



**THE BRIDGE BETWEEN OLD AND NEW: THE SERBIAN SOCIETY
IN THE FIRST CENTURY OF THE OTTOMAN RULE
ESKİ İLE YENİ ARASINDAKİ KÖPRÜ: OSMANLI YÖNETİMİNİN
İLK YÜZYILINDA SIRP TOPLUMU**

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ÖZET

Bu çalışma 1459 senesinde osmanlı'nın Sırbistan'ı fethinden sonra Sırp toplumunun temel durumunu konu edinmektedir. Çalışma, Sırp Ortaçağ hukukunun Osmanlı hukuku üzerindeki etkisinin yanısıra Sırp toplumunun iki temel gruba ayrılmasını incelemektedir. 15.yüzyılın ikinci yarısı boyunca Sırp halkının günlük yaşamındaki devamlılık ve devamsızlığına önem verilmesinin yanında tımar sistemine de titizlikle yaklaşılmıştır.

Anahtar Kelimeler: Osmanlı İmparatorluğu, Sırbistan, Sosyal Tarih, 15.yüzyıl, Kanunlar, Tımar Sistemi

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ABSTRACT

This paper is dedicated to the basic postulates of the Serbian society after the Ottoman conquest of the Serbian Despotate in 1459. It discusses the division of the Serbian society into two basic groups (*reaya* and *Wallaques*), as well as the influence of the Serbian medieval law to the Ottoman legislative. Special attention was paid to the *timar* system, as well as continuity and discontinuity in the everyday life of the Serbian population during the second half of the 15th century.

Key Words: Ottoman Empire, Serbia, Social History, 15th Century, *Qanuns*, *Timar* System

The political implications of the Ottoman conquest of the Southeastern European countries are well known and transparent, as well as described in details in the historiography. However, the changes of the social structure had been much slower, thus in that particular sense the second half of the 15th century in the history of Serbian people under the Ottoman rule could be considered as the period of continuity rather than discontinuity with the situation from the first half of that century.

That is, also, the reason why the Ottoman documents dated second half of the 15th century could be largely used to enlighten some important issues from the social history of the Serbs during the last decades of existence of the independent Serbian medieval state.

After the fall of the Serbian Despotate (1459) and the Kingdom of Bosnia (1463) under the Ottoman rule, the new phase in the development of the Serbian society begun. The Ottomans brought along the new administrative system, primarily defined by the military and Islamic character of their growing state. Although the introduction of the Ottoman administration did not radically changed previously existed social relations, the Serbian society in the second half of the 15th century underwent through significant changes, primarily caused by the Ottoman social diversification into two groups: *asker* and *reaya*, applied throughout the Empire. Besides, the confessional diversification, expressed in the contrast between the Muslim and non-Muslim population had been very important, causing directly the intensification of the process of conversion into Islam, in smaller or higher degree. (Filipović, 2005) (Vasić, Islamizacija na Balkanskom poluostrvu, 2005) (Жељазкова, 1990)

Although simplified and considerably general, the above mention social division could be applied to the Serbian society in the second half of the 15th century. However, the fact that the social order of the different provinces of the Empire, due to their specific geo-strategic position, was not completely similar has as its main consequence more complex social diversification, different from province to province.

Thus, the main classification of the Serbian society in the second half of the 15th century was the division into three groups: the *reaya*, the Wallach population and the „categories with special fiscal status“, i.e. population that was exempted of some tax due to the specific service they hold. Those groups were more numerous in the border regions, while in the inland regions they were rare or non-existent. There were also some Serbs who served in the Ottoman army, obtaining thus the *asker* status. This primarily applies to the Serbs-*sipahis*, which were quite numerous in the second half of the 15th century. (Miljković, Osmanska popisne knjige defteri kao izvori za istorijsku demografiju: mogućnosti istraživanja, tačnost pokazatelja i metodološke nedoumice, 2010)

The most relevant social change occurring during the second half of the 15th century in the regions where the Serbs lived under the Ottoman rule was the disappearance of the highly ranked Serbian noble families and beginning of creation of the new Serbian „elite“, which was not of the noble origin and did not have the land in the full ownership; their new social status was obtained by acceptance of the service in the Ottoman army.

The most influential Serbs in the second half of the 15th century were those rare members of the medieval noblemen who tried to establish themselves within the Ottoman governing system, such as Mara Branković, then influential Wallach families from Herzegovina such as family Miloradović-Hrabren, which had tried to obtain adequate positions in the new circumstances, and also some of the Wallach chiefs who, for the first time under the Ottomans, stepped out of the historical anonymity, as it was the case with the supreme *knez*³ of the Wallach of the Smederevo *sanjak* (province), certain Maluga, or with the Bakić family. (Vasić, O knežinama Bakića pod turskom vlašću, 1958)

The highest position within the Ottoman society and the highest level of political power could be obtained only by those Serbs who converted to Islam, either by their own free will, by the concurrence of the historical circumstances, or by the state measures, such as the tax called *devşirme*, in the Serbian tradition known as „the blood tax“. Thus, the most influential Serb in the Ottoman system in the second half of the 15th century, was beyond any doubt, Ahmed-pasha Hersekoğlu (Hercegović), former Stefan Vukčić Kosača, the youngest son of Herzog Stephan, which entered service of the Mehmed II the Conqueror in 1474. In the history of the Ottoman Empire, he was remembered as warrior, public official and diplomat. Until his death in 1517, he served under the three sultans and under each of them reached the rank of

³ The Slavic term *knez* could be translated with the nobleman title of prince. But, since the Wallach chiefs were not always of the noble origin, we decided that it would be more accurate to preserve the Slavic term.

the grand vizier, although he did not keep, even once, that position for longer period. (Atanasovski, 1979)

Those examples of the eminent Serbian medieval noblemen becoming a part of the Ottoman ruling class were isolated cases, thus the phenomenon could not possibly be considered as general.

On the other side, throughout the second half of the 15th century, could be observed the process in which prominent Wallach chiefs, *knezs* and *primikurs*, started to climb up the social scale. This process would reach its peak during the first half of the 16th century.

II

In the majority of the *qanuns*, valid for the Serbian lands in the second half of the 15th century, could be observed the whole range of the legal regulations taken over from the Serbian independent state, as well as the influence of the Serbian medieval law. The good examples for this statement present the legal regulations issued during the second half of the 15th century and the first half of the 16th century, for the *sanjaks* (provinces) of Smederevo, Kruševac, Klis, Bosnia and Herzegovina.

The influence of the Serbian medieval legislative on the early Ottoman *qanuns* regarding the Serbian lands was very strong. It was easily noticed in almost all the segments of the social relations. However, it would be wrong to conclude that the Ottoman authorities had accepted all the legal provisions from the Serbian medieval legal corpuses. The implementation was neither general nor automatic. The Ottomans had, obviously, analyzed with special attention all existing legal regulations and adapted them according to their own needs and interests. That is the reason why the Ottoman legal regulations differed from province to province, paying attention both to the existing conditions, as well as to the local characteristic of the area. Each province had its own role and significance within the Ottoman administrative system.

The taking over of the legal solutions from the Serbian medieval legislative could be observed in some other collections of the Ottoman laws, prescribing the position of the various social groups, their rights, obligations and special fiscal status, if existed. That influence was most obvious in the regulations related to the population with the Wallach status, since the Wallach population was the social group taken from the organization of the Serbian medieval state (the notion *Wallach* was of the Slavic origin, and it was preserved in the Ottoman language as well). The Wallach population, free peasants and cattle-breeders, presented second basic social group within the Serbian society under the Ottoman authority (the first and the biggest one was the *reaya* group).⁴ (Istorija naroda Jugoslavije II, 1960) (Istorija srpskog naroda III/1 (R. Samardžić), 1993) (Zirojević, 1974) (Miljković - Bojanić, 2004) The Wallach population had important fiscal benefits, since they performed the military service for the Ottoman state. They were also the very important colonizing element, thus significant for the Ottoman administrative system. Their status was regulated by the special law regulations called *qanun-i eflak*.

The best-known example of the influence of the Serbian medieval law to the Ottoman legal system presents the Mining Law proclaimed by the Despot Stephan Lazarević in 1412. This particular law was incorporated with almost no modifications in the Ottoman legal system.

In the *qanunname* related to the mines, dated 1536-37, in which the mines Novo Brdo, Janjevo, Kratovo, Trepča, Rudnik, Zaplana, Brvenik and Srebrenica were mentioned, the application of the older legislative was sanctioned. The translation of the older legal regulations had been included into this, newer text. The *qanunname* itself contained around 50 terms, which were not translated into the Ottoman language, but were used in their original Serbian (Slavic) expression. The majority of those expressions were the terms related directly to the mining production. (Begović,

⁴ In the Ottoman sources dated 15th and 16th century, the Wallach population had been treated only as a social group, not the ethnic one.

Tragovi našeg srednjovekovnog prava u turskim pravnim spomenicima, 1951-1952)
(Begović, Naši nazivi u turskim rudarskim zakonima iz 15. i 16. veka, 1971)

This collection of documents present the codex of over-all mining activities in Serbia and Bosnia, including the mining regulations, expressions of the mining tools and production techniques, as well as the regulation of the mining relations. It surpasses, by its essence, the frame of the *sharia* law, which provides only the regulations regarding the rights of the mine exploitation, as well as the mining taxation. The *sharia* law does not contain the provisions regarding the relations between the owner of the mine, its lessee (or tenant) and the miners. Those relations had been regulated in accordance with the general rules of the secular laws. However, it is interesting to mention that certain provisions of the mining *qanunname* dated the period of Suleyman the Lawgiver were directly opposed to the Islamic religious law. The good example is the provision according to which certain illegal deeds related to the mining production, could be punished by throwing the guilty party into the mining hole, as well as the regulation providing the right of morally disputed persons to testify in the court of law. The *sharia* law of the *hanefi madhab* does not accept the testifying in the court of law of drunk persons, gamblers, layers, etc, in general persons whose ethics is not in accordance with the Islamic regulations. (Begović, Tragovi našeg srednjovekovnog prava u turskim pravnim spomenicima, 1951-1952)

However, the Ottoman authorities took over completely the previous valid legal regulations regarding the mines, including the one regarding the testifying. Such attitude was in the best state interest, regardless some disaccords within the legal system of the Empire.

Some military and auxiliary units, such as the *martoloses* or *voynuqs*, of the Byzantine or Serbian origin, had been incorporated in the Ottoman military system, as well. They had important position within that system, especially in the frontier regions of the Empire.

The linguistic changes caused by the changes of the historical circumstances are most obvious and the most easily seen in the vocabulary. In the Ottoman case,

each new conquest had enriched the language with the expressions taken over from the language of nations whose territory had come under the Ottoman domination. The new words had firstly penetrated into the administrative language, since it was not possible, even if they wanted to, to find new expressions for all legal institutions and objects of the material culture existing in the newly conquered lands. The penetration of the foreign words into the Ottoman language was encouraged by the Ottoman state authorities, who thought that the ancient institutions deserved to continue their existence, even in the new circumstances. However, the Ottomans did not use the borrowed expressions throughout the Empire. They were used only in those regions in which they were known from the earlier times and rarely transmitted to the regions where there were not in usage before. (Miljković, Posebnosti turskog jezika u prvim popisnim defterima Smederevskog sandžaka, 2009)

Examination of the above-mentioned Ottoman *qanuns* reveals couple of dozens of words of Slavic origin, which were used in the Ottoman language, due to the lack of the adequate Ottoman expressions. In some cases, the scribe thought that the usage of the original term was the best choice and solution. Those expressions were mainly used to describe the pre-ottoman institutions accepted in the Ottoman legal and state system, such as *baština*, *Božić*, *vojnuk*, *vlah*, *gornina*, *katun*, *knez*, *komornica*, *lukno*, *poboga*, *primićur*, *zaruka*. (Istanbul, Türkiye Cumhuriyeti Başbakanlık Devlet Arşivleri Genel Müdürlüğü, Osmanlı Arşivi, Tapu tahrir defterleri , 16 (1476)) (Istanbul, Türkiye Cumhuriyeti Başbakanlık Devlet Arşivleri Genel Müdürlüğü, Osmanlı Arşivi, Tapu tahrir defterleri 978 (1528)) (Bojanić, 1974) (Miljković, Ema; Krstić, Aleksandar, 2009)

III

The *timar* system represented one of the pillars of the Ottoman society. Although originally not Ottoman institution, the *timar* system had reached its full

shape and originality in the Ottoman state, where three phases of its development could be pointed out:

1. Phase of the establishment of the *timar* system, simultaneous to the beginning of the Ottoman state organization;

2. Classical period of the *timar* organization, which had begun with the rule of the sultan Mehmed II, and ended by the end of the 16th century; there are some opinions stating that this phase had been finished already with the death of the sultan Suleiman the Magnificent in 1566;

3. Declination phase until the *timar* system had been completely abrogated in 1831. (Matuz, 1982)

The originality of the *timar* system in comparison with its contemporary feudal system in the Western Europe is in the question of the land owning. In the Ottoman Empire, the land owning system was divided into three categories: the *harach*, the *ushur* and the *miri* land; almost all land in the southeastern Europe had belonged to this third mentioned category and that was the foundation of the *timar* system. According to that concept, all land was owned by the sultan, as personification of the State and ultimate authority; he had the right to dispose it to his own free will, which presented the complete annulment of the private ownership of the land. However, even within the *miri* land there existed the categories of *mulk* and *vaqf*, which were contradictory to the above mentioned principle; annulment of those categories, was, however, the essence of the land reforms undertaken by Mehmed The Conqueror. (Beldiceanu, 1965)

The *timar* system in the Serbian lands during the second half of 15th and 16th century was characterized by the large number of Christian *sipahis* in the first period, and then their almost complete disappearance from the *sipahi* ranks.

On the basis of the available sources, it can be concluded that the Christian *sipahis* were integral part of the *sipahi* organization in all analyzed regions and

provinces on the Serbian ethnic space, but there were huge variations in their number, depending on the organization of the Ottoman administration in certain provinces of the Empire.

The involvement of the Christians in the *sipahi* organization of the analyzed regions has been presented in the following table:

Region	Percentage of the Christian timar holders
Kruševac, Toplica, Dubočica (1444/45)	11%
Border region of Isa-bega Ishaković (1455)	24%
Region of the Branković Family (1455)	14%
Sanjak of Vidin (1466)	12.5%
Braničevo (1467)	52%
Sanjak of Bosnia (1468)	27%
Sanjak of Herzegovina (1477)	5.75%
Kaza of Niš (1498)	4.5%

According to this data, the smallest number of the Christian *sipahis* had been registered in the *kaza* of Niš in 1498, and in the *sanjak* of Herzegovina in 1476/77. On the other side, the biggest number had been registered in the region of Braničevo and in the *sanjak* of Smederevo during the seventies of the 15th century.

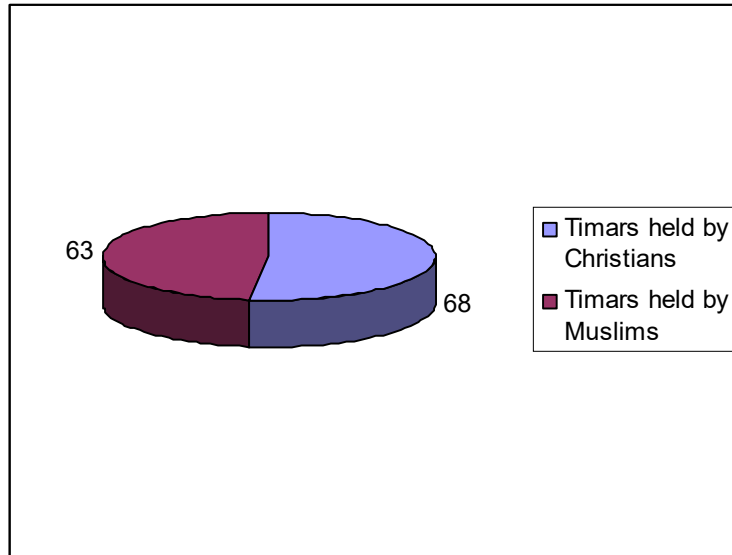


Figure 1: The number of *timars* held by the Muslims and by the Christians in the region of Braničevo in 1467

The share of the Christian *sipahis* is much higher within the group of the *eşkinçi timars*, than within the group of the *timars* held by the fortress garrison soldiers. As the *timars* held by the fortress garrison soldiers were the most numerous in the *sanjak* of Bosnia and the *sanjak* of Herzegovina, the share of the Christian *sipahis* in the total number of the *timar* holders in those two provinces dramatically change when we analyze those two groups together or when we analyze them separately. Thus, within the group of the *eşkinçi timars*, the share of the Christian *sipahis* in the total number of *sipahis* in the *sanjak* of Bosnia was 46%, while that number in the *sanjak* of Herzegovina was 25%.

The reason for those variations is the method of establishment and functioning of the Ottoman power, not being the same in the all provinces in the waste Empire; they changed in accordance with the state and military goals in certain regions. Thus, the differences in the number of the Christian *sipahis* depended mainly on the organization of the Ottoman administration in the *vilayet* or *sanjak*, but also they could be observed

chronologically, in the periods before and after the reform of the landholding relations and of the *timar* system, accomplished during the second reign of Mehmed II (1451-1481).

Thus, the largest number of the Christian *sipahis* were registered in those regions that had been, at certain periods of time, being organized as the border regions (Braničevo, the *sanjak* of Bosnia, the *sanjak* of Smederevo), while they number was considerably lesser in the regions situated deeper inside the Ottoman state territory (*kaza* of Niš). However, within such distribution of the Ottoman territories had been some exceptions, since certain provinces, such as the *sanjak* of Herzegovina, for example, had been mark region of the Empire, but had not been organized accordingly. The reason should be looked upon the fact that the main front against Venetia in the second half of the 15th century was on the sea; the operations on the land were aimed, in the first place, toward the northern Albania, thus the Ottomans did not need the special border region organization in Herzegovina.

As it has already been mentioned, after retaking the Ottoman throne in 1451, Mehmed II had started the huge landholding relations reform. One of the changes was within the organization of the Ottoman border regions, i.e. he created the border regions of so-called *new type*. Differently from the regions of Kruševac, Toplica and Dubočica, for example, where we observed the low number of the Christian *sipahis* registered in 1444/45, their number started to increase in the border region of Isa-beg Ishaković, reaching one fourth of all the *sipahis* in the province. However, according to its main characteristics, i.e. since the timars were organized on double and triple-levels of holding, and the organization of the region was based on the vassals and servants of the commander, this region should be considered as the border region of the old type. The first example of the border region of the new type was the *sanjak* of Bosnia (Miljković, Timarski sistem u nahiji Sjenica u drugoj polovini 15. veka, 2009); that type of administrative organization had reached its full level in the *sanjak* of Smederevo during the seventies of the 15th century. With the organization of the border regions of the new

type, the number of Christians involved in the Ottoman *timar* system had drastically increased, and the defense system had been organized in a way to involve larger masses of the local population into the Ottoman military forces, both regular and auxiliary. (Miljković, Osmanska populaciona politika na krajištu: Braničevo u drugoj polovini 15. veka. ., 2008)

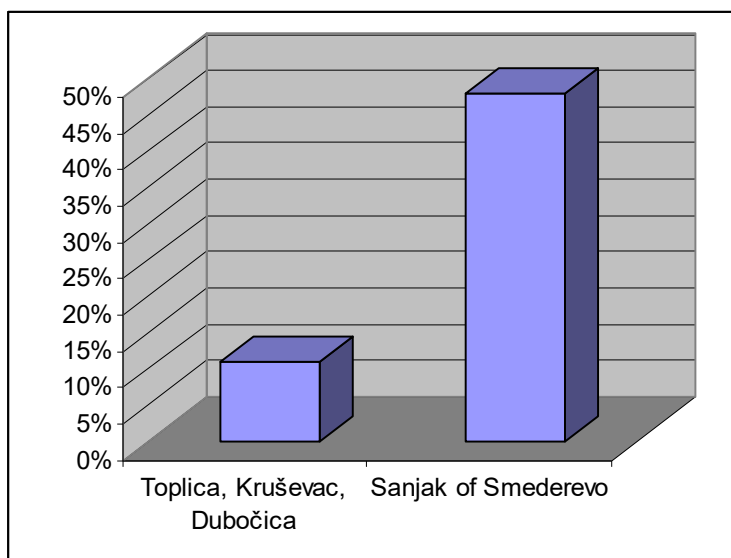


Figure 2: The relations between the number of the Christian sipahis in the regions of Kruševac, Toplica and Dubočica in 1444/45 and the sanjak of Smederevo 1476/77.

However, as well as in the other regions, the economic strength of those *timar* holders was quite low. In the total *sipahis* income of 1.071.192 *akches*, as it was registered in the region of Branković, the Christian *sipahis* shared only 45.431 *akches* (4.5%). The average income from the Christian *timar* was 1.817 *akches*. (Hamid Hadžibegić, Adem Handžić, Ešref Kovačević, 1972)

In accordance to their income, the contribution of the Christian *sipahis* to the military force of the Ottoman Empire was respectively low. Both the income, as well as the number of additional soldiers and equipment was directly linked to the importance of the service; thus it is obvious that the Christian *sipahis* were kept on the lower levels of the Ottoman military hierarchy. In the region of Branković, out of 86 mentioned *timar* holders, 31 had the obligation to take part at the military campaigns, 8 in the status of *burume*, 22 as *cebelis* and 1 as *eşkinici*. They took along only 6 *cebeli* horsemen and 4 servants, i.e. the total of 37 horsemen; while the total registered number of the soldiers from this region was 694 (possibly certain number of auxiliary troops and servants had not been registered). (Macura, 2001)

IV

The Ottoman conquest of the South-Eastern Europe during the 15th century had not brought only the new administration, but also new, oriental form of everyday living, which has affected mostly the urban population.

The introduction of the Ottoman authority had interrupted the further development of the Christian towns. The number of the Muslim population in the urban settlements had increased, during the early decades, by re-settlement of the Turkish population from the eastern parts of Rumelia, where the Ottoman administration and the oriental towns had been established half a century prior to the Serbian lands. The emigrants were primary military, administrative and religious officials, as well as skilled artisans. That process of re-settlement had been terminated during the first part of the 16th century, replaced by the process of the more massive conversion of the local population into the Islam. (Handžić, 1980) (Kovačević - Kojić, 2000)

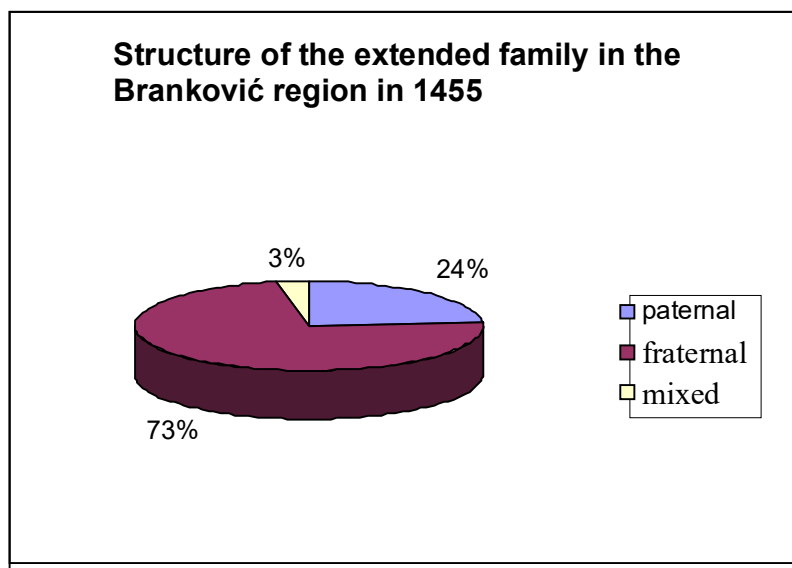
The everyday living conditions of the rural Serbian population after the Ottoman conquest did not change much in comparison to the way of life during the time of the independent Serbian state.

The detailed research of the structure of the Serbian family in the century after the Ottoman conquest had shown that there were almost no changes in comparison to the previous period. Based on the Serbian medieval sources, it can be concluded that during the 14th and first half of the 15th century, there existed both nucleus and extended families. Research based on the first Ottoman census books showed that during the second half of the 15th century, existed equally both family types. (Bobić, Kuća, porodica, zadruga, 2001) (Bobić, Srpska srednjovekovna porodica u oblasti Brankovića, 1998)

In the demographic study done by the researchers' team led by the late academician Miloš Macura, the information concerning the population of the Branković family region has been presented in detail. The special attention has been paid to the family structure. It has been concluded that the population of this province had lived both in the nucleus and extended families, of paternal, fraternal or mix (with the other relatives) type. (Bobić, Kuća, porodica, zadruga, 2001)

The extended families in this region had from 2 to 9 adult male member; 9 adult male member had the fraternal *zadruga* of Mihac, son of Dujica and his sons Petar, Petko, Oliver, Božidar, Radovan, Velota, Milivoje and Radislav. (Hamid Hadžibegić, Adem Handžić, Ešref Kovačević, 1972)

In the whole region, there were, according to the 1455 census data, 15.162 households; 5.075 households were nucleus families and 4.304 extended ones. (Hamid Hadžibegić, Adem Handžić, Ešref Kovačević, 1972)



According to the 1467 census book, there were, in the region of Braničevo, 3.160 households of *reaya* (*ispenje* tax payers), while the number of *baštinas* (and families) was 1.914; ten years later, there were 2.331 *baštinas* and 4.770 households. Speaking in the statistical terms, the average family (economic union) had during the sixties of the 15th century 1.65 adult male members, while ten years later that number was 2.04.

Although the territory of the *sanjak* of Smederevo was the theater of the severe warfare between the Ottoman Empire and the Kingdom of Hungary during the second half of the 15th century, the census books had registered the increase of the population number in the period between 1467 and 1476 in over 80% of the settlements in this region. Immediately after the Ottoman conquest of the Despotate of Serbia, the devastation and depopulation of this region was immense; half of the settlements in the region of Braničevo had been left deserted. (Stojaković, 1987)

During the next decade, the population tried to adjust themselves to the new living conditions; it was much harder for the nucleus families to struggle and survive, thus they started to form extended families in order to ease their everyday existence.

That was the period of the stabilization of the settlements network. That factor also favored the formation of the extended family.

At the same time, the settlements tended to become stable, which was favoring surrounding for the creation of the more complex family structure.

The biggest change in the everyday life that came with the Ottomans was the change in the nutrition culture. The Ottomans brought to the Serbian lands some new cultures, as well as new dishes that had gradually become the integral part of the Serbian material culture. The new types of food: fruits like peaches and melons, vegetables as the eggplant, dishes like *pilav* (rice with chicken or lamb), new kind of sweets (different *baklavas*, Turkish delight), and some beverages like coffee, had enriched the everyday menu of the Serbian population and affected immensely the Serbian cuisine as it is known today.

* * *

Based on the discussed issues, it is our opinion that the year 1459 (fall of the medieval capital of Smederevo), although milestone in the sense of the political history of the Serbian people, does not present the historical crossroad in the social relations. Thus, the 15th century in the Serbian lands could be easily considered as historical continuity. The most obvious changes in the social relations began to shape after the death of the sultan Suleiman the Lawgiver (in 1566), when the Ottoman Empire started to face the first signs of crisis. With the financial troubles and decentralization of the administration, the established social relation began to change dramatically and irrevocably.

Ema Miljković

**Most između starog i novog: srpsko društvo u prvom veku osmanske
vladavine
Rezime**

Političke posledice osmanskih osvajanja zemalja jugoistočne Evrope su dobro poznati i elaborirani u istorijskoj nauci. S druge strane, promene društvene strukture tekle su sporije u odnosu na političke promene, tako da se druga polovina 15. veka u istoriji srpskog naroda koji se našao u okvirima osmanske države može smatrati periodom kontinuiteta u odnosu na prvu polovinu ovog veka.

U ovom radu su obrađeni osnovni postulati srpskog društva u drugoj polovini 15. veka, uz posebno ukazivanje na one institucije i odnose koje predstavljaju originalni osmanski doprinos društvenoj istoriji naroda jugoistočne Evrope, ali i na one koje predstavljaju srpsko srednjovekovno nasleđe, a našle su svoje mesto u osmanskom državnom, pravnom i društvenom sistemu..

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