CHAPTER FOUR

INSTITUTIONS, MILITARY AND ADMINISTRATIVE VOCABULARY

1. The State Institutions in the System of Mediaeval Bulgarian Law

This chapter presents the vocabulary pertaining to institutions. It encompasses the administrative system, the central government, and the provincial offices, as well as everything related to their organisation, their origin and function. Here I have included all we know about the army, its command, its organisation, various subdivisions and kinds, all of which are certainly part of the governance of a specific state activity. In this section are presented the honorary titles and court services, which, according to our present-day understanding, ought to be excluded from the sphere of public law, but which were part of this sphere in all states during the Middle Ages. Comprising all these components, the content of the chapter is an essential part of the public law vocabulary of the mediaeval Bulgarian state. Along with this, I would like to point out that the fiscal offices and the officials that took care of the organisation of various corvées, parangariai, mandatory supplying, and other duties of the population, are examined in a separate part devoted to the fiscal system.

The exercising of state power and administration are certainly activities strictly regulated by law, and we hardly need to adduce arguments that the vocabulary connected with this sphere is part of the present study. Nevertheless, I would like to devote a bit more attention to the above-mentioned honorary titles and court services, which are part of the institutional system of the state. To these problems, I have devoted a special book1 and here I shall only sketch the basic conclusions. Unlike the administrative service, directly connected with the exercise of state power or the support and organisation of power,

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an honorary title only marks some quality of the person who carries it. In various civilisation environments, titles have different features, which are important for clarifying our concrete case, inasmuch as the Byzantine (and hence Bulgarian) concept of a “title” differs from that in Western Europe. In West European society, organised into social categories (estates), a title designates affiliation to the aristocracy (i.e. to the military estate). It was connected with nobility and passed from father to son by heritage. Byzantine society and the societies of most other Orthodox countries in the Byzantine Commonwealth (as they are designated, using the classical term coined nearly half a century ago by Dimitri Obolensky) were organised and structured in a completely different way. There were no legally regulated social groups similar to the estates in the West, and inheritance of a hierarchic position for a person was reduced, at least de iure, to a minimum. Titles in Constantinople were not hereditary and were acquired through merit, with a special act of the basileus. Nevertheless, a title was essentially the same as in Western Europe or anywhere else: it marked the quality of a person. In the Byzantine Empire, however, this quality was not determined by belonging to the estate but by one’s personal worthiness. Personal virtue was the reason for belonging to the hierarchy (the principle of sacredness), i.e. to the holy order which structures the world. In its political aspect, this order was the Ecumenical Universal Empire, organised in the likeness of the celestial hierarchies, and hence similar to the Kingdom of God. Affiliation to the hierarchy was a personal achievement based on merits and qualities, not on family origin. This was the great difference between Constantinople and Western Europe. The Empire was the image of the Celestial Kingdom in the visible world; this concept was an essential characteristic of the political ideology of the New Rome, and hence of the other countries of the Byzantine Commonwealth. This political ideology reflected in the state structures and in public law, and it certainly made titles an essential characteristic of the institutional system of the Empire, though not investing them with specific state functions.

The same is true for the various court offices and the officials working for them. In general, these were not state services in the proper sense of the word, but offices pertaining to the state, inasmuch as they

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2 Biliarsky, Hierarchia. L’Ordre sacré, pp. 20–2.
3 Biliarsky, Hierarchia. L’Ordre sacré, p. 89 ff.