

DE O PARTE ȘI DE CEALALTĂ A CARPAȚILOR

THE TRANSYLVANIANS' TRANSHUMANCE IN WALLACHIA IN THE 16TH AND 17TH CENTURIES*

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Abstract: Historians and ethnographers have so far focused on short- and long-distance transhumance between Transylvania and Wallachia after the 18th century. However, charters, letters and tax registers enable the investigation of the topic for earlier times as well. The article shows the effects of political, economic and climatic factors on cross-border grazing in the 16th and 17th centuries, exploring the evolution of the grazing rights and fiscal obligations of Transylvanian sheep owners in Wallachia. Due to the increasing significance of sheep commerce and wool industry from the 16th century, interest in Wallachian summer and winter pastures grew not only among Transylvanian Romanian villages but also among Saxon patricians and Hungarian nobles. Agreements on grazing rights and taxation depended on political and diplomatic relations and were considered within the framework of “peace and good neighbourhood” and *confoederatio* between the two countries. Furthermore, the article highlights the impact of the Little Ice Age on long-distance transhumance

Keywords: transhumance, Little Ice Age, sheep breeding, Wallachia, Transylvanian Principality.

Ștefan Meteș and Andrei (Endre) Veress published their studies on the Transylvanians' transhumance in Wallachia and Moldova almost simultaneously.¹ The main focus of their work is the post-18th century transhu-

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¹ Ștefan Meteș, *Păstori ardeleni în Principatele Române* (Arad: Editura Librăriei diecezane din Arad, 1925); Andrei Veress, “Păstoritul ardelenilor în Moldova și Țara Românească (până la 1821)”, in *Analele Academiei Române. Memoriile Secțiunii Istorice. Seria III* 7 (1927): 127–230. Veress claims that Meteș' work was printed after he had already handed over his manuscript to the publisher. Despite this, he occasionally refers to him: *Ibidem*, 141, 135, 200. Veress published his study also in Hungarian, in 1928, but without references: Endre Veress, “Erdélyiek legeltetése Moldva-Havasalföldjén”, in *Magyar Gazdák Szemléje* 33 (1928): 162–78, 209–28, 289–308. The first historian to study trans-Carpathian transhumance was Nicolae Iorga. However, he published data on shepherds from Țara Bârsei (Barcaság/Burzenland) only from the second half of the 17th century onwards: Nicolae Iorga, ed., *Brașovul și romîni. Scrisori și lămuriri* (București: Stabilimentul grafic I. V. Socecu, 1905), 305–92.

mance, as the surviving sources, in the opinion of both, only allow a more detailed study of the phenomenon from this period onwards. They write about the grazing of Transylvanian sheep in Wallachia and Moldavia in the 16th and 17th centuries merely as an introduction, citing as examples contemporary written sources published in the late 19th and early 20th centuries.² Since their pioneering work, only a few sources have been published that they did not know from archives or other source publications,³ and since then, there has been no independent study on the pre-18th century transhumance. László Földes, for instance, discusses in his 1982 study only briefly the conditions during the age of the Principality of Transylvania (1541–1699).⁴ Even if other historians, ethnographers, anthropologists and geographers have written about the early modern period, they have referred to the works of Meteş and Veress without any criticism.⁵ On one hand, this is understandable, since the lack of sources on the subject makes further research on the 16th and 17th centuries very difficult. In general, shepherds rarely left written records, especially if

² Áron Szilárdy and Sándor Szilágyi, eds., *Török-magyarkori történelmi emlékek. Első osztály. Okmánytár*, vol. 4 (Pest: Magyar Tudományos Akadémia, 1869); Sándor Szilágyi, *II. Rákóczi György diplomáciai összeköttetéseihez*, Monumenta Hungariae Historica: Magyar Történelmi Emlékek. Okmánytárak. Diplomataria 23 (Budapest: Magyar Tudományos Akadémia, 1874); Szilágyi Sándor, ed., *Erdélyi országgyűlési emlékek (Monumenta comitialia regni Transylvaniae), 1540–1699* [in the following: EOE], 21 vols (Budapest: A Magyar Tudományos Akadémia könyvkiadó-hivatala, 1875–1898); Eudoxiu de Hurmuzaki, Nicolae Densușianu, and Nicolae Iorga, eds., *Documente privitoare la istoria românilor culese de Eudoxiu Hurmuzaki* [in the following: Hurmuzaki], 19 vols (București, 1887–1915); Iorga, *Brașovul și romîni*; Nicolae Iorga, “Acte românești din Ardeal privitoare în cea mai mare parte la legăturile Secuilor cu Moldova”, *Buletinul Comisiei istorice a României* 2 (1916), 179–272. In 1970, the *urbaria* (land descriptions) of the Făgăraș (Fogaras/Fogarasch) estate were also published, which Meteş and Veress had still referred to as archival material: David Prodan, ed., *Urbariile Țării Făgărașului*, 2 vols (București: Editura Academiei Republicii Socialiste România, 1970).

³ In his 1927 article, Veress does not yet refer to the sources on transhumance that he published in the 1930s: Andrei Veress, ed., *Documente privitoare la istoria Ardealului, Moldovei și Țării Românești. Acte și scrisori*, 11 vols (București: Cartea Românească, 1929). Afterwards, further sources were published only sporadically: Sterie Stinghe, “Din trecutul Românilor din Schei”, in *Gazeta Transilvaniei* (18 February 1937); Costin Feneșan, “Două acte domnești privind păstoria ardeleni în Țara Românească”, in *Sub semnul lui Clio. Omagiu Acad. Prof. Ștefan Pascu* (Cluj: Universitatea Babeș-Bolyai, Facultatea de Istorie și Filosofie, 1974), 109–14; Susana Andea and Avram Andea, eds., *Acta et epistolae. Transilvania în relațiile cu Moldova și Țara Românească (sec. XVIII)* (Cluj-Napoca: Argonaut Publishing, 2016).

⁴ László Földes, “‘A vándorló Erdély’ Történeti-néprajzi vizsgálatok az Erdély-Havasalföld közötti transhumance-ról”, in *Ethnographia* 93 (1982), 353–89.

⁵ Laurian Someșan, “La transhumance des bergers transylvains dans les provinces roumaines”, in *Revue de Transylvanie* 1, no. 1 (1934), 465–76; Romulus Vuia, *Tipuri de păstorie la romîni (sec. 19 – începutul sec. 20.)*, Studii de etnografie/Academia Republicii Populare Romîne 3 (București: Ed. Acad. Republicii Populare Romîne, 1964); Constantin Constantinescu-Mircești, *Păstoria transhumant și implicațiile lui în Transilvania și Țara Românească în secolele XVIII–XIX* (București: Editura Academiei Republicii Socialiste România, 1976); Radu Totoianu, *Păstoria în Mărginimea Sebeșului* (Cluj-Napoca: Editura MEGA, 2021).

they engaged in livestock breeding in a part of Europe that is, in any case, poor in pre-modern written sources.⁶

On the other hand, even if the source material is scarce, it is sufficient to study the early modern trans-Carpathian transhumance on its own. It is true that because Transylvanians grazed their flocks more often in Wallachia than in Moldavia, there are far fewer sources for the latter, most of which are purely local agreements.⁷ As it is necessary to take into account the power and property structures, as well as the economic and social conditions, it is beyond the scope of this study to describe the history of the Transylvanians' pastoralism in both Wallachia and Moldavia.

The main subject of this paper is therefore the Transylvanians' pasture use in Wallachia, on which the sources are more diverse and of a substantially higher number. The paper does not only include the sources on the diplomatic relations between the two principalities to which Meteş and Veress referred, but also those that have been published since their seminal works. The early modern account books and *urbaria* are only given as examples in their studies, although their more detailed analysis provides new data on the history of transhumance.⁸ The decrees of the Transylvanian Diet on the use of pasture land are as useful on the subject as the instructions given to the customs officers of Bran (Töröcsvár/Törzburg) and Turnu Roşu (Vöröstorony/Rotenturm),⁹ or some extant memoirs and diaries of Transylvanian nobles.¹⁰ The present study – in contrast to the previous treatises –

⁶ Cf. Thomas Wallerström, "The Saami between East and West in the Middle Ages: An Archaeological Contribution to the History of Reindeer Breeding", in *Acta Borealia* 17, no. 1 (January 2000), 4; Fabian Kümmeler, *Korčula. Ländliche Lebenswelten und Gemeinschaften im venezianischen Dalmatien (1420–1499)* (Berlin, Boston: De Gruyter Oldenbourg, 2021), 55; Eugene Costello, Kevin Kearney, and Benjamin Gearey, "Adapting to the Little Ice Age in Pastoral Regions: An Interdisciplinary Approach to Climate History in North-West Europe", *Historical Methods: A Journal of Quantitative and Interdisciplinary History* 56, no. 2 (3 April 2023), 77.

⁷ Iorga, "Acte româneşti", 193–212. There are also a few scattered surviving court documents that testify to agreements on pasture use between villages and individuals based on customary law: Veress, *Documente privitoare*, vol. 7, 309–310; 9, 278–279.

⁸ Hurmuzaki, vol. 11, 783–883; Prodan, *Urbariile Țării Făgăraşului*; Liviu Ursuţiu, ed., *Domeniul Gurghiu (1652–1706). Urbarii, inventare și socoteli economice* (Cluj-Napoca: Argonaut, 2007); Toma Cosmin Roman, *Sibiul între diplomație și război* (Sibiu: Editura Honterus, 2017).

⁹ *Approbatæ Constitutiones Regni Transylvaniae & Partium Hungariae Eidem Annexarum* (Claudiopolis: Nicolai Kis de Miszt-Tótfalu, 1696); EOE, vols 3–18; Zsolt Simon, "Fejedelemség kori erdélyi harmincadosutasítások. A töröcsvári vámos 1658. évi instrukciója", *A Kolozsvári Magyar Történeti Intézet Évkönyve* 4 (2019), 69–93; Direcția Județeană a Arhivelor Naționale Sibiu (in the following: DJANS), *Documente medievale*, U VI. 1072. I would like to thank Mária Pakucs for recommending and providing the archival material to me.

¹⁰ Paulus Bencker, "Auszug aus dem Diarium des Paulus Bencker d. Ä.", in *Quellen zur Geschichte der Stadt Brassó, Bd. 4. Chroniken und Tagebücher, Bd. 1 (1143–1867)* (Brassó: Heinrich Zeidner, 1903), 180–218; Miklós Bethlen, "Bethlen Miklós élete leírása magától", ed. Éva V. Windisch, 2 vols (Budapest: Szépirodalmi Könyvkiadó, 1955); Dominique Révérend, ed., *Bethlen Miklós emlékiratai*, 2nd ed. (Budapest: Helikon, 1984).

relies not only on Transylvanian sources, but also on Wallachian charters, in order to learn about the power and property relations south of the Carpathians.¹¹

The study examines the political, economic and climatic factors that influenced the spread of the Transylvanians' transhumance in Wallachia, their privileges and financial obligations before the 18th century. Previous research has rarely addressed the political background of the agreements on pasture use between Transylvania and Wallachia, preferring to explain them in terms of the "national solidarity" among Romanians.¹² This paper, in turn, points to the role of grazing rights and the financial benefits of transhumance in diplomatic relations between the two principalities. The economic factors related to transhumance have so far been emphasised mainly by sociologists and ethnographers, but the present study analyses them from a historical perspective.¹³ Although the cold climatic period known as the Little Ice Age, which lasted from about the 15th to the 19th century in Central Europe, has recently been the subject of much research by historians of the Early Modern Period in the Carpathian Basin; its impact on the development of transhumance has not yet been studied.¹⁴ This study will therefore discuss not only the economic conditions but also climatic factors. Since it is necessary to distinguish between inter-state agreements and the privileges granted to certain villages, towns, individuals and families by the Wallachian voivode, they will be studied separately.

It is important to emphasise that most of the early modern sources do not speak of agreements between the two principalities, but of illegal grazing, theft and abuse. This was not unique to the principalities around the Carpathians, however, wherever transhumant shepherds and sedentary peasants used the land side by side,

¹¹ *Documenta Romaniae Historica. A. Moldova* [in the following: DRH, A], 28 vols; *Documenta Romaniae Historica. B. Țara Românească* [in the following: DRH, B], 41 vols; *Documenta Romaniae Historica. D. Relații între Țările Române* [in the following: DRH, D], vol. 1 (București: Editura Academiei Republicii Socialiste România, 1966).

¹² Corneliu Bucur, "Invarianță și variabilitate în păstoritul tradițional (Despre momentul apariției, cauzele și caracterul transhumanței pastorale a românilor)", in *Anuarul Muzeului Etnografic al Transilvaniei* 10 (1978), 125–46; Ioan-Aurel Pop, "Domnia lui Constantin Brâncoveanu și românii din Transilvania – realitate istorică și reflectare în istoriografia românească transilvăneană din secolul XVIII", in *Constantin Brâncoveanu*, ed. Paul Cernovodeanu and Florin Constantiniu (București: Editura Academiei Republicii Socialiste România, 1989), 62.

¹³ Bucur, „Invarianță și variabilitate”, 139–40; Földes, "A vándorló Erdély", 383–84; Marin Constantin, "Capitalism and Transhumance. A Comparison of Three Pastoral Market Types in Europe (1950–2000)", *New Europe College Yearbook* 11 (2003), 55–116.

¹⁴ Lajos Rác, "Carpathian Basin. The Winner of the Little Ice Age Climate Changes. Long-Term Time-Series Analysis of Grain, Grape and Hay Harvests Between 1500 and 1850", *Ekonomika i ekohistorija: Časopis za gospodarsku povijest i povijest okoliša* 16 (2020): 81–96; Andrea Kiss, "A Kis Jégkorszak, a Spörer Minimum és Mohács", in *Mohács szimfónia: tanulmányok a mohácsi csatával kapcsolatos kutatások eredményeiből. Mohány Symphony. Studies on the New Research Achievements on the Battle of Mohács 1526*, ed. Varga Szabolcs and Türk Attila (Budapest: PPKE BTK Régészettudományi Intézet: Martin Opitz Kiadó: Duna-Dráva Nemzeti Park Igazgatóság: Mohács 500 Egyesület, 2022), 17–46.

clashes were inevitable and frequent.¹⁵ Although these conflicts are not the focus of this study, their analysis is sometimes necessary, as they can provide essential data for studying the evolution of transhumance.

THE BEGINNINGS OF THE TRANS-CARPATHIAN PASTORALISM

First of all, it is necessary to define some basic terms such as nomadic, transhumant and sedentary pastoralism. While nomadic herders and their families are constantly on the move in search of pasture for their animals, in the case of sedentary herding, the animals graze within the boundaries of a permanent settlement. Also, in the case of transhumance, the owners of the livestock stay in permanent settlements, but the animals graze outside the village boundaries in winter or summer: it is not the whole family that accompanies the animals, only the shepherds in charge.¹⁶

In the case of the Transylvanians' pasture use in Wallachia, we are talking about transhumance, which can be detected in both its short-distance (pendular) and long-distance forms. Short-distance transhumance was mainly practiced in the foothill settlements, where livestock breeders sent their flocks to pasture on the high mountains during summer and let them herd back to the village in winter. In the early modern period, keeping animals in the stable was not yet widespread in Transylvania, so, where possible, animals grazed on the outskirts of villages in winter or sometimes consumed hay.¹⁷ When, however, due to the adverse weather conditions, it was not possible to count on sufficient quantities of pasture grass or hay in winter, livestock owners let their flocks winter in the lowlands south of the Carpathians, often along the Danube – in this case, we speak of long-distance transhumance.¹⁸ It should be stressed that trans-Carpathian transhumance refers almost exclusively to sheep herding.¹⁹

¹⁵ Fernand Braudel, *The Mediterranean and the Mediterranean World in the Age of Philip II*, vol. 1 (Berkeley, Los Angeles: University of California Press, 1995), 91; Werner Bätzing, *Die Alpen. Entstehung und Gefährdung einer europäischen Kulturlandschaft* (München: Beck, 1991), 43; Thurstan Robinson, "Crossing Boundaries: Transhumance in the South-West Taurus in Antiquity", in *Regionalism in Hellenistic and Roman Asia Minor*, ed. Hugh Elton and Gary Reger (Pessac: Ausonius Éditions, 2007), 117–26; Kümmeler, *Korčula*, 365–410.

¹⁶ Several typologies of pastoralism are known in Romanian ethnography: Vuia, *Tipuri de păstorit*; Nicolae Dunăre, "L'élevage bi-pendulaire dans les zones de fenaison de l'Europe", *Apulum* 15 (1977), 764–67. However, there are even more groupings at European and global level: Raquel Gil Montero, Jon Mathieu, and Chetan Singh, "Mountain Pastoralism 1500–2000. An Introduction", *Nomadic Peoples* 13, no. 2 (2009), 1–16; Letizia Bindi, "Introduction", in *Grazing Communities: Pastoralism on the Move and Biocultural Heritage Frictions*, ed. Letizia Bindi (New York: Berghahn Books, 2022), 1–20.

¹⁷ Imreh István and Pataki József, *Kászonszéki krónika: 1650–1750* (Budapest: Európa Könyvkiadó, 1992), 191.

¹⁸ Sally Huband, David I. McCracken, and Annette Mertens, "Long and Short-Distance Transhumant Pastoralism in Romania: Past and Present Drivers of Change", in *Pastoralism* 1, no. 1 (January 2010), 55–71.

¹⁹ Sources sometimes mention droves of pigs that were driven from Transylvania to Wallachia for pannage: Prodan, *Urbariile Țării Făgărașului*, vol. 2, 612, 841. At the same time, Moldavian and

It is also important to point out that the boundaries between different forms of pastoralism are often blurred and that different factors have influenced the emergence, growth or disappearance of a form of pastoralism in different centuries and in different regions.²⁰ It is, therefore, justifiable to ask, when transhumance in the Transylvanian case might have appeared and spread more widely.

The possible answers to this question are closely related to theories concerning the origins of the Romanian people. Scholars who see the Romanians as the descendants of the Romanised Dacians consider sedentary herding as the original form of pastoralism in the region. According to them, Romanians living permanently in Transylvania did use the mountain pastures in summer, but it was always short-distance, pendular transhumance.²¹ Long-distance transhumance developed as a result of increasing market demands. According to Corneliu Bucur, the new economic policies of the Hungarian kings of the 13th and 14th centuries increased the importance of animal husbandry, which encouraged the Romanian shepherds of southern Transylvania to find other ways of feeding their cattle in winter, due to the lack of hay meadows and pastures. Wallachia, after gaining independence in the 14th century, offered safer conditions for grazing.²² Constantinescu-Mircești, however, explains the emergence of transhumance with the booming wool industry in later centuries.²³ Many believe that it is thanks to this form of pastoralism that the Romanian people have remained united over the centuries.²⁴

Scholars advocating the immigration theory, however, place the ethnogenesis of the Romanian people south of the Danube and their arrival in Transylvania in the 12th–13th centuries.²⁵ According to them, the Romanians were initially nomadic

Wallachian pigs were also sent to Transylvanian oak forests; see Hurmuzaki, vol. 15/2, 842; Grigore G. Tocilescu, ed., *534 documente istorice slavo-române din Țara Românească și Moldova privitoare la legăturile cu Ardealul (1346–1603)* (București: Librăria “Cartea românească”, 1931), 252–53.

²⁰ Braudel, *The Mediterranean*, vol. 1, 86; Noël Coulet, “Vom 13. bis 15. Jahrhundert: die Etablierung der provenzalischen Transhumanz”, *Histoire des Alpes – Storia delle Alpi – Geschichte der Alpen* 6 (2001): 152; Robinson, “Crossing Boundaries”, 57; Eugene Costello, *Transhumance and the Making of Ireland’ Uplands (1550–1900)*, Garden and Landscape History (Woodbridge: The Boydell Press, 2020), 1.

²¹ Vuia, *Tipuri de păstorit*, 188; Ion Donat, “Păstoritul românesc și problemele sale”, in *Studii. Revista de Istorie* 19, no. 2 (1966): 281–305; Bucur, “Invariantă și variabilitate”; Petre P. Panaitescu, *Introducere la istoria culturii românești. Problemele istoriografiei române*, 2nd ed. (București: Editura Minerva, 2000), 131–37; Totoianu, *Păstoritul*, 57–65.

²² Bucur, “Invariantă și variabilitate”, 136–37, 141.

²³ Constantinescu-Mircești, *Păstoritul transhumant*, 7–10.

²⁴ Bucur, “Invariantă și variabilitate”, 145; Constantinescu-Mircești, *Păstoritul transhumant*, 15; Ionel Calin Micle, “From Carpathian to Pindus. Transhumance – a Bridge between Romanians and Aromanians”, *Central European Regional Policy and Human Geography* 3, no. 1 (2013): 27–33; Lucian David, “Transhumanța carpatică, Tradiție și continuitate”, *Studii și Comunicări de Etnologie* 34 (2020), 108.

²⁵ Imre Lukinich, ed., *Documenta historiam Valachorum in Hungaria illustrantia usque ad annum 1400 p. Christum* (Budapestini: Institutum Historici Europae Centro-Orientalis in Universitate Scientiarum Budapestinensis, 1941); Béla Gunda, “A román pásztorkodás magyar kapcsolata”, *Nép*

sheep herders, and, before their arrival in Transylvania, they might have already used the pastures of the southern slopes of the Carpathians. However, by the time they settled inside the Carpathians, they are described as transhumant pastoralists, rather than nomads.²⁶ Especially from the 16th century onwards, as agriculture became more important and the Romanians moved to the interior of Transylvania, sedentary animal husbandry became more frequent. On the other hand, in the villages at the foot of the Carpathians, we can still speak of pendular pastoralism.²⁷ However, in the absence of written records and archaeological research, the immigration theory cannot be supported with absolute certainty either. An objective, international and interdisciplinary research team would contribute not only to the study of the origins of the Romanian people, but also to the development and spread of transhumance.²⁸

Both the Dacian-Romanian continuity and immigration theories agree, however, that the transhumance can be traced back to late medieval written sources. In spite of that, they explain its development and spread with various factors. Veress and Panait Panaitescu justify the Transylvanians' transhumance in Wallachia on the basis of the better quality of grass found on the southern and eastern slopes of the Carpathians.²⁹ In the second half of the 20th century, some historians and ethnographers – inspired by Marxist principles – linked the spread of transhumance to the impact of feudalism, as this phenomenon was mostly developed in the Romanian villages belonging to the Saxon seats, which enjoyed greater freedom than settlements on princely or noble estates.³⁰ Most ethnographers agree that the real boom in transhumance began only in the modern period, in parallel with the development of the wool industry in the Saxon towns of southern Transylvania.³¹ The growing intensity of pastoralism on the southern slopes of the Carpathians from the beginning of the 18th century is also attested by palaeobotanical research.³²

és Nyelv 1 (1941), 313–20; Gottfried Schramm, *Ein Damm bricht. Die römische Donaugrenze und die Invasionen des 5.–7. Jahrhunderts im Lichte von Namen und Wörtern* (München: Oldenbourg, 1997), 275–343.

²⁶ László Makkai and Béla Köpeczi, eds., *Erdély története három kötetben*, vols 3 (Budapest: Történettudományi Intézet, 1986), vol. 1, 302.

²⁷ Makkai and Köpeczi, vol. 2, 745–748.

²⁸ Florin Curta, “Aging Levee: On the Twenty-Fifth Anniversary of Gottfried Schramm’s *Ein Damm bricht*”, in *Historical Studies on Central Europe* 2, no. 2 (2022), 179–213; Miklós Takács, “Some Remarks on the Investigation of Traces of Transhumance in the Early Medieval Balkans”, in *Historical Studies on Central Europe* 2, no. 2 (2022), 214–44.

²⁹ Veress, “Păstoritul ardelenilor”, 130–31; Panaitescu, *Introducere la istoria culturii*, 134.

³⁰ Constantinescu-Mircești, *Păstoritul transhumant*, 10–11; Bucur, “Invarianță și variabilitate”, 142; Földes, “A vándorló Erdély”, 384; Huband, McCracken, and Mertens, “Long and Short-Distance”, 59.

³¹ Földes, “A vándorló Erdély”, 383–84; Constantin, “Capitalism and Transhumance”; Radu Săgeată *et al.*, “Shepherding at Mărginimea Sibiului (Romania): Past, Present and Future”, in *European Review* 31, no. 1 (2022), 65–89.

³² Alexandru Nedelea and Laura Comănescu, “Effects of Transhumance on the Southern Slope of the Făgăraș Mountains”, in *GeoJournal of Tourism and Geosites* 4, no. 2 (2009), 125–32.

THE FIRST AGREEMENTS BETWEEN TRANSYLVANIA AND WALLACHIA

The first written sources of trans-Carpathian transhumance date back to the 15th century. At that time, most of the agreements authorising grazing rights were certainly not written down or, if they were, the documents have not survived. The very first privileges we know of were local and based on customary law: the Wallachian voivode granted certain Transylvanian towns and institutions the right to use the pastures of his country. Almost all historians of transhumance and ethnographers mention these local agreements. The first document of this kind is a charter issued to the town Cisnădie (Nagydisznód/Heltau) in 1418 by voivode Michael I, confirming the privilege given to the town by his father, Mircea the Old (Mircea cel Bătrân). According to this, the town's animals were allowed to graze "freely" (*libere*) in the Wallachian mountains. This document did not yet mention any kind of payment for the pasture usage.³³

The next written record dates to the reign of Neagoe Basarab (1512–1521), in which the voivode granted the town of Braşov (Brassó/Kronstadt), its surrounding area and the Székelys (Szeklers) permission to use the pastures in his country, which the Transylvanians could do hitherto "freely and peacefully" (*slobodni i mirni*). However, the shepherds were now obliged to pay the sheep tax called *gorština* (*gorština*) – as this was also the duty of Wallachians who grazed their herds in Wallachia, "Turkey" and Transylvania.³⁴ This is the first record we know of Transylvanian shepherds owing sheep tax for the use of Wallachian pastures.

The diversity of customary law from one area to another is demonstrated by the relationship between Sibiu (Szeben/Hermannstadt) and Wallachia.³⁵ From the 1540s onwards, the account books of Sibiu mention annual envoys sent to Wallachia at the end of May and the beginning of June (at the beginning of the summer grazing season) for the sake of "peace and good neighbourhood" and "the

³³ DRH, D, vol. 1, 203–204. Panaitescu, however, regards a document of Mircea the Old, dated between 1404 and 1406 as an even older reference to (long-distance) transhumance, as the charter mentions shepherds staying at the lakes along the Danube: DRH, B, vol. 1, 63–64; Petre P. Panaitescu, *Mircea cel Bătrân* (Bucureşti: Editura Casa Şcoalelor, 1943), 63.

³⁴ Tocilescu, *534 documente*, 247–48. Ioan Bogdan dated the same document to the time of Basarab the Old (Basarab Laiotă cel Bătrân, 1473, 1474, 1475–1476, 1476–1477): Ioan Bogdan, ed., *Documente şi regeste privitoare la relaţiile Ţării Rumâneşti cu Braşovul şi Ungaria în secolul XV şi XVI* (Bucureşti, 1902), 79. The statement concerning the reign of Neagoe Basarab is probably closer to the truth if we take into account the relatively stable Hungarian-Wallachian relations at the time; the existence of these is less certain for the reign of Basarab the Old. However, since Veress referred to Bogdan's source publication, most of the studies on pastoralism attribute the charter to Basarab the Old, e.g. Someşan, "La Transhumance", 468; Constantinescu-Mirceşti, *Păstoritul transhumant*, 18; Totoianu, *Păstoritul*, 106.

³⁵ Meteş clearly identified some of the entries in the account books of Sibiu on sheep and mountains from 1521, 1524 and 1528 with transhumance, although most of them only refer to sheep thefts: Meteş, *Păstori ardeleni*, 19, n. 1; Hurmuzaki, vol. 11, 844, 851.

mountains". The envoys also brought rich gifts to the voivode: gilded silver goblets, helmets, shields, various vessels and chalices.³⁶ After 1562, however, there seem to be no delegations to the voivode every year, and the account books also mention less and less frequently the "mountains" as their motivation.³⁷ Instead, they simply emphasise the good neighbourhood between the principalities, not forgetting the generous gifts.³⁸

It is indisputable, therefore, that the division and usage of mountain pastures were governed by customary law between Sibiu and Wallachia, which was renewed annually by the parties in exchange for rich gifts, depending on the political and economic relations of the time. Nonetheless, it is questionable to what extent this right can be considered as permanent – could it be that the sheep owners of Cisnădie were already rewarding the right to graze their sheep "freely" with gifts under Mircea the Old? In any case, such agreements were an integral part of the "good neighbourhood", which was reflected, among other things, in the mutual respect for the border between the two countries and the attempts to eradicate frequent animal thefts.³⁹

It is worth pointing out that the envoys from Sibiu often brought special gifts to the son of the voivode, the Ban of Oltenia, and to various court officials – courtiers (*vornic/dvornic*), chancellors (*logofăt*) and table-masters (*stolnic*).⁴⁰ This may indicate that the summer pastures at the disposal of the sheep breeders from Sibiu were not the exclusive property of the voivode. After all, Wallachian voivodes did not have their own fiscal domains in the 16th century.⁴¹ Instead, the Transylvanians also had to make agreements with the landowning boyars and monasteries on the usage of alpine pastures. Later, 17th century sources also refer to the fact that the boyars profited from renting pastures, and some documents also mention Transylvanian sheep grazing for rent in the domains of Wallachian

³⁶ "cum eodem pacem et bonam vicinitatem concludendam racione Alpium" – Hurmuzaki, vol. 11, 858 (10 April 1543); "causa alpium" – *Ibidem*, 862 (10 May 1549); "ex parte Alpium" – *Ibidem*, 862 (19 May 1550), 863 (26 May 1551; 13 June 1552), 864 (16 June 1553). As for the delegation of the village leader (*cneaz*) Micu in 1520, or Oprea, *cneaz* of Cacova (Kákova/Krebsbach) in 1524, to Wallachia "for the sake of grazing", it is not known whether their mission concerned only their own flocks or the general grazing rights of the Sibiu Seat; see Roman, *Sibiul între diplomație*, 80; Hurmuzaki, vol. 11, 847 (3 May 1524).

³⁷ "nach dem er langst das Gebierg allenthalben zu gebietten hatt" – Hurmuzaki, vol. 11, 878; "des Gebierg halben" – *Ibidem*.

³⁸ "gutte Nachbarschafft" – *Ibidem*, 879, 881, 882.

³⁹ Anca Ramona Hapca, "Origins of a Border Conflict Between the Maramureş and Bistriţa Regions", in *Annales Universitatis Apulensis Series Historica* 16, no. 2 (2012), 183–94; Hurmuzaki, vol. 11, 851, vol. 15/2, 1371–72. Legal historians have so far only examined the modern meanings of the concept of "good neighbourhood"; see Ştefan Deaconu, *Principiul buneii vecinătăţii în dreptul românesc* (Bucureşti: Editura All Beck, 2005).

⁴⁰ Hurmuzaki, vol. 11, 858, 860, 862, 878.

⁴¹ Ion Donat, *Domeniul domnesc în Ţara Românească (sec. XIV–XVI)*, ed. Şerban Papacostea (Bucureşti: Editura Enciclopedică, 1996), 93.

monasteries.⁴² However, there is nothing to suggest that the village communities, which still owned a large part of the Wallachian mountains in the 16th and 17th centuries – despite the spread of the boyars' estates⁴³ – would have occasionally rented their pastures to the Transylvanians.

Nevertheless, we should also highlight the fact that even the earliest border demarcations mention the trans-Carpathian grazing and its customary character.⁴⁴ In 1520, an agreement initiated by the Transylvanian boyars from Hațeg (Hátszeg/Hatzeg) mentions that wherever there are sheep, “either in the mountains or anywhere else”, the shepherds should pay taxes, “according to justice, custom and law”.⁴⁵ The noblemen of Hațeg, Caransebeș (Karánsebes/Karansebesch), Sibiu and Sebeș (Szászsebes/Mühlbach) also agreed with the Wallachian boyars at the time of the 1606 border demarcation that if the shepherds crossed the border with their flocks, they would pay “the traditional income” “according to the custom of old times”.⁴⁶ A “customary income” is also mentioned in the agreement between Transylvania and Wallachia from the same year, after they had agreed on the compensation for livestock thefts between the two countries.⁴⁷

Even before the 17th century, flocks were driven from various Transylvanian regions, from Hațeg, Caransebeș, the Sibiu Seat and Țara Bârsei, to the southern slopes of the Carpathians. A letter from 1542, according to which the Transylvanians and the Wallachians were free to use each other's mountains, also refers to the transhumance of the people from the Făgăraș region.⁴⁸ However, the wintering of the flocks in Wallachia may have been less common at this time, as most of the agreements refer to the use of (summer) pastures in the mountains. It cannot be excluded, however, that the sheep-breeding communities, who still practiced long-distance transhumance to a small extent, evolved in this time: the *mărgineni*, *mocani*, *țuțuieni* (from Mărginimea Sibiului/Szeben-Hegyalja/Hermannstädter Randgebiet), the *șcheieni* (from Șcheii/Bolgárszeg/Belgerei) or the *săceleni* (Săcele/Szecseleváros/Siebendörfer).⁴⁹ It could have been, though, only after the 16th century that they began to winter their livestock permanently on the other side of the Carpathians.

⁴² Sándor Szilágyi, ed., *Levelek és okiratok I. Rákóczy György keleti összeköttetései történetéhez* (Budapest: Knoll Károly Akad. Könyvkereskedése, 1883), 109; DRH, B, vol. 24, 268, vol. 25, 361.

⁴³ Daniel Chirot, *Social Change in a Peripheral Society. The Creation of a Balkan Colony* (New York: Academic Press, 1976), 52–53.

⁴⁴ In the early modern period, we cannot speak of a border between Transylvania and Wallachia in the modern sense of the term. There were only local agreements about this: Marian Coman, *Putere și teritoriu. Țara Românească medievală (secolele XIV–XVI)* (Iași: Polirom, 2013), 190–247.

⁴⁵ “ili na planini, ili na koe mesto hoket biti, da mu se uzimaet dan po pravdu i po običaju i po zakon” – DRH, B, vol. 375–377; Coman, *Putere și teritoriu*, 208–16.

⁴⁶ “să plătească venitul îndatinat, după obiceiul din vechime” – Ioan Lupaș, “O învoială între ardeleni și munteni la 28 mai 1606”, in *Anuarul Institutului de Istorie Națională* 2 (1923), 372.

⁴⁷ EOE, vol. 5, 428.

⁴⁸ Hurmuzaki, vol. 15/1, 419.

⁴⁹ Annette Mertens and Sally Huband, “Romanian Transhumance. The Past, the Present and Future Scenarios”, in *Transhumance and Biodiversity in European Mountains*, ed. Robert G. H. Bunce *et al.* (Wageningen: ALTERNAT, 2004), 155–70; Săgeată *et al.*, “Shepherding at Mărginimea Sibiului”, 66.

CHANGES IN THE 16TH AND 17TH CENTURIES

From the middle of the 16th century onwards, several factors can be identified that may have encouraged Transylvanian sheep owners to use pastures beyond the Carpathians: (1) the growing importance of livestock production, (2) trade with the Ottoman Empire, (3) the development of the wool processing industry, (4) population growth, and (5) climate change, also known as the Little Ice Age.

(1) The independent Transylvania, while still maintaining trade relations with the rest of Hungary, which had been divided into three parts, was now increasingly dependent on its own resources. The Transylvanian prince, therefore, wanted to maximise the benefits of the treasury, in which livestock farming played a major role. As palaeobotanical research in the Apuseni Mountains has shown, deforestation in the region accelerated from the mid-16th century onwards. This was partly due to the need for timber to rebuild the settlements destroyed by Ottoman and Tartar raids, and partly to the rise of animal husbandry, especially its short-distance (pendular) form. The latter required new pastures and hay meadows.⁵⁰

Short-term pastoralism and the exploitation of high mountain areas were not unique to the Apuseni Mountains. The prince and other landowners used the mountain resources also in other places. For example, the village of Poiana Mărului (Almásmező/Bleschenbach), on the slopes of the Southern Carpathians, was founded at the end of the 16th century by the captain Kozma Petrichevich-Horváth of Făgăraş “as he saw the great decay of the pastures and the forests, as well as the useless situation of the creeks for fishing”. The inhabitants of the new village owed taxes to the treasury from the income derived from the mountain pastures, forests and rivers, so the establishment of the settlement was an economic benefit.⁵¹

After the Székelys had lost most of their privileges following 1562, they wrote numerous letters of complaint to the prince about the arbitrary actions of the centrally appointed officials, who more than once occupied their pastures and meadows.⁵² At the same time, János Béli of Uzon was also in litigation with the town of Prejmer (Prázsmár/Tartlau) over the meadow called Poiana Buzăului (Bodzamező/Bodsauer Au), bordering Wallachia.⁵³ However, as David Prodan has pointed out, it was only in the 17th century that the interest of the prince and nobles for the high mountain pastures increased significantly.⁵⁴ From that time onwards, in

⁵⁰ Gusztáv Jakab *et al.*, “Social Context of Late Medieval and Early Modern Deforestation Periods in the Apuseni Mountains (Romania) Based on an Integrated Evaluation of Historical and Paleobotanical Records”, in *Environmental Archaeology* 26, no. 1 (2021), 1–22.

⁵¹ Prodan, *Urbariile Țării Făgărașului*, vol. 1, 204.

⁵² Károly Szabó, ed., *Székely Oklevéltár* (Kolozsvár, Budapest: Magyar Történelmi Társulat, 1872), vol. 2, 183, 325.

⁵³ Zsolt Bogdándi and Emőke Gálfi, eds., *Az erdélyi káptalan jegyzőkönyvei*, Erdélyi Történelmi Adatok 8 (Kolozsvár: Erdélyi Múzeum-Egyesület, 2006), vol. 1, 134–36.

⁵⁴ David Prodan, *Iobăgia în Transilvania în secolul al XVII-lea*, 2 vols (București: Ed. Științifică și Enciclopedică, 1986–1987), vol. 1, 340–48.

the *urbaria* of the fiscal domains Făgăraş and Gurghiu (Görgény/Görge), more and more detailed information was recorded about the pastures: who owned them, how many sheepfolds (*stânalesztina*) there were, how many sheep could graze on them and how much the prince benefited from them.⁵⁵

(2) Although the Ottoman Empire did not have nearly as much influence on Transylvania as it did on Wallachia or Moldavia in terms of sheep trade, the so-called “Greek merchants” were already buying sheep in such quantities in the second half of the 16th century that the Estates of Transylvania were forced to restrict their activities. In 1577, the export of sheep and wethers (*berbecs*) was banned, followed by a ban on the export of bucks and goats in 1578, along with the prohibition of trade in the skins of any livestock or wild animals.⁵⁶

However, sources from the 17th century already testify to a sheep trade with the Ottomans initiated by the Transylvanians. The military conflicts at the beginning of the century must have drained the country’s treasury, as the Diet of 1617 justified the export of livestock on the grounds of the need for revenues.⁵⁷ In 1628, on the orders of Prince Gábor Bethlen, the envoy Mihály Tholdalagi had to negotiate with the Sublime Porte to allow the Transylvanians to drive a certain number of sheep each year to Târgovişte or Bucharest, where they would be taken over by the Sultan’s men.⁵⁸ According to this letter, the Ottoman sheep traders, the *celepi*, did not enter Transylvania. In 1674, however, the Sultan’s chief butcher asked Prince Mihály I Apafi to help a merchant named Iani, who was travelling to Transylvania to buy sheep.⁵⁹

The increasing presence of Ottoman sheep traders could lead to clashes. Therefore, the Diet of 1675 forbade merchants from “foreign nations” to go “from village to village, from town to town and from pasture to pasture”, and only allowed them to buy goods in specified towns.⁶⁰ As Count Miklós Bethlen recorded, many Transylvanian sheep were sold to *celepi* in Wallachia in spring, after wintering there: “The Transylvanian lords take a great deal of money from this and it also makes up the largest part of their income.”⁶¹ Therefore, the prince

⁵⁵ Prodan, *Urbariile Țării Făgăraşului*, vol. 1, 676–812, 2, 593–642; Ursuţiu, *Domeniul Gurghiu*, 189, 270.

⁵⁶ EOE, vol. 3, 117, 134; Ştefan Meteş, *Relațiile comerciale ale Țerii-Românești cu Ardealul până în veacul al XVIII-lea* (Sighișoara: Tipografia lui W. Krafft, 1921), 140–42. As for the term *berbecs*, according to Sándor Takáts, in the Principality of Transylvania this word was primarily used for a long-haired sheep breed rather than a castrated ram: Sándor Takáts, “Régi pásztornépünk élete”, in *Rajzok a török világból*, vol. 2 (Budapest: Magyar Tudományos Akadémia, 1915), 335–39.

⁵⁷ “mivel ez országban pénzt, kiváltképpen mostani időben, ha az barom kihajtást megtiltjuk, nem hozhatnak” – EOE, vol. 7, 479–480.

⁵⁸ Szilárdy and Szilágyi, *Török-magyarkori*, vol. 4, 69.

⁵⁹ Tahsin Gemil, ed., *Relațiile țărilor române cu Poarta otomană în documente turcești (1601–1712)* (București: Direcția Generală a Arhivelor Statului din Republica Socialistă România, 1984), 345–46.

⁶⁰ EOE, vol. 16, 173.

⁶¹ Révérend, *Bethlen Miklós Emlékiratai*, 106.

and the nobility were interested in the sheep trade, and had a greater need for the summer and winter pastures of Wallachia than before.

(3) The development of crafts played a significant role in the economy of early modern Transylvania. On the one hand, this was due to increased market demands, and on the other hand, to the mercantilist policies of the Transylvanian princes, especially Gábor Bethlen.⁶² The development of furriers and clothmakers may also have been linked to animal husbandry. Ștefan Pascu attributed the 16th century boom of these guilds in Brașov and Sibiu to the rich sheep population in the surrounding mountains.⁶³ It is not clear from the surviving sources whether the crafts stimulated sheep breeding or whether the rise of sheep breeding encouraged the activities of furriers and clothmakers. Corneliu Bucur also attributed the 1418 charter of Cisnădie to the town's developing wool industry,⁶⁴ but the growing needs of the local furriers and clothmakers can only be traced back to the 16th century.⁶⁵

Although the number of industry-related sources increased, little is known about where the guilds bought their raw materials, under what conditions and how much. Brașov must have benefited from the sheep breeding of the surrounding villages: a source from 1696 mentions an individual named Stoica Postăvariul.⁶⁶ According to Pál Binder, the surname refers to the fact that Stoica was paid in cloth (*postav*) for his services to the clothmakers of Brașov. Since this Stoica appears in other documents as a sheep owner, it is possible that he provided the Saxon guild masters with some of his sheep's wool.⁶⁷

(4) In Transylvania in the 17th century, although at a low rate, there was some population growth, especially in the Romanian villages.⁶⁸ This was not only reflected in the increased demand for wool and dairy products, but also stimulated the production of tallow based on the use of sheep fat.⁶⁹ All this helped sheep breeding to take off. The larger the flock, the more difficult it was to feed the animals with hay every winter: in this case, the pastures beyond the Carpathians, with milder winter weather, were a new alternative.⁷⁰

⁶² Makkai and Köpeczi, *Erdély története*, vol. 2, 649–55; Pál Szentpáli-Gavallér, “Az erdélyi fejedelemség gazdasága, a céhes élet szabályozása Bethlen Gábor idején, különös tekintettel a modern kori szabályozással kapcsolatos párhuzamokra”, *Erdélyi Jogélet* 3, no. 4 (2022): 121–38.

⁶³ Ștefan Pascu, *Meșteșugurile din Transilvania până în secolul al XVI-lea* (București: Editura Academiei Republicii Populare Române, 1954), 142.

⁶⁴ Bucur, “Invariantă și variabilitate”, 139–40.

⁶⁵ Pascu, *Meșteșugurile*, 236.

⁶⁶ Sterie Stinghe, “Din trecutul Românilor din Schei”, in *Gazeta Transilvaniei* (11 March 1937), 2.

⁶⁷ According to Binder, it is from this Stoica Postăvariul that the Romanian name of the Mount Postăvarul (Keresztényhavas/Schulerberg) derives; see Pavel Binder, “Oronime derivate din antroponime în munții Brașovului”, in *Limba Română* 22, no. 6 (1973), 572–73.

⁶⁸ Makkai and Köpeczi, *Erdély története*, vol. 2, 726–31.

⁶⁹ Földes, “A vándorló Erdély”, 384.

⁷⁰ Bucur, “Invariantă și variabilitate”, 140.

(5) What the historians and ethnographers of trans-Carpathian transhumance have not yet considered is the link between the Little Ice Age and long-distance transhumance. Climate changes and weather conditions, which in some places were observed since the 15th century, encouraged people in many parts of Europe to adopt alternative forms of agriculture and livestock breeding. Summers, that were sometimes too hot and dry and sometimes too wet and cold, made both cereal and hay production unpredictable.⁷¹ However, the aforementioned palaeobotanical study of the Apuseni Mountains also showed that the extreme weather conditions of the Little Ice Age did not necessarily have a negative impact on the spread of short-distance pendular transhumance and the summer grazing of sheep on high mountain pastures. In some areas, increased market demands may have played a greater role in the conquest of the alpine grasslands than the changing climatic conditions.⁷²

Summer grazing was less of a problem than feeding animals in winter. The shorter summer, which was sometimes dry and sometimes over-abundant with rainfall, made it difficult to mow sufficient hay.⁷³ It cannot be excluded that the Transylvanians were sometimes forced to import hay: in 1640, for example, the inhabitants of the village of Berivoiești in Wallachia stole hay from the territory of the Vieroș Monastery to sell it to some people from Țara Bârsei.⁷⁴ In other cases, however, the solution might have been to winter the livestock in Wallachia.

In 1686, the Transylvanian chancellor, Mihály Teleki, asked the Wallachian voivode, Constantin Brâncoveanu, to provide a wintering place for his sheep as he would let them drive to Wallachia “for the reason of the expensive hay”. The voivode gave Teleki “in the same place” a wintering place “where it was”, because there was sufficient food there.⁷⁵ Hence, it would not have been the first time that Teleki let his livestock winter beyond the Carpathians. In addition, the summer of 1686 was indeed unusually hot and dry, which could have had a negative effect on the hay harvest.⁷⁶ Moreover, the ongoing war of the Holy League may have shaped the development of hay princes. The erratic weather phenomena typical of the Little Ice Age may therefore have been a major incentive for Transylvanians to winter their flocks in Wallachia. Although

⁷¹ Christian Pfister, *Das Klima der Schweiz von 1525–1860 und seine Bedeutung in der Geschichte von Bevölkerung und Landwirtschaft*, 3rd ed., vol. 2 (Bern, Stuttgart: Verlag Paul Haupt, 1988), 51–53; Marc Oliva *et al.*, “The Little Ice Age in Iberian Mountains”, in *Earth-Science Reviews* 177 (2018), 175–208; Costello, Kearney, and Gearey, “Adapting to the Little Ice Age”.

⁷² Jakab *et al.*, “Social Context”, 13–14.

⁷³ Rácz, “Carpathian Basin”, 91.

⁷⁴ DRH, B, vol. 27, 543–544.

⁷⁵ “azoknak is telelő helyt rendeltünk azok számára ugyan ottan, a hol volt [...] ugyan ott elegendő élés vagon” – Veress, *Documente privitoare*, vol. 11, 243–44.

⁷⁶ Martin Stangl and Ulrich Foelsche, “Climate History of the Principality of Transylvania during the Maunder Minimum (MM) Years (1645–1715 CE) Reconstructed from German Language Sources”, in *Climate* 10, no. 66 (2022), 7.

climate change had little effect on short-distance (pendular) transhumance and summer grazing, it had a greater impact on the spread of long-distance transhumance in search of winter pastures.

Climatic factors may also have played a large role in the Ottomans' interest in buying Transylvanian sheep. The long, cold winters regularly decimated the sheep flocks of Anatolia and the Southern Balkans.⁷⁷ It cannot be a coincidence that the envoy from Constantinople, Michael Tholdalagi, had to negotiate with the Sublime Porte in 1628 about the sheep trade. According to the already mentioned prince's order, that year, like the previous one, 1627, proved to be particularly cold in the Ottoman Empire.⁷⁸

It is important to point out that the increase in demand for mountain pastures can also be observed among the Wallachians.⁷⁹ However, this process cannot solely be attributed to the fact that more sources have survived thanks to the spread of literacy. In fact, sheep breeding in Wallachia was determined to a much greater extent by the sheep trade with the Ottoman Empire. From the second half of the 16th century onwards, the sultans regularly demanded a certain number of sheep from Wallachia, mainly to supply Istanbul.⁸⁰ Although not to the same extent as in the Transylvanian Saxon towns, the importance of crafts also increased in Wallachia in the 17th century⁸¹, and a small population increase can also be detected here.⁸² In addition, Transylvania was an important market for wool from Wallachia. The cloth manufactory in Vințu de Jos (Alvinc/Unter-Wintz) imported part of its raw material from beyond the Carpathians⁸³, and in 1649, Michael Hermann, the town judge of Brașov, asked the great sword-bearer (*mare spătar*) Diicul for wool.⁸⁴ It is not known, however, how the changing weather patterns have affected sheep breeding in Wallachia. In his letter, Diicul replied to Michael

⁷⁷ Sam White, *The Climate of Rebellion in the Early Modern Ottoman Empire* (New York: Cambridge University Press, 2011), 97–98, 157–58.

⁷⁸ Szilárdy and Szilágyi, *Török-magyarkori*, vol. 4, 69; White, *The Climate of Rebellion*, 200.

⁷⁹ See, for example, the estates of the grand *vornic* Hrizea in the villages of Drajna and Stănești: DRH, B, vol. 27, 449–500; vol. 28, 83–88. Radu Mihalcea Craiovescu bought the area between the upper reaches of the Bâsca Chiojdului and Buzău rivers, as well as the Mount Penteleu: DRH, B, vol. 28, 776–777; DRH, B, vol. 37, 112–113.

⁸⁰ Bogdan Murgescu, *România și Europa. Acumularea decalajelor economice (1500–2010)* (Iași: Polirom, 2010), 44–45; Mihai Maxim, *O istorie a relațiilor româno-otomane, cu documente noi din arhivele turcești. Vol. 1, Perioada clasică (1400–1600)* (Brăila: Muzeul Brăilei, Editura Istros, 2012), 107–10.

⁸¹ Ștefan Olteanu and Constantin Șerban, *Meșteșugurile din Țara Românească și Moldova în evul mediu* (București: Editura Academiei Republicii Socialiste România, 1969), 123, 169–78; Laurențiu Rădvan, “Meșteșuguri și orașe în Țările Române. Aspecte topografice și toponimice”, *Historia Urbana* 30 (2022), 15–29.

⁸² Lia Lehr, “Factori determinanți în evoluția demografică a Țării Românești în secolul al XVII-lea”, *Studii și materiale de istorie medie* 7 (1974), 162–204.

⁸³ Makkai and Köpeczi, *Erdély története*, vol. 2, 822.

⁸⁴ Iorga, *Brașovul și romini*, 46–47.

Hermann that, although it was March, the weather was still wintry, there was no hay, the grass was not growing, the sheep were weak, and that he had not yet sent him the wool he had requested.⁸⁵

Paul Bencker, also from Braşov, noted in his diary that the winter of 1684 was unusually long with heavy snow, and thousands of sheep were lost “both to the Wallachians and to our Vlachs” (i.e. the Romanians of Transylvania).⁸⁶ It is therefore understandable that in 1669 voivode Antonie gave to the inhabitants of Şcheii a special permission to retreat to the forests in the event of a winter blizzard.⁸⁷ The forest could provide not only shelter but also food for the animals.⁸⁸ So even if the political and economic conditions were convenient for grazing abroad, the climatic conditions and the state of the sheep were not always favourable.

Although the impact of the individual factors varied from region to region and over time, it can generally be said that the demand for summer and winter pastures increased in both Transylvania and Wallachia from the mid-16th century onwards. Consequently, conflicts over pasture use between the two countries became more frequent.⁸⁹ This made it increasingly necessary to regulate grazing in writing. By the 17th century, however, the use of pastures was no longer agreed upon only at the local level.

THE ROLE OF PASTURE USE IN THE POLITICAL RELATIONS BETWEEN TRANSYLVANIA AND WALLACHIA IN THE 17TH CENTURY

There is almost no study on transhumance that does not mention the 1635 charter of the Wallachian voivode Matei Basarab to the Transylvanian prince György I Rákóczi.⁹⁰ In return for allowing the Transylvanian shepherds to graze in his country, from whom he now collected tribute, the voivode undertook to pay the Transylvanian prince 5,000 gold pieces a year.⁹¹ The background of this arrangement is extremely complex and has not been addressed in studies on transhumance. However, it is covered in greater detail in works on political and diplomatic history.⁹² To understand the motivation behind this letter and its

⁸⁵ *Ibidem*.

⁸⁶ Bencker, “Auszug aus dem Diarium”, 212.

⁸⁷ Sterie Stinghe, “Din trecutul Românilor din Schei”, in *Gazeta Transilvaniei*, (25 February 1937), 2.

⁸⁸ Henri H. Stahl, *Contribuții la studiul satelor devălmașe românești*, 3 vols (București: Editura Academiei Republicii Populare Române, 1958–1965), vol. 1, 255.

⁸⁹ Veress, *Documente privitoare*, vol. 2, 271, vol. 7, 294, 302–303, 307–308.

⁹⁰ Meteş, *Păstori ardeleni*, 23; Veress, “Păstoritul ardelenilor”, 146; Feneşan, “Două acte”, 110–11; Földes, “A vándorló Erdély”, 373–74.

⁹¹ Szilárdy and Szilágyi, *Török-magyarkori*, vol. 4, 244–45.

⁹² Ion Sîrbu, *Matei-Vodă Băsarabă's auswärtige Beziehungen. 1632–1654 (Zur Geschichte des Orients)* (Leipzig: Verlag von Wilhelm Friedrich, 1899); Nicolae Iorga, ed., *Studii și documente cu privire la istoria românilor*, vol. 4 (București: Editura ministeriului de instrucție, 1902); Ștefan Andreescu, “Matei Basarab, Vasile Lupu și proiectul de cruciadă din anii 1645–1647”, in *Anuarul*

connection with sheep breeding, it is necessary to examine the data in contemporary sources on the annual sum of money to be paid to the Transylvanian prince and the sheep tax for the Wallachian treasury.

A certain annual sum of money to the Transylvanian prince is abundantly mentioned in diplomatic letters from 1632. From this year onwards, the boyars who had fled to Transylvania after the accession of voivode Leon Tomşa promised György I Rákóczi an annual tax if he would expel the voivode. However, Leon himself promised to pay an annual tribute to the Transylvanian prince as well, as did his successor, Radu Iliaş, who only ruled for three months.⁹³ However, the surviving sources do not say whether the voivodes kept their promise. Rákóczi would have certainly benefited from the annual tax, since one of his main goals at the beginning of his reign was to gain influence over Wallachia.⁹⁴ Unfortunately, in the correspondence between Rákóczi and István Szalánczy, the envoy to Constantinople, only the annual payment to the prince – sometimes 4,000, sometimes 5,000 or 6,000 forints – is mentioned, and no reference is made to the sheep tax.⁹⁵ Although, in March 1633, Szalánczy mentions that a certain Keresztesi's embassy had reached a deal concerning the “state of the sheep” (*az juhok állapatját*), but the letter does not point to a connection between the amount of money and the sheep tax.⁹⁶

The term “the state of the sheep” can refer to several issues, most notably the sheep tax mentioned above. According to the letter issued in 1635, it was voivode Leon who first took sheep tax from Transylvanian shepherds in Wallachia after the death of Gábor Bethlen. Previously, the shepherds used to have free access to Wallachian pastures.⁹⁷ However, according to János Kemény's letter of 1649, the sheep tax existed also under the reign of Gábor Bethlen, voivode Leon and voivode Alexander.⁹⁸ We have seen that the tax on sheep grazing (*gorştina*) is already mentioned in Neagoe Basarab's charter to Braşov and the Szeklers, as well as in the documents recording the border demarcations of 1520 and 1606. However, these taxes were probably imposed only by local agreements. If we are to believe János Kemény's letter, the first negotiations and eventual agreements on the sheep

Institutului de Istorie și Arheologie A. D. Xenopol 21 (1984): 147–68; Nicolae Stoicescu, *Matei Basarab* (Bucureşti: Ed. Acad. Republicii Socialiste România, 1988).

⁹³ Szilágyi, *Levelek és okiratok*, 34, 38; Sîrbu, *Matei-Vodă Băsărabăș*, 17–18.

⁹⁴ B. Szabó János, “Két díván Budán: I Rákóczi György erdélyi fejedelem és a magyarországi oszmán hódoltság elitje (1630–1636)”, in *Történelmi Szemle* 61, no. 2 (2019), 254. For the English version of the article, see János B. Szabó, “Prince György Rákóczi I of Transylvania and the Elite of Ottoman Hungary, 1630–1636”, in *Tributaries and Peripheries of the Ottoman Empire*, ed. Gábor Kármán (Leiden: BRILL, 2020), 213–39.

⁹⁵ Szilágyi, *Levelek és okiratok*, 33–34, 46, 108.

⁹⁶ *Ibidem*, 105. According to Sîrbu, Matei Basarab had already ceded part of the sheep tax to Rákóczi on this occasion; see Sîrbu, *Matei-Vodă Băsărabăș*, 58, n. 3.

⁹⁷ “szabados járások volt” – Szilárdy and Szilágyi, *Török-magyarkori*, vol. 4, 244–45.

⁹⁸ Szilágyi, *II. Rákóczi György diplomáciai*, 17.

tax, which were not concluded by certain Transylvanian villages, towns or individuals with the Wallachian voivode, but were the result of negotiations between the two rulers, can be placed under the reign of Leon Tomşa (1629–1632) or even Alexandru IV Iliaş (1616–1618, 1627–1629) or Alexandru V Coconul (1623–1627). Also, these arrangements had a more general, broader scope than before.

The “state of the sheep” in Szalánczy’s letter, however, could refer not only to the issue of the tax, but also to possible livestock thefts or even to the grazing of Rákóczi’s own sheep. According to the 1632 *urbarium* of the Făgăraş estate, 460 sheep belonging to the Transylvanian prince spent the winter in Wallachia.⁹⁹ Rákóczi – thanks to his extensive but scattered estates in the country – probably did not need the Wallachian summer pastures; he only had to manage the wintering.¹⁰⁰ Later, he was also involved in sheep trade: in 1639 he called on the ambassador (*kapu kethüdasi*) István Rétyi to negotiate the price of the sheep sent to the Sublime Porte.¹⁰¹ In 1642, he ordered the bailiff of Făgăraş to send a certain number of sheep to Wallachia.¹⁰²

Thus, Rákóczi had two completely independent goals: on the one hand, to secure an annual tribute for the principality from Wallachia within the framework of a political alliance with the voivode, and on the other hand, to regulate the grazing of Transylvanian sheep in Wallachia – probably for the sake of sheep trade. After the prince agreed that the Wallachians collect sheep tax from the Transylvanians, the Transylvanian sheep owners were forced to pay taxes on their livestock both in Wallachia and in their homeland. Presumably due to an extended dispute between the prince and the sheep owners, the Transylvanian Diet voted to waive the sheep tax to the treasury for the inhabitants of Țara Bârsei and the Bistrița District (Beszterce/Bistritz), arguing that these people do not keep their sheep within their own boundaries but on Wallachian domain. This point was also included in the code of laws of the Transylvanian Diet, *Approbatae Constitutiones*, in 1653. However, this was already during the reign of György II Rákóczi, son of György I. In the contemporary sources, there is no mention of complaints about the double burden of the sheep owners.¹⁰³

⁹⁹ Prodan, *Urbariile Țării Făgăraşului*, vol. 1, 184.

¹⁰⁰ According to a census of 1644, the sheep of György I Rákóczi from Caransebeş, Lugoj (Lugos/Lugosch), Haţeg and Făgăraş grazed on several mountain pastures (*Petele, Hodak, Meszera*) on the Gurghiu domain: László Makkai, ed., *I. Rákóczi György birtokainak gazdasági iratai (1631–1648)* (Budapest: Akadémia Kiadó, 1954), 618–19.

¹⁰¹ Antal Beke and Samu Barabás, eds., *I. Rákóczy György és a Porta. Levelek és okiratok* (Budapest: Magyar Tudományos Akadémia, 1888), 406.

¹⁰² According to the short description of the letter in the source edition, Rákóczi sent the sheep to Wallachia for grazing; see Hurmuzaki, vol. 15/2, 1093–4. It cannot be ruled out, however, that the sheep were (also) intended for sale.

¹⁰³ *Approbatae Constitutiones*, 61; EOE, vol. 11, 167–168. According to Iorga, the Romanian shepherds of Țara Bârsei had always paid the sheep tax to Wallachia; the people of Braşov, however, would have wanted it for themselves, so they complained to Rákóczi, who therefore obtained the payment of 5,000 forints a year from Matei Basarab: Iorga, *Braşovul și romîni*, 355.

Before Szalánczy travelled to Matei Basarab in July 1633, Rákóczi gave him detailed instructions on what to discuss with the voivode. The regulation of pasture use was only one of the issues to be discussed; however, the urgency of the payment of the annual tax was much more important.¹⁰⁴ Although Stoicescu believed that the agreement on the payment of 5,000 forints a year for the sheep tax was already concluded during the July 1633 meeting,¹⁰⁵ Szalánczy did not mention this in his report. Concerning the sheep, he merely wrote that what the voivode said to “Sir Kádas and the others” would not happen anymore, because the boyars, who had collected the income from grazing before, were now “grumbling” (*zúgolódtak*).¹⁰⁶ The introduction of the sheep tax paid by the Transylvanians thus depended not only on the voivode but also on the boyars, who had hitherto profited from the Transylvanians' long-distance transhumance. Szalánczy added that they were “grumbling” not because of Rákóczi but because of Matei Basarab. Presumably, the voivode intended to expropriate the income of the boyars in order to collect the annual sum of money to be paid to Transylvania. Although the voivode promised Szalánczy to give to the Transylvanian prince 6,000 forints as soon as possible, the boyars' objections meant that in July 1633 no agreement was reached on the amount of the Transylvanians' sheep tax.¹⁰⁷

It is first the 1635 charter that clearly reflects the connection between the two matters: in exchange for accepting the sheep tax paid by his subjects to the Wallachian voivode, Rákóczi received 5,000 gold florins from him on 24 April of each year, and “a good Turkish horse suitable for a great prince, with all the princely harness and a good steed with bridle”.¹⁰⁸ A document with the same content was issued by the Wallachian boyars, in which they expressed their agreement to the treaty.¹⁰⁹ However, this might have been more an expression of their participation in the lawmaking process than of their own interests.¹¹⁰

It is also important to consider the broader political context that could have promoted the agreement. In the first half of 1635, both sides felt the need to cooperate with each other. Matei Basarab wanted to defend his country against the Ottomans and the Moldavian voivode Vasile Lupu,¹¹¹ while Rákóczi's position was shaken between the different factions of the Ottoman Empire.¹¹² In the treaties of

¹⁰⁴ Veress, *Documente privitoare*, vol. 9, 323–324.

¹⁰⁵ Stoicescu, *Matei Basarab*, 138.

¹⁰⁶ Szilágyi, *Levelek és okiratok*, 109. According to Sîrbu, Kádas may have been part of the embassy led by Keresztesi in March 1633; see Sîrbu, *Matei-Vodă Băsărabăs*, 58, n. 3.

¹⁰⁷ Szilágyi, *Levelek és okiratok*, 109.

¹⁰⁸ Szilárdy and Szilágyi, *Török-magyarorkori*, vol. 4, 244–45.

¹⁰⁹ *Ibidem*, 245–246.

¹¹⁰ Cristina Codarcea, *Société et pouvoir en Valachie (1601–1654). Entre la coutume et la loi* (Bucarest: Editura Enciclopedică, 2002), 283–84.

¹¹¹ Sîrbu, *Matei-Vodă Băsărabăs*, 63; Stoicescu, *Matei Basarab*, 140.

¹¹² B. Szabó, “Két díván Budán”, 216–66. In his memoirs, János Kemény also explained the treaty of friendship by political necessity, without mentioning the sheep tax: László Szalay, ed., *Kemény János erdélyi fejedelem önéletrása*, Magyar Történelmi Emlékek 1 (Pest: Heckenast Gusztáv, 1856), 272.

alliance concluded in the summer of 1635, which were issued along with the aforementioned letters, there is no mention of the annual sum of money that Rákóczi had been trying to obtain from the respective voivodes and voivode candidates since 1632.¹¹³ In fact, the Transylvanian prince seems to have fought for the 5,000 forints tax – and the horses¹¹⁴ – under the pretext of compensating the sheep tax. However, this was interpreted differently by contemporaries: according to a 1641 record of the Venetian *bailo*, Rákóczi protected Matei Basarab from being detached by the Ottomans in exchange for this sum of money.¹¹⁵

Although Matei Basarab renewed his commitment to György I Rákóczi in 1638 and 1647,¹¹⁶ he tried to cancel this tax in 1649 with the prince's son, György II. He argued that the Transylvanians were no longer sending sheep to Wallachia but urged “the renewal of the *confoederatio*”. János Kemény advised the young prince that “not so much the profit as the honour and the sign of *confoederatio*” should be respected in these 5,000 forints.¹¹⁷ Thus, the role of the annual tax – in this reading – was not one of compensation or gratitude for the cession of the sheep tax, but rather the result of the political aspirations of György I Rákóczi. At the same time, for contemporaries, it symbolised the cooperation between the two countries, in which Wallachia played a subordinate role. Instead of the “peace and good neighbourhood” that we have already observed in the case of the relations between the Sibiu Seat and Wallachia, the more recent agreements included the term *confoederatio* (“alliance”). Having been written down and approved by both parties, this legalised principle included, among other things, the mutual respect for agreements on grazing.¹¹⁸

János Kemény, in his letter addressed to György II Rákóczi, explained the absence of Transylvanians from the pastures south of the Carpathians with two possible reasons. Either “the livestock has died”¹¹⁹ or the sheep owners were scared because they were being mistreated by the boyars, as had happened the previous

¹¹³ Szilágyi, *Levelek és okiratok*, 239–40, 252–59.

¹¹⁴ The Transylvanian princes frequently asked Wallachian and Moldavian voivodes for horses as a symbolic gift to mark their alliance: Iorga, *Studii Şi Documente*, vol. 4, CLXXVIII.

¹¹⁵ Andreescu, “Matei Basarab”, 154, n. 42.

¹¹⁶ Mihail Mitileneu, ed., *Collectiune de Tratatete şi conventiunile romaniei cu puterile straine de la anulul 1368 până în zilele noastre* (Bucureşti: Noua typographie a laboratorilor români, 1874), 65–66; Veress, *Documente privitoare*, vol. 10, 199. The issue of the sheep tax was also discussed at the Diet of 1640. Although it is not mentioned in the report of the Diet, Rákóczi's letter to István Réthy reveals that, among other things, the “sheep-grazing areas between Wallachia and Transylvania, the sheep tax” were also the reason for the presence of many delegates from Wallachia: Beke and Barabás, *I. Rákóczy György és a Porta*, 430–32.

¹¹⁷ Szilágyi, *II. Rákóczi György diplomaciai*, 15.

¹¹⁸ Transylvania's *confoederatio* with Wallachia and Moldavia was also included in the *Approbatæ* of 1653. Although the article mentions that the alliance is defined by certain conditions, it does not elaborate on them: *Approbatæ Constitutiones*, 46–47.

¹¹⁹ Unfortunately, János Kemény did not clarify whether it was due to an epidemic or bad weather conditions that many sheep died. In the spring of the same year, the great sword-bearer Diicu complained to Michael Hermann about the long cold winter: Iorga, *Braşovul şi romîni*, 46–47.

year with illegal custom duties imposed on sheep from Braşov.¹²⁰ It seems that with the introduction of the sheep tax, the Wallachian boyars were indeed deprived of their previous source of income, and thus wanted to forcibly extract their own profit from the Transylvanian shepherds. Hence, there must have been general discontent: not only did the boyars not receive a satisfactory income, but in 1649 there were no longer enough Transylvanian sheep grazing in Wallachia for the voivode to pay the annual 5,000 forints from the sheep tax *and* to leave a profit for himself. The failure to pay the annual sum, on the other hand, would have meant a violation of the principle of *confoederatio* in the eyes of the Transylvanians. Also, Matei Basarab had to prove his commitment to peace at the beginning of the reign of György II Rákóczi. Since it was only in 1653 that the sheep owners of Țara Bârsei were exempted from paying the Transylvanian prince the sheep tax, they too must have been up in arms about the double burden.

The treaty of alliance between Transylvania and Wallachia was not renewed until 1650. It is not clear from the text of the agreement whether the certain obligatory letters of indemnity (*certas Reversales Obligatorias et Fidejussionales*) which the Wallachians gave to the father of György II Rákóczi, and which they undertook to respect, applied to the sheep tax and the payment of the annual tribute.¹²¹

When in 1658 the new Wallachian voivode, Constantin Şerban, gave to György II Rákóczi a charter stating that he would follow the previous “good order” (*jó rendtartás*) in the matter of the sheep grazing in Wallachia, he promised him in a special clause to pay 3,000 gold coins per year, which was – according to him – 500 gold coins more than it was paid under Matei Basarab.¹²² Thus, the annual tax payable to Transylvania – at least according to this source – was already significantly reduced during the reign of Matei Basarab, compared to the originally agreed 5,000 forints. It is not known, however, when and how the Wallachian voivode achieved a substantial reduction in the amount. On the other hand, it is interesting to note that, for the first time since 1635, the issue of the annual sum of money is once again mentioned under a separate heading from the authorisation of grazing for Transylvanian sheep owners. Although the sheep tax and the “horse presents” are not mentioned in the treaty, they may have been included in the term “good order”.¹²³

The next mention of transhumant shepherds was in the 1685 Transylvanian-Wallachian agreement. Although its text no longer mentioned the annual tribute, it ensured that shepherds were exempt from customs duties. In addition, it stated that

¹²⁰ Szilágyi, *II. Rákóczi György diplomáciai*, 16.

¹²¹ *Ibidem*, 27–28.

¹²² Veress, *Documente privitoare*, vol. 10, 322–324. For the contemporary Romanian translation, see Ioan Lupuş, ed., *Documente istorice transilvane*, vol. 1 (Cluj: Tipografia „Cartea românească”, 1940), 268–70.

¹²³ In 1659, Constantin Şerban gave another letter of indemnity to Rákóczi: he declared that if Rákóczi supported him in his quest for the Moldavian throne, he would pay him 20,000 forints a year. However, there was no mention of sheep tax; see EOE, vol. 12, 411–413.

Transylvanians in Wallachia – if they could prove that they were Transylvanian subjects – should not be harmed in any way, nor be burdened with any *exactiô*.¹²⁴ In the contemporary Romanian translation, the word *prăzi* (*prădă*, meaning “prey, plunder”) is used for the Latinism *exactiô* (“collection, taxation, service, fine”¹²⁵) in the Hungarian text.¹²⁶ Thus, the treaty only obliged the Wallachians not to impose any other customs duties or taxes on the Transylvanian shepherds, apart from the specified sheep dues. This point was intended to prevent abuses and arbitrary practices, not to abolish the sheep tax.

According to the treaty of 1658, the amount of money to be paid by the Wallachian voivode to the Transylvanian prince had decreased significantly since 1635. However, the exact reason is not disclosed by the sources. Were there really not enough Transylvanian sheep grazing south of the Carpathians for the Wallachian voivode to be able to pay 5,000 forints to the Transylvanian prince for the tax on these sheep? Or did György II Rákóczi – unlike his father – no longer intend to extend his power to Wallachia, and therefore was more lenient regarding the annual amount of money? However, as far as the Transylvanian shepherds’ sheep tax paid to the Wallachians was concerned, it probably became permanent from the 1620s or from 1635 at the latest. Although, within the framework of the treaty of 1635 the sheep tax was closely linked to the annual amount of money to be paid by the Wallachian voivode, this link was broken over the course of the 17th century. However, the grazing rights and the payment of the sheep tax remained an element of the “peace and good neighbourhood” and the *confoederatio* between the two countries.

THE PROPERTIES AND RIGHTS OF TRANSYLVANIAN SHEEP-OWNERS IN WALLACHIA

If not for the treaty of 1635, then the general upsurge of transhumance encouraged both Transylvania and Wallachia to undertake certain measures within the respective countries. As early as the end of the 16th century, sources testify that some Transylvanians owned mountains as hereditary estates (*ocina* or *moşie*) in Wallachia. According to a charter of 1592/93, the inhabitants of the town of Râşnov (Rozsnyó/Rosenau) possessed the Mount *Baiu* in Wallachia, which had been their property since the time of their forefathers and fathers.¹²⁷ In 1629,

¹²⁴ EOE, vol. 18, 341; Andea and Andea, *Acta et epistolae*, 264–67. The 1661 treaty of friendship between Grigorie Ghica and Mihály I Apafi made no mention of sheep tax, pasture use or the annual tribute: *Ibidem*, 40–41.

¹²⁵ Attila Szabó T., ed., *Erdélyi Magyar Szótörténeti Tár* (Bukarest: Kriterion Könyvkiadó, 1975), vol. 3, 506–507.

¹²⁶ “nici un fealiu de prăzi să nu-i îngreuiaze” – Andea and Andea, *Acta et epistolae*, 261–64.

¹²⁷ Hurmuzaki, vol. 15/1, 711. As for the charter’s date, see Nicolae Iorga, “Documente Geografice”, in *Buletinul Societăţii Geografice Române* 20, no. 4 (1899), 54–55.

Dumitrașco and his uncle Pătru Mărcioiu from Șcheii bought a place for a sheepfold in the Prahova County, and in 1634, Matei Basarab confirmed the ownership of Șandru and Cârstea from Poiana Mărului on the Mount *Luțele*.¹²⁸ There was, therefore, a – probably wealthier – layer of sheep owners in Țara Bârsei who bought pastures and sheepfolds in the high mountains from the Wallachians, thus ensuring the summer grazing of their flocks.

There is no information on whether, before 1635, these Transylvanians paid the sheep tax to the Wallachian voivode. A letter from 1639, however, suggests that Matei Basarab wanted to limit the property rights of foreigners in the country. The chancellor (*logofăt*) Palaloga mortgaged a place for a sheepfold on the Mount *Piscul Căinelui* to a certain Scoferca from Brașov, whose wife let her flock graze there. The voivode ordered the chief of the mountain paths guards (*vătaș de plăiași*) to drive the sheep away from that place, as it belonged to the stable master (*comis*) Negoița. Thus, Palaloga had nothing to do with it and the voivode did not “let a foreigner hold a hereditary property of his country”.¹²⁹ This justification is unique in the surviving sources but is easily explained. It is likely that only the pledging boyar would have benefited from the mortgage, while the voivode’s treasury would not have received any money.¹³⁰

It is also worth looking at the documents concerning the monastic estates. In 1636, a year after the treaty between György I Rákóczi and Matei Basarab, the Wallachian voivode and the Patriarch of Jerusalem, Teofan, renewed the privileges of the village of Glod, which was in the possession of the Govora Monastery. They specifically forbade the abbot (*egumen*) and the monks from bringing sheep, beehives, or pigs “foreign to the country” among the village’s livestock.¹³¹ The monastery had probably derived income from the grazing of Transylvanian livestock, but it was no longer allowed to summer the animals within the boundaries of Glod for its own benefit. It is not clear, however, whether the voivode intended to ensure the exclusivity of Glod’s grazing rights or whether he simply wanted to prevent “foreign” livestock from mixing with his subjects’ animals, in order to make the collection of sheep tax more transparent. In the same year, Matei Basarab issued a charter to the Mislea Monastery concerning the

¹²⁸ DRH, B, vol. 22, 512–513, vol. 24, 535–536.

¹²⁹ “că domnia mea nu dau moșia țării să o ție oameni streini, dentr-altă țeară” – DRH, B, vol. 27, 150.

¹³⁰ Later sources, however, testify to pledges to Transylvanians. In 1673 the noble László Székely of Ineu (Borosjenő/Jenopol) took the Wallachian Mount *Brătîla* in pawn from the chancellor Mihail for 9 years. The village of Iași (Jás) in the Făgăraș estate, where Székely was the postmaster, had been regularly renting the mountain for one bag of soft cheese from the chancellor, who now, for lack of money, mortgaged it to László Székely; see Iorga, “Acte românești”, 256–59. It is questionable whether the older tenancy of Iași made it possible to mortgage the land to a “stranger”, or whether the prohibition of Matei Basarab was no longer in force.

¹³¹ “să nu aibă a băga alte oi sau stupi sau rîmători striine den țeara în bucatele satului” – DRH, B, vol. 25, 268.

mountain pasture *Sorica*, ordering that everyone who possessed a sheepfold there, even if *Șcheau*, is required to pay the sheep tax.¹³² The term *șcheau* most probably refers to the shepherds from Șcheii. In this document, the Transylvanian shepherds were therefore obliged to pay the same taxes as the Wallachian subjects.

The three charters mentioned above originated immediately after the letter issued by Matei Basarab to György I Rákóczi in 1635. Thus, the voivode wanted to fix the sheep tax in his country at all costs and he also tried to regulate the Transylvanians' property rights in Wallachia. It is important to note that these Wallachian charters referred to the usage of mountains, i.e. summer pastures. However, as discussed above, during the 17th century, Transylvanians showed an increasing interest in winter pastures on the plains as well, although this could not be as great as the demand for summer pastures.

As for the measures undertaken by the Transylvanians, the Diet exempted the Bistrița District and Țara Bârsei from the payment of the sheep tax.¹³³ The *Approbatæ* of 1653 also stipulated that those who grazed their flocks in Wallachia, Moldova, and the valley of the river Jiu (“a Silbe”), should pay the thirtieth at the custom stations for each sheep sold.¹³⁴ Thus, it was no longer only the provision of pastures and the regulation of sheep tax that was important for trans-Carpathian pastoralism, as shepherds also traded in sheep, which made its control necessary.

The trade in sheep combined with transhumance – and its undesirability – is referred to in the orders to the thirtieth officer of Bran in 1658 and to the thirtieth officer of Turnu Roșu in 1670. The sheep had to be counted on their way to and from Wallachia. If it was found that the shepherd had sold sheep that had been taken out of the country for grazing, he was to be fined.¹³⁵ The order for the thirtieth officer of Bran also applied to the livestock “wintered there” (i.e. in Wallachia).¹³⁶ Thus, when crossing the Carpathians, shepherds had already declared in advance whether they would take their flocks out of the country for grazing or trade. Probably, as a consequence of their frequent abuses, the combination of the two was no longer possible, as the *Approbatæ* had permitted it before.¹³⁷ As Miklós Bethlen records, his own shepherds sold and bribed away his

¹³² *Ibidem*, 361.

¹³³ *Approbatæ Constitutiones*, 61; EOE, vol. 11, 167–168. Unfortunately, I am not aware of any other sources concerning the grazing of sheep from the Bistrița District in Wallachia in the 17th century.

¹³⁴ *Approbatæ Constitutiones* i. m. 67. It is interesting to note that the valley of the river Jiu is mentioned separately. Although it was promised to Wallachia under the 1520 border demarcation, the people of Hațeg continued to use it; see Coman, *Putere și teritoriu*, 214–15. Probably in the 17th century, the rights of ownership and use in the area were still unclear.

¹³⁵ Simon, “Fejedelemség kori erdélyi”, 86; DJANS, *Documente medievale*, U VI. 1072.

¹³⁶ Simon, “Fejedelemség kori erdélyi”, 86. The same clause is also mentioned in the instructions to the customs officer in Bran in 1672; see EOE, vol. 15, 286.

¹³⁷ *Approbatæ Constitutiones*, 67.

herd, sheep and other livestock, to a worth of a thousand forints in Wallachia. For this, according to the law, he should have hanged his shepherds, but they were only lashed with rods.¹³⁸

It is no wonder that occasionally, sheep owners travelled to the mountains on the southern part of the Carpathians to check on their flocks. Both the Bran and Turnu Roșu thirtieth officers were obliged to let such people go “peacefully”.¹³⁹ When the lector Johannes Greissing from Brașov was beaten and captured by the inhabitants of Văleni de Munte (*Welyen*) in September 1681, he was actually in Wallachia to check on his sheep.¹⁴⁰

The wealthier sheep-owners of Țara Bârsei had hereditary estates in Wallachia, but Matei Basarab wanted to restrict the leasing of pastures to Transylvanians. The date of the documents examined suggests that this may have been related to the introduction of the sheep tax for the Transylvanian shepherds in Wallachia. The 1635 treaty between Transylvania and Wallachia, as well as the boom in long-distance transhumance and sheep trade with the Ottomans, also had an impact on Transylvanian tax and customs regulations. The Transylvanian prince did not prevent his subjects from using the Wallachian pastures but tried to minimize the treasury's losses by regulating the customs duties.

LOCAL AGREEMENTS AND PRIVILEGES

It is important to point out that most of the treaties and charters after 1635 – at least the surviving specimens show this – remained local. Depending on who concluded these agreements with the Wallachian voivode, we can speak of two groups: firstly, the Romanian sheep-owners from Țara Bârsei, and secondly, the wealthier patricians of Brașov and the Hungarian nobles with extensive flocks.¹⁴¹

According to Nicolae Iorga, Matei Basarab had already issued a charter of privileges to the sheep owners from Țara Bârsei after the agreement of 1635, but it was lost.¹⁴² The inhabitants of Șcheii are a special privileged group within Țara Bârsei, with the first surviving privilege dating from 1669. In this charter, voivode

¹³⁸ Bethlen, “Bethlen Miklós élete leírása magától”, vol. 1, 115, 392.

¹³⁹ Simon, “Fejedelemség kori erdélyi”, 86; DJANS, Documente medievale, U VI. 1072; EOE, vol. 15, 286.

¹⁴⁰ Bencker, “Auszug aus dem Diarium”, 207.

¹⁴¹ It is not known how the grazing rights of the shepherds from Mărginimea Sibiului may have developed in the 17th century. The *Approbatæ* of 1653 exempted only Țara Bârsei and the Bistrița District from paying the tax. Data for the Sibiu Seat in the 17th century are scattered. – Cornel Irimie and Constantin Popa, “Păstoritul”, in *Mărgineni Sibiului. Civilizație și cultură populară românească*, ed. Cornel Irimie, Nicolae Dunăre, and Paul Petrescu (București: Editura Științifică și Enciclopedică, 1985), 199–228. In addition to the instruction to the thirtieth officer from 1670 (DJANS, Documente medievale, U VI. 1072), the archive in Sibiu probably holds many other valuable sources on transhumance.

¹⁴² Iorga, *Brașovul și romîni*, 355–56.

Antonie allowed them to graze their flocks in his country from autumn until St. George's Day (24 April), but they had to pay only one silver coin (*costandă*) per sheep during the grazing season instead of the sheep tax.¹⁴³ The charter mentions that this custom existed even before the reign of Matei Basarab, and voivode Antonie knew the documents on the subject issued by the voivodes Leon, Grigorie Ghica and Radu Leon. In 1679, Șerban Cantacuzino also confirmed the privileges of the inhabitants of Șcheii.¹⁴⁴

It is not known how different the situation of Șcheii was from that of other sheep owners in Țara Bârsei at this time. They appear together in a letter of 1696: Stoica Postăvariul from Brașov and some inhabitants of Șcheii asked the Wallachian voivode, Constantin Brâncoveanu, whether they could pay the same amount of sheep tax (*oierit*) they had previously agreed on.¹⁴⁵ Their privileged position is already evident from a letter of 1706: if they only summer their sheep in the mountain pastures, they owe only the mountain rent (*adetul muntelui*) and are exempt from both the grazing tax (*erbărit*) payable to the voivod and the customs duty payable at the border. However, those who drive their sheep into the valley or onto the plain have to pay grazing tax and customs duty, "as was the custom". This applied, nonetheless, only to the inhabitants of Șcheii, not for other Transylvanians.¹⁴⁶

It is striking that the tax on sheep paid to the Wallachian voivode is no longer called *oierit*, but *ierbărit* in this source. This type of tax was probably paid exclusively on foreign livestock, while the *oierit* was a public tax in kind or in cash paid by the Wallachian subjects. The mountain tax (*adetul muntelui*, *havaetul muntelui*), however, was collected and kept by the owner of the mountain pasture.¹⁴⁷ This proves that by the end of the 17th and the beginning of the 18th century at the latest, the boyars and monasteries who owned mountain pastures could again profit from renting them to Transylvanian sheep owners. Since the 1706 charter describes the payment of these sums as "customary", it cannot be excluded that the exemption from taxation of summer grazing had already been in force for a longer period, which is not mentioned in the 1669 and 1679 charters on winter grazing.

With the growing importance of sheep trade, it was not only the Romanian villages of southern Transylvania that grazed their flocks in Wallachia, but also wealthier Hungarian and Saxon sheep owners. They probably hired, though,

¹⁴³ Stinghe, "Din trecutul Românilor", in *Gazeta Transilvaniei* (25 February 1937), 2.

¹⁴⁴ *Ibidem*.

¹⁴⁵ Stinghe, "Din trecutul Românilor", in *Gazeta Transilvaniei* (11 March 1937), 2.

¹⁴⁶ "însă numai ce vor fi ale Șcheailor, iar nu și ale altor oameni de acolo den Țara Ungurească" – Iorga, *Brașovul și romîni*, 370–71. As early as 1701, the inhabitants of Șcheii and others from Țara Bârsei complained that the customs officers of Câmpina took three thalers per sheepfold, although "there was no such custom before"; see Sterie Stinghe, "Din trecutul Românilor din Schei", in *Gazeta Transilvaniei*, (18 March 1937), 2.

¹⁴⁷ Ovid Sachelarie and Nicolae Stoicescu, *Instituții feudale din țările române. Dicționar* (București: Editura Academiei Republicii Socialiste România, 1988), 228–29, 339–40.

shepherds from Țara Bârsei and Mărginimea Sibiului. When in 1675 the voivode Gheorghe Duca allowed Michael Hermann from Brașov to let his flock graze in Wallachia, he promised him tax exemption, but stipulated that his shepherds must be “foreigners, from Țara Bârsei, from Transylvania”.¹⁴⁸

There were also instances of the Wallachian voivode overriding these privileges. In 1698, when the town judge of Brașov, Johann Mankesch, complained to Constantin Brâncoveanu that his subjects took the sheep tax (*oierit*) from his shepherds pasturing in Wallachia, the voivode argued that there had been poverty in his country for three years and that he was therefore forced to collect the sheep tax from all his councillors, boyars and all his other friends who had privileges. However, he promised Mankesch that he would not be harassed by tax collectors next year.¹⁴⁹ Johann Mankesch was therefore normally privileged, as were the Wallachian councillors and boyars. In 1705, the voivode also exempted another “old friend”, also a former town judge of Brașov, Georg Jeckel, from the payment of the sheep tax.¹⁵⁰

Although both Johann Mankesch and Georg Jeckel were town judges, and Michael Herman's father also held this office, it should not be concluded that the exemption from the sheep tax was the privilege of the respective town judge of Brașov, since Georg Jeckel had to apply for it separately. Such privileges are more likely to be associated with the influence of the patricians of Brașov and their connections across the Carpathians, as well as with the increased importance of sheep breeding and trade in urban circles.

As for Michael Hermann's privilege letter of 1675, it cannot be ruled out that he “inherited” his grazing rights and the associated concessions from his father. Indeed, Iorga also assumed that some letters from the Wallachian voivodes to Michael Hermann the Elder referred to transhumance, although these sources do not mention grazing specifically. While in 1644 one letter refers to the export of certain sheep to Transylvania, in 1653, another letter merely mentions the “issue of your (i.e. Hermann's) sheep”.¹⁵¹

The importance of friendly relations with Wallachia is also reflected in the sources concerning the Béldi family of Ozun (Uzun/Usendorf). In 1614, the voivode Radu Mihnea ordered Vlaicu, the vice-ban (*bănișor*) of Saac County, to return the animals he had taken from his friend Kelemen Béldi's serf “here” (i.e. in

¹⁴⁸ “însă să fie oameni striini, bârseani, den Țeara Ungurească” – Iorga, *Brașovul și romîni*, 363–64.

¹⁴⁹ *Ibidem*, 369.

¹⁵⁰ “al nostru vechiū și bătrân priiatin” – *Ibidem*, 370. Although the privilege letter does not contain the surname of the town judge, it does mention that Jeckel's letter of request to the voivode was delivered by his son-in-law, Georg Czako. He married Jeckel's daughter Martha; see Andor Nagy, *Érvényesülési stratégiák a brassói szász tisztviselők körében. Kapcsolatháló-elemzés és családrekonstrukció az alkalmi nyomtatványok segítségével (1650–1750)* (PhD diss., Eger: Eszterházy Károly Egyetem, 2019), 335.

¹⁵¹ “pentru rândul oiloru dumnil[e]” – Iorga, *Brașovul și romîni*, 362–63.

the country).¹⁵² Kelemen's son Pál may also have had grazing rights in Wallachia, where he owned hereditary estates. His property rights were confirmed by several charters, as he himself claimed.¹⁵³ The family also played a significant role in maintaining friendly relations between Wallachia and Transylvania.¹⁵⁴ However, what kind of privileges they enjoyed in terms of sheep tax is unfortunately not mentioned in the written sources of which we know.

It is also worth pointing out the role of women in the sources concerning transhumance. The earliest definite record of wintering sheep in Wallachia is that of Elena Udriște, wife of Radu Șerban, a former Wallachian voivode. As recorded in the account books of Brașov, on 30 October 1619, the voivode's wife travelled to Târgoviște to winter her sheep.¹⁵⁵ However, since Radu Șerban and his family stayed in Trnava (Nagyszombat/Tyrnau) after 1611 and in Vienna from 1620 onwards, we do not know where the flock might have grazed in summer.¹⁵⁶

We have already seen that in 1639, Matei Basarab let the sheep of Scoferca's wife be driven away from the Mount *Piscul Câinelui*. A flock confiscated in 1674 belonged to the wife of István Rác of Gâlgău (Galgó), the widow of the late István Boér.¹⁵⁷ The name Boér, as a surname, was often used among the boyars of Făgăraș.¹⁵⁸ It cannot be ruled out that István Rác's wife retained the estates and livestock in southern Transylvania acquired through her previous marriage, possibly adding further animals to these.¹⁵⁹ László Székely, the postmaster of the village of Iași, who held the Mount *Brătula* in Wallachia in pledge, married Sara Bulcescu (Bulceseti Sára), the daughter of a Wallachian boyar and a Transylvanian noblewoman, thanks to whom he acquired a property in Wallachia in 1682.¹⁶⁰ According to Constantin Brâncoveanu's letter of 1689, László Székely's sheep were exempt from customs duties on their way to and from Wallachia.¹⁶¹

¹⁵² "unor obagi ai priatenului domniei meale, ai lui Beldi Chelemen [...] cum le-ați oprit niște marhă a loc acii" – Feneșan, "Două acte", 112.

¹⁵³ Andea and Andea, *Acta et epistolae*, 91.

¹⁵⁴ Susana Andea, *Transilvania, Țara Românească și Moldova. Legături politice (1656–1688)* (Cluj-Napoca: Editura Presa Universitară Clujeană, 1996), 243; Judit Balogh, "Uzoni Béli Pál háromszéki főkirálybíró, erdélyi generális felemelkedése", in *Akit Clío elbűvölt: In Honorem Romsics Ignác*, ed. József Pap and Attila Verók (Eger: Eszterházy Károly Egyetem Líceum Kiadó, 2021), 51.

¹⁵⁵ Nicolae Iorga, „Socotelile Brașovului și scrisori românești către sfat în secolul al XVII-lea”, in *Analele Academiei Române. Memoriile Secțiunii Istorice. Seria II 21* (1898–1899), 156.

¹⁵⁶ Manfred Stoy, *Rumänische Fürsten im frühneuzeitlichen Wien* (Wien, 1990), 162–66.

¹⁵⁷ Hurmuzaki, vol. 15/2, 1358–9; EOE, vol. 16, 445.

¹⁵⁸ Prodan, *Urbariile Țării Făgărașului*, vol. 1, 737, 739, 799. The *urbarium* of the Făgăraș estate in 1640 mentions an István Boer in Voila (Vojla) and a Bogdan Boer in Arpașu de Sus (Felsőárpás) who had a son named István; see *Ibidem*, 811.

¹⁵⁹ The connection of István Rác and his wife with the Făgăraș estate is also referred to in the minutes of the Transylvanian Diet of 1674: EOE, vol. 15, 467.

¹⁶⁰ Iorga, "Acte românești", 256–59; Lupaș, *Documente istorice transilvane*, vol. 1, 398–400.

¹⁶¹ Iorga, "Acte românești", 239.

These examples not only show that early modern Transylvanian noblewomen often helped their husbands to manage their estates, or were even engaged in economic activities independently,¹⁶² but also suggest that the wives of some Transylvanian nobles, through their estates, livestock and connections, stimulated sheep breeding and sheep trade even beyond the Carpathians. However, not only family relations but also friendships were important, as we can see from the letter written by Radu Mihnea on behalf of his “friend” Kelemen Béldi, or the privilege given to Constantin Brâncoveanu’s “old friend” Georg Jeckel.

Unfortunately, the extent to which the Saxon patricians and the Hungarian nobles cultivated their economic relations with Wallachia independently, and whether they had to seek special approval from the Transylvanian prince for the use of pastures abroad, is not mentioned in the analysed sources. There is, for instance, only one mention of Miklós Bethlen and another of Mihály Teleki letting their flocks graze in Wallachia.¹⁶³ In the absence of registers and account books, neither the number of patricians, nor the number of nobles, nor the number of Romanian sheep owners in Țara Bârsei can be determined in the trans-Carpathian transhumance. If we consider the fact that the sheep flocks of the fiscal estates were the largest in Transylvania, these sheep probably accounted for the majority of the Transylvanian livestock grazing in Wallachia as well.¹⁶⁴

CONCLUSION

Unfortunately, we have no quantitative data on the size of the trans-Carpathian transhumance before the 18th century. Only a letter by Constantin Brâncoveanu, written in the spring of 1696, gives evidence of the number of wintering livestock in that year. In this letter, the voivode justified the taking of 1,000 sheep from the people of Brașov by claiming that the Sultan had demanded 20,000 sheep from his country. In order to meet the demand, the Wallachians had taken one sheep for every 100 from Transylvania.¹⁶⁵ If the 1,000 sheep were one-hundredth of the Transylvanian livestock grazing in Wallachia, then we can speak of 100,000 Transylvanian sheep wintering beyond the Carpathians that year.

¹⁶² Șarolta Solcan, *Femeile din Moldova, Transilvania și Țara Românească în Evul Mediu* (București: Editura Universității din București, 2005), 146.

¹⁶³ Bethlen, “Bethlen Miklós élete leírása magától”, vol. 115, 392; Veress, *Documente privitoare*, vol. 11, 243–244.

¹⁶⁴ David Prodan, *Iobăgia în Transilvania în secolul al XVII-lea*, vol. 2, 215.

¹⁶⁵ Iorga, *Brașovul și românii*, 364–66. The high number of sheep demanded by the Ottomans is probably related to the supply of their army fighting in the Great Turkish War: Constantin Bălan, “Aspecte economice din Țara Românească în epoca brâncovenească”, in *Constantin Brâncoveanu*, ed. Paul Cernovodeanu and Florin Constantiniu (București: Editura Academiei Republicii Socialiste România, 1989), 34–35.

Thus, even before the 18th century, transhumance was a crucial phenomenon in the economy of both Transylvania and Wallachia. In the 15th and 16th centuries, some Transylvanian villages, towns, and regions had only local agreements on the use of Wallachian pastures based on customary law, whereas in the 17th century the privileges and obligations related to transhumance had already become the subject of interstate negotiations and played a significant role in the political and diplomatic relations between the two principalities. The spread of transhumance was greatly influenced by internal (especially the wool industry in the Transylvanian Saxon towns) and external (trade with the Ottoman Empire) market demands for live sheep and wool, which increased the economic importance of sheep farming on both sides of the Carpathians. At the same time, the extreme weather conditions of the Little Ice Age encouraged Transylvanian sheep owners to seek winter pastures for their growing flocks in Wallachia.

It is likely that an agreement between the two principalities on the payment of Transylvanian sheep owners' dues in Wallachia was reached as early as the 1620s. However, it was only within the framework of the treaty of 1635 that transhumance reached its political significance, when György I Rákóczi imposed an annual tribute on the Wallachian voivode as compensation for the sheep tax collected from the Transylvanians herding their sheep in Wallachia. While the local agreements regulating the use of pastures in the 16th century were still based on the principle of "peace and good neighbourhood" and on customary law, from 1635, due to Rákóczi's political ambitions, the Transylvanians' grazing rights and sheep tax in Wallachia became an integral part of the written alliance (*confoederatio*) between the two countries.

The stabilisation and generalisation of the Transylvanians' sheep tax in Wallachia prompted both the Wallachians and the Transylvanians to take further internal measures. The voivode wanted to limit the right of the Transylvanians to rent pastures in Wallachia, while the Transylvanian prince and the Diet regulated the customs duties on sheep sold beyond the Carpathians.

Although transhumance was now regulated at interstate level, there were still a number of specific local agreements on grazing, many of which included exemptions from the sheep tax in Wallachia. It was no longer only Romanian villages in southern Transylvania that grazed their flocks south of the Carpathians, but also Saxon patricians from Braşov and Hungarian nobles. Their privileges were often based on friendly, economic, and kinship relations, which also indicates the interconnectedness between the two countries.

The Transylvanians' transhumance in Wallachia thus presents a very complex picture even before the 18th century. The phenomenon cannot be explained by the thicker grass on the southern slopes of the Carpathians or by alleged Romanian national sentiment and loyalty. Much more important were the changing climatic conditions and the political, economic or even family, and friendship relations that varied from era to era, from region to region, and from person to person.