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ON INTESTATE INHERITANCE OF DEPENDENT PEASANTS IN THE SERBIAN EMPIRE

Summary: Intestate inheritance in the Serbian Empire reflected a complex blend of Slavic customs, Roman-Byzantine legal traditions, Italian statutory influences, and Western feudal norms. Multiple inheritance systems coexisted, shaped by the state's diverse territorial, ethnic, and religious makeup. The Empire comprised the northern Serbian heartlands and the southern "Greek lands" seized from Byzantium. In the north, peasants were broadly termed *se-bri*, while in the south, the term *pariokoi* denoted former Byzantine serfs. Though their inheritance rights were similar, *pariokoi* faced greater restrictions, mainly quantitative rather than qualitative. Roman-Byzantine law, known through the Nomocanon of St. Sava, was used chiefly by the elite. Peasants, largely illiterate and under strong customary influence, followed old Slavic traditions, especially the rule of patrilineal inheritance: sons inherited equally, aligning with feudal needs for labor. While *pariokoi* formally remained under Byzantine legal norms, practical circumstances – Slavic settlement, military expansion, and the collapse of the *pro-noia* system – led their inheritance customs to align with Serbian practice. Roman-Byzantine principles like equal inheritance for daughters became unworkable; thus, sons inherited real property, while daughters were compensated through dowries. Notably, in contrast to Serbian norms, *pariokoi* sons' inheritance was limited by Emperor Andronicus's 1305 Novel: one-third of the estate went to the lord, another to the Church, and only a third to heirs. This policy likely contributed to the early 14th-century expansion of monastic holdings.

Keywords: Serbia, Byzantium, dependent peasant, *sebar*, *pariokoi*, inheritance

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