

# ***In vino veritas... Is there truth in wine? Drinking and intemperance in Great Moravian and Early Czech legislation (Antique traditions in the Byzantine and Slavonic world)***

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*In vino veritas* – this ancient adage was thought up and known by authors from classical Antiquity.<sup>1</sup> Since time immemorial the ancient Greeks and Romans cultivated (Greek *ampelurgo*, Latin *vitem colo*) the grapevine *Vitis vinifera*, from which they made wine. They were well-known as gourmets<sup>2</sup> of food and drink and very much liked wine, which they drank often (Greek *oino*, *oinopotazo*, Latin *bibo*) and in large quantities, frequently becoming inebriated (Greek *methylsko*, *methyo*, Latin *ebrio*). They were great connoisseurs of wine and the wine grower, or vintner (Greek *ampelurgos*, Latin *vinitor*), like the viticulturalist (Latin *vinarius*) was a respected figure among them. A wine cellar (*oinon*) full of good wine and vineyards were to be found on most estates (latifundia) and were the pride and joy of every good estate holder. Grapevine and olive cultivation were already being stressed by the Roman general, politician and writer Marcus Porcius Cato (234-149 B.C.) in his work *De agricultura*, the first practical textbook on the business of agriculture, as well as a celebration of agriculture.

Several decades later viniculture was also being promoted by the Roman scholar and writer Marcus Terentius Varro (116 B.C.-27 A.D.) in his *Rerum rusticarum*.<sup>3</sup>

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<sup>1</sup> The originator of the saying is evidently the Greek poet Alkaios (625/620-early 6<sup>th</sup> century BC) from Mytilena on the island of Lesbos. His most important poems include what is known as *stasiotika* – tendentious poems on the civil wars and *sympotika* – drinking songs reflecting the life and morals of the Aeolian aristocracy. See B. BORECKÝ – R. DOSTÁLOVÁ et al., *Slovník řeckých spisovatelů*, Prague 2006, 78-79.

<sup>2</sup> For food and drink in Antiquity see e.g. J. ANDRÉ, *L'alimentation et la cuisine à Rome*, Paris 1961; D. BROTHWELL – P. BROTHWELL, *Food in Antiquity*, London 1969; A. R. FURGER, *Vom Essen und Trinken im römischen Augs*, Archäologie der Schweiz 8 (1985) 168-187; J. SIMOONS, *Eat not this flesh. Food avoidances from prehistory to the present*, Madison – London 1994; *Food in Antiquity*, ed. J. Wilkins – D. Harvey – M. Dobson, Exeter 1995; J. P. ALCOCK, *Food in the ancient world*, Westport – London 2006; J. WILKINS – S. HILL, *Food in the ancient world*, Malden – Oxford – Victoria 2006.

Grapevines (Greek *ampelos*, Latin *vitis*), wine (Greek *oinos*, Latin *vinum*) and vineyards (Greek *ampelon*, Latin *vinea* or *vinetum*) also had their symbolism both in literature and art.<sup>4</sup> In classical Antiquity the grapevine was a symbol of a full and rich life, ruled over by Dionysius and Bacchus. Wine was the elixir of life and the drink of immortality, celebrated by ecstatic games, the Dionysia and Bacchanalia, where wine flowed from full vessels and jugs (Latin *vinarium*). Many a lover and friend of wine or a wine-soaked drunkard (Greek *oinopotes*, *oinopoter*, Latin *vino-lentus* (noun), *vinosus*, *bibulus*, *ebriosus*) ended up drunk at the celebrations (Greek *methysos*, *oinobareion*, *oinobares*, Latin *vinosus*, *vinolentus* (adjective), *ebrius*). For the sake of gender correctness we should add that these orgiastic celebrations were also attended by many women (Bacchantes and Maenads) who also drank plenty of wine until they were drunk (*bibula*, *vinosa*, *ebria*).

*E pithi, e apithi* – this was the principle behind the Greek festival.<sup>5</sup> In Rome this principle acquired a broader political and social dimension; one had to adapt to the world and society in order to survive and thrive. At drinking sprees among Greek friends, where the guests were served by the (wine) cup bearer (*oinochoos*), a health was drunk to the celebrant

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1884 (more recently ed. A. Mazzarino, Leipzig 1962; ed. P. Thielscher, Berlin 1963), e.g. Chapter XXII In vasa vinaria stipites, Chapter XXVI Ad vindemiam quae opus sunt et parentur, Chapter XXVII Vinum graecum quo modo fiat, Chapter XXVIII Vindemia facta ut vasa torcula sublignantur, Chapter XXXV Vineae arboresque ut maturae putentur, Chapter XXXVI Vinea ut curetur, Chapter XLIII De vinea et arboribus putatis, Chapter LI Vitibus sulcos propaginesque, Chapter LVII De vinea vetere, and other (<https://archive.org/stream/mporcicatonisde01keilgoog#page/n24/mode/2up>). *M. Terentii Varonis Rerum rusticarum libri tres*, ex recensione Henrici Keilii, Lipsiae 1884, Chapters De vineis, Vinea in quo agro serenda sit, De vineis novellis (<https://archive.org/stream/mporcicatonisde01keilgoog#page/n134/mode/2up>).

<sup>4</sup> On the symbolism of grapevines, vineyards and wine in literature and art see K. KÜNSTLE, *Ikonographie der christlichen Kunst*, Freiburg 1926-1928; G. FERGUSON, *Signs and Symbols in Christian Art*, New York 1954; L. RÉAU, *Iconographie de l'art chrétien*, Paris 1957; J. C. COOPER, *An Illustrated Encyclopaedia of Traditional Symbols*, London 1959; A. WHITTICK, *Symbols, Signs and their Meaning*, London 1960; D. FORSTNER, *Die Welt der Symbole*, Innsbruck – Vienna – Munich, 1967; *Lexikon der christlichen Kunst*, 1-9, Basel – Munich – Freiburg – Rome – Vienna 1968; E. KIRSCHBAUM et al., *Lexikon der christlichen Ikonographie*, Freiburg im Breisgau 1968-1972; G. SCHILLER, *Iconography of Christian Art*, London 1971-1972; K. ONASCH, *Liturgie und Kunst der Ostkirche in Stichworten*, Leipzig 1981; D. FOUILLOUX – A. LANGLOIS – A. LE MOIGNÉ – F. SPIESS – M. TRIBAULT – R. TRÉBICHON, *Dictionnaire culturel de la Bible*, Nathan/Cerf 1990 (= *Slovník biblické kultury*, Prague 1992, 242-243); J. HALL, *Dictionary of Subjects and Symbols in Art*, J. Murray 1989 (= *Slovník námětů a symbolů ve výtvarném umění*, Prague 1991), 482-483; J. STUDENÝ, *Křesťanské symboly*, Prague 1992, 329-331.

<sup>5</sup> *Aut bibat, aut abeat* (Marcus Tullius Cicero, *Tusculanae disputationes* 5,118). *M. Tulli Ciceronis Tusculanae disputationes*, ed. M. Giusta, *Corpus scriptorum Latinorum Paravianum*, In Aedibus Io. Bapt. Paraviae et Sociorum 1984. See *Moudrost věků. Lexikon výroků, přísloví a rčení*, ed. E. Kuťáková – V. Marek – J. Zachová, Prague 1988, 66.

with as many cups (*poterion*), as there were letters in his name, hence the Latin adage: *Bibere more graeco*.<sup>6</sup>

Back in ancient Palestine, “biblical” man knew very well that noble wine, which was drunk diluted with water just like in Greek and Roman society, cheered the heart,<sup>7</sup> but that drunkenness (Greek *methe*, Latin *ebrietas*, *vinolentia*), hard drinking and alcoholism (Greek *oinoflygia*, Latin *ebriositas*, *vinulentia*) were condemned as an aberration.<sup>8</sup> Wine was part of every ceremonial repast and the autumn grape harvest, or vintage, was a time of joy.<sup>9</sup>

With the arrival of Christianity, the view of wine changed somewhat. In contrast to ancient pagan practices in Antiquity, Christianity gave wine, grapevines and vineyards a new Christian, part-Old Testament symbolism.<sup>10</sup> The grapevine became the symbol of Jesus Christ and Christian faith, while wine became the symbol of the Eucharist.

The antique wine-growing tradition, along with wine production and wine-growing terminology, were also adopted in the Byzantine and Slav environment. Just like the Greeks and the Romans, their political and cultural heirs, the Byzantines grew grapevines and drank wine. This is borne out both by the motifs of grapevines at the 6<sup>th</sup> century Church of Saint Polyeuct in Constantinople (figs. 1, 2),<sup>11</sup> and on a silver bowl (*patena*) with grape motifs by an unknown 7<sup>th</sup> century Byzantine metal chiseller discovered among a treasure trove at a Slovak site called Zemiansky Vrbovok (fig. 3).<sup>12</sup> They also sought truth in wine, so the production and consumption of wine,<sup>13</sup> which was one of their favourite drinks (*poton*),

6 *Moudrost věků*, 76.

7 *Vinum bonum laetificat cor* (Psalms 104,13), *Moudrost věků*, 552. Also Judges 9,13; Ecclesiastes 9,7.

8 Proverbs 20,1; 23,29-35.

9 J. STUDENÝ, *Křesťanské symboly*, 330.

10 Literature see note 4.

11 A. LITTLEWOOD, *Gardens of the Byzantine World*, in: *Byzantine Gardens and Beyond*, eds. H. Bodin – R. Hedlund, Uppsala 2013, 30-113, here 47, ill. 8b.

12 The dish with the grape motifs is part of a silver treasure trove by an unknown Byzantine metal chiseller from the 7<sup>th</sup> century, which was found in Slovakia in 1937 (Zemiansky Vrbovok) and contained Byzantine coins from the reign of Konstans II (641-668) and Konstantin IV (668-685), bracelets, earrings, pendants, studs, a cup, two dishes, a neck piece and unworked pieces of silver. See *Velká Morava. Nitra 1964*, Nitra 1964; *Významné slovanské náleziská na Slovensku*, Bratislava 1978, 249-250, ill. 119; B. CHROPOVSKÝ, *Slované. Historický, politický a kulturní vývoj a význam*, Prague 1989, 81 (= idem, *Les Slaves. Leurs évolution et importance historiques, politiques et culturelles*, Prague 1989).

13 For food and drink in Byzantium see e.g. F. KOUKOULES, *Byzantinon trofai kai pota*, Epeteris Hetaireias Byzantinon Spoudon 17 (1941) 3-112; idem, *Byzantinon bios kai politismos*. V. *Hai trofai kai ta pota...*, Athens 1952, 121-135; Á. DALBY, *Flavours in Byzantium*, Blackawton – Totnes 2003; idem, *Food in the ancient world from A to Z*, London – New York 2003, 162-166, 350-359; *Feast, fast or famine. Food*

was considerable in the Byzantine Empire. The Byzantines were connoisseurs of wine, but they had adopted many of their customs associated with wine-drinking and the production technology from the Greeks and the Romans. Excessive consumers of wine and alcohol also occurred among the Byzantines: drunkards (*potes*), who took part in drinking sprees (*potos*). The Byzantines usually drank wine diluted with water (*krasi*) just like the Greeks and the Romans; they drank (*potizo*) white (*leukos*), yellow (*kirros, xantos*), clear red (*rhusios*) and dark red wine (*melas*).<sup>14</sup> They distinguished many types of wines not only by their colour, but also by their density, dividing them into dense (*pachys*) and thin (*leptos*) or by sugar content into sweet (*glykys*) and semi-sweet (*glykazon*).<sup>15</sup> The Byzantines also knew and produced dry and bitterish wines (*styfon, austeros*),<sup>16</sup> which aided good digestion. They also distinguished between young, new (*neoi*) old and mature (*palaioi*) wines, and divided and named them according to the areas in which they were cultivated.<sup>17</sup> The manufacturers added other ingredients to some wines, e.g. various aromatic herbs such as *Artemisia absinthium* (→ *oinos apsinthites*), *Hyssopus officinalis* (→ *oinos hyso-pites*) or *retsina* (→ *oinos retinates*), which gave wine a particular flavour and aroma.<sup>18</sup> For example, small quantities of *Artemisia absinthium* were added to wine for medicinal and therapeutic purposes, as they aided digestion, whereas in larger doses and overdoses it caused muscle cramps and for pregnant women they could also cause miscarriages,<sup>19</sup> because like

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*and drink in Byzantium*, ed. W. Meyer – S. Trzcionka, Brisbane 2005; *Eat, drink and be merry (Luke 12.19)*. *Food and wine in Byzantium*. In honour of Professor A. A. M. Breyer, ed. L. Brubaker – K. Linardou, Aldershot 2007; and the excellent book written by Polish colleagues: *Konstantynopol. Nowy Rzym. Miasto i ludzie w okresie wczesnobizantyńskim*, ed. M. J. Leszka – T. Wolińska, Warsaw 2011, 557-575 (on wine 564-569).

<sup>14</sup> *Konstantynopol. Nowy Rzym. Miasto i ludzie w okresie wczesnobizantyńskim*, 566.

<sup>15</sup> Ibidem.

<sup>16</sup> Ibidem.

<sup>17</sup> Ibidem.

<sup>18</sup> *Konstantynopol. Nowy Rzym. Miasto i ludzie w okresie wczesnobizantyńskim*, 567-568.

<sup>19</sup> L. HAVLÍKOVÁ, *Středověké slovanské právo a žena. Žena v právním systému velkomoravské společnosti*, in: *Byzantinoslovaca I*, ed. M. Daniš, Bratislava 2006, 175-205; eadem, *Femina slavica – žena a mateřství ve velkomoravských právních památkách 9. století (paper on medieval gender studies)*, in: *Pulchritudo et sapientia. Ad honorem Pavel Špunar*, ed. Z. Silagiová – H. Šedinová – P. Kitzler, Prague 2008, 163-178; eadem, *Žena a potrat. K otázce přejímání římsko-byzantského práva a řecké terminologie ve slovanském prostředí*, in: *Epea pteorenta. Růženě Dostálové k narozeninám*, ed. M. Kulhánková – K. Loudová, Brno 2009, 97-106; eadem, *Dítě ve velkomoravských právních památkách*, *Konstantínove listy / Constantine's letters* 5 (2012) 1-10. On the status of women in Great Moravia also see: eadem, *K právnímu postavení slovanské ženy v 9. století (K otázce sňatku a uzavření manželství v případech pokrevního, adoptivního a tzv. duchovního přibuzenství v bulharském a velkomoravském prostředí)*, *Slavia* 77 (2008) 251-263 (= *Česká slavistika. Příspěvky k XIV. mezinárodnímu sjezdu slavistů*, Ochrid 10.-16.9.2008, Prague 2008); eadem, *Žena a manželství ve*

*Artemisia vulgaris* they contained the toxic alkaloid thujone, which was found in magic herbs in the Middle Ages.<sup>20</sup> Rose petals (*oinos rodites/rosaton*) or honey (Greek *oinomeli*, Latin *mulsum*) were also added to wine, and honey wine was served as an aperitif.<sup>21</sup>

*Bibo, bibis, bibimus...* The Germanic and Slavonic tribes and nations adopted wine drinking and intemperate practices from the ancient Romans and medieval Byzantines (Greeks). However, neither the Germans,<sup>22</sup> nor the Slavs,<sup>23</sup> whom the Romans and the Byzantines considered to be barbarian nations, mixed their wine with water, but drank it *more barbarico*, i.e. undiluted.

The grapevine, a plant from the Mediterranean region, was not only cultivated by the southern Slavs, but also by Slavs settling to the north-west of the Byzantine Empire, in the Great Moravian Empire under Kings Rostislav I (846-870) and Svatopluk the Great (871-894), contemporaries of the Byzantine Emperors Michael III (842-867) and Basileius I (867-886). Viniculture and cultivation of the gravevine, from which wine, the alcoholic drink, was fermented, had a long tradition in Moravia and Slovakia. Its roots reach back to Celtic and Roman times, as shown by the discovery of a vintner's knife from a Roman station in Mušov, Moravia;<sup>24</sup> the first vineyard was established on the south-western slopes of Pálavské vrchy, and vineyard plantation expanded, particularly during the Great Moravian period.<sup>25</sup> As paleobotanic findings confirm, the grapevine was

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*slanském prostredí 9. století na příkladu velkomoravských právních památek a jejich byzantských předloh*, Synergie V/2 (2009) 5-26; eadem, *Zpráva o stavu studia právního postavení ženy ve velkomoravské společnosti. Reflexe v české, moravské a slovenské historiografii*, Konštantínove listy / Constantine's letters 6 (2013) 46-68.

<sup>20</sup> L. HAVLÍKOVÁ, *Žena a potrat*, 104; eadem, *kai to onoma tu asteros legetai ho Apsinthos... Slavonic "magic art" and legal contacts between Byzantium and Great Moravia*, in: Christianity and the Development of Culture – Kresťanstvo ako nositeľ kultúry, ed. V. Ježek, Prešov 2013, 32-36.

<sup>21</sup> Konstantynopol. *Nowy Rzym. Miasto i ludzie w okresie wcześniebizantyńskim*, 568.

<sup>22</sup> G. SCHIEDLAUSKY, *Essen und Trinken*, Munich 1956; H. GRÜNERT, *Was die Germanen aßen und tranken*, Das Altertum 34 (1988) 96-105.

<sup>23</sup> On nutrition, food and drink among the ancient Slavs see L. Niederle (L. NIEDERLE, *Život starých Slovanů I/1*, Prague 1911; idem, *Život starých Slovanů III/1*, Prague 1925, 123-130), and more recently F. GRAUS, *Dějiny venkovského lidu v době předhusitské I*, Prague 1953, 123; W. HENSEL, *Słowiańska kuchnia wczesnośredniowieczna. Zarys kultury materialnej*, Warsaw 1956, 90-92; A. MÍKA, *Nástin zemědělské výroby v českých zemích v époše feudalismu*, Prague 1960, 113; K. MOSZYŃSKI, *Kultura ludova Słowian I*, Warsaw 1967<sup>2</sup>; M. BERANOVÁ, *Jídlo a pití v pravěku a ve středověku*, Prague 2005, 124-127.

<sup>24</sup> North of the Danubian frontier of the Roman Empire (*limes romanus*) in *barbaricum* there were Roman outposts in Moravia (at Mušov, Pravčice near Hulín and Neředín near Olomouc) and Slovakia (Laugaricio, Kelemantia). Re finds of Roman winemaking tools in Moravia see Z. MĚŘÍNSKÝ, *Vinařský nůž z římské stanice u Mušova*, Národopisný věstník československý VII (1972) 103-112.

<sup>25</sup> L. E. HAVLÍK, *Velká Morava a středoevropskí Slované*, Prague 1964, 67.

cultivated both in southern Moravia and in the neighbouring wine-growing Nitransko, which was part of the Great Moravian Empire.<sup>26</sup>

Archeological finds, albeit imports of foreign origin in many cases, also indicate that the ancient Moravians knew of wine and grapevines. This is borne out by the symbolic depictions of grapes and grapevines on a number of surviving artefacts. Mention might also be made here of such findings as the Avar-Slav tongue-pieces from the 8<sup>th</sup> century with a grapevine motif from Štúrovo in Slovakia (fig. 4),<sup>27</sup> a reliquary (*kaptorga*) in the shape of a codex, decorated with a grape-bunch motif (fig. 5),<sup>28</sup> the golden, grape-bunch earrings with granulated decoration and filigree basket earrings shaped like a tassel of grapes (fig. 6a)<sup>29</sup> from the Moravian Mikulčice site in the Mikulčice-Kopčany agglomeration from the 9<sup>th</sup> century. Similar earrings with grape-bunch shapes are well-known from the Uherské Hradiště – Staré Město agglomeration in Moravia from findings at the Sady-Staré Město site (fig. 6b),<sup>30</sup> the ecclesiastical centre of Great Moravia. During the 9<sup>th</sup> century Great Moravian Slavs also used

<sup>26</sup> J. POULÍK, *Mikulčice. Sídlo a pevnost knížat velkomoravských*, Prague 1975, 146, talks about growing grapes in South Moravia and finding grape pips in Mikulčice. E. OPRAVIL, *Rostliny z velkomoravského hradiště v Mikulčicích. Výzkum z let 1954-1965* (= Studie AÚ ČSAV v Brně I), Prague 1972; idem, *Původ a rozšíření vinné révy v českých zemích, Slezský sborník 62/2* (1964) 220-228; J. VIGNATIOVÁ, *Začátky pěstování vinné révy na Moravě ve světle archeologických nálezů*, Vlastivědný věstník moravský XXIII (1971) 1-11; M. ZEMEK et al., *Vinohradnictví – Kapitoly z dějinného vývoje od minulosti do současnosti na Moravě a v Čechách*, Brno 1973; V. FROLEC, *Tradiční vinařství na Moravě*, Brno 1974, 15-17; idem, *Jihomoravské vinohradnictví*, Brno 1984; E. HAJNALOVÁ, *Archeobotanické pramene vinohradnictva na Slovensku*, in: Zborník Fil. fak. University Komenského v Bratislave, Historica 39-40 (1989) 171-179; F. KALESNÝ, *O začátkoch vinohradníctva na západnom Slovensku*, in: Zborník Fil. fak. University Komenského v Bratislave, Historica 39-40 (1989) 167-170; V. KRAUS et al., *Réva a víno v Čechách a na Moravě*, Prague 1999; P. DOLEŽAL, *Lexikon moravského vinařství. Historie a současnost pěstování vinné révy na Moravě I-II*, Nový Bydžov 2001; *Dějiny vinařství na Moravě. Sborník příspěvků z konference*, Brno 2005; *Vinicola Carpathensis (k 65. narodeninám univ. prof. PhDr. Jozefa Baďuríka, CSc.)*, ed. M. Grófová – J. Lukačka, Bratislava 2011.

<sup>27</sup> A. AVENARIUS, *Awaren in Europa*, Amsterdam – Bratislava 1974, Abb. 7 and 11.

<sup>28</sup> Výstava *Velká Morava. 1100 let tradice státního a kulturního života*, catalogue, Prague 1964, ill. XXIX; B. CHROPOVSKÝ, *Slované. Historický, politický a kulturní vývoj a význam*, 129. On the Great Moravian reliquaries see B. KAVÁNOVÁ, *Velkomoravské reliquiáře z Mikulčic*, in: *Jižní Morava. Vlastivědný sborník 49/52* (2013) 19-30.

<sup>29</sup> Výstava *Velká Morava. 1100 let tradice státního a kulturního života*, catalogue, Prague 1964, ill. XXVII; B. CHROPOVSKÝ, *Slované. Historický, politický a kulturní vývoj a význam*, 119. Re the production of Great Moravian jewellery see P. ČÁP – J. MACHÁČEK – J. ŠPAČEK – M. HLOŽEK, *Tajemství výroby velkomoravského šperku. Archeologický experiment*, Prague 2012; <http://hodoninsky.denik.cz/serialy/hroznickovite-nausnice-nosily-zeny-nejcasteji.html>.

<sup>30</sup> Výstava *Velká Morava. 1100 let tradice státního a kulturního života*, ill. XVI. Re Great Moravian jewellery see L. GALUŠKA, *Výrobní areál velkomoravských klenotníků ze Starého Města – Uherského Hradiště*, in: *Pamatky archeologické 80/2* (1989) 405-454; idem, *O velkomoravských klenotnících ze Starého Města*, Malovaný kraj. Národopisný a vlastivědný časopis Slovácka 26/1 (1990) 10-11.

vessels for wine (known as “čutora” (flasks), vessels of a Byzantine type – amphorae, fragments of glass cups, figs. 7, 8a, 8b).<sup>31</sup> which we know from finds at archaeological sites at “Na valách”<sup>32</sup> in the Staré Město (*Veli/egrad*)<sup>33</sup> and the “Valy” redoubt at Mikulčice (*gradъ Morava*<sup>34</sup>). Artifacts preserved from among Great Moravian archaeological finds, albeit foreign imports or local models that were often imitations of Byzantine models belonged for the most part to members of the highest echelons of Great Moravian nobility, the Great Moravian secular and ecclesiastical elites.<sup>35</sup> These finds are not only evidence of political, ecclesiastical and particularly commercial relations<sup>36</sup> between the Great Moravians and the south-eastern (Byzantine) and western worlds, but also an indication of the craftsmanlike skills and dexterity found in ancient Moravia.

Not least, grapevine cultivation and wine drinking in Great Moravia are attested by the Great Moravian legal documents and the wine-growing laws, in which the adoption of legal traditions of Byzantine (*scilicet* originally Roman) origin or from classical Antiquity was reflected more noticeably than in the written historical (secular and ecclesiastical) sources or archaeological material. With regard to viticulture, Great Moravia adopted legal traditions primarily from the Byzantine Empire. The legal aspects of viticulture in Moravia have been examined by J. Pošvář.<sup>37</sup> His studies

<sup>31</sup> V. HRUBÝ, *Staré Město – Veligrad. Archeologický průvodce po staroslovanských nalezištích*, Gottwaldov 1955; idem, *Staré Město – Velehrad, ústředí z doby velkomoravské říše* (= Památníky naší minulosti), Prague 1964, ill. 13; J. POULÍK, *Velkomoravské hradiště Mikulčice*, Brno 1962, ill. 18b; for sketches of types see L. E. HAVLÍK, *Velká Morava a středoevropský Slované*, 76, ill. „Džbány a láhve“; B. CHROPOVSKÝ, *Slované. Historický, politický a kulturní vývoj a význam*, 112, 113; L. GALUŠKA – J. MACHÁČEK – K. PIETA – H. SEDLÁČKOVÁ, *The glass of Great Moravia. Vessel and window glass, and small objects*, Journal of Glass Studies 54 (2012) 61-92, 315.

<sup>32</sup> V. HRUBÝ, *Staré Město: velkomoravské pohřebiště „Na valách“* (= Monumenta archeologica III), Prague 1955.

<sup>33</sup> V. HRUBÝ, *Antiqua civitas – Veligrad*, in: Monumentorum tutela 1 (1972) 57-108; L. E. HAVLÍK, *Velehrad (Velegrad)*, in: Staroměstská výročí. Sborník příspěvků, Brno – Uherské Hradiště 1990, 81-97; M. POJSL, *Tradice velkomoravského Veligradu*, Věda a život 35/8 (1990) 1-4; idem, *Proměna Veligradu ve Staré Město*, in: Velká Morava mezi Východem a Západem, ed. L. Galuška – P. Kouřil – Z. Měřinský, Brno 2001, 305-313.

<sup>34</sup> L. E. HAVLÍK, *Kronika o Velké Moravě*, Brno 1987, 1992<sup>2</sup>, 2013<sup>3</sup>; idem, *Svatopluk I. Veliký, král Moravanů a Slovanů*, Brno 1994; idem, *Život a utrpení Rostislava, krále Moravanů*, in: Moravský historický sborník – Ročenka Moravského národního kongresu 1995, Brno 1996, 85-230, and separately Brno 1999<sup>2</sup>.

<sup>35</sup> Z. KLANICA, *Eliten auf Gräberfeldern altmährischer Zentren*, in: Die frühmittelalterliche Elite bei den Völkern des östlichen Mitteleuropas, ed. P. Kouřil (= Spisy Archeologického ústavu AV ČR Brno, 25), Brno 2005, 35-47.

<sup>36</sup> O. TŮMA, *Great Moravia's Trade Contacts with the Eastern Mediterranean and the Mediating Role of Venice*, Byzantinoslavica 46 (1985) 67-77.

<sup>37</sup> J. POŠVÁŘ, *Vizantijskije elementy v moravskom vinogradskom prave*,

*In vino veritas... Is there truth in wine? Drinking and intemperance ...*



Fig. 1 Grapevine on a fragment of a foundation inscription from the Church of St. Polyeuct, Constantinople, 6<sup>th</sup> century (*Konstantynopol. Nowy Rzym. Miasto i ludzie w okresie wczesno bizantyńskim*, eds. M. J. Leszka – T. Wolińska, Warsaw 2011, photo 47: M. B. Leszka)



Fig. 2 Grapevine motif on a stone from the Church of St. Polyeuct, Constantinople, 6<sup>th</sup> century, now in San Marco, Venice (*Byzantine Gardens and Beyond*, eds. H. Bodin – R. Hedlund, Uppsala 2013, 47, ill. 8b)



Fig. 3 Dish with grapevine motifs, Zemiansky Vrbovok, 7<sup>th</sup> century  
(B. CHROPOVSKÝ, *Slované. Historický, politický a kulturní vývoj a význam*, Prague 1989, 81)

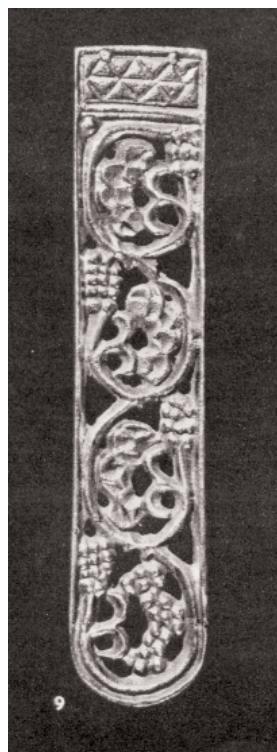


Fig. 4 Avar-Slavonic  
tongue-piece with  
grapevine motif, Štúrovo,  
Slovakia, 8<sup>th</sup> century  
(A. AVENARIUS, *Awaren in  
Europa*, Amsterdam –  
Bratislava 1974, ill. 7)

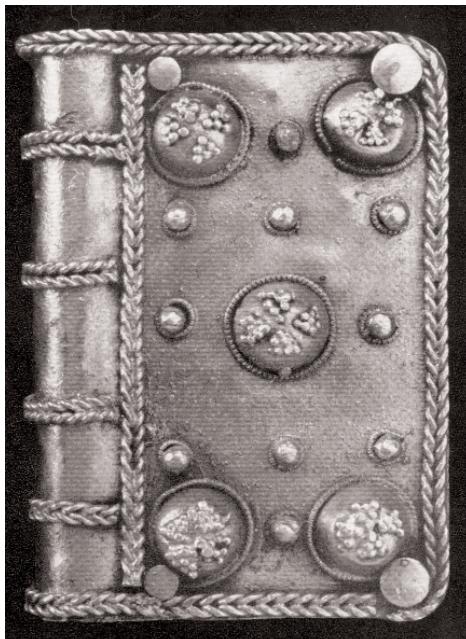


Fig. 5 Grape motif on reliquary in the form of a codex, Mikulčice, 9<sup>th</sup> century (Výstava Velká Morava. 1100 let tradice státního a kulturního života, catalogue, Prague 1964, ill. XXIX)

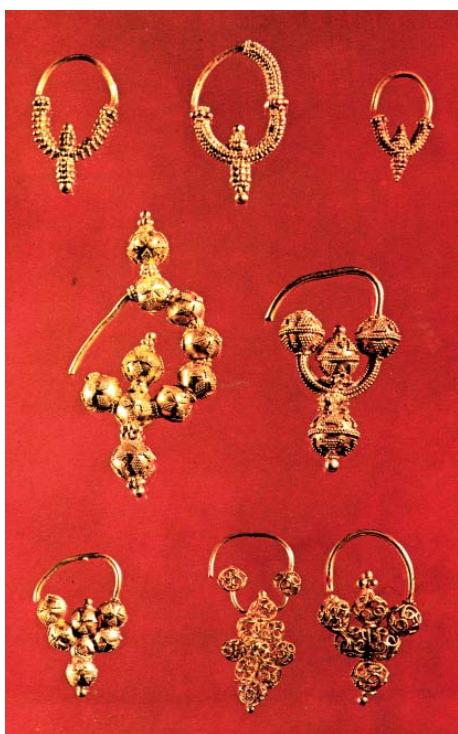


Fig. 6a Grape-bunch earrings and basket earrings in the form of grapes, Mikulčice, 9<sup>th</sup> century (B. CHROPOVSKÝ, Slované. Historický, politický a kulturní vývoj a význam, Prague 1989, 119)

Fig. 6b Grape-bunch earrings, Sady-Staré Město, 9<sup>th</sup> century (Výstava Velká Morava. 1100 let tradice státního a kulturního života, catalogue, Prague 1964, ill. XVI)



Fig. 7 Wine vessel – flask (“čutora”), Staré Město, 9th century (B. CHROPOVSKÝ, *Slované. Historický, politický a kulturní vývoj a význam*, Prague 1989, 113)



Fig. 8a, b Wine vessels of what is known as the Byzantine type (amphora) and fragments of a glass cup, Staré Město, Mikulčice, 9th century (B. CHROPOVSKÝ, *Slované. Historický, politický a kulturní vývoj a význam*, Prague 1989, 112; J. POULÍK, *Velkomoravské hradiště Mikulčice*, Brno 1962, ill. 18b)



*In vino veritas...* Is there truth in wine? Drinking and intemperance ...



Fig. 9 St Václav presses wine, fresco, Karlštejn, 1<sup>st</sup> floor of tower, 14<sup>th</sup> century



Fig. 10 Grapevine motif, relief, Romanesque tympanum of castle chapel,  
Oldříš at Kolín, circa 1150

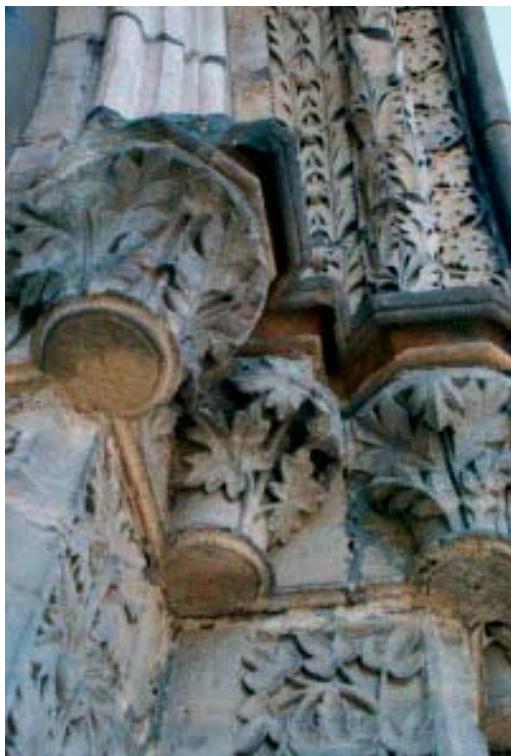


Fig. 11 Grapevine motif,  
Abbey portal, Cistercian  
monastery, Hradiště nad  
Jizerou, circa 1145



Fig. 12 Work in a vineyard, Velislav Bible, circa 1340, Charles University Prague, shelf no. XXIII, C 124, fol. 10b (*Dějiny hmotné kultury I/2*, Prague 1985, 675, ill. 558)

focused on the influences of various legal norms on Moravian wine-making law ("law of the wine-making mountains"). The author dealt with the written codification of Moravian law, which was based on old customs that had been brought to Moravia from other areas together with the plantation and cultivation of the grapevine, and with the arrival of vintners and the development of viniculture. Pošvář referred both to the connection between *leges barbarorum*, the Germanic codifications of *Lex salica*, *Lex Romana Visigothorum* and *Lex Burgundiorum*, which were a synthesis of Roman law and Germanic customary law, and to the connection with Byzantium. Both the codified Germanic and the Byzantine laws were based on Roman law. Pošvář concluded that Roman legal norms were brought to Great Moravia via the Byzantine legal milieu and that the inhabitants of Great Moravia knew Byzantine wine-making law, which had arrived there through the mission of Constantine-Cyril and Methodius in 863. Considering the fact that *Nomos georgikos*,<sup>38</sup> which dealt with viniculture and grapevine cultivation in Articles 13, 16, 21, 38, 50, 51, 58, 59, 61, 69, 70, 79, 80, 83 and 85, was written in Byzantium under the Isaurian dynasty in 717-802, i.e. before Cyril and Methodius's time, this theory is quite plausible, as in that case Constantine-Cyril and Methodius might well have become familiar with this legal code during their studies at the university in the Magnaura Palace in Constantinople, and perhaps later applied some of the legal norms or legal interpretations in Great Moravia.

The Byzantine collections of laws *Synagoge*<sup>39</sup> and *Ekloga*<sup>40</sup> and the

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Byzantinoslavica 17 (1956) 120-124; idem, *Moravské právo hor viničních*, Časopis Matice moravské 70 (1951) 120 sq. For details see L. HAVLÍKOVÁ, *Recepce byzantských právních památek ve slovenském, zejména velkomoravském prostředí (reflexe v české právní historii)*, in: Poznávanie kultúrneho dedičstva sv. Cyrila a Metoda, ed. J. Michalov – M. Hetényi – P. Ivanič – Z. Taneski, Nitra 2007, 54-68, here 64-65. On the Moravian vineyard right see also J. L. BÍLÝ, *IUS MONTUM. Právo moravských vinohradních hor I-III*, Olomouc 2003.

<sup>38</sup> *Nomos georgikos (The Farmer's Law I-II*, ed. W. Ashburner, Journal of Hellenic Studies 30 (1910) 85-108; 32 (1912) 68-95. Dating back to the 7<sup>th</sup>-8<sup>th</sup> century, while some date it to the reign of Justinian II (707-711), and others to the reign of Leo III the Isaurian (717-741), it was preserved in later transcriptions in manuscripts from the 11<sup>th</sup>-13<sup>th</sup> centuries. Some authors even consider its pre-Justinian origin a possibility (see L. BURGMANN, *Is the Nomos Georgikos Pre-Justinian?* Journal for History of Law 1 (1982) 36-39). See also J. KARAYANNOPOULOS, *Entstehung und Bedeutung des Nomos Georgikos*, Byzantinische Zeitschrift 51/2 (2009) 357-373.

<sup>39</sup> *Ioannis Scholastici Synagoga L titulorum ceteraque eiusdem opera iuridica*, ed. V. Beneševič, in: Abhandlungen der Bayerischen Akademie der Wissenschaften, Philosophisch-historische Abteilung, Neue Folge, Heft 14, Munich 1937.

<sup>40</sup> *Ekloga. Das Gesetzbuch Leons III. und Konstantinos' V.* (= Forschungen zur byzantinischen Rechtsgeschichte, Bd. 10), hrsg. L. Burgmann, Frankfurt am Main 1983. The *Ekloga* collection of laws was written in 726 during the reign of the Isaurian (Syrian) dynasty, and in 870 under Basileios I of the Macedonian dynasty it was repealed as heretical and superseded by *Procheiros nomos* (*Procheiron*), i.e. *Ekloga* was known to Constantine and Methodius and as such was used in Great Moravia to formulate Moravian legislation.

extracts from them, which were translated by the Moravian Archbishop Methodius (circa 820-885) and are known as the Old Slavonic legal manuscripts *Nomokanonъ* and *Zakonъ sudnyi ljudъmъ*, came to Great Moravia the same way as the wine-making laws, i.e. via Cyril and Methodius's mission. Both collections anticipate Byzantine law and the influence of the Byzantine legal system on Great Moravia. In addition to these legal codifications, use was made in Great Moravia of the *Zapovѣdi svѣtyichъ отъсъ* collection of Moravian origin and from Western Europe the *Poenitentiale Merseburgense* collection of laws, which was evidently the model for *Zapovѣdi*. These codes of Western European and Eastern European (Byzantine) origin were based on Roman civil and canonical law. In Great Moravia the legal texts were called *dobryi zakonъ* or *vѣsjakaja pravъda*. The spirit of the laws was Christian and they served to enhance the power of the monarch in his fight against the pagan rearguard and to bolster the position of Christianity, which in 9<sup>th</sup> century Great Moravia was *rudis*.<sup>41</sup>

What was remarkable for the Byzantine secular codes was the cruelty of the punishments for offenders, who were decapitated with a sword (*xifei timoreisthosan*)<sup>42</sup> or had their noses cut off (*rhinokopeisthosan*),<sup>43</sup> or at best were whipped (*typestho*).<sup>44</sup> This was also reflected in 9<sup>th</sup> century Moravian legislation in the Great Moravian legal document *Zakonъ sudnyi ljudъmъ*,<sup>45</sup> which combines secular law with its stricter corporal punishments and ecclesiastical law recommending a punishment of atonement. *Zakonъ* also proves and confirms that vineyards (Old Slavonic *vinogradъ*, Greek *ampelon*) existed at this time in ancient Moravia, for otherwise it would not have been possible for the code to refer to "burning the vineyard", "another person's vineyard" (Old Slavonic *čjužъ vinogradъ*; Greek *ton allotriou ampelona*)<sup>46</sup> and penalties for offenders. These penalties were actually graded according to the extent of wrongdoing and were taken from the Byzantine *Ekloga* code. If a vineyard was burnt down unintentionally and the fire was caused by a natural disaster (e.g. storm or gale), then nobody was convicted. If it was the result of ignorance or carelessness

<sup>41</sup> *Decreta synodi Moguntiensis*, Magnae Moraviae fontes historici (hereinafter MMFH), IV. Leges – Textus iuridici – Supplementa. Operi edendo praefuit L. E. Havlík, Brunaee 1971, 33-35: *rudem adhuc christianitatem gentis Maraensium....*

<sup>42</sup> *Ecloga* XVII. 41.

<sup>43</sup> *Ecloga* XVII. 33.

<sup>44</sup> *Ecloga* XVII. 35 or *Ecloga* XVII. 29 (*typtomenos*).

<sup>45</sup> *Zakonъ sudnyi ljudъmъ* (hereinafter ZSL), MMFH IV, 178-198, here 187, Article (hereinafter Art.) 15.

<sup>46</sup> ZSL, MMFH IV, 187, Art. 15 (= *Ecloga* XVII. 41): *ašte li kto stѣbvlje ili trѣnije chotѣ požeti na svojei nivѣ, vѣzvgnetiť ognь prošdѣ vѣzvžetъ čjužu nivu li čjužъ vinogradъ dostoito suditi i ispytati... (= ei dei tis ten kalamen tu idiu chorafiu e tas akanthas bulomenos kausai enebale (var. emballei) pyr kat'auton, to de pyr kai peraitero proelthe kai ekause (var. parelthe kai kause) ta allotria chorafia e ton allotriou ampelona, dei periergazesthai ton akroaten...).*

then the offender had to compensate the injured party, whereas if it was an intentional act then the offender was beaten (*da tepet(ъ) sę*) and had to pay the injured party for the damage caused.<sup>47</sup> The capital punishment – execution with the sword (*mečemъ da usěkajutъ i*)<sup>48</sup> for burning down a house, which was laid down in Article 15, came to the Great Moravian code from the Byzantine *Ekloga*.<sup>49</sup> As it held broader Christian connotations, the Old Slavonic word *vinogradъ*, is attested in a number of Old Slavonic Great Moravian manuscripts of an ecclesiastical nature, which have been excerpted and whose vocabulary has been recorded by *Lexicon linguae paleoslovenicae – Slovník jazyka staroslověnského*,<sup>50</sup> although this did not refer to the aforementioned legal manuscript *Zakonъ sudnyi ljudътъ*. The Old Slavonic *vinogradъ* is also referred to in Chapter 6 of the hagiographic-historical manuscript *Vita Constantini*.<sup>51</sup>

Did the Great Moravian and Czech Slavs seek truth in wine alone? Did the ancient Moravians and Czechs drink abstemiously or were they drunkards? We know that the alcoholic drinks consumed in Moravia included not only wine, but also mead, beer and possibly other fermented drinks, while in Bohemia things were no different.<sup>52</sup> We know that there were taverns and inns and the offence of intemperate drinking and gluttony was committed in all walks of life, among both rich and poor, the secular and the ecclesiastical, the higher and the lower nobility, natives and foreigners. Let us now have a look at Moravia and Bohemia in more detail.

The issue of inebriation and drunkenness is addressed in the “paragraphs” and articles of the following legal reference works used in Great Moravia (some legal collections indicate a materially legal correlation):

1. *Nomokanonъ*, Art. XXX;
2. *Zapovědi světychъ отъсъ*, Art. 36 (= *Mers* 52), Art. 37 (= *Mers* 53), Art. 50;
3. *Poenitentiale Merseburgense*, Art. 52 (= *ZSO* 36), Art. 53 (= *ZSO* 37).

<sup>47</sup> ZSL, MMFH IV, 188, Art. 15: ... *da tepet(ъ) sę* ....

<sup>48</sup> ZSL, MMFH IV, 187-188, Art. 15: ... *mečemъ da usěkajutъ i...* (= *Ecloga* XVII. 41: *xifei timoreisthosan*).

<sup>49</sup> See note 48.

<sup>50</sup> Cf. *Lexicon linguae paleoslovenicae* (hereinafter *LLP*) I, ed. J. Kurz et al., Pragae 1966, 191: Old Slavonic *vinogradъ* could mean: 1. vineyard (Greek *ampelon*, Latin *vinea*); 2. grapevine, vine (Greek *ampelos*, Latin *vitis*, or *vinea*). *LLP* I also excerpted other words associated with viticulture from handwritten church manuscripts: Old Slavonic *vino* (Greek *oinos*, Latin *vinum*) meant not only wine, but also grapevine and grapes (Greek *ampelos*, *stafyle*, *stafis*, Latin *vinea*) and also provides other derivatives, see *LLP* I, 190-192. See also *LLP* I, 436-437 (Old Slavonic *grozdije*, *grozdъ*, etc.), *LLP* II, ed. J. Kurz et al., Pragae 1973, 136 (Old Slavonic *loza*, Greek *ampelos*, *anadendros*, *klema*, *klematis*, Latin *vitis*, *vinea*, *palmes*, etc.).

<sup>51</sup> *Žitije Konstantina (Vita Constantini)* 6, MMFH II. Textus biografici, hagiografi ci, liturgici. Operi edendo praefuit L. E. Havlík, Brunae 1967, 74: *pokazaša emu vinogradъ nasáždeny inogda, otъ zemlę izniknušť*.

<sup>52</sup> M. BERANOVÁ, *Jídlo a pití v pravěku a ve středověku*, 120-129.

Let us now look at the individual articles in more detail. For the verb “to become drunk” and the nouns “food and drink”, Article XXX<sup>53</sup> of the Great Moravian *Nomokanonъ*, a collection of canonical law, provides the terms *upivaja se* and *jady i pija*.<sup>54</sup> Drinking and frequenting taverns (Old Slavonic *vъ kъrčътъnicju vъlaziti*; Greek. *eis kapeleion eisenai*) was forbidden to churchmen, from priests (*svěštenikъ*) and deacons (*dijakonъ*) to doormen (*dvъrnikъ*) and monks (*černyšъ*).<sup>55</sup> Hence the code punishes all clergymen, regardless of their status, who visit taverns, drink there and become inebriated. A bishop (*episkopъ*), priest (*popъ*) or deacon (*dijakonъ*), who played dice and became inebriated (Old Slavonic *upivaja se*, Greek *methais*), either had to stop, or forfeited his ecclesiastical dignities.<sup>56</sup> Moreover, subdeacons (*padъjaci*), lectors (*anagnosti*) and cantors (*pěvьci*), as well as laypeople (*ljudije*), who drank (*upivaja se*), had to stop or they were excluded from holy communion.<sup>57</sup> A clergyman found eating and drinking (Old Slavonic *jady i pija*; Greek *foratheie esthion*) at a tavern (Old Slavonic *vъ kъrčътъnici*; Greek *en kapeleio*), was suspended.<sup>58</sup>

For verbs relating to inebriation of oneself and others, Articles 36, 37 and 50 of the Great Moravian *Zapovědi světyichъ отъсь* provide the Old Slavonic terms *ubpietъ se*,<sup>59</sup> *upoitъ*<sup>60</sup> a *upivъ se*.<sup>61</sup> What were the punishments for those who became inebriated or who inebriated others? If a priest (*popъ*) or clergyman (*pričestъnikъ*) became inebriated (*ubpietъ se*), he was to repent for ten days, whereas if a layman became inebriated (*bělorizecъ*), he was only to repent for seven days.<sup>62</sup> Likewise, if somebody

53 *Nom*, MMFH IV, 307-309, Art. XXX (= *Synagoga XXX*).

54 *Nom*, MMFH IV, 308, Art. XXX (= *Synagoga XXX*).

55 *Nom*, MMFH IV, 308, Art. XXX (= *Synagoga XXX*): *jako nedostoitъ s(ve)štenikomъ, ot popovъ do dijakъ i pročichъ c(ы)rк(ы)uňago(o) čina do dvъrnikъ, ni čertysetъ vъ kъrčътъnicju vъlaziti* (= hoti u dei hieratikus apo presbyteron heos diakonon kai exes tes ekklasiastikes taxeos, heos hypereton kai anagnoston kai psalton kai eporkiston kai thyroron kai tu tagmatos ton asketon, eis kapeleion eisenai).

56 *Nom*, MMFH IV, 307-308, Art. XXX (= *Synagoga XXX*): *ep(is)ko)pъ li popъ li dijakonъ sigarni igraya li upivaja se li da ostanetъ s(e) togo, li da izveržetъ s(e)* (= *episkopos e presbyteros e diakonus kybois scholazon kai methais e pausastho e kathairesitho*).

57 *Nom*, MMFH IV, 308, Art. XXX (= *Synagoga XXX*): *padъjaci i anagnosti li pěvьci tože tvoreše li da ostanutъ se togo, li da otlučitъ s(e), takože i ljudije* (= *hypodiakonos e anagnostes e psaltes ta omoia poion e pausastho e aforizesitho. osautos kai laikos*).

58 *Nom*, MMFH IV, 308, Art. XXX (= *Synagoga XXX*): *ašte kotoryi klirikъ vъ kъrčътъnici obreštet s(e) jady i pija, da otlučitъ s(e), razbě togo, ježe na puti obytajetъ* (= *ei tis klérikos en kapeleio foratheie esthion, aforizestho, parex tu en pandocheio kai en odo di anagken katalyontos*).

59 *Zapovědi světyichъ отъсь* (hereinafter ZSO), MMFH IV, 144, Art. 36 (= *Mers 52*). See also K. A. MAKSIMOVIČ, *Zapovědi světyichъ отъсь. Latinskij penitencial VIII veka v cerkovnoslavjanskem perevode*, Moscow 2008.

60 ZSO, MMFH IV, 144, Art. 37 (= *Mers 53*).

61 ZSO, MMFH IV, 144, Art. 50.

62 ZSO, MMFH IV, 144, Art. 36: *Ašte kotorovi p(o)pъ. li pričestъnikъ ubpietъ se. 10 denъ da pok(a)etъ s(e). Ašte li estъ bělorizecъ, 7 denъ da pok(a)etъ s(e).*

inebriated (*upoitъ*) his friend (*druga svoego*) to such an extent that he blasphemed, both offenders were to repent for seven days.<sup>63</sup> If somebody swore on the saints and became inebriated (*upivъ se*) and then in his inebriation vomited (*obljuetъ*), he was to fast on bread and water (*o chlebѣ o vodѣ*) for forty days; if he was a deacon (*diѣkъ*), he was only to fast on bread and water for seven days.<sup>64</sup> In the *Zapovѣdi svѣtyichъ отъсъ* collection the punishment for drunkards was repentance – epitimia (*epitimija*).<sup>65</sup> Its Articles 36 and 37 coincide with Articles 52 and 53 of *Poenitentiale Merseburgense*.<sup>66</sup>

What did the punishments look like for excessive consumption of alcohol in *Poenitentiale Merseburgense*? Articles 52 and 53 present the verb “to become inebriated” (*inebrio*),<sup>67</sup> and Article 53 the adjective “drunken” (*ebrius*),<sup>68</sup> the noun for “inebriation” should thus be *inebriatio*, but it does not actually appear in the text. As pointed out above, in terms of content, Articles 52 and 53 correspond to Articles 36 and 37 in *Zapovѣdi svѣtyichъ отъсъ*. However there is a difference between them regarding the penalties. Whereas Article 52 of *Poenitentiale Merseburgense* orders clergy and priests to repent for forty days for drunkenness, the punishments in *Zapovѣdi svѣtyichъ отъсъ* are milder, as it enjoins the same people to repent for only 10 days in Article 36. Back legal reference works have the same seven-day punishment of repentence for laypeople (Article 36 ZSO, Article 53 Mers). However, the punishments are different for those who inebriate somebody so much that he blasphemes (Latin *humanitatis gratia*

<sup>63</sup> ZSO, MMFH IV, 144, Art. 37: *Ašte kto druga svoego upoitъ do roga. Da postite se oba 7 dнnei.*

<sup>64</sup> ZSO, MMFH IV, 144, Art. 50: *Ašte kto zaklinaetъ kogo s(v)e)ymi. Toli upivъ se obljuetъ. 40 denъ da postit se o chleb(ѣ) o vodѣ. Ašte li diekъ estъ 7 denъ postit se. o chleb(ѣ) o vodѣ.*

<sup>65</sup> The penance, for which Old Slavonic manuscripts use the word *postъ*, primarily consisted in fasting on particular days. In old Christian practice from the third century penances had four levels: 1. weeping penitents (*prosklaiontes, flentes*), 2. hearing penitents (*akroomenoi, audientes*), 3. kneeling penitents (*hypopiptontes, genuflectentes*), bystanding penitents (*systantes/synistamenoi, consistentes*). See K. HADERKA, Introductory study on ZSL, MMFH IV, 151; K. A. MAKSIMOVIĆ, *Zakonъ судьбы Ijudъть. Istočnikovedčeskije i lingvističeskije aspekty issledovanija slavjanskogo juridičeskogo pamjatnika*, Moscow 2004, 33.

<sup>66</sup> For details on the Merseburg penitential – *Poenitentiale Merseburgense* see MMFH IV, 137-138. Text quoted in accordance with W. VONDRAK, *Zachodnio-europejskie postanowienia pokutne w jazyku cerkiewnoslowiańskim*, Cracow 1904, 57-67. See also K. A. MAKSIMOVIĆ, *Zapovѣdi svѣtyichъ отъсъ*, supplementum, 170-195.

<sup>67</sup> Mers, W. VONDRAK, *Zachodnio-europejskie postanowienia pokutne w jazyku cerkiewnoslowiańskim*, 64, Art. 52: *Si quis clericus aut sacerdos inebriaberit, XL dies poen.i.p.e.a., laicus VII;* 64, Art. 53: *Si quis aliud cogit, ut inebrietur, humanitatis gratia, ut ebrius peniteat, et si odio hoc fecerit, ut humicida judicetur.*

<sup>68</sup> Mers, W. VONDRAK, *Zachodnio-europejskie postanowienia pokutne w jazyku cerkiewnoslowiańskim*, 64, Art. 53: *Si quis aliud cogit, ut inebrietur, humanitatis gratia, ut ebrius peniteat, et si odio hoc fecerit, ut humicida judicetur.*

corresponding to Old Slavonic *do roga*).<sup>69</sup> Under Article 37 in *Zapovědi světyichъ отъсъ* both the culprit and the drunken blasphemer were to repent for seven days,<sup>70</sup> while under the corresponding Article 52 of *Poenitentiale Merseburgense* a drunkard (*ebrius*), who has inebriated another person to the point of blasphemy is to undergo repentance, but its duration is not specified; if someone has inebriated somebody out of hatred (*odio*), he is to be convicted as a murderer (*homicida*)<sup>71</sup>.<sup>72</sup>

It should be added for informative purposes that the detailed redaction of *Zakonъ sudnyi ljudъmъ* (the Puškin manuscript from the 14<sup>th</sup> century and the Archeographic manuscript from the mid-15<sup>th</sup> century),<sup>73</sup> supplemented in the Russian milieu by several passages, in contrast to the Great Moravian *Zakonъ* has a significant article on drunkenness (*o upojsťvě*). It states that whoever inebriates (*upoitъ*) his friend in such a way that he begins to blaspheme, should be punished by beating and receive twelve strokes of a stick.<sup>74</sup> Similar instructions were given in the aforementioned Great Moravian *Zapovědi světyichъ отъсъ* (Article 37), except the punishment for drunkenness was milder. While *Zakonъ sudnyi ljudъmъ* in its broad redaction for a Russian readership preferred corporal punishment and was thus based on its Byzantine model – *Ekloga*, the Great Moravian *Zapovědi světyichъ отъсъ*, based on Western penitential practice (*Poenitentiale Merseburgense*), laid down a seven-day epitimia on offenders.

Whereas in the Great Moravian legal documents, noun, adjective and verbal expressions such as “wine drinker”, “wine drinking” and “drunkenness” (noun), “drunk” (adjective) and “drink, get drunk” (verb) have a mixed occurrence, if we look at *LLP*, its occurrence was considerable in church texts: Old Slavonic *vinopivъца*, *vinopiica* (Greek *oinopotes*, Latin *bibens vinum, potator vini*), Old Slavonic *vinopitije* (Latin *vini potio*),<sup>75</sup> Old Slavonic *pijanije, pijanъstvije, pijanъstvo* (Greek *methe, oinoflygia*, Latin *ebrietas, vinolentia*), Old Slavonic *pijanъ* (Greek *metyhon*, Latin *ebrius, ebriosus*),<sup>76</sup> Old Slavonic *upivati, upiti se, upijati se* (Greek *methyskesthai, methyein*,

<sup>69</sup> ZSO, MMFH IV, 144, note. 41.

<sup>70</sup> ZSO, MMFH IV, 144, Art. 37.

<sup>71</sup> *Homicida* → *homicida, ae, m.* (murderer); *homicidium, ii, n.* (murder).

<sup>72</sup> Mers, W. VONDRAK, *Zachodnio-europejskie postanowienia pokutne w języku cerkiewnosłowiańskim*, 64, Art. 53.

<sup>73</sup> Viz K. HADERKA, Introductory study to *ZSL*, MMFH IV, 159.

<sup>74</sup> M. N. TICHOMIROV – L. V. MILOV, *Zakon sudnyj ljudem kratkoj redakcii, Zakon sudnyj ljudem prostrannoj i svodnoj redakcii I-II*, Moscow 1961, II, 70: *Aště druga svoego upoitъ do ruga, da se bietъ po dvěnadcatъ raně.*

<sup>75</sup> LLP I, 191.

<sup>76</sup> LLP III, ed. J. Kurz et al., Pragae 1982, 44-45.

*mathais scholazein, Latin inebriari, ebrium esse, bibere, ebrium evadere, in vino esse),<sup>77</sup> pü i upii se.<sup>78</sup>*

Grapevine cultivation and wine drinking in the Great Moravian Empire is also confirmed by a late Czech source from the 16<sup>th</sup> century *Kronika česká*, written by chronicler Václav Hájek of Libočany. This refers to a wine cask given to Czech Duke Bořivoj by Moravian King Svatopluk in 892.<sup>79</sup>

The grapevine was first cultivated in Bohemia in the 9<sup>th</sup> and 10<sup>th</sup> centuries, particularly for the Christian ritual of mass, because in Christian liturgy wine symbolizes the blood of the sacrificed Jesus Christ.<sup>80</sup> Grape pips have demonstrably been found in Prague from as early as the 9<sup>th</sup> century.<sup>81</sup> St Wenceslas, the Czech Duke, also planted and grew grapevines and made wine from them (circa 907-935). This is proven not only by a depiction of wine pressing on a fresco from the 14<sup>th</sup> century on the first floor of a tower at Karlštejn castle (fig. 9), but also in particular by preserved written sources, such as the legendist work, which is not actually the subject of our interest. However, let us incidentally mention that the legends *Crescente fide christiana* (circa 974),<sup>82</sup> *Gumpold Legend* (circa 980),<sup>83</sup> *Kristián Legend* (circa 994)<sup>84</sup> and *Second Old Slavonic Legend of St. Wenceslas* (10<sup>th</sup>/11<sup>th</sup> cent.)<sup>85</sup> use a number of wine-growing terms (Latin *in vineam*

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<sup>77</sup> *LLP IV*, ed. Z. Hauptová et al., Pragae 1997, 585, 666-667.

<sup>78</sup> *LLP IV*, 666 mentions that this is from Const 13 (Lavrov 26,9).

<sup>79</sup> Václav Hájek z Libočan, *Kronika česká*, 1819, <http://knihomol.phil.muni.cz/m/dl/oldbooks/kronyka-ceska-hajek-z-libocan-1819/pg-148>; *Přišly su nowiny knižeti, a dar od krále morawského Svatopluka, prwe uté zemi neslychany: Totíž sud wina wyborneho welmi weliky přiwezen, Bořiwoy učyniù podiekowanij králi...*

<sup>80</sup> D. FOUILLOUX – A. LANGLOIS – A. LE MOIGNÉ – F. SPIESS – M. TRIBAULT – R. TRÉBICHON, *Slovník biblické kultury*, 243; re the grapevine and wine as a Christian symbol see J. STUDENÝ, *Křesťanské symboly*, 329-331.

<sup>81</sup> M. BERANOVÁ, *Jídlo a pití v pravěku a ve středověku*, 126-127.

<sup>82</sup> *Crescente fide christiana*, *Fontes rerum Bohemicarum* (hereinafter FRB) I, ed. J. Emler, Pragae 1873, 184, IX: *Simili modo nocturno silentio properabat in vineam sua cum ministro fideli, et accipientes botro intriverunt in chorum, et portabat in cellulam suam occulte, ibique calcabant illud in torculario et fuderunt in urceum.*

<sup>83</sup> *Gumpoldův Život Václava, knížete českého*, FRB I, 153, VII, 8: *...inter annuos processus adveniente vindemia, clanculum accito nimiae fidelitatis iam dicto sequaci, vinearum septa noctu transiliens; fiscellulus utriusque dorso dependentes gravidis implens racemis, cellulam palatio remotiorem sibiisque adeo caram furto laudabili revisit. Interim hospitioli foribus repagulorum cauta undique clausura munitis, in vas huic congruum vendemiolae uvas pístillo conterens, expressoque musti tenero liquore, per linei sacculi mundam subtilitatem studiosissima castarum impressione manuum excolavit, sicquae diotae, conscientia solum clientulo, infusum, secretiusque repositum, considerata oportunitate, inter clericos conprovinciales cum oblatis, quas missali celebritati providendo ipse coquebat, sub mira divinorum communione distribuit.*

<sup>84</sup> *Legenda Christiani. Vita et passio sancti Wenceslai et sancte Ludmille ave eius*, ed. J. Ludvíkovský, Pragae 1978, 58, 6,71-73: *Vineamque properans, botros carpens suisque illos manibus conterens urceoque infundens, usum ad sancti conservabat sacrificii.*

<sup>85</sup> *Druhá staroslověnská legenda o sv. Václavu – Second Old Slavonic Legend of St*

*suam, accipientes botros; vindemia, vinearum septa, vendemiovae; vineamque properans; Old Slavonic vinogradnye ploty, ot vinograda svoego, nalijanomъ sosudom vina).*

Let us now look at legislation on the territory of Bohemia. In the oldest code, known as the Břetislav Statute (*Decreta Bretislai*, hereinafter *Decreta*),<sup>86</sup> which was included in “Chronicle of the Czechs” by Prague chronicler Cosmas, and influenced by Great Moravian legislation,<sup>87</sup> we can distinguish five<sup>88</sup> thematically divided provisions. One is also on inebriation and the operation of a tavern.<sup>89</sup>

As this indicates, early Bohemian legislation from the first half of the 11<sup>th</sup> century strictly punished offences involving alcohol consumption and did not even permit the creation of establishments designed for such, i.e. taverns and inns. This regulation basically banned the operation of a tavern. It was risky to establish a tavern or to buy a tavern already in operation (*tabernam....qui parat et qui paratam comparat*).<sup>90</sup> Whoever

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*Wenceslas – Počinajutsę knigi o rodě i o strasti světаго knezę Věčeslava, ed. J. Vašica, in: Sborník staroslovanských literárních památek o sv. Václavu a sv. Lidmile, ed. J. Vajs, Prague 1929, 97-98, VIII: Vѣ osennaę že vremena slugu prizvavъ velikago i vѣrnago glagolennago uže otroka i naslédnika, vinogradnye ploty sam s nimъ nošiju prelezъ tai vséch, košeľ oba napolnivъ ot vinograda svoego i na plešti svoj vuzloživnъ, stъ otrokomъ svoimъ v domѣ vuzvrativse, rukama svoima i žneteše i dobrě ustroivъ na službu božiju, nikotorymъ ž(e) iněm věduštimъ razbě ednogo otroka často uže prezé glagolanago, sice že i ediněmъ bogomъ věduštim i tém otrokom, nalijanomъ sosudem vina i taino položenom, usmotrív vremě podobno, slaše po cérkvm klirikom i popom s proskury, jaž(e) sam pečaše na cerkovnye služby, i sam ladno vsém razděleše. – This is a Slav version of the Gumpold legend, discovered in 1904 by N. Nikolsky in two Cyrillic manuscripts, the Petrograd and the Kazan, and published in 1909.*

<sup>86</sup> *Cosmae chronicon Boemorum*, FRB II, ed. V. V. Tomek, Pragae 1874, 74, II, 4. This dates back to the reign of Czech Duke Břetislav I (1035-1055), even though in written form it was not recorded until the 12<sup>th</sup> century by chronicler Kosmas. The Latin term *Decreta* was used by H. JIREČEK, *Historické zprávy kronisty Kosmy pro dějiny země uherské*, in: idem, *Spisy zábavné a rozpravné*, II. Spisy rozpravné, Prague 1878, 460-497, here 463; in the form *Decreta Břeclai I.* in: H. JIREČEK, *Právnický život v Čechách a na Moravě v tisícileté době od konce IX. do konce XIX. století*, Prague – Brno 1903, 8-9.

<sup>87</sup> For more details see L. HAVLÍKOVÁ, *K vlivu velkomoravského práva na raně středověké české právo*, in: *Význam kulturného dedičstva sv. Cyrila a Metoda pre Europu*, ed. J. Michalov – M. Hetényi – P. Ivanič – Z. Taneski, Nitra 2008, 22-32.

<sup>88</sup> H. JIREČEK, *Právnický život v Čechách a na Moravě*, 8-9 distinguishes 12 ‘decrees’ in Kosmas’s Chronicle, 7-9 of which are on intemperance.

<sup>89</sup> *Cosmae chronicon Boemorum*, FRB II, 74, II, 4: *Iterum dux: Tabernam, inquit, quae est radix omnium malorum, unde prodeunt furtæ, homicidia, adulteria et cetera mala, et qui parat et qui paratam comparat, Severus episcopus dixit: Anathema sit. Et dux: Qui, inquit, comprehensus fuerit huius violator decreti tabernarius, in medio foro ad palum suspensus, et usque ad fastidium praeconis caesus depiletur; res tamen eius non infiscentur, sed potus tantum in terram proiiciatur, ne quis execrabilis haustu polluatur. Potatores autem, si deprehensi fuerint, non proiuis de carcere exeant, quam in fiscum ducis unusquisque 300 nummos componat. Severus episcopus dixit: Quae dux iudicat, nostra auctoritas firmat.* Viz také Kosmova Kronika česká, ed. K. Hrdina, Prague 1950, 82.

wanted to acquire a tavern and to become a taverner was exposed to public ridicule and scandalized by the ducal regulation. In corporal punishment he was bound to a stake in a public place (*in medio foro*),<sup>91</sup> whipped and shaved by a bailiff. However, the punishment did not affect the offender's property. He retained this, though all the alcoholic drinks were poured away (*in terram proiiciatur*),<sup>92</sup> eliminating their self-destructive power. In contrast to the temporal power of the Duke (*dux*), the guarantor of church power, the church power itself, represented by the Prague Bishop Šebíř (*Severus episcopus*), anathematised (*anathema sit*) the offending taverner.<sup>93</sup>

The following Latin expressions apply to the issue of alcoholism and drinking: inebriation (*potus*), drinker (*potatores*), tavern (*taberna*) and taverner (*tabernarius*).<sup>94</sup> *Decreta* clearly shows – and this is very much the case in modern society – that alcoholism is pernicious and that it is associated with other criminal activities such as theft (*fulta*), murder (*homicidia*), adultery (*adulteria*) and other evil deeds (*cetera mala*),<sup>95</sup> which were quite common in medieval society. Prostitution was also often associated with the operation of taverns.<sup>96</sup>

*Decreta*, which was meant for the jurisdiction of Bohemia and Moravia, was a Christian code, whose aim was not only to fight alcoholism and criminality among the population and to bolster the power of the Czech monarch, but also to fight the pagan rearguard and to consolidate Christianity, which even in the first half of the eleventh century was still *rudis*. However, *Decreta* does not make it sufficiently clear what the prohibition on drink involved, and to which alcoholic drinks it exactly related. It is well known that during the Middle Ages besides grapevine cultivation (e.g. cf. fragments of the oldest Czech relief, sandstone, Romanesque tympanum of castle chapel, Oldříš at Kolín, circa 1150, fig. 10; the preserved Romanesque abbey portal at the Cistercian monastery in Hradiště nad Jizerou, circa 1145, fig. 11; Velislavova bible, circa 1340, fig. 12)<sup>97</sup> and wine drinking, other kinds of alcohol, e.g. fruit wine were consumed,

<sup>91</sup> *Cosmae chronicon Boemorum*, FRB II, 74, II, 4.

<sup>92</sup> Ibidem.

<sup>93</sup> *Cosmae chronicon Boemorum*, FRB II, 74, II, 4.

<sup>94</sup> Ibidem.

<sup>95</sup> *Cosmae chronicon Boemorum*, FRB II, 74, II, 4.

<sup>96</sup> On the prostitution in Great Moravia see literature in note 19.

<sup>97</sup> The abbey portal at the Cistercian monastery in Hradiště nad Jizerou, circa 1145, [http://commons.wikimedia.org/wiki/File:Hradiste\\_portal.jpg](http://commons.wikimedia.org/wiki/File:Hradiste_portal.jpg); *Velislavova bible* (circa 1340), Charles University, Prague, shelf no. XXII, C 124, fol. 10b. See also *Dějiny hmotné kultury I/2*, Prague 1985, 675, ill. 558; M. BERANOVÁ, *Jídlo a pití v pravěku a ve středověku*, 125, ill. 32. It is also known that the King Charles IV introduced new rules and order to Czech viticulture. In 1358, he issued an edict, by which Czech viticulture was protected, so called The Vineyard Right.

while there was also much drinking of mead and beer, which was known to the Greeks, Romans and Byzantines, who made it from barley.<sup>98</sup>

Wine was a valued trade and export commodity.<sup>99</sup> It wielded great power, inducing a good mood and in quantities helping to gain both new friends and enemies. It was drunk at victories and in battles, while defeats were also washed down with wine. Drinking took place at birth and anniversary celebrations, as it did at funerals. Drinking took place everywhere, drinking competitions were organized and drinking bouts became part of everyday life in ancient and medieval times. In small quantities wine could also provide cures, and it was used in ancient and medieval medicine not only as a disinfectant, but also in combination with myrrh as a narcotic.

Moderate consumption of wine was recommended, and drinkers were meant to keep to *aurea via media*, because wine, like money, could make even a wise man stupid.<sup>100</sup> Wine could make a man a popular and witty companion, as well as an unpleasant and tiresome drunkard and alcoholic. Excessive wine drinking was also the cause of increased crime, even if wine itself was not itself to blame, but the drinker himself was guilty.<sup>101</sup> When wine was drunk from cups, the banqueters were forbidden from engaging in disputes,<sup>102</sup> as they could easily get into arguments and the conflict did not always end in reconciliation, but could actually result in crime.

Consumption of wine in large quantities loosened not only morals, but also tongues.<sup>103</sup> Cheered by wine, one said things about oneself and other people that one would never say sober, and many a secret was revealed,<sup>104</sup> which was meant to be kept and hidden. It was perhaps on such occasions that secret matters came to light and thus was born the proverb about wine and truth – *In vino veritas*.

<sup>98</sup> Konstantynopol. Nowy Rzym. Miasto i ludzie w okresie wczesno bizantyńskim, 569-572 (the barley beer in Greek *bryton*, *oinos krithinos*, *pīnon*; in Latin *camum*, *cervesia*, *cervisia*, *sabaia*, *zythum*).

<sup>99</sup> La production du vin et de l'huile en Méditerranée – Oil and wine production in the Mediterranean, ed. M.-C. Amouretti – J. P. Brun, Paris 1993. Re Byzantine wine trade see e.g. E. KISLINGER, Zum Weinhandel in frühbyzantinischer Zeit, Tyche 14 (1999) 141-156.

<sup>100</sup> Bacchus et argenteum mutant mores sapientum. H. WALTHER, Proverbia sententiaeque medii aevi I-VI, Göttingen 1963-1969, 1898; Moudrost věků, 69.

<sup>101</sup> Crimen vini nullum est, sed culpa bibentis (Marcus Porcius Cato, Disticha 2,21). Moudrost věků, 119.

<sup>102</sup> Inter pocula non est disputandum. H. WALTHER, Proverbia sententiaeque, 12 619a; Moudrost věků, 266.

<sup>103</sup> Quando bibo vinum, loquitur mea lingua latina. H. WALTHER, Proverbia sententiaeque, 23 458; Moudrost věků, 416.

<sup>104</sup> Qua vinum influit, refluxus decreta bibentis. H. WALTHER, Proverbia sententiaeque, 22 940; Moudrost věků, 419.

An individual who had been greatly fortified by alcohol also understood everything.<sup>105</sup> With wine in one's blood one lost inhibitions, felt stronger, more courageous and intrepid.<sup>106</sup> With a good wine one could better overcome one's problems and worries,<sup>107</sup> becoming fearless and bold.

Wine was also associated with aging and old age. There was life strength in wine and wine was considered the milk of the elderly.<sup>108</sup> Another adage recommended people to drink old wine, if one wanted to age cheerfully,<sup>109</sup> while another one warned against drinking wine.<sup>110</sup> A wise man drank wine wisely, with discretion.

The reckless lifestyle of some strata of ancient and medieval society, which were dogged by drinking sprees of all kinds, where e flowed freely and there was no lack of beautiful available women, was tellingly described by the words of an old students' drinking song: *Edite, bibite, post mortem nulla voluptas*,<sup>111</sup> words which, however, as a *memento mori* also made up part of more than one gravestone inscription.

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<sup>105</sup> *Si bibo bis vel ter, sum qualibet arte magister.* H. WALTHER, *Proverbia sententiaeque*, 28 245a; *Moudrost věků*, 483.

<sup>106</sup> *Vina dant animos* (Publius Ovidius Naso, *Heroides* 3,85). P. Ovidi Nasonis *Heroides*, ed. A. Palmer, Oxford 1961<sup>2</sup>; *Moudrost věků*, 551.

<sup>107</sup> *Vino diffugint mordaces curae.* H. WALTHER, *Proverbia sententiaeque*, 33 458; *Moudrost věků*, 552. This saying came about due to contamination from verses by Quintus Horatius Flaccus, i.e. *Nunc vino pellites curas* (*Carmina* 1,7,31) and *Neque mordaces aliter diffugint sollicitudinies* (*Carmina* 1,18,4).

<sup>108</sup> *Vinum lac senum.* H. WALTHER, *Proverbia sententiaeque*, 33 476; *Moudrost věků*, 552.

<sup>109</sup> *Vinum sume vetus, si vis veterascere laetus.* H. WALTHER, *Proverbia sententiaeque*, 33 499; *Moudrost věků*, 552.

<sup>110</sup> *Si nimium bibis, non diu eris in vivis.* H. WALTHER, *Proverbia sententiaeque*, 28 716; *Moudrost věků*, 490.

<sup>111</sup> *Moudrost věků*, 160.