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## THE LEGAL AND FISCAL SITUATION OF THE SERBS IN THE PATRIARCHATE OF PEĆ DURING THE FIRST DECADES OF THE 18<sup>TH</sup> CENTURY\*

**Abstract.** In the early modern era, the Serbs who lived in the Balkan Peninsula under Ottoman rule formed what was known as a *millet*. From 1557, their leader was the head of the Patriarchate of Peć, whose jurisdiction and scope of territorial powers were constantly determined by an official document issued by the sultan – i.e., a *berat*. The aim of the article is to characterise the legal situation and fiscal obligations of the Serbian people in the Ottoman Empire in the period between their first (1689/1690) and second (1737–1739) migration. The research focuses on the times of Patriarch Arsenije IV Jovanović Šakabenta (1698–1748) and his methods of obtaining various kinds of tributes (*dimica*, *svadbina*) to pay the annual *kesim* tax to Hazine-i Âmire. The text also analyses the areas where the Patriarchate of Peć held jurisdiction in the first decades of the 18<sup>th</sup> century.

**Keywords:** Serbian Orthodox Church, Serbian *millet*, Patriarchate of Peć, Ottoman Administration, Balkan Peninsula

From the moment the Turks invaded the Balkan Peninsula (14<sup>th</sup> century), individual South Slavic peoples successively fell under the cultural and political influence of the Ottoman Empire. This represented a fundamental change for them. There people who had been directly subordinated to their ruler so far, now had to find themselves in the new Muslim administrative and legal reality. Representatives of the Serbian ethnos were not excluded from this principle. As a result of successive Ottoman conquests of areas inhabited by Serbs, new administrative units were created or existing Serbian lands were subordinated to existing units<sup>1</sup>.

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<sup>1</sup> For more information on the Ottoman administration, see G. ÁGOSTON, *A Flexible Empire, Authority and its Limits on the Ottoman Frontiers*, IJTUS 9, 2003, p. 15–31; D. GÉZA, *Administration, provincial*, [in:] *Encyclopedia of the Ottoman Empire*, ed. G. ÁGOSTON, B. MASTERS, New York 2009, p. 13–17; I. CZAMAŃSKA, *Historia Serbii. Od pojawienia się Serbów na Bałkanach do 1830 roku*, vol. I, Poznań 2021, p. 170–173. A detailed description of the administrative division of Serbian lands

Basically, in the early modern era, the Muslim world in the Balkan Peninsula was divided into large provinces called *elajets*<sup>2</sup>, made up of smaller administrative units called *sanjaks*<sup>3</sup> administered by *sanjak-beys*. A *sanjak* was in turn, was divided into *kazas*<sup>4</sup> administered by a *kadi* – i.e., a Muslim who, in order to hold this position, had to have extensive legal knowledge. *Kazas* were further divided into *nahiyahs*<sup>5</sup>, led by a *mudir*. In accordance with the customs and laws of the Ottoman Empire, the whole area was divided into fiefs and beneficiaries (*hâss*<sup>6</sup>, *timar*<sup>7</sup> and *zeâs-met*<sup>8</sup>), which, depending on their size, yielded different incomes<sup>9</sup>. An important role in the fiscal system of the Sublime Porte was also played by *mukataalu* – i.e., state-owned land (*hâss-ı hümayun*), which was leased under a contract (*mukataa*) that specified a certain profit for the central treasury (*Hazine-i Âmire*)<sup>10</sup>. However, the proper division of land, and therefore the procurement of fees due, required an

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during the Ottoman domination is described in more detail by Olga ZIROJEVIĆ, *Tursko vojno uređenje u Srbiji (1459–1683)*, Beograd 1974, p. 89–99.

<sup>2</sup> *Elajet* (later *vilajet*) is the largest administrative unit of the Ottoman Empire. It was managed by the beylerbey (literally bey of the beys); the term *mirmiran* was also used. Cf. C. IMBER, *The Ottoman Empire, 1300–1650. The Structure of Power*, New York 2002, p. 177–183; D. GÉZA, *Administration, provincial...*, p. 14; I. CZAMAŃSKA, *Historia Serbii...*, p. 170.

<sup>3</sup> *Sanjak* (Tur. *sancak*) is a unit that is part of the *elajet*. It was managed by an official called a *sanjak-bey* (Tur. *Sancakbey*). The number of *sanjaks* varied depending on the size of the *elajet*. According to the findings of Colin Imber, in the 17<sup>th</sup> century, the *elajet* of Rumelia was divided into 24 *sanjaks*, and the *elajet* of Anatolia comprised 14 *sanjaks*. Quite often, the names of these units were derived from the main centres where the *sanjak-beys* lived. Cf. C. IMBER, *The Ottoman Empire...*, p. 184–193; D. GÉZA, *Administration, provincial...*, p. 14; I. CZAMAŃSKA, *Historia Serbii...*, p. 170–171.

<sup>4</sup> *Kaza* is an administrative unit that is part of the *sanjak*, usually comprising an urban estate and surrounding towns. *Kaza* is also a military district. It was headed by a *kadı* who acted as a judge. D. GÉZA, *Administration, provincial...*, p. 16.

<sup>5</sup> A *nahiyah* (Tur. *nahiye*) is a local administrative unit of the Ottoman Empire, usually consisting of several villages and small towns. It was headed by a *mudir* (Tur. *müdür*). D. GÉZA, *Administration, provincial...*, p. 14; I. CZAMAŃSKA, *Historia Serbii...*, p. 171.

<sup>6</sup> The term *hâss* (*has*) refers to the sultan's lands and the profits derived from them. *Encyclopedia of the Ottoman Empire...*, p. 617.

<sup>7</sup> *Timar* was part of the Ottoman *çift-hane* system – a landed estate granted to a soldier of the Ottoman Empire (*sipahi*) for his military service. It is estimated that it brought between 1,000 and 20,000 akçe of income. See H. İNALCIK, *The Ottoman Çift-hane System and Peasant Taxation*, EB 1, 2007, p. 141–151.

<sup>8</sup> *Zeâsmet* like *timar* was part of the *çift-hane* system. However, this usually yielded more income for the tenant. Researchers estimate that it could have ranged from 20,000 to even 100,000 akçe per year. C. IMBER, *The Ottoman Empire...*, p. 194.

<sup>9</sup> J. BLAŠKOVIČ, *Ziemie lenne (hass) namiestnika Nowych Zamków w latach 1664–1685*, ROr 38, 1976, p. 84.

<sup>10</sup> Cf. B. ÇAKIR, *Mukataa (muqataah, maktu)*, [in:] *Encyclopedia of the Ottoman Empire...*, p. 396; N. ŠULETIĆ, *Berat patrijarha Kalinika I*, ZMSI 83, 2011, p. 97; E. KARCZYŃSKA, *Struktura społeczna Imperium Osmańskiego. Próba analizy teoretycznej*, [in:] *Jednostka w układzie społecznym. Próba teoretycznej konceptualizacji*, ed. K. BRZEHCZYN, M. CIESIELSKI, E. KARCZYŃSKA, Poznań 2013, p. 282.

inventory of the occupied territory and a register of subjects (*reâyâ*)<sup>11</sup> living in individual villages and estates<sup>12</sup>.

Regardless of state administration, the non-Muslim population of the Ottoman Empire was divided into *millets*, a form of civil-legal administration based on religious affiliation<sup>13</sup>. The Slavic Orthodox *millets* in the Balkans were led by the head of the Patriarchate of Peć<sup>14</sup>, who, thanks to the initiative of the Grand Vizier Mehmed Sokollu (1506–1579), was able to operate officially in the Ottoman state from 1557<sup>15</sup>. The Patriarchate of Peć held jurisdiction over huge territories:

<sup>11</sup> The term *reâyâ* comes from the Arabic language (*ra'iya*) and literally means 'flock'. Originally, the term referred to all of the Sultan's subjects (regardless of their religion) who paid taxes, as opposed to the privileged class (*askeri*). Over time, however, the term *reâyâ* came to be used in relation to Christian subjects of the Ottoman Empire's ruler. Cf. *Encyclopedia of the Ottoman Empire...*, p. 618; M. URSINUS, *Reaya*, [in:] *Lexikon zur Geschichte Südosteuropas*, ed. K. CLEWING, H. SUNDHAUSSEN, Wien 2016, p. 757; I. CZAMAŃSKA, *Historia Serbii...*, p. 172, 253.

<sup>12</sup> J. BŁAŠKOVIČ, *Ziemie lenne (hass)...*, p. 84. On the strategy by which the Ottomans gradually took over the lands they conquered, see H. İNALCIK, *Ottoman Methods of Conquest*, StI 2, 1954, p. 103–129.

<sup>13</sup> The word *millet* comes from the Arabic word *millah*, which literally meant 'nation'. The *millet* was headed by a religious leader (e.g. patriarch, rabbi) who was treated by the Ottoman authorities as a representative of the entire community (*millet başı*). The concept of the *millet* is crucial in order to properly understand the position of the non-Muslim population in the Ottoman Empire. In the modern era, there was a separate *millet* for the Greek Orthodox population, led by the Patriarch of Constantinople, and a Jewish *millet* headed by the Chief Rabbi of Istanbul (*hahambaşı*). Cf. F. ÖZTÜRK, *The Ottoman Millet System*, GAAD 16, 2009, p. 71–86; IDEM, *Ottoman and Turkish Law*, Bloomington 2014, p. 10–60. In the context of *millets*, it is also worth paying attention to the following works: S. SHAW, *The Ottoman View of the Balkans*, [in:] *The Balkans in Transition. Essays on the Development of Balkan Life and Politics since the Eighteenth Century*, ed. B. JELAVICH, C. JELAVICH, London 1963, p. 61–62; IDEM, *Historia Imperium Osmańskiego i Republiki Tureckiej (1280–1808)*, vol. I, trans. B. ŚWIETLIK, Warszawa 2012, p. 242–243; J. STRAUSS, *The Millets and the Ottoman Language. The Contribution of Ottoman Greeks to Ottoman Letters (19<sup>th</sup>–20<sup>th</sup> Centuries)*, WIs 35, 1995, p. 189–249; B. KAPLAN, *Divided by Faith. Religious Conflict and the Practice of Toleration in Early Modern Europe*, Cambridge–London 2007, p. 240–241; B. JEZERNIK, *Dzika Europa. Balkany w oczach zachodnich podróżników*, trans. P. OCZKO, Kraków 2007, p. 187–190; B. MASTERS, *Millet*, [in:] *Encyclopedia of the Ottoman Empire...*, p. 383–384. P. KRĘZEL, *The Political Ambitions of Serbian Patriarch Arsenije IV Jovanović Šakabenta*, SCer 9, 2019, p. 575–591. Some *millet* scholars equate *taife* with *cemaat*, see J. BRADY, E. HAJDARPASIC, *Religion and Ethnicity. Conflicting and Converging Identifications*, [in:] *The Routledge History of East Central Europe since 1700*, ed. I. LIVEZEANU, A. VON KLIMO, London–New York 2017, p. 181.

<sup>14</sup> The following wrote about the spiritual and political role of the leaders of the Serbian Orthodox Church: D. GIL, *Prawosławie. Historia. Naród. Miejsce kultury duchowej w serbskiej tradycji i współczesności*, Kraków 2005, p. 77; EADEM, *Serbscy etnarchowie jako kodyfikatorzy tradycji kulturowej*, [in:] *U spomen na Borivoja Marinkovića. Zbornik Filozofskog Fakulteta*, ed. N. GRDINIĆ, S. TOMIN, N. VARNICA, Novi Sad 2014, p. 132–139; I. LIS-WIELGOSZ, *O trwałości znaczeń. Siedemnastowieczna literatura serbska w służbie tradycji*, Poznań 2013, p. 34–35.

<sup>15</sup> The restoration of the Patriarchate of Peć took place, despite the negative attitude of the Patriarchate of Constantinople and the Archbishopric of Ohrid, on the basis of the decision of Sultan Selim II (1524–1574). The first hierarch residing in Peć after the renewal of the Patriarchate was Makary

from Hungarian and Transylvanian lands in the north, through western Bulgaria in the east, to the Dalmatian coast in the south and west. According to the Catholic missionary in the Balkans, Francesco Leonardi (?–1646), the Patriarch of Peć managed 41 church administrative units (metropolises and bishoprics) in the first half of the 17<sup>th</sup> century<sup>16</sup>. This administrative and territorial state lasted until the cusp of the 1680s and 90s, that is, until the war between the Ottoman Empire and the armies of the Holy League<sup>17</sup>. Due to the involvement of the Orthodox Church on the side of the Christian troops, as well as the change in the borders of the European part of the Ottoman state after the peace treaties in Karlowitz (1699)<sup>18</sup> and Požarevac (1718)<sup>19</sup>, the position of the Serbian Orthodox Church shifted both in terms of prestige and territory<sup>20</sup>. Therefore, the aim of this article is to draw attention to the situation of the Patriarchate of Peć in the first decades of the 18<sup>th</sup> century, with particular emphasis on the period when it was administered by Patriarch Arsenije IV Jovanović Šakabenta (1698–1748)<sup>21</sup>. This text will primarily

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(?–1574). Cf. M. MIRKOVIĆ, *Pravni položaj i karakter srpske crkve pod turskom vlašću (1459–1766)*, Beograd 1965, p. 87; V. BIŠČEVIĆ, *Bosanski namjesnici Osmanskog doba 1463–1878*, Sarajevo 2006, p. 113–114; M. MIKOŁAJCZAK, *Mehmed pasza Sokollu – problem przynależności etnicznej, państwowej i kulturowej*, BP 16, 2009, p. 59–69.

<sup>16</sup> Francesco Leonardi had a good understanding of the Orthodox administrative structures. At the behest of Pope Urban VIII (1568–1644), in the 1730s he conducted a number of Catholic pro-Catholic campaigns in the Balkan Peninsula. It is known that he had contacts with the Cetinian metropolitan Mardarije Kornečanin and the Serbian patriarch Pajsij himself (ca. 1542–1647). Cf. J. RADONIĆ, *Rimska kurija i južnoslovenske zemlje od XVI do XIX veka*, Beograd 1950, p. 139; M. MIRKOVIĆ, *Pravni položaj...*, p. 90; O. ZIROJEVIĆ, *Srbija pod turskom vlašću (1450–1804)*, Beograd 2007, p. 143–144.

<sup>17</sup> *Bečki rat* (literally the Vienna War) is a term that is commonly used in South Slavic historiography and defines the war between the Christian countries (the Holy League) and the Ottoman Empire in the years 1683–1699. Cf. G. STANOJEVIĆ, *Srbija u vreme Bečkog rata 1683–1699*, Beograd 1976.

<sup>18</sup> On the Karlowitz agreements of 1699, see more: BP, 13, 2004, *passim*; *The Treaties of Carlowitz (1699)*, ed. C. HEYWOOD, I. PARVEV, Leiden 2020 [= OEH, 69], *passim*.

<sup>19</sup> A monographic study of the provisions of the peace in Požarevac from 1718 is available in: *The Peace of Passarowitz, 1718*, ed. Ch. INGRAO, N. SAMARDŽIĆ, J. PEŠALJ, West Lafayette 2011; A. MILOŠEVIĆ, *Požarevački mir 1718. na kartama, gravirama i medaljama*, Beograd 2018.

<sup>20</sup> It should also be noted that the involvement of the Serbian Orthodox Church, and especially of Patriarch Arsenije III Čрноjević (1633–1704), on the Austrian side was, for the Sublime Porte, an obvious betrayal and at the turn of 1689 and 1690 led not only to the escape of the patriarch himself from Peć, but also a large part of the Serbian ethnos. In this short article, it is impossible to list all the publications that have appeared so far on the Great Exodus of Serbs (Ser. *Velika seoba Srba*). However, it is worth noting the most significant works. Cf. I. RUVARAC, *Odlomci o grofu Dorđu Brankoviću i Arseniju Crnojeviću patrijarhu s tri izleta o takozvanoj Velikoj seobi srpskog naroda*, Beograd 1896; R. GRUJIĆ, *Velika Seoba patrijarha Arsenija III Crnojevića iz južne Srbije u Vojevodinu pre dvestapedeset godina*, Skoplje 1940; D.J. POPOVIĆ, *Velika seoba Srba 1690. Srbi, seljaci, plemići*, Beograd 1954; S. GAVRILOVIĆ, *Srem od kraja XVII do sredine XVIII veka*, Novi Sad 1979; S. ČAKIĆ, *Velika Seoba Srba i Patrijarh Arsenije III Crnojević*, Novi Sad 1994; T. KATIĆ, *Tursko osvajanje Srbije 1690. godine*, Beograd 2012.

<sup>21</sup> Arsenije IV Jovanović Šakabenta held real power over the Patriarchate of Peć from 1724 to 1737. After his escape (1737) to the territories controlled by the Austrian army, he still used the title of

focus on issues related to the legal and fiscal situation of Serbs living under patriarchal jurisdiction. The areas that fell under the real authority of Peć Patriarch as *millet başı* at that time will also be characterised.

Therefore, initially one ought to become acquainted with the areas that the 18<sup>th</sup>-century successor of St. Sava considered his domain. In the years 1724–1737 there was a clear discrepancy between the Serbian patriarch's postulated and actual spheres of influence. According to Arseni IV Jovanović Šakabenta, the scope of his jurisdiction was determined by his official titles, which he used from the moment he took power from his predecessor Mojsije Rajović (approx. 1665–1730) until the end of his life. During this period, he considered himself 'the Archbishop of Peć and all Serbs and Bulgarians, Bosnia and all the Patriarch of Illyria'<sup>22</sup>.

However, the real scope of his power was determined primarily by documents of Ottoman provenance regulating issues relating to 'the patriarchate of the Peć district and the surrounding areas' (Tur. *vilâyet-i İpek ve tevâbi'-i-hâ patriq, İpek patriği*)<sup>23</sup>. The most important of them was the sultan's *berat*. The most famous, and surviving to this day, was issued in 1731 (1143 according to the Muslim era) to Arsenije IV by the new ruler of the Ottoman Empire, Mahmoud I (1696–1754)<sup>24</sup>. The Sultan stated that he recognised the Serbian hierarch as:

the leader of all gjaurs, both secular and clergy, as well as church dignitaries in the following cities and regions: Peć, Nove Brdo, Jagnjev, Đustendil, Dupnice, Razlog, Ihtiman, Samokov, the Herzegovinian sanjak, Skopie, Vranj, Krivorečka Palanka, Tetov, Niš Radomir, Novy Pazar, Nova Varoš, Trgovište, Brvenik, Mitrovce, Prijepolje, Pljevalj, the kaza of Bosnia, churches of the Latin clergy, Užice, Oršava<sup>25</sup>.

The territories mentioned in the Turkish document were located in ten Orthodox administrative units over which Arsenije IV had actual control. These were

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patriarch, but he did not have real influence over the administration of this unit of the church administration. Cf. P. KRĘZEL, *The Political Ambitions...*, p. 575–591; N. ŠULETIĆ, *Imenovanja pečkih patrijaraha*, ZMSI 104, 2021, p. 60.

<sup>22</sup> The quotes in the article were made by the author of the text. Cf. *Stari srpski zapisi i natpisi*, vol. II, ed. Lj. STOJANOVIĆ, Beograd 1983, 2613; R. TRIČKOVIĆ, *Beogradski pašaluk 1687–1739*, Beograd 2013, p. 381; *Srpska Stematografija: Beč 1741*, ed. D. DAVIDOV, Novi Sad 2011, p. 13.

<sup>23</sup> N. ŠULETIĆ, *Berat patrijarha Kalinika I...*, p. 97.

<sup>24</sup> For Mahmoud I to issue a *berat*, Arsenije IV had to pay a fee called *peškeş* (literally: gift, present) in the amount of 100,000 akçe. It is worth noting that patriarch Kalinik I (? –1710) had to spend the same amount for issuing a *berat* in 1691. Cf. R. TRIČKOVIĆ, *Beogradski pašaluk...*, p. 386. L. HADROVIC, *Srpski narod i njegova crkva pod turskom vlašću*, Zagreb 2000, p. 58; M. MIRKOVIĆ, *Pravni položaj...*, p. 95–96; N. ŠULETIĆ, *Berat patrijarha Kalinika I...*, p. 99.

<sup>25</sup> *Ferman sultana Mahmuda, sina sultana Mustafe-hana, srbskom patrijarhu Arseniju od godine turske 1143, a posle Hrista 1731*, GDSS 11, 1859, p. 181–182; *Turski dokumenti za istoriju Srpske pravoslavne crkve. Fond Gliše Elezovića*, ed. Lj. ČOLIĆ, Priština 1996, p. 47–48; *Jugoslovenske zemlje pod turskom vlašću (do kraja XVIII vijeka). Izabrani izvori*, ed. B. ĐURĐEV, M. VASIĆ, Istočno Sarajevo 2005, p. 168–172.

eparchies such as Zahumsko-Herzegovinan, Cetinian, Dabrobosanska, Užička, Nowopazar-Raszka, Prizrenska, Skopska, Niszka, Štipska and Samokovska. These, in turn, were divided into deaneries (*protopopijat*) and parishes (*nurija*). Their extent depended on various factors, including the size of the Serbian population in a given region as well as the topography.

Arsenije IV Jovanović Šakabenta, as *millet başı* in the above-described areas, wielded virtually unlimited power in deciding the internal affairs of the church. Thus, he could freely appoint and dismiss bishops, and was not obliged to consult his decision with representatives of the Turkish administration of the region in question<sup>26</sup>. He had the power to suspend clergymen (e.g., priests) and religious brothers *if they caused disruption* in the church<sup>27</sup>. In the legislative field, the Serbian patriarch could freely introduce changes to canon law that were binding on the faithful in all dioceses. In the sphere of the judiciary, the patriarch's prerogatives were extremely broad. He had the power to settle disputes over the validity of marriages, and to punish those in the flock who were conducting several relationships, and therefore engaged in polygamy<sup>28</sup>. The patriarch was also the last resort in disputes between representatives of the Serbian community. He based his judgments on the provisions of the Orthodox Church law as well as local customs and legal traditions dating back to the times of the medieval Serbian state. Given all the powers that Arsenije IV had as the head of *vilāyet-i İpek ve tevābi' -i-hā patriq*, one might state that his power over the Serbian *millet* was absolute<sup>29</sup>.

At this point, without going into details, it is worth noting that the authority of Arsenije IV was either disputed or purely symbolic over some lands, customarily considered part of the Patriarchate of Peć. Certainly, the areas inhabited by the Orthodox population who clearly distanced themselves from the structures managed by the Patriarch of Peć include Montenegro – the areas from the mouth of the Zeta to Moraczy, the vicinity of Podgorica, Spuž and Žabljak. Local bishops, especially Danilo Petrović Njegoš (1670–1735)<sup>30</sup>, refused to submit to the Patriarchate of Peć<sup>31</sup>.

<sup>26</sup> To legally take over his diocese, a new bishop or metropolitan had to obtain a sultan diploma. However, it should be noted that he did not apply for such a document personally, but the patriarch did so on his behalf as the official representative of the Serbian *taife*. In the event of the bishop's dismissal, such a document was not needed, which resulted from the rights of the patriarch outlined in the Sultan's *berat*. M. MIRKOVIĆ, *Pravni položaj...*, p. 96–97.

<sup>27</sup> *Ferman sultana Mahmuda...*, p. 182; *Turski dokumenti za istoriju Srpske pravoslavne crkve...*, p. 47; *Jugoslovenske zemlje...*, p. 169.

<sup>28</sup> This issue was tackled by O. ZIROJEVIĆ, *Islamizacija na južnoslovenskom prostoru. Dvoverje*, Beograd 2003, p. 48–49. This problem did not disappear even after the Serbs migrated to the Habsburg monarchy. This is best evidenced by the documents from Buda. D.J. POPOVIĆ, *Srbi u Budimu, 1690–1740*, Beograd 1952, p. 282.

<sup>29</sup> M. MIRKOVIĆ, *Pravni položaj...*, p. 100.

<sup>30</sup> G. STANOJEVIĆ, *Crna Gora pred stvaranje države (1773–1796)*, Beograd 1962, *passim*.

<sup>31</sup> Montenegrin clergy referred to a document issued by Arsenije III Čarnojević in 1700 after Danilo Petrović Njegoš's solemn chirotony. He then agreed to the separation of the Serbian patriarchate

On 15 February 1728, realising the rights resulting from the sultan's *berat*, Arsenije IV even decided to issue an instruction to the clergy from the area of Montenegro. In this document, he noted that:

Those priests who observe the laws of the Church and often celebrate the liturgy in this elajet must not acknowledge bishop Danilo. However, if we hear that they have acknowledged him, let them know that our curses await [...]<sup>32</sup>.

Although Arsenije IV repeatedly tried to rebuild the patriarchal position in the structures of the Montenegrin church in the 1720s and 1730s, he was not able to exert any real influence on the Montenegrin hierarchs, despite the fact that he had the right to do so.

Territories outside the Ottoman Empire were also areas that Arsenije IV Jovanović Šakabenta considered within his sphere of influence. This mainly concerned dioceses and individual parishes located in the Habsburg monarchy. Other, though less significant areas where Orthodox Serb settlement was recorded, fell within the Venetian Republic. These were mainly the areas of Dalmatia and Boka Kotorska. In these areas, the rights of the Serbian patriarch, which he received in the Sultan's *berat*, were not binding. He could therefore claim his rights in respect of these units only in terms of canon law and tradition, which also played an important role in the Greek Rite churches.

Orthodox dioceses in the Habsburg monarchy, as well as individual parishes in the territory of the Republic of San Marco could at best remain in spiritual communication with the Patriarchate of Peć. The Serbian patriarch, due to the barrier represented by the state border, exercised only symbolic control over these areas. He could not really influence the events that took place beyond the defined borders of the Ottoman state.

The establishment of the areas where the Patriarchate of Peć had jurisdiction facilitates the identification of areas inhabited by the Serb population from which the patriarch, as *millet başı*, could collect certain fiscal dues<sup>33</sup>. They were extremely important for ensuring the proper existence of this church unit, the more so because every year it was obliged to pay the *kesim (maktu)*<sup>34</sup> tax to the Sultan's

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of the diocese, which included: *Montenegro, the lands of the Grbal, Paštroviće, Krtola, Luštica families, the cities of Bar, Szkodra, Ulcinj, Podgorica, Žabljak and the lands of the Zeta, Kući, Vsoevže, Piperi and Belopavliće with all villages and parishes*. See G. ВІТКОВІЋ, *Spomenici iz budimskog i peštanskog arhiva*, vol. I, Beograd 1873, p. 5–6. Danilo Petrović Njegoš in his title, therefore, had the phrase 'by God's grace, Metropolitan of Skenderija and Primorje'.

<sup>32</sup> D. VUKSAN, *Pisma pečkih patrijarha Zečanima*, Zap 22, 1939, p. 43.

<sup>33</sup> There were basically two types of taxes in the Ottoman Empire: for the Muslim population there was tithing (*öşür*), and for the non-Muslim population there was a poll tax (*cizye*). A. ÖZKUL, *The Ottoman Empire's Tax Policy in Eighteenth Century Cyprus*, [in:] *Archivum Ottomanicum*, ed. G. HAZAI, Wiesbaden 2015, p. 55.

<sup>34</sup> This sum was specified *expressis verbis* in the *berat* (art. 23) of 1731. The amount of the *kesim* tax was defined in the sultan's *berat* individually for each *millet*. Hungarian turkologist Pál Fodor equates

treasury in the amount of 70,000 akçe<sup>35</sup>. However, this was no easy task, as local representatives of the Ottoman administration often hampered the acquisition of revenues for the Serbian Orthodox Church. However, the behaviour of these officials was contrary to the will of the Sultan, which was expressed in Art. 15 of the *berat* of 1731, where the Ottoman ruler clearly indicated:

none of the government officials – emins, kadis nor naibs – may prevent the representatives of the patriarch from collecting *miri*, nor tell them that until you give me the specified money, I will not let you into my villages, so that you might collect your dues there<sup>36</sup>.

Due to the privilege of the Serbian Orthodox Church, Arsenije IV repeatedly submitted official complaints to the Sultan's office in Istanbul against representatives of the administration of the Sublime Porte in the 1730s. We know from one account from 1733 that at least one such complaint was answered by the central authorities<sup>37</sup>.

The main source of the patriarchy's annual revenue were the receivables it obtained from the Orthodox population in the lands designated by the Sultan's *berat*. In the church account books called *tefters*<sup>38</sup>, these liabilities were recorded under the term *taksil*<sup>39</sup>, meaning 'tribute'. This umbrella term included many fees that the representatives of the Serbian *millet* paid to the Orthodox Church.

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the *kesim* with the *maktu* and defines it as an annual flat-rate tax that was delivered to the central treasury by a taxpayers' representative. According to this researcher, it was beneficial for both parties, as it reduced both the costs of tax collection and the possibility of fraud against taxpayers. P. FODOR, *The Business of State. Ottoman Finance Administration and Ruling Elites in Transition (1580s–1615)*, Berlin 2018 [= SSGKT, 28], p. 34.

<sup>35</sup> More on the monetary system in the Ottoman Empire at the beginning of the 18<sup>th</sup> century: Ş. PAMUK, *A Monetary history of the Ottoman Empire*, Cambridge 2000, p. 161; *Katalog novca Osmanske imperije sakupljenog na području SFR Jugoslavije*, ed. D. TESLA-ZARIĆ, S. STOJKOVIĆ, Beograd 1974, p. 29–30.

<sup>36</sup> *Ferman sultana Mahmuda...*, p. 183; *Turski dokumenti za istoriju Srpske pravoslavne crkve...*, p. 48; *Jugoslovenske zemlje...*, p. 170–171.

<sup>37</sup> *Stari srpski zapisi i natpisi*, vol. V, ed. Lj. STOJANOVIĆ, Beograd 1987, 63.

<sup>38</sup> The name *tefter* comes from the Turkish word *defter*, meaning a diary, notebook, register or inventory. In the article, I use the Slavic equivalent of the lexeme *defter*. Cf. M. KOZŁOWSKA, *Słownik turecko-polski. Türkçe-Lehçe sözlük*, Warszawa 2009, p. 225; T. KWOKA, *Dzieje słownictwa z zakresu stosunków społecznych w Serbii i Czarnogórze*, vol. II, *Państwo i administracja*, Kraków 2013, p. 166. In the Ottoman Empire, *defters* were commonly used tax and cadastral documents that recorded information about the taxpayer and the amount he owed. Cf. D. KOŁODZIEJCZYK, *Zaproszenie do osmanistyki. Typologia i charakterystyka źródeł muzułmańskich sąsiadów dawnej Rzeczypospolitej: Imperium Osmańskiego i Chanatu Krymskiego*, Warszawa 2013, p. 37, 102. According to the authors of the *Encyclopedia of the Ottoman Empire*, several types of *defters* can be distinguished, depending on their function e.g., *cizye defteri* (poll tax register), *mevacib defteri* (soldiers' payroll). See *Encyclopedia of the Ottoman Empire...*, p. 617.

<sup>39</sup> The term *taksil* is a collective chrematonim, whose etymology lies in the lexeme *taksa* – fee, amount owed. Cf. T. KWOKA, *Dzieje słownictwa...*, p. 169; F. GRAHAM, *Turkisms in South Slavonic*



First of all, one should note the fee that the people of the Greek Rite paid in the amount of 0.1 kuruş<sup>40</sup> per house to the patriarch and the same amount to the administrator of the eparchy where the building was located. Commonly, this fee was called the chimney tax (*dimnica*)<sup>41</sup>. In addition, the church also charged fees for holding weddings (*svadbine, venčanice*). Based on the *tefter* of the eparchy of Niš, it is known that in 1732, Orthodox clergymen charged 100 akçe for a first wedding, 300 for a second, and 500 akçe for a third and any subsequent ones. 185 weddings were also concluded that year. This netted the local bishop an income of 25,740 akçe, which meant that, on average, a representative of the Serbian *millet* had to pay 139 akçe for a wedding. From this number it can be concluded that these were mostly first weddings. Four years later, 111 weddings were held in the area of the same church unit, and the diocesan administrator made 24,000 akçe. So, in 1736 weddings were more expensive and cost an average of 216 akçe. However, at this point it should be noted that only half of the annual income obtained from weddings remained in the Orthodox diocese. Fifty percent of this sum had to be taken to Peć by the church hierarchy<sup>42</sup>.

Another important, though uncertain and usually of undetermined extent, source of income for the Serbian Orthodox Church in the Ottoman Empire was alms (*milostinja*). However, it should be noted that in the first decades of the 18<sup>th</sup> century there were two types of alms. The first was the so-called universal (*opšta milostinja*), which the clergy received from individual Serbian families for sacrificing their estates or property. The second type of alms (*uopština*) was given by individuals for commemoration during the service of their living or deceased relatives. The latter kind of financial offering could also be received by monks and used for the day-to-day needs of the monastery<sup>43</sup>. On the other hand, 'common alms' were usually given to clergymen while collecting the chimney tax. This is confirmed by a note made by the archdeacon Jovan Georgijevic, who wrote in his

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*Literature. Turkish Loanwords in Seventeenth- and Eighteenth-Century Bosnian and Bulgarian Franciscan Sources*, Oxford 2020, p. 162.

<sup>40</sup> Kurush (Tur. *kuruş, gurüş*) is a monetary unit that functioned in the Ottoman Empire from the end of the 17<sup>th</sup> century. 1 kurush was equal to 40 *para* – i.e., 120 akçe. In European literature on the subject, a kurush is often referred to as a *piatr*. Cf. Ş. PAMUK, *A Monetary History...*, p. 159–161; H. İNALCIK, D. QUATAERT, *Dzieje gospodarcze i społeczne Imperium Osmańskiego*, Kraków 2008, p. 842; M. DENZEL, *Handbook of World Exchange Rates, 1590–1914*, s.l. 2010, p. 387.

<sup>41</sup> On the concept of *dimnica* in the Serbian Orthodox Church, see N. RADOSAVLJEVIĆ, *Pravoslavna crkva u Beogradskom pašaluku 1766–1831 (uprava Vaseljenske patrijaršije)*, Beograd 2007, p. 218.

<sup>42</sup> J. HADŽI-VASILJEVIĆ, *Tevteri niške mitropolije (od 1727–1737 god.)*, [in:] *Zbornik za istoriju južne Srbije i susjednih oblasti*, vol. I, Skopje 1936, p. 51–64; *Turski dokumenti za istoriju Srpske pravoslavne crkve...*, p. 21–22, 53.

<sup>43</sup> During the time of Arsenije IV, the major beneficiary of the monasteries who received *uopština* was the patriarchal monastery in Peć. See Biblioteka Srpske Patrijaršije u Beogradu (cetera: BSPB), syg. P 110, fol. 3a.

*tefter* on 9 June 1733 that in the Zahumsko-Herzegovina eparchy: *first I collect the dimnica, and then the blagoslovena*<sup>44</sup>.

These financial donations made by the Serbian people could also be collected by the bishop or his representative during the canonical visit of the parish. However, there are some indications that suggest that the alms given for the devotion of the Serbian settlement were predetermined and the only issue faced within a given village was how it would be distributed among the houses. This is indicated by a letter written by Patriarch Arsenije IV himself addressed to Zečani (25 February 1726). He wrote therein that *you must divide the alms you gave us amounting to 180 akçe among themselves, but everyone must give something without question*<sup>45</sup>.

Setting to one side considerations of how alms were collected and whether this was voluntary, or if the people were somehow coerced, there is no doubt that this constituted an important component of income for individual Orthodox dioceses in the Patriarchate of Peć. This is confirmed by the *tefter* of the eparchy of Niš. For example, in 1736 the income obtained from alms (83,520 akçe) was almost twice the income obtained from the chimney tax<sup>46</sup>.

The substantial and steady income of the patriarch in the 1730s, as well as of individual eparchs, should also include the annual fee of 2 kuruş paid by each clergyman within the Patriarchate of Peć. This levy is listed in the sources as the 'priest tax'<sup>47</sup>. Its relevance within the revenue structure for church hierarchs varied, depending on the diversification of the parish network in a given diocese. For example, in the eparchy of Niš, according to their *tefters*, in 1732 it accounted for 17.68%, and four years later 15.33%, of the total income of the bishop, although nominally in 1736 the eparchy of Niš obtained 13,080 akçe more than in 1732<sup>48</sup>. However, this fact should not be interpreted as an increase in the number of Orthodox parishes in 1736. The low income obtained from the 'priest tax' in 1732 should be considered an anomaly, because a year earlier there had been an epidemic of the plague in the eparchy of Niš, which caused an increase in the mortality of the local population, and consequently less income for a single priest, who in 1732 was unable to fulfil his obligations towards the bishop<sup>49</sup>. It can also be assumed that the plague was the main reason for the low revenue from alms in 1732<sup>50</sup>.

The collection of all fees and alms in the Patriarchate of Peć was officially supervised by the patriarch himself, because he was obliged to pay the annual *kesim* on

<sup>44</sup> *Stari srpski zapisi i natpisi...*, vol. V, 7688.

<sup>45</sup> Cf. D. VUKSAN, *Pisma pečkih patrijarha...*, p. 44–45; IDEM, *Rukopisi cetinjskog manastira*, [in:] *Zbornik za istoriju...*, p. 218.

<sup>46</sup> J. HADŽI-VASILJEVIĆ, *Tevteri niške mitropolije...*, p. 51–64.

<sup>47</sup> *Turski dokumenti za istoriju Srpske pravoslavne crkve...*, p. 22–23.

<sup>48</sup> Cf. BSPB, syg. P 110, fol. 2a, 4a; J. HADŽI-VASILJEVIĆ, *Tevteri niške mitropolije...*, p. 60–64.

<sup>49</sup> S. IVANIĆ, *Borba protiv kuge u Srbiji za vreme austrijske vladavine (1717–1740)*, [in:] *Prilozi za istoriju zdravstvene kulture Jugoslavije i Balkanskog poluostrva*, vol. V, Beograd 1937, p. 19–20.

<sup>50</sup> Cf. BSPB, syg. P 110, fol. 2a, 4a; J. HADŽI-VASILJEVIĆ, *Tevteri niške mitropolije...*, p. 60–64.

behalf of the entire Serb community. However, it was obvious that many people were involved in the whole process, especially those associated with the church. Nevertheless, they had to have special authorisation from the patriarch or bishop in order to be able to collect certain levies. This is confirmed by the patriarch's letter to Protopope Boško Popović from Lješkopolja (17 November 1727). Arsenije IV mentioned to this clergyman that he only needed to organise a group of priests who wanted to collect chimney taxes and the patriarch's office would *immediately issue power of attorney and provide a tefter*<sup>51</sup>. Those who collected money for the church needed official accreditation due to increasingly common cases of fraud. Abuse related to the collection of fees by unauthorised persons was a major problem for the Serbian Orthodox Church at that time. Arsenije IV, in a letter from 1728 to the inhabitants of Priepolje, warned against handing over the chimney tax to people *claiming to be exarchs, monks or priests, if they do not have any recommendation from church hierarchs*<sup>52</sup>.

Arsenij IV's control over the entire process of collecting various dues from Serbs usually took place in parallel with the canonical visit to a given eparchy. It was then that the head of the church would review the diocesan *tefters* and discover the overall mechanism of collecting fees in a given church unit. On the other hand, when leaving the visited eparchy, he would take part of the collected receivables to the treasury in Peć. Due to the fact that these were usually large sums, Arsenije IV travelled through the lands of the Patriarchate of Peć in the company of a personal guard, as was his guaranteed by the Sultan *berat* (art. 14)<sup>53</sup>.

It is worth noting at this point that today it is possible to reconstruct Arsenije IV's actions largely thanks to the annotations that this clergyman made in the accounts of a given eparchy during canonical visits. The preserved registers and records show that it took him nearly ten years to get to know the entire scope of *vilâyet-i İpek ve tevâbi'-i-hâ patriq*. He did indeed make canonical visits in the years 1726–1735. Later, until the outbreak of the Austro-Turkish war in 1737<sup>54</sup>, Arsenije IV stayed at the patriarchal monastery in Peć. He justified his inactivity citing economic problems. The exact financial obligations of the patriarch from this period are not known, but it can be assumed that he decided not to travel further around the patriarchy due to the high costs of maintaining his retinue. So he agreed that the income obtained from the Serbs be taken to Peć by the bishops or people appointed by them.

<sup>51</sup> D. VUKSAN, *Pisma pećkih patrijarha...*, p. 44.

<sup>52</sup> *Ibidem*, p. 47.

<sup>53</sup> *Ferman sultana Mahmuda...*, p. 183; *Turski dokumenti za istoriju Srpske pravoslavne crkve...*, p. 48; *Jugoslovenske zemlje...*, p. 170.

<sup>54</sup> For more on the Austro-Turkish war (1737–1739) see: K. ROIDER, *The Reluctant Ally. Austria's Policy in the Austro-Turkish War, 1737–1739*, Baton Rouge 1972, *passim*; V. AKSAN, *Ottoman Wars 1700–1870. An Empire Besieged*, New York 2007, p. 102–117.

Several factors contributed to the economic problems faced by the Patriarchate of Peć. First of all, the Orthodox population began to emigrate from its territory, noticeably from the end of the 17<sup>th</sup> century (mainly due to the Great exodus of Serbs), which meant a significant loss of income for the central budget in Peć necessary to meet obligations towards the Sultan treasury (*Hazine-i Âmire*). This state of affairs was largely influenced by the shrinking European part of the Ottoman state, and thus a decrease in the territory of the patriarchy by several dioceses as a result of the Austro-Turkish peace treaty signed in Požarevac (1718). Not may one forget about the material losses suffered by the Serbian Orthodox Church from the turn of the 18<sup>th</sup> century as a result of ongoing wars between the Habsburg Monarchy and the Ottoman Empire. The reconstruction of sacred buildings was arduous and required tremendous financial outlays, which were increasingly lacking at that time. It should also be noted that at the beginning of the 18<sup>th</sup> century, the fiscal policy of the Ottoman Empire shifted<sup>55</sup>. Detailed cadastral lists of towns and villages were drafted. In addition, the fees levied upon individual *taife* increased. All these elements had an impact on the deepening economic crisis faced by the Patriarchate of Peć, which was only exacerbated after the Austro-Turkish war (1739).

There is no doubt that in the 1720s and 1730s, Arsenije IV Jovanović Šakabenta exercised real control over the Serbian population, which fell under the actual jurisdiction of the Patriarchate of Peć. As *millet başı*, he was their official representative to the Ottoman authorities. A privileged position was ensured by the Sultan *berat* issued in 1731, which gave him wide-ranging powers. Every year, however, like every *millet* leader, he was forced to honour his fiscal obligations to the Sublime Porte. This article presents various forms of debt collected from the Serbian population by church representatives, including the patriarch himself. Of course, the presented findings are fragmentary and are based mainly on the best-preserved registers (*tefters*) of the eparchy of Niš. On the one hand, they reveal some strategies in obtaining tributes while, on the other hand, indicating some problems with which the Patriarchate of Peć struggled during certain periods. In the future, it would be worthwhile to undertake research on how the economic difficulties of the Serbian Orthodox Church in the first decades of the 18<sup>th</sup> century translated into the political decisions of its leader in the late 1730s.

<sup>55</sup> For more on the changes that took place in the Ottoman Empire at the beginning of the 18<sup>th</sup> century, see B. LEWIS, *Narodziny nowoczesnej Turcji*, trans. K. DOROSZ, Warszawa 1972, p. 68–72; J. REYCHMAN, *Historia Turcji*, Wrocław 1973, p. 156–157; J. HAUZIŃSKI, *Absolutyzm orientalny*, [in:] *Europa i świat w epoce oświeconego absolutyzmu*, ed. J. STASZEWSKI, Warszawa 1991, p. 197–198; A. SALZMANN, *The Age of Tulips Confluence and Conflict in Early Modern Consumer Culture (1550–1730)*, [in:] *Consumption Studies and the History of the Ottoman Empire, 1550–1922*, ed. D. QUATAERT, New York 2000, p. 83–106; M. PAVLOVIĆ, *Forsirana ili autonomna modernizacija? Osmanske reforme u XVIII veku u kontekstu evropskih uticaja*, *Ist* 22, 2011, p. 185–204; S. SHAW, *Historia Imperium Osmańskiego...*, p. 370–371.

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