

Miroslav Radivojević\*

# Land Tenure Reforms in the Area of Leskovac after the Treaty of Berlin (1878–1882)\*\*

## IZVLEČEK

### REFORME PRAVIC DO ZEMLJIŠKE POSESTI NA OBMOČJU LESKOVCA PO BERLINSKI POGODBI (1878–1882)

*Po podpisu Berlinske pogodbe (1878) je območje Leskovca postalo del Srbije. S propadom Osmanskega cesarstva so se izselili tudi muslimanski prebivalci in zapustili svoje posesti. Zapuščena zemljišča so prevzeli lokalni kristjani, ki so bili s prejšnjimi lastniki v fevdalnih odnosih. Prispevek se osredotoča na politiko srbske vlade v zvezi z vprašanji lastništva in odškodnin muslimanskim posestnikom. Predstavljeni so tudi konkretni primeri pravnih sporov glede lastništva zemljišč med lokalnimi Srbi in nekdanjimi lastniki. Raziskane so primerjave med različnimi političnimi in družbenimi strukturami pred Berlinsko pogodbo in po njej. V prispevku je osvetljen tudi nov gospodarski položaj kmetov po koncu fevdalnega sistema. Z analizo neobjavljenih in objavljenih dokumentov ter periodičnega tiska in literature prispevek prinaša nova spoznanja in poglede pri preučevanju podeželske zgodovine Srbije in jugovzhodne Evrope v 19. stoletju.*

*Ključne besede: Leskovac, pravice do zemljiške posesti, muslimanska lastnina, agrarni odnosi, Srbija*

\* PhD, Research Associate, University of Belgrade, Faculty of Philosophy, Department of History, Čika Ljubina 18-20, 11000 Belgrade, Serbia, [mirrad88@gmail.com](mailto:mirrad88@gmail.com); ORCID: 0000-0002-2218-7254

\*\* During the writing of the paper, the transcripts from the State Archives of Serbia, which were given by Miloš Jagodić, full professor at the Faculty of Philosophy at the University of Belgrade, were very useful, for which the author owes him a great debt of gratitude.

## ABSTRACT

---

*After the Treaty of Berlin (1878), the area of Leskovac became a part of Serbia. With the fall of the Ottoman Empire, the Muslim population also departed leaving their properties. Abandoned lands were taken by the local Christians, who had been in feudal relationships with previous owners. The article follows the politics of the Serbian government regarding the issues of ownership and compensation to Muslim landowners. Furthermore, concrete cases of land possession legal disputes between local Serbs and the former proprietors will be presented. The research compares different political and social structures before and after the Treaty of Berlin. Also, it points out the peasants' new economic situation after the liberation from the feudal system. Analysing the unpublished and published documents, with the help of periodicals and literature, the article provides the new insights and views into the studies of the rural history of Serbia and Southeastern Europe in the 19<sup>th</sup> century*

*Keywords: Leskovac, land tenure, Muslim property, agrarian relations, Serbia*

---

## Introduction

---

The purpose of the article is to deal with the almost unexplored theme of agrarian relations in the regions annexed to the Principality of Serbia by the decisions of the Berlin Congress, using the example of Leskovac county of Niš district from 1878 to 1882. Due to the complexity of the studied phenomenon and the lack of literature on the issue, the process is generally followed until its conclusion in 1907, serving as a guide for future research. The objectives of the paper, which stem from the review of the previous state of agrarian relations in a broader context, are to observe the status of former Muslim properties in new circumstances, analyse the legal framework and its practical implementation, and follow the logical epilogue of the process – solving the issue of agrarian debt in the Kingdom of Serbia. In the research and writing process the traditional historiographical method is used, involving work on both unpublished and published sources, including critiquing, analysing, and synthesis into a written text, utilising existing literature. The article is structured according to a combined chronological-thematic principle.

During the 19<sup>th</sup> century in Southeastern Europe existed numerous variations in the land tenure system. This territory belonged to different Catholic-Western and Orthodox-Byzantine-Ottoman political and social zones, but there were similarities, as well as significant differences from region to region. In certain areas/countries of both systems, until the end of the First World War predominated large estates, cultivated by peasants as labourers (as was the case in Romania and Hungary proper), thereby the feudal system was maintained. On the other hand, the Military Border

and civilian Croatia in the Habsburg Monarchy predominantly featured freeholds, while Greece initiated a gradual but highly effective agrarian reform starting in 1871. The case of the autonomous province of Ottoman Empire, the Principality of Serbia, was very specific.

With the provisions of the »Second« (1830) and »Third« (1833) sultan's *Hatisherifs*, the feudal relations between the peasants and the Turkish owners ended, and a single tributary tax was introduced for the Principality of Serbia. Numerous feudal obligations remained, which the peasants fulfilled through the Serbian authorities. The final abolition of feudalism and the introduction of a proportional general tax did not take long. This occurred in 1835. Throughout this process, ownership relations were left untouched, although Serbia compensated Turkish owners for their property at a »decent price.« Prince Miloš Obrenović adhered to the principle that the land belongs to those who cultivate it, yet this did not guarantee the inalienable rights of the peasants. Full ownership was established by the *Turkish Constitution* (the »Fourth« *Hatisherif*) of 1838 and the *Land Restitution Law* the following year.<sup>1</sup> Consequently, Serbia became a country of free peasants, attracting significant immigration and bolstering the desire for liberation among Serbs in neighboring provinces.

The nearly simultaneous reforms in the Ottoman Empire were not as successful. The formal introduction of equality for all the citizens and the proclaimed abolition of the timar system<sup>2</sup> by *Hatisherif of Gilkhana* in 1839 actually led to the deterioration of the position of the Christians. All due to the circumstances of the government's weakness in certain areas. In the Niš sanjak, to which the Leskovac kaza<sup>3</sup> belonged, sipahis were abolished in 1845, and the collection of tithes was taken over by the Ottoman state. Since the government did not have enough capacity to implement it, they left the collection of levies to tenants, which caused significant abuses at the expense of taxpayers. In addition to the newly introduced state property tax (*vergia*) and tithe, the »raja« also received a number of additional levies.

The abolition of sipahis did not lead to the abolition of chifliks, which were also called »gospodarluci« (the lands of lords, lordships) in the Niš sanjak, but the opposite process took place. The former sipahis tried to impose themselves as chiflik-sahibis, ie. they took advantage of the malfunction of the system and often violently seized large estates and even entire villages making their private possessions. This worsened the position of the Christians, as the landowners increased their share of the tribute, up to the half in certain cases. There were also the series of other abuses, such as taking part of the lands as the complete property of the lord, using free labour for its

1 Gábor Demeter, *Agrarian Transformations in Southeastern Europe (from the late 18<sup>th</sup> century to World War II)* (Sofia: Institute for Historical Studies, 2017). Radoš Ljušić, *Kneževina Srbija 1830–1839* (Beograd: Zavod za udžbenike i nastavna sredstva, 2004), 16, 17, 47–75. Bojana Miljković Katić, *Poljoprivreda Kneževine Srbije (1834–1867)* (Beograd: Istorijski institut, 2014), 23–26. Olga Srdanović-Barać, *Srpska agrarna revolucija i poljoprivreda od Kočine krajine do kraja prve vlade Kneza Miloša (1788–1839)* (Beograd: Srpska akademija nauka i umetnosti, 1980), 133–41, 235–53.

2 Conditional enjoyment of state lands by sipahis, who in turn performed military service in the cavalry.

3 The Ottoman Empire was structured into administrative units, ranging from larger to smaller entities: vilayets, sanjaks, kazas, and nahiyes.

cultivation (so-called “paraspor”), additional levies, disenfranchisement, violence, etc. Peasants were placed in an almost unbearable position, which not only increased the number of complaints, but also created a suitable ground for rebellions and uprisings.

In order to prevent unrest, an act known in historiography as the *Leskovac law* was proclaimed in 1859. The document was translated and promulgated in the Serbian language the following year, and remained in force until the annexation of the Leskovac region to the Principality of Serbia (1878). The *Law* defines the rights and obligations of peasants and landowners. Chiftchis (peasants) were obliged to give one-ninth to the chiflik-sahibis, and the free labour (kuluk) was forbidden; with the only additional provision of yield from a certain part of the estate to the landlord in the name of »rent« – paraspor. The land cultivated by the peasants was defined as their inalienable heritage – they were guaranteed possession and yield. The relations between chifchis and chiflik-sahibis in that way became public law. Since then, state authorities have guaranteed their respect, which, due to their weakness, did not mean that there were no abuses on the spot.<sup>4</sup>

On the eve of the Liberation, in the 1870s, about 10,500 Muslim and 21,000 male Christian residents lived in the Leskovac kaza of the Niš sanjak. Although the ratio was 1:2, the Serbs were in an unenviable socio-economic position. The prevalence of the chiflik form of land ownership in the area of Leskovac, is vividly evidenced by the fact that in Porečje, one of its regions, only two completely free villages were found in 1878: Rudare and Veliko Trnjane; while 22 were »gospodarluci«: Donja and Gornja Jajina, Kukolovce, Drvodolja, Presečina, Radonjica, Šainovac, Strojkovce, Nakrivanj, Čukljenik, Beli Potok, Vučje, Žabljanje, Brza, Gorina, Bunuša, Todorovce, Miroševce, Bukova Glava, Drvodolja, Šišince and Slavujevce.<sup>5</sup>

4 Sergije Dimitrijević, *Agrarni odnosi za vreme Turaka u Leskovačkom kraju* (Leskovac: Narodni muzej, 1951). Miloš Jagodić, “Međunarodni aspekt agrarnog pitanja u Srbiji (1880–1882),” in Miloš Jagodić (ed.), *Pirot – od turske kasa-be do modernog grada, preko Berlina i Versaja*. Zbornik radova (Pirot: Istorijski arhiv, 2018), 85, 86. Miloš Jagodić, “Prilog proučavanju agrarnih odnosa u Niškom sandžaku sredinom 19. veka,” *Srpske studije* 8 (2017): 312–19. Branislav M. Nedeljковиć, *Istorija baštinske svojine u Novoj Srbiji od kraja 18 veka do 1931* (Beograd: Izdavačko i knjižarsko preduzeće Geca Kon, 1936), 227–69. Aleksandar M. Savić, *Kneževina Srbija i Osmansko carstvo (1839–1858): doktorska disertacija* (Beograd: Univerzitet u Beogradu, Filozofski fakultet, 2021), 96, 119, 20. Milovan Spasić, “Podatci o agrarnim odnosima hrišćana u oslobođenim krajevima, okruga topličkog i vranjskog, za vreme turske vladavine,” *Glasnik Srpskog učenog društva* 71 (1890): 219–29. Vladimir Stojančević, *Leskovac i leskovačka nahija u XIX veku (1804–1878)* (Leskovac: Biblioteka Narodnog muzeja, 1987), 155–60. Yücel Terzibaşoğlu, “Landed Estates, Rural Commons and Collective Agriculture in Ottoman Niş and Leskofçe in the Nineteenth Century,” *Turkish Historical Review* 13 (2022): 343–71, <https://doi.org/10.1163/18775462-bja10036>. Dragoljub Trajković, “Oko Leskovačkog zakona od 27. zilkade 1275. godine,” *Leskovački zbornik* 4 (1964): 137–41. Milenko S. Filipović, “Agrarno-pravni odnosi zvani paraspor ili paraspor,” *Leskovački zbornik* 5 (1965): 9–11. Uroš S. Šešum, *Srbija i Stara Srbija (1804–1839)* (Beograd: Filozofski fakultet, Univerzitet u Beogradu, 2017).

5 Miroslav R. Đorđević, “Inostrani komentari zakona o uredenju agrarnih odnosa u novooslobođenim krajevima Srbije od 1880. godine,” *Leskovački zbornik* 18 (1978): 70. Jovan V. Jovanović, “Iz istorije agrarne svojine u Leskovačkom porečju,” *Leskovački zbornik* 1 (1961): 32. Jovan V. Jovanović, “Poslednje age i begovi u Leskovačkom porečju,” *Leskovački zbornik* 3 (1963): 143–50. Vidosava Nikolić–Stojančević, *Leskovac i oslobođeni krajevi Srbije 1877–1878. godine. Etničke, demografske, socijalno-ekonomske i kulturne prilike* (Leskovac: Biblioteka Narodnog muzeja, 1975), 9–14.

---

## In the New State

---

The above clearly illustrates why the Christian population eagerly awaited for “the freedom”. That happened in 1877/1878 when the area of Leskovac was liberated, during the Second Serbian-Turkish War, largely due to local uprisings. The Muslim population mostly fled in a hurry, leaving behind houses, personal belongings, movable and immovable property. Although the *Law on the arrangement of freed areas* from January 1878 provided equality regarding the civil rights to the population of all recognized religions, they did not return – the process of emigration and partial Christianisation continued. This legal act enabled the introduction of the judicial system in the new regions of the Principality of Serbia, which also aimed to resolve disputes in complicated property relations between former *chifchis* and *chiflik-sahibis*, mostly refugees. The temporary government in this area, pending international decision on annexation, was organized in the form of the *Leskovac administration*. One of its many tasks was the protection and inventory of the remaining property and belongings of the Muslims; part of which, primarily food, was needed for the use of the Serbian army, others were to be sold, and third were to be stored in warehouses. Part of the food left behind by the Ottoman state, religious authorities and subjects was also given to the poor citizens, Christians and Muslims.

The aforementioned inventory included the determination of the form of land ownership and its classification. To coordinate the work and resolve complex agrarian relations in the new regions of the Principality of Serbia, the *Commission for leasing Turkish estates* was established, headed by Milovan Spasić. A significant move by the state, in the context of property relations, was the decision from the end of February 1878 to lease former state, *waqf*, and Muslim refugee properties in the form of an auction. The exception was land owned by lords or *chiflik-sahibis*, whether they stayed in Serbia or left. The peasants were supposed to continue with its previous usage, under conditions that would be later determined by a legislative act. Therefore, it was important for the state that the land is cultivated; that its subjects have the means to pay taxes and surcharges in cash, in conditions of strong depopulation of new regions caused by the emigration of the Muslim population. Regardless, the economic position of the Christian population improved greatly, since instead of many levies under the Ottomans, there were only the above fiscal monetary obligations.<sup>6</sup>

Leasing properties in Leskovac and its surroundings encountered certain difficulties at the beginning, due to the lack of manpower in the *Administration*, as well as

---

6 DAS, MF-E, 1878, Folder I, row 62; F. X, r. 6; MF-A, 1879, F. V, r. 222, Referat o zakupljivanju vakupskih, državnih i dobara onih Turaka, koji su odbegli ili se iselili; P.O, Box 64. Suzana Rajić, *Spoljna politika Srbije. Između očekivanja i realnosti 1868–1878* (Beograd: Srpska književna zadruga, 2015). Jagodić, “Međunarodni aspekt agrarnog pitanja,” 86. Irena Kolaj Ristanović, *Status vakufskih dobara u Kneževini Srbiji (1878–1882). Prilog proučavanju osmanske baštine* (Beograd: Filip Višnjić, Društvo za urbanu istoriju, 2020), 137–74. Nikolić–Stojančević, *Leskovac i oslobođeni krajevi*, 26–38, 47–61, 68, 71–82, 89–112, 181–98. Stojančević, *Leskovac i leskovačka nahija*, 202–25. Stojančević, “Otkup vakufskih imanja u Leskovcu posle oslobođenja 1878. godine,” *Leskovački zbornik* 12 (1972): 135–37. Slobodanka Stojičić, *Agrarno pitanje u novooslobođenim krajevima Srbije posle srpsko-turskih ratova 1878–1907. Pravni i politički aspekt* (Leskovac: Biblioteka Narodnog muzeja, 1987), 19, 20.

the general lack of money among the population. During this work, according to the orders of the higher authorities, it was taken into account that it was about the right of ownership of the Muslim refugees over houses, shops, land, vineyards, meadows, mills, etc. Those who returned had only the obligation to prove their ownership, which would get them the return of goods and rental funds, or only the latter; with a deduction of state costs (most often 5%). As for the chiflik-sahibis, in case of confirmation of property rights, they have still recognized the share agreed with chifchis (tenth, fifth, third, half). The seized harvest from the previous year, according to the decision of the authorities, was not compensated. The return of the Muslims and the return of the property into their hands caused a certain dissatisfaction among the Christian population in the Leskovac area, complaints and demands for their eviction. In some places, there was an open refusal of the peasants to pay their feudal obligations.

This did not stop the authorities, according to the instructions of the government, generally following the stated rules. The confirmation is the case of a certain Murat Adrović, to whom the property in Leskovac was returned (16 small shops), together with the lease for the past period. On the other hand, at the end of 1878, Sulejman H. Mustafić complained that the inhabitants of the Jašunja municipality were holding his land and would not pay rent. He couldn't submit the translated deeds and was refused until the submission of valid papers or the meeting of the *Commission for the examination of agrarian relations*, which was supposed to resolve the disputed issues.<sup>7</sup> Some estates of Muslims with debts went to auctions, which were publicly published in the official newspaper of the Principality - *Srpske novine*. A similar thing happened with a property whose owner died without a will. A public call was made for the heirs to come forward or they would lose their right to it.<sup>8</sup>

In the first months of Serbian rule, there were no fully defined rules on the property of Muslim refugees. However, despite the series of provisional measures and the resolution of disputed issues in progress, as can be seen, the observance of certain principles is noticeable. An example of this is the attitude towards ownership of property and the necessity of its proper use. The Principality of Serbia, as a matter of principle, held onto property rights, without entering into the treatment of how they were established. Accepting the decisions of the Berlin Congress (Article 39) only confirmed the protection of private property and the possibility of the Muslim population to keep immovable property on the territory of the Serbian state, while the issue of the arrangement of former state and waqf property should have become the subject of the interstate commission's work with Ottoman Empire. The second principle, not to allow the property to fall into disrepair or neglect, was reflected in the system of leases and permission for peasants to continue cultivating the estates of the lords/

7 DAS, MF-A, 1879, F. III, r. 47; F. V, r. 222, 224; F. XII, r. 32; F. XVI, r. 41; F. XVII, r. 9. Nikolić-Stojančević, *Leskovac i oslobođeni krajevi*, 88, 96. In 1879, the Muslim refugees complained to the ambassadors of the Great powers in Constantinople and the Porte about the impossibility of freely disposing of the property, its leasing and the difficulties in proving the right of ownership. – Jagodić, "Međunarodni aspekt agrarnog pitanja," 87, 88. Đorđević, "Inostrani komentari zakona o urednju agrarnih odnosa," 59.

8 *Srpske novine* 1878, 654, 669, 761, 859.

chiflik-sahibis. In the Leskovac area, due to the aforementioned lack of staff and financial resources among farmers for leasing, for part of the property (personally owned by a Muslim and the former “paraspor”), the *Administration* prescribed an obligation to give in kind, which would be used for its or the needs of the army.<sup>9</sup> However, during 1878, there was a delay in the lease of certain vineyards and land on which barley, wheat, corn, rye and hemp had previously been sown – vegetation had already begun in earnest. The second problem arose in the village of Vinarce, during the summer of that year, when the inhabitants refused to give a third of the yield, according to the previous principle under the Ottomans. Their example was followed by the peasants of the surrounding countryside, by delaying the delivery of the harvest. In that case, the army intervened and forced the people of Vinarce to hand over the rent.

In Leskovac and its area, for the state, waqf and property without a proven right of ownership or for which no one applied, leasing auctions were also held in 1878 and the following years, until the final solution of any individual ownership issue. From year to year, the government became more and more skilled in leasing and established detailed and clear rules. The in-kind compensation in the harvest was still used for the army, administration and public administration bodies, such as the post office; but also sold at the expense of the state treasury, i.e. when issuing houses, taverns, shops and mills, as well as when it came to fees for grazing or forest cutting, it immediately entered the treasury.<sup>10</sup> In the latter case, some buildings were used to accommodate soldiers, administrative offices and officials' apartments. Poor families, also, settled in some houses in Leskovac, which the local administration tolerated, on condition that they repaired them.<sup>11</sup> It was specific the case of a certain Turk, Mehmed Effendi, who stood up and protected local Serbs from violence right before the liberation, helped establish a new government, and did »other favors« for the Serbian army. The *Leskovac administration* gave him to use an abandoned house, as well as the shop of one of the refugees, as a meeting space for the remaining loyal Muslims. In order to support his family, he was also given a third of the harvest of one estate.<sup>12</sup> The Serbian authorities tried to ensure that the property and the land did not remain empty, but that each received its purpose.

As for colonisation as one of the phenomena in the Newly liberated regions, there were not many abandoned villages in Leskovac country. Two of them were Barje and

9 On the contrary, the local authorities adhered to the position that all the land would be leased by wealthy individuals. They would then give it to the peasants for half or a third, and thus the »tenants of the tithe« from the Ottoman period would be retained, which would not be opportune for the state. – DAS, MF-A, 1879, F. V, r. 222.

10 During 1878, the income from the issued state property was estimated at around 1,500, while in kind from the property fully owned by the refugee Turks up to 40,000 imperial ducats should have been received. Also, 65,600 were obtained from the rented houses, out of a possible 1,300,000 imperial groschen, if all were rented out. – DAS, MF-A, 1879, F. V, r. 222.

11 DAS, MF-A, 1879, F. V, r. 222; 1880, F. VI, r. 114; 1881, F. XIII, p. 58; F. XIV, r. 60; F. XVI, r. 130; 1882, F. XIII, r. 102. Jagodić, “Međunarodni aspekt agrarnog pitanja,” 86. Stojičić, *Agrarno pitanje*, 16–18, 20, 21, 130. Stojičić, “Međunarodni, ekonomski, politički i pravni aspekt agrarnog pitanja u novooslobođenim krajevima Srbije posle srpsko-turskih ratova. Dokumenta - II deo,” *Leskovački zbornik* 21 (1981): 7. Radoš Trebješanin, “Leskovac posle oslobođenja 1877. god,” *Leskovački zbornik* 18 (1978): 281, 282.

12 DAS, MF-A, 1881, F. XII, r. 88.

Igrište, previously inhabited by Albanians, which were completely replaced by settlers, as well as partially neighboring Slavujevce. About thirty poor families, mostly from the vicinity of Vlasotince, Crna Trava and Zaplanje, settled on the Albanian part of Donji Brijanje. It is assumed that something similar happened on the Albanian estates in Podrimac. Soon, these two villages were moved to the Jablanica srez of the Toplica district, where colonisation had a much wider scope.<sup>13</sup>

---

## Legal Solutions and Opposition to Them

---

A very complex legal situation and many specifics in the agrarian relations of the four districts (Niš, Pirot, Vranje and Toplica) assigned to Serbia by the decisions of the Congress of Berlin, forced the government in Belgrade to enact the *Law on Commissions to examine property relations* in January 1879. According to it, two commissions were formed, of which the one for the Niš and Pirot districts was in charge of the area of Leskovac. On the spot, they questioned the residents, individual owners and chiflik-sahibis, assessed yields, checked land deeds, and also carried out individual measurements of the land for the sake of illustration. The commissions also determined that the laws were not respected on the ground during Ottoman times. Their analysis and previous experiences of the administrative authorities served the Serbian government as the basis for the *Law on the Regulation of agrarian relations in the Newly liberated territories*, which was adopted by the *National assembly* on February 15, 1880. It prescribed rules for the regulation of property relations, but it did not deal with completely private, but with the only disputed – divided property, which it also legally defined. In that, a distinction was made between a) the lordships (gospodar-luci), which the peasants held and worked in the sense of heritage - without the right to be expelled from them, and for that they gave him a duty or a ninth of the produce; and b) chifliks on which the Christians as settlers gave to chiflik-sahibis (owners) a different yield ratio, depending on the mutual agreement. Peasants who cultivated the mentioned land for at least one year in the first, i.e. continuously for at least ten years until the arrival of the Serbian government in the second case; were declared the owners, with compensation to the previous beneficiaries of those estates. If the chifchis stayed on the property for less than a decade, the chiflik-sahibis was forced to first offer and eventually cede at the local price, in addition to the house, garden and land the size of five days ploughing per tax head. The former chiflik-sahibis had the right to dispose of the rest of the property without any restrictions.

According to the *Law*, redemption could be done by agreement between interested parties, at any price. If an agreement could not be reached, the value of the property

---

13 DAS, MF-E, 1879, F. XVII, r. 8; 1880, F. I, r. 34; 1881, F. X, r. 5. Jagodić, *Naseljavanje Kneževine Srbije 1861–1880* (Beograd: Istorijski institut, 2004), 131–44. Jovanović, “Leskovačko porečje. Antropogeografska i sociološka studija,” in Borisav Čeliković (ed.), *Dubočica. Naselja. Poreklo stanovništva. Običaji* (Beograd: Službeni glasnik, Srpska akademija nauka i umetnosti, 2019), 83, 84. Jovanović, “Leskovačko polje i Babička gora. Istorijsko-privredna i etnografsko-sociološka istraživanja,” in *Dubočica*, 713.



had to be determined by the average annual income for seven years if the levy was in money and eight years for levies in kind. This had to be done by: (i) assessment of the *State agrarian commission* for each district, within one year after the passing of the *Law*; (ii) court experts in the case of litigation regarding ownership rights at the district courts after the expiration of two year after commissions work. The latter referred to the fact that the manner in which the property was acquired was not entered into, and proving and contesting the right to land ownership was left to the courts. Until the payment of the redemption, the owner of the property was entitled to all (feudal) fees from the property. The law defined the division, partition of redemption and acquisition of ownership rights of individuals, in cases of collective chifchis relationship. The possibility of payment or redemption in kind in five annual instalments, with legal interest, is foreseen. The best case for the peasants was definitely carried by Article 32 - that after two years they become owners without compensation if the previous owner of the right of possession does not appear.<sup>14</sup>

The population's expectations that the ownership of the land they cultivated, with the release from Ottoman rule and the abolition of feudal relations, would actually come/return to their hands were definitely not fulfilled. Through the parliamentary debate on the *Law on the Regulation of agrarian relations*, the thesis of representatives of the opposition parties and deputies from the Newly liberated regions was that it legally confirmed in a large number of cases the violent usurpation of property from the last decades of Ottoman rule in four districts. Deputies Miloš Milojević and Ranko Tajić particularly emphasized the illegal way in which many deeds of land ownership were acquired, as well as the aggressive actions of chiflik-sahibis. Their colleagues underlined the unfairness of the legal solution towards the population of the liberated regions, which could be put in an unenviable economic position, and gave specific examples of abuses under Ottoman rule. Thus, in Grdelica, the husbands of the female descendants of the former sipahis »with pistols« imposed themselves as lords.

The government majority, on the other hand, defended the text of the proposal by referring to international obligations and compensation rights of private property owners. Prime minister and Minister of Foreign affairs Jovan Ristić vividly explained how when the army enters a foreign country, it conquers public rights, not private ones. According to him, the government would like to hand over all property to its new citizens, but due to the decisions of the Berlin Congress, its "hands were tied". The third point of view had international weight. The Muslim owners from the new regions, who had previously on the spot and through the international diplomatic network shown an interest in solving the issue of their property, asked the Assembly to change the legal proposal and to prescribe a significantly higher fee for the purchase, as well as the inclusion of »paraspur«, forests and pastures in the property for which redemption is possible. Upon adoption of the *Law on the Regulation of agrarian*

---

14 DAS, MF-A, 1879, F. V, r. 222. Stojičić, "Međunarodni, ekonomski, politički i pravni aspekt agrarnog pitanja II," 8–13, 16. Jagodić, "Međunarodni aspekt agrarnog pitanja," 86, 87. Nedeljković, *Istorija baštinske svojine u Novoj Srbiji*, 273–89. Stojičić, *Agrarno pitanje*, 21–27.

*relations*, the Ottoman Empire strongly protested against it, holding that it violated the letter of Article 39 of the Treaty of Berlin, which talks about the property rights of Muslims. There are indications that the Ottoman government even advised its subjects not to participate in the work of the agrarian commissions. Its initiative for the Great powers to act collectively to abolish this act, as a means for covert expropriation of the private possessions of Ottoman citizens, despite several interventions, was not successful.<sup>15</sup>

The pressure had an impact primarily on the other side, on the Serbian government, which was afraid of such a scenario. Because of that, it additionally ordered the commissions to act strictly according to the Law. The action of lawyer Sulejman Zumberović, a Turk from Leskovac, and a legal representative in numerous agrarian disputes, was taken particularly seriously. During the summer of 1881, on behalf of allegedly 5,000 Muslims from the Leskovac region, he submitted protests to the ambassadors of the Great Powers in Constantinople, as well as to foreign representatives and the authorities in Belgrade, against the unrealistically low valuations of property in the Newly liberated regions.<sup>16</sup> In order to prevent further international momentum of that action, the Serbian government sent a delegate, the judge of the Court of appeal Dimitrije Marinković – the latter Minister of justice and Internal affairs – to the new regions, for the purpose of stronger control and supervision over the work of the commissions. Among other things, in October of the same year, he witnessed the demolition of a large number of Turkish houses in Leskovac; of which the timber was sold at an auction and went to the state treasury, without payment to the owners. The explanations that they were prone to fall or located on the street regulation lines in the town did not seem convincing.<sup>17</sup> Marinković gave instructions that the mentioned action should be carried out in compliance with the legal procedure, with the issuance of documents, the right to appeal, and compensation. Regarding the non-handing over the right of property in the Leskovac area to Muslims, he ordered the local authorities to do or issue a certificate for why not doing so. In his reports, the government's plenipotentiary also noted the leasing of Turkish properties as an example of the improper handling of local authorities in the process of proving ownership rights and in disagreement with the orders of the state authorities.<sup>18</sup>

New attempts by the Porte and some representatives of the Muslims the following year, following the same recipe, in which mentioned Sulejman Zumberović from Leskovac appeared as the initiator among others, were again rejected due to the

15 MF-A, 1879, F. V, r. 222. Jagodić, "Međunarodni aspekt agrarnog pitanja," 89–91. Stojičić, "Međunarodni, ekonomski, politički i pravni aspekt agrarnog pitanja II," 13–29. Danijel Radović, *Jovan Ristić (1829–1899): biografija srpskog državnika* (Prometej: Novi Sad, 2023), 430, 431. Đorđević, "Inostrani komentari zakona o uređenju agrarnih odnosa," 59–75. Compare with: Đorđević, *Evropa i jug Srbije posle Berlinskog kongresa* (Leskovac: Narodni muzej, 1992). Stojičić, *Agrarno pitanje*, 27–34.

16 Zumberović particularly complained about the commission's work in two Leskovac villages, Šainovac and Presečina, where the value of the property was allegedly cut in half. – DAS, MF-Z, 1883.

17 Actually, that happened in the first few months of the Serbian administration. There are reports that the army demolished more than a hundred houses and damaged the others significantly. Despite the orders of the High Command and the civil authorities, it was difficult to stop soldiers from doing it. – MF-A, 1879, F. V, r. 222.

18 DAS, MF-A, 1881, F. IX, r. 114. Đorđević, *Evropa i jug Srbije*, 39, 40, 44–47.

insufficient interest of the Powers to take a collective stand on this complex issue. The adoption of the *Law on agrarian loan* and the conclusion of foreign loans to compensate Muslim owners in November 1882 put an end to any further controversy about the need for international intervention. Concurrently, that law also helped the population of the new regions. The ransom that the peasants had to pay for the land was taken over by the state treasury, which made Serbia a creditor to the population in the Newly liberated regions, which had to pay the agrarian debt in equal annual or semi-annual instalments over a period of 15 to 25 years, with interest not greater than the one under which the state borrowed money abroad. For this purpose, a special *Agrarian loan fund* was to be formed in the *Serbian National loan administration*, in which all money from debtors, as well as from properties sold at auction in case of irregular payment, was to be deposited.<sup>19</sup>

---

### On the Ground

---

There were numerous difficulties in the application of legal solutions on the spot. One of them was the doubtful deeds of Muslims for possessions over forests and pastures, which had not been possible even under Ottoman law, since it had been a common property. Then, some Turks stole cattle and many movables from the peasants while moving away from their properties, so it was necessary to take compensation into account during the redemption. In both cases, the state reacted and gave appropriate instructions to the courts. Gornje Sinkovce is the proof that these instructions were followed, showing in 1882 the claims of the peasants according to the police censuses were deducted from the total debt owed to the lord Mustafa Suljković. Immediately at the beginning the agrarian commissions arose also the question of the representative's power of attorney. The government in Belgrade was of the opinion that it would not recognize documents certified by Ottoman local authorities. Powers of attorney could only be issued by the Serbian police and judicial authorities, or by its Legation in Constantinople. Deeds and extracts from the central heritage book of the Ottoman Empire were also taken into consideration. Municipal certificates and witness statements and were not recognized – until 1888 when they were allowed under certain conditions. The recommendation was for the owners to come to Serbia with their attorney and get the necessary document notarised there.<sup>20</sup>

In cases where the beneficial owner of the property was not present or lacked valid documents with the attorney, the agrarian commissions made decisions without it. Therefore, in the following period, it happened that many decisions were reviewed by

---

19 DAS, MF-Z, 1883. Branko Peruničić (ed.), *Zulumni aga i begova u Kosovskom vilajetu* (Beograd: Nova knjiga 1989), 48–51. Stojičić, “Međunarodni, ekonomski, politički i pravni aspekt II,” 34–36. IV, *Leskovački zbornik* 23 (1983): 4–7. Stojičić, *Agrarno pitanje*, 41–50. Đorđević, *Evropa i jug Srbije*, 47–53. Jagodić, “Međunarodni aspekt agrarnog pitanja,” 91–95.

20 DAS, MF-A, 1880, F. VI, p. 114; F. IX, r. 114. Stojičić, “Međunarodni, ekonomski, politički i pravni aspekt III,” *Leskovački zbornik* 22 (1982): 23–25, 30–32; IV, 7–13, 54, 55. Stojičić, *Agrarno pitanje*, 50, 51.

the II department of the Niš's District Court in Leskovac, as the competent authority. This was also encouraged by the Serbian government, which sent instructions to the courts that in all cases of delayed power of attorney, in which a repetition of the court procedure is requested, it should be reviewed. Also, due to the diversity of court decisions in agrarian disputes in the new regions, appeals to the Court of cassation have been made possible since 1887, according to the regulations of civil court procedure. However, assessments for some lands in area of Leskovac immediately became legally binding, such for example those for the properties in Brestovac of a certain Mehmed Bey from Niš, and Mehmed Fuad Bey from Leskovac in Turekovac, properties in Miroševce, Šainovac, Šišince, Bogojevce, Vlase and Kamenica, Priboj and other places, all resolved during 1881.<sup>21</sup> A very favourable case befell a certain Stanko from the village of Zoljevo, to whom the former lord Avda, as a sign of gratitude for transporting him with his belongings during the panic eviction in 1877, gave deeds to a mill and land.<sup>22</sup>

The problem arose on the part of the peasants, who after a year or two could no longer pay the ransom. According to the above *Law on agrarian loan*, the debt was settled by the state. Such a decision was not final, and it has waited for a decree on the interest, length and amount of repayment instalments, as well as the eventual division of the inheritance among individuals. Due to untimely notifications and delay in the decision on the amount of interest under the mentioned *Law*, at the end of 1883 there was confusion regarding the collection of claims. Certain villages paid according to the decisions of the agrarian commissions through the local authorities to the *Ministry of finance*, with the old interest rate, even though their debt was paid by the *National loan administration*. It also happened that money was deposited into the account of Muslim owners who had not applied for redemption. An example is the residents of the village of Bukova Glava in Leskovac area, who managed to pay the entire debt by 1883, without even knowing the whereabouts of their former lord, Mahmut Mustarić.<sup>23</sup>

The settlement of disputed questions about ownership and compensation, between former feudal lords and peasants lasted several years and caused a huge amount of work for the judiciary. In the Leskovac region, the II department of the Niš district court decided on numerous cases, with a wide range of disputed issues. For the sake of illustration, only a few will be mentioned. For the estates of Mahmud bey Durmišević and Husein bey Azis Begović in Jašunja, the translated powers of attorney for the representatives at the agrarian commission were not submitted in time in 1881. The revision of the valuation was done four years later, when, according to the assessment carried out by going out into the field, along with the confirmation of the absolute ownership of the peasants, the compensation of (feudal) income from the

21 DAS, MF-Z, 1883; 1884. Stojičić, "Međunarodni, ekonomski, politički i pravni aspekt II," 36–39; III, 44, 45; IV, 7–9, 65–68. Stojičić, "Drugo odeljenje suda okruga niškog sa sedištem u Leskovcu," *Leskovački zbornik* 14 (1974): 177–86. Stojičić, *Agrarno pitanje*, 50–52, 158, 159. Đorđević, *Evropa i jug Srbije*, 49, 50. Nedeljković, *Istorija baštinske svojine u Novoj Srbiji*, 289–91.

22 Jovanović, "Leskovačko polje i Babička gora," 623.

23 DAS, MF-Z, 1883.

estate for the mentioned period was also included in the purchase price of the property. The verdicts coincided – nominal a term of five years and 6%, divided among the new owners, also in Kutleš 1884. A new expertise assessment was also carried out in Radonjica, Razgojna, Čifluk Razgojski and Strojkovce, where there were even nine lords or chifluk-sahibis. In all the mentioned cases, the awarded sum was paid from the funds of the *Agrarian loan fund*, which indebted the peasants by placing a mortgage on their property.

In some litigations, there were changes in the scope of property holdings. The previous decision of the agrarian commission from 1881 was annulled for the property of Ismail Bey Husein Pašić in Velika Kopašnica, and in the regular court proceedings in 1886, a new verdict was determined, with a supplemented list of assets and the total amount. The peasants needed to nominal pay it back within five years, with an interest rate of 6% annual interest, actually the state assumed to foot it from the *Agrarian loan fund*. The expertise found an additional 120 dunums of Husein Zajma Sali Zajimović and his wife Atidja land in Donja Slatina, for which the peasants had to give the feudal obligations in money until October 1884, when the verdict was passed. New property assessments were also evaluated in Beli Potok.<sup>24</sup> The case of the villages of Badince, Dupljane, Brejanovce, Miroševce, Gornje Stopanje and Donje Sinkovce testifies that there was not always expertise and litigation in cases of disputed land ownership. In the period from 1883 to 1885, the inhabitants of these places reached a settlement with the former lords. They hand over the ownership of all the lands to them, at the agreed purchase price.<sup>25</sup> The mentioned »best case« for the peasants happened in Beli Potok, Todorovce, Presečina, Kutleš and Razgojna, where certians Zair and Omer, Jašar, Mula Alija, Ibrahim bey Takogliya and Sait Zaimović did not appear at all with property claims.<sup>26</sup> The settlement of disputes in the Leskovac region was prolonged in many cases, such as the new dispute in Badince, which was processed in 1888.<sup>27</sup> The Serbian government also continued to give instructions for disputed issues. In 1889 it warned that Muslim properties could not be sold for the purpose of executing court cases if there is no certificate of the debtor's ownership; as well as about the appearance of false powers of attorney. In February 1891, the local authorities were informed that the deadline for reporting disputes regarding economic and chiflik-sahibis properties had expired in 1884, except for property fully owned by Muslims.<sup>28</sup>

A specific phenomenon in the agrarian relations in the Newly liberated regions of Serbia were Christian feudal lords, rich people who bought properties from Muslims: a) during the Ottoman rule, the so-called »baptized lords«, b) just before the end of it or when Muslims left this area at low prices, correctly counting on the higher

24 Stojičić, "Međunarodni, ekonomski, politički i pravni aspekt I," *Leskovački zbornik* 20 (1980): 280–86; II, 68–71; 86–96; III, 8–10, 14–16, 23–25.

25 DAS, MF-A, 1879, F. V, r. 222. Stojičić, "Međunarodni, ekonomski, politički i pravni aspekt II," 37–39, 60–63; III, 26–28, 48–50; IV, 43–46, 59, 60; V, *Leskovački zbornik* 25 (1985): 534, 535; VI, *Leskovački zbornik* 26 (1986): 39, 40.

26 Jovanović, "Poslednje age i begovi," 145. Stojičić, "Međunarodni, ekonomski, politički i pravni aspekt II," 95; III, 16.

27 Stojičić, "Međunarodni, ekonomski, politički i pravni aspekt III," 3–5. Jovanović, "Leskovačko porečje," 82, 191.

28 Stojičić, "Međunarodni, ekonomski, politički i pravni aspekt IV," 13–17, 28, 29.

regular value afterward (among them were civil servants and officials of agrarian commissions). In 1878, the Serbian government itself allowed the possibility of buying Turkish estates by local subjects, with the only recommendation that they pay attention to the validity of ownership rights.<sup>29</sup> Among the »baptized lords«, there were individuals who had treated the peasants worse than the Turks. An example is the merchant Neško Mitrović, who was complained about by the villagers from Vučje, in the vicinity of Leskovac. He had several estates in this area. It is evidenced by his dispute with the peasants of Nakrivanjski Čifluk for ownership of land, a mill, a tavern and three houses. After the judges went to the field in 1883, they had to pay him 400 imperial ducats for redemption. In Bogojevac, the lordship was in the name of local merchant Petar Živković, and in Gornji Bunibrod of Kosta Ilić from Vlasotince.

Among the mentioned “baptized lords” were Stojan Mladenović, a merchant from Leskovac, who kept a certain part of the property in the village of Razgojna, as well as Grigorije and Žiško Kostić, with chifliks in Strojkovac. According to the court rulings from the same year, it can be seen that the latter village had two more Serbian lords - a certain Gligorije Kocić and Jorgač Kostić (also appears in the nearby Presečina, Nakrivanj and Čukljenik), whose heirs have also compensated the value of the property, with uncollected income from the previous period. The same nominal principle of interest of 6% in five years was applied, as with Muslim owners’ disputes, and actually paid from the *Agrarian loan fund*. In nearby Žabljane, the estate of a certain Sulje Alilović was bought in 1884 by Pirče Dimitrijević, a tailor from Leskovac, who asked the peasants to move out of it. A characteristic case was the purchase of land from Turkish lords after 1878 in Vinarce and Zalužje, which was carried out by Jews from Leskovac, certain Musan and Avram. Finally, there was a smaller number of Muslims who kept part of their former properties and managed them mainly through representatives and intermediaries – there were about thirty in Leskovac 1885.<sup>30</sup>

---

## Epilogue

---

The Principality of Serbia found complicated property-legal relations in the Newly liberated lands. From 1878 to 1882, it did a lot of work on their solution. In the mentioned period, the state determined the situation on the ground, defined the provisional principles of work, then the legal framework for regulation, agrarian commissions made assessments and made decisions on the amount of debt, and in 1882, litigation proceedings regarding disputed possessions began. The final step in that process was the adoption of the *Law on agrarian loan*. Payments to the state, however, were irregular in many

---

29 DAS, MF-A, 1879, F V, r. 222.

30 Ibidem. DAS MF-Z, 1883; 1884. Stojičić, “Međunarodni, ekonomski, politički i pravni aspekt I,” 278–80; II, 19, 21, 69, 70; 73–78, 91–96; IV, 19, 20. Jovanović, “Poslednje age i begovi,” 144, 145. Jovanović, “Leskovačko polje i Babička gora,” 513, 615. Vidosava Stojančević, “Leskovac i leskovački kraj u prvim godinama posle oslobođenja od Turaka,” *Leskovački zbornik* 18 (1978): 145, 146, 164–95. Stojičić, *Agrarno pitanje*, 18, 19, 36, 38–41. Trebješani, “Leskovac posle oslobođenja,” 282, 283.

cases. In March 1890, *the National assembly* passed an amendment to the *Law on agrarian loan*, according to which, for easier collection, the entire sum of the debt could be divided among individual owners, according to the proportion of the land that belonged to each. It was possible by the request of the residents or wherever it seemed necessary. At the same time, applying for the *Agrarian loan* was limited until May 13, 1890.<sup>31</sup>

The introduction of the money system in the village brought many problems for the people accustomed to in-kind levies. Already in the first year after the completion of the work of the agrarian commissions, a certain number of peasants could not pay the instalments for the purchase of the land. The *Law on agrarian loan* (1882) somewhat alleviated their position and delayed their decline. But, after some time some owners had to sell their property due to debts and became landless – again servants of rich landlords. Some estimates are that there were more than 40 such cases in Leskovac county. Some of them were a certain Đorđe Ristić from Radonjica, who was “forced” to sell his property to Leskovac merchant Nikola H. Milenković. Mita Pop-Stankova from Golema Njiva, families Tačini and Bikini in Grajevac, and some families in Donji Bunibrod also fell into debt. By buying or through bidding on auctions the land of agrarian debtor’s Jovan Ćosić in Strojkovce and Šainovac, Milan Tonkić in Brza, and certain Dorka Čuljković acquired larger estates. They were requests to the *National assembly*, from the villages of Jašunje or Razgojna (1887 and 1888), that due to the impossibility of repayment, the state should make concessions, so that the population would not resort to alienating their property. The answer in both cases was that the *Law on agrarian loan* had already provided enough relief.<sup>32</sup> The government considered that it had already done enough for the peasants in the regions liberated in 1878.

Changes took place with the arrival of the People’s Radical Party in power in the country, which previously was the most opposed to the legal solutions of liberals and progressives. According to the *Law on the repayment of Agrarian loan* in 1891, the peasants were forgiven all interest from the previous period but also allowed to give in kind for repayment. Thus, peasants from villages in the Leskovac area, such as Beli Potok, according to the letter of this *Law* achieved reprogramming of the debt. In addition to the forgiveness of interest, they were given a 25-year term and semi-annual interest rate of 4.25% for the payment of the remaining obligations. The next step was made with amendments to that *Law* in 1902. With it all interest was again forgiven, a one-time depreciation of 2% was introduced on the remaining amount of the debt, and a deadline of 20 years was given for the payment of only the principal debt. The final step in the liquidation of the agrarian problem took place in 1907 when the state forgave the remaining amount of loans to all the remaining 14.000 debtors. In addition, the state returned a third of the price to peasants who sold their properties due to agrarian debt and were left without the required legal minimum of lands.<sup>33</sup>

31 Stojičić, “Međunarodni, ekonomski, politički i pravni aspekt II,” 39; IV, 25–29. Stojičić, *Agrarno pitanje*, 55–59.

32 Stojičić, “Međunarodni, ekonomski, politički i pravni aspekt IV,” 22–24; V, 11, 12. Stojičić, *Agrarno pitanje*, 52, 53. Jovanović, “Poslednje age i begovi,” 146, 148. Jovanović, “Iz istorije agrarne svojine u Leskovačkom porečju,” 32. Jovanović, “Leskovačko porečje,” 82, 169. Jovanović, “Leskovačko polje i Babička gora,” 520, 548, 576.

33 DAS, MF-Z, 1891. Jovanović, “Poslednje age i begovi,” 146, 148. Stojičić, “Međunarodni, ekonomski, politički i pravni aspekt IV,” 1–5; V, 514–34; VI, 3–30. Stojičić, *Agrarno pitanje*, 55–126.

---

## Conclusion

---

The population in the regions liberated from Ottoman rule in 1877/1878 expected, following the example of the previous reform in the Principality of Serbia in the 1830s, that with the abolition of feudal relations they would attain full ownership of the cultivated land. That, however, did not happen. Serbia respected private property rights, thereby avoiding international interference in its newly recognized independence, despite the irregularities and violence through which Muslim owners had previously acquired lands in a significant number of cases. With the liberation, the social status of Christians has significantly improved. As for their economic positions, similar to the various specifics of agrarian relations, there was a wide spectrum of scenarios concerning what happened to the peasants. About 20 years after annexation, the government's decision to forgive the remaining debts and partially compensate for the sale of property finally resolved the agrarian issue in four new districts of Serbia. A little more than a century later, the importance of land relations in the Leskovac area is still evident through the presence of villages with names from the history of agrarian relations, such as Nakrivanjski Čifluk, Bunuški Čifluk and Čifluk Razgojnski, along with numerous local toponyms.

---

## Sources and Literature

---

### Archival sources

---

- DAS – Državni arhiv Srbije:
  - MF-A – Ministarstvo finansija, Administrativno odeljenje.
  - MF-E – Ministarstvo finansija, Ekonomno odeljenje.
  - MF-Z – Ministarstvo finansija, Uprava državnih dugova.
  - P.O – Pokloni i otkupi.

### Literature

---

- Demeter, Gábor. *Agrarian Transformations in Southeastern Europe (from the late 18<sup>th</sup> century to World War II)*. Sofia: Institute for Historical Studies, 2017.
- Dimitrijević, Sergije. *Agrarni odnosi za vreme Turaka u Leskovačkom kraju*. Leskovac: Narodni muzej, 1951. (Serbian Cyrillic)
- Đorđević, Miroslav R. *Evropa i jug Srbije posle Berlinskog kongresa*. Leskovac: Narodni muzej, 1992. (Serbian Cyrillic)
- Đorđević, Miroslav R. "Inostrani komentari zakona o uređenju agrarnih odnosa u novooslobođenim krajevima Srbije od 1880. godine." *Leskovački zbornik* 18 (1978): 57–75. (Serbian Cyrillic)
- Filipović, Milenko S. "Agrarno-pravni odnosi zvani paraspor ili paraspur." *Leskovački zbornik* 5 (1965): 5–15. (Serbian Cyrillic)



- Jagodić, Miloš. "Međunarodni aspekt agrarnog pitanja u Srbiji (1880–1882)." In Miloš Jagodić (ed.). *Pirot – od turske kasabe do modernog grada, preko Berlina i Versaja*. Zbornik radova, 85–95. Pirot: Istorijski arhiv, 2018. (Serbian Cyrillic)
- Jagodić, Miloš. *Naseljavanje Kneževine Srbije 1861–1880*. Beograd: Istorijski institut, 2004. (Serbian Cyrillic)
- Jagodić, Miloš. "Prilog proučavanju agrarnih odnosa u Niškom sandžaku sredinom 19. veka." *Srpske studije* 8 (2017): 312–19. (Serbian Cyrillic)
- Jovanović, Jovan V. "Iz istorije agrarne svojine u Leskovačkom porečju." *Leskovački zbornik* 1 (1961): 28–32. (Serbian Cyrillic)
- Jovanović, Jovan V. "Leskovačko polje i Babička gora. Istorijsko-privredna i etnografsko-sociološka istraživanja." In Borisav Čeliković (ed.). *Dubočica. Naselja. Poreklo stanovništva. Običaji*, 277–765. Beograd: Službeni glasnik, Srpska akademija nauka i umetnosti, 2019. (Serbian Cyrillic)
- Jovanović, Jovan V. "Leskovačko porečje. Antropogeografska i sociološka studija." In *Dubočica*, 8–276. (Serbian Cyrillic)
- Jovanović, Jovan V. "Poslednje age i begovi u Leskovačkom porečju." *Leskovački zbornik* 3 (1963): 143–51. (Serbian Cyrillic)
- Kolaj Ristanović, Irena. *Status vakufskih dobara u Kneževini Srbiji (1878–1882). Prilog proučavanju osmanske baštine*. Beograd: Filip Višnjijć, Društvo za urbanu istoriju, 2020. (Serbian Cyrillic)
- Ljušić, Radoš. *Kneževina Srbija 1830–1839*. Beograd: Zavod za udžbenike i nastavna sredstva, 2004. (Serbian Cyrillic)
- Miljković Katić, Bojana. *Poljoprivreda Kneževine Srbije (1834–1867)*. Beograd: Istorijski institut, 2014. (Serbian Cyrillic)
- Nedeljković, Branislav M. *Istorija baštinske svojine u Novoj Srbiji od kraja 18 veka do 1931*. Beograd: Izdavačko i knjižarsko preduzeće Geca Kon, 1936. (Serbian Cyrillic)
- Nikolić–Stojančević, Vidosava. *Leskovac i oslobođeni krajevi Srbije 1877–1878. godine. Etničke, demografske, socijalno-ekonomske i kulturne prilike*. Leskovac: Biblioteka Narodnog muzeja, 1975. (Serbian Cyrillic)
- Radović, Danijel. *Jovan Ristić (1829–1899): biografija srpskog državnika*. Prometej: Novi Sad, 2023. (Serbian Cyrillic)
- Rajić, Suzana. *Spoljna politika Srbije. Između očekivanja i realnosti 1868–1878*. Beograd: Srpska književna zadruga, 2015. (Serbian Cyrillic)
- Savić, Aleksandar M. *Kneževina Srbija i Osmansko carstvo (1839–1858): doktorska disertacija*. Beograd: Univerzitet u Beogradu, Filozofski fakultet, 2021. (Serbian Cyrillic)
- Spasić, Milovan. "Podatci o agrarnim odnosima hrišćana u oslobođenim krajevima, okruga topličkog i vranjskog, za vreme turske vladavine." *Glasnik Srpskog učenog društva* 71 (1890): 219–58. (Serbian Cyrillic)
- Srdanović–Barać, Olga. *Srpska agrarna revolucija i poljoprivreda od Kočine krajine do kraja prve vlade Kneza Miloša (1788–1839)*. Beograd: Srpska akademija nauka i umetnosti, 1980. (Serbian Cyrillic)
- Stojančević, Vidosava. "Leskovac i leskovački kraj u prvim godinama posle oslobođenja od Turaka." *Leskovački zbornik* 18 (1978): 129–201. (Serbian Cyrillic)
- Stojančević, Vladimir. *Leskovac i leskovačka nahija u XIX veku (1804–1878)*. Leskovac: Biblioteka Narodnog muzeja, 1987. (Serbian Cyrillic)
- Stojančević, Vladimir. "Otkup vakufskih imanja u Leskovcu posle oslobođenja 1878. godine." *Leskovački zbornik* 12 (1972): 135–39. (Serbian Cyrillic)
- Stojičić, Slobodanka. *Agrarno pitanje u novooslobođenim krajevima Srbije posle srpsko-turskih ratova 1878 – 1907. Pravni i politički aspekt*. Leskovac: Biblioteka Narodnog muzeja, 1987. (Serbian Cyrillic)
- Stojičić, Slobodanka. "Drugo odeljenje suda okruga niškog sa sedištem u Leskovcu." *Leskovački zbornik* 14 (1974): 177–92. (Serbian Cyrillic)
- Šešum, Uroš S. *Srbija i Stara Srbija (1804–1839)*. Beograd: Filozofski fakultet, Univerzitet u Beogradu, 2017. (Serbian Cyrillic)

- Terzibaşoğlu, Yücel. “Landed Estates, Rural Commons and Collective Agriculture in Ottoman Niş and Leskofçe in the Nineteenth Century.” *Turkish Historical Review* 13 (2022): 343–71. <https://doi.org/10.1163/18775462-bja10036>.
- Trajković, Dragoljub. “Okolo Leskovačkog zakona od 27. zilkade 1275. godine.” *Leskovački zbornik* 4 (1964): 137–41. (Serbian Cyrillic)
- Trebješanin, Radoš. “Leskovac posle oslobođenja 1877. god.” *Leskovački zbornik* 18 (1978): 279–93. (Serbian Cyrillic)

### Periodicals

---

- *Srpske novine*, 1878. (Serbian Cyrillic)

### Published sources

---

- Stojičić, Slobodanka. “Međunarodni, ekonomski, politički i pravni aspekt agrarnog pitanja u novo-oslobođenim krajevima Srbije posle srpsko-turskih ratova. Dokumenta.” Part I. *Leskovački zbornik* 20 (1980): 273–86; Part II. 21 (1981): 1–96; Part III. 22 (1982): 1–54; Part IV. 23 (1983): 1–68; Part V. 25 (1985): 513–41; Part VI. 26 (1986): 1–40. (Serbian Cyrillic)
- Branko Peruničić (ed.). *Zulumi aga i begova u Kosovskom vilajetu*. Beograd: Nova knjiga 1989. (Serbian Cyrillic).

## Miroslav Radivojević

---

# REFORME PRAVIC DO ZEMLJIŠKE POSESTI NA OBMOČJU LESKOVCA PO BERLINSKI POGODBI (1878–1882)

---

### IZVLEČEK

---

Območje Leskovca je bilo osvobojeno leta 1877/78 med drugo srbsko-turško vojno. Muslimansko prebivalstvo je večinoma bežalo v naglici in za seboj pustilo hiše, osebne predmete ter premično in nepremično premoženje. V prvih mesecih srbske vladavine za to premoženje ni bilo povsem jasnih pravil. Kljub vrsti začasnih ukrepov in napredku pri reševanju sporov pa je mogoče opaziti upoštevanje nekaterih načel. Primer tega je odnos do lastništva nad posestjo in nujnosti njene ustrezne uporabe. Kneževina Srbija je načeloma ohranila lastninske pravice, ne da bi se ukvarjala s tem, kako so bile vzpostavljene. Drugo načelo – da posest ne sme propasti ali se zanemariti – se je izražalo v sistemu zakupov in dovoljenj kmetom, da še naprej obdelujejo posestva fevdalcev/čitluk-sahibij. Zaradi zelo zapletenega pravnega položaja in številnih posebnosti v agrarnih odnosih štirih okrožij (Niš, Pirot, Vranje in Toplica), ki so v skladu z odločitvami Berlinskega kongresa pripadla Srbiji, je morala vlada v Beogradu januarja 1879 sprejeti *Zakon o ustanovitvi komisij za preučitev lastninskih razmerij*. V skladu s tem zakonom sta bili ustanovljeni dve komisiji, pri čemer je bila komisija za okrožji

Niš in Pirot pristojna tudi za območje Leskovca. Na podlagi analize, ki sta jo opravili komisiji, in predhodnih izkušenj upravnih organov je srbska vlada oblikovala *Zakon o ureditvi agrarnih odnosov na osvobojenih ozemljih*, ki ga je narodna skupščina sprejela 15. februarja 1880. Naslednji korak je vključeval sprejetje *Zakona o agrarnem posojilu* in sklenitev tujih posojil za poplačilo odškodnine muslimanskim lastnikom novembra 1882, s čimer so se končale vse nadaljnje razprave glede potrebe po mednarodnem posredovanju. Medtem so agrarne komisije pripravile ocene in odločale o višini dolga, leta 1882 pa so se začeli sodni postopki v zvezi s spornimi posestmi. Reševanje sporov med nekdanjimi fevdalci in kmeti glede lastništva in odškodnin je trajalo več let in je zelo obremenilo sodstvo. Uvedba denarnega sistema v vaseh je ljudem, vajenim dajatev v naravi, povzročila številne težave. *Zakon o agrarnem posojilu* je nekoliko olajšal njihov položaj in upočasnil njihov propad. Sčasoma pa so morali nekateri lastniki zaradi dolgov prodati svojo posest, tako da so ostali brez zemlje in so se morali spet udinjati bogatim posestnikom. Po več spremembah *Zakona o ureditvi agrarnih odnosov* in *Zakona o agrarnem posojilu* ter sprejetju novega *Zakona o vračilu agrarnega posojila* iz leta 1891 in njegovih spremembah iz leta 1902 je bil zadnji korak pri reševanju agrarnega problema narejen leta 1907, ko je država vsem preostalim 14.000 dolžnikom odpisala preostali znesek posojil.