

Most important things to know about the past that have still an effect:

- 1) **ዋንነት possession**, possesso
- 2) **እጅጅታ property**, proprietà
- 3) **ምድራ-ጉልቲ** Mdri Guèlti and
- 4) **ምድራ-ርስቲ** Mdri Rsti
- 5) እቲ ስራሕ ናይ ሓዲ ዳይና ወይ ጭቅቃ Job of dayna or chqqa
- 6) እቶም ብይያኒታት ናይ ሓዲ ጉልቲይና Guèlteyna's privileges
- 7) ትሕድርቲ ምእንቲ እታ ውህበት ናይ እቲ ጉልቲ Condizioni per la concessione del feudo:
- 8) Breve rassegna del regime (sistema di governo) fondiario Abissino:
- 9) Può la terra ritornare in libera disponibilità del Governo?
- 10) Community leaders
- 11) One-tenth/**ዕሸሸር** of the territory of the *addi* was always

The aim is to shed light on the past poor conditions in which our people was living for centuries. Yes, with these few words and phrases we can make bright area not in square kilometers but in centimeters. But it is always true to say something is better than nothing.

Our sources about our information are Italian documents. The Italian colonialists have studied in the way that we can't believe. They were really reality hunters. They did this for their different reasons. One can say they did this for the necessity of being there. This is true but this couldn't be happened without their appetite of hyena for knowing more. Of this energetic wish we also became benefiteres. Thanks to this we can build a bridge that can join us with our ancestors. Let us start.

With these four keywords, **ዋንነት possession**, possesso, **እጅጅታ property**, proprietà, **ምድራ-ጉልቲ** Mdri Guèlti and **ምድራ-ርስቲ** Mdri Rsti we will learn the historic land property and possession that existed for long time in the ancient Ethiopia, that is before the birth of the two modern states Eritrea and Ethiopia. As an example, Mdri Guèlti of Ekkeleguzai and Mdri Rsti of Seraye will appear. These two provinces were part of Aksumite ancient kingdom's provinces or districts. Under certain norms they were autonomous. That is why we see their different land laws.

The four above mentioned keywords they don't only tie us with the past, but also they help us to scrutinize the present. As we know all, there is slogan or formula or a belief that says: "in modern Eritrea the county is independent but the man is not **free yet**". But now we will also discover that the land is not **common** (ደሳ) but **private** (ፕሪቫት) property of the dictator Iseyas Efewerqi. This will lead us to the conclusion that both man and land are not free in Eritrea. Let us start.

1) The word **ዋንነት**, from the verb **ወንነ**, means **ጥሪት, ...** the verb **አጥረየ**, . In English it means 'possession'; in Italian *possesso*.

For example: እዚ መጽሐፍ እዩ ኣብ እቲ ናተይ ዋንነት.

This book is in my possession.

Questo libro è nel mio possesso.

2) The word **እጅጅታ** has Amharic root and it means **ገንዘብ**. In English it means property; and in Italian proprietà.

For example:

እጅጅታ ናይ ሓዲ ኢንተልገቲ

intellectual property

proprietà intellettuale

እዚህ ቤት እዩ ናተይ እጅጅታ

this house is my property

questa casa è di mia proprietà

3 and 4) The terms **ጉልቲ** Guèlti and **ርስቲ** Rsti are feudal of middle age words and have only local characters. For this it is not easy to find English or Italian words that have the same meanings. But is not difficult to learn them when we study the relationship between king, land and peasant; **king** » **land** « **peasants**.

For our case first will study **ምድራ-ጉልቲ** Mdri Guèlti of Ekkeleguzai. Inside of this **ምድራ-ርስቲ** Mdri Rsti of Seraye. The reason is, in this special case, first comes *guèlti* and then follows *rsti*. From this it is always true to say *guèlti*

is a large area of land greater than *rsti*. While a *rsti* is a section of the land given to the normal vassal (= ጊሊ, ጊላዋ, ግዙእ, በዓለሞያ). This can be ቃጽዖ *qaz'o*.

Short history of Ekkeleguzay Mdri Guèlti or land concession (=ወህበት)

I didn't find any document that gives any evidence if Ekkeleguzay has different history of land concession from the rest of Abyssinia. This is impossible because Ekkeleguzay was part and parcel of Abyssinia and has history like the rest part of Abyssinia. This is to say that Ekkeleguzai is the result of the Abyssinian king (s) land concession policy, like Fetha Nagast "Law of the Kings" and others, that was prevailing for many years.

What makes unique Ekkeleguzay from the rest Abyssinian history is its politics. << The region of Accheleguzai, for example, before the conquest of Degiace Ubie (1844), it was always a straight-shaped Federal Republican, while recognizing the sovereignty of the Negus, to which the rest is made modest tribute by the offer of a **carpet** and a **rifle** on every occasion of the feast of *Mesqel* (Cross). In fact the country was always alone: the elective offices of the *addi-scium* (village heads), *meshenià*, the *scium Guèlti* (capital district); elective also the supreme authority of the confederation, which was not collected in a single person, but in *mahber* of *scium-addi* (meeting of Heads country) (Caffarel, William, *La Legislazione Dell'Eritrea*, in F. Martini, *l'Eritrea Economia*, Novara, p.470.).

Why was Ekkeleguzay paying modest tribute of a carpet and a rifle on every occasion of the feast of *Mesqel* to the sovereignty of the Negus? Because the land was Kings' property (አጅጅታ). In other words Ekkeleguzay was only in the possession (ዋንነት) of the land.

In order to understand good, let us see simple example. Mr. Y is an author and a seller of his books. One day Mr. X came and bought two books, one history and the other Biology book. After that transfer of possession from Mr. Y to Mr. X took place. Then the two books were in Mr. X possession. But there is no transfer of intellectual property. This is always of Mr. Y. In this example the status of People of Ekkeleguzay matches with that of Mr. Y and that of the king with that of Mr. X.

What is Mdri Guèlti and Mdri-rsti? *Guèlti*, << is called so that extension of territory under the jurisdiction of a field or a corporate body or morals, who have the right and the duty to cultivate ... to require certain taxes ... and the right to an authority subordinate to that of the sovereign himself or officials delegated by him >> R. Perini, op. cit. p.48. The *Guèlti* is gone among the inhabitants in a succession of periods ranging from three to seven years, while in **Seraye** the collective fund is allocated once and for all, and is therefore said *resti*, hereditary land >> (Barzano, John, and value the Offspring customary law in the Statutes Eritrean Plateau, Asmara, 1979 p.12, note 23).

5) Job of dayna or chqqa

- a) Ritirare dai paesi dipendenti a mezzo dei rispettivi chqqa/dayna o capi villaggio il tributo per versarlo al Sovrano;
- b) Riunire e comandare gli armati in guerra;
- c) Amministrare la giustizia di primo grado, se le parti in causa sono di diverso paese; di secondo grado se, di eguale paese, furono in primo grado giudicate dal *chqqa*;
- d) Deferire al Sovrano le cause da esso guèlteyna giudicate e per le quali venne interposto appello.

5) Job of dayna or chqqa

- a) Withdraw from the countries of their employees by chqqa / dayna or village chiefs tribute to pour in the Sovereign;
- b) Gather and command the armed men in war;
- c) Administer Justice of First Instance, if the parties are of different country of the second degree if, with equal country, were judged in the first instance by the chqqa;
- d) refer to the Sovereign causes it guèlteyna considered and for which it was appealed.

6) Guèlteyna's privileges

I privilegi del guèlteyna sono due:

- a) quello di ritenere un decimo dell'importo totale del tributo (*gbri*) da consegnare al Sovrano;
- b) e quello di far coltivare dai paesi dipendenti a suo beneficio un numero variabile di campi, in maniera però da non superare un decimo del terreno coltivato di ciascun *resti*. Questi campi prendono il nome di *grat-scum* ed è in causa di essi che si ebbe e verificare il maggiore numero di abusi, quando, cessata la carica di guèlteyna, tali terreni rimasero ugualmente in possesso dell'ex-feudatario e dei suoi discendenti, sicché molti *grat-scum*

divennero collo andare del tempo proprietà effettive sotto la qualifica di *medri-werqi* e perfino talora di *resti* (Renzo Sertoli Salis, *L'Ordinamento Fondiario Eritreo*, Padova, 1932-X, pp. 31-32).

6) Guèlteyna's privileges

The privileges of guèlteyna are two:

- a) to consider a tenth of the total amount of the tax (*gbri*) to be delivered to the Sovereign;
- b) and to cultivate the countries employees for its benefit a variable number of fields, but in a manner as not to exceed one tenth of the cultivated land of each remains. These fields are called scrape scum and it is because of them that had the highest number of check and abuse, when, once the charge guèlteyna, these lands were still in possession of the former feudal lord and his descendants, so many grat-scum neck became as time goes on actual properties under the title of *medri-werqi* and even sometimes remains (Renzo Sertoli Salis, *Eritrean land tenure*, Padua, 1932-X, p. 31-32).

ትሕድርቲ ምእንቲ እታ ውህባት ናይ እቲ ጉልቲ

7) Condizioni per la concessione del feudo; tanto di signoria quanto di popolamento, erano:

- la fedeltà al Sovrano,
- il pagamento del *gbri* in denaro o in natura,
- il mantenimento delle truppe di passaggio o di stanza nelle località,
- la prestazione di opere di pubblica utilità (in specie le stradali),
- l'obbligo del servizio militare in guerra per tutti i validi alle armi al segnale d'adunata (*ktet hተት*), ecc. (p.34).

8) Breve rassegna del regime (sistema di

governo) fondiario Abissino, giova accennare a due altre forme di proprietà fondiario: il *medri-ngus* e il *medri-qesci*. Il primo consiste in una proprietà diretta del potere sovrano ed è costituito da tutti quei territori, sia *resti* che *guèliti*, i quali vengono a trovarsi in libera o temporanea disponibilità dello Stato e più precisamente in libera disponibilità: i terreni abbandonati momentaneamente da stirpe e famiglie emigrate o le zone coltivate o di pascolo espressamente riservatesi dal Negus nelle provincie dipendenti. Appartengono alla categoria dei *mdringus* anche talune località date in affitto per un determinato canone, come ad esempio al tempo della colonia Italiana molte terre fuori dall'altopiano della Colonia, dove non c'è popolazione stabile né abitazioni permanenti, e per le concessione in affitto delle quali zone esisteva un diritto antichissimo de prelazione a favore di determinate tribù.

I *medri-qesci*, e parimenti i *medri-fellassi*, erano invece una specie di benefici ecclesiastici che presentavano caratteri diversi a seconda dei luoghi. Alcuni di essi costituivano caratteri diversi a seconda dei luoghi. Alcuni di essi costituivano un vero e proprio diritto autonomo e originario simile al *rsti*, altri non erano che un diritto di usufrutto perpetuo o temporaneo. Riguardo a cotesti benefici vige la consuetudine che essi vanno esenti da tributo e che in nessun caso possono venire alienati (p. 35)

7) Conditions for the grant of the estate, so much of what lordship of population, were:

- Loyalty to the Sovereign,
- Payment of *gbri* in cash or in kind,
- The maintenance of the troops passing through or stationed in the locality,
- The provision of public works (especially the road)
- The obligation of military service in the war for all available weapons to signal assembly (*ktet hተት*), etc. (p.34).

8) A brief summary of the system (system of government) land Abyssinian , it is useful to mention two other forms of land ownership : the *medri - ngus* and *medri - qesci* . The first is a direct property of the sovereign power and consists of all those territories , whether that remains *guèliti* , which are to be released for free or temporary availability of the state , more specifically in Iberian availability : land temporarily abandoned by family and lineage emigrated or cultivated areas or grazing expressly reserved by Negus employees in the provinces . They belong to the category of *mdringus* also leased certain location for a certain fee , such as the time of the Italian settler many lands outside the plateau of Cologne, where there is no permanent population nor permanent housing , and for the grant rent areas of which there was an ancient right of first refusal in favor of certain tribes .

The *medri - qesci* , and also the *medri - fellassi* , were instead a kind of ecclesiastical benefices which had different characters depending on the location . Some of them represented different characters depending on the location . Some of them were a real independent right and similar to the original *rsti* , others were not that a right of perpetual usufruct or temporary. About him to the benefits applies the custom that they should be exempt from tribute , and that in no case can be disposed of (p. 35)

9) Può la terra ritornare in libera disponibilità del Governo? Una volta riconosciuta la proprietà (il possesso: **vincolo feudale tra il guèlteyna e i soggetti e non già diritto di proprietà**) del singolo, si individuo che gente, la

terra non può ritornare in libera disponibilità del Governo che nei casi tassativamente fissati, i quali sono i seguenti:

9) Can the land back to free availability of government? Once recognized **ownership** (possession: feudal bond between the guèlteyna and subjects and not ownership) of the individual, the individual people, the land cannot return to the free disposal of the Government that in the cases exhaustively set, which are the following:

- 1) total extinction of the race;
- 2) confiscation for rebellion or felony;
- 3) failure to pay the tax;
- 4) voluntary renunciation or abandonment of land as a result of permanent emigration.

10) Community leaders. The following community leaders were between the king and

- a) ሹመይና: chief, authority, in charge of some office
- b) ሹም: chief town, or district, the Mayor, in charge
- c) ሹምነጋሪት: chief consists of a region, the governor
- d) ሹም-ዓድዲ: village chief, mayor
- e) ሹም-ጉልተ: chief district or zone
- f) ሹመት: able, investiture, as the head, election, appointment
- f) ሹማግልለ: Senior representative, counselor, notable
- g) አሕዋት: brothers, elected representatives of lineages.

11) Un decimo del territorio dell'addi era sempre a libera disposizione del Sovrano col titolo di *esciur* donde il nome di guèlti-esciur e così pure a disposizione del Negus erano quelle parti del *guèlti* che, per ordine del Sovrano, dovevamo essere gratuitamente coltivate a favore di persone od enti designati (guèlti ametz). Quanto alla durata, il guèlti gentilizio era generalmente perpetuo, il guèlti feudale temporaneo ed aveva bisogno di riconferma da parte del successore del concedente (p. 34).

One-tenth/ዕሽር of the territory

11) One-tenth of the territory of the addi was always at the free disposal of the Sovereign with the title of *esciur* hence the name *guèlti-esciur* and so also available to the Negus had those parts of *guèlti* that, by order of the Sovereign, had grown to be free benefit of persons or entities designated (*guèlti ametz*). As for the length, the noble *guèlti* was generally perpetual, *guèlti* the feudal temporary and needed reaffirmation by the successor of the grantor (p. 34).

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Gulti, chiamasi così << una determinata estensione di territorio posto sotto la giurisdizione di un campo o di un ente collettivo o morale, che hanno il diritto ed il dovere coltivare ... di esigervi certi tributi ... e di esercitarvi un'autorità subordinata a quella del sovrano stesso o di funzionari da lui delegati >> R. PERINI, op. cit. p.48. Il Gullit viene sparito fra gli abitanti in una successione di periodi che vanno dai tre ai sette anni, mentre nel Seraye il fondo collettivo è ripartito una volta per sempre, ed è perciò detto resti, terreno ereditario >>(Barzano, Giovanni, *Valore e Diritto Della Prole negli Statuti Consuetudinari dell'Altipiano Eritreo*, Asmara, 1979, p.12, note 23).

Gulti, << is called so that extension of territory under the jurisdiction of a field or a corporate body or morals, who have the right and the duty to cultivate ... to require certain taxes ... and the right to an authority subordinate to that of the sovereign himself or officials delegated by him >> R. Perini, op. cit. p.48. The Gullit is gone among the inhabitants in a succession of periods ranging from three to seven years, while in Seraye the collective fund is allocated once and for all, and is therefore said resti, hereditary land >> (Barzano, John, and value the Offspring customary law in the Statutes Eritrean Plateau, Asmara, 1979 p.12, note 23).

Learning four words: property, pos-ses-sion, mdri guèlti and mdri rsti.

What is the difference between estate (= mdri gulti) and fief (=mdri rsti)?

(«mkSq *decoro*) **propriety**. 5 (X'Ãö}{q |\$ dEq *precisione di parole*) **property**. // DqoVX¥ -- proprietà let-teraria **copyright**. †sê `Vq
†£ |\$ |o\$ -- This field is of my property.
†°p,²,²}smk, ÓYÓWp s.f. proprietà: