

## **'Justice' or an Orchestrated Trial? The Lifeworld of Ferhad Bey Draga, the Lawsuit against Him, and the Local Communities in Mitrovica in the late 1920s**

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### **Abstract:**

This article examines the trial against one of the most prominent notables from Mitrovica, a town which was then located in the southern part of the Kingdom of Serbs, Croats and Slovenes (= SCS), Ferhad Bey Draga. The lawsuit alleged that Ferhad Bey Draga had committed crimes against the Kingdom of Serbia during the Habsburg occupation. The work argues that the SCS ruling parties, which were aware of the fact that these past deeds could be wielded as a weapon, did not hesitate to arrange a political trial in order to eradicate local opponents from the political arena. By paying heed to Ferhad Bey's performance in the courtroom, the article underlines that even in such a situation, actors were able to negotiate with the state with the overarching goal of creating the best possible conditions for themselves. This was possible given their imagined or real influence on the locals. The essay also looks at whether this trial triggered war memories within the communities which consisted of the bilingual locals of the Muslim and Orthodox faith.

**Keywords:** Political Trials, Loyalty, Mitrovica, Kingdom of Serbs, Croats and Slovenes, Ottoman Empire, Habsburg Monarchy, Ferhad Bey Draga

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## Introduction\*

Through the 1921 pardon, the new decision-makers in the recently established Kingdom of Serbs, Croats, and Slovenes tried to put an end to a dispute in public over the question of who supported the Habsburg or Bulgarian authorities in occupied Serbia and Montenegro between 1916 and 1918.<sup>1</sup> This dispute referred to accusations of the two main political parties in the kingdom -the Democratic Party and the People's Radical Party. Articles dedicated to mutual allegations about how the party members behaved during the occupation took up significant time and space in the press. Many of them actually revealed personal conflicts and political clashes, which were transmitted through the press to the public, making it easily noticeable that the notion of support and treason was often wielded as political leverage. Whenever political or election campaigns were about to begin, political polemics became more frequent.<sup>2</sup> Aside from seeking to end this reciprocal feud, there was also another possible motive for announcing the general amnesty: by deciding that all past deeds would be forgotten, the governing elites conveyed the message that they were ready to start from nothing in the new, post-World War I context.

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\* I would like to thank the participants of the workshop "Contested Memories in Southeast Europe, 1912-2019: Is after the War before the War? Examining Cycles of Conflict and Violence in Pre- and Post-War Eras" hosted at the University of Bern (July 2019) for their comments and questions on the first draft of the paper. Above all, I am in debt to Denis Ljuljanović who was kind enough to summarize and translate Albanian-written sources used here. I am thankful also to Nathalie Clayer and Hannes Grandits for their critic and input on the earlier version of the article.

\*\* In order to avoid confusions, in the text it would be used the shorted version of the town Mitrovica.

<sup>1</sup> "Rešenje #6671 od 17.02.1921," *Službene novine Kraljevine Srba, Hrvata i Slovenaca*, god. III, 25.02.1921, br. 43, 1.

<sup>2</sup> Marko Pejović, "Beogradska štampa o suđenjima za saradnju sa okupatorima u Srbiji 1918-1920. godine," *Godišnjak za društvenu istoriju* XII, no. 1-3 (2005): 85-108. Although the author keeps using the term of collaboration without even reflecting whether the phrase was actually used in the political field within the new state, I have chosen the more 'neutral' label of supporting. This stems from the fact that a) I could not encounter such a term in the post-1918 state-produced sources, but rather supporter or friend was used and b) collaboration and treason, by becoming synonyms, turned out to be a highly charged and political battle concept. Since both labels have been very closely linked to nationalist discourses and quite often moral judgments, they above all emphasize the individual dispositions of the collaborators. More on the term and its use in the context of WWII see Christoph Dieckmann, Babette Quinkert, and Tatjana Tönsmeier, "Editorial," in *Kooperation und Verbrechen: Formen der Kollaboration in Südost- und Osteuropa 1939-1945*, ed. Tatjana Tönsmeier, Babette Quinkert, and Christoph Dieckmann (Göttingen: Wallstein Verlag GmbH, 2012), 7-23.

The amnesty implied that those in power and those who committed 'treason' in the latter's eyes had pledged to entirely forget each other's conduct during the war since 'the past belongs in the past' and thus, it would no longer be a source of general distrust.<sup>3</sup> But, was the past really so easily discarded and forgotten? If that was the case, then, why exactly five years after the clemency was declared, was Ferhad Bey Draga, a prominent notable from Mitrovica and possibly one of the most dominant political figures among the Albanian and/or Slavic-speaking Muslims in the southern part of the kingdom, brought to court in the 1920s and accused of committing crimes during the occupation? By initiating a legal process against him, the ruling government -consisting of the People's Radical Party and the Independent Democratic Party- not only misused the judicial system to further their political goals but simultaneously engendered the revival of World War One (WWI) memories as well.

The aim of this paper is neither to defend nor to judge Ferhad Bey but rather to explain why several years after the amnesty was asserted, Ferhad Bey was suddenly arrested in the midst of the 1925 election campaign and between 1926 and 1927, he was put on trial four separate times to face both war and postwar charges. It argues that the ruling parties, which were fully aware of the fact that his past deeds could be utilized as a weapon, did not hesitate to arrange a political trial in order to eradicate opponents from the political arena. The paper also discusses Ferhad Bey's performance in the courtroom. In addition, and keeping the lawsuit in mind, the essay looks at whether the trial triggered war memories within the communities which consisted of the bilingual locals of the Muslim and Orthodox faiths.

This approach stems from that fact that national historiographies, while narrating about WWI in the Mitrovica area, continue speaking about the homogeneous and clear-cut national, and religious groups.<sup>4</sup> The emphasis is namely placed on the ethnic cleavages and ethnonational

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<sup>3</sup> For the general overview on forgetting verdicts in Europe and the Ottoman Empire see Maurus Reinkowski, *Düzenin Şeyleri, Tanzimat'ın Kelimeleri: 19. Yüzyıl Osmanlı Reform Politikasının Karşılaştırmalı Bir Araştırması* (İstanbul: Yapı Kredi Yayınları, 2017), 213-20.

<sup>4</sup> For the notion of group-formation see Rogers Brubaker, *Ethnicity without Groups* (Cambridge, Massachusetts: Harvard University Press, 2004), 13. See also Fabio Bego, "Beyond the Albanian-Slav Divide: Political Cooperation and National Identities in the Balkans at the Turn of the Twentieth Century," *East European Politics and Societies: and Cultures* 34, no. 1 (2020): 25-47, and Nathalie Clayer, "The Young Turks and the Albanians or Young Turkism and Albanianism?," in *Penser, agir et vivre dans l'Empire ottoman et en Turquie: Études réunies pour François Geogon*, ed. Nathalie Clayer and Erdal Kaynar (Paris-Louvain-Walpole, MA: Peeters, 2013), 67-82, here pp. 68-70, 73.

violence. The narrative intends to show that the two groups were not capable of living in coexistence and that they were separated along a national and religious line, which thus labeled them exclusively as Serbs and Albanians.<sup>5</sup>

In the paper, however, a spotlight is shone on the coexistence between the persons of different confessional backgrounds who, in both the Ottoman and post-Ottoman times, were subject to the various dynamics of confessionalization, a process which did not end even in the interwar period and was not necessarily a linear and irreversible process.<sup>6</sup> Although the Greater War (1911-1923) influenced locals to start thinking about national and/or religious boundaries locally, the paper argues that in the face of danger, these people would help one another. Drawing on Burcu Akan's study on urban Muslims in post-Ottoman Macedonia, and Martin Schulze Wessel and Jana Osterkamp's notion of loyalty, this behavior can be understood as performing horizontal loyalty or *şehirli* identity.<sup>7</sup> To the contrary, national historiographies often depict Ferhad and his brother Nedjib Bey as Albanian national heroes only; as

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<sup>5</sup> For instance, see Andrej Mitrović, "Albanians in the Policy of Austria-Hungary towards Serbia 1914-1918," in *Srbi i Albanci u XX veku (ciklus predavanja 7-10. maj 1990)*, ed. Andrej Mitrović (Beograd: Srpska akademija nauka i umetnosti, 1991), 107-33. Bogumil Hrabak, "Kosovska Mitrovica pod austrougarskom okupacijom (1915-1918)," *Zvečan*, no. 1 (1996): 125-44. Božica Mladenović, *Grad u austrougarskoj okupacionoj zoni u Srbiji od 1916. do 1918. godine* (Beograd: Čigoja štampa, 2000), and Miloš M. Damjanović, "O nekim ubistvima srpskih civila iz okoline Kosovske Mitrovice tokom austro-ugarske okupacije u Velikom ratu," *Srpske studije* 7 (2016): 79-95.

<sup>6</sup> Nathalie Clayer, "The Dimension of Confessionalisation in the Ottoman Balkans at the Time of Nationalisms," in *Conflicting Loyalties in the Balkans: the Great Powers, the Ottoman Empire and Nation-Building*, ed. Hannes Grandits, Nathalie Clayer, and Robert Pichler (London-New York: I. B. Tauris, 2011), 89-109, here pp. 89-90, 2-5, 8-9. See also Nathalie Clayer, "Religious Pluralism in the Balkans during the late Ottoman Imperial Era: Towards a Dynamic Model," in *Imperial Lineages and Legacies in the Eastern Mediterranean: Recording the Imprint of Roman, Byzantine and Ottoman Rule*, ed. Rhoads Murphey (London and New York: Routledge: Taylor & Francis Group, 2017), 101-14, here pp. 2, and Nathalie Clayer, *Arnavut Milliyetçiliğinin Kökenleri: Avrupa'da Çoğunluğa Müslüman bir Ulusun Doğuşu* (İstanbul: İstanbul Bilgi Üniversitesi Yayınları, 2013), 31-41, 54-64, 477-80.

<sup>7</sup> For more detail about the concept of loyalty see Jana Osterkamp and Martin Schulze Wessel, "Texturen von Loyalität: Überlegungen zu einem analytischen Begriff," *Geschichte und Gesellschaft* 42, no. 4 (2016): 553-73. Jana Osterkamp and Martin Schulze Wessel, "Exploring Loyalty," in *Exploring Loyalty*, ed. Jana Osterkamp and Martin Schulze Wessel (Göttingen: Vandenhoeck and Ruprecht, 2017), 1-16. and Martin Schulze Wessel, "'Loyalität' als geschichtlicher Grundbegriff und Forschungskonzept: Zur Einleitung," in *Loyalitäten in der Tschechoslowakischen Republik: Politische, Nationale und Kulturelle Zugehörigkeiten*, ed. Martin Schulze Wessel (München: R. Oldenbourg, 2004), 1-22. On the concept of social, *şehirli* identity see Burcu Akan Ellis, *Shadow Genealogies: Memory and Identity among Urban Muslims in Macedonia* (New York: Columbia University Press, 2003).

individuals who had spent their lives thinking about how to fight for the Albanian cause.<sup>8</sup>

However, the historiographies are incapable of grasping that in the moment when family members or personal holdings came into question, these individuals could easily change their national narrative. However, before discussing the trial, it is worth highlighting the lifeworld of Ferhad Bey up until the trial took place. The term of lifeworld refers to "the region of reality in which man can engage himself and he can change while he operates in it." It represents an intersubjective world, which is treated as a natural and social arena that sets the limits of one's or others' reciprocal actions. By participating, a historical actor seeks to revise and influence what is imposed upon him/her.<sup>9</sup>

### Lifeworld of Ferhad Bey Draga

The Draga family's economic base was located in the wide area around Mitrovica. Aside from their work as merchants and owning woodlands and a sawmill, the Dragas belonged to landowning elites as well.<sup>10</sup> Their influence in Mitrovica and its vicinity began as early as in the 1860s, when Ferhad's father, Ali Draga, was acting as a leader of one band and gradually obtained control of several villages in the area. In order to pacify the situation, the Ottoman authorities pardoned him several times and appointed him as a gendarmerie or a border officer.<sup>11</sup> Owing to their father's network and various forms of capital, Ali's sons Mehmed Nedjib, Ferhad, Aydın, and Şefket -all of whom had a title of bey- could enhance their cultural capital since they were educated in the Ottoman capital and therefore, would have held high administrative responsibilities in the Empire.<sup>12</sup> This allowed them to keep political contacts within the secretive

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<sup>8</sup> For instance see Draga, "Ferhat bej (1880-1944)," *Fjalor Enciklopedik Shqitar Botim i ri* (2008): 508. and Fazli Hajrizi, *Mitrovica dhe Shala e Bajgorës në fokusin e historisë (ngjarje, personalitete historike, hrsimore dhe kulturore)* (Prishtinë: Shtëpia Botuese Libri Shkollor, 2011).

<sup>9</sup> Alfred Schütz and Thomas Luckmann, *The Structures of the Life-world*, vol. 1 (London: Heinemann, 1974).

<sup>10</sup> Ali Hadri and Živko Avramovski, *Kosovska Mitrovica i okolina* (Kosovska Mitrovica: Institut za istoriju Kosova-Priština, 1979), 98, and Božica Ž. Slavković, "Političke, ekonomske i kulturne prilike na Kosovu i Metohiji 1929-1941" (Unpublished PhD Univerzitet u Beogradu, Filozofski fakultet, 2014), 22.

<sup>11</sup> Theodor A. Ippen, *Novibazar und Kossovo (Das alte Rascien): Eine Studie* (Wien: Alfred Hölder: K. und K. Hof- und Universitäts-Buchhändler, 1892), 115-16, and ÖStA/HHStA/Vienna, PA XXXVIII/385, #34, 7. Mai 1905, Mitrovica, Zambaur to Gotuchowski.

<sup>12</sup> ÖStA/HHStA/Vienna, PA XXXVIII/385, #34, 7. Mai 1905, Mitrovica, Zambaur to Gotuchowski; "Pogibija Bajram-Cura," *Vreme*, god. V, 02. 05. 1925, br. 1181, 1 and Milan

Young Turk Committee whereby some, similar to Nedjib Bey, were elected to the Ottoman parliament after 1908.<sup>13</sup> However, this does not mean that acting as an Ottoman state representative prevented the Dragas from having very different and opposing political preferences vis-à-vis the state since, by relying on social networks, they could act autonomously.<sup>14</sup> They maintained close contacts with the Habsburg consul from Mitrovica, his Italian peer from Prizren, the Serbian diplomatic representative from Prishtinë (Serbian: Priština), and the French Consul from Skopje.<sup>15</sup>

Benefiting from the multilinguistic background of their family and their education, the brothers knew other languages too, such as Bulgarian, Italian, French, German, and BHS.<sup>16</sup> It is apparent how Ferhad Bey acted closely with Nedjib Bey, whereby both of them became the preachers of Albanian nationalism under Ottoman rule, fighting for education in the Albanian language and the use of the Latin alphabet. They also attended the Ferizovik meeting (1908) where they played to the crowd by putting on their Albanian committee hats, thereby provoking them through emphasizing the threat of foreign intervention.<sup>17</sup> Their influence among

Borisavljević, "Žitije porodice Borisavljević," in *Kazivanja Borisavljevića* (Nova Varoš: "Rujno" Užice, 1995), 23-153, here pp. 14.

<sup>13</sup> Robert Elsie, *Historical Dictionary of Kosovo*, Historical dictionaries of Europe, (Lanham, Md.: Scarecrow Press, 2011), 83. and George W. Gawrych, *The Crescent and the Eagle: Ottoman Rule, Islam and the Albanians, 1874-1913* (London: I. B. Tauris, 2006), 141, 62.

<sup>14</sup> Nathalie Clayer, "The Albanian Students of the Mekteb-i Mülkiye: Social Networks and Trends of Thought," in *Late Ottoman Society: The Intellectual Legacy*, ed. Elisabeth Özdalga (London and New York: Routledge: Taylor and Francis Group, 2010), 291-311, here pp. 292, 94, 300. and ÖStA/HHStA/Wien, PA XXXVIII/385, #31, 3. Mai 1904, Mitrovica, Zambaur to Minister of Foreign Affairs Gotuchowski.

<sup>15</sup> Bogumil Hrabak, *Dženijet: Organizacija muslimana Makedonije, Kosova, Metohije i Sandžaka 1919-1928*, (Beograd, VMD: Beograd, 2003); Eva Anne Frantz, *Gewalt und Koexistenz: Muslime und Christen im spätoosmanischen Kosovo (1870-1913)*, (München, De Gruyter Oldenbourg, 2016), pp. 50 and pp. 136 respectively.

<sup>16</sup> Clayer, "Appendix," 313-43, here pp. 17. and Hajrizi, *Mitrovica dhe Shala e Bajgorës në fokusin e historisë (ngjarje, peshonalitete historike, harsimore dhe kulturore)*, 297.

<sup>17</sup> "Draga, Ferhat bej (1880-1944)," 508. Gawrych, *The Crescent and the Eagle: Ottoman Rule, Islam and the Albanians, 1874-1913*, 181. M. Şükrü Hanioglu, *Preparation for a Revolution: The Young Turks, 1902-1908*, Studies in Middle Eastern History, (Oxford-New York: Oxford University Press, 2001), 272. See also Clayer, "The Young Turks and the Albanians or Young Turkism and Albanianism?," 70-71, 77-81; Feroz Ahmad, *Jön Türkler ve Osmanlı'da Milletler: Ermeniler, Rumlar, Arnavutlar, Yahudiler ve Araplar* (İstanbul: İstanbul Bilgi Üniversitesi Yayınları, 2017), 7, 75-76, 79, 86; Gawrych, *The Crescent and the Eagle: Ottoman Rule, Islam and the Albanians, 1874-1913*, 152; Clayer, *Arnavut Milliyetçiliğinin Kökenleri: Avrupa'da Çoğunluğu Müslüman bir Ulusun Doğuşu*, 466-76, and Nader Sohrabi, "Reluctant Nationalists, Imperial Nation-State, and Neo-Ottomanism: Turks, Albanians, and the Antinomies of the End of Empire," *Social Science History* 42, no. 4 (2018): 835-70, here pp. 37, 44, 47.

the locals was evident not least because the local, regional, and vocational cooperation, as well as mutuality played an important role for building local esteem upon which the brothers could rely on.<sup>18</sup> This implies that this development does not represent a purely top-down process imposed by these social actors, but one should pay heed to the balance of power between other locals and the brothers.<sup>19</sup>

Due to this influence, they were not viewed in a positive light by the new occupying authorities after 1912. Nedjib Bey would even be interned in Belgrade alongside other prominent individuals from Skopje, Vučitrn (Albanian: Vushtrria), Priština and Mitrovica.<sup>20</sup> This also might have had something to do with the fact that Ferhad Bey headed a paramilitary unit during the First Balkan War.<sup>21</sup> At that time, Ferhad Bey began to act alone as a member of the so-called Albanian Committee while in the Ottoman capital, where, thanks to his network, a German ambassador spoke highly of him and recommended that Germany should put more effort into the Albanian-speaking regions.<sup>22</sup> However, this should not be understood that there was no chance for establishing vertical loyalty between the new authorities and the brothers. While Nedjib was incarcerated, the family estates had been partially destroyed during the interregnum period. This resulted in growing uncertainty and a deterioration of the family's financial situation.<sup>23</sup>

These factors may have played a decisive role in reconsidering whether national loyalty comes first before family loyalty.<sup>24</sup> Given all these circumstances, it seems that Nedjib Bey decided to approach the new authorities. This was confirmed in a telegram from Skopje, in which it stated that Nedjib Bey was coming to Belgrade to prove that he was a friend of the state and an opponent of the Albanian national idea, which could be used to spread confusion among the nationally minded Albanians.<sup>25</sup> Thus, the brothers managed to restore the destroyed sawmill

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<sup>18</sup> Clayer, *Arnavut Milliyetçiliğinin Kökenleri: Avrupa'da Çoğunluğu Müslüman bir Ulusun Doğuşu*, 16-20, 22-25, 43-45, 422-28.

<sup>19</sup> Clayer, "The Dimension of Confessionalisation in the Ottoman Balkans at the Time of Nationalisms," 104-05.

<sup>20</sup> DAS/Belgrade, MID-PO, 1912, R382, XIII/31, undated, Beograd, captured merchants to Nikola Pašić.

<sup>21</sup> ÖStA/HHStA/Vienna, PA XII/Kt. 385-1, Liasse XLV/3, #4395, Mitrovitza, 18.10.1912, Tahy to the MoFA.

<sup>22</sup> PA AA/Berlin, RZ 201, R 13385, #41, 08.02.1913, Pera, Botschaft an den Reichskanzler.

<sup>23</sup> Hadri and Avramovski, *Kosovska Mitrovica i okolina*, 98.

<sup>24</sup> DAS/Belgrade, MID-PO, 1912, R382, XIII/31, no date, Beograd, captured merchants to Nikola Pašić.

<sup>25</sup> AS/ Belgrade, MID-PO, 1913, R405, XVI/586, 17.09.1913, Belgrade, MoI to the MoFA.

and obtained the right for timber rafting.<sup>26</sup> They also continued to negotiate when the Habsburg Monarchy occupied the region in late 1915.<sup>27</sup> Having been aware of their influence among the Albanian-speaking population, the Habsburg authorities considered both brothers as being capable enough to encourage the locals to join the armies of the Central Powers. By boosting their economic basis, the authorities gradually succeeded in turning them into agitators of the enrollment. Protection for the brothers and their families was also granted.<sup>28</sup> Thus, the brothers were able to convince around 1000 recruits to join the Habsburg and Ottoman armies.<sup>29</sup>

Just as Ferhad and Nedjib saw a chance at regaining their status locally by cooperating with the Monarchy, so too did the new authorities recognize the brothers as some of the most influential persons they could rely on. In addition, these measures should be understood as an approach by the new authorities to establish vertical loyalty. This meant that in order to obtain these benefits, the brothers had to perform their allegiance to the cause by participating and supporting the enlistment. But this mutuality, which was based on economic factors was subject to change. Since the authorities took the control of their sawmill, they noticed how Nedjib Bey became particularly hostile towards them.<sup>30</sup> By acquiring the sawmill, the authorities called the brothers' status into question, who had various methods at their disposal which could undermine the Habsburg power, such as spreading rumors among the locals or fostering national propaganda in the region and beyond.<sup>31</sup>

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<sup>26</sup> Bogumil Hrabak, *Džemijet: Organizacija muslimana Makedonije, Kosova, Metohije i Sandžaka 1919-1928* (Beograd: VMD: Beograd, 2003), 287-88.

<sup>27</sup> B. Antić, "Suđenje Ferad beg Dragi: Prvi dan suđenja u Kosovskoj Mitrovici," *Politika*, god. XXIII, br. 6703, 21.12.1926, 5 and "Treći dan pretresa Ferad beg Dragi, vodi Džemijeta," *Vreme*, god. VI, br. 1801, 23.12.1926, 3.

<sup>28</sup> DAS/Belgrade, VGG, 8-851, 20.11.1916, Lajos Thallóczy in Mitrovica District (1916), 7, 10-11; *ibid.*, 8-46, #13711, 17.09.1916, Belgrade, MGG/S to its Division 8 and ÖStA/HHStA/Vienna, PA I 976, 32k, Serbien, #21/8 A-G, 07.04.1918, Belgrade, Envoy to Ottokar Czernin.

<sup>29</sup> Elsie, *Historical Dictionary of Kosovo*, 82.

<sup>30</sup> ÖStA/KA/Vienna, AOK Qu. Abt., 1917/2478, 163651/S, #30257, 26.10.1917, Belgrade, MGG to the AOK and ÖStA/HHStA/Vienna, PA I 973, Liasse Krieg 32a, Serbien, 03.12.1916, Mitrovica a/K, *Reise durch den Sandjak* (November 1916), 8.

<sup>31</sup> ÖStA/HHStA/Vienna, PA I 977, 32k, Serbien, #Z. 33/P C, 16. 05. 1917, Belgrade, MdÄ Proxy to the AOK; *ibid.*, #12.616, 21.05.1917, Belgrade, MGG/S to the AOK; *ibid.*, #28.868, 01. 09. 1917, Belgrade, MGG/S to the AOK; Clayer, *Arnavut Milliyetçiliğinin Kökenleri: Avrupa'da Çoğunluğa Müslüman bir Ulusun Doğuşu*, 447-65. Kurt Gostentschnigg, *Wissenschaft im Spannungsfeld von Politik und Militär: Die österreichisch-ungarische Albanologie 1867-1918* (Wiesbaden: Springer Fachmedien Wiesbaden, 2018), 502-06. See also Marvin Benjamin



The brothers also had unresolved issues with other prominent notables, such as with Derviš Bey Omerović and Hasan Bey Prishtina.<sup>32</sup> Disagreement between them stemmed from the fact that each of these persons inspired to be dominant locally. They realized that the mobilization policy could be used as a pretext for gaining power and even ensured that other competitors would be imprisoned.<sup>33</sup> In mid-1918, Ferhad Bey ceased supporting Hasan Bey -the cause of the split between the two and their factions was due to personal ambition.<sup>34</sup> Owing to this unstable and suspicious behavior, the Habsburg authorities arrested Ferhad Bey under the pretext that he liberated two alleged murderers.<sup>35</sup>

Following the end of Habsburg rule, Ferhad Bey was brought as a hostage to Sarajevo, where he obtained a permit to return home; yet, the new/old authorities did not change their views of him.<sup>36</sup> The local powers tracked him closely, believing that his actions would target the Kingdom of SCS.<sup>37</sup> After the general amnesty was proclaimed, Ferhad Bey could return to Mitrovica, where he actively participated in forming the religious and political organization called the Džemijet (Albanian: Xhemijet, Turkish: Cemiyet) whose foundations were laid by Nedjib Bey. By leaning on the support of the Muslim locals, they managed to benefit from the political struggle between the Democratic Party (DP) and the People's Radical Party (PRP), whereby Nedjib Bey supported the PRP until his death. Ferhad Bey furthered this policy too until the beginning of 1924, since mutual cooperation between these two parties was necessary for several key reasons. After the war, one of the main issues was the

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Fried, "A Life and Death Question': Austro-Hungarian War Aims in the First World War," in *The Purpose of the First World War: War Aims and Military Strategies*, ed. Holger Afflerbach (Berlin/Boston: De Gruyter Oldenbourg, 2015), 117-40.

<sup>32</sup> DAS/Belgrade, VGG, 8-874, 04.03.1917, #3741, Belgrad, MGG/S to the AOK. Half-Month Report between 13.02. and 01.03.1917.

<sup>33</sup> ÖStA/HHStA/Vienna, PA I 1007, Liasse Krieg 50w, Albanien, #12056, 09.12.1917, Belgrade, Envoy of the Ministry of Foreign Affairs to Ottokar Czernin.

<sup>34</sup> ÖStA/KA/Vienna, AOK Op. Abt. B-Gruppe, 516, 1918, #143775, Na. Nr. 28700, 09.07.1918, Belgrad MGG/S to the AOK, Monthly Report for the time between 01. 05 and 31.05.1918.

<sup>35</sup> BOA, HR.SYS. 2456/44, 19.07.1918, Belgrade, Envoy for the protection of Ottoman interests and subjects to the MoFA.

<sup>36</sup> "Juče je počelo suđenje Ferad beg Dragi u Kosovskoj Mitrovici," *Vreme*, god. VI, br. 1799, 21.12.1926, pp. 3, "Suđenje Ferad-beg Dragi," *Prauda*, god. XXII, br. 349, 21.12.1926, 4 and "Kasacioni sud poništio je presudu kojom je Ferad beg Draga osuđen na 20 godina robjije," *Vreme*, god. VII, br. 1863, 25.02.1927, 4.

<sup>37</sup> Hrabak, *Džemijet: Organizacija muslimana Makedonije, Kosova, Metohije i Sandžaka 1919-1928*, 46-47.

ongoing agrarian reform which left many members of the Džemijet afraid of losing their economic base, and as a result their influence.

In addition, other questions (namely concerning schools and sharia-courts) were also on the table. In contrast, the PRP sought a partner in order to pass the first constitution in the kingdom (1921). By voting for the first constitution, the PRP guaranteed financial compensation for the agrarian issue.<sup>38</sup> Nastas Petrović, a PRP member and an initiator for their cooperation, became a shareholder in the brothers' lumber mill. Again, allegiance was enforced upon providing and securing an economic base. As a result of the 1923 parliamentary election, Ferhad Bey entered into the National Assembly but soon problems arose on account of not receiving the financial compensation. Since Ferhad Bey could then see the realization of these goals by cooperating with the DP, the Džemijet gave support to the DP to form the government.<sup>39</sup> By not hesitating to use state apparatus to achieve its intention of staying in power, the PRP decided that the Džemijet had to be eliminated from the election race. Just one month prior to the elections Ferhad Bey was arrested and remained imprisoned until the end of 1927.<sup>40</sup>

Providing the detailed overview of Ferhad Bey's personal trajectory is crucial for several reasons. While supporting Nedjib Bey, he gained necessary experience in learning how one should negotiate and act vis-à-vis the state and different social actors in the region. Just as he was capable of encouraging the Muslim locals to join the army, he also managed to conjure the masses for political goals. That is why a daily declared that throwing out such a prominent agitator from the election struggle, who could steer "the mood of the Muslim masses in the right direction," was something that only the ruling party could profit from.<sup>41</sup> The brothers were aware of under what circumstances they should deploy a state narrative or say something that might please the authorities of different states, which was evident in the courtroom too. This implies that Ferhad Bey must be perceived as a social actor.

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<sup>38</sup> Hrabak, *Džemijet: Organizacija muslimana Makedonije, Kosova, Metohije i Sandžaka 1919-1928*, 75-76, 79-80, 86, 88-89, 109, 15, 17, 30-31, 34, and Zoran Janjetović, *Deca careva, pastorčad kraljeva: Nacionalne manjine u Jugoslaviji 1918-1941* (Beograd: Institut za noviju istoriju Srbije, 2005), 173-76, 82-85, 88.

<sup>39</sup> Hrabak, *Džemijet: Organizacija muslimana Makedonije, Kosova, Metohije i Sandžaka 1919-1928*, 86-87, 164-66, 88, 213, 29, 32, 87-88.

<sup>40</sup> "Hapšenje Ferad beg Drage," *Vreme*, god. V, br. 1120, 31.01.1925, 1; Hrabak, *Džemijet: Organizacija muslimana Makedonije, Kosova, Metohije i Sandžaka 1919-1928*, 279. See also "Kasacioni sud osnažio je rešenje o pritvoru Ferat-beg Drage," *Vreme*, god. VI, br. 1483, 1.

<sup>41</sup> Bor. Antić, "Suđenje Ferad-beg Dragi," *Politika*, god. XXIII, br. 6700, 18.12.1926, 6.

Only through these persons could the ruling elites extend their control in this area. In cases when these individuals did not act as preachers of the state and when they were forced to leave their economic stronghold, they could be easily turned into an enemy. Therefore, their contact with various outlaws or their acting as preachers of nationalism come as no surprise. This was not something new since the state authorities were already doing the same.<sup>42</sup> When the space to maneuver was narrowed down, the brothers had to negotiate in order to save their family and property. In such cases, there was no other alternative because they would either play or take a chance and risk everything. Getting closer to the new occupying forces could open them up to new opportunities to regain their old status, meaning, the occupation revealed new courses of action, during which time these individuals “search for empire.”<sup>43</sup> The latter term refers to a political grouping that “aspires to place itself under the protection of an imperial power (or any power perceived to be an empire),” which could essentially be said for any state that occupied the Mitrovica region.<sup>44</sup>

It would be wrong to assume that governing elites were not familiar with hidden transcripts of these social actors.<sup>45</sup> Both Habsburg and Ottoman authorities were sometimes confused about what their true intentions were.<sup>46</sup> However, in order to achieve their goals, the new authorities needed the local players.<sup>47</sup> Certainly, this broad-mindedness had its boundaries. When Ferhad Bey’s goals did not run parallel with the Habsburg ones, he was arrested, which also happened in 1925. Keeping in mind Ferhad Bey’s influence on the voters in the region, his decision not to support the PRP but rather their opponents, and the moment when he

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<sup>42</sup> Xavier Bougarel, “The ‘Revenge of the Countryside’ Between Sociological Reality and Nationalist Myth,” *East European Quarterly* 33, no. 2 (1999): 157-75, and Dmtar Tasić, *Rat posle rata: Vojska Kraljevine Srba, Hrvata i Slovenaca na Kosovu i Metohiji i u Makedoniji 1918-1920* (Beograd: Službeni glasnik, 2012), 396-99.

<sup>43</sup> Tatjana Tönsmeier, “Besatzungsgesellschaften: Begriffliche und konzeptionelle Überlegungen zur Erfahrungsgeschichte des Alltags unter deutscher Besatzung im Zweiten Weltkrieg,” 2015 in: *Docupedia-Zeitgeschichte*, 18.12.2015, accessed 24.03.2021, <http://dx.doi.org/10.14765/zsf.dok.2.663.v1>

<sup>44</sup> Xavier Bougarel, *Islam and Nationhood in Bosnia-Herzegovina: Surviving Empires* (London: Bloomsbury, 2018), 4 (citation), 27.

<sup>45</sup> James S. Scott, *Tahakküm ve Direniş Sanatları: Gizli Senaryolar* (İstanbul: Ayrıntı Yayınları, 2018).

<sup>46</sup> ÖStA/KA/Vienna, AOK Op. Abt. B-Gruppe, 510/1916, #34433, Präs. Nr. 6874, 15.11.1916, General Staff Officer of the MGG/M to the MGG/M and BOA, HR.SYS. 2319/4, Enclosure 78/4, 11.07.1917, Vienna, Ottoman Ambassador to the MoFA.

<sup>47</sup> Sohrabi, “Reluctant Nationalists, Imperial Nation-State, and Neo-Ottomanism: Turks, Albanians, and the Antinomies of the End of Empire,” 844.

was put in jail, all indicate that his arrest and the trial have to be imbedded in this context. The ruling elites, seeing no other choice, therefore decided to use judicial system in order to put Ferhad Bey behind bars. This argument sounds most tenable because it would be difficult to clarify the following question: Why was Ferhad Bey detained in January -just- as the election campaign moved toward the climax and not in 1921 or 1923? The trial had politically destroyed the Džemijet and thwarted his political career for some time.

### The Trial

In his seminal work on political trials Otto Kirchheimer claims that judicial proceedings serve to eliminate actual or potential foes of the regime from the political scene. In such cases, courts only serve political powers, not justice because courts have been transformed into a political arena. There are three main categories of political trials: a) the trial involving a common crime committed for political purposes and conducted with a insight to the political benefits which might ultimately grow from successful prosecution; b) the classic political trial: a regime's attempt to incriminate its opponent's public behavior with the goal of evicting them from political life, and c) the derivative political trial, where the weapons of insult, falsehood, and disrespect are manipulated in an effort to bring disrepute upon a political foe.<sup>48</sup> In contrast to criminal proceedings, which are more "cases rather than causes," the judicial machinery is initiated to reach political objectives in a political trial. However, it is the direct involvement in the struggle for political power that gives the political trial its proper designation. They are used to strengthen the position of the ruling party and weaken that of their political opponents.<sup>49</sup>

Thus, they are political because political trials involve political disputes of some social significance, and are both reflective and constitutive of power relations in a given polity.<sup>50</sup> By setting political justice into motion, the executive branch of governments attempts to bend

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<sup>48</sup> Otto Kirchheimer, *Political Justice: the Use of Legal Procedure for Political Ends* (Princeton, N.J.: Princeton University Press, 1961), 6-8, 17, 46.

<sup>49</sup> Kirchheimer, *Political Justice: the Use of Legal Procedure for Political Ends*, 49-50, 52, 419.

<sup>50</sup> Jens Meierhenrich and Devin O. Pendas, "'The Justice of My Case Is Clear, but There's Politics to Fear': Political Trials in Theory and History," in *Political Trials in Theory and History*, ed. Jens Meierhenrich and Devin O. Pendas (New York: Cambridge University Press, 2017), 1-64, here pp. 51-62.

the trial to its own benefit.<sup>51</sup> Yet, political trials are to be distinguished from “show trials.” The features of a classic show trial in the Stalinist sense are: a) the total elimination of the element of chance and/or risk from the trial and b) the main function of the trial as a tool in ‘educating’ the public at home and abroad in order to reinforce ideological authority.<sup>52</sup>

The indictment against Ferhad Bey included five counts on which he was prosecuted: The first charge stated that between 1916 and 1918, Ferhad Bey organized so-called flying squads which were deployed in the fight against the paramilitaries which consisted only of the bilingual Muslims. He allegedly did this together with other local powerholders (Derviš Bey and Hasan Bey). The squads consisted of individuals who had been serious convicts and were released from the local prison before entering the military. Afterwards, this unit murdered local Serbs or denounced them to the occupying authorities, for which reason the Habsburg authorities hanged them (18 victims in total). The next allegation denoted that Ferhad Bey, together with Derviš Bey and Hasan Bey, gathered volunteers for the fight against the Serbian and allied forces at the Salonica Front. While heading the post of municipal president during the occupation, Ferhad Bey allegedly stole tools and equipment that belonged to the Kingdom of Serbia. Amid the 1923 election campaign Ferhad Bey supposedly insulted a state officer in Priština. The final accusation was that he, together with Ibrahim Čerkez, attempted to murder three persons during the same election campaign.<sup>53</sup> However, what makes this case even more interesting is the fact that the trial occurred more than once; in fact, it lasted almost three years.<sup>54</sup> But, how can it be argued that this lawsuit was a political trial?

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<sup>51</sup> Alex P. Schmid, “Terrorism, Political Crime and Political Justice,” in *Terrorists on Trial: A performative perspective*, ed. Beatrice Graaf and Alex P. Schmid (Leiden: Leiden University Press, 2016), 23-50, here pp. 39.

<sup>52</sup> Beatrice Graaf, “Conclusion,” in *Terrorists on Trial: A performative perspective*, ed. Beatrice Graaf and Alex P. Schmid (Leiden: Leiden University Press, 2016), 503-28, here pp. 08-09.

<sup>53</sup> A. B. Herenda, “Ferhad-beg Draga pred sudom,” *Vreme*, god. VI, br. 1561, 23.04.1926, 5 and Bor. Antić, “Sudjenje Ferhad-beg Dragi,” *Politika*, god. XXIII, br. 6700, 18.12.1926, 6.

<sup>54</sup> *Vreme*, god. VI, 14.02.1926, br. 1483, 1. For the first trial: *Vreme*, god. VI, 23.04.1926, br. 1561, 5. Second trial: *Pravda*, god. XXII, 21.12.1926, br. 349, 4; *Vreme*, god. VI, 21.12.1926, br. 1799, 3; *Pravda*, god. XXII, 22.12.1926, br. 350, 3; *Vreme*, god. VI, 22.12.1926, br. 1800, 5; *Pravda*, god. XXII, 23.12.1926, br. 351, pp. 4; *Vreme*, god. VI, 23.12.1926, br. 1801, 3. Verdict of the first trial: *Pravda*, god. XXII, 23.12.1926, br. 351, 4; *Vreme*, god. VI, 24.12.1926, br. 1802, 5. View of the Court of Cassation on the first verdict: *Pravda*, god. XXIII, 23.02.1927, br. 53, 5; *Vreme*, god. VII, 25.02.1927, br. 1863, 4. Third trial: *Pravda*, god. XXIII, 17.05.1927, br. 131, 5; *Vreme*, god. VII, 17.05.1927, br. 1947, 5. View of the Court of Cassation on the second verdict:

By forming these accusations, Ferhad Bey became the first and only known person from the region who was accused of recruiting the locals. This allegation was labelled as high treason.<sup>55</sup> However, he was not the only person who participated in this act. Other individuals from Mitrovica and beyond, who were also engaged in the political and social life in the county, had participated in the same endeavor.<sup>56</sup> What is surprising, is the fact that a local court should have been familiar with the 1921 general amnesty that granted a pardon to every person for criminal deeds committed during the occupation. This means that the first three allegations made an individual had to be automatically dismissed even before the court ordered a session. Also, according to the 1914 Serbian-Ottoman peace treaty, the right was given to the former Ottoman subjects to opt for either Serbian or Ottoman subjecthood during the period of three years.<sup>57</sup> If the mobilization took place in 1916 or 1917, the court could not charge them because at that point it was not clear whether Ferhad Bey was a Serbian or an Ottoman subject.<sup>58</sup>

Turning to these deeds and merging them with those from the post-war time indicates that the Ferhad Bey trial belongs to the realm of political trials. It is highly improbable that the local authorities and the court were not familiar with the general amnesty. For instance, the opportunity to gain political capital out of the homicide charge may present itself as a natural consequence of an undeniably committed

*Vreme*, god. VII, 05.09.1927, br. 2050, 3; *Vreme*, god. VII, 18.10.1927, br. 2093, 4. Fourth trial: *Pravda*, god. XXIII, 13.12.1927, br. 339, 4; *Vreme*, god. VII, 13.12.1927, br. 2149, 4. The Court of Cassation and releasing from the prison: *Vreme*, god. VII, 27.10.1927, br. 2102, 4 and *Vreme*, god. VII, 29.12.1927, br. 2165, 8.

<sup>55</sup> Siding with the enemy army could put him in jail for twenty years. See *Vojni-krivični zakonik*, (Beograd: Knjižara izdavač Geca Kon, 1915), paragraph 84, pp. 59.

<sup>56</sup> A. Musanić, "Drugi dan pretresa Ferad beg Dragi, bivšem vođi Džemijeta," *Vreme*, god. VI, br. 1800, 22.12.1926, pp. 5.

<sup>57</sup> "Ugovor o miru zaključen između Kraljevine Srbije i Otomanskog carstva, Carigrad 1. (14) marta 1914," in *Balkanski ugovorni odnosi 1876-1996: Dvostrani i višestrani međunarodni ugovori i drugi diplomatski akti o državnim granicama, političkoj i vojnoj saradnji, verskim i etničkim manjinama*, ed. Momir Stojković (Beograd: JP Službeni list SRJ/SJU "Međunarodna politika", 1998), 409-15, here pp. 10, §3. *Dersaadet'te akdedilen Devlet-i Aliye-Sirbistan Muahedenamesi Ahkamı Mucibince Tatbik ve Takib Olunacak Olan Tabiiyet Meselesine dair Devlet-i Aliye Şehbenderlerine Tebliğ ve İrsal Olunacak Talimatnamedir*, (*Dersaadet: Matbaa-i Osmaniye*, 1330), here pp. 7-8, §15. See also Katrin Boeckh, *Von den Balkankriegen zum Ersten Weltkrieg: Kleinstaatenpolitik und ethnische Selbstbestimmung auf dem Balkan* (München: R. Oldenbourg Verlag, 1996), 88-92. and Tomislav Marković, "Srpsko-turski ugovor o miru 1914. godine," *Srpske studije* 6 (2015): 66-94.

<sup>58</sup> "Suđenje Ferad-begu Dragi," *Pravda*, god. XXII, br. 351, 23.12.1926, 4 and "Ferad beg Draga je i na ponovnom pretresu osuđen na 20 godina robije," *Vreme*, god. VII, br. 1947, 17.05.1927, 5.

offense. Similar things could be said for the case involving corruption charges. The treason accusation was not used by the government for eliminating a political opponent but rather, was employed for better wooing and integrating the locals into elections campaigns.<sup>59</sup> Misusing the judicial system was not unknown among the political parties in the post-WWI period and this was not uncommon to the Yugoslav context.<sup>60</sup> The belligerent parties deliberately used crimes against humanity both during and after WWI in order to make the other side look as bad as possible or behaviors of political opponents were knowingly utilized as political leverage.<sup>61</sup>

Considering the voices raised by other prominent political individuals in the kingdom speaks for the argument that this trial was politically motivated. Some, such as Svetozar Pribičević, a leader of the oppositional Independent Democratic Party, stressed that the trial had been orchestrated with the support of the PRP.<sup>62</sup> Interestingly, Pribičević was a coalition partner of the PRP, when Ferhad was arrested. Both Ferhad Bey and his lawyers emphasized dozens of times during the trial that he was a victim of political persecution.<sup>63</sup> The issue of whether or not this hearing was politically motivated became one of the topics raised at the *Annual Assembly of the Association of Judges* almost one year after the legal proceedings were concluded. A judge from Belgrade highlighted "bright examples of judicial independence, when judges, despite pressure, remained at a high level," mentioning in particular the Ferhad Bey case.<sup>64</sup> As a result, the Džemijet lost its ground: while the organization won 14 seats in the 1923 elections, it secured no seats whatsoever in the 1925 elections, which were held one month after

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<sup>59</sup> Kirchheimer, *Political Justice: the Use of Legal Procedure for Political Ends*, 53, 62-63, 110.

<sup>60</sup> Pejović, "Beogradska štampa o suđenjima za saradnju sa okupatorima u Srbiji 1918-1920. godine," 85, 100-08.

<sup>61</sup> Daniel Marc Segesser, "Kriegsverbrechen auf dem Balkan und in Anatolien in der internationalen juristischen Debatte während der Balkankriege und des Ersten Weltkriegs," in *Der Erste Weltkrieg auf dem Balkan: Perspektiven der Forschung*, ed. Angelow Jürgen (Berlin: be.bra wissenschaft verlag, 2011), 193-209, here pp. 195. and James E. Connolly, "Mauvaise Conduite: Complicity and Respectability in the occupied Nord, 1914-1918," *First World War Studies* 4, no. 1 (2013): 7-21, here pp. 12-13.

<sup>62</sup> M., "Zbor g. Sv. Pribičevića u Kosovskoj Mitrovici," *Vreme*, god. VI, br. 1637, 12.07.1926, 3.

<sup>63</sup> "Suđenje Ferad-begu Dragi," *Pravda*, god. XXII, br. 351, 23.12.1926, 4, "Treći dan pretresa Ferad beg Dragi, vodi Džemijeta," *Vreme*, god. VI, br. 1801, 23.12.1926, pp. 3, "Ferad-beg Draga je i na ponovnom pretresu osuđen na 20 godine robije," *Vreme*, god. VII, br. 1947, 17.05.1927, pp. 5, and "Četvrti pretres Ferad-begu u Kosovskoj Mitrovici," *Vreme*, god. VII, br. 2093, 18.10.1927, 4.

<sup>64</sup> "Godišnja skupština Udruženja sudija," *Vreme*, god. VIII, br. 2468, 05.11.1928, 4.

Ferhad Bey's arrest.<sup>65</sup> Thus, it comes as no surprise that the citizenry of Mitrovica held the impression that his political career was dead.<sup>66</sup>

It has to be emphasized that not every echelon of the judicial system was fond of partisan justice. Even if sources do not say whether the judge or jury members had been followers of the PRP, it is known that a person who ordered Ferhad Bey's arrest was a member of the ruling party. According to a local teacher, "while Ferhad was still lying in prison and waiting for the decision of the Court of Cassation, former district chief [Petar, J. M] Kunovčić came to prison and he talked to Ferhad Bey for a long time. [...] It soon became known that Kunovčić had suggested Ferhad to join the Radicals with all his friends and voters, and this action will get him be pardoned. Surely, this one had been longing for some time to get rid of long imprisonment, and he accepted eagerly the proposal." The Minister of the Interior at the time, a member of the PRP, made a pardon.<sup>67</sup> Thus, through the negotiations with the same party that had arranged his imprisonment, Ferhad Bey became a freed man. Given the lack of sources, it is difficult to validate the teacher's narrative. However, in late 1927, when it was more than clear that most of the charges would be dropped, Ferhad Bey announced a renewed political life and determination not to stray off the political path. At the outset of 1928, he was already in Belgrade, where he was seen having a meeting with no one other than Nastas Petrović, a former member of the PRP and a shareholder in his sawmill. In November of the same year, Ferhad Bey began to reestablish the Džemijet in the country.<sup>68</sup>

But is it feasible to illustrate Ferhad Bey's performance in the courtroom? The newspaper articles reveal that Ferhad Bey tried to persuade the jury that he was "forced to make a sacrifice" by accepting the post of municipal president under Habsburg rule, claiming how his role was "irrelevant" at that time. Together with his brother, "he had complained to the governor [about the decision], but they threatened to

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<sup>65</sup> "Kasacioni sud poništio je presudu kojom je Ferad beg Draga osuđen na 20 godina robije," *Vreme*, god. VII, br. 1863, 25.02.1927, 4.

<sup>66</sup> Voj. Baljuzović, "Četvrto suđenje Ferad beg Dragi u Kosovskoj Mitrovici," *Pravda*, god. XXIII, br. 339, 13.12.1927, 4.

<sup>67</sup> ASANU/Belgrade, 13316/103, Ferad-beg Ali Draga: Prvak albanskog Kosovskog komiteta, turski, ital[i]janski i nemački špijun i jugoslovenski političar, 3.

<sup>68</sup> Voj. Baljuzović, "Četvrto suđenje Ferad beg Dragi u Kosovskoj Mitrovici," *Pravda*, god. XXIII, br. 339, 13.12.1927, 4; "Dnevne vesti: Ferad beg Draga u Beogradu," *Pravda*, god. XXIV, br. 25, 28.01.1928, 5 and "Ferad beg Draga pokušava da obnovi Džemijet," *Vreme*, god. VIII, br. 2493, 30.11.1928, 7.



kill them if they do not take the position.”<sup>69</sup> “As the president of the Mitrovica municipality, I executed the orders of the Austrian occupation authorities (...) I had also nothing to do with the hangings, robberies, torture, and the ravages against the Serbs (...) This was done by the Austrian occupiers or through Derviš Bey and his men from the flying squads. I (...) took care of the town and I did not allow anyone to get hanged. Hence, I managed to remove many citizens from the gallows and save them being interned.”<sup>70</sup>

Ferhad Bey sought to show that every action or praise coming from the Habsburg side was a strategy directed against him and his brother. He emphasized several times that he was against the recruitment of volunteers and that he worked in opposition to this idea. Actually, had Ferhad Bey and his brother not conducted the recruitment, they would have been sent to the court.<sup>71</sup> As the president of the court mentioned in an official document, in which Ferhad, his brother and Derviš Bey are praised for their help and support, he specified that the document had caused him numerous damages because the Governor aimed to defame his brother and himself before the people as Austrian toadies and as people who worked in interest of the Habsburg Monarchy, and not for *Arnautluk*.<sup>72</sup> Namely, for every deed it was highlighted that the occupiers forced him and his brother Nedjib; ultimately, they could not go against the occupiers' aspirations *Drang nach Osten*.<sup>73</sup> “He and his brother were (...) never driven by money or other benefits [sic! Underlined by J. M.]”<sup>74</sup>

The same narrative was used when Ferhad Bey was accused of being a member close to the Kosovo Committee based in Shkodra. He continued repeating that he met members on the order of the occupying authorities, and he had to do it as the president because he could not avoid such interactions.<sup>75</sup> The defense stressed Ferhad Bey's possible assistance to the paramilitary commander Kosta Pećanac, as well as

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<sup>69</sup> “Juče je počelo suđenje Ferad beg Dragi u Kosovskoj Mitrovici,” *Vreme*, god. VI, br. 1799, 21.12.1926, 3.

<sup>70</sup> “Ferad beg Draga, vođa džemijeta, osuđen je na 20 godina robije,” *Vreme*, god. VI, br. 1802, 24.12.1926, 5.

<sup>71</sup> “Suđenje Ferad-beg Dragi,” *Pravda*, god. XXII, br. 349, 21.12.1926, 4.

<sup>72</sup> “Ferad beg Draga je i na ponovnom pretresu osuđen na 20 godina robije,” *Vreme*, god. VII, br. 1947, 17.05.1927, 5.

<sup>73</sup> A. Musanić, “Drugi dan pretresa Ferad beg Dragi, bivšem vođi Džemijeta,” *Vreme*, god. VI, br. 1800, 22.12.1926, 5.

<sup>74</sup> “Ferad-beg Draga je osuđen na dvadeset godina robije u lakom okovu,” *Pravda*, god. XXII, br. 353, 24.12.1926, 4.

<sup>75</sup> “Ferad beg Draga, vođa džemijeta, osuđen je na 20 godina robije,” *Vreme*, god. VI, br. 1802, 24.12.1926, 5.

various examples of how he helped poor people and the Serbs in the face of danger.<sup>76</sup> Loyalty to the state would also be highlighted too, “if we [Ferhad and Nedjib Bey] participated in politics, we were always following a legal way. Thus, we are not responsible for this either before God, or before the people. The best proof for the absence of any connections between me and this organization [The Kosovo Committee] (...) I took necessary steps against it with the help of high figures in Belgrade, in favor of the country in which I live, and which I gave an honorable oath that I will always work loyally.” Even the close relation between the family and the state was asserted by highlighting that “one family is being ruined here that worked loyally for this country.”<sup>77</sup>

By deploying this narrative, it is obvious that Ferhad Bey wanted to make a clear distinction between the occupiers and the local community, between *them* and *us*, between *the enemy* and *our country*. By repeating the categories *occupiers*, *occupying authorities*, *our people*, and *our country*, he tried to create distance from the previous actions, as if he wanted to find his own spot in the new setting. What is more eye-catching is how Ferhad Bey depicts his life and activities during the occupation. He *was obliged* to participate in every event organized by the Habsburg authorities. They *enforced* him to become a municipal president. He *could not* stop the policy of the Habsburg Monarchy in Mitrovica and its surroundings. He *had* to implement and fulfill their orders. It sounds like Ferhad Bey attempts to present himself as a *victim*, a *yes-man* who only obeys and does what the occupier ordered, and a *servant* in the hands of a stronger force. But this relationship was mutual inasmuch as the occupation had helped him not only in an economic sense, but also it gave him a chance to reestablish his status locally.

The fact that between the years 1914 and 1916 he was not in Mitrovica should not be disregarded; it would be enough time for someone else to be labeled as trustworthy in the eyes of the decision-makers.<sup>78</sup> During this time, different parts of the local community and power holders fought for social and economic dominance. This is not something that Ferhad Bey himself stated to the court, but what other witnesses confirmed during the trial and what Habsburg sources unearth

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<sup>76</sup> See Zija Smajiagić's statement, one of Ferhad Bey's lawyers in “Ferad beg Draga je i na ponovnom pretresu osuđen na 20 godina robije,” *Vreme*, god. VII, br. 1947, 17.05.1927, 5.

<sup>77</sup> See Ferhad Bey's account to the court published in “Ferad-beg Draga je osuđen na dvadeset godina robije u lakom okovu,” *Pravda*, god. XXII, br. 352, 24.12.1926, 4.

<sup>78</sup> “Suđenje Ferad-begu Dragi,” *Pravda*, god. XXII, br. 351, 23.12.1926, 4.

as well.<sup>79</sup> He was in a personal quarrel with Derviš Bey and in political conflict with Hasan Bey, both of whom were faithful supporters of the Habsburg policy.<sup>80</sup> Yet, this political conflict would not prevent him from cooperating with Hasan after 1918, while the latter was obliged to act politically from abroad.<sup>81</sup> But how did the locals respond to the trial?

### The Trial and the Local Community

The Albanians with the *qeleshe* grievously debate with rich beys. Most of them support Ferhad Bey Draga and defend him. 'Do not mix *din* into the crime of Ferhad Bey Draga!' yell some Albanians girdled with filled bandoleers. What do you want? (...) We have destroyed the *kachak* bands! Serbia is this, eh bey, shouts one Albanian, while hitting the bolt-action rifle with his hand. (...) Previously, there was evil, misery, poverty, and insecurity here. The *kachaks*, supported by the Džemijet, were all over Kosovo and Zvečan. It was such a desperate situation (...); now is peace and prosperity. (...) Everywhere the people are talking merely about Ferhad Bey; the Serbian folk seek a draconian sentence according the righteousness of the law, without any consideration and grace. The Albanians are divided, but most of them still desire a verdict of release because they believe that in that case the Džemijet would be reestablished, whereas roughly a third of them is silent or condemns Ferhad Bey and does not feel the need for restoring the Džemijet.<sup>82</sup>

In this manner, the correspondent of the daily *Vreme* depicted the atmosphere locally just one day before the trial began. Aside from illustrating the "Albanian" in the usual way, which was dominant in the public discourse, the reporter tends to elucidate that all problems of insecurity happening in the region stemmed exclusively from the *kachak* bands. Since they had finally been wiped out, according the narrative, prosperity could come to these parts of the kingdom. Still, the emphasis in this last section is directed to the question of whether one could really

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<sup>79</sup> "Treći dan pretresa Ferad beg Dragi, vodi Džemijeta," *Vreme*, god. VI, br. 1801, 23.12.1926, 3.

<sup>80</sup> "Suđenje Ferad-beg Dragi," *Pravda*, god. XXII, br. 349, 21.12.1926, 4.

<sup>81</sup> UN Archive/Geneva, S391/56, 26 February 1924, Geneva, Bajram Curri, Hasan Prishtina and Bedri Pejani to Paul Hymans. I would like here to express my thanks to Franziska Zaugg who was kind enough to send me and draw my attention to this report.

<sup>82</sup> "Ferad beg Draga iziće će uskoro pred sud u Kosovskoj Mitrovici," *Vreme*, god. VI, br. 1798, 20.12.1926, 5.

speak about clear-cut and homogenous groups in relation to the trial. Is it possible to label the lawsuit as some kind of fictional fight between the “Serbs” and the “Albanians”? Did this process represent a perfect example of polarization within the post-war Mitrovica public along a national and/or religious axis as the newspapers try to demonstrate? Did the process reawaken bad memories? Ultimately, did the lawsuit bring back to life memories about WWI among the locals?

In the case of the imagined Albanian community, the conclusion can be drawn that it was far from being unified. The same correspondent writes that “[m]any Muslim notables do not advocate the release of the former leader of the Džemijet.”<sup>83</sup> Even the beys and front-runners of the party did not act as a group. It is hard to explain why this was a case. It is known that some of them saw this as an opportunity to rise up within the party structure by negotiating with the ruling elites. They sought to improve the status of the shattered organization.<sup>84</sup> Ferhad Bey could be *the* person who was capable of mobilizing and drawing in possible voters, but he did not have the upper hand within the organization.<sup>85</sup> However, this does not mean that there were not those among them who did not sympathize with his destiny and who did not perceive the tribunal personally. Although the conviction of 20 years in jail struck Ferhad Bey personally, it was received stronger by his friends and associates. After hearing that he was penalized to the longest possible sentence, they were down-hearted, depressed, and stood motionless for a whole minute.<sup>86</sup>

By reading the newspapers, one notices how much this case drew masses of people to attend the court sessions – not only from those who lived in the Mitrovica region, but also from beyond the region.<sup>87</sup> “It is natural”, writes a daily, “that the court case had to draw the attention of those who were observers of incriminated events, as well as people from

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<sup>83</sup> “Ferad beg Draga iziće će uskoro pred sud u Kosovskoj Mitrovici,” *Vreme*, god. VI, br. 1798, 20.12.1926, 5. See also “Pred suđenje Ferad-beg Dragi,” *Politika*, god. XXIII, br. 6702, 20.12.1926, 5; B. Antić, “Suđenje Ferad beg Dragi: Prvi dan suđenja u Kosovskoj Mitrovici,” *Politika*, god. XXIII, br. 6703, 21.12.1926, 4. and B. Antić, “Suđenje u Kosovskoj Mitrovici: Ferad beg se brani,” *Politika*, god. XXIII, br. 6704, 22.12.1926, 8.

<sup>84</sup> B. Antić, “Treće suđenje Ferad-beg Dragu,” *Politika*, god. XXIV, br. 6844, 17.05.1927, 4 and Hrabak, *Džemijet: Organizacija muslimana Makedonije, Kosova, Metohije i Sandžaka 1919-1928*, 235-36.

<sup>85</sup> Bor. Antić, “Suđenje Ferad beg Dragi,” *Politika*, god. XXIII, br. 6700, 18.12.1926, 6.

<sup>86</sup> Bor. Antić, “Ferad beg je osuđen na 20 godina robije,” *Politika*, god. XXIII, br. 6706, 24.12.1926, 6.

<sup>87</sup> “Kasacioni sud poništio je presudu kojom je Ferad beg Draga osuđen na 20 godina robije,” *Vreme*, god. VII, br. 1863, 25.02.1927, 4.

politics."<sup>88</sup> Hence, due to the second trial, "a large crowd of Muslims from Skopje, Vučitrn and other places also arrived" because "there is a lot of attention [locally] for the fate of this politician among both Christian and Muslim folk."<sup>89</sup> "From the early morning, a group of concerned Muslim faces entered court. Since the trial room was too small to accommodate the audience, two larger rooms were emptied out, where all were accommodated. There were very few Christians. They are largely convinced and expect the court to condemn Ferhad Bey even without being present in the court room."<sup>90</sup> Without a doubt, the trial was being followed and commented on not only by the local inhabitants, but also by those living in the adjacent towns and areas.<sup>91</sup>

But, how exactly did the trial resurrect wartime memories, by whom and ultimately, in which situation? Apparently, persons involved in the lawsuit were well aware of the fact that the trial could reawaken ghosts from the past. Already during the first trial session, Ferhad Bey's lawyers asserted that it would be wise to consider the mood of the people given the nature of these deeds. An eyewitness could see the *anxiety* among the population locally.<sup>92</sup> The word *revenge* would even resurface amid the legal proceedings and was used by the attorney of one of the victims.<sup>93</sup> By becoming the dominant topic among the inhabitants, war memories were revived because with every court session, emotions on the ground became apparent. A daily wrote that "[t]oday everything in the town is lively. Again, everywhere the main topic is tomorrow's trial of Ferhad Bey Draga. The Christian folk are peacefully, without any anxiety, talking about the prophecy regarding a new verdict; yet, without those noticeable signs of revenge, which one could detect last time deeply engraved on their faces [the second trial]."<sup>94</sup> After Ferhad Bey was again convicted to

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<sup>88</sup> "Suđenje Ferad-beg Dragi," *Pravda*, god. XXII, br. 349, 21.12.1926, 4.

<sup>89</sup> "Pred suđenje Ferad-beg Dragi," *Politika*, god. XXIII, br. 6702, 20.12.1926, 5.

<sup>90</sup> B. Antić, "Suđenje Ferad beg Dragi: Prvi dan suđenja u Kosovskoj Mitrovici," *Politika*, god. XXIII, br. 6703, 21.12.1926, 4.

<sup>91</sup> For example, see: "Ferad beg Draga iziće će uskoro pred sud u Kosovskoj Mitrovici," *Vreme*, god. VI, br. 1798, 20.12.1926, 5 and "Danas se ponovo sudi Ferad beg Dragi," *Vreme*, god. VII, br. 1946, 16.05.1927, 6.

<sup>92</sup> A. B. Herenda, "Ferad-beg Draga pred sudom," *Vreme*, god. VI, br. 1561, 23.04.1926, 5.

<sup>93</sup> "Treći dan pretresa Ferad beg Dragi, vođi Džemijeta," *Vreme*, god. VI, br. 1801, 23.12.1926, 3.

<sup>94</sup> "Danas se ponovo sudi Ferad beg Dragi," *Vreme*, god. VII, br. 1946, 16.05.1927, 6.

20 years in jail, a reporter uttered that the Serbs, and to an extent, the Albanians too, expressed their visible satisfaction with the verdict.<sup>95</sup>

What is problematic in the reporters' narrative is not so much the information presented to the readership, but *how* they portrayed the trial. The reader gets the feeling that there are two homogenous poles that are acting exclusively according to their confessional and/or national affiliation: One is *pro* (Muslims=Albanians) and the other one is *against* Ferhad Bey (Christians=Serbs). The press which is examined tacitly tries to summarize that relationship between the two solely function along this axis. According to one daily, the "Serbian" community behaved as a homogenous group, whereas the "Albanian" one was not as cohesive. But, could it be that the correspondents over-ethicized the situation on the ground? Relying on the witnesses' testimonies, the answer seems to be yes, meaning that not every event should be viewed through the national, religious and ethnic lenses.<sup>96</sup>

Despite Mitrovica endured the Greater War, this was not enough to engender a national and/or confessional polarization. There were bonds that held persons of different backgrounds together, which could even be reinforced during wartime. In a word, these projected national identities do not automatically assert that the latter would act in that manner.<sup>97</sup> By studying not only the press, but also other types of written sources, one should always question given interpretations which could mainly advocate *identities-*, *ancient national hatred-rhetoric*, or the primordial character of the fight. Though the newspapers underline two groups in their articles, their description does not fit with the picture at the time. Among the witnesses who testified in favor of Ferhad Bey, there were several non-Muslims. One of them was Anđelko Nešić, a local priest, whose testimony drew more attention from the local communities than with any other court session. His statement carried special weight since Anđelko, besides enjoying authority among the locals, had been interned while Ferhad Bey was municipal president.<sup>98</sup> After 1918, the priest

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<sup>95</sup> "Četvrti pretres Ferad-begu u Kosovskoj Mitrovici," *Vreme*, god. VII, br. 2093, 18.10.1927, 4.

<sup>96</sup> Dimitris Livanios, "Beyond 'ethnic cleansing': Aspects of the Functioning of Violence in the Ottoman and post-Ottoman Balkans," *Southeast European and Black Sea Studies* 8, no. 3 (2008): 189-203, here pp. 190.

<sup>97</sup> On national and other forms of indifferences see Tara Zahra, "Imagined Noncommunities: National Indifference as a Category of Analysis," *Slavic Review* 69, no. 1 (2010): 93-119.

<sup>98</sup> Damjanović, "O nekim ubistvima srpskih civila iz okoline Kosovske Mitrovice tokom austro-ugarske okupacije u Velikom ratu," 86.

became MP in the National Assembly.<sup>99</sup> In contrast, there were those belonged to the "Albanians," such as Sulejman and Mehmed Sezami, who acted as witnesses against Ferhad Bey, since the latter had experienced a personal conflict stemming back from the war.<sup>100</sup>

Being asked about the defendant's activity amid the occupation, Anđelko uttered that "I regret that I see him here on the bench and in general we should all regret it because he has done a lot of good deeds for our Serbian folk."<sup>101</sup> While the priest was speaking these words, the statement caused astonishment and bitterness among the whole audience and the Christian locals.<sup>102</sup> The priest spoke in detail about Ferhad Beys's conduct towards the local Christian community during the occupation; he underlined how Ferhad Bey helped the impoverished not only by providing them with food, but also by supplying them with carts in order to escape being incarcerated.<sup>103</sup> Although Ferhad Bey could not prevent Anđelko Nešić from being interned, he managed to prevent other town dwellers from being imprisoned. In fact, he vouched for all of them by ensuring a Habsburg commanding officer that he would prepare a register that every potential suspect had to sign each morning and night. In so doing, he safeguarded his fellow town dwellers.<sup>104</sup> Among those who were supposed to be interned, was Josip Popović who headed the post of municipal president at the time that the court proceedings took place in Mitrovica. He also proved to be supportive of Ferhad Bey.<sup>105</sup>

Dobrivoje Milenković defended Ferhad Bey in the court as well, exemplifying how Ferhad provided people with money so they could flee from the area and that he defended their livestock from requisitions. As a result, he came into conflict with the occupying authorities.<sup>106</sup> Stevan

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<sup>99</sup> Hrabak, *Džemijet: Organizacija muslimana Makedonije, Kosova, Metohije i Sandžaka 1919-1928*, 65.

<sup>100</sup> "Drugi dan: Suđenje Ferad-begu Dragi," *Pravda*, god. XXII, br. 350, 22.12.1926, 3.

<sup>101</sup> B. Antić, "Suđenje Ferad beg Dragi: Prvi dan suđenja u Kosovskoj Mitrovici," *Politika*, god. XXIII, br. 6703, 21.12.1926, 5.

<sup>102</sup> "Juče je počelo suđenje Ferad beg Dragi u Kosovskoj Mitrovici," *Vreme*, god. VI, br. 1799, 21.12.1926, 3 and "Četvrti pretres Ferad-begu u Kosovskoj Mitrovici," *Vreme*, god. VII, br. 2093, 18.10.1927, 4.

<sup>103</sup> B. Antić, "Suđenje Ferad beg Dragi: Prvi dan suđenja u Kosovskoj Mitrovici," *Politika*, god. XXIII, br. 6703, 21.12.1926, 5 and "Juče je počelo suđenje Ferad beg Dragi u Kosovskoj Mitrovici," *Vreme*, god. VI, br. 1799, 21.12.1926, 3.

<sup>104</sup> B. Antić, "Suđenje Ferad beg Dragi: Prvi dan suđenja u Kosovskoj Mitrovici," *Politika*, god. XXIII, br. 6703, 21.12.1926, 5.

<sup>105</sup> *Ibid.*

<sup>106</sup> B. Antić, "Suđenje u Kosovskoj Mitrovici: Ferad beg se brani," *Politika*, god. XXIII, br. 6704, 22.12.1926, 8.

Macura also spoken highly about Ferhad Bey's deeds during the occupation. Even though he was not native to the town, Stevan got a job at Ferhad Bey's sawmill as a German interpreter. He stated that the Draga Family helped the Serbs and that the family financially supported many Serb, keeping them from starving.<sup>107</sup> Finally, Vasa Petrović, director of Mitrovica Hospital at the time when the Habsburg troops entered the town, emphasized, "He always protested against killing without a judgment."<sup>108</sup> It therefore comes as no surprise that Ferhad Bey was distinguished locally as "one of the best Turkish beys."<sup>109</sup> Certainly, the aim here is not to claim that the relations were ideal and the possible national identification was not significant.

As Max Bergholz has illustrated in the context of Kulen Vakuf and Bosnia-Herzegovina after WWII, violence can completely change the perception of the people in the area that witnessed mass atrocities committed by individuals of different faith.<sup>110</sup> *Anxiety* was there, but did the trial cause this anxiety among the locals or was it from another previous event? While the state-backed violence was taking place prior to and during the 1923 elections, the polarization along a national axis was occurring. At the time of the 1923 election campaign, the Serbian youth in Pristina smashed shops of the prominent Muslim individuals. In such an atmosphere, Ferhad Bey arrived in the town and, after being insulted and afraid for his life, he used a gun to defend himself and his associates. On the day of elections in Mitrovica an armed clash happened between paramilitaries and gendarmerie forces, and the Albanian voters, who were prevented from voting and reaching the ballot box.<sup>111</sup>

The military had to safeguard Ferhad Bey's home since he also participated in the conflict, which resulted in six deaths, four severely

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<sup>107</sup> *Ibid* and A. Musanić, "Drugi dan pretresa Ferad beg Dragi, bivšem vođi Džemijeta," *Vreme*, god. VI, br. 1800, 22.12.1926, 5.

<sup>108</sup> *Ibid* and "Treći dan pretresa Ferad beg Dragi, vođi Džemijeta," *Vreme*, god. VI, br. 1801, 23.12.1926, 3.

<sup>109</sup> "Suđenje Ferad-begu Dragi," *Pravda*, god. XXII, br. 350, 22.12.1926, 3 and A. Musanić, "Drugi dan pretresa Ferad beg Dragi, bivšem vođi Džemijeta," *Vreme*, god. VI, br. 1800, 22.12.1926, 5.

<sup>110</sup> Max Bergholz, *Violence as a Generative Force: Identity, Nationalism, and Memory in a Balkan Community* (Ithaca, NY: Cornell University Press, 2016).

<sup>111</sup> Hrabak, *Džemijet: Organizacija muslimana Makedonije, Kosova, Metohije i Sandžaka 1919-1928*, 190-94. Hadri and Avramovski, *Kosovska Mitrovica i okolina*, 152, and UN Archive/Geneva, S391/56, 26.02.1924, Geneva, Bajram Curri, Hasan Prishtina, and Bedri Pejani to Paul Hymans.



injured, and twenty wounded.<sup>112</sup> The ruling elites instrumentalized violence with the purpose of securing victory for the PRP inasmuch as it had its own practical purpose as a strategy wielded in other parts of the kingdom too. This had seriously shaken the *raison d'être* of the state because the locals regardless of confessional belonging, noticed that the paramilitary terror was knowingly wielded several days prior to elections.<sup>113</sup> Thus, just as the Habsburg "enemy" utilized local conflicts to mobilize and establish control over the region, so too were the post-war trials and political violence prior to or during the voting easily used for homogenizing possible voters along the confessional line.<sup>114</sup>

Therefore, the national and/or confessional polarization was not as dominant in one post-war local community as some would assume. If this separation was omnipresent, then why would Christians/Serbs act as witnesses in favor of Ferhad Bey? Why would Ferhad Bey decide to help the "Serbian" people during the conflicts? Why would a grandson of Isa Boletini, Ismet, put his life at risk -and get injured- in the process in order to protect his younger comrades, who were "Serbs", from being attacked by the "Albanians"?<sup>115</sup> WWI influenced persons differently. In certain settings, it led to a collectivization along a confessional and/or national line, but in other situations it did not, meaning, the studies have to clarify

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<sup>112</sup> Hrabak, *Džemijet: Organizacija muslimana Makedonije, Kosova, Metohije i Sandžaka 1919-1928*, 190-91. On the use of paramilitary groupings in the post-WWI Yugoslavia see Džon Pol Njumen, *Jugoslavija u senci rata: Veterani u novoizgrađenoj državi, 1903-1945* (Beograd: Službeni glasnik 2017), 75-76, 86-87, 89-90, 174-86, 88, 200-03. Janjetović, *Deca careva, pastorčad kraljeva: Nacionalne manjine u Jugoslaviji 1918-1941*, 183, and Salko Užičanin, *Nacija i teror: Djelatnost nacionalističkih organizacija u Bosni i Hercegovini (1921-1929)* (Tuzla: Društvo istoričara i Akademija društveno-humanističkih nauka, 2019). On the ideological background of various paramilitary organization in post-1918 Yugoslavia see Vasilije Z. Dragosavljević, "Ideološki uticaji evropskog fašizma na jugoslovenske integralističke pokrete radiklane desnice u međuratnom periodu (1921-1941)" (Doktorska disertacija, Univerzitet u Beogradu Filozofski fakultet, 2017), and Sandra Prlenda, "Young, Religious, and Radical: The Croat Catholic Youth Organization, 1922-1945," in *Ideologies and National Identities: The Case of Twentieth-Century Southeastern Europe*, ed. John R. Lampe and Mark Mazower (New York: Central European University Press, 2004), 82-109.

<sup>113</sup> PA AA/Berlin, RZ 206, R 73152, #775, 03. 09. 1923, Belgrade, Legation to the MoFA, 1-2; IAR/Novi Pazar, F284, Savo Čaković, *Hronika Sjenice*, 130-131 and Christian Axboe Nielsen, *Making Yugoslavs: Identity in King Aleksandar's Yugoslavia* (Toronto: University of Toronto Press, 2014).

<sup>114</sup> Damjanović, "O nekim ubistvima srpskih civila iz okoline Kosovske Mitrovice tokom austro-ugarske okupacije u Velikom ratu," 81, 86, and Clayer, "The Dimension of Confessionalisation in the Ottoman Balkans at the Time of Nationalisms," 108-09.

<sup>115</sup> "Ismet Boljetinac unuk Ise Boljetinca braneci mlade drugove uboden je kamom od jednog kriminalnog tima," *Vreme*, god. XVI, br. 5220, 28.07.1936, 7.

why in one situation this drives some to perceive former neighbors as their enemies, and in some it does not.

Although the clergyman Anđelko Nešić was interned, he chose to testify in favor of Ferhad Bey. Yet, his daughter presented a new charge against Ferhad Bey.<sup>116</sup> Due to the lack of sources, it is practically impossible to explain what the reasons were behind this action. Still, all of this confirms that in certain settings people do not *act* simply because they are identified in sources as “Serbs” or “Albanians.”<sup>117</sup> However, the trial sparked memories of WWI and allowed bad experiences to come back. By debating the proceedings and Ferhad Bey’s behavior during the Habsburg occupation, it can be said that within certain parts of the communities, the projected national and/or confessional boundaries began to become more solidified.<sup>118</sup>

### Concluding Remarks

Writing about Ferhad Bey is not an easy task. His activity amid WWII in the Mitrovica area has drawn more scholarly attention than that of WWI or prior to the Balkan Wars.<sup>119</sup> Yet, the focus here has been directed towards his lifeworld in the Ottoman and post-Ottoman times. In addition to arguing why the trial against Ferhad Bey was initiated in 1925, the aim was also to show his performance in the courtroom, whether the process revived WWI memories, and more importantly, the reaction of the local communities. Certain branches of the government were willing to mishandle the judicial system prior to the general elections in order to remove Ferhad Bey from the political race. The judicial process, together with the backed violence, was used not only for homogenizing local voters, but also as a tool for intimidation, which in turn yielded the necessary outcome. While the trial was taking place, the WWI-memories were being re-experienced locally. However, it is worth stressing that the separation was not as dominant as one would assume

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<sup>116</sup> “Četvrti pretres Ferad-begu u Kosovskoj Mitrovici,” *Vreme*, god. VII, br. 2093, 18.10.1927, 4.

<sup>117</sup> Clayer, “The Dimension of Confessionalisation in the Ottoman Balkans at the Time of Nationalisms,” 106.

<sup>118</sup> Clayer, “Religious Pluralism in the Balkans during the late Ottoman Imperial Era: Towards a Dynamic Model,” 102.

<sup>119</sup> On Ferhad Bey’s role and his son’s activity, Ali Draga, during WWII see Franziska Zaugg, *Albanische Muslime in der Waffen-SS: von “Großalbanien” zur Division “Skanderbeg”* (Paderborn: Ferdinand Schöningh, 2016). and Milutin Živković, *Između “Velike Albanije” i okupirane Srbije: Novi Pazar, Tutin i Ibarski Kolašin (1941-1944)* (Leposavić: Institut za srpsku kulturu Priština/Leposavić, 2018).

locally. Ferhad Bey's performance also shows how individuals are able to recognize the situation in which they should emphasize the state loyalty too since they are skilled enough to comprehend which narrative should be used in order to profit from the situation. Emphasis on the cooperation with the paramilitaries, denial that one worked together with the enemy organizations or other "state enemies," their denunciation to the state authorities, disavowal that one ever politically or economically benefited from the occupation, and proof that one is a loyal citizen, should all be seen as a kind of deployed *weapon of the weak*.<sup>120</sup>

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<sup>120</sup> James C. Scott, *Weapons of the Weak: Everyday Forms of Peasant Resistance* (New Haven: Yale University Press, 1985).

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