Notes on Preparing a Critical Edition of the $\hat{S} \Rightarrow r'at\ddot{a} \ m\ddot{a}ng \Rightarrow \acute{s}t$

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ABSTRACT

The Śər'atä mängəśt is a collection of historical notes, descriptions of important ceremonies at the royal Ethiopian court, and regulations for court protocol and practices pertaining to law suits. The text exists in several different versions in a fairly large number of codices where it is often placed in front of the so-called Short Chronicle of the Ethiopian Kings. While I was working on a synoptical edition of these versions, the intertextual (and material) links to other sources of the Ethiopian historical tradition (chronicles, juridical documents, etc.) became clear, and it was possible to identify the authors, redactors, and compilers of these texts as counselors and judges at the royal court. The Śər'atä mängəśt, this professional group's vade mecum, was written and modified as a function of changes in the political and social situation.

Introduction

The "regulations of the [Ethiopian Christian] kingdom" describe in loose sequence some of the most important ceremonies at the royal court, the coronation of the king and queen as well as the installation of the metropolitan bishop and several other high dignitaries (with a detailed account of the payments to be made).¹ There are also regulations for celebrating important ecclesiastical feasts along with the texts to be recited. Beside these formal prescriptions of court protocol and etiquette, practical regulations stipulate, in no particular order, the customs and practices pertaining to law suits and trials by high royal judges, the privileges of princes and princesses, and, most importantly, the hierarchy of royal judges. Further practical regulations have to do with the tribute and taxes to be paid by various regions and corporate groups, including military companies.

The text's mixed, heterogenous content makes it clear that it was not written to be a systematic, normative "constitution," as some scholars would have it. Instead, it came out of living practices and (linguistically) oral traditions. It is, therefore, no surprise that Amharic versions can elucidate textual difficulties and enigmas in the—official?—Ge'ez version.

These regulations do not form a fixed, canonical corpus but come in different versions in various manuscripts. These versions have to be carefully collected and, if possible, collated for a large synoptic edition, which should not only present variants but also determine the time, place, and circumstances of their writing. In this first step toward a critical edition, another factor immediately calls for attention: this text is deeply intertextual. It is linked to other documents—historical chronicles as well as acts, charters, and other legal documents. Some codices contain material evidence of this intertextuality, especially when a single codex groups several such writings. In some fortunate cases, there is also evidence of a text's practical function and its historical setting (Sitz im Leben). These texts amounted to a kind of dossier that royal judges assembled to prepare a case before a royal court. Since the judge was both the official in charge of protocol and (later) a chronicler of the event, he used his dossier for writing the chronicle he had to produce.² He thus brought həqq (written—religious—law), wäq (customs, customary law), and tarik (history) into one \dot{s} or 'at (ordo mundi).



A rough semantic description of these key terms helps us elucidate aspects of the \acute{S} ər'atä mängəśt.

In both Ge'ez and Amharic, $h entsymbol{n} entsymbol{g} entsymbol{g}$ means "written" and, in most cases, "written religious law."³ It is a word used almost exclusively in Ge'ez, the language of learning and religion. Moses and Christ are named as the fundamental, exemplary $h entsymbol{a} entsymbol{g} entsymbol{g$

Derived from a root meaning "to narrate," $w\ddot{a}g$ is law and regulation in the sphere of (oral) traditions, the customs handed down from generation to generation and only occasionally set down in writing. Questions pertaining to $w\ddot{a}g$ should be addressed to the elders who are learned, experienced, and respected for their knowledge of "ancient customs and laws." We happen, as might be expected, upon words, titles, and even whole phrases from Amharic in passages referring to $w\ddot{a}g$.

Tarik is an Arabic loanword that made its way into Ge'ez and Amharic via the translation into Ethiopic of treatises on calendrical computations, annals, and (Christian era) chronicles during the late Middle Ages. It means "era, epoch, calendar" or, eventually, "chronicle and history" in general. For the purposes of court officials and judges, it made sense to cite exemplary historical events related to still binding decisions made by former rulers, judges, and authorities. When matters of $w\ddot{a}g$ were raised in relation to historical precedents and set down in writing, they were then classified as tarik. For this reason, several regulations in the $\dot{S}ar'at\ddot{a}$ $m\ddot{a}nga\dot{s}t$ figure in early manuscripts as $w\ddot{a}g$ but in later ones as tarik, or as both: $w\ddot{a}g$ -tarik. The language in such passages is typically $lasan\ddot{a}$ tarik, a mixture of Ge'ez and (whenever this learnèd language lacked specific words) Amharic with slight phonetic or morphological adaptations in line with Ge'ez.

 promulgated by the ruler and his jurists, was always based on, and legitimated by, at least one of the three aforementioned spheres: religious, customary, or jurisprudential law.⁶

Mängəśt means "government" in modern Amharic. When analyzing how medieval sources used this word, we realize that it meant not only "kingdom" but also, very often, "reign" or, more broadly, "government." Accordingly, I would like to propose a new translation of the phrase Śər'atä mängəśt as the "ordinance of government."

Drawn from my work on the forthcoming critical edition of the \acute{S} ər'atä mängəśt, this article presents an outline of the \acute{S} ər'atä mängəśt along with the principles used for this edition. Ethiopian manuscripts are referred to with an abbreviation followed by a number, as explained in Table 1.

Scholarly Studies of the Śər'atä mängəśt

Péro Pais (Pedro Paez), a Jesuit missionary in Ethiopia at the turn of the seventeenth century, was both an eminent scholar and a historian, his History of Ethiopia being evidence of this. This book was a valuable mine of information, even for Hiob Ludolf, up till the mid-nineteenth century. Pais was familiar with the texts of the Śərʻatä gəbr ("regulations for the royal camp and banquet") and Mäṣḥafä Sälomon or Mäṣḥafä qwərḥat ("the ritual of enthronement of the king in Aksum"). But Pais did not know about the Śərʻatä mängəśt in its actual form. Only very short passages from the two aforementioned texts passed into the Śərʻatä mängəśt: the list of (presumed Aksumite) dignitaries (SM I) and a short text on the



TABLE 1. Collections of Ethiopic Manuscripts and the Abbreviations Referring to Them

A	Antoine d'Abbadie's collection (including the Ḥaylu
	compilation), now at the Bibliothèque Nationale in Paris
В	Königliche Bibliothek zu Berlin, now Staatsbibliothek
	Preußischer Kulturbesitz
BN	Bibliothèque Nationale, Paris (including the Casimir
	Mondon-Vidailhet collection)
С	Cambridge University Library
Ca	The private collection of the late Prof. André Caquot
CCR	The Carlo Conti Rossini collection, now at the Acca-
	demia Nazionale dei Lincei in Rome
EMML	Ethiopic Manuscript Microfilm Library, Addis Ababa and
	Collegeville (MN, United States)
F	The Eduard Rüppell collection, now at the Stadt- und
	Universitätsbibliothek, Frankfurt am Main
L	British Museum (British Library), London
0	Bodleian Library, Oxford. Given the difficulty of matching
	the Bodleian Library numbers with those in Dillmann's
	1884 catalog, the latter are preferred, since this catalog
	lists all the manuscripts used in this article.
R	Collection of Oriental manuscripts in the Biblioteca
	Nazionale Vittorio Emanuele II, Rome
Т	Ethiopic manuscripts in monasteries in the Lake Tana
	area that have been microfilmed and cataloged in Ham-
	merschmidt 1973; 1977; Six, 1999.
Duchesne-Fournet	The private collection of Duchesne-Fournet

Note: The abbreviation in the first column refers to the collection of Ethiopic manuscripts. It is normally followed by a number referring to a manuscript in the collection. The catalog of the collections listed in this table can be retrieved from the online inventory of libraries and catalogs of Ethiopic manuscripts prepared by Claire Bosc-Tiessé, Marie-Laure Derat, and Anaïs Wion (http://www.menestrel.fr/spip.php?rubrique694). This database supersedes Robert Beylot and Maxime Rodinson (1995).



coronation (the daughters of Zion blocking the king on his way to Aksum, SM III, 2). The \acute{S} $initial arrays in The \acute{S}$ initial arrays initial arrays in SM III, 2). The \acute{S} $initial arrays initial arrays initial arrays initial arrays initial arrays in SM III, 1; 3) has another origin. While the <math>M\ddot{a}$ initial arrays initial arrays initial arrays in <math>initial arrays initial arrays initial arrays initial arrays initial arrays in <math>initial arrays initial arrays initial arrays in <math>initial arrays initial arrays initial arrays initial arrays in <math>initial arrays initial arrays initial arrays in <math>initial arrays initial ar

Dillmann was the first to study the Śər'atä mängəśt. He described manuscripts O29 and O28 in his catalogue of Ethiopian manuscripts in the Bodleian Library. Antoine d'Abbadie used a manuscript (A26) of the Śər'atä mängəśt in his possession while writing his Amharic dictionary, in which most of the Amharic terminology is listed and translated. 4

In 1916, Joseph Varenbergh's editio princeps of the Śər'atä mängəśt was published. Based on his PhD dissertation at Strasbourg University under Enno Littmann's supervision, it presents the whole text along with a succinct introduction and a partial translation. This admirable pioneering work has a few shortcomings; in particular, not enough manuscripts were consulted.¹⁵

Varenbergh used only four manuscripts: F₃8, F₃9, F₄0, and L₈21. The last two are copies from Däğğazmač Ḥaylu's Ethiopian chronicles, ¹⁶ whereas the first two used to belong to the Ethiopian judge Aṭqu. Eduard Rüppell brought F₃8 and F₃9 to Frankfurt. They share distinctive traits,



doubtlessly stemming from the judge's competent, autonomous treatment of a text that he used for his work. Varenbergh's material thus reduces to two independent sources. Out of the two, Varenbergh picked the most extravagant— F_38 —as the basic manuscript for his edition.

Ignazio Guidi published a complete¹⁷ annotated translation into Italian¹⁸ that profited from his earlier work, in particular his Amharic/ Italian vocabulary. The introduction to Guidi's translation presents the first outline of the—possible and probable—history of the different versions. Besides Varenbergh's edition, Guidi used three other manuscripts: R129 and two from his private collection, about which he did not provide any further information. Guidi departed from Varenbergh's edition and followed his own two manuscripts. Till now, I have not been able to locate these two manuscripts. Judging by a very characteristic addition of SM V (the *mayä ligaba*, a dignitary, is mentioned after the first two judges), these two manuscripts belong to the same family as L815 and T34.

Since Varenbergh's editio princeps, the Śər'atä mängəśt has received a reasonable amount of attention from scholars of Ethiopian history, specialists in (comparative) law, and anthropologists interested in structuralism and semiotic theory. Taddesse Tamrat used it, in addition to the earlier Śər'atä gəbr, 19 for his description of the Ethiopian royal camp and administration. 20 Bairu Tafla and Heinrich Scholler have praised it as an early Ethiopian constitution. 21 Joanna Mantel-Niećko, who has used the Śər'atä mängəśt extensively in her study of Ethiopian land tenure, emphasizes that these regulations have to be seen in relation to traditional—orally transmitted—Ethiopian law pertaining to the land. 22 Adopting an anthropological approach and a semiotic methodology, Maria-Georgia Stylianoudi and Alexandros Lagopoulos have tried to grasp the Ethiopian worldview through this text. They have identified a constant spatial model reaching back more than 600 years, which, set in cyclical time, draws on the Christian model of a heavenly Jerusalem. 23

Surprisingly, all these ambitious attempts were made without paying close attention to Varenbergh's edition, which represented an initial attempt to establish a critical text by choosing four manuscripts at random—in contrast with the nearly 40 manuscripts now known,²⁴ not to mention the purely Amharic versions that stem from a text originally (?) written in Ge'ez, the traditional Ethiopian language of culture and learning, but that are loaded with legal terms in Amharic.²⁵ Nor have



these scholars addressed the question of the need to improve the textual basis by assembling and studying variants so as to move beyond casual philological remarks about Varenbergh's somewhat hastily written translation and commentary. Nonetheless, Guidi had—prior to Varenbergh's publication—already mentioned several variants.²

What the Śər'atä mängəśt Is and Is Not

The \hat{S} ar \hat{S} ar \hat{S} ar \hat{S} are \hat{S} and \hat{S} are \hat{S} are \hat{S} are \hat{S} and \hat{S} are \hat{S} are \hat{S} are \hat{S} are \hat{S} are \hat{S} and \hat{S} and \hat{S} and \hat{S} are \hat{S} and \hat{S} and \hat{S} and \hat{S} are \hat{S} and \hat{S} and \hat{S} ar

- the internal operations of the royal court,
- the major court ceremonies,
- the hierarchy of court officials,
- the list of high offices and their jurisdictions as well as the taxes and tribute pertaining to them, and
- the definition of the spheres of ecclesiastical and secular jurisdictions.

This collection presents us with the perspective of the judges or officials who had to apply these rules and regulations. The king and his actions remain in the background. This collection is a practical manual, a handbook for the "wise" counselor and judge.

The \hat{S} ər'atä mängə \hat{s} t is heterogeneous in another respect, too. Not only does it contain documents of various sorts, but also there are different versions of the collection. Some versions omit certain parts; others present variants. This text cannot be reduced to a critical edition with a main text and notes about its variants. From the outset, we must adopt another approach.

The different sections of the *Sər'atä mängəst* and their respective contents

The different versions of the Śər'atä mängəśt, in particular those used by Varenbergh, provided the basis for establishing an outline of the contents



of the text, which, it turns, out, is organized in five sections, each bearing an indication of its classification as a type of law (see Table 2).

The classifications and remarks in this table should be borne in mind while reading the following description of the contents of the \acute{S} ar 'atä mängəśt's subsections.

- **SM I, 1**: This is a list of dignitaries who came to Ethiopia with Menelek I and their duties.
- SM I, 2: This is a list of dignitaries appointed by Emperor Amdä Şəyon. There is a deep linguistic shift between this list and the previous one. This one cites, though not always clearly, titles in Ge'ez, whereas the list in SM I, 1 and even the text as a whole were heavily influenced by Amharic.

Amharic was the language of the original oral version used in everyday affairs. The (written) Ge'ez version was a translation. Probably based on oral traditions, the Amharic versions often elucidate the Ge'ez text, hence their importance for the edition and the translation of the Śər'atä mängəśt.

- SM II: This is a list of dignitaries and military companies, each item in the list being followed by a place name. The relation between the two entries is not clear. Is the second the place of administration or jurisdiction for the first? Or does it indicate the region that had to pay tribute to these dignitaries or help maintain these troops? Some of the geographical names cannot be identified. Those that can be located provide us with an idea of the extent of Ləbnä Dəngəl's kingdom before the Muslim invasion. We might be reading a nostalgic account of what used to be, and this explains why "pragmatic" versions of the Śər'atä mängəśt do not contain this section. We can glean information about the sources of the text from the administrative documents interspersed among the chronicles of the Ethiopian kings preceding Ləbnä Dəngəl.
- SM III: Ceremonies and feasts. This describes the most important ceremonies at the royal court.
- SM III, 1-2: The king's funeral and the acclamation of his successor. The ceremonial of enthronement in Aksum—described in



TABLE 2. The Five Sections of the Śər'atä mängəśt and the Classification of Their Contents

SM I, 1	Category: <code>həgg</code> (divine law). This optional section is not
	contained in all versions.
SM I, 2	Category: ḥəgg-śərɾat. This optional section is not contained in
	all versions.
SM II	Category: tarik (positive law as decreed and applied). This
	optional section is not contained in all versions.
SM III	Category: wäg (customary law as known and transmitted by
	jurists). This section, the core of the text, is present in all
	versions. In case of controversy, a precedent might be cited
	along with the subsequent royal decision, thus becoming
	wäg-tarik. Evidence of this process is found in the changes in
	classification indicated at the start of each paragraph. What
	one manuscript classifies as wäg is wäg-tarik in another. Some
	versions explain a regulation's former classification and the
	change made in this classification in the current situation.
	This provides clear evidence of changes in certain ceremonies
	and procedures, as well as in the duties and ranks of certain
	dignitaries.
SM IV	Category: tarik wä-nägärä wäg ("customary law") about
	jurisdictional disputes between civil and ecclesiastical courts.
	This section is contained in all versions but is often reduced to a
	fragment of the very beginning of the text.
SM V	Category: wäg-tarik about the hierarchy of judges. This section
	exists in all manuscripts, but in at least two different versions.

Note: The Roman numerals refer to sections identified by scholars (from Varenbergh to myself). Given the arrangement of these sections, the Ethiopian authors or copyists surely had them in mind but did not refer explicitly to them. The Arabic numbers correspond to subsections in the Ethiopic text, which does not use these numbers but does introduce each subsection by indicating its category of law, usually written in red.



"the book of the tonsure [and coronation]" in the Śər'atä qwərhat—is missing, apart from a short note on the daughters of Zion, which is not present in all versions, however. These ceremonies were apparently considered to be part of divine law (həgg) and an Aksumite tradition, hence not normally applicable in the current situation. Very few kings were officially crowned at Aksum.

- SM III, 3–4: The queen's coronation, followed by an ordinance about placing her on trial. Here, we detect the professional concerns of jurists and judges, in line with what Parkinson's Law leads us to expect.²⁷
- **SM III, 5:** The funeral of princes. The funeral ceremony was held in absentia when a prince died in a faraway place, to which he might have been exiled.
- SM III, 6–7: The wedding of princesses, along with regulations about placing them on trial. These regulations, too, were quite practical.
- SM III, 9–10, 17: The installation of the bəḥtwädäd ("chief minister"). The description of this ceremony is preceded by a legal note (tarik) about the situation before the great war with the Oromo and the kingdom's subsequent decline and disorder. The current situation is then described:

There used to be two of them: the one went to war, the other administered justice at the court. There, 44 judges were under his supervision and in service day and night. In the time of Śärṣä Dəngəl and the wars against the Oromo, disorder arose: the king was forced to leave his central region, Amhara; dignitaries died and were not replaced. Thus the formerly inferior blattengetas took over at court, and the only remaining bəhtwädäd was relegated to a province.

Several paragraphs dispersed throughout the text recount what amounts to a history rather than a set of rules. The jurist who wrote the text was apparently dissatisfied with the changes, since he called to mind the "good old law" and bitterly remarked that "there were people who acted like kings." The text records a historical memory that lacked any practical value at the time, perhaps in the hope of a revival of the Christian kingdom's days of glory.

- SM III, 11: The installation of the däǧǧazmač ("provincial governor"). The governor of a province had to pay for his crown (ras warq). When the crown was placed on his head, holy water was poured on him, and/or the rivers marking the bounds of his province were named. This provides an example of how the Amharic version clears up a problem in the Ge'ez text.²⁸
- SM III, 12: The Mäsqäl ceremony ("feast of the Holy Cross"). SM III, 13: The Bä'alä Ṣəge ceremony ("feast of the flower," 25 Mäskäräm). Since judges played an important role in all these ceremonies, these regulations figure here in this order. It is noteworthy that the collection mentions no other major ecclesiastical feast.
- SM III, 14–15: The installation of the *eččäge* ("prior") and other abbots and an ordinance about placing them on trial.
- SM III, 16: The religious ceremony and the hymns to be sung by judges before opening a court session. These are practical instructions for judges. The impression is that "good government and its ordinance" is mainly a matter of jurisdiction. But the following practical measure is of quite a different sort.
- SM III, 18: Where to pitch the royal camp during the rainy season? After the king and dignitaries decided where to pitch camp during the rainy season, the *raq mäsare* and the *käntiba* were to make provisions for the food and firewood needed, in particular, for the royal banquet.
- SM III, 19: The installation of a baša, a military commander of foreign riflemen.
- SM III, 20: The installation of an aqqabe säʻat. All these ceremonies and feasts call for the participation of a class of semi-ecclesiastical judges, who were most likely the authors and compilers of the text. Since the Śərʻatä mängəśt served as a handbook for these professionals, it does not refer to the ceremonies and (ecclesiastical) feasts that did not involve members of this class.
- SM III, 20–24: The organization of the royal camp and the order of march. It is precisely stated how the royal camp was to be organized into different parts (right and left) and how the royal court was to move about in the country. These detailed regulations are, however, much less developed than the parallel text in the Śərʻatä gəbr, which is part of the fifteenth-century royal chronicles.

They amount, therefore, to a vestige adapted to the Gondarine period, when the royal residence was stable. These regulations were apparently of little interest to judges. The same could be said about the following sections, even though the four different versions used by Varenbergh provide evidence of their practical importance at the time of writing.

SM III, 25–26: Court officials, provincial governors, and their tribute. The high dignitaries and provincial governors are listed along with the tribute each had to pay (at the time of installation or every year?) to the king. The major differences between Varenbergh's four versions of this list are proof that this was a heated issue. We are surprised by the small amount of tribute. Might this be evidence that the king was gradually losing sway over his kingdom?

SM IV: Jurisdictional disputes between civil and ecclesiastical courts. In the case reported, the matter to be settled by trial is described in full.

Judges of the royal court on one side and the abuna [primate of the Ethiopian Coptic Church] and eččäge on the other disagreed about the jurisdiction in many court cases. The background was, first, to determine what should be considered ecclesiastical or civil law; and, second, perhaps of more importance, the litigants should pay for every trial and decision, and these fees are considerable when tallied.

This is the most informative section in the collection. Formally and conceptually, it is a perfect example of an Ethiopian "charter"—a detailed record of a trial and the court's decision. The problem is described in detail, the litigants and their representatives are named, the procedures for taking oaths are stipulated, the events leading up to the conflict are narrated, and the decision is stated. The trial can be dated to sometime around 1680 (the last part of the reign of King Johannes or the early part of that of Iyasu I). The conflict arose 40 years earlier, during the civil war under Susneyos and Fasilädäs.

The author's meticulous sincerity reflects that of the judges involved in the trial, but it becomes somewhat questionable when compared with the *Greater Chronicle* (F39) written by *Liq* Atqu, where we find four parallel documents that could well be part of the "ordinance of



government." The four relate the decisions of Fasilädäs's court (ca. 1637) that led to opposite settlements of the same conflict.²⁹ This strong opposition to decisions made by former kings (antiquae restitutio legis) had the current monarch's backing.

The documents mentioned in chronicles and other historical accounts will be incorporated as an excursus in my critical edition of the \acute{S} - \acute{s} -

SM V: Hierarchy of judges at the royal court. Decisions were rendered by the lowest rank of judges first, then referred to the next higher rank up to the king, who made the final decision. We know very little about this procedure. Was there a tacit consensus among the judges? Were decisions unanimous from the start of the process all the way up to the final decision, or could judges disagree? How did the king make up his mind and reach his decision out of possibly divergent opinions from the lower ranks? What we do know is that a person's position in this hierarchy was a point of honor, even though the office might have been without any material reward. Modern historians who study this text are, in fact, reading about their own professional deformation. The judges, deeply motivated by their professional vanity, were passionate historians who documented (more or less sincerely and quite shamelessly) their own conceit.

There was professional competition in the lower and middle ranks of the judiciary, between the judges of the court and the sāḥafe tə'zaz, the royal chancellor and chronicler, in other words between the presumed



authors of the Śər'atä mängəśt and of the Short Chronicle on the one hand, and the author of the official court chronicle on the other. This rivalry gave rise to disputes on several occasions between 1690 and 1728 AD.

Principles for Making the Critical Edition

This ordinance was a pragmatic collection of texts that evolved over time as a function of changes in the political and social situation as well as the geographical setting of the royal residence. Its contents and form were continuously adapted to the needs of those who had to apply the rules and regulations (Sitz im Leben: Rechtsfortbildung durch Rechtssprechung). A general textual critique for the purpose of establishing an original version is not capable of providing a tentative classification of the manuscripts. Instead, it has been necessary to group the manuscripts exhibiting a coherent development, as evidenced by the different versions being grouped with their lists of provinces and dignitaries, their order of precedence of judges, and their naming of the taxes due to certain officials or in certain regions, not forgetting the changes in the jurisdictions of civil and ecclesiastical courts. The rules of textual criticism can apply only within such a grouping of homogeneous versions. For such a group, we can then try to establish an original text from which the various versions were copied with the intention to faithfully reproduce their source but, of course, with the habitual mistakes and alterations made while copying. In brief, the manuscripts have to be placed in groups on the basis of their different sections. Within these groups, it is then possible to establish a critical edition of a main text with its variants.

Two points should be made about my procedure in collating manuscripts of the \acute{S} ər'atä mängəśt.

First of all, in most manuscripts, the \acute{S} $\acute{s$

owing to his exemplary decisions, cited in certain manuscripts of the \acute{S} \acute{S} \acute{T} \acute

Second, my work on this critical edition started after I had produced editions of other Ethiopian chronicles and then worked on the *Short Chronicle*. While collating more than 30 manuscripts of this chronicle (starting with genealogies up through the reign of Iyasu I), I became aware of how important the \hat{S} -r'atä mängəśt is for understanding the chronicle and the legal documents interspersed in it. I was able to base my compilation of the \hat{S} -r'atä mängəśt on the results obtained from collating the *Short Chronicle*. I started by choosing a suitable basic manuscript with reference to which all the other versions were to be read and collated.

As the reference text for my initial collation of the \acute{S} $\acute{$

A Short Description and Classification of the Manuscripts Used

Note that the passages and documents clearly related to the Śər'atä mängəśt but not coming from the "core manuscripts" will be presented as an excursus in the critical edition: for instance, the documents added to SM IV from Judge Atqu's Greater Chronicle.



- 1. A118, fol. 13vb, 15–16vb, 9. This was the reference text for my first collation. It is a good copy of the version in the Haylu compilation. Like the other copies in this compilation, it contains the whole range of paragraphs and regulations that form the Śər'atä mängəśt in its extended version.
- 2. A97, fol. 96rb–99rb: SM II has been omitted. SM I has been placed at the very end, separated as a list of judges (hwəlqwä mäsafənt, the first excursus in my edition). SM III, 2 on the daughters of Zion is missing; but the already mentioned Mäshafä Sälomon, which does contain it, is part of the manuscript. SM III, 25–26 on tributes is missing. SM III, 14 about the eččäge has been placed at the end of the paragraph, as in F39, F40, and F41, 5. SM IV, 1 (nägärä wäg about jurisdictional disputes between civil and ecclesiastical courts) is incomplete. SM V about the hierarchy of judges figures in a different form and will be an excursus in the edition.

Linguistically, all the paragraphs use the third person plural to refer to the queen, whereas the "common version" (Group 4 below) constantly uses the majestic plural (*pluralis maiestatis* in Latin), but exceptions suggest that this was a later hypercorrection.

- 3. A221, fol. 26 is, in fact, the last page of F41, 5. It was cut out and inserted into the chronicle A221 at the very place where it had to serve as evidence for the decision in the narrated trial (see my discussion in the introduction and note 2). For this reason, the setting described in the chronicle will be an excursus.³⁵
- 4. A225, fol. 151, 17–163, 5 presents the same material as A97.
- 5. BN142, fol. 27ra–27vb; 38rv–40vb; 47ra–48rb is a manuscript in disorder.³⁶ Several errors mar this version of the Śər'atä mängəśt. There is a separate version about tributes (SM III, 25–26) similar to the one in F39 and F40.
- 6. BN147, fol. 25r,10–30rb, 23 is a peculiar copy of the Ḥaylu compilation. In several passages, the scribe wrote as if he were the author. However, the Śər'atä mängəśt was copied without any changes from the original in the Ḥaylu compilation, A118, L821.
- 7. BN212, fol. 1ra-10va from the Mondon-Vidailhet collection can be grouped as a "continuation of the *Short Chronicle*." There are two columns, but the left one is blank, probably because Mondon-Vidailhet



wanted to add there his (French) translation. The introduction might stem from the oral traditions used by Mondon-Vidailhet. SM I and II are missing, as in other versions, such as CCR6 (also a "continuation" of the *Short Chronicle*) and CCR107. SM III, 14 about the *eččäge* has not been moved to the end of the paragraph, as in the other "continuations" (e.g., CCR6) and in CCR107, F39, F40, and F41, 5. This anomaly in the otherwise coherent grouping of this text hints at contamination from orally transmitted information, as happened in many of the texts and manuscripts that Mondon-Vidailhet had copied or compiled in the late nineteenth century.

8. C63, fol. 3ra—11vb belongs to the grouping "continuation of the *Short Chronicle*." It also contains an anomaly: the version is that of the manuscripts in the Haylu compilation instead of the special one found in the other "continuations" of the *Short Chronicle*, such as CCR 6 and CCR 107.

Once again, all the paragraphs use the third person plural to refer to the queen, whereas the "common version" (Group 4 below) constantly uses the majestic plural, but exceptions suggest that this was a hypercorrection, as in A97.

Several additions have been made in Amharic. The C63 text is an extreme example of a contaminated version. It was written in the second part of the twentieth century for André Caquot, perhaps by an Ethiopian scholar. There is nothing more damaging to a manuscript (contaminations, authorial modifications, etc.) than to have it copied by a scholar!

9. Ca, fol. 27vb, 10–44vb, 8 omits SM I and II, as in A97 but without any list of judges. Nor is SM III, 2 on the daughters of Zion missing, as it is from A97. It is even presented in an expanded form (perhaps taken from Mäṣhafä Sälomon). SM III, 14 on the ečäge has been placed at the end of the paragraph, as in F39, F40, and F41, 5. SM IV, 1 (nägärä wäg about jurisdictional disputes between civil and ecclesiastical courts) is complete.

Linguistically, all the paragraphs use the third person plural to refer to the queen, whereas the "common version" (Group 4 below) uses the majestic plural, but exceptions suggest that this was a hypercorrection, as in Ag7.

10. CCR6, fol. 1ra-7ra, 5 belongs to the grouping "continuations of the



- Short Chronicle." SM I and II are missing, as in BN212 and CCR107. SM III, 14 on the *eččäge* has been placed at the end of the paragraph, as in BN212, CCR107, F39, F40, and F41, 5.
- 11. CCR107, fol. 1ra-8v, 8 belongs to the grouping "continuations of the Short Chronicle." SM I and II are missing, as in BN212 and CCR 6. SM III, 14 on the eččäge has been moved to the end of the paragraph, as in BN212, CCR6, F39, F40, and F41, 5. SM III, 25-26 on tribute and fees is a distinct version not found in other manuscripts; it is probably an adaptation to the situation at the time of writing.
- 12. F₃8, fol. 1–12a, 6 is a copy of the Haylu compilation that is marred by errors and omissions. However, it does not omit SM III, 25, as most other copies of this compilation do. We cannot know whether the scribe used, or knew of, another version of the Śər'atä mängəśt.
- 13. F39, fol. 1–11b from Liq Aṭqu's Greater Chronicle. SM III, 25–26 figures in a distinctive version, as in F40 and F41, 5. There is, too, a distinct version about tributes (SM III, 25–26), similar to the one in BN142 and F40. It will be presented as an excursus in the critical edition. As always, practical rules and regulations about taxes and monetary matters are kept updated, even when other regulations are of only historical interest. SM III, 14 on the eččäge has been moved to the end of the paragraph, as in A97, F40, and F41, 5.
- 14. F41, 4, fol. 1–16 is an old manuscript from the seventeenth century. The text, though of a very good quality, unfortunately contains but a fragment of the Śər'atä mängəśt, from the beginning up to SM III, 12. It is difficult to grasp the affiliation of this version, which lacks the sections on tribute and on the royal camp, where the variations characteristic of the group are found.
- 15. F41, 5, fol. 1–8v,16: the last page is fol. 26 in A226. Unlike F39, F40, and other manuscripts in Liq Aṭqu's collection, it does not have the special version of the section on tribute.
 - Manuscripts F₄₁, 4 and F₄₁, 5 are copies of the *Sər'atā māngəst* alone, not combined with the *Short Chronicle*. This suggests they might have been "working papers" in a judge's possession, which he brought to court sessions.
- 16. L815, fol. 120vb contains only SM I in the form of a list of judges (an excursus in my edition), like A97.

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- 17. L817, fol. 20v, 5–21r, -5 contains only SM I in the form of a list of judges (an excursus in my edition), like A97.
- 18. L817 fol. 21r, -4–27v is a complete \acute{S} ər'atä mängə $\acute{s}t$, of the same version as A97 and A225.
- 19. L821, fol. 30va, 1–36 vc, -7 is a copy of the Ḥaylu compilation. See A118.
- 20. O28, fol. 1ra-12vc is a common, full version of the Śər'atä mängəśt. It was not chosen as the reference text because it contains several errors and omissions.
- 21. R129, fol. 2r–17ra is a common, full version of the Śər'atä mängəśt. It was not chosen as the reference text because of its many errors and omissions. O28 and R129 are no better than the manuscripts in the Haylu compilation, A118 and L821.
- 22. T₃₄, fol. 28rb,-4–28v contains only SM I in the form of a list of judges (an excursus in my edition), like A₉₇.

A Tentative Grouping of Versions

This short description of manuscripts already hints at a grouping. As we clearly see, some versions were contaminated during transmission. It might be wise to limit the classification of the different versions as described below and, for the moment, not to strive for more detailed precision. Hopefully, my critical edition of the \acute{S} - \acute{S}

Group 1: A97, A225, L815, L817, and T34

• SM II is omitted; and SM I is placed at the very end of the text,



separately, as a list of judges ($hwolq^w\ddot{a}$ $m\ddot{a}safont$, an excursus in my edition).

- SM III, 2 about the daughters of Zion is missing; but the aforementioned Mäṣḥafä Sälomon, which contains this regulation, is present.
- SM III, 25–26 on tributes is missing.
- SM III, 14 on the *eččäge* has been placed at the end of the paragraph (as in F₃₉, F₄₀, and F₄₁, 5).
- SM IV, 1 (nägärä wäg about jurisdictional disputes between civil and ecclesiastical courts) is an incomplete fragment.
- SM V on the hierarchy of judges is presented in a different form. It will be an excursus in the critical edition.

From the linguistic point of view, all the paragraphs about the queen use the third person feminine to refer to her, whereas the common version (Group 4) always uses the majestic plural. Exceptions suggest, however, that this was a hypercorrection.

Subgroup 1a: A97, A225, F39, F40, and L817. What characterizes this subgroup is the regulations for guarding certain gates and accessing the royal chambers (kəlkəla, SM III, 23). These are not part of the common version (Group 4). The chronicle of Iyasu I relates a dispute about this matter among certain officials at the royal court in 1690 AD. The matter was decided after consulting judges. The explanation for this anomalous subgroup of otherwise unconnected versions might be that each of the judges involved in the dispute and decision wrote his own (new) regulation in his working papers. This illustrates the limits of textual criticism. To explain certain facts in a written tradition, we must have knowledge of the historical setting, which cannot be deduced exclusively from the text or invented by mere speculation. Such knowledge can provide us with criteria for the chronology of the text and its versions.

Group 2: BN212, (C63), Ca, CCR6, and CCR107—the Śər'atä mängəśt contained in "continuations" of the Short Chronicle. For the characteristics of this group, see CCR6 above. Given that BN212 and Ca are highly contaminated, this group is less coherent than the first. Nonetheless, it can be justified by a statistical evaluation of the variants shared among its members in comparison with the other manuscripts.



Group 3: F39, F40, and F41, 5. What justifies this grouping is the characteristic change in the regulations for the delivery of food, and so forth, to the eččäge 's house (SM III, 14–15). In contrast with the common version, in which deliveries were to be made every day, this group has special provisions for the case when this dignitary was placed on trial. Not by chance, all three manuscripts are part of Liq Atqu's collection. Once again, we catch sight of a jurist (and judge) at work, meticulously correcting and updating his vade mecum.

Subgroup 3a: F39 and F40. What characterizes this subgroup is the list of tributes and fees for court dignitaries and provincial governors. The explanation for this difference is probably the same as the one given for Group 3.

Group 4: A118, BN142, BN147, F38, F41,4, L821, O28, and R129—the Śər'atä mängəśt in its common form. This grouping of the remainder of the manuscripts (aside from individual mistakes and omissions) represents the "common" version of the Śər'atä mängəśt and also the vulgate of the Short Chronicle. Four of these manuscripts (A118, BN147, F38, and L821) are part of the Haylu compilation.

Conclusion

As a manual to be used by court officials, the Śər'atä mängəśt evolved in line with historical circumstances and changes at the royal court. Its variants are a mirror of the situation at the time of writing. Hopefully, the synopsis of the versions existing in the manuscripts will help historians trace changes and propose an appropriate chronology.

Had it not been for the vanity of the Ethiopian jurists who wrote these texts, we probably would not know that the chronicles were a



source of legislation (tarik) along with the $Kabr\ddot{a}$ $n\ddot{a}g\ddot{a}\acute{s}t$ (hagg, Aksumite tradition), or that there were several versions of the $M\ddot{a}shaf\ddot{a}$ $n\ddot{a}g\ddot{a}r\ddot{a}$ $w\ddot{a}g$ (Book of $Customary\ Law$ and Habits) attributed to different well-known judges during the reigns of Śarṣā Dəngəl and Fasilädäs. The $M\ddot{a}shaf\ddot{a}$ $n\ddot{a}g\ddot{a}r\ddot{a}$ $w\ddot{a}g$ might turn out to be nothing other than an evolving, ever changing $\dot{S}ar'at\ddot{a}$ $m\ddot{a}nga\acute{s}t$ in the hands of judges and counselors at the royal court. The $\dot{S}ar'at\ddot{a}$ $m\ddot{a}nga\acute{s}t$ contains clues for constructing the relative (and sometimes absolute) chronology of its sections or even of whole versions.

The critical edition of the "Ordinance of [hopefully a good] government" should provide a commented-upon synopsis of the extant versions and of the parallel documents that have been placed in the chronicles, in particular the various versions of the *Short Chronicle*, which were also authored by jurists.

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NOTES

- I am grateful to Andreas Kropp for comments on the style and language of the original English version, which has been rewritten by Noal Mellott (CNRS, Paris, France).
- 2. A good illustration of this is the manuscripts of the chronicles of Judge (liq) Atqu (Kropp 1984, 235–48: "Die professionelle Konkurrenz: Liq Atqu und sein Familienarchiv"). In several places, the historical and chronological narrative is interrupted by the insertion of documents and legal texts referring to the trials and lawsuits cited in the chronicle. We even come across extreme cases, in which actual pages taken from another manuscript have been inserted. We can infer that the chronicle's author or compiler had at hand a copy of the Śər'atä mängəśt among his working papers and archives, and did not care to extract the passage he needed for his new chronicle.
- 3. Dillmann (1865, 131–32); and Guidi (1901, 11): "legge religiosa; matrimonio religioso." Leslau (1991: 227b) misses this important point when giving a wide range of meanings: "law; decree; rite; rule; regulation; ordinance, norm; usage; custom."
- 4. Dillmann (1865, 936) gives only həgg as synonymous, thus missing an important point. He refers to a root wägʻa ("to beat"), thus overlooking the rich sense of wägəʻa (Leslau 1991: 608a wägəʻa), "to narrate," which, in its various derivations, is widely used in Ethiopian historiography. Leslau (1991, 608a): wägʻa, "narrate"; awgəʻa, "follow the customs"; wägʻawi, "one who knows the customs"; wäg, "tradition, custom." Guidi (1901, 594) gives forms and meanings of the word in Amharic. Given that no root with this

special meaning is found in classical Ge'ez literature (or, as a consequence, in Dillmann), we can conclude that either this word came from Ge'ez but was transmitted orally and figures only in late medieval writings, or that it was an artificial root in Ge'ez formed by scholars and scribes who had to translate an authentic Amharic phrase to be written in Ge'ez. The complications of this sort of linguistic interference have to be borne in mind when translating Ethiopic literature from the medieval or later periods.

- 5. As is to be expected for words belonging to later Ge'ez literature, Dillmann (1865, 556) is brief and gives only the first meaning. Leslau (1991, 580a) and Guidi (1901, 360) insist on "history, chronicle" as a second sense after "era, epoch." There is no mention of the very special and technical meaning of "historical precedent, event, case."
- 6. Dillmann (1865, 243): "institutum, statutum, regula"; Leslau (1991, 532b—533a) gives, among other meanings, "ordinance; procession; ceremony; rite; disposition; testament, pact; custom; habit; tradition; edict." For Guidi (1901, 158), the Amharic sərat is an extension of the Ge'ez word's semantic field, whereas the corresponding Amharic verbal root särra has the general meaning of "to do, to make, to work." The Arabic šarī'a ("Islamic law") used in the Koran is probably a loanword. The three spheres of law correspond to the Islamic Uṣūl al-fiqh: "sources of law."
- 7. In a single collection of Ethiopian chronicles, one of the most famous and precious, ms. Bruce 88 (no. 29 of the collection of Ethiopian manuscripts in the Bodleian Library, Oxford).
- 8. See chapters 4 and 12 of book 1, Péro Pais (1945, 53-137, especially chapters 12-14 on the genealogy of Ethiopian kings, offices at the court, the tent camp, and the march of the royal army); and Camillo Beccari (1903-17, vol. 2, 1905. 53-59, 133-41).
- 9. Kropp (1988).
- 10. Dillmann's text (1885, 18–20, n. 1) and translation (1885, 74–76) was based on manuscript O26. Littmann's (1913, 74–76) was of a manuscript (Kəbrä nägäst, appendix) kept in the Aksum cathedral. Unfortunately, the commentary he announced was never published.
- 11. Whether they record an authentic memory of the origins of ceremonies dating back to the Aksumite kingdom is a question beyond the scope of this article. The terminology, especially for titles, has peculiarities suggesting Tigrinya, which is closer to Ge'ez than to Amharic.
- 12. The regulations for the camps of the king and of princes and dignitaries



changed repeatedly. Descriptions from the nineteenth century (Griaule 1934) differ significantly from the \acute{S} \acute{e} \acute{e}

- 13. Using the manuscript numbers in Dillmann (1848).
- 14. Entries in d'Abbadie (1811) are marked "G," followed by the manuscript's page number. Guidi used this material while adding his own entries, marked "GV."
- 15. According to two trustworthy oral sources forming an uninterrupted chain of two witnesses (hadit tiqa in Arabic), Varenbergh, besides being a difficult and nervous man, was in a hurry at the time of World War I to finish working on this testo difficilissimo, as Guidi later put it.
- Kropp (1990).
- 17. This precision is to counter the incorrect statement: "As the Ser'ata Mangest had been translated only into German and to a certain extent into Italian, it has been necessary to present a translation in English" (Bairu Tafla and Scholler 1976, 489).
- 18. Guidi (1922, 65–89).
- 19. Kropp (1988).
- 20. Taddesse Tamrat (1972).
- 21. Scholler (1976, 510–13, and 2007, 162, n. 9). Bairu Tafla and Scholler (1976, 491, n. 35) have commented on the election and acclamation of the king by the army (SM II, 1): "This regulation shows the important role the traditional Ethiopian army had played in selecting a King. The Derg functions as a kind of continuation and institutionalization of the traditional army."
- 22. Mantel-Niećko (1980, 34-36).
- 23. Stylianoudi (1984); Lagopoulos and Stylianoudi (2000, 2004).
- 24. Scholler (1976, 512, n. 9) mentions "at least three unpublished versions."
- 25. On the relations between the Ge'ez and Amharic versions, see Kropp (1992).
- 26. Guidi examined several manuscripts while compiling his vocabulary (1901). The many Amharic terms in the Śər'atä mängəśt did not escape his attention, since he translated them with comments in his dictionary. See, for instance, the entries for aysnäfo (GV184) and daññä (GV681–683). Varenbergh drew heavily on Guidi's material for his translation and commentary.
- 27. See http://en.wikipedia.org/wiki/Parkinson's_Law (accessed 4 April 2011): bureaucracies expand over time, because "an official wants to multiply



subordinates, not rivals," and, more pertinently, "officials make work for each other." Accordingly, a bureaucracy is primarily occupied with itself and is capable of creating an infinite amount of work for itself. Bureaucracy, in this case the royal judiciary, mainly attended to its own sphere. When describing the queen's coronation, a judge immediately thought of the procedures in which he might be involved, as would be the case if the queen were to be put on trial. The judges who wrote the text were interested in their own professional field (a bureaucratic idiosyncrasy).

- 28. Kropp (1992, 230–31).
- 29. Kropp (2004).
- 30. Guidi (1922, 65). At present, the standard edition and translation of the *Short Chronicle* is René Basset's (1882). There is also a translation by Francesco Béguinot (1901).
- 31. Kropp (1986, 1994).
- 32. The second manuscript (L821) is of about the same quality. What is probably the original manuscript of the Haylu compilation ms. L 820 is a fragment (covering the period 1769–1809)—and thus does not contain either the Śər'atä mängəśt or the Short Chronicle. For details, see Kropp (1984, 1, 151–54). Varenbergh (1916) used L821. Guidi (1922, 65–66) referred to L821's superior quality, but used for his translation mainly R129, which is close to L821 (and to the Haylu compilation in general).
- 33. As proposed by Vinton Dearing (1974), among others.
- 34. Mostly manuscripts in the Ethiopic Manuscript Microfilm Library (EMML), which can easily be found indexed in various catalogs (for example, A26, Duchesne-Fournet 7, T106), as well as copies in private collections.
- 35. On the series of disputes and decisions about the ranking of judges (Parkinson's Law proven even in the Ethiopian case!), see Kropp (2004).
- 36. It is thus all the more unfortunate that Basset (1882) chose this manuscript for his Short Chronicle. He had to complete the text with passages from BN147 and add his own extrapolations.
- 37. While working on Ethiopic texts such as the Śər'atä mängəśt, I have, again and again, thought of Bernard Cerquiglini's (1989, 111) statement (not without a feeling of irony at the use of the word "joyeuse/joyful"): "Or l'écriture mediévale ne produit pas de variantes, elle est variance. La réécriture incessante à laquelle est soumise la textualité mediévale, l'appropriation joyeuse dont elle est l'objet, nous invitent a faire une hypothèse forte: la variante n'est jamais ponctuelle." The English translation (Cerquiglini 1999, 77–78)



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goes as follows: "Now, medieval writing does not produce variants; it is variance. The endless rewriting to which medieval textuality is subjected, the joyful appropriation of which it is the object, invites us to make a powerful hypothesis: the variant is never exact."

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