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## Land Politics in the Ethiopian–Eritrean Border Area between Emperor Yohannēs IV and Mənilək II

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The complex issue of the land tenure system in 19<sup>th</sup> and 20<sup>th</sup> century Ethiopia–Eritrea has a tridimensional aspect that constitutes the basis of my reflection here: the native conception of land, the Ethiopian policies of the imperial government and the intervention of colonial powers. A correct evaluation of this interrelation can be properly understood by focusing on a corpus of integrated sources related to local written documentation, oral records and colonial reports.

This article is part of a wider project on the politics of the northern border in imperial Ethiopia (Təgray and *Märäb Məllaš*) in the reigns of Yohannēs IV (1872–89) and Mənilək II (1889–1913), and during the period of Italian occupation of Eritrea. The *Märäb Məllaš* (“beyond the *Märäb*”), the northern area of Ethiopia, became a part of the Italian colony of Eritrea in 1890. Previous studies of the Eritrean colony have concentrated on politics and diplomacy to the neglect of the land question and the agrarian milieu. The present research is an attempt to fill this gap.

A great amount of written European sources is available in Italian libraries and archives<sup>1</sup>. Moreover, we have collected in a number of surveys undertaken in the Eritrean highlands many written and oral records that constitute the most original aspect of our research<sup>2</sup>.

<sup>1</sup> Just to mention the collection of sources see: MININNI, *Bibliografia* 1945; POLLERA, *Piccola* 1933. Fundamental for ethnological aspects: CERULLI, *Ethiopia* 1965. I have mentioned the importance of colonial literature in TADDIA, “The Land” 1988.

<sup>2</sup> Between the years 1991–1997 I developed a research project funded by the Italian CNR (Consiglio Nazionale delle Ricerche) with some colleagues of the Istituto Universitario Orientale in Naples, Alessandro Bausi and Gianfrancesco Lusini. For our project mainly dealing on the Eritrean highlands see: Consiglio Nazionale delle Ricerche, *Materiali rilevanti per l’Etiopia dell’800*, Research project by Taddia, Bausi, Lusini, 1991. For references to published work see: BAUSI, “Su alcuni manoscritti”, 1994, 1995, 1997; BAUSI – LUSINI, “Appunti a margine”, 1992, BAUSI – LUSINI – TADDIA, “Materiali di studio”, 1993, ID., “Eritrean Monastic institutions” 1995, LUSINI, “Scritture documentarie” 1998, ID., “Traditional land tenure” 2000, BAUSI – DORE – TADDIA, *Materiale antropologico* 2001. The work is still in progress, see: TADDIA, *The Politics*, in CRUMMEY 2005, for a

The land tenure system was important in Ethiopia as well as in the Eritrean highlands (the *Märäb Mällaš*) in pre-colonial times and these two areas shared a number of institutions. We can discuss land from two perspectives. On the one hand, land control within the village society and its institutions was usually expressed by *šərʿat* (translated as colonial “codici” in Italian literature) or customary law. The importance of customary law encouraged the Italian administration to collect and publish many *šərʿat* during the colonial period. The customary law of the highlands rigidly controlled *rəsti* land (*rəst* in Amharic), the land inherited within the family generally through a male descendant<sup>3</sup>. On the other hand, land rights were expressed through the interrelation between the central power (the Solomonic state) and individuals or institutions. In this case, rights over land were defined by *gulti* (*gult* in Amharic) or *rim* lands<sup>4</sup> in favour of secular landlords or the church. Both cases reflect the complexity of the social institutions of traditional Ethiopia and the importance of land, which was intimately linked with the social structure.

We have two classes of documents concerning land from the Eritrean highlands: firstly, the customary law that testifies to agreements about village lands and records the basic institutions of village society and secondly, the land grants, *gulti* or *rim* lands established by the central power or the church. Customary law was handed down by oral tradition alone and later translated by colonial civil servants; the *rim* and *gulti* rights, however, can be analysed through a series of documents kept in religious texts in highland monasteries. Land in Eritrea determines a precise social status and a hierarchy of values fundamental to the understanding of the relationship between state and society, ruling class and peasants. The Eritrean highlands share many social institutions with Ethiopia, observed for the first time by anthropologists and civil servants during the Italian colonial period. This is

previous version of the research included in this article. I am deeply indebted to Bairu Tafla and Donald CrummeY for comments and suggestions.

<sup>3</sup> *Rəsti* land is the main type of property in the Eritrean highlands and *rəsti* entails precise hereditary rights to family land generally inherited through the male line; see TADDIA, “The Land” 1988. For the publication of the customary law during the Italian colonial period see the bibliography quoted in TADDIA, *L’Eritrea-colonia 1890–1952* 1986.

<sup>4</sup> *Gult* (*gulti*) is a grant of land (or revenues of land) assigned in return for service commonly translated as “fief” widespread in all Ethiopia with regional differences. For the Amhara area, see: CRUMMEY, “Abyssinian Feudalism” 1980; for Eritrea: CARBONE, *Termini più in uso* 1940, pp. 45–46. *Rim* can be defined as a right to land in favour of the church, CARBONE, *Termini* 1940, pp.44, or as “ecclesiastical land [which] fell juridically under the church”: CRUMMEY, “Gondarine *Rim* Land Sales”, in HESS (ed.) 1979, p. 472. More detailed documentation in the fundamental work by CRUMMEY, *Land and Society* 2000.

the origin of the great amount of available documentation<sup>5</sup>. We can refer to some basic categories of land for both areas. *Rəsti* lands, particularly in Eritrea, have been the object of a number of studies and deserve close attention in a historical time perspective. Scholars generally agree on the definition of this kind of land and its importance in the historical context<sup>6</sup>.

More complex and contradictory seems to be the genesis of *gult* in Ethiopia and there is no general consensus on its origin, as we can see from the discussion related to this topic in recent literature<sup>7</sup>. The bulk of research work actually deals with Ethiopia, while the Eritrean *gulti* system as discussed in colonial literature need a re-examination. *Rəsti*<sup>8</sup> and *rim*<sup>9</sup> land has been re-analysed in both areas. One important theme of study is represented by the church lands in Eritrea. The religious texts represent a valuable source for Eritrean modern history as well as for the analysis of the land tenure system in pre-colonial times. Therefore our research deals with the systematic collection and critical analysis of a wide range of sources on land kept in monastic institutions<sup>10</sup>.

<sup>5</sup> See the mentioned Italian bibliographies, NADEL, "Land tenure" 1946, pp. 1–22; pp. 99–109 and TREVASKIS PAPERS, Bodleian Library 1944.

<sup>6</sup> *Rəsti* land in Eritrea has been extensively studied during the Italian colonial period, as we can see in the mentioned colonial bibliography.

<sup>7</sup> See the discussion and research documented in CRUMMEY, *Land, Literacy* 2005. Donald Crummey defines *gult* as "a property right in land, held by group or individuals, which entitles them to collect tribute in kind, labor, currency" while Tadesse Tamrat states that "The first concept of *gult* was not a right to land, as it was of *rést*. In essence, the granting of *gult* was a delegation of power in the final analysis by the sovereign himself to various level of his official, together with the appropriate share in parts of the resources of his domains". See respectively: CRUMMEY, "Medieval Ethiopian", p. 2, and TADDESSE TAMRAT, "The *Gult* System of Medieval Ethiopia" 1993, pp. 5–6, both unpublished papers presented at the Urbana-Champaign Symposium on "State, Land and Society in Sudanic Africa" 1993. The two scholars also have a different position regarding the origin of this institution. While Crummey refuses to emphasise conquest, military power, administration, Tadesse Tamrat privileges the imposition of power over newly conquered territories and military hegemony. Merid W. Aregay seems to share the view of Tadesse Tamrat: see MERID WOLDE AREGAY, "Military Elites", in CRUMMEY *Land, Literacy* 2005, pp. 159–186; for the evolution of *gult* system in modern Ethiopia see CRUMMEY, *Land and Society*, 2000; for the analysis of different points of view on *gult* system see also the note 48 below.

<sup>8</sup> See HOBEN, *Land Tenure* 1973; TADDIA, *L'Eritrea colonia* 1986.

<sup>9</sup> For a recent discussion on *rim* land see: BAUSI – DORE – TADDIA, *Materiale* 2001.

<sup>10</sup> We made a collection of "marginalia" documents connected with the traditional land tenure system available in highland monasteries. We must stress the originality of this research project within Eritrean history; at the moment, the only existing research on

This article discusses the institutions of village society, in which land was central. The main focus is on *rəsti*, the key concept in the Eritrean land system. It refers to an example of customary law, the *Adkämä Məlga'* of Säraye (one of three highland areas included in colonial Eritrea) collected at different times during colonialism. My analysis is supported both by written sources and by oral information obtained through the many interviews I conducted in the field. The context of our research is the power struggle for the entire region north of the River Märäb and the autonomy of this area in relation to Təgray south of the Märäb. For 19<sup>th</sup> century Ethiopia, historians have mainly studied the expansion of the Amhara monarchy into “the southern marches”<sup>11</sup> and the extension of the previous borders to form present day Ethiopia. Expansion northwards on the contrary has received little attention. Can we speak of a real imposition of imperial power over the “northern marches” in the period between Yoḥannəs and Mənilək? And to what extent was land tenure relevant in this context<sup>12</sup>? Land tenure is a peculiar aspect of the struggle for power in the *Märäb Məllaš* and can explain the political conditions of the area as well as its social relations. Therefore, my discussion deals not only with land tenure in a strict sense, but with the competition over land that reveals the interaction between the institutions of village society and the central power.

We focused on Säraye because of the wealth of colonial data on the area<sup>13</sup>. Säraye was also a region of great autonomy, inhabited by a proud people, relatively isolated from the other highland areas, Akkälä Guzay and Ḥamasen<sup>14</sup>. Of particular importance is that *rəsti* land was prevalent in Säraye, while *desa* or communal land tenure was more common elsewhere in the highlands<sup>15</sup>. The religious and historical traditions of the area gave rise to many important monastic institutions<sup>16</sup>. These monasteries preserve documents which demonstrate the close link between religious institutions and the land. Lastly, Säraye is a good area for carrying out research now,

“marginalia” deals with Ethiopia. See the works by Donald Crummey and his team research quoted in note 48. For the results of our work see the quotations in note 2.

<sup>11</sup> The most famous work on this topic is: DONHAM – JAMES, *The Southern*, 1986.

<sup>12</sup> It does not seem to me that historians have taken this issue into account. The interrelation between land tenure and state power is a seminal ground for research.

<sup>13</sup> Säraye was a key land in Eritrea; the Italian archives conserve a great deal of material on this area. For the most important documents relating to this context see: AE, Pacco 164; Pacco 229; Pacco 282; Pacco 425 included in the bibliography below.

<sup>14</sup> Oral documents emphasise this aspect. For the origin of the Säraye people see: PERINI, *Di qua dal Mareb*, 1905, pp. 95–117.

<sup>15</sup> PERINI, “Sulla proprietà fondiaria nel Seraé”, 1893, pp. 663–693.

<sup>16</sup> See LUSINI, “Cristianesimo” 1993, pp. 13–31 and ID., *Studi sul monachesimo*, 1993.

because it was relatively little affected by guerrilla war during the last thirty years of Ethiopian government in Eritrea. This region has been more stable than the other areas of the highlands as demonstrated by the scarce migratory movements and social changes. These factors have facilitated our oral research and persuaded us to study an area already well researched.

### Land, Community and Border Policies

The diplomacy of colonial borders had great implications for land policies. The Italians themselves considered the *Märäb Məllaš* as a “natural” border, defining a particular political and social structure, a historical border definitively settled by Italians. Did the River Märäb really divide the Təgrəñña speaking area in accordance with traditional culture or did it represent only a colonial partition? Moreover, what were the political and power relations between the northern and southern sides of the border before the Italians? These questions provide an incentive to analyse the dynamics of power in Ethiopia on the eve of colonialism at a time when a new power structure was gradually replacing the previous one<sup>17</sup>. Colonial documents also give us the opportunity to study the historical stages which preceded as well as the dynamics of power relations.

The struggle for the control of the Təgrəñña speaking lands divided by the Märäb into northern and southern areas was the object of long-lasting rivalries and disputes. The area north of the Märäb was ruled by local dynastic powers<sup>18</sup>, and had a great degree of autonomy and a number of different patterns of local rule and government. Numerous observers well before the advent of colonialism remarked on the autonomy of the government in the *Märäb Məllaš*, based on ancient customs and rule. The oral tradition collected with great accuracy during the 20<sup>th</sup> century confirms this autonomy. The history of Ethiopia itself is marked by a succession of long and uninterrupted rebellions, local autonomy and new conquests by the

<sup>17</sup> A relevant set of Italian documents deals with the local nobility, genealogies and biographies of outstanding political figures of both the areas north and south of the Märäb. The aim of understanding the power relations and pre-colonial order on the part of the Italian government was the main reason for writing these important monographs. See a discussion of the most relevant ones in: TADDIA, “Colonialism as Political” 1988.

<sup>18</sup> For an understanding of the most powerful families in *Märäb Məllaš* according to oral tradition, see KOLMODIN, “Traditions” 1914, pp. 1–112, V, 2, 1916, pp. 1–260.

monarchy<sup>19</sup>. In the power games the *Märäb Məllaš* is always distinguished by its struggle to separate itself politically from Təgray<sup>20</sup>.

The reigns of Tewodros (1855–68) and Yoḥannəs (1872–89) restored royal control over the northern border, before colonialism definitely divided the two Təgrəñña speaking areas. In particular, a new era began with Yoḥannəs, to whom control of the northern border was of particular importance. The centre of power moved to Təgray and the *Märäb Məllaš* was consequently affected by the new politics. In 1879 the emperor sent *ras* Alula to govern the northern Märäb, seeking to incorporate this hitherto peripheral area under his direct control<sup>21</sup>. *Ras* Alula was seen as a ruler from the north, outside the nobility and without any blood ties to the aristocracy of the area. Under his rule over the *Märäb Məllaš*, a new social policy was initiated to integrate the two areas divided by the River Märäb. The emperor authorised Alula to confiscate extensive lands in favour of the new power elite and the army, but there was strong opposition to the creation of vast *gulti*<sup>22</sup>. Alula contributed to the destruction of the traditional property system by adding new elements to landed rights. The reign of Yoḥannəs thus saw several important social innovations.

The ten years from 1879–1889 (from the government of Alula in the *Märäb Məllaš* to the Italian conquest) were important, “the ten years of Təgrayan domination”, or “Təgrayan occupation” as Perini defines them<sup>23</sup>. The *Märäb Məllaš* lost its autonomy and once again became part of the Ethiopian monarchy<sup>24</sup>.

How can Yoḥannəs’ power be understood against the background of the *Märäb Məllaš*? We can formulate a few hypotheses for research. The idea of a border poses certain problems. Firstly, the nature of the expansion of royal power must be defined. To consider the north as a frontier that

<sup>19</sup> See a list of documents on local nobility and competition for power preserved in the Italian archives in TADDIA, *L’Eritrea colonia* 1986. For a general analysis of European documentation see: ID., “In Search of an Identity” 1994.

<sup>20</sup> On the political history of this period see two interesting colonial works: FASOLO, *L’Abissinia* 1887 and BONACCI, *Il Mareb Mellasc* 1905.

<sup>21</sup> On *ras* Alula we have a published work by ERLICH, *Ethiopia* 1982, and there is also relevant material in the Italian archives that is yet to be exploited by scholars; on the role of *ras* Alula in Asmara see: PERINI, *Di qua* 1905, pp. 349–386.

<sup>22</sup> POLLERA, *Il regime* 1913, p. 90.

<sup>23</sup> PERINI, *Di qua* 1905, pp. 51; 37.

<sup>24</sup> *Ibid.*, p. 180 [my translation] “A new era began in Ethiopian history [...] the day that Johannes became emperor by virtue of his intellect and strength and conceived the great design of reconstructing the old Ethiopian empire on a solid basis within its historical confines and pushing towards the sea to gain free communication and contacts with civilised peoples”.



needed occupying would seem to call into question imperial power itself. In reality, resistance on the part of the local powers persisted under the Təgrəñña speaking emperor. Analysis of the land system illustrates how ancient institutions resisted what was considered foreign occupation<sup>25</sup>.

Yoḥannəs' land tenure policies in the *Märäb Mallaš* and social relations in the Təgrəñña speaking areas deserve close analysis. The emperor tried to implement the occupation and control of the north by the use of various mechanisms. In the first place, he recognized many cultivators as *rəstännä* (land owners) only by virtue of their having paid tribute rather than by tradition<sup>26</sup>. An edict of 1888 decreed that whoever paid land tribute could claim ownership rights similar to those conferred by the traditional *rəsti*<sup>27</sup>. In the second place, he introduced uninterrupted occupation of land for forty years as a new basis for claiming *rəsti* ownership<sup>28</sup>. Lastly, when Alula arrived in the *Märäb Mallaš*, he decreed that the tenth part of every land holding should be transferred to the emperor with the evident aim of redistributing lands to create a new power structure<sup>29</sup>. This last measure obviously applied particularly to Säraye, where *rəsti* land prevailed, but had little effect in Ḥamasen and Akkälä Guzay, where the *desa* system was more common.

A further point about Yoḥannəs' land policy is central to my argument; he tried to introduce a new law that modified the traditional principles of land inheritance by males only. The admission of married women to *rəsti* land inheritance unites the problem of land with the structure of power. From the beginning of the 1870s, these measures tended to favour a process of social integration of the area north of the River Märäb into the Ethiopian empire. This process was stopped at the outset by the Italian conquest of the area.

A real military occupation and the encouragement of new marriages aimed at Təgray weakened the leadership of the *Märäb Mallaš* to the benefit of a power which it considered to be alien. Ultimately, however, in the last

<sup>25</sup> See: BAHRU ZEWEDE, *Yohannes IV* 1975.

<sup>26</sup> POLLERA, *Il regime* 1913, pp. 89–90.

<sup>27</sup> No edict survives, but it is mentioned in the colonial literature. The most convincing quotation seems to me: AE, Pacco 455, *Diritto indigeno. Affari politici* 1905. This file includes: *Massime di diritto indigeno. Sentenze* 1905, in which a land dispute in 1905 is recorded. The redeeming of lands depended on the certainty of the payment of tribute under Yoḥannəs. Whoever could demonstrate this payment for the disputed lands acquired rights to ownership of the land; see also a mention of this right in: NADEL, "Land tenure" 1946, p. 11.

<sup>28</sup> See: ASMAI, Rome, Fondo Caroselli, Cass. 11, fasc. 6, *Prescrizione quaranteneria*, n.d.

<sup>29</sup> See: POLLERA, *Il regime* 1913, p. 90: [my translation] "The aim of such an edict was to benefit the Təgrayan chiefs who he had promoted to the command of the most important areas with these lands, so that they would become fond of the conquered lands, marry the natives and so give rise to descendants tightly bound to the fortune of the empire".



years of the reign of Yoḥannəs, the northern frontier proved a failure for the Ethiopian monarchy, which proved unable to absorb the territories in the north as stably as it had in the south. The crucial moment occurred in April 1888, after just nine years of imperial government beyond the River Mārāb, when Yoḥannəs recalled Alula in the interest of establishing profitable relations with the Italians and turning his own forces against the Mahdist armies<sup>30</sup>. Yoḥannəs sacrificed Alula and the *Mārāb Məllaš* in favour of the Italians, thereby setting a policy which his successor also pursued. In 1889, Italian troops definitively occupied Asmara; only ten years previously, in 1879, had the power of the important local families in the *Mārāb Məllaš* been extinguished<sup>31</sup>. In 1890, with the official creation of the Italian colony of Eritrea, the *Mārāb Məllaš* was unequivocally relinquished by the Ethiopian monarchy and not even after the battle of ʿAdwa was there any question of reconquering it. Thus Yoḥannəs' attempt to integrate the areas north of the Mārāb with those to the south of it came to a definitive end. During the Italian colonial period, a new pattern of land tenure policy increasingly contributed to the separation of these areas.

#### Land and Colonial Records: the *Adkämä Məlga*<sup>3</sup>

The data for understanding the land tenure structure of the Eritrean plateau are still those of the colonial period. Little research has been done in the field in recent years. Many Italian documents are pertinent to social history; to them can be added the British sources which in general are more important for politics, with relevant exceptions. The unedited works of Trevaskis on Ḥamasen conserved in the Bodleian Library in Oxford deserve a special mention, as they deal largely with the agrarian structure of village society<sup>32</sup>. The studies on land tenure on the Eritrean plateau in the Italian period were conditioned by precise colonial aims. The Italians wanted a sufficient understanding of land tenure to enable them to colonise the agricultural lands of the plateau. For this reason, many monographs written by colonial civil servants, anthropologists and historians deal with the land question<sup>33</sup>. The

<sup>30</sup> See "Emperor Yohannes to Generale S. Marzano", in GIGLIO, *Etiopia* 1977.

<sup>31</sup> An example of this policy of control is the loss of power by *Ras Wäldänkel*, exiled by Yoḥannəs; see KOLMODIN, "Traditions" 1916, pp. 147, 225–226; 161–176; 187.

<sup>32</sup> Bodleian Library, Oxford, TREVASKIS PAPERS, Item 1: *The Hamasien*, 1944, pp. 168; see TADDIA, "On Some Unpublished" 1997.

<sup>33</sup> The unedited documents on land tenure in Italian archives are too numerous to be cited here; they can mainly be found in the "Archivio Eritrea" in Rome and in the "Archivio dell'Istituto Agronomico per l'Oltremare" in Florence. For a complete list see the bibliography in TADDIA, *L'Eritrea colonia* 1986.

logic of colonial politics privileged Säraye, the most fertile area of Eritrea, abounding in available land, a suitable area for the immediate realisation of colonial agriculture and therefore the Italian bureaucracy generated a vast amount of documentation on the district<sup>34</sup>. Italian sources claimed that an accurate study of this area would serve to improve the colonial administration, considering that the region had always been badly administered by the central Ethiopian government<sup>35</sup>.

Differences in land structure during pre-colonial times highlight the struggle for power between noble families and the emperor for the control of the area. Land tenure is clearly an aspect of the political competition. The colonial literature gives us ample information on the preceding historical period<sup>36</sup>. The basis for the social structure of Ethiopian agriculture is the village community. Every village was regulated by precise rules which were orally handed down and memorised periodically in public assemblies. The land tenure laws of the Eritrean highlands are known through oral tradition. Control over land was precisely codified by this same oral tradition. The only traditional written customary law, in the Təgrāñña speaking areas, is the “Loggo Sarda”, discovered in Akkälä Guzay in the colonial period and edited by Conti Rossini<sup>37</sup>. However, many traditional laws were collected by colonial civil servants and later published. The Eritrean “codici” constitute even today an important source for the analysis of the historical context<sup>38</sup>. Despite the disappearance of the traditional laws under European influence, it was paradoxically thought necessary to promote their codification. During the colonial period, a clearly different pattern of land tenure created by colonial politics emerged in Italian Eritrea.

As has been stressed, the inhabitants of the Eritrean plateau had two distinct governments: on the one hand, the institutions of village society, and on the other, the central government of the Solomonic monarchy<sup>39</sup>. The interaction between communal society and state power is a seminal ground

<sup>34</sup> PERINI, “Sulla proprietà fondiaria” 1893, p. 664.

<sup>35</sup> Ibid., pp. 667–668.

<sup>36</sup> NADEL, “Land Tenure” 1946, is the main work conducted during the colonial period on this topic.

<sup>37</sup> CONTI ROSSINI, “I Loggo e la legge dei Loggo Sarda” 1904, pp. 1–63.

<sup>38</sup> Other than the “Loggo Sarda” quoted above, the main codes published during colonialism are: CAPOMAZZA, *Il diritto*, 1909; CONTI ROSSINI, “Lo statuto” 1940, pp. 347–366. For the codes of Säraye see the following notes. On the importance of codes in general see: ID., *Principi* 1916, pp. 60–71. For a bibliography on customary law see: VANDERLINDEN, “An Introduction to the Sources of Ethiopian Law” 1966.

<sup>39</sup> DUNCANSON, “Sirʾat ʾAdkeme Milga” 1949, p. 141.

for further research on the area. Customary law throws light on how village society resisted imperial rule.

I now need to call attention to the peculiarity of Säraye. In this context I will dedicate more space to the customary law of interest to me, which was also edited during the colonial rule, known as the ‘*Adkämä Mälga*’. The *šar‘at* of the ‘*Adkämä Mälga*’<sup>40</sup> seems to be one of the most complex of the plateau and one of the most meticulously codified. Of the two known versions, the first was published in 1912 by Ilario Capomazza<sup>41</sup> and the second in two parts by Carlo Conti Rossini and completed by Lanfranco Ricci<sup>42</sup>. This latter collection, which was formed under the regional commissioner of Säraye, Eugenio di Savoia-Genova, is more complete and accurate and gives the Təgrāñña text next to the translation. The text of the law itself was approved, underwritten and sealed with the finger-prints of the participants of the meetings held at ‘Addi Ugri in early 1940. Assemblies of elders (*maḥbär*), which were composed of delegates from various villages, had the power to hand down, codify and modify the customs. They also guaranteed both their veracity and their application. A previous codification in the reign of Yoḥannəs in 1873 is recorded<sup>43</sup>, while the first original codification of the ‘*Adkämä Mälga*’ law dates from the 15<sup>th</sup> century. The majority of the districts of Säraye followed this law. A few districts followed less widely diffused laws, such as the *Loggo Čəwa*<sup>44</sup>.

The ‘*Adkämä Mälga*’ is an example of colonial ethnography of fundamental importance to problems of land ownership. In Säraye, the land was under the regime of the *mədri rəsti*, and thus divided into plots of private and personal property that could be sold, ceded or inherited with the sole restriction that the new owner came from the same village<sup>45</sup> in contrast to the communal ownership of land, *desa*, which prevailed elsewhere on the plateau. The widespread diffusion of private property, *rəsti*, in Säraye is of primary importance for our study.

<sup>40</sup> On the origin of ‘*Adkämä Mälga*’ see: CONTI ROSSINI, “Gli Adchemé Melgà” 1911, pp. 599–651 and GARRONE, “Su gli Atchémé Melgà” 1904, pp. 994–1017.

<sup>41</sup> CAPOMAZZA, *Diritto* 1912.

<sup>42</sup> CONTI ROSSINI (ed.), “Consuetudini giuridiche” 1948, pp. 1–128; 1952, pp. 129–217, the last part edited by LANFRANCO RICCI.

<sup>43</sup> CAPOMAZZA, *Diritto consuetudinario* 1912, p. 10.

<sup>44</sup> CONTI ROSSINI, (ed.), “Consuetudini giuridiche” 1948, p. 1.

<sup>45</sup> PERINI, “Sulla proprietà fondiaria” 1893, p. 678.

The code of the *‘Adkämä Mälga’* defines the *rästi* (Təgrəñña: *wäräsä*, to inherit) precisely<sup>46</sup>. *Rästi* land can be acquired through heredity, purchase (*wärqi*), or by the felling of a wood and the cultivation of virgin land<sup>47</sup>. The property of the *rästi* could be collective, or could belong to an extended family, or to an individual. If a brother requested the division of the paternal lands, the execution of the request was obligatory. After the division of the fields, anybody had the right to claim at any time the *assaheba*, the revision of the division which could be carried out only when all the lands had been repartitioned. Collective lands were divided among the various branches of the family with the consensus of all the *rästännä* of the area and repartition took place without taking into account the numbers of the family members. The law protected the right of the *baläwärqi*, who having bought the land with money (*wärqi*), was required to produce proof of his purchase. If this had taken place within less than three years the *mädhen* (guarantor) was responsible for the buyer; if it had taken place more than three years previously, a new purchaser would have to designate someone to pay *gäbräwärqi*, a purchase tax. If the sale was very old and the *gäbräwärqi* no longer existed, the purchaser had to produce witnesses to confirm that the transaction had taken place between the two families. To avoid abuse, this last was meticulously codified on the basis of precise laws from all the *‘Adkämä Mälga’*, accompanied by a ritual that also established the compensation. The importance of the *gäbräwärqi* must be emphasised. The tax was a secure proof, in the absence of a written record of the sale, testifying to the contract and helping the community to memorise it. A gift of grain was brought every year to the vendor’s house on the first Sunday after Easter and displayed to everyone as a proof that payment had taken place. A sale transacted without first consulting relatives was not considered valid and could be redeemed by them within three years. Every contract required the presence of a *dañña* (judge) nominated by the common agreement of the contracting parties as well as of five witnesses.

In addition to these figures, the guarantor, who was nominated by the vendor, was of central importance to the transactions and had the role of executing the sale and the payment of the commodities. Private land could be mortgaged for money. In the case that the proprietor was unable to pay his debts he was forced to sell the land which he thus lost for ever (*wärqi*

<sup>46</sup>The etymology given by Conti Rossini is the most reliable: *wäräsä*, “to inherit”, in “Consuetudini giuridiche” 1948, p. 81; Capomazza and Pollera refer to the obscure root *rasata*, to occupy. See respectively, *Diritto* 1912, p. 69 and *Il regime* 1913, pp. 6–7.

<sup>47</sup>For all the following details on *rästi* in the *‘Adkämä Mälga’* code see CONTI ROSSINI, (ed.), “Consuetudini giuridiche” 1948, pp. 81–96.

lands were hereditary as were the *rästi*). *Resti* could be ceded for share cropping (*färäqa*) to whoever had animals and was able to work the land. The share cropper (*bä'al bə'aray*: the owner of an ox) was required to plow and sow. Both parties shared the cost of the seed and the share cropper kept one half of the harvest. If the proprietor (*bä'al grat*) wanted the land back, he had to take it back in the threshing season before the first Sunday after Easter. Once cultivation had begun, the share cropping could not be revoked. The harvest owed to the land owner had to be punctually handed over and the field given back after being ploughed and prepared for new cultivation.

The *Adkämä Mälga'* also took into account the prerogatives and duties of the non-native settlers (*ma'əkäläy alet*). They usually did not have the right to the *rästi*, and could use the land for only three or seven years according to the divisions and the favourable opinion of the owners. The communal or *desa* land system is the third and last type of land tenancy provided for by the code, none of the copies of which refer to *gulti* lands<sup>48</sup>. The *ma'əkäläy alet* could participate in the *desa* for a limited period of time as long as they were stable residents in the territory. They could neither leave the village, nor transfer or cede the land for share cropping. The right to the land was very limited clearly differentiating their legal state from that of absolute ownership. The new settlers could often lose their land if they did not cultivate it efficiently. Moreover, they could not move freely, attend the village assemblies or act as guarantors. Highland customary laws derive their force from the collective consensus that was necessary to validate them. Successions and inheritance were a subject of concern. Both versions of the *Adkämä Mälga'* code rigidly disciplined the inheritance of land.

<sup>48</sup> *Gulti* right was not included in the code, because the latter defines the law on land in relation to village society. *Gulti* right was an expression of a peculiar right to land given by the central power. Colonial literature on *gulti/gult* (as well as on church land) deals mainly with the area south of Märäb, while *Märäb Mällaš* is ignored. See: VILLARI, "I "gulti" della regione di Axum" 1938, GESIOTTO, "La proprietà terriera ecclesiastica nel Tigräi" 1939, pp. 417–421; TRAVERSI, "La proprietà della terra" 1900, pp. 117–137; *Ibid.*, XIV, 5, 15 gennaio 1901, pp. 111–122; for an English version of land charters see: HUNTINGFORD, *The Land Charters* 1965. Contemporary literature also deals with the Amhara milieu; Eritrean land tenure is an under researched topic. See: CRUMMEY – SHUMET SISHAGNE, "Land tenure and the Social Accumulation" 1991, pp. 241–258; *Id.*, "The Land of the Church of Däbrä S'ähay" 1993, CRUMMEY – DANIEL AYANA – SHUMET SISHAGNE, "A Gondärine Land Grant in Gojjam" 1994; see also CRUMMEY, "Gondarine *Rim* Land Sales" 1979; SHIFERAW BEKELE, "Land Tenure in Imperial Ethiopia" 1995, MERID WOLDE AREGAY, "Land Tenure and Agricultural Productivity" 1986, pp. 115–129; MANTEL NIEĆKO, *The Role of Land* 1980; PANKHURST, *State and* 1966; BERHANOU ABBEBE, *Évolution de la propriété foncière* 1971.

Generally hereditary transmission took place through the male line while women were excluded from inheriting land. According to the code [my translation] “the daughter takes the part she needs to get married, but cannot benefit from the inheritance of newly acquired or inherited lands. If she is not married, however, she participates in the inheritance of the male descendants. A married daughter has the right, other than to bought or inherited land, to everything remaining (cows, oxen, money, goats and sheep, various domestic objects)”<sup>49</sup>.

After the death of her husband, the woman could keep the house and goods (*bet-ən gänzäb-ən*) for a year after which it had to be settled upon by the children, and she could keep only a part of her goods. As can be seen, the law of the ‘*Adkämä Mälga*’ did not provide for female land inheritance permitting it only in the case of unmarried women. This is a focal point for further discussion.

### Land, Marriage Policies and Political Power

Control over the Eritrean highlands by central government was modified and extended according to the general political situation within the empire. Before the Italian occupation of Eritrea, Yoḥannəs attempted to restore this control and land was central to his policies. Land policies were extended to support a new pattern of marriage. According to available sources, the land tenure system in the Təgrəñña speaking highlands north of the River Märäb followed a general pattern of male inheritance. Women’s rights were given greater recognition in the Təgrəñña speaking land south of the Märäb, in this respect reflecting the Amhara pattern which admitted women’s rights to inherit land<sup>50</sup>. The restoration of control over the area north of the Märäb by the Solomonic monarchy during the years 1870–1880 saw the tentative development of a new pattern of land tenure. We have some documents on this evolution. Colonial sources, namely Conti Rossini, Capomazza, Perini, Pollera and Mulazzani give a clear picture of land tenure in the Säraye area during the reign of Yoḥannəs<sup>51</sup>. Säraye was adjacent to Təgray and the sources reveal that Yoḥannəs tried to change the traditional land law by recognizing the right of married women to inherit their father’s *rəsti*. These new policies were a political device to strengthen social ties between Säraye

<sup>49</sup> CONTI ROSSINI, “Consuetudini giuridiche” 1952, pp. 137–138. A close analysis of women in the highlands area is provided by KEMINK, *Die Tegrēñña Frauen* 1991. For the Säraye area see: *Die Provinz Särayä/Šar’at ‘Adkämä Mälga’*, ibid., pp. 39–43.

<sup>50</sup> CONTI ROSSINI, *Principi* 1916, pp. 310–12.

<sup>51</sup> Ibid., pp. 313–14; CAPOMAZZA, *Diritto* 1912, p. 10; PERINI, “Sulla proprietà”, 1893, pp. 678–79; POLLERA, *Il regime* 1913, pp. 89–90; 34–36; MULAZZANI, *Norme* 1898.

and the areas to its south. Yoḥannəs encouraged marriage between his functionaries/soldiers from south of the Märäb and women from Säraye, seeking thus to create a more solid and structured bond. Female inheritance of *rəsti* land allowed a woman – who had inherited her father’s land – to transfer her land rights in the south. Both archival material and published sources agree on this land policy of Yoḥannəs<sup>52</sup>. Perini states that during the last years of his reign (1872–1889), a new law on land tenure was introduced in the northern area.

[My translation] “In the reign of Atzie Johannes, the last Negus Neghesti, in whose name ras Alula ruled in the Mareb-Mellasc, even women were allowed to possess and in consequence to inherit land. This law was not applied in the Amasen and Acchelé Guzai because of the particular character of the property and was thus only extended to the Seraé, where like the area beyond the Mareb whence the law had been imported, the land was already divided in *restì*”<sup>53</sup>.

He explained the effect of the new law as follows:

[My translation] “It was said to be unfair for females to be excluded from the inheritance of the *restì*, as it might happen that the father did not leave his moveable goods (*ghenzeb*); however, the doubt arose that the aim was the intention of breaking up the old blood-ties of Tigräi, by introducing with force, if necessary, as happened in other areas, the blood of the conquerors to the breast of the offspring and giving the girls of the Seraé who had inherited lands to their own sons in marriage”<sup>54</sup>. Perini is not the only author to write about the modification introduced in the land tenure law; Capomazza and Conti Rossini confirm this important point. For example, Capomazza says, without providing details, that the emperor, in the fourth year of his reign, tried to modify the customary laws, but did not succeed<sup>55</sup>. Conti Rossini is more explicit in his “*Principi di diritto consuetudinario*” :

[My translation] “At the time of King Johannes IV, when ras Alula governed in Eritrea, an edict was published, according to which by extending the usage of the area beyond the Mareb, the right to inherit land was given to women. This edict, because of the special conditions of immovable property in the Abyssinian province now dependent on Italy, should have been valid in the Seraé above all. The reform was justified by reasons of equity”<sup>56</sup>.

<sup>52</sup> For published sources see notes 53–58; for archival sources see the references below.

<sup>53</sup> PERINI, “Sulla proprietà fondiaria” 1893, p. 678.

<sup>54</sup> *Ibid.* p. 679.

<sup>55</sup> CAPOMAZZA, *Diritto consuetudinario* 1912, p. 10.

<sup>56</sup> CONTI ROSSINI, *Principi* 1916, p. 313.



Conti Rossini concurs with the explanation given by Perini:

[My translation] “It seems that the real aim was to break the local ties by introducing new elements through marriages, even if forced, to women of the country, and allowing them to become land-owners thanks to such unions. For this reason, the edict was received with great hostility and had little vitality”<sup>57</sup>.

Conti Rossini believed that Yoḥannəs’ law was not accepted by the inhabitants north of the Märäb so as to protect themselves against foreign intrusion. The inheritance of immovable goods, therefore, only took place between men and, in the rare cases where this was impossible, led to new divisions of the land. According to oral tradition, the ‘*Adkämä Mälga*’ was an ancient law, which dated back to the 15<sup>th</sup> century, and was handed down to the reign of Yoḥannəs with little variation. The law was codified between 1467 and 1477 by the representatives of seven villages, who were the only ones with the power to subscribe and modify it<sup>58</sup>. During Yoḥannəs’ time, in 1873, a general assembly (*maḥbär*) of the deputies from these seven villages was held to change the law, as was usual from time to time. The main function of the *maḥbär* was to memorise and transmit the law. This version of the law was published by Capomazza in 1912. The other version of the same law, approved and signed in ‘Addi Ugri by notables of the Säraye region in 1941, was later published, as already noted, by Conti Rossini<sup>59</sup>. If we compare these two codified versions, we can see continuity in their material on land tenure. As had been the case with the laws already in force before Yoḥannəs, neither allows married women to inherit *rəsti* lands from the father. The emperor’s attempt to modify the land system was not successful and foundered on the consolidated power and the autonomy of the northern region. The rejection of the new land policies testifies to the flexibility of Təgrəñña speaking society and leads us to make a few remarks about the relationship between state power and the highland community. By changing the tenure pattern through a combination of marriage and land policy, the imperial government intended to restore its authority over an area with considerable autonomy. The response was critical: the Təgrəñña speakers north of the River Märäb looked on Yoḥannəs with contempt<sup>60</sup>.

Our research was greatly stimulated by the discordance between oral information and the traditional law of Säraye (*‘Adkämä Mälga’*) as recorded during the colonial period. Therefore colonial data have proved to be an

<sup>57</sup> Ibid. p. 314.

<sup>58</sup> CAPOMAZZA, *Diritto* 1912, p. 9.

<sup>59</sup> CONTI ROSSINI, *Consuetudini giuridiche* 1948, pp. V–VI.

<sup>60</sup> See ZAGHI, *Crispi e Menelich* 1956.

incentive to analyse the land tenure system and its relation to political power more systematically. We have not yet found any local written reference to Yoḥannəs' rule in Säraye concerning the change in land tenure system. For the time being, colonial documents and oral information remain indispensable for telling us a story otherwise difficult to piece together. The most convincing evidence comes from oral testimonies: all our informants recalled the landed policy of the emperor with precise details. Moreover, most of the old people interviewed by us in Säraye spoke of an edict that Yoḥannəs wanted to declare but which he did not, because of the evident hostility which its application would have encountered in the *Märäb Mällaš*. Some oral witnesses were particularly useful for the great accuracy of the details they gave<sup>61</sup>. Oral sources touch on another aspect of the Təgrəñña speaking society, the conflicts between state power and community, and highlight a competition not usually recorded in written documents. Written customary laws leave aside conflicts within society testifying only to the general consensus of the community.

We have conducted a systematic survey of the structure of land holding and historical changes which have occurred based on oral testimonies. This survey allows us to suggest several hypotheses. Peasants accurately perceive historical land tenure and are able to reconstruct the past using the traditions they have received. Oral testimonies record a private dimension to history, which has nothing in common with formal oral tradition. Informants revealed their own history in informal testimonies, which represent an "inside view", one from the bottom up<sup>62</sup>.

Oral sources are unanimous in referring to conflicts over land during the time of Yoḥannəs. This is particularly true when we consider land tenure, about which there is a public consciousness of facts that have been remembered in the same version by all our informants. Thus personal oral information can be seen as an important aspect in recording history<sup>63</sup>. The land policies of Yoḥannəs and the *rəsti* system are a pretext for further developing our discourse on landed property and political relations in north and

<sup>61</sup> I have transcribed (1991–1997) a series of interesting interviews amongst which are the *Aläqa Bərhanə*, *Ḓəqbä Mängäša*, *Abba Gäbrä Iyäsus*, *Ato Təwäldä Mädhən*, *Mämbər Gäbrä Ewoštaḕewos*, *Abba Bərhanə Mäsqäl*, *Mämbər Wäldä Gäbrə'el*, *Abba Səyyum*. All the material from our research, both oral sources and written documents, is available in the library of the Department of History at the University of Bologna.

<sup>62</sup> My understanding of oral sources is related to the historical discussion we find in JONES, "Colonial Rule" 1993. For the collection of oral sources see the documents conserved in the Department of History, Bologna University, along with the written documents we collected during the fieldwork.

<sup>63</sup> My analysis was stimulated by the reflections of HAMILTON, "Ideology" 1987.

south Märäb. A socio-structural analysis of property, sales, transfers and grants as well as of inheritance<sup>64</sup> is indispensable in understanding the historical evolution of the land divided by the River Märäb and the social structure of the area. Reconstructing the system of transfers of land titles is an endeavour that requires the collection of many documents. Reflection on *rästi* land formed only the basis of our research in Eritrea<sup>65</sup>.

It is worth widening our understanding to embrace both village landed property and the lands of the monasteries and private individuals. The *gulti* and *rim* lands connected to central institutions were not separate, in many ways, from the *rästi* lands. It is confirmed also in this context that “*gult* functioned as a distinct form of right on the same lands on which farmers also held hereditary property rights known as *räst*”<sup>66</sup>. It is interesting to underline that the two forms of rights were not separate at the social level<sup>67</sup>.

Our fieldwork therefore has taken two directions. The analysis of the *rästi* system has been accompanied by an evaluation of other land categories not belonging to individuals, but to wider, national institutions. The interrelation between village society and the state power structure and church has stimulated our work in various ways. The church provided the most important link between peasants and central institutions<sup>68</sup>.

Peasant economy is the basic structure of monastic life; the importance of ecclesiastical lands indicates the interrelation between village society and state power; peasants were part of the ecclesiastical institutions, in various forms<sup>69</sup>. *Gult* and *rim* lands in Eritrea are an interesting subject for analysis: in many cases rights to such lands have been transcribed, in historical times, as “marginalia” in the religious texts of the monasteries. These texts give an ample documentation of the Eritrean land tenure system.

<sup>64</sup> Land sales are a form of historical source in modern African history: for Sudanic Africa see: BJORKELO, “Landsale Contracts”, in CRUMMEY, *Land, Literacy* 2005.

<sup>65</sup> Our research on *rästi* as a flexible institution expanding over time and permitting the accumulation of wealth was stimulated by SHUMET SISHAGNE, “Making the Best out of a Difficult Situation: some Methods of Accumulation of Land Rights in Northern Ethiopia”, 1993, a paper based on field research and church records in the Gondär region.

<sup>66</sup> See CRUMMEY, “Medieval Land Grants” 1993, p. 2.

<sup>67</sup> The *gult* institution in Ethiopia has some analogies in Africa with some forms of land tenure in pre-colonial Sudan, as highlighted by KAPTEIJNS – SPAULDING, “The Conceptualisation”, in CRUMMEY, *Land, Literacy* 2005.

<sup>68</sup> The Amhara area has been the subject of much more research by scholars: on the role of the church in establishing the right to control peasants (who continue to control land) in many ways, see: DANIEL AYANA – CRUMMEY, “The Establishment”, in CRUMMEY 2005.

<sup>69</sup> For recent historiography and colonial literature on *rim* land see: BAUSI – DORE – TADDIA, “*Materiale antropologico*” 2001.

The transmission of rights in historical Ethiopia generally was not put in a written form; control over land was expressed by oral tradition. We have seen that the only known written customary law for the Təgrəñña speaking area is the *Loggo Sarda* edited by Conti Rossini<sup>70</sup>. However, the “marginalia” records on land kept in the monastic institutions represent a tentative use of literacy in a context dominated by oral culture. Such use of literacy has been connected to state control of society and the writing down of property rights on lands certainly represents a link between state/power and society, a form of control that became increasingly explicit in Ethiopia during the 20<sup>th</sup> century<sup>71</sup>. A list of the “marginalia” texts we collected during several periods of fieldwork is available for scholars<sup>72</sup>. We hope to be able to provide a more systematic picture of the evolution of landed property in the *Märäb Mallaš* before the Italian colonial period.

During our fieldwork we visited the major part of the 13 monasteries of the Säraye area<sup>73</sup>. It is surprising to see the stability of the land tenure and the importance of ecclesiastical institution through the centuries up to the radical changes promoted by Eritrean liberation movements (mainly ELF) and Ethiopian government (the Därg) policies in the late 1970's<sup>74</sup>. According to oral sources the most precise information dates back to Yoḥannəs and the Italian colonial period which is also the period in which we are interested. The ELF and later the Därg completely cancelled the previous situation of land tenure; ecclesiastical lands no longer survive today. The major part of the monasteries we visited owned land under three categories: *rəsti*, *gulti*, and *gulti rim*. The ecclesiastical lands were located in the *Märäb Mallaš*, in only one case south of the Märäb (in Däbrä Q<sup>w</sup>əsqwam). The geographical location seems to confirm the political independence of the area north of the Märäb and the relative autonomy of its land tenure pattern. None of the monasteries in the border area owned land south of the river in Təgray. We

<sup>70</sup> See: CONTI ROSSINI, “I Loggo” 1904, pp. 1–63.

<sup>71</sup> Writing as a political process has been emphasised by GOODY, *The Logic* 1986; for some remarks on the relations between state and literacy in this century Ethiopia see: MCCANN, *Orality, State* 1991.

<sup>72</sup> The list of “marginalia” texts collected in our research in Eritrea is available in documents kept at the Department of History, University of Bologna who supported the fieldwork in Eritrea during the past years, as documented in the works by BAUSI – LUSINI – TADDIA quoted in note 2.

<sup>73</sup> See the list of the churches and monasteries in: BAUSI – LUSINI – TADDIA, “Materiali” 1993, pp. 456–463.

<sup>74</sup> The evolution of landed property in Eritrea during the past 30 years is completely ignored by recent historiography, dealing with Ethiopian land reform. Our interviews represent a valid source for this subject.

have spoken of the stability of the land holdings. We can refer to two possibilities of land tenure, the first one in which monasteries owned lands until the coming of the emperor Yoḥannəs or Italians, when lands were confiscated, the second one up to the ELF or *Därg* agrarian reforms in the 1970's.

The present situation is radically different in comparison to historical land tenure in the Eritrean highlands. Today, only a few *rəsti* are left to the monasteries and the majority of *gulti* and *rim* lands have been confiscated and transformed into a *gäbbar* system<sup>75</sup>. In this case the monasteries have had to surrender all their rights to land in favour of the *gäbbar* right to cultivate. Of particular interest are the *rim* lands confiscated during the Italian colonial period. In this way, the evolution of land tenure affected the social structure and monks ceased to be land owners. The Italian colonial government gave them clerical status and a salary instead of receiving tribute from land. However, in earlier times village and monastic lands were closely interrelated. Peasants could have their own *rəsti* and, at the same time, pay various forms of tribute to the monastery.

Monasteries were based on secular institutions; village society provided support to monastic life. Another point of interest is the peculiar form of tenure known in Säraye as *gulti rim* land. When we asked monks if they used to have *rim* lands, they excluded this possibility. They spoke instead of *gulti rim*, which they defined as a right to receive *rim* (services, donations or gifts) from peasants in kind, in return for prayers, only occasionally and not on particular dates<sup>76</sup>. This *rim* right was very precise; records were made of the exact villages that paid *rim*. Under *gulti rim* villages paid tribute, involving *mägäs*, or donations, to the monasteries instead of the government. *Gulteñña* were obliged to pay *rim*, while *rəsteñña* and *gäbbar* voluntarily give *rim* to the church<sup>77</sup>.

The life of the monastic institution was supported by various forms of land tenure. The present situation allows us to reconstruct the past. I believe these are the last years in which historians may deepen their knowledge of historic land tenure. The peculiarity of this vision could be of interest to historians of modern Ethiopia and colonial Eritrea in the common belief that history of both areas must be treated through a unique research per-

<sup>75</sup> For the historical origin of the *gäbbar* system see: CRUMMEY, "Abyssinian" 1980, pp. 129–130 and DONHAM – JAMES, *The Southern Marches* 1986, pp. 39–42.

<sup>76</sup> In this sense our understanding of *rim* lands differs from the colonial description; see: CARBONE, *Termini* 1940, p. 44.

<sup>77</sup> See the documents of our collection belonging to the Däbrä Q<sup>w</sup>əsqwam, conserved at the Department of History, Bologna University.

spective. Land and politics of the “northern border”, Təgray and the *Märäb Mällaš*, are a part of a unique competition for power and predominance and autonomy in an important area – imperial Ethiopia and colonial Eritrea (1890–1941) – that began to be differentiated only at the end of the 20<sup>th</sup> century just on the eve of the colonial rule.

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#### Summary

The complex issue of the land tenure system in 19<sup>th</sup> and 20<sup>th</sup> century Ethiopia–Eritrea has a tridimensional aspect that constitutes the basis of my reflection here: the native conception of land, the imperial Ethiopian policy and the colonial intervention. A correct evaluation of this interrelation can be properly understood by focusing on a corpus of integrated sources related to local written documentation, oral records and colonial reports.

The control of the northern border by Emperors Yoḥannəs and Mənilək created various historical problems and a debate focusing on independence and the maintenance of a political autonomy of the *Märäb Məllaš*. Land tenure system is the key factor for understanding the dynamic of power relations in the area at the eve of colonial rule.