

TRACES OF SERBIAN NATIONAL-ECCLESIAL AUTONOMY IN THE HABSBURG MONARCHY IN SEVERAL DOCUMENTS FROM BAČKA AT THE TIME OF THE 1730S UPRISING

UDC 271.222(436-89)"17"

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Abstract. *The history of the Serbian people in the Habsburg Monarchy during the 18th century was marked by the struggle for the preservation of national-ecclesial autonomy, developed on the basis of the Privileges of Emperor Leopold I issued in the period from 1690 to 1695. The position of the people was influenced, more than the authorities of the Metropolitanate, by the territorial authorities. In the first half of the 18th century, frequent malversation by the lords, Chamber officials, and military authorities led to numerous paysans, and especially military rebellions. In this place, on the basis of sources and relevant literature, the question of the jurisdiction of the lowest authorities is discussed, using the concrete example of the uprising in Bačka during the 1730s. It can be seen that local authorities did not have executive authority, but only certain judicial authority within the community or, based on Privileges, they could address petitions to the Court. Also, it is noticeable that in all the actions of the Metropolitanate of Belgrade and Karlovci, they attempted to never violate Serbian privileges, as a higher interest, but to maintain their privileged status as much as possible.*

Key words: *Neo-aquistics, Court Chamber, Cameralism, The Metropolitanate of Belgrade and Karlovci, Serb Privileges*

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The Great Turkish War (1683–1699) and Great Migration under archbishop Arsenije III (Čarnojević) are turning points in the history of the Serbian nation. In the area that came under the rule of the Habsburg Monarchy, the Commission of Neo-Acquistic was founded in 1688, whose task was to regulate property relations. The Commission of New Acquisitions also had the assignment to coordinate the functioning of authorities in recently acquired territories and to regulate fiscal policy, and political relations with the

Received November 30, 2022 / Accepted January 18, 2023

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church and population. The Commission was dissolved in the period from 1702 to 1709, but at the time of Emperor Karl VI it was reestablished. The Commission of Neo-Acquistic comprised representatives of the Court War Council and the Court Chamber. Members of both institutions in joint sessions adjusted their positions on petitions regarding newly acquired territories (Ђорђевић 2015, 137). Although members of both institutions made decisions in joint sessions, dominance was on the side of military authorities (Ђорђевић и Добросављевић 2019, 158, 160–162; Ingraо 2014, 79–80; Reinalter 2002, 208). Since a larger part of Serbian population under the Habsburg rule lived in newly acquired territories, the Commission had a decisive role in defining the social and political position of the Serbian nation in the first half of the 18th century.

The cameralist policy that the Viennese court conducted implied well-populated territories, for empty lands were of no value for the state without a population which could produce. Populating was one of the top priority activities for the state. In newly acquired areas, old feudal estates were renewed, but under the provision that feudal lords prove their ownership with original charters. Since that was impossible in most cases, many estates were left with no lord and were put under the competence of the chamber. These state estates became an important means of state power. They were divided into partially populated settlements, devastated border built-up areas and imperial estates (Ђорђевић и Добросављевић 2019, 159; Senz 1987, 40–42).

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The life of the Serbian people in the Habsburg Monarchy during the 18th century was essentially defined by the privileges that the Habsburg court announced in the period from 1690 to 1695. By the first Privilege of August 21, 1690 the Serbian church was acknowledged as a public institution of the Habsburg Monarchy, with the rights to manage, perform services, and educate (*potestas iurisdictionis, ordinis, magisterii*) (Самарцић 1994, 527). The Second Privilege of August 20, 1691 widened the Serbian autonomy, recognizing Arsenije III as the spiritual and secular leader of the Serbian people, and confirmed his right of caducity from Orthodox believers and clergy with no heirs (Веселиновић 1976, 37). That created Serbian national-ecclesial autonomy in the Habsburg Monarchy that was abolished only by the Declaratory of 1779 and *Consistorial-Systema* of 1782, i.e. it was reduced to an ecclesial-educational one (Радонић и Костић 1954, 48). That made all the Serbs in the Habsburg Monarchy dependent in spiritual and secular matters on the archbishop, and by this he *de iure* became *caput nationis* (Микавица, Лемајић, Васин и Нинковић 2016, 127; Микавица, Гавриловић и Васин 2007, 47). The emperor Leopold I had, on March 4, 1695 through the patent¹ via the Hungarian Court Office, confirmed the secular and spiritual competences of the archbishop, his freedom to name bishops, and the freedom of denomination to the Serbian people (Радонић и Костић 1954, 55–94). Since those were provisional documents, they required confirmation when a new ruler was taking the throne. In a confirmation issued by Emperor Karl VI in 1713, *clausula salvo iure alieno* (Гавриловић 1991, 12; Микавица 2015, 25–26, 33) was also included. Since privileges were not adopted at the Diet of Hungary, Emperor Karl VI, through the Hungarian Court

¹ This patent is the last, third privilege Habsburg rulers gave to Serbian people.

Office, on April 10, 1715 issued Protective Letter for Serbs in Hungary that guaranteed the privileged status of the Serbian people (Гавриловић 1994, 131; Микавица 2015, 47–48).

Rescripts and Declaratoria from 1727, 1729, 1732 and 1734 defined that the metropolitan could not have rights in “political, civil and communal matters”, since they are related to the subjects’ allegiance pledge to the ruler, and to the subjects’ duties. Secular authority, “by the grace of God”, was embodied in the ruler. These rescripts state that the *caput nationis* is not the Metropolitan, but the emperor, whereas the metropolitan is a mediator between the emperor and the people in cases related to privileges, where people cannot exercise their rights through the institutions (Микавица, Лемајић, Васин и Нинковић 2016, 160; Гавриловић 1983, 241–256).

Deputies to the Congress at Sremski Karlovci in 1732 came from all over Metropolitanate of Belgrade and Karlovci and had powers of attorney that stated they are free to do “whatever is needed to defend privileges”. In its demand to revoke the Rescripts, the Congress of 1732 adduced to confirmation of 1713 that stated that the Serbian nation should enjoy its privileges as long as it remained faithful to the state and dynasty. At the time, not a single act of disloyalty could be established and used as a reason for the constriction of privileges (Симеоновић Чокић 1939, 63).

The delegation from the Congress of 1732 did not succeed in achieving anything of importance regarding the preservation of the privileges, except that in the new Rescript of 1734 for inheriting property with no heirs excluded the state, and left the Metropolitan and competent local authorities (Швикер 1998, 61–68). The proclamation of the 1734 Rescript did not meet with the people’s approval. They gathered in Belgrade at Congress that dismissed the Declaratories and Rescripts and demanded full adherence to the privileges. Metropolitan Vićentije (Jovanović) in the autumn of 1734 went to the Court for an audience, where he explained the reasons why the 1734 Rescript could not be accepted (Симеоновић Чокић 1939, 67–70). The Metropolitan managed to have the emperor, through the Hungarian Vicarious Council, issue a protective letter (*Constitutio-protectorium Decretum privilegiorum*), quite similar to that of 1715. The protective letter of 1735 allowed the Serbian people to make complaints regarding violation of rights and privileges to legal authorities, i.e. to the emperor, Court War Council, Court Chamber, Hungarian Court Office, and the Hungarian Vicarious Council.

This protective letter was accepted by the National-Ecclesial Congress in Belgrade in July 1735, after a discussion. Among other topics, the Council required in a petition the abolishment of self-willed taxation, exploitation by seigneurs, enactment of a just urbanism, as well as founding of a national treasury. A ministerial conference in Vienna chaired by count Zinzendorf, in a session concerning petitions submitted to the court by the Serbian delegation, concluded that no new protective diploma should be issued to the Serbian people in the Habsburg Monarchy, but that all those who inflict injustices and violate existing privileges should be examined and punished, and Emperor Karl VI agreed with that.²

² The case of Bishop Visarion (Pavlović) of Bačka is also interesting, who was arrested on October 24, 1735 by order of the Metropolitan and taken to the Metropolitan Court in Karlovci, from where he escaped with the help of Frontier’s troop from Bačka and took refuge in Segedin (Szeged), where, at least for some time, was under the protection of the military authorities. Bishop Visarion clashed with the Metropolitan as early as in the Congress of 1735, and at one point even called for the Metropolitan to be “condemned” for accepting the Letter of Protection, which was only one of the episodes during the conflict between the Metropolitan and the Bishop of Bačka. In this place, another significant right of the Serbian national-ecclesial autonomy is manifested, according to which the arrest of spiritual persons is allowed, except by imperial order, only with the consent of the higher authorities of the Metropolitanate (Гавриловић 1994, 130–132; Симеоновић Чокић 2008 65–68; Јакшић 1900, 57–58, 179–180).

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Having in mind that after the Treaty of Karlowitz a need for Serbian soliders was reduced, the status of the majority of Serbian subjects came under question. In accordance with the proposal of count von Stahremberg, it was decided to form a military frontier in a narrow area along the border with the Ottoman Empire, while the remainder of the population would be subjected to civil authorities. The majority of the Serbian population was, in the first half of the 18th century, under the administration of the Court Chamber, with the status of chamber contributors (Vaniček 1875, 130–132). The separation of the frontiersmen from the contributors was performed by 1703, without an explicit separation of territories. The frontiersmen were under military, and the taxpayers under chamber rule, even in case of same, mixed places. That brought many settlements, clans, even individual families, into mixed status. Obligations of the chamber and seigneur subjects were the same: 23 forints in money and one ninth of their crop, with excises, i.e. levies on consumer goods (Гавриловић 1977, 8–10).

The Commission of Neo-Acquistic directly managed Slavonia and Srem, and after the Treaty of Passarowitz in 1718 also the Kingdom of Serbia, Imperial Wallachia, and Banat, while territories in a larger part of the Pannonian plane were included in the Kingdom of Hungary, although even there a significant number of chamber feudal possessions and the Danube, Tisa and Moriš (Mureş) frontiers existed there until the mid-18th century. Consequently, a large part of Bačka was under chamber rule in the 18th century. That part was ruled, through the Bačka Chamber Administration in Sombor, by the Hungarian Court Chamber in Pressburg (Požun, contemporary Bratislava). The chamber part of Bačka was divided into four provisorates: Sombor, Kula, Palanka, and Santovo (Hercegszántó). On a local level, administrative organization was pretty much in the hands of national-ecclesial autonomy, since administrative organization at the lowest level was to a large extent taken over from the Ottoman administration, where it was also entrusted to the Serbian apparatus, based on customary, arranged village and principality self-government (Грујић 1914, 60-63; Ђорђевић 2017, 28). The consequences of the destruction during Rakoczi's uprising (1703–1711) were felt for a long time in Bačka. Until the peace in Satmar, on April 11, 1711 a large part of the population fled to Srem, Slavonia, or Banat, and this area was depopulated (Гавриловић и Јакшић 1990, 89, 675).

The mandates of local autonomy authorities were subordinated to central authorities in the Habsburg Monarchy, whereas the competence of the people's apparatus permanently decreased, in the context of state reforms aimed at building centralism and an absolutist monarchy (Гавриловић 1977, 7–8; Ивић 1926, 142-143; Ивић 1929, 330–341). A part of the Chamber estates was sold or bestowed as repayment for war efforts (Микавица, Лемајић, Васин и Нинковић 2016, 256; Гавриловић 1982, 77). In Bačka there were fewer feudal possessions, both church and private, than in other newly acquired areas. The biggest one was the Futog estate, and in time it grew at the expense of other estates and the Chamber (Микавица, Лемајић, Васин и Нинковић 2016, 257; Гавриловић 1960, 77-79). It was recorded that the Chamber and seigneur officers made big and frequent malversations and overstepped duties and mandates. Complaints on chamber and seigneur officers' malversations were inevitably part of Congress, in order to prevent population dispersal a whole series of imperial acts and orders to military, civil authorities in Frontier and Hungarian Provincial (Гавриловић и Јакшић 1987, 55–56; Микавица, Лемајић, Васин и Нинковић 2016, 258).

The period of the 1730s was marked by crucial events in the internal and foreign politics of the Habsburg Monarchy. On the foreign policies part, Austro-Russian cooperation came to the fore, in the case of the election of Augustus III as the Polish king, over the French candidate Stanislaw Leszczyński. In this way, on the other hand, Russia and the Habsburg Monarchy secured themselves in order to create a more favorable position towards the Ottoman Empire. In the War of the Polish Succession (1733-1738), the Military Frontier's corps were sent to the battlefield outside the Border for the first time. In return, they were guaranteed religious liberty which was not respected, and there were incidents in the Marča monastery, where the Orthodox Military Frontier troops expelled the Uniates and burned the monastery. During the preparations for going to the battlefield on the Apennine Peninsula, there were also rebellions in the Posavina Military Frontier, where General Khevenhüller tried to implement reforms, following the example of the reforms started in the Karlovac and Varaždin Generalities (Гавриловић 1989, №178–179, 338-343; Гавриловић 1997, №109, 175; Гавриловић 1968, 145–147; Vaniček 1875, 360-362; Дабић 1984, 116–125; Hochedlinger 2013, 208–218; Елезовић 2021, 51–52, 54). The rebellion was suppressed by the intervention of the regular army.

In addition to the unrest within the Serbian people, a revolt of the Hungarian nobility and peasantry broke out, which is known as the Pera Segedinac Revolt, although this former Military Frontier captain is an isolated case of the participation of representatives of the Serbian people in the revolt. He was probably slow to move on the titles or other subsidies offered to him. Although he met his closest collaborators, as well as his son, they did not take part in the revolt, but, on the contrary, stepped in as border guards to suppress it. The Military Frontier Corps of the Tisa and the Moriš Frontier, who were mostly members of the Serbian people, decisively contributed to the suppression of the rebellion. As General Exarch Pavle Nenadović wrote on April 26, 1735, the rebellion was started by the Hungarians in the vicinity of Veliki Varadin. In this rebellion, as he suspects, the Ottoman Port also played a part, due to a defeat by Persia, and could not concentrate its forces against the Habsburg Monarchy. In the report compiled by a person from the Court³, it is stated that the Serbian Military Frontier troops were resolutely against the insurgents (items 2, 3, 5 and 7) (Гавриловић 1968, 148–149).

Serbs from Bačka at the National-Ecclesial Congresses submitted complaints against the arendators and Chamber officials, claiming they overburdened them “beyond human and God's laws”.⁴ There were cases they collected their contribution twice, issuing no receipts whatsoever. At the 1735 Congress a request was put forward that the people's delegation convince the Court of the destructiveness of “giving land and people into hands of private arendators”, for it would be better for the state to have people as tenants of Chamber income, for it is also better for the state to use the entire benefit from the district instead of one private arendator.⁵ Chamber officials were not punished even when their malversations

³ Academician Slavko Gavrilović assumed that it was Johann Christoph baron von Bartenstein, the Court Counselor and Secret State Secretary during depicted period (Гавриловић 1968, 143).

⁴ Because of this, and because of malversations and raised levies, Metropolitan Vićentije (Popović) wrote that people had to sell neat cattle (four oxen out of eight; two out of four, and who had two, had to sell them both). Tax was officially 18 forints, and that was large amount for people on devastated land. Some were forced to sell even the weapons with which they served in the army, and it should be emphasized that frontiersmen and members of Serbian militia had to provide weapons and equipment on their own (Гавриловић 1977, 22).

⁵ Letters from the Moriš frontier wrote that it is harder under *sipahi* (italicized by A.P.) than before, although there was no *sipahi* (in a meaning *seigneur*) in question, but a lessee, who was hiring a Chamber estate (Гавриловић 1977, 22).

were exposed, and that caused population unrests in Bačka in the 1730s. Moreover, there were reports of cases that chamber officials even harassed village elders.⁶

In the spring of 1735, Serbs in Bačka stopped paying chamber and seignorial levies and started to arm themselves and expel Chamber officials and county seigneurs that tried to collect contributions and other levies or require labor. “Big assemblies” were frequent, and episcope Visarion even promised he will turn Chamber contributors into frontiersmen, relying on people's unity and his connections in Vienna. He promised abolishment of county rule and the introduction of people rule, based on the Privileges of 1691, as claimed by the Metropolitan and state authorities (Гавриловић 1977, 27; Јакшић 1900, 127–157).

Serious unrest started first in Tisa frontier when frontiersmen were charged with a transport fee, which was an obligation for which they were otherwise obligated within the border and for its needs. The reason to start unrest in civil areas was an increase of levies from a total of 23 forints to a total of 45 forints.⁷ These unrests were backed up by the Episcope of Bačka Visarion (Pavlović) who appeared to take part in arming the population that expelled Chamber officials in 1735 (Поповић 1952, 52–55, 60–62). The authorities considered episcope Visarion to have inspired the subjects' disobedience (АВ, ББЖ, 2/1735, fol. 3). In this regard, the episcope was in disaccord with the Metropolitan, who was of the opinion that people must not start a rebellion for that provides a chance for limiting or discarding their Privileges, for they have the complicated clause “as long as things remain like they were said they are” (Радонић и Костић 1954, 95). Therefore, Metropolitan Vićentije (Jovanović) used his influence to put down the rebellion, after he received guaranties that people's status will be improved, and abuses and malversations investigated. In this way he achieved adherence to the Privileges by eluding an infringement of the protective clause. Soon afterwards a commission was formed to investigate reasons for the rebellion (Јакшић 1966, 12–143).

In petitions from “big convocations” that in the village of Pivnice was signed by village elders of forty-four settlements on January 19, 1734, i.e. on May 2, 1735, it was specifically stated that authorities address delegates (*представници*)⁸ on behalf of the people, “*точно сами от нас нареждени*” (italicized by А.Р., meaning is 'independently elected') (Oesterreichisches Staatsarchiv/Haus-, Hof- und Staatsarchiv, Familienarchiv Csaky, 190, Fasz. 142, №35). They complained against the arendator (lessee, author's note) of Chamber estate income, Adam Csupor, and “this time including village elders of every village, with seals and signatures, not only avert suspicion from themselves” (*Ibidem*) but also requested that the arenda (lease) should be paid in the amount it was before the unrest, i.e. the increase. In these two short petitions one can notice traces of the people's self-government at the lowest administrative level, as were in principle declared in the Privileges. The authority of these bodies certainly was not executive, but was aimed at arranging internal relations within the community, and that was why in the petitions it is noticeable that they

⁶ Petitions from the Bačka Chamber county contain serious accusations against administrator Adam Csupor: that he was taking money in many illegal ways; villages were forced to sustain beadles, and that citizens were charged with a big transport levy. Anyone who would resist, would be arrested and abused, even village elders. That was particularly the case in Kovilj, Gardinovci, Čeb, and Vrbas (Архив Војводине, Бачко-бодрошка жупанија, 36/1734, fol. 95–96).

⁷ Once the rebellion was over, tax was decreased, but not to the previous level, so it was 32 forints and 30 kreuzers (Микавица, Лемајић, Васин и Нинковић 2016, 261; Стајић 2008, 240–242; Гавриловић 1960, 21–29).

⁸ In older documents they were listed as: Gavriilo Jurić, Marko Milisavljević, Pavle Damjanović, Živić Milošević and Lazar Grubić and were named “Delegati” (delegates) (Архив Српске академије наука и уметности у Сремским Карловцима, Митрополијско-патријаршијски архив, „Б“ 45/1735).

submitted their requests in the form of substantiated complaints. Besides village elders (*велики бировъ*), also sworn jurors (*еикути*) of each settlement were also mentioned, and that confirms the primarily judicial and administrative function of these officials within the local community. Thus centralist administration, the one that the Viennese court tended to establish, would not be undermined, for it did not attempt to reach executive authorization, the one that competed with state authorities, but through the form of *gravamina et postulata*, well-known from the National-Ecclesial Congresses of Metropolitanate of Belgrade and Karlovci, actually strengthen the position of the absolutist monarchy where the ruler, as supreme authority, was included in solving issues of social life. It is discernible that the document of 1735 was written in ordinary language, and that is one of the prime characteristics of the Serbian national-ecclesial municipalities in the Habsburg Monarchy.

Having in mind the geographic position of villages listed in the petitions, and knowing that was the period before the regulation of the Bačka waterways, one can conclude that the Court Chamber tended, and in the beginning succeeded, to keep best and prime quality estates for itself. Also, it is discernible that the population of military settlements was also included in these petitions, and that confirms the still insufficiently divided competences and duties in a territorial sense and complements the notion of dual competence – fiscal by the Chamber and administrative and commanding by the military, in the area of Military frontier along the Danube and Tisa, before the frontier regulation of 1745–1749 (Гавриловић и Јакшић 1986; Гавриловић 1960, 49–92). On the other hand, that witnesses how Serbian people understood Serbian national-ecclesial autonomy, regardless of whether the settlements were within the Military Frontier or Provincial.

The Hungarian royal chamber, Hungarian court office, and Hungarian vicarious council insisted on a military response to the uprising in Bačka. The task to end the national movement in Bačka and the rebellion of Danube frontiersmen was entrusted to general Traun who, after settling the unrests, became the head of the imperial commission for examining the sources of the rebellion. General Traun performed a thorough and extensive investigation. After the commission finished its work, the urbarium for chamber subjects in Bačka, proposed by general Traun, was accepted in Vienna, better known as the “Traun urbarium” (*Dispositio Trauniana*). The Traun urbarium defined that the load upon contributors should consist of 6 forints contributed in money, 12 days of labor annually, and one ninth of an entire yield. It also regulated topics of fishing, levy for letting pigs into oak woods, wastelands, water mills, butcheries and taverns; they were, in most cases, rented.⁹ Among the most important items of the Traun urbarium we find the *sixteenth*, which regulated the issue of curtilages and property necessary for keeping a house on the one hand, and a communal estate on the other, and the *seventeenth*, that regulated the issue of populating foreigners on vacant land (Гавриловић и Јакшић 1986, *Nel*, 5). Here it should be emphasized that priority was always given to populating “foreigners”, i.e. subjects from foreign lands,¹⁰ since according to the cameralistic principle, they helped to increase the population, i.e. they were the biggest wealth of the state,

⁹ In the census of the Paraćin and Resava provisorates in 1735, the surname Almašanin was listed, in villages of Subotica, Bobova and Dubnica, Mađar in the village Đonci, also the surname Horvat, and that proves internal migrations within the Habsburg Monarchy in the first half of the 18th century. It is conspicuous that the surname Almašanin was written down exactly at the time of unrest in Bačka (Јакшић 1966; Ђорђевић 2018, 48, 50, 52–53, 63; Гавриловић 1994, 27–28).

¹⁰ That, in the sense of an aide-mémoire that was sent to court from circles closest to the Metropolitan, meant primarily the immigration of Serbs from the Ottoman Empire, along with the introduction of the home population into the management of the Chamber estate, in the form of the Metropolitan estate (Гавриловић 2004, 242–244).

while internal migrations are acceptable only in case of excessive population in one, and insufficient population in another part of the state.

Further development of the social life of the Serbian people in Bačka was marked by new war efforts during the Austro-Turkish War of 1737–1739 and the War of the Austrian succession, which implied state reform processes and narrowing of Serbian privileges in the context of strengthening central authority. In that sense the prerogatives of the national-ecclesial autonomy of the Serbian nation were narrowed, so during the rule of Maria Theresa and Joseph II they were reduced to exclusively ecclesial-education issues.

Acknowledgement: *This paper was supported by the Ministry of Education, Science and Technological Development of the Republic of Serbia (Contract No. 451-03-68/2022-14/200165).*

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TRAGOVI SRPSKE NARODNO-CRKVENE AUTONOMIJE U HABZBURŠKOJ MONARHIJI U NEKOLIKO DOKUMENATA IZ BAČKE TOKOM NEMIRA TRIDESETIH GODINA XVIII VEKA

Istorija srpskog naroda u Habzburškoj Monarhiji tokom XVIII veka obeležena je borbom za očuvanje narodno-crkvene autonomije, razvijane na osnovu Privilegija cara Leopolda I izdatih u periodu 1690–1695 godine. Na položaj naroda su, više nego organi Mitropolije, uticale zemaljske vlasti. Česte zloupotrebe spahijskog, komorskog činovništva i vojnih vlasti su u prvoj polovini XVIII veka doveli do većeg broja narodnih, naročito graničarskih, pobuna. Na ovom mestu se, na osnovu izvora i relevantne literature, razmatra pitanje ovlašćenja najnižih organa vlasti, na konkretnom primeru nemira u Bačkoj tokom tridesetih godina XVIII veka. Uočava se da lokalni organi nisu imali izvršnu vlast, već isključivo izvesna sudska ovlašćenja unutar zajednice ili su se, na osnovu Privilegija, mogli predstavkama obraćati dvoru. Takođe, primetno je da se u svim postupcima Beogradsko-karlovačke mitropolije nastoji da se, kao viši interes, nikada ne naruše srpske privilegije, već da se u što je moguće većoj meri, privilegijalni status održi.

Ključne reči: *Neoakvistika, Dvorska komora, kameralizam, Beogradsko-karlovačka mitropolija, srpske privilegije*