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## Article

The Establishment of Gwəlt and Rim Landholdings in Eighteenth-Century Gondärine Churches with a Special Focus on Ḥamärä Noḥ Śälästu Mə'ət Däbr

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# The Establishment of Gwəlt and Rim Landholdings in Eighteenth-Century Gondärine Churches with a Special Focus on Hamärä Noh Śälästu Mə'ət Däbr\*

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#### Introduction

In the seventeenth and eighteenth centuries, churches in the region of Gondär were favoured by kings who granted them sizeable estates. Churches with a large number of clerics and vast estates were classified as *däbr*. The churches enjoyed tax exemptions, and most of them were allowed to give asylum to criminals who invoked their protection. <sup>2</sup>

 $D\ddot{a}brs$  were endowed with lands and their entitlement to the holdings was proclaimed and registered in written deeds known as  $g^w \partial lt$  charters.<sup>3</sup> Following the grant, officers of the king executed the terms of the grant, drawing up a list of clerics and registering the distribution of the  $g^w \partial lt$  lands as individual holdings for each cleric. In the registers of these churches the clerical holdings on  $g^w \partial lt$  lands are noted as rim.

A well-preserved manuscript registering both types of holdings is the London, British Library, Or. 508,<sup>4</sup> henceforth referred to as BL Or. 508. This manuscript is the Golden Gospel of a church in Gondär called Ḥamärä Noḫ Śälästu Mə³ət (henceforth abbreviated as Ḥamärä Noḫ) that was founded on 1 December 1709 by King Tewoflos and dedicated to the 318 participants of

- \* We would like to thank Éloi Ficquet for providing a copy of the transcription of Arnauld d'Abbadie's notes on *rim* plot types and size (Vatican City, Biblioteca Apostolica Vaticana, Carte d'Abbadie 19, fols 179r–198r).
- <sup>1</sup> 'Gondär', EAe, II (2005), 838a–843a (L.V. B. Berry), especially 839b.
- Mahtämä Śəllase Wäldä Mäsqäl 1969/1970, 535; Gäbrä Wäld Engəda Wärq 1955/1956, 24; Śərgəw Ḥablä Śəllase 1989/1990, 1; 'Däbr', EAe, II (2005), 6a–7a (S. Kaplan and Red.).
- <sup>3</sup> 'G<sup>w</sup>əlt', *EAe*, II (2005), 941b–943b (D. Crummey).
- <sup>4</sup> Wright 1877, 29–30.

the Council of Nicaea.<sup>5</sup> The church, located 200 m north-east of the royal palace complex (12° 36′ 41″ N 37° 28′ 18″ E), was burnt by the Mahdists in January 1888 and rebuilt a few years ago.<sup>6</sup> BL Or. 508 contains 177 legal texts partially edited by Guidi.<sup>7</sup> Mainly written on folia added to its core text, the documents are land charters, transactions and judgements on *rim*, as well as inventories of the church's treasury. The texts cover a period of time from the reign of Tewoflos (r 1708–1711) to the reign of  $\exists g^w$ alä Ṣəyon (r 1801–1818).

Documentation dating from eighteenth-century Gondär relates to rim rather than to  $g^w alt$ . The corpus from the Hamärä Noh church is no exception: while three documents concern  $g^w alt$ , the remaining 174 are related to rim. The documents mentioning  $g^w alt$  are mainly grants to churches, creating land entitlements. On the other hand, records on rim are not concerned with the creation of the rim rights as such but rather with their transfer. Thus the question of whether documents (charters) exist in which rim rights are created remains somewhat unclear.

In the archives of some churches, the foundation charter is followed by an enumeration of the  $g^w$  alt lands distributed as rim. Description Each clergyman obtains rim plots located in the various  $g^w$  alt lands. Since a land register for Hamärä Noh has not yet been found, the detailed plot allocation of rim lands is not known. Nevertheless the numerous transactions of rim located in the  $g^w$  alt lands granted to Hamärä Noh lead us to assume that such an operation must have taken place soon after the grant was made. Rim parcels located in two of the  $g^w$  alt lands of Hamärä Noh are the object of a third of the sales recorded in the BL Or. 508 corpus.

The legal texts preserved in BL Or. 508 and other eighteenth- and early-nineteenth-century Gondärine manuscripts are important for the study of landed property, of church and social history, of eighteenth-century

<sup>&</sup>lt;sup>5</sup> See Basset 1882, 65; and 'Ḥamärä Noḥ', *EAe*, II (2005), 987a (G. Fiaccadori).

<sup>&</sup>lt;sup>6</sup> 'Mahdists', *EAe*, III (2007), 657b–659a (H. Erlich).

<sup>&</sup>lt;sup>7</sup> Guidi 1906.

<sup>&</sup>lt;sup>8</sup> Crummey 1979.

Ibid.; and Crummey 2001, 73.

See for instance the case of Bä³ata church (London, British Library, Or. 481 (henceforth BL Or. 481), fol. 209v). Sometimes the registration of the distribution is placed in an ad hoc register called *mäzgäb*: see the *mäzgäb* of Däbrä Śähay Q<sup>w</sup>əsq<sup>w</sup>am church (Champaign, University of Illinois at Urbana-Champaign, Institute of Ethiopian Studies, 88.I.19, 88.III.16, 88.V.5, 88.V.22, 88.V.24, 88.V.28, 88.VII.36, 88.XI.3, 88.XLI.10, henceforth Illinois/IES, 88.I.19, 88.III.16, 88.V.5, 88.V.22, 88.V.24, 88.V.28, 88.VII.36, 88.XI.3, 88.XLI.10).

Amharic, of historical geography, and so on. But researchers are unable to use these texts because of the difficulty of understanding the format of the documents or the scribal practices of eighteenth-century Gondär. A correct understanding of the format of the documents is needed in order to identify the parties involved in *rim* transactions as well as the complicated guaranty procedure. The format of the charter establishing  $g^w$  alt has been extensively studied, and the system of *rim* transactions in Amharic (sales, successions, and donations) with its complex guaranty procedure has been extensively described in a previous article. 12

Another factor complicating the use of eighteenth-century Gondärine rim texts as a historical source is the peculiarity of Amharic orthography and the scribal practices which characterize that period. This subject will be part of a future in-depth study, but, for the time being, the problem is illustrated by the following two cases. Firstly, while the meaning of the prepositional prefixes A and P is restricted in current Amharic, in Gondärine documents both prefixes are used as dative prepositions with the meaning 'to'/'for'. 13 This usage is found in grammar manuscripts dating from the eighteenth century.<sup>14</sup> Secondly, the use of proper nouns (especially personal names) in the studied texts has particular characteristics. Hypocoristic forms of proper nouns are frequent and, in the case of homonyms, the cleric's place of origin, the monastery he comes from, or his title are given and make his identity more precise. Their provenance is indicated by the Gəcəz prefix zä- added to the qualifier that follows the name. 15 An adjective placed before the name can also serve to identify a cleric. 16 Sometimes the name of the father is given in order to identify the particular cleric. In this case, as

See for example Huntingford 1965; Crummey 1979, 470–475; Wion 2011; Wion 2012, 101–144; and Namouna Guebreyesus 2014, 99–102.

<sup>&</sup>lt;sup>12</sup> Namouna Guebreyesus 2014.

<sup>&</sup>lt;sup>13</sup> See for instance Guidi 1906, 654, docs 2 and 3.

<sup>&</sup>lt;sup>14</sup> See London, British Library, Or. 9798, Säwasaw, fols 27v–28r; catalogued in Strelcyn 1978, 105–106.

See for instance Guidi 1906, 663, 665, 686 (respectively docs 28, 35, 99) in which Diosqoros zä-Däbsan (Diosqoros from Däbrä San) and Zäwäld zä-Gəšäna (Zäwäld from Gəšäna) are distinguished in this way from their respective homonyms.

See for instance Guidi 1906, 663, 665, 667, 668, 676 (respectively docs 28, 35, 40, 41, 66) where Gəbṣe Yosef, i.e. Yosef the Egyptian, as well as Amare Rə'əsä Haymanot or Rə'əsä zä-Amhara, i.e. Rə'əsä Haymanot of Amhara, are differentiated from their homonyms.

opposed to the current rule in onomastics, the name of the father precedes the name of the son.<sup>17</sup>

Taking the legal and administrative texts from Hamärä Noh as a case study, our aim is to determine the context in which  $g^w$  alt and rim rights were established. In a forthcoming article, the definition of rim relative to  $g^w$  alt and other types of land rights will be attempted based on what is described here. For the present, we will demonstrate how a royal land grant to Gondärine churches was an expression of the king's prerogatives. Such grants created large holdings, changing the existing entitlements to land and the social standings of both the former owners and new grantees.

In order to better understand Gondärine  $g^w$  alt and rim within their political and economic contexts, we will consider the legal customs of this historical period. The general legal framework of  $g^w$  alt will be studied based on the code of the Fatha nägäst. Since its translation into  $G\sigma^c$  around the fifteenth/sixteenth century, this work has been the main reference for jurists and counsellors up until the twentieth century. One concept of the Fatha nägäst's provisions is that the parties are allowed to freely define the terms of the acts, whether they be grants  $(g^w$  alt), sales, or loans. The grantor king could thus determine different terms for  $g^w$  alts. The different types of  $g^w$  alt settlements will necessarily affect related rim lands and their holders. Many of the descriptions presented in this paper are in conformity with the observed practices of eighteenth-century Gondär. The remarks and conclusions herein will better illustrate the case of Hamärä Noh.

The contents of legal instruments such as charters and contracts change as they adapt to different political and social circumstances. In the presentation which follows these circumstances will be deduced from the royal chronicles as well as from changes in Gondärine charters and the numerous transactions concerning *rim*. The *andəmta* (Amharic commentaries) of the *Fətḥa nägäśt*, with examples from eighteenth-century Gondär, will also be used.<sup>19</sup>

<sup>&</sup>lt;sup>17</sup> See for instance Guidi 1906, 689–690, doc. 113, where two witnesses named Ḥaylu are differentiated by the names of their fathers (*Liqe* Bätre and *Liqe* Kokäbä Lədda).

<sup>&</sup>lt;sup>18</sup> 'Fətha nägäśt', *EAe*, II (2005), 534a–535b (Paulos Tzadua and [Red.]).

<sup>[</sup>Ethiopian Orthodox Täwahado Church] 2002/2003 (originally published in 1966); Paris, Bibliothèque nationale de France, Éthiopien d'Abbadie 231, henceforth BnF d'Abbadie 231 (for Fatha nägäśt commentary, see d'Abbadie 1859, 222–223).

## 1 Land Grants as an Expression of the King's Prerogative

In the Fətha nägäśt commentaries of Article 694,<sup>20</sup> the only requirement for  $g^w$ əlt gifts of charity is that the grantor should have rights over the goods he grants. Compared to a regular grantor, the king has a power that entitles him to unusual rights: thus, the motives for endowment and the regimes of the  $g^w$ əlt lands had characteristics derived directly from royal prerogatives. The king's motives in granting these privileges to a church are both religious and political. The dynamics of rim and  $g^w$ əlt land depend directly on the grantor's motives.

#### 1.1 Motives for Endowment

The grantor's motives are certainly primarily religious. The Ethiopian Orthodox Church gathered clerics with specialized knowledge who had a recognized role in ecclesiastical education. Thus the king's endowment to a church might be a reward for these educational services.<sup>21</sup> The narratives of the establishment of Däbrä Bərhan Śəllase and Däbrä Ṣāḥay Qwəsqwam (henceforth simply Däbrä Bərhan and Qwəsqwam respectively) report that the founders were careful in their choice of the clerics of the new churches.<sup>22</sup> Only those candidates who were knowledgeable in the teachings of the Old Testament, the New Testament, *qəne* composition, and church chants were selected.

#### 1.1.1 Grant and Power

A typical clause explains the king's motivation for granting lands to a *däbr* and directly implies the link between the religious and political spheres.

#### ዘንተ ፡ ኵሎ ፡ ዘገበርን ፡ በእንተ ፡ ሕይወተ ፡ ነፍስን ፡፡

(We did all this for the salvation of our soul.)<sup>23</sup>

This spiritual motive of the king complies with the provisions of the *Fatḥa* nägäśt (Article 689). Found in much older grants,<sup>24</sup> this clause could moreover be given another interpretation. It is a restatement of the faith in the Ethiopi-

The listing of article numbers in the text refers to [Ethiopian Orthodox Täwaḥədo Church] 1997/1998. See also Guidi 1897.

<sup>&</sup>lt;sup>21</sup> Śərgəw Ḥablä Śəllase 1989/1990.

<sup>&</sup>lt;sup>22</sup> Guidi 1903, 169; BL Or. 481, fol. 4r; Guidi 1910, 99.

<sup>&</sup>lt;sup>23</sup> Guidi 1906, 654, doc. 4. Translated from Gə<sup>c</sup>əz by the article's authors.

<sup>&</sup>lt;sup>24</sup> Huntingford 1965.

an Orthodox Church. Such motivation consolidated the economic and social contract between the leaders of the Church and the kings.<sup>25</sup>

The doctrinal division between Qəbat and Täwaḥədo in the Church both threatened the power of the king and affected royal land grants to churches. Several Gondärine kings made unsuccessful attempts to unify the Church. By endowing clerics of a given doctrine, each king proclaimed his attachment to one of these factions, <sup>26</sup> and the endowment of lands doubtlessly contributed to the mutual animosity.

When founding the *däbr* of Ḥamärä Noḥ, King Tewoflos initially granted the lands to clerics belonging to the followers of the monastic house of Ewostatewos. This angered clerics of the *Täwaḥado* faction who were supported by the church of Däbrä Libanos.<sup>27</sup> Asking for their forgiveness, the king consequently allowed the lands and the administration of Ḥamärä Noḥ to be shared equally between the two monastic houses. Similar conflicts between the two factions on the occasion of land endowments are recorded for other churches.<sup>28</sup>

According to the *Fətḥa nāgāśt* one of the inherent characteristics of a  $g^w$ *əlt* is that the grantor defines the rights of the beneficiary (Article 706).<sup>29</sup> The  $g^w$ *əlt* should not be used for any purpose other than that stated by the grantor.<sup>30</sup> The terms of the grant for Gondärine churches are set by the charter and additional foundational documents. The services commonly expected from clerics endowed with lands were religious, educational, and administrative.

<sup>&</sup>lt;sup>25</sup> Taddesse Tamrat 1972, 243–245; Derat 2003, 196–206, 249.

<sup>&</sup>lt;sup>26</sup> Crummey 2000, 82–85.

Frankfurt am Main, Stadtbibliothek zu Frankfurt am Main, Ms. or. 39 (previously Ms. Orient. Rüpp. I b, henceforth referred to as Ms. or. 39), fol. 43v; Goldschmidt 1897, 63–67, no. 18; Basset 1882, 64.

<sup>&</sup>lt;sup>28</sup> Crummey explains the conflicts at the foundation of Q<sup>w</sup>əsq<sup>w</sup>am (Crummey 2000, 108). See also the grant of Bäkaffa to Anbäza Giyorgis (instituted by King Bäkaffa himself) endowing clerics who followed Niqolawos, a defender of the faith of the *Täwaḥədo* faction in the Christology conflict. See BL Or. 481, fol. 208v; cf. Śərgəw Ḥablä Śəllase 1980/1981.

The interpretations of this article in BnF d'Abbadie 231, fol. 103 and in the commentary of 2002/2003 ([Ethiopian Orthodox Täwahədo Church] 2002/2003) are different. Both require that the grantor determine what is given (e.g. land or the right to produce). However, the commentary of 2002/2003 is more detailed as to the right to produce (a tribute called *amšo* or *rəbo* consisting of a fifth or a fourth of the produce respectively). The services are also suggested to be either military or ecclesiastical.

<sup>[</sup>Ethiopian Orthodox Täwaḥədo Church] 2002/2003, 255.

## 1.1.2 Religious and Educational Services

The Ḥamärä Noḥ endowment charter refers directly to the grantor's intent. The grant dictates that the land be used for ecclesiastical and, specifically, for Eucharistic services; thus, market dues are allocated to the preparation of the bread and wine used for Communion.

The transactions and judgments also specify a number of clerical services for which the lands were granted. One donation to Ḥamärä Noḥ for instance specifies the destination of the lands as follows:

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፰፡ ጋሻ፡ ከዋኛታ፡ ነሥቶ፡ ባዝራ፡ ሰርተውበት፡ የነበረ፡ ሐፄ፡ ኢያሱ፡
፪፡ ጋሻ፡የቃጭል፡የመስቀል፡ምድሩ፡የድሆ፡
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([From] the 8 gaša [of land]<sup>31</sup> from Wañata where the horse stables were held, King Iyasu gave 2 gaša for qaçəl; the mäsqäl mədr [is given] to Dəho.)<sup>32</sup>

The lands are to provide for individuals discharging church services. The term qačəl seems to designate the handbells that were used in various religious processions.<sup>33</sup> Thus, the lands could have been assigned to those in charge of the bells of the church. Secondly, and more clearly, the mäsqäl mədr are lands whose holders are expected to serve the church or to do maintenance and construction work on the church building.<sup>34</sup> One inventory lists yet another type of obligation when it states that the treasury of the church received cloths/wraps (PAT) for sämon, namely the clerical services carried out in weekly rotation. Rim transaction witnesses are categorized as sämon clerics in four other acts.<sup>35</sup> The Hamärä Noḥ corpus moreover includes documents organizing the order of mass services, the treasury, as well as clerical tasks.<sup>36</sup>

<sup>&</sup>lt;sup>31</sup> This is a measurement of land equivalent to 35 to 50 hectares in later times. See Pankhurst 1969, 52.

<sup>&</sup>lt;sup>32</sup> Guidi 1906, 664, doc. 30.

<sup>&</sup>lt;sup>33</sup> The *qaqil* or *qačəl* is an object mentioned for use in sung ceremonies in 'Paraphernalia', *EAe*, IV (2010), 275b–278b (E. Fritsch). For later periods, the person in charge of the *qačəl* may have been called *däwway*, see Gäbrä Wäld ∃ngəda Wärq 1955/1956, 25; Berhanou Abbebe 1971, 141.

<sup>&</sup>lt;sup>34</sup> Śərgəw Ḥablä Śəllase 1976/1977, 51. For the significance of the term in later periods, see Berhanou Abbebe 1971, 65.

<sup>&</sup>lt;sup>35</sup> Guidi 1906, 672, doc. 53.

<sup>&</sup>lt;sup>36</sup> Guidi 1906, 663, 665 (respectively docs 28 and 35); BL Or. 508, fol. 222.

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Following an earlier tradition,<sup>37</sup> the clergymen seem to have been chosen from the most learned, according to their fields of expertise. One of the routine activities of these clerics was the chanting of  $dagg^w a$ .<sup>38</sup> The acts of Hamärä Noh also mention educational services; indeed one person mentioned who bought a *rim* is said to be a  $dagg^w a$  mämhar,<sup>39</sup> thus implying his involvement in the education of the traditional chants.<sup>40</sup>

In other churches, similar duties were expected from the clerics. The income from lands granted to the church of Anbäza Giyorgis and the church of Bä°ata are, for instance, divided between revenues for Mäsqäl, Fasika,<sup>41</sup> and the cleric's subsistence.<sup>42</sup> The grant for Anbäza Giyorgis gives the lands to the followers of Niqolawos,<sup>43</sup> and the act focuses on the spiritual devotions of the clergymen by enumerating their religious services.<sup>44</sup> The charters of Q<sup>w</sup>əsq<sup>w</sup>am and Däbrä Bərhan further assign lands for the preparation of the Communion bread and wine, the commemorative prayers for the king, the upkeep of church grounds, and the supply of incense.<sup>45</sup>

<sup>38</sup> Guidi 1906, 675, doc. 62.

- When the names of the witnesses are given, *mämhər* is one of the most frequently mentioned titles. The term designates teachers of religious texts, see 'Mämhər', *EAe*, III (2007), 713b–714b (M.-L. Derat and D. Nosnitsin).
- Unedited act on BL Or. 508, fol. 221v. The dəgg<sup>w</sup>a is a text that contains hymns and the order of services for different church celebrations. 'Dəgg<sup>w</sup>a', EAe, II (2005), 123a–124b (Habtemichael Kidane).
- <sup>41</sup> It seems that the land revenues were set aside for the organization of the Feast of the Cross and Easter. The church administrators, like the *aläqa* and *liqä ṭābbābt*, had to organize several banquets for the clerics. See Crummey et al. 1994, 106.
- <sup>42</sup> See London, British Library, Or. 518 (henceforth BL Or. 518), fol. 16r.
- <sup>43</sup> This is the Niqolawos who fervently defended the faith of the *Täwaḥədo* faction in the Christology conflict; cf. Śərgəw Ḥablä Śəllase 1980/1981.
- See BL Or. 481, fol. 208v: 'ሰዓታት : ቁመው : ቅዳሴ : ቀድሰው : ዳዊት : ደግመው : ይደሩ በት : ብለን : ሰጠናቸው :' ('We gave them the lands so that they [the clerics] discharge night church services, celebrate masses, chant the psalms, and use the lands for living'; translated from Amharic by the article's authors).
- For the case of Q<sup>w</sup>əsq<sup>w</sup>am see Illinois/IES 88.III.16; for Däbrä Bərhan see Illinois/IES 88.V.22.

<sup>&</sup>lt;sup>37</sup> See Guidi 1903, 169 for the foundation of Däbrä Bərhan. The charter of this church served as a model for other churches, see Crummey 2000, 89.

## 1.2 Tax and Jurisdictional Privileges

The Gondärine evidence shows that a  $g^w$  alt grant is a prerogative of the king who acts as master over the life and goods of his subjects. As head of the kingdom, the king can give, change, or suppress any right by proclamation. This grant of  $g^w$  alt complies with the Fatha nägäśt's requirements: the grantor has the ability and the authority to grant (Article 694). The grant of land is thus closely related to power itself.

The  $g^w alt$  proclamation legitimized landholdings in a rather precarious manner since the entitlements depended upon the will of the king and his successors. First, the legal grounds for  $g^w alt$  enabled the grantor to determine the terms of the holding. This gave legal flexibility to kings who did not want to lose their rights over the granted lands: they could either retain rights to the produce of the land or be involved in the management of the domain by naming administrators (Article 696).<sup>49</sup> Second, the granting of  $g^w alt$  lands to churches was itself an expression of the king's rights over all the lands of the kingdom. It is because of these rights that kings could give, retract, or rearrange  $g^w alt$  holdings as they saw fit. The king thus gave  $g^w alt$  lands taken from other churches, from individuals and groups. Sometimes, groups were displaced or dispossessed; in such cases the reason was either disloyalty to the king or differences in religious belief.<sup>50</sup>

The Fatḥa nägäśt also provided for a solution in cases of an unexpected change in the grantors' circumstances. If they became poor, they could claim revenues granted to a church.<sup>51</sup> This occurred in the case of the Gondärine kings when elites from Təgre, Yägğu, and Goğğam began to influ-

<sup>&</sup>lt;sup>46</sup> Bruce 1790, 280. The etymology of the king's title *ase* given by Dästa Täklä Wäld may well refer to this attribute of his power (Dästa Täklä Wäld 1969/1970, 916).

<sup>&</sup>lt;sup>47</sup> 'cAwağ', *EAe*, I (2003), 400a-b (J. Mantel-Niećko).

<sup>&</sup>lt;sup>48</sup> See also comments in BnF d'Abbadie 231, fol. 102r-v.

<sup>&</sup>lt;sup>49</sup> See comment in BnF d'Abbadie 231, fol. 103r–v. A grant in Goğğam at the end of the nineteenth century left half of the land holdings to the old owners, awarding the other half to clerics; the revenues from a local market were divided between the church (which received two bars of salt) and the leader of the church (who was entitled to a third of the revenues); the remainder was the king's income. See also Habtamu Mengistie 2004, 89.

See for instance Illinois/IES 88.V.22 for the grant to Däbrä Bərhan of lands confiscated from their former holder as a sanction for misdeeds; see also the taking of the Bäläsa lands which was seen as a punishment of the Maya for their 'shameful' behaviour (Guidi 1910, 104–105).

<sup>&</sup>lt;sup>51</sup> Cf. Article 708 commented in BnF d'Abbadie 231, fol. 104r–v; [Ethiopian Orthodox Täwahado Church] 2002/2003, 256.

ence the court's decisions. In the period known as the Zämänä mäsafənt,<sup>52</sup> the actual decision maker was the king's protector belonging to one of these elites. The *andəmta* of the *Fətḥa nägäśt* illustrates Article 708 by recounting that clothing given by King Täklä Haymanot II to the monastery of Waldəbba was reclaimed by his son King Sälomon.

Hamärä Noh's land endowment is recounted very briefly in the short chronicles where it is said that the church of Hamärä Noh was constructed inside the tower of *Bitwäddäd* Basəlyos.<sup>53</sup> No mention is made of the former holders of the granted lands. However, King Tewoflos's right as grantor of lands and buildings (e.g. the house of Basəlyos) is not contested.

The prerogative to grant  $g^w$  alt is practically exclusive to the king or other claimants to the throne for two reasons. First, Article 710 of the Fatha nägäśt requires that the  $g^w$  alt land be exempted from royal taxes. And no one apart from the king could grant this type of exemption. This idea is illustrated in a document from the manuscript of Mädhane Aläm church in Gondär. Aläm church in Gondär. Alam owner, Wäyzäro Mamit, asked permission of King Tewoflos to establish a church. The king consented to this request on condition that the clerics agreed. The clerics condition was that their revenues be determined before they gave their consent. Since the wish to establish the church did not come from the king, the lands could only be granted on condition that tribute be paid to the king. The double tribute mentioned in this example shows that only the king can create a church estate exempt from royal taxes. A royally endowed church is protected by a specific pro-

<sup>&</sup>lt;sup>52</sup> 'Zämänä mäsafənt', *EAe*, V (2014), 122b–129a (S. Dege).

<sup>&</sup>lt;sup>53</sup> Basset 1882, 65.

<sup>54</sup> BnF d'Abbadie 231, fol. 104r-v; and [Ethiopian Orthodox Täwaḥədo Church] 2002/2003, 257.

<sup>&</sup>lt;sup>55</sup> BL Or. 518, fols 15v and 171r.

<sup>&</sup>lt;sup>56</sup> The term translated as 'clerics' here is *kahən*. The term is not used in its current restrictive sense of 'monk with priestly ordination'; see 'Kəhnät', *EAe*, III (2007), 377b–379b (S. Kaplan and E. Fritsch).

See BL Or. 518, fol. 15v: 'ባፄ : ቴዎፍሎስ : መንግሥት : ወይዘሮ : ማሚት : በዓታን : ልት hል : ይፍቀዱልኝ : ቢሉ ፡ አኔ : ፌቅኝለሁ ፡ ካሀናቲን : አስፌቅጅ : አሉ ፡ ካሀናቲ : ግብራችን ሳ ፡ ቢሉ ፡ ደርቤ ፡ አንብራለሁ ፡ ብለው ፡' ('During the reign of Ase Tewoflos, Wäyzäro Mamit asked, "Can I be permitted to establish the church of Bä'ata?" He [the King] answered, "I agree but ask for the clerics' permission." Then the clerics asked, "What about our tribute?" [And Mamit replied,] "I would pay both tributes [to the king and the clerics]"; translated from Amharic by the article's authors). This double taxation seems to result from the extent of Mamit's rights: since she only owns lands taxable by the royal treasury, she cannot give away the king's right when granting the lands.

hibition that prevents any claims by outsiders to tribute or revenues from the lands constituting the church's estate.<sup>58</sup>

There is yet another reason why the foundation of land-endowed churches (*däbrs*) was the right of kings. Most of these churches were established as sanctuaries and thus gave asylum to any person who, pursued by law, requested protection from the Church. This represents an exception to the normal course of justice and exemplifies the power of the Church. The creation of this type of exception evidently requires the authorization of those having the authority to grant such a right. The king, heads of churches, or the heads of monasteries who themselves had the ability to give this protection are the only officials who could legitimately grant the right to give asylum.<sup>59</sup> Since only the king held power over land, in practice, he became the usual founder of *däbrs*.

The king was originally considered to be the authority of last resort. If a grant of *rim* had been made by a subject, royal approval was needed to legitimize the grantee's benefits.<sup>60</sup> With the fall of the Gondärine kingdom,<sup>61</sup> this royal power was shared by the powerful lords who ruled the country. In the Ḥamärä Noḥ corpus, land was said to be granted to individuals by King Sälomon along with *Ras* Ḥaylu.<sup>62</sup> Even when the king's power was weak, the right to give asylum was nonetheless perceived as a royal prerogative. Thus, Ḥaylu Ḥšäte asked permission of the king to establish ∃ste Mäkanä Iyäsus as a sanctuary.<sup>63</sup>

<sup>&</sup>lt;sup>58</sup> This would be the meaning of the expression '44. እሳት ሙሐሉ ንነት' ('its edge is fire, its centre paradise'), see Kane 1990b, 1733. See Śərgəw Ḥablä Śəllase 1989/1990, 2. For one example of the use of the term, see Däräsge Maryam's charter (BL Or. 481, fol. 3v).

<sup>&</sup>lt;sup>59</sup> 'Asylum', *EAe*, I (2003), 388a–389a (Merawi Tebege). Däräsge Maryam's  $g^{w}$  alt reminds us that the head of the church and the head of the monks had the right to give asylum.

<sup>60</sup> Guidi 1906, 661, doc. 22.

<sup>61 &#</sup>x27;Zämänä mäsafənt', EAe, V (2014), 122b-129a (S. Dege).

Guidi 1906, 692, docs 122 and 123. Ras Ḥaylu was one of the great lords of Gondär and had an important political role at the end of the eighteenth century, see 'Ḥaylu Yosedeq', EAe, II (2005), 1071b–1072a (Fentahun Tiruneh); another protector, Märəd, is also mentioned in relation to Sälomon's donation to Moṭa Giyorgis. Märəd was, 'undoubtedly, the real power behind the donation', see 'Sälomon II', EAe, IV (2010), 498b–499a (D. Crummey), especially p. 499a.

<sup>63</sup> Crummey 2000, 153–154.

# 1.3 Dynamics of $G^w$ alt and Rim

With the foundation of a *däbr*, a territory with distinctive economic and political dynamics is established. *Rim* rights are held in a defined economic space which is under a specific political sphere of influence.

#### 1.3.1 Rim in a Defined Economic Space

The landed property of a church provides subsistence for the clerics. They can plough their *rim* lands themselves or lease the lands to a farmer.<sup>64</sup> Clerics with administrative functions receive specific revenues related to their functions. If these administrators have been attached to the church since its foundation, these revenues supplement the produce of their *rim*. These revenues are exempt from any taxation, whether royal or from other administrative officials, and the church's charter provides for this exemption. In accordance with the *Fatḥa nāgāśt*'s requirement (the aforementioned Article 710), the threat of anathema supports the prohibition against false claims on a church's lands. In the Ḥamārā Noḥ charter, that part of the document reads as follows:

ወእለ። መጽኡ። እምድኅሬነ። ከመ። ኢይንሥቱ። ዘንተ። ከተሎ። ዘሥራዕና ሁ። ወዘወሀብናሁ። ከመ። ያውግዙ። አዘዝናሆሙ። ለአቡነ። ማርቆስ። ወለ መምሕረ። ደብረ። ሊባኖስ። ወለሊቃውንተ። ቤተ። ክርስቲያን።

(We have ordered the *Abunä* Marqos, the abbot of Däbrä Libanos and the learned men of the church to pronounce anathema against those who come after us in order that they shall not take away that which we have established and given.)<sup>65</sup>

Under these terms, the lands of the *däbr* are defined as an area which has its own revenues. A church and its administrators also have the right to part of the produce of its lands.<sup>66</sup> Moreover they could be granted special dues. For instance, the church of Mäkanä Iyäsus was given the dues paid by people for using a local spring. As a source of water and salt for herders who came there from as far as 40 km, it represented an important source of income for the church.<sup>67</sup>

<sup>&</sup>lt;sup>64</sup> Lease examples of Däbrä Bərhan can be found in Illinois/IES 88.V.24 and Illinois/IES 88.V.28. Both practices are described by Bruce 1790, 319.

<sup>&</sup>lt;sup>65</sup> Guidi 1906, 654, doc. 4. Translated from Gə<sup>c</sup>əz by the article's authors.

<sup>&</sup>lt;sup>66</sup> Crummey et al. 1994.

<sup>67</sup> Crummey 1988, 201, 204.

Finally, a local market could be associated with the *däbr* domain, meaning that the dues of a local market were granted to a specific church. In the Ḥamärä Noḥ charter, King Tewoflos assigned tax from wood sales of the *ras gäbäya* (*ras* market) to this church.<sup>68</sup> These duties had formerly been given to a lord with the title of *ras*.<sup>69</sup> King Ḥəzqəyas also granted market duties and, in his land grant to Mäkanä Iyäsus, he gave a tenth of the ∃ste market's income to the clergy.<sup>70</sup>

The market contributed to the economy of the *däbr* lands of a church, but the corpus of Ḥamärä Noḥ attests to many transactions on land rights, of which *rim* and other types of landholdings were considered as having a commercial value. *Rim* was not only allowed to be sold (see 90 per cent of Guidi's texts)<sup>71</sup> or donated,<sup>72</sup> but was also a security for credit.<sup>73</sup>

Documents from the Ḥamärä Noḥ corpus suggest that transactions on *rim* were a source of revenue for legal officers who were paid for their part in organizing the transaction. One document hints that a fee is paid to a *blatten geta.*<sup>74</sup> And in Document 60 of Guidi's edition,<sup>75</sup> the scribe specifies that the sale price comprises fees owed to the *wämbär*. The functionaries referred to as *wämbär* in the corpus of Ḥamärä Noḥ are either *liq* or *blatten geta.*<sup>76</sup>

In addition, the  $g^w$  alt as a defined area offered security of tenure. The possibility of pronouncing anathema was understood as a guarantee against the violation or cancellation of tenure rights. This complies with the Fatha nägäśt's requirement that the  $g^w$  alt be given in a way that cannot be contested; it was considered that the grantee should not lose his source of subsist-

<sup>&</sup>lt;sup>68</sup> Guidi 1906, 654, doc. 4.

<sup>&</sup>lt;sup>69</sup> In the seventeenth century, Pedro Páez writes that the duties on a market were not collected for the royal treasury but rather given to viceroys or other lords (Boavida et al. 2011, 264).

<sup>&</sup>lt;sup>70</sup> Crummey 1988, 201.

<sup>&</sup>lt;sup>71</sup> Guidi 1906.

<sup>&</sup>lt;sup>72</sup> Guidi 1906, 661, 672, 674, 674, 680, 686, 687, 689, 693, 697 (respectively docs 22, 55, 57, 58, 80, 100, 104, 110, 126, 143); BL Or. 508, fol. 282v.

<sup>&</sup>lt;sup>73</sup> Guidi 1906, 664, 691, 694 (respectively docs 31, 120, 131).

Guidi 1906, 671, doc. 50. In its older use, the term designates the chief of the court pages. In Gondär, there were two types of *blatten geta*: one headed the pages in the daily services of the king, the other headed the royal guards; see 'Blatten geta', *EAe*, I (2003), 595b–596a (S. Chernetsov). The *blatten geta* were also described as officers in charge of finance and justice acting on behalf of estate holders (d'Abbadie 1868, 338).

<sup>&</sup>lt;sup>75</sup> Guidi 1906, 674, doc. 60.

<sup>&</sup>lt;sup>76</sup> The *liqä kahən*s are men learned in church as well as in legal matters. Four *liqs* sat on the king's Supreme Court. See 'Liq', *EAe*, III (2007), 576a–578a (E. Sokolinskaia).

ence since the purpose of the  $g^w$  alt was precisely to respond to these needs.<sup>77</sup>

Although not always unchallenged,<sup>78</sup> rim was a relatively secure title and this added to its patrimonial value. Thus, rim was a gift appreciated by both family members and loyal friends. Documents in the Ḥamärä Noḥ corpus attest to this type of gift.<sup>79</sup> Four of them are wills transferring rim rights,<sup>80</sup> one is a donation,<sup>81</sup> two are marriage dowries,<sup>82</sup> and two are rim purchases in favour of the grantee.<sup>83</sup>

#### 1.3.2 Rim within the Political Sphere of Influence

With the establishment of Gondär, churches with royal land endowments were concentrated in and around the town. However, the size of church estates forced the kings to donate land further away from Gondär. In order to fully appreciate the importance of the Church's property, attention should also be given to the quality of the land granted. The *Fatḥa nägäśt* states that  $g^w$  alt land had to be fertile (Article 691). The grants of the Gondärine kings thus gave preference to the subregion of Dämbəya, renowned for the fertility of its lands, considered to be *bahräšäš*, meaning lands on the shore of a lake which are uncovered when the water is low. Similarly, among the lands most often mentioned in the transactions of Ḥamärä Noḥ are the well watered plots of  $G^w$  arizba and Qälay in Bäläsa, east of Dämbəya (see Fig. 1).

<sup>&</sup>lt;sup>77</sup> BnF d'Abbadie 231, fol. 102r-v.

At the beginning of the nineteenth century, *rim* plots did not benefit from the same protection as before and therefore did not secure a good income for their holder. See for instance an account of a *rim* holder in the writings of the missionary Gobat, referred to by Crummey 2000, 199–200. The chronicles also give several examples of the violation of the right to give asylum by kings or their followers: e.g. Basset 1882, 67; Guidi 1910, 194.

<sup>&</sup>lt;sup>79</sup> Guidi 1906, 672, 674, 689, 693, 697 (respectively docs 55, 58, 110, 126, 143) and BL Or. 508, fols 221v, 282v.

<sup>&</sup>lt;sup>80</sup> Guidi 1906, 674, 693, 697 (respectively docs 58, 126, 143) and BL Or. 508, fol. 221v.

<sup>81</sup> Guidi 1906, 661, doc. 22.

<sup>82</sup> Guidi 1906, 672, 680 (respectively docs 55 and 80).

<sup>83</sup> Guidi 1906, 689, doc. 110; BL Or. 508, fol. 282v.

<sup>&</sup>lt;sup>84</sup> Commentary in BnF d'Abbadie 231, fol. 101r-v.

<sup>85</sup> Crummey 2000, 88, 145. The distinction between *bahräšäš* and other types of land lasted into the twentieth century, see Gäbrä Wäld ∃ngəda Wärq 1955/1956, 32.

According to Arnauld d'Abbadie, a *rim* comprised four plots of black clay soil and two plots of gravelly soil. <sup>86</sup> The *andəmta* of the *Fətḥa nägäśt*, however, expressly excludes gravelly soil plots from being considered as part of a  $g^w$  *əlt*. <sup>87</sup> This apparent contradiction can be explained by the limited land resources. The Gondärine kings had recourse to such practices because of the lack of fertile lands. Thus, they also reallocated the land of other churches to the new  $d\ddot{a}br$ . <sup>88</sup> In doing so, they showed partiality to a certain  $d\ddot{a}br$ , also expressing their theological convictions. <sup>89</sup>

Lands of the Ḥamärä Noḥ domain were also affected by this practice. One sale mentions Qoffaročč in G<sup>w</sup>ərizba, referring to one of the lands granted to Ḥamärä Noḥ. 90 The Q<sup>w</sup>əsq<sup>w</sup>am grant cites a locality with the same name as those granted to this church. 91 Qoffaročč was to serve as housing for the Q<sup>w</sup>əsq<sup>w</sup>am priests since it was considered as a *mäkan*. The term is the Gə<sup>c</sup>əz equivalent of the Amharic word *bota*, which is a building-space for clerics surrounded by land. 92 The Q<sup>w</sup>əsq<sup>w</sup>am charter mentions that Qoffaročč was exchanged without clarifying what the clerics of Ḥamärä Noḥ obtained in return. 93 Čəla is also enumerated in the grants to both churches, and the charter of Ḥamärä Noḥ is ambiguous as to whether the whole or only part of Čəla was given.

This type of practice probably created tension between churches. The charters found in many registers and manuscripts may have had the intention of avoiding such conflicts. However, the difference in the content of charters contradicted the purpose of these records. In order to serve as a notification to the landholders concerned, records with identical content would have been necessary.

- Walka 'clay soil' (Dästa Täklä Wäld 1969/1970, 441) and čanča 'gravelly soil' (Dästa Täklä Wäld 1969/1970, 612); Vatican City, Biblioteca Apostolica Vaticana, Carte d'Abbadie 19, fols 179r–198r.
- <sup>87</sup> See BnF d'Abbadie 231, fol. 101r-v.
- 88 See for instance the grant of Q<sup>w</sup>əsq<sup>w</sup>am in BL Or. 508, fol. 1v or Däbrä Bərhan in BL Or. 481, fol. 4r.
- Däbrä Bərhan and Bä'ata were given part of the tribute of several other churches. See BL Or. 481, fol. 209v and Illinois/IES 88.V.22.
- <sup>90</sup> BL Or. 508, fol. 285v.
- <sup>91</sup> BL Or. 508, fol. 1v.
- <sup>92</sup> Kidanä Wäld Kəfle 1955/1956, 590; Crummey 2000, 166.
- 93 BL Or. 508, fol. 1v: 'A መካንሂ መስጥን መካን ዘይሰሙይ ቆፋሮች' ('As to the building-space of the clergy, we exchanged it with a place called Qoffaročč'; translation by the article's authors).
- <sup>94</sup> This is the case for the charters of Q<sup>w</sup>əsq<sup>w</sup>am and Bä<sup>o</sup>ata.
- <sup>95</sup> For Q<sup>w</sup>əsq<sup>w</sup>am, see Illinois/IES 88.III.16 and BL Or. 508, fol. 1v.

Document 22 from the Ḥamärä Noḥ corpus seems to refer to the conflict of interest regarding Čəla. There it is said that Ras Wäldä Ləcul gave his Ḥamärä Noḥ rim to a certain Blatten geta Sənu. This donation took place seven years before the death of the grantor. It is said that the donation was then confirmed at his death by the king and the queen regent. At the end of the document any person infringing on the rights of the grantor is condemned. The anathema mentioned in document 22 is a threat against any other claim to tribute or payment from Čəla. This particular detail is a reminder of the dispute over this land.

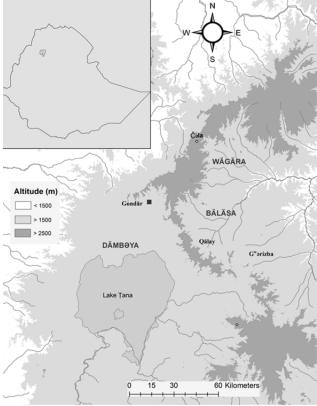


Fig. 1 The  $g^w$  alt and rim landholdings of Ḥamärä Noḥ in the environs of Gondär.

<sup>&</sup>lt;sup>96</sup> Guidi 1906, 661, doc. 22.

<sup>&</sup>lt;sup>97</sup> This type of rather simple anathema can be found for instance in docs 4 and 121 (Guidi 1906, 654, 692).

There is yet another reason why the domain of a church could increase or decrease in size. Kings could allocate new lands to the *däbr*. In the case of Hamärä Noh, three grants attest to additional land endowments. One of the grants benefits a soldier who had served the king, the other two gave land to clerics. The payment on the produce of these lands could either be fixed or consist of religious services to the church. Sometimes there is a difference in terminology: for services to the church, the phrasing can be *yaqäddasabbät* and for fixed payments *yadärabbät*.

## 2 Grants Disrupting Existing Statuses and Rights

The establishment of a  $g^w$  alt dispossessed and sometimes displaced former inhabitants of the donated land. The Church became an important landlord in most Gondärine regions as can be seen from the size of the ecclesiastical domains. Since the dispossession and the impoverishment of landholders created social tension, it was important that the ecclesiastical possessions have a solid legal ground. The aim of the grant charter and the foundation ceremony provided precisely such grounds.

#### 2.1 Lands Taken from Former Landholders

Lands granted to a new church were previously used by officers, soldiers, or the king himself. The grants specify the use of the lands, the function, or the name of the former holder. The term *qämmäs* in the expressions qualifying the granted land, such as *balambaras qämmäs*, *bašša qämmäs*, *näft qämmäs*, and *baläm<sup>w</sup>al qämmäs*, <sup>102</sup> is used to indicate the functions of the holders. <sup>103</sup>

- <sup>98</sup> Guidi 1906, 664, 692 (respectively docs 30, 122, 123).
- One of the clerics is the Mäl akä śähay Rob am, first head of the church of Qwəsqwam; the other is Dəho who is said to be a bägänäña (Guidi 1906, 663, doc. 28). If the term had the same meaning as today, he would have been a person playing the traditional harp used for church music.
- <sup>100</sup> Guidi 1906, 664, 692 (respectively docs 30 and 123).
- 101 Documents from Hamärä Noh only use the term yaqäddasabbät (Guidi 1906, 692) whether the grantee is a cleric (doc. 122) or a military officer (doc. 123). In Paris, Bibliothèque nationale de France, Éthiopien d'Abbadie 254, fol. 12r, the first term refers to the dwelling place while the second alludes to the religious functions that the grantee is to discharge. See d'Abbadie 1881, 305, 564.
- <sup>102</sup> Balambaras is a military title, see 'Balambaras', EAe, I (2003), 452b (D. Nosnitsin); bašša is the chief of a detachment armed with firearms, see 'Bašša', EAe, I (2003), 503a-b (S. Chernetsov); näft is land probably given to riflemen, see d'Abbadie 1881, 448; balämwal is a private counsellor to the king, see 'Balämwal', EAe, I (2003), 452b-453a (S. Chernetsov).

Some of the lands used for the upkeep of the king's stables were also granted to churches. <sup>104</sup> The king's gift of such lands does not require much justification; since the king is the owner of the lands and can decide on their functions, he can reallocate the lands for other uses.

Further justification was needed, however, to take lands from former holders whose holding was not of an administrative category. Justifications were sometimes religious and sometimes political. The chronicles narrate how groups not belonging to the Orthodox faith and other occupants threatening the power of the king were removed from the lands they occupied. Groups such as the Kayla, Zäwe, Maya, or Ittuu were displaced through grants to churches.<sup>105</sup>

Nevertheless, other types of holders could not be completely dispossessed and their interests were taken into account. The earliest mention of former holders' interests can be found in the *Chronicle of Iyasu I* where it is reported that two-thirds of the lands owned by *Abeto* Esdros were given to the church of Däbrä Bərhan, leaving him with only a third, called *siso*.<sup>106</sup>

The terminology used in some Ḥamärä Noḥ transactions leads us to believe that a similar arrangement was made with the former owners of the lands granted to this church: 5 per cent of legal acts from BL Or. 508 deal with *siso*, meaning 'a third'. 107 This *siso* is different from a third part of a *rim*: it designates the holding left to the former owner on the establishment of a church estate. 108

<sup>103</sup> BL Or. 481, fol. 209v; London, British Library, Or. 511 (henceforth referred to as BL Or. 511), fol. 2v; BL Or. 518, fol. 171r. In the late Gondärine era, the term *Maru qämmäs* was used to designate the lands held by one of the political actors of the time called Maru; see 'Maru Qämmäs', *EAe*, III (2007), 807b–808a (D. Crummey). The term *qämässä* means 'to taste', see d'Abbadie 1881, 257; Kane 1990a, 703. The use of this type of terminology when describing tribute is common: see, for instance, the use of the term *bälla* 'he has eaten' used to express the right to collect payment or tribute; cf. Guidi 1906, 695, doc. 136; and the Q<sup>w</sup>-ssq<sup>w</sup>-am grant (BL Or. 508, fol. 1v) that dedicates the land in the following terms: 'han: βħ-7: ΛΛ. 19. -: '('so that it could be for their sustenance'; translation by the article's authors).

<sup>&</sup>lt;sup>104</sup> See Crummey 1988. A grant of such land was made to Ḥamärä Noḥ long after the foundation of the church, see Guidi 1906, 664, doc. 31.

<sup>&</sup>lt;sup>105</sup> BL Or. 511, fol. 2v; BL Or. 508, fol. 1v.

<sup>&</sup>lt;sup>106</sup> Guidi 1903, 169.

<sup>&</sup>lt;sup>107</sup> D'Abbadie 1881, 172.

<sup>&</sup>lt;sup>108</sup> This conforms to the definition given by Dästa Täklä Wäld 1969/1970, 887.

#### 2.2 Dimensions of a Gondärine Rim and Däbr

A Gondärine *rim* comprises arable plots (*madr*) and a building-space (*bota*). The number of arable plots in a *rim* varies from four to eight plots, <sup>109</sup> while the building-space is usually a single plot. There are two estimates for the size of an arable plot from the first half of the nineteenth century: Antoine d'Abbadie suggests an approximate area of 1,000 sq. m (0.1 hectares); <sup>110</sup> while Arnauld d'Abbadie suggests a larger area of between 5,000 sq. m (0.5 hectares) and 9,000 sq. m (0.9 hectares).

If an average of six arable plots is presupposed in each *rim*, then Antoine d'Abbadie's estimate implies that the overall area of a *rim* was 6,000 sq. m (0.6 hectares). On the other hand, Arnauld d'Abbadie's estimate suggests an area ranging from 30,000 sq. m (3 hectares) to 54,000 sq. m (5.4 hectares). Since the arable plots of a *rim* are for agricultural use, Antoine d'Abbadie's estimate of 0.6 hectares is too small and the larger estimate (between 3 and 5.4 hectares) seems more reasonable.

As for the area of the whole *däbr* domain, it can be estimated by multiplying the number of clerics by the area of a single *rim*. The number of clerics in the larger Gondärine churches ranged from 100 to 300.<sup>112</sup> This means a large church with 300 clerics would have a domain of between 900 and 1,600 hectares. Although the charter of Ḥamärä Noḥ does not indicate the number of clerics, later accounts claim that the church had 318 clergymen,<sup>113</sup> a symbolic number reflecting Ḥamärä Noḥ's dedication to the fathers of the Council of Nicaea who numbered 318. But most probably the number was lower, since two sales from the corpus of Ḥamärä Noḥ mention 110 clerics as witnesses.<sup>114</sup> This seems plausible when compared to the number of clerics at Däbrä Bərhan (170) or Q<sup>w</sup>əsq<sup>w</sup>am (260).<sup>115</sup> Assuming

<sup>&</sup>lt;sup>109</sup> Antoine d'Abbadie suggested that a single *rim* consisted of four arable plots and a building-space (Tubiana 2001, 59), while the *mäzgäb* of Däfača Kidanä Məḥrät (Illinois/IES 88.XLI.10) listed eight arable plots and a building-space for each *rim*.

<sup>&</sup>lt;sup>110</sup> According to Antoine d'Abbadie, an arable plot's dimensions were 50 by 70 cubits (Tubiana 2001, 59).

<sup>&</sup>lt;sup>111</sup> An arable plot is estimated to measure between 45 and 60 square *šəmäl*. A *šəmäl* is a 158 cm long bamboo stick. Vatican City, Biblioteca Apostolica Vaticana, Carte d'Abbadie 19, fols 179r–198r.

<sup>&</sup>lt;sup>112</sup> The largest establishments like Däbrä Bərhan or Q<sup>w</sup>əsq<sup>w</sup>am had respectively 170 and 260 clerics at their foundation (Crummey 2000, 89, 107).

<sup>&</sup>lt;sup>113</sup> See [Students of Mänker Mäkonnən] n.d., 51–59.

<sup>&</sup>lt;sup>114</sup> See BL Or. 508, fol. 281v. The number of 110 clerics for Ḥamärä Noḥ contradicts the edited documents in Guidi 1906, 666, docs 37 and 38.

<sup>&</sup>lt;sup>115</sup> Crummey 2000, 89, 107.

there were 110 clerics, the area of Ḥamärä Noḥ's domain was between 330 and 590 hectares.

# 2.3 Foundation Ceremony as a Guarantee of Church G<sup>w</sup>alt and Rim Landholdings

The king's grants of land to churches meant that a great deal of fertile Gondärine land was allocated to churches. The Church's claim to land was publicly announced in ceremonies that remained relatively stable over time. Śərgəw Ḥablä Śəllase explains that the foundation ceremony of a däbr could be led by the king himself together with his civil officers. <sup>116</sup> In that case, the abun (metropolitan) only accompanied the procession to give religious endorsement to the king's proclamation. The symbols used during the ceremony expressed the king's power: the nägarit drum and the əmbilta. <sup>117</sup> A second possibility was for the emperor to send his representative. In this case, the procession was led by the abun with the participation of heads of other churches and elders. <sup>118</sup>

The objective of this procession was to mark the borders of the church's estate which was also defined as a place of refuge (kəlləl). 119 It confirmed the church's rights to the lands that the king had bestowed and the new landholdings of the church were made public. 120 When the king led the royal procession, he declared the existence of the church domain and its right to give asylum to those persecuted; the abun pronounced anyone who contravened the rights of the new domain anathema. If the king was not present, the abun marked the boundary of the domain with stones or wooden poles. The decree of the king was then read, followed by the usual declaration concerning anathema.

<sup>&</sup>lt;sup>116</sup> Śərgəw Hablä Śəllase 1989/1990.

<sup>&</sup>lt;sup>117</sup> The *nägarit* is a percussion instrument used for high officials or regional chiefs, see 'Nägarit', *EAe*, III (2007), 1104a–1106b (C. T. Kimberlin). The *əmbilta* is a wind instrument used in royal processions, see '∃mbilta', *EAe*, II (2005), 273a–274b (C. T. Kimberlin).

<sup>&</sup>lt;sup>118</sup> This procession was mandatory, except when the lands were difficult to cross. See Śərgəw Ḥablä Śəllase 1989/1990, 3.

<sup>119</sup> This definition was expressed by the term *kəlləl*, i.e. 'a place of refuge', see d'Abbadie 1881, 597. See also the word used for the church of Bä ata in BL Or. 518, fol. 16r.

 $<sup>^{120}</sup>$  A similar procedure is described for the marking of boundaries in older times; there, however, another ritualistic aspect was mentioned: a goat's head was buried and removal of the head would be severely punished. See Boavida et al. 2011, 99. The proclamation of the  $g^w$  alt in the presence of witnesses complies with Article 711 of the Fatha nägäśt.

The most important act in the foundation procedure was the proclamation. <sup>121</sup> In the *Fatḥa nāgāśt* and its commentaries, the written document is not presented as a validating formality for the  $g^walt$ . The document only proved the word of witnesses. <sup>122</sup> In the Gondärine practice of  $d\bar{a}br$  foundation it was nevertheless customary that a written charter be established. The scribe would record the list of witnesses to the grant.

It is likely that charters and foundational documents were written on manuscripts prepared for this specific purpose. Rim was effectively distributed on  $g^w$  alt land under the supervision of the legal officers, liq or azzaz,  $^{123}$  of the king. The Gondärine archives give instances of where distribution was organized and registered by a legal officer (liq) as well as by the chief of the  $d\ddot{a}br$ .  $^{124}$  The liq is one of the judges of the royal court and the  $al\ddot{a}qa$  is given jurisdictional power in the foundational documents of the  $d\ddot{a}br$ .  $^{125}$  Thus, we may assume that the allocation of rim on  $g^w$  at was a legal matter dealt with according to the king's orders. In some documents the threat of anathema was mentioned at the end of the distribution list in the  $m\ddot{a}zg\ddot{a}b$ , indicating that the listing had a status equivalent to the grant.  $^{126}$ 

Nonetheless the documents which have reached us are mainly marginalia or addenda to religious texts. If several copies of the foundational charter

<sup>&</sup>lt;sup>121</sup> It seems that the proclamation was read in public places such as markets and public squares. See for instance for Bä<sup>o</sup>ata, Illinois/IES 88.VII.36.

<sup>&</sup>lt;sup>122</sup> See Article 712 of the *Fətḥa nägäśt* commented in BnF d'Abbadie 231, fol. 103r.

<sup>&</sup>lt;sup>123</sup> An azzaž is one of the four highest jurists of the emperor's Supreme Court. 'Azzaž', EAe, I (2003), 422a-b (S. Chernetsov).

<sup>&</sup>lt;sup>124</sup> A judge called *Liqe* Täklä Haymanot is, for instance, the *aqafafi* (i.e. the distributor of church lands, see Kane 1990a, 851) of lands given to Qaha Iyäsus (Illinois/IES 88.V.5). Another judge, *Liqe* Ḥaylä Śəllase, is also involved in the registration of lands given to Bä'ata, see Eduard Rüppel's copy of *Liq* Asqu's chronicle, Ms. or. 39, fol. 126r–v (Goldschmidt 1897, 63–67, no. 18). Hezqyas, *aläqa* of the church of Qwəsqwam, inspected the lands (Guidi 1910, 49, 102); he then distributed the lands (cf. the *dələdəl* of *rim* lands given to Qwəsqwam in Illinois/IES 88.I.19). Similarly, the *aläqa* of Bä'ata was sent to the lands given to this church so that the selection and registration of the granted domain was confirmed. See Ms. or. 39, fol. 126r–v (Goldschmidt 1897, 63–67, no. 18).

<sup>125</sup> Liqe Täklä Haymanot replaced his father Kəflä Maryam during the reign of Bäkaffa (see Basset 1882, 923) at the royal court. He is thus a wämbär, one of the fätahyan, i.e. judges in the Śər²atä mängəśt, see for instance the Śər²atä gəbər of Ms. or. 39, fol. 1r-v (Goldschmidt 1897, 63–67, no. 18) in conformity with the jurisdictional role of wämbärs described by Boavida et al. 2011, 181.

<sup>126</sup> Illinois/IES 88.XI.3.

were produced, they were kept by legal officers in the church archives.<sup>127</sup> Several church manuscripts could therefore record the establishment of a given *däbr* and of the subsequent land endowment.<sup>128</sup> On the one hand, the involvement of officers outside the church administration guaranteed an impartial implementation of the content of the charters; on the other hand, the multiple registrations may also have served as a notification to churches losing their landed properties to the new *däbr*.<sup>129</sup>

The foundation procedures recognized the landholdings of a church and protected them against any other claims. The ceremonial character of the demarcation proclaims the land new rights to third parties. Legal records, although initially not having primacy over other sorts of proof, 131 validate the land rights. When the royal power began to weaken, the role of enforcing officers became more important. King Täklä Haymanot II, who wanted to make sure that the grant of Bä³ata be respected, could not obtain any guarantee, neither from a *liq* nor from the *aläqa*; he was forced to rely on a scribe (*sähafi*) who was considered to be the most competent person to identify any infringements to the charter. The participation of religious authorities and heads of other churches, the display of royal insignia during

<sup>127</sup> Antoine d'Abbadie collected legal acts on folia unattached to any religious document; two folia (fols 38v-40r) of the manuscript Paris, Bibliothèque nationale de France, Éthiopien d'Abbadie 181 are described as taken from *Liq* Aṣqu; see d'Abbadie 1859, 186. See also the transmission of legal archives within families in Bosc-Tiessé 2008, 211.

<sup>&</sup>lt;sup>128</sup> For instance there are five copies of the Q<sup>w</sup>əsq<sup>w</sup>am grant, see Crummey 2000, 167. The charter of Bä<sup>3</sup>ata is found in the manuscripts of nine churches, see Ms. or. 39, fol. 126r–v (Goldschmidt 1897, 63–67, no. 18).

<sup>129</sup> See, for instance, the registration of the Q<sup>w</sup>əsq<sup>w</sup>am grant in the corpus of BL Or. 508, fol. 1v, notifying the attribution of part of Ḥamärä Noḥ's lands to Q<sup>w</sup>əsq<sup>w</sup>am.

<sup>130</sup> The g<sup>w</sup>alt of Däräsge Maryam illustrates this ceremonial aspect, see BL Or. 481, fol. 3v: 'ይህም ፡ የሰጡ ም ፡ ጉልት ፡ እንዳይፈርስ ፡ አፄም ፡ አሬቤጊም ፡ መፅተው ፡ ደቡን ፡ መንበር ፡ መስተል ፡ መፅቶ ፡ ፴፱ ፡ ደብር ፡ መፅቶ ፡ ፲ ፡ ገዳማት ፡ መጽተው ፡ ገዝተዋል ፡' ('In the presence of the king and the abbot of Däbrä Libanos, the abun's chair and cross, the 44 däbrs and 3 monasteries, any persons contravening [the grant] were to be pronounced anathema so that the g<sup>w</sup>alt be respected'; translated from Amharic by the article's authors).

<sup>131</sup> In the Ba ata charter, for instance, it is striking how the violation of the written entitlement comes only after the violation of the word of the king. The anathema is formulated as follows in Illinois/IES 88.VII.36: 'ይህን : አራርሳስህ ፡ ደብዛቤውንም ፡ አፍቃስ ህ ፡ የሚል ፡ [...] አንደ ፡ አርዮስ ፡ ይህን ፡ ባለው ፡ አውን ግዛዋል ፡ ('Anyone who infringes [upon the landed rights], anyone who says that he would erase the written entitlement is to be pronounced anathema just as was Arius'; translated from Amharic by the article's authors).

<sup>&</sup>lt;sup>132</sup> Ms. or. 39, fol. 127r-v (Goldschmidt 1897, 63-67, no. 18).

the procession, as well as the threat of anathema dissuaded any persons who intended to infringe on the church's estate.

In the case of Ḥamärä Noḥ, the description of its foundation in the charter is brief and does not indicate which procedure was used, although some indications are given. The anathema was pronounced in the presence of the mäkwännəns and the liqs. The reference to the liqs confirms that judges knowledgeable in law were witnesses: the liq has a church education and, as such, is integrated into the ecclesiastical hierarchy. The mäkwännən, on the other hand, does not belong to the church administration: he is a governor from a noble family, a judge, or a ruler. The presence of the mäkwännəns when the threat of anathema was announced could mean that the founding procedure directly involved the king and his officers. This would imply that the first type of ceremony was used.

#### Conclusion

 $G^{w}$  alt is a charitable act described in the Fatha nägäśt as not reserved only for kings since, theoretically, the establishment of a church and its endowment with land could be undertaken by any individual. However, legal provisions indicate that land given as  $g^{w}$  alt was not to be burdened with royal taxes. Since the king was the only authority who could issue exemption from taxes, the foundation of land-endowed churches is generally associated with the king and not with his subjects. As the supreme judge of the Ethiopian kingdom, the king also granted jurisdictional privileges that became customary for  $d\ddot{a}br$ . Most of these churches were given the right to offer asylum to people seeking protection from persecutors.

The institution of royally-endowed churches resulted in the reorganization of landholdings. Former occupants of the land given as  $g^w \partial lt$  became holders of a third of their estate, two-thirds of which became part of the domain of the church. The inhabitants, whether or not they had title to the land, were not always displaced, but they had to pay tribute to the cleric and the church administration. The foundation of a church domain created interdependent and overlapping rights on land.

This rearrangement of entitlements to land was bound to create tensions between former landholders, men living from the land, the clerics and the

<sup>&</sup>lt;sup>133</sup> Isenberg 1841, 35; d'Abbadie 1881, 627; Dästa Täklä Wäld 1969/1970, 660; Kane 1990a. 301.

<sup>&</sup>lt;sup>134</sup> There is a similar mention of mäk<sup>w</sup>ännən in the Q<sup>w</sup>əsq<sup>w</sup>am charter. Other grants seem to involve only church officials, e.g. Bä<sup>3</sup>ata (BL Or. 481, fol. 209v) or Mäkanä Iyäsus (Crummey 1988, 201–209).

church administration. In an economy that remained agrarian up to the twentieth century, any fundamental change to rights on land disturbed livelihoods. Thus, *rim* is a concept central for understanding Ethiopian economic history. It is in fact a tenure that typifies the socioeconomic context where several rights coexisted on the same land. A better definition of *rim* is essential for a better understanding of the consequences of the superimposed rights to land that were characteristic of Ethiopian land tenure until the Revolution of 1974.

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#### Summary

The Ethiopian kings of the seventeenth and eighteenth centuries established churches endowed with large estates. The  $g^walt$  charter founding these estates conferred tax and jurisdictional privileges on the beneficiaries for the administration of the churches. On the land given as  $g^walt$ , individual holdings known as rim were distributed to clerics. The study defines the economic and social contexts in which the foundation of both  $g^walt$  and rim occurred and shows that such grants were a manifestation of the king's prerogatives and that the creation of ecclesiastical holdings disturbed existing social status and entitlements to land. In a comprehensive analysis the study considers land documents from Gondärine churches, with an emphasis on the Golden Gospel of the church of Hamärä Noh. The commentaries of the Fatha nägäśt, composed in the same period as the Gondärine land documents, will serve to explain the legal framework of  $g^walt$  and rim as applied in the eighteenth century in regards to customary Gondärine practices. This study of  $g^walt$  and rim reveals land-holding practises whereby several rights coexisted on the same land, a fundamental aspect of Ethiopian land tenure which continued until the Revolution of 1974.