раз к вопросу о «заочных» листах канцелярии Великого княжества Литовского [«Ask and it will be given to you» (Matthew 7:7): once again to the question of «in absentio» letters of Grand Duchy of Lithuania] / А. Груша // *СОЦІУМ. Альманах соціальної історії*, 2008. – Вып. 8. – С. 255–279.

7. *Lazutka, S.* Pirmasis Lietuvos Statutas (1529 m.) [First Lithuanian Statute (1529 r.)] / S. Lazutka, I. Valikonytė, E. Gudavičius. – Vilnius, 2004. – 522 p.

*А. І. ГРУША*

### **КАНЦЕЛЯРИЯ ВЕЛИКОГО КНЯЗЯ ЛИТОВСКОГО В КОНЦЕ XIV – ПЕРВОЙ ПОЛОВИНЕ XVI в.**

#### **Резюме**

Цель статьи – классифицировать данные, касающиеся, в частности, следующих вопросов: понятие «канцелярия как институт», сложение штата канцелярии великого князя литовского, формирование ключевого поста учреждения – канцлера, ее должностной системы. Сделан следующий вывод. Внешне канцелярия великого князя была похожа на современные канцелярии. На самом деле между ними существует глубокое различие. Главные их отличия проходят по линии: состав лиц, которые обладали правом приказа об издании документов, отношения «должность как пожалование – выполнение профессиональных обязанностей», субординация между представителями различных групп работников канцелярии. Изменения, которые коснулись канцелярии великого князя, произошли в направлении централизации аппарата управления по выпуску документов и профессионализации деятельности сотрудников канцелярии.