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Oppidum. The meaning of the term and the role of the urban centre in the structure of the settlement network of Silesia

Abstract. This article attempts to clarify the meaning of the term *oppidum* used in Silesian documents. Certain aspects of the urban structure of that period have been illuminated by analysing the different senses of the term as applied in the 13th and 14th century chancellery writings. The research was conducted on the example of Silesia on the basis of available archival sources. They have shown that the term underwent semantic changes over the two centuries, which reflected in a significant way the transformations of the settlement network.

Keywords: *oppidum*, *civitas*, terminology of Silesian documents, urban network, Silesia, chartered towns, settlement structure.

Introduction

The study of terminology in medieval documents falls within the purview of archival science. However, its results have an impact on the nomenclature and definitions of terms used in other sciences. Also of significance is the lack of unambiguous scientific expertise in this respect, replaced by generalizations of unclear origin, which are often widely accepted. Such practices also occur with regard to the Latin term *oppidum*. The largely circulated definition of this term is often used in works on both geography and history and in the history of urbanism. The research in the latter field revealed possible inaccuracies in the characterization of the urban structure of Silesia, which resulted from a lack of proper understanding of the term *oppidum*, as used in archival documents.

Research status and introduction to the issue

It was generally accepted that the term *civitas* denoted a large city, often the seat of government, while *oppidum* was used to denote a smaller urban centre, a unit on the border between a city and a village (Bogucka, Samsonowicz 1986; Samsonowicz 1990). Often the word *oppidum*, regardless of the historical context, is translated by researchers as 'town' (see e.g. Szady 2008; Miodunka 2017; Sokołowski 2018). These views are quite consistently reproduced in the literature on the chartered towns, both that relating to the settlement network in general and that of a monographic nature. This most probably resulted from the adoption by Polish scholars of the nomenclature used in legal and administrative documents of the Republic of Poland from modern times through regulations in the Austrian and partly Russian partition, repeated in the first scientific studies (Januszowski, Firlej 1600; Karpiński 1766; Topolski 1994, p. 51). This is also how the term *oppidum* is interpreted, despite assuming a different genesis of this settlement form, by researchers of medieval towns in Silesia (Eysymontt 2009, p. 517; Golinski 2016, pp. 53, 55, 60; Chorowska 2020, p. 331). Despite the fact that the source material provides a basis for verifying these generalizations, the problem is omitted or still treated in a rather schematic way. In monographic works the authors adopt, in their opinion, an adequate version of the translation of the term *oppidum*, without justifying such a choice in a broader context.

The state of research on the meaning of the Latin terms *civitas* and *oppidum* used in Silesian documents from the 13th to 15th century, with reference to urban centres, is still unsatisfactory[1]. The research works conducted so far in the field of the organisation of the settlement structure or the history of the Silesian political system have referred rather superficially to the definitions of the terms in question used in medieval documents to name newly founded towns (e.g. Wojciechowski 1932; Wasilewski 1981; Gawlas 2011; 2015; Pauk, Wółkiewicz 2012). Publications

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[1] The scholarly output in this area is much better presented on a European scale. Detailed research on the terminology of *civitas* and *oppidum* has been carried out in Hungary (see among others Erzsébet 1980; Fügedi 1972; Monok 2013; Szabolcs 2014). However, other terms referring to medieval settlement structures have been more frequently addressed in the literature. On the etymology, semantic differences and interpretation of the words *civitas* and *burg* – see Schlesinger 1963; *Die Stadt* 1976, pp. 102–128. For a consideration of issues of historical terminology – see also Opll 2004; Ennen 1980. In Poland, the issue of the term *civitas* was taken up in 2012 during the conference entitled "Civitas as a key to categorising social, political and economic phenomena in Central Europe. Between the cultural interpretation of 'strangers' and the formation of civilisational foundations of one's own world in the circle of European culture (6th–12th century)". Although it did not cover the period from the 13th to the15[th] century and concerned only the term *civitas*, the subject matter undertaken within it is related to the issue of the meaning of terminology relating to urban municipalities (Sikorski 2013). Unfortunately, despite the announced publication of a post-conference volume, the papers delivered have not been published so far.

in the field of linguistics or source studies, on the other hand, almost completely ignored this issue[2].

The study of the terminology used in clerical writing to name urban centres is indeed not easy. The use of words seems to be inconsistent and outside strictly defined criteria. The phenomenon of switching from Latin to German in Silesian clerical writing, which began in the 14th century, poses additional difficulties in systematising the naming of towns[3]. However, the available materials allow for tracing certain regularities in relation to isolated, narrower groups of documents.

The study was based on collections of archival documents in which the texts were quoted in their original wording. Hence, the research omitted, among other things, the entire collection of *Codex Documentticus Silesiae,* which contains regests of documents translated into German. The basic research material consisted of fief documents collected in *Lehns- und Besitzurkunden Schlesiens und seiner einzelnen Fürstenthümer im Mittelalter* (vol. 1–2; LUB 1881) and *Schlesisches Urkundenbuch* (vol. 1–6; SUB 1963; 1977; 1984; 1993; 1998). Moreover, the search was based on collections such as *Urkunden-Buch der Stadt Liegnitz und ihres Weichbildes bis zum Jahre 1455* (UFO 1883) or *Urkundenbuchsammlung zur Geschichte des Fürstenthums Oels bis zum Aussterben der Piastischen Herzogslinie* (USL 1866).

Origin and semantic transformation of the terms 'oppidum' and 'civitas' in antiquity and the early Middle Ages

Over the centuries both the terms *civitas* and *oppidum* have undergone a change of meaning. The Latin terms appearing in medieval records were already known in antiquity and had referred to certain specific forms of settlement, just as they did in the medieval period. According to one theory, the word *oppidum* derives from the earlier Latin 'ob-pedum' meaning an enclosed space (Fumadó Ortega 2013, p. 174). It therefore refers to a habitat surrounded by fortifications. An analogous origin of the term is given in his etymology by Isidore of Seville[4].

> *Oppidum quidam ab oppositione murorum dixerunt; alii ab opibus recondendis, eo quod sit munitum; alii quod sibi in eo conuentus habitantium opem det mutuam contra hostem* (Jean-Yves, Pierre 2004, p. 10).

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[2] However, in the literature one can find research works referring to other, thematically similar, terms used in Silesian literature such as *terra* or the problem of the designator of the terms borough and castle (Orzechowski 1985; Poliński 2018).

[3] In the Silesian documents preserved to this day there may appear 13th-century deeds written entirely in German (such as the treaty between the dukes of Wrocław and Głogów of 1294), but, as Tomasz Jurek points out, they are certainly later copies – translations of Latin originals (Jurek 2004, p. 31).

[4] Here Isidore follows Servius (*En.* 9.605: *Alii oppidum dici ab oppositione murorum; uel quod hominibus locus esset oppletus; uel quod opes illo munitionis gratta congestae sunt*).

(According to some, 'oppidum' was so named from the protection offered by its walls; according to others, because of the riches stored there, for which reason it was fortified; for others, because the community of people living there give each other support against the enemy).

According to this definition, *oppidum* meant an enclosed space surrounded by fortifications, which provided shelter from external dangers to the people living there.

In ancient times the word *oppidum*, which had already appeared in writings before, gained popularity in the middle of the first century BC thanks to Julius Caesar's work 'On the Gallic War' (Latin *Commentarii de bello Gallico*). The Roman leader used it to name the settlements which he encountered in Gaul[5] during the warfare conducted there. The use of the term *oppidum,* with the undoubted intention of emphasising the importance of military achievements, was evidence of defining it as a strong fortified centre. In this context it probably appeared on the inscription praising the dictator Titus Quinctius Capitolinus, who *oppida novem diebus novem caperet* (captured nine cities in nine days) (Liv., 6.29.9). Since then, the term became widely used during the Roman Empire. The validity of the term is also evidenced by the use of the term by Titus Livius (Livy) in his work 'From the Founding of the City' (Latin: *Ab Urbe condita libri CXLII*) to describe Rome itself (Liv., 42.20.3, 40.36.1).

By the time of the mature empire, it was used as a generic term to include colonies and municipia:

Oppida omnia numero CLXXV, in iis coloniae IX, municipia c. R. X, Latio antiquitus donata XXVII, libertate VI, foedere III, stipendiaria CXX (Plin., III. 7).

In the writings of Cicero (Resp. 1.26.41) and Varro (LL. 5.143)[6] it seems that the word was used to denote cities in general, without paying attention to ethnic identity or type of habitat (civilized or more barbaric). Similarly, the term was used in a general sense by Servius Sulpicius Rufus in a letter of condolence addressed to Cicero, after the death of his daughter Tullia (Cicero, IV. 5).

With time, however, the use of the term *oppidum* became less common, and it was replaced by the term *civitas,* meaning a city in general (Kotula 1973, p. 447). Initially, the term referred mainly to a group of people – a community living in a region. The term itself was derived from the word *cives*, meaning community, citizens. The centre of this area was the city (*civitas*) which played the role of the

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[5] A historical land comprising present-day France, parts of Belgium, Switzerland, western Germany and northern Italy.

[6] *Oppida condebant in Latio Etrusco ritu multi, id est iunctis bobus tauro et uacca interiore aratro circumagebant sulcum ...*

judicial, market, military and legal-administrative centre. During the Roman Empire *civitas* was the political centre of a larger area. It was also the point of tax collection (Winckler 2012, pp. 236–237). Isidore of Seville wrote about the etymology of the word *civitas* in the same way: *Civitas est hominum multitudo societatis uinculo adunata, dicta a civibus, id est ab ipsis incolis urbis, pro eo quod plurimorum consciscat et contineat uitas* (Jean-Yves, Pierre 2004, p. 9) *(Civitas* is a large number of people united by the bond of community; it owes its name to the citizens, or inhabitants of a city, because it unites and contains the lives of a large number of people).

At the same time emphasizing that 'not stones but people' make up the city (*civitas autem non saxa, sed habitatores uocantur* (Jean-Yves, Pierre 2004, p. 9).

The etymological source of both terms described by Isidore probably reveals the original difference in meaning between *civitas* and *oppidum*, according to which the former was associated with the existence of a community living in a given area (political meaning), while the latter referred to a fortified place.

In the early Middle Ages, due to the receding culture of ancient Rome, the idea of the city disappears and the use of the terms *civitas* and *oppidum* becomes less common. At the same time, however, both terms undergo a transformation of their meanings. Fortifications become an important element in the perception of a settlement as a city. They are then a distinctive feature not only for centres called *oppidum*, but also increasingly so for those called *civitas*. This is shown, for example, in the letters of Cassiodorus from the 6th century (Kas., pp. 35–35*). Also, for Gregory of Tours, walls were an important feature of the *city-civitas*. He confirmed his views in one of his letters, in which he expresses surprise at Dijon being called *vicus*, despite the fact that the town had all the characteristics of a *civitas* – city walls and a bishop (*Hist.*, 1979, III, 19).

At the end of the 8th and the beginning of the 9th century, as a result of the reception of Roman nomenclature, the terms *civitas* and *oppidum* came back into common usage. However, the boundary between the two became increasingly blurred. The terms were often used interchangeably. This can be traced back to Salzburg, which in the 8th century was referred to by both terms. The term *civitas* was first used in reference to it in 774 (*Translatus est Ruodpertus in civitatem Iuvavensem;* Koller 1988, p. 11). As *oppidum*, on the other hand, it was referred to several times in the late 8th century *Notitia Arnosis* and *Breves Notitiae*[7] (*tradidit Tassilo ad ecclesiam sanctissimi Petri [...], qui est constructa infra oppido Saltfburc*; Lošek 2006, p. 67). At the same time, however, the term *civitas* begins to be used to name cities which were the capitals of Christian dioceses (seats of bishops), which would indicate the high status of the concept of *civitas* in the structure of the Church.

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[7]   *The Notitia Arnosis* is a list of donations from the Bavarian dukes to the archdiocese of Salzburg, written around 790 and covering the period from the early 8th century. Around 798, it was supplemented by a register of *Breves Notitiae* (so-called short notes).

This can be seen in *Conversio Bagoariorum et Carantanorum* written down in the 9th century, where cities important for the Christian community are referred to as *civitas* (cf. Wolfram 1995; see also Lošek 2006; Koller 1988)[8].

As the examples cited above show, already in late antiquity the use of these terms in literature seems to have diverged from their original meanings. Early modern dictionary definitions, based on the analysis of texts by Roman scholars, also indicate the interchangeable use of words and their treatment as synonyms[9]. This trend continued in subsequent centuries, which can be seen, among other things, in the way these terms were used by the authors of chronicles written in Silesia and the neighbouring areas in the eleventh and twelfth centuries. Latin words appearing repeatedly in the works of Gall or Kosmas seem to be used interchangeably by both chroniclers. This is evidenced, among other things, by the way Gallus Anonymous used words in his description of the Polish-German war of 1109. The author uses the term *civitas* three times and *oppidum* four times to name Głogów (Wasilewski 1981, pp. 11–12).

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8   In *Conversio Bagoariorum et Carantanorum* – written in 870 but describing events of the previous century – the *civitas* was referred to *Liburnia* (today Teurnia), where Modestus (an evangelist sent by the Salzburg bishop Virgilius on a mission of Christianisation to Carinthia) built a Christian church, in contrast to the former Roman *civitas Iuvavum,* which the author calls only *lucum* (Winckler 2012, p. 238). *Liburnia* at that time had not yet served as the capital of a Christian diocese. It only became one in the 9th century, and Modestus was only called its bishop after his death. This was probably due to the fact that during the period of Modestus' missionary activity he had episcopal authority but without a seat where he could station himself and exercise that authority (the so-called Irish custom, i.e. giving the title of bishop without a seat). By calling *Liburnie* a *civitas,* the author is probably guided by the position of the municipality from the 9th century, i.e. from the period when the work was created and the city was already a diocese. *Iuvavum* (today's Salzburg), on the other hand, was referred to by the author as *vicus,* probably intentionally, in order to make less important the former Roman town. Since the name had been used during the imperial period, so it was no longer associated with the new Christian city, which was founded by St Rupert on exactly the same site, on the ruins of the *civitas Iuvavum,* under the new name of Salzburc. It can therefore be seen that the author of *Conversio Bagoariorum et Carantanorum* uses the word *civitas* to denote important cities in the Christian Church, which were most probably the capitals of dioceses. In fact, the term was also used for *Lauriacum* (today Lorch), to which St Rupert travelled, in opposition to *locum, qui vocatur Walarium* (Winckler 2012, p. 238). Lorch was also in the early Middle Ages an important Christian centre (place of the martyrdom of St Florian) and the capital of a diocese (there was an early Christian basilica where the bishop had his seat), in contrast to *Walarium,* which was not a diocese. The use of the word *civitas to* refer to an ecclesiastical diocese and a bishop's seat was also pointed out in a conference talk in 2012 by Marie Bláhová (Sikorski 2013).

9   In a Latin dictionary published in 1502 by Ambrose Calepinus, the word *oppidum* is defined as a fortified city, derived from 'work' or from 'resistance' put up against enemies (Calepino 1502). In the further description of the entry, however, the author indicates that *oppidum* was also treated as a city in a general context and quotes here, among others, from Plautus' work: *Eleusipolim Persae cepere, urbem in Arabia, Plenam bonarum rerum, atque antiquum oppidum* (Plaut., p. 643). The use of the terms *civitas* and *oppidum* as synonyms in ancient times is also indicated by Philip Knipschildt in his treatise on imperial municipal law from 1687. He, too, in support of his thesis, cites the ancient works of Roman scholars (including that of Scipione Gentili) and refers to earlier legal studies (Knipschildt 1687, pp. 6–7).

*Use and evolution of the term 'oppidum' in Silesian documents
in the 13th and 14th centuries*

At the beginning of the 13th century, Silesia witnessed the most intensive process of founding municipalities, which, with decreasing intensity, lasted for the next two centuries. Evidence of these events can be found, inter alia, in documents from that period, in which newly founded towns were referred to by the terms *civitas* or, less frequently, *oppidum*.

In the first phase of medieval urbanisation, spanning the whole of the 13th and early 14th centuries, the term *oppidum* appeared very rarely in diplomas[10], and was coined by bishops', papal or Prague clerks. The oldest document in which the word was used to refer to a newly founded town was a papal bull of 1232. The document was issued by Gregory IX and the town in question was Złotoryja. *Oppidum Mons Aurens* is mentioned in a fragment concerning the indication of the location of the stretches of land which were granted to the monastery in Lubiąż: '[...] *in silva citra oppidum quod Mons Aurens vulgariter appellatur*' (SUB, vol. 2, no. 17). By virtue of a settlement drawn up in 1254 by a notary from Magdeburg, Archbishop Rudolf kept for himself *oppidum Monekeberch cum omnibus suis pertinenciis* at the same time confirming the monastery property in Lubiąż. In a document from 1289, Chełmsko Śląskie was called *oppidum* (...*et domino in Lewenberch petenti a nobis opidum nostrum Shonenberch*) (LUB, vol. 1, no. 2, p. 487). The town was mentioned in a document issued by Wenceslas II of Luxemburg, King of Bohemia and Moravia, in which, by virtue of an agreement with Bolko I the Severe, Duke of Świdnica, he incorporated the centre together with the district into Silesia. At the same time, this act is considered to be the first written source testifying to the town's municipal status. In those acts, the word *oppidum* probably meant simply a town, without any additional connotations as to its size, rank or form.

One of the first and few documents in which the two terms appeared simultaneously is the act of 14 April 1258 written in the presence of the bishop Thomas I by duchess Viola in Racibórz, in which the *opidum Ratiborensi*, further in the text is called *civitas* (SUB, vol. 3, no. 269, pp. 177–178). Another is document Bishop's Act of 24 March 1272. (SUB, vol. 4, no. 169). However, the words used therein did not refer to specific settlements, but were used in a general sense:

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[10]   Among the documents which have survived to the present day and which contain the term *oppidum*, there are two forgeries from the second half of the 14th century, referring to dates from the beginning of the 13th century: a deed dated 1207, in which Henry the Bearded grants Ołobok (*oppidum Olobok*) to the monastery in Trzebnica (KDS, vol. 2, no. 240), and a document giving 1224 as the time when the *forum aut oppidum Trebnicense* was established (UFO, no. 36). It is difficult to say whether the term used in them can be related to the times to which they refer or to those, rather more likely, in which they were written down.

> *Cum nos Thomas miseracione divina Wrat(islauiensis) episcopus nuper circa*
> *nativitatem beati Iohannis Baptiste tulissemus sentencias excommunicacionis*
> *in quosdam milites, advocatos et scultetos et interdicti in quasdam villas et*
> *opida in districtu Saganiensi et Bolezlauiensi, Crostnensi et Glogouiensi pro*
> *eo,* [...] *non audentes tantam ecclesie lesionem ulterius sub dissimulacionis*
> *involucro preterire, civitates, castella, opida, villas et totam terram in ducatu*
> *predicti ducis Conradi sitam et ad eius dominium pertinentem in hiis scriptis*
> *generali ecclesiastico subicimus interdicto aliis sentenciis specialibus, quas*
> *olim tulimus, in suo robore duraturis.*

First, Bishop Thomas II uses the words *villas et opida,* in the context of indicating villages and towns in the districts of Żagań, Bolesławiec, Krosno and Głogów. He then lists *civitates, castella, opida, villas et totam terram* (towns, castles, fortified boroughs, villages and other lands) in the principality of Duke Conrad covered by the interdict. In the first part of the document, it seems that *opido* is treated as a town in general and could have been treated synonymously with the term *civitas*. In the later part, however, the term must already denote units of a different nature, probably of a lower rank than *civitas,* if one assumes that the types of settlements were listed in order from most important to least important. Analysing this particular example of the use of the term *oppidum*, in both cases it seems that it refers to a fortified settlement. This criterion suggests that most likely the word *oppidum* was used first in the context of distinguishing open settlements from fortified ones (in general), and then in reference to specific units, denoting a fortified civil settlement of lower rank than that of *civitas* town-borough (?) or simply borough (?). The meaning of the terms seems in this case to refer to their ancient etymology while the fact of their being provided with fortifications with an important element distinguishing rural settlements from those of urban character.

The foundation act of the Collegiate Church of the Holy Cross in Wrocław from 1288 can be interpreted in a similar way. This is the first document in which two Latin terms were used simultaneously to describe different towns. In addition to *civitas Olsniz* and *civitas Richenpach,* Niemcza was mentioned as *opido nostro Nemz* (SUB, vol. 5, no. 367). In this document Prince Henry III together with five prelates and twelve canons specified the endowment of the newly founded collegiate church. The foundation was approved by Bishop Thomas and the Chapter of Wrocław, which put its seal on the document. The use of the Latin term *oppidum* in this case in relation to Niemcza could indicate a lower rank of the entity or simply the use of the word as a synonym of *civitas*. Most likely, however, the word *oppidum* refers to the fortified character of the town. The founded town was established within the boundaries of an area (borough complex) which used to be an important border fortress[11]. Hence,

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[11] Already in 1109 the settlement was referred to by Kosmas as *oppidum* (*a castro Recen usque ad urbem Glogou praeter solum Nemci oppidum*) (Kos., no. 27).

the way the relatively recently established town was called[12] may result from the old function of the settlement preserved in the awareness of the author of the document.

While still in the 13th century the term *oppidum* may have referred to fortified settlements and even in some cases to a borough, by the 14th century its meaning certainly no longer referred primarily to the spatial characteristics of the unit. In many cases it seems that the words *civitas* and *oppidum* were used in the same contextual meaning. The latter term was used in bishop's and collegiate chancelleries and in the royal chancellery in Prague. This can be illustrated by the example of specific urban centres. Legnica, one of the largest and most important cities in the Middle Ages, was called *opido* in a document issued by the bishop's chancellery in 1365 (USL, no. 249). A similar case took place in 1396. In a notarial deed issued at that time by the cathedral chapter, certifying the sale of all bread shops and two market halls, Legnica was again referred to by the same term (USL, no. 367). The use of this term for the town also took place in 1424. Margaretha, the daughter of Nicolaus Groesing, a citizen of Legnica, bequeathed her legacy to St Peter's Church under a notarial deed drawn up by an official of the diocese of Wrocław (USL, no. 551). At the same time, the urban centre repeatedly appeared in other documents as *civitas* or *stath* (see e.g. documents of 1315, 1316, 1333, 1337, 1362, 1380; USL, no. 43, 50, 99, 310, 313; LUB, vol. 1, no. 7, pp. 309–310, no. 40, p. 342). Another significant case is that of Namysłów, which in a document from 1359 appears as an *oppidum*, while many times earlier and later it is referred to as a *civitas* (e.g. 1270, 1278, 1323, 1342, 1348, 1397; LUB, vol. 1, no. 26, p. 79; vol. 2, no. 9, p. 12; no. 4, p. 643; no. 5, p. 644; SUB, vol. 4, no. 337, 447). This term appeared in a document of Emperor Charles IV of Luxembourg, according to which all strongholds, towns, villages, manors and vassals, together with the entire district of Namysłów, were to be incorporated into the Czech Crown. The word *oppidum* in this case was probably treated in the same way as *civitas,* especially as in the further part of the document its author consistently uses only this term: *predictam munitionem, oppidum, villas, bona, vasallos et districtam im Namslavia et eorum pertinentias universas in toto vel in parte* (LUB, vol. 1, no. 17, p. 71)[13]. The use of the term *oppidum* by the imperial clerk may also stem from a reminiscence of the ancient meaning of the term. It was perhaps intended to emphasise the timeless relationships that Charles IV as Holy Roman Emperor sought to restore. The theory of comparing the Silesian settlement network to the administrative and legal structure of the former Empire also seems possible in this case. Just as in the past the word *urbs* meant Rome and was reserved for the main centre of the Empire, so in the Middle Ages the term *civitas* could, according

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[12] According to the current state of knowledge, Niemcza was probably located before 1282 (Eysy-montt 2009, p. 422).

[13] An analogous reference was made in the same year to Ząbkowice Śląskie and Ziębice, which were the capital of the duchy (LUB, vol. 2, no. 22, pp. 143–144).

to the rules of the Luxembourg Chancellery, refer only to Wrocław, while the word *oppidum* could be used to name all other towns.

An analogous relationship in the choice of words can be seen in the documents issued by Bishop Przecław of Pogorzela. This is evidenced by the acts of 1342, 1344, 1355, 1358, 1359, 1365, 1367, 1374 and 1382. *Civitatis Wratislaviensis* was mentioned in the oldest one, certifying the homage paid by Silesian dukes to the King of Bohemia and his recognition as patron of the church (LUB, vol. 1, no. 3, p. 7). In the documents of 1344 and 1355, concerning the takeover of Grodków by the Bishop of Wrocław (LUB vol. 2, no. 15, p. 208), and then the recognition of Grodków as a fief of the King of Bohemia by the Cathedral Chapter in Wrocław (LUB vol. 2, no. 24, pp. 217–218), the phrase *oppidum Grotkow* appears several times. Three years later, in the legal act in which Przecław of Pogorzela acknowledges the King of Bohemia as the supreme patron of his church, *civitatis Wratislaviensis*, *oppidum Noviforensis* and *oppidum Grotkaw* are juxtaposed (LUB, vol. 1, no. 6, p. 14). Still in the same year, Milicz was documented as an *oppidum* in the deed of sale of the town to Duke Konrad of Oleśnica (LUB, vol. 2, no. 33, pp. 33–35). In the documents of 1359 and 1365, Grodków was again described with this term (LUB, vol. 2, no. 29, p. 227, no. 30, p. 227), and two years later, Wrocław was again mentioned as a *civitas* (LUB, vol. 1, no. 21, pp. 74–75). Consequently, this tendency was maintained in a document of the cathedral chapter of the Wrocław church from 1382 (*qui regni et corone Boemie principes principatus et ducatus civitatem Wratislaviensem et alia in nostra Wratislaviensi diocesi* [...] *et signanter in recepcione feudi terre et opidi Grotkow dicto domino nostro domino Wenceslao Romanorum et Boemie*) (LUB, vol. 2, no. 34, pp. 231–234). In 1374, on the other hand, the Bishop of Wrocław states that the mining and processing of iron *in dicto nostro opido et fortalicio Freynwalde* falls under the jurisdiction of Peter of Ledlow (LUB, vol. 2, no. 32, pp. 229–230). In the context of official writings coming out of the bishop's chancellery, it seems reasonable to state that in the clerical environment *civitas* was reserved only to refer to Wrocław as the centre of ecclesiastical power (the capital of the episcopate). Within the ecclesiastical structures, a separate administrative division could be reflected in the rules of writing used in bishop's chancelleries, which the clergy consistently used, regardless of the type of act being written down.

The terminology used in documents issued by the chanceries of Silesian dukes is different. By the end of the first quarter of the 14th century, the term *civitas* definitely predominated and was used to name each new town. It is used in various types of documents – foundation documents, foundation acts, documents concerning granting or confirming rights and privileges as well as property or income. It is also used in descriptions of the location of an indicated object or characteristics of the location of one town in relation to another. In fact, we are dealing with a terminologically uniform character of ducal documents. For example, in the deed of 1312 concerning the division of inheritance between the sons of Duke Henry III Głogowczyk,

both when describing individual towns and in the fragments referring to towns in general, only the term *civitas* is used (LUB, vol. 1, no. 4, pp. 122–124). Eleven years later, in a document by Conrad I, Duke of Namysłów, in which he made a treaty with Bolesław, Duke of Legnica, and gave him the Duchy of Namysłów, together with Namysłów, Bierutów, Wołczyn, Kluczbork, Byczyna and Gorzów Śląski, in exchange for the Oleśnica duchy with Wołów, Oleśnica, Syców, Trzebnica, Żmigród, Milicz, Wińskie and Wąsosz, all the mentioned urban centres are also referred to as *civitas* (LUB, vol. 2, no. 9, pp. 12–13).

There is a significant increase in the use of the term *oppidum* in legal documents concerning the Silesia around the beginning of the second quarter of the 14th century. It coincides with the process of taking over the Silesian lands by the Kingdom of Bohemia, which was confirmed by the fief documents preserved until today, drawn up in the royal chancellery. Among the types of settlements coming under Czech rule, *oppida* are always mentioned next to *civitatis*. This fact can be found, among others, in the document of John I of Luxemburg of 1327, in which, together with the *civitatis Wratizlavie*, the remaining *civitatum, castrorum, opidorum, villarum* (LUB, vol. 1, no. 8, p. 66) come under the fief dependence of Bohemia or in similar acts from the same year concerning the Duchy of Racibórz (LUB, vol. 2, no. 1, p. 379) or fief declarations of princes Kazimierz Cieszyński (LUB, vol. 2, no. 1 and 2, pp. 559–561) and Jan Oświęcimski (LUB vol. 2, no. 1, p. 577). Another notable example may be the act of 1347 written down in the Prague chancellery. When King Charles IV of Luxembourg accepted the fief homage from Prince John of Ścinawa, some of the towns were documented therein as *civitas*, and others as

oppidum *([…] nominatim cum medietate civitatum Stynavie et Gor, districtuum et appendiorum fructuum et utilitatum pertinencium ad easdem, in quibus media pars nobis et tibi residua provenire debebit, necnon opidis Rudna Polkewitz Tylia et pignoribus tuis Hernstat et Winczik et castro Ritzen militibus clientibus vasallis scultetis rusticis)* (LUB, vol. 1, no. 43, p. 168).

Also, in documents issued in chancelleries of Silesian dukes the term *oppidum* started to be used much more often than it was a dozen years earlier. An example of this is a document from 1337, in which the Duke of Jawor, Henry IV, cedes to John, King of Bohemia, *civitatem nostram Luban cum oppido nostro Fridberge, Zaraw et Tribul* in exchange for lifetime ownership of *civitatem Glogoviam* (LUB, vol. 1, no. 19, p. 142). Eight years later, the Duke of Oleśnica, Conrad, used two Latin terms to name various localities, which he sold to King John I of Luxembourg (*suis mediam partem civitatis nostre Gor et terre Gorensis et mediam partem opidorum nostrorum Stynavie et Coben ac civitatem nostram Vrowenstat exnunc integram*) (LUB, vol. 1, no. 41, p. 165). In the example quoted above, the term *oppidum* was used to refer to Ścinawa, which was also called *civitas* on numerous occasions (e.g. in 1285 – SUB,

vol. 5, no. 16 and in 1339 – LUB, vol. 1, no. 30, pp. 155–156). Greater consistency in the terminology used can be noted in the case of bishop's Wiązów. Founded in the mid-13ᵗʰ century and referred to as *civitas* many times at that period (e.g. in 1256; SUB, vol. 3, no. 171), in the 14ᵗʰ century the town was quite systematically referred to as *oppidum*. For the first time in a document issued by Prince Bolko II of Ziębice in 1337, concerning a pledge to King John I of Luxembourg on the town of Strzelin together with the castle and the judicial district [Landvogt]. *Oppido Wansow* was mentioned there together with *civitatem nostram Strelyn* and *civitate Wratislavie* (*suis civitatem nostram Strelyn cum castro ibidem iudicio curie et iudicatu provinciali, oppido Wansow*) (LUB, vol. 1, no. 6, p. 308). Again, in 1350, when prince Nicholas I relinquished all sovereign rights to Wiązów, at the same time confirming the bishop's ownership of the town (LUB, vol. 2, no. 21, p. 213). Prusice, which had been private property almost throughout the Middle Ages, was also quite regularly referred to as an *oppidum* after the second quarter of the 14ᵗʰ century: for the first time in 1329 in a document issued by John of Luxemburg concerning the recapture of Prusice by Duke Henry of Wrocław, which at the same time remained the hereditary property of the Bibersteins (LUB, vol. 2, no. 17, p. 22); once again, in 1340 (LUB, vol. 2, no. 25, p. 28), and then in 1343 (LUB, vol. 2, no. 27, p. 29), and in 1344 (LUB, vol. 2, no. 28, p. 30) in documents written down by the notary of the ducal court, Henryk. The town was then owned by the Biberstein family. Chełmsko Śląskie was also called *oppidum* in 1343. The town was then the subject of a transaction concluded between Czech knights and Konrad von Czirn (LUB, vol. 1, no. 6, p. 491). In 1344, this name (*oppidum aurifodiorum in Reychinsteyn*) was also given to the newly founded Złoty Stok which belonged to Henryk von Haugwitz (*Sammlung* 1817, pp. 45–47).

The use of the terms *civitas* and *oppidum* successively in the presentation of urban units in both Prague and ducal documents could indicate a concern for linguistic elegance and therefore the use of words interchangeably. However, the known rank of the municipalities at that time indicates that the second term was more often used to refer to towns of smaller size and lower importance in the hierarchy.

In view of the changes which occurred in Silesian writing with the beginning of the process of the Silesian lands becoming feudal dependencies of Bohemia, it can be said that they were largely due to the indirect influence of the Prague chancellery. Until the end of the first quarter of the 14ᵗʰ century, in documents written down in ducal chancelleries, practically only the term *civitas* was used, which could be related to the ducal clerks' unfamiliarity with broader terminology. The recorded increase in the use of the word *oppidum* in Silesian documents after 1327, on the other hand, may have been indicative of drawing on practices used in the royal chancellery. Prague officials were probably characterised by a broader education and knowledge of the chancellery language of other countries. Prague could therefore have been a source of models (in terms of language, form, organisation and customs) for Silesian offices.

The presented review of the fourteenth century ducal acts and the terminology used therein, however, proves above all the gradual semantic separation of the words *civitas* and *oppidum*, simultaneous with the differentiation of the structure of urban settlements. The main reason for this was undoubtedly the slowing down of dynamic urbanisation which had taken place in the previous century. The multi-faceted and complex development which the towns had experienced since their foundation slowed down. In the almost complete settlement structure of the 13th century and the first decades of the fourteenth century, a process of gradation in the degree of importance of towns was initiated. This is reflected in the terminology used in the literature, which seems to have become more consistent over time.

The legal situation of many municipalities also changed, as they passed from ducal hands to private ownership. It is difficult to say unequivocally whether the choice of the term *oppidum* or *civitas* for a municipal unit in the 14th century could have been influenced by the question of ownership, as was the case in later times in connection with the German nomenclature (*Stetlein*, *Stetchen*). Certain correlations in this respect are discernible, but they do not constitute the rule. Silesian clerks throughout the century quite consistently referred to ducal towns as *civitas*, regardless of their size or economic situation (cf. Polkowice, Wińsko, Wąsosz), in contrast to episcopal (cf. Wiązów), monastic (cf. Chełmsko Śląskie) or private (cf. Złoty Stok, Prusice) centres, which were definitely more often called *oppidum* (Eysymontt 2016; Goliński 2016). On the other hand, the regional dukes handed over private centres, which were usually the weakest units in the urban settlement structure. The issue of ownership was therefore strongly linked to the economic condition of the city.

Contrary to some opinions the fact that the settlement had fortifications did not have a major impact on the wording used in the document (cf. Chorowska 2020, Barciak 2016[14]). In the 14th century the term *oppidum* was referred to both towns with city walls (e.g. Legnica, Grodków[15], Prusice, Wińsko) and centres without fortifications (Mirsk, Zloty Stok, Rudna[16]). This view is also in contradiction with ducal foundations from the 13th and early 14th centuries. Towns usually did not receive fortifications at once, yet most of them were referred to as *civitas* from the beginning. Fortifications were built later. Only the largest urban centres – capitals of dukedoms which were the seats of rulers – were surrounded with fortifications soon after their establishment, i.e. in the 13th century (e.g. Nysa, Legnica, Wrocław, Brzeg, Głogów).

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[14] Statement from 2016 published at https://www.tygodnikpowszechny.pl/powietrze-miejskie-czyni--wolnym-145453 [access date: 7.11.2020] in the article entitled 'Urban air makes free'.

[15] Grodków was surrounded by town walls already in 1296 (Eysymontt 2009, p. 312).

[16] Unlike Mirsk or Złoty Stok, which were open towns throughout their entire existence, Rudna was surrounded by fortifications. This, however, did not take place until 1542, so at the moment of the reference it had no fortifications (Eysymontt 2009, p. 492).

It can therefore be seen that the vocabulary used in the ducal chancelleries to describe towns in the 14th century did not reflect their functional-spatial status, economic or population situation, but was more related to the prestige that the term *civitas* had acquired over time in the eyes of the Silesian dukes.

Summary and conclusions

Research shows that it was directly the issuer of the document that was the main factor influencing the use and meaning of the terms *civitas* and *oppidum*. The use of a given term in a document depended on the rules adopted in individual chancelleries and the education of the clerks themselves. The term *oppidum* was used by the bishop's and king's chancelleries in Prague as a synonym for the word *civitas* throughout the Middle Ages or even initially in the 13th century in its original ancient dictionary meaning of fortified town or borough.

In the second quarter of the 14th century, the use of this word became widespread, most probably thanks to numerous documents from the chancellery of John of Luxemburg and Charles. It was then that it started to be used by the writers of the Silesian regional dukes and acquired a different meaning. Towns called *oppidum* stood lower in the hierarchy of the settlement network structure presented in these documents. This could have been related to the beginning of the process of many towns passing into private, knightly, or episcopal hands. The word *civitas*, on the other hand, was treated as a higher ranked term and used to denote units occupying a more important position in the urban settlement network. Also, in church structures in the 14th century the term *civitas* had a wider meaning. In documents issued in bishop's or collegiate chancelleries, *civitas* was used to designate the most important units – the episcopal or diocesan see – and *oppidum* was used to designate other towns. This principle seems to have its roots already in the period of Christianisation, when the process of establishing dioceses of the Christian Church took place.

Thus, the fourteenth-century documents demonstrate, on the one hand, the progressive consistency in the use of legal terms to designate urban units and the gradual formation of a hierarchical structure of towns, which manifests itself primarily in fief and ducal documents. On the other hand, there was still terminological confusion, which was mainly due to the varied use and interpretation of terms, which depended directly on the issuer of the document and the practices applied in a given chancellery. During the period when Latin was used as the official language in Silesian chancelleries, there was no formalised, generally accepted and universally functioning administrative and legal system with two legally distinct types of urban settlement units. The translation of the Latin *oppidum* as town is imprecise and should not be used for all units referred to by that term. Not all

oppida were towns and not all settlements which, based on certain features, could be classified as towns were called *oppidum*.

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