

Land Management in 11-12th Century Byzantium: A comparative research of vulgar and holy landowners based on monasterial archives

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Abstract

In the 11th century, Leon Kephalas was given some land by Emperor Alexios I for his great merits of the Norman War. Part of the land was inherited by one of his sons, Nikephoros Kephalas, who donated a portion of his possession to the Great Lavra Monastery on Mount Athos. Lavra, who had the same status as a modern legal personality, managed the land through negotiations with the emperor and local officials while dealing with conflicts with neighboring secular landlords and Cumans. In this context, this article will combine previous research and analyze the socio-economic history of the relevant economic entities and lands, while attempting to compare the different management strategies of the secular owners (the Kephalas family) and the ecclesiastical owners (the Lavra Monastery) for these lands.

Leon Kephalas, a military nobleman, was granted several lands by Emperor Alexius I Komnenos for his merits. His son, Nikephoros Kephalas, inherited some of these lands and donated others to the Great Lavra monastery on Mount Athos. Lavra, possessing a status similar to a modern corporation, managed these lands and handled disputes with nearby landowners and Cumans. This series of events, recorded in the monastery's documents, occurred in the late 11th and 12th centuries in the western Byzantine Empire. It reveals the property and economic activities of the Kephalas family and the Great Monastery, and explains their historical context.

The example of four lands initially owned by the Kephalas family and later transferred to the Great Monastery encompasses the granting, inheritance, donation, and subsequent survival of the lands within the monastery's possession. By examining its relatively complete socio-economic context and other similar cases involving imperial finance, secular landowners, and ecclesiastical corporations, we may gain a clearer understanding of the typical economic activities (of both ecclesiastic and vulgar sides) in the 11th and 12th centuries, which tends to be seen as the turning point from the Middle to the Late Byzantine Empire. This paper will focus on examples from the Kephalas family to the Great Lavra, attempting to depict the history of the centuries preceding the turbulent "First Fall of Constantinople" from a relatively micro perspective, and to portray the situation of the landowners (gr., dynatoi) worlds in terms of land, taxation, and tax exemptions from the Macedonian dynasty to the late Komnenos dynasty. In this study, I will use the Archives of Athos, which aims to organize 1200 Byzantine-era documents preserved in the Athos

Monastery. The series have published 23 volumes, covering prominent monasteries such as the Great Lavra, Iviron, etc., with not only the original Greek text but also analyses and interpretations in French.

According to previous studies, with the help of archives such as Athos, many researchers have developed an interest in the detailed circumstances of individuals during the Byzantine period from the 10th to the 12th centuries. In Inoue's work, *The Byzantine Empire*, the author explores the concept of feudalism and cites examples such as the Kephalas' "fiefdom". Oikonomidès (1996) provides several examples of secular and ecclesiastical landowners, as well as donations from secular landowners to ecclesiastical landowners, offering a brief overview while also explaining materials from Athos monasteries. Otsuki (2005), combining the aforementioned monastic documents, focuses on the relationship between secular and monastery figures. Examples include the donation of the noblewoman Maria to the Iviron Monastery, Athos and the establishment of charitable institutions by the Attaliat. He also discusses the management of monasteries' lands and paroikoi (shareholders) and the difficulties they faced, with the connection between imperial nobles and ecclesiastical institutions emphasized. Based on prior studies, this paper will further organize the material, attempting to focus on relevant content chronologically, clarifying the specific circumstances of Kephalas-Lavra lands from a socio-economic history perspective, and addressing issues such as taxation, donations, and boundary disputes surrounding these lands, using examples of other landowners. At the same time, we start from the perspective of managing strategies of land, which have not been detailedly mentioned in previous studies, and compare the differences in interests between secular and ecclesiastic landowners.

1. Leon Kephalas: exploit and glory

On August 15th, 1118, Emperor Alexios I put a period to his extraordinary life with arduous toil, pride and pity, merely a year and a half after his last expedition against Seljuq Turks. Before his enthronement, the internal disorder and the iterative coup d'état immediately after the death of Basilios II had been pushing the Empire into abyss of endless territorial losses in Anatolia, while the Normans, led by Robert Guiscard and his son Bohemond, invaded the Empire from the west. Nevertheless, during his 37 years' rule he attempted successfully to protect the empire in decadence from the Normans, the Pechenegs and the Turks, witnessed the last glory of Middel-Byzantine period by regaining former pieces of land that used to belong to the empire years ago, mainly in Minor Asia.

When we examine the Komnenian Renaissance created firstly by the very emperor, the Norman War seems the very debut of the legendary emperor. Nevertheless, we may not neglect the battle of Larissa in 1082-1083, during the process of Norman War bursting out no sooner than the emperor's enthronement. The proedros and katepanō of Abydos, Leon Kephalas, succeeded to defend the important city Larissa heroically from Bohemond's army for 6 months, until the emperor's tactical counterattack defeated the Normans.

1.1 Leon in the Alexiad

In 1082, in the middle of the war against Normans, Leon Kephalas was in charge of the defending force of the empire in Larissa and succeeded in enduring the siege.

As early as 1071, the Byzantine territory in south Italy was occupied by the Norman Duchy of Apulia, ruled by Robert Giscard. He together with his son started to attack Balkan Peninsula in 1081. They benefit from strong fighting capacity of the Norman cavalry. In the battle of Dyrrachion, the emperor was defeated by Normans, with the empire's Varangian Guard

annihilated. Till 1082 the Normans have occupied Kastoria and Ioannina, driving their army directly to Larissa on the festival of St. George in April.

Larissa, as capital city of Thessaly region today is not far from the eastern coast of Balkan Peninsula seemed of vital importance at that time. Firstly, if Larissa were lost, the land connection of Constantinople and Achaia will be totally cut, since Epirus and Macedonia have been invaded by Bohemond. Secondly, Constantinople would be under threat when the Normans moved forward through Thessaloniki with their fierce cavalry.

As is recorded in the Alexiad, Leon Kephalas, son of hereditary servant of the emperor, was at that time in charge of the defending action of Larissa. He sent a letter swiftly to the emperor about the Normans' invasion, but the emperor was recruiting imperial mercenaries. We can hardly know the situation of the capacity of defense of Larissa castle (kastron), but it seemed that it was a tough task for Leon who finally succeeded in defending it for 6 months and had no alternative but to send one more letter with anxiety to the emperor. From the very letter we can realize that the kastron of Larissa was at the edge of running out of food. Leon told Alexios I that he made every effort to do his duty, but the defending army might surrender to the enemy unless the reinforcements came.

The letter seemed to make Alexios I realize that he must conquer the enemy in a tactical way. He prayed and discussed with his generals, while the horses neigh together showing a good omen. He used ambush out of the city of Larissa to defeat Bohemond, who underestimate the imperial troops after several victories. He also alienated the relationship of Bohemond and other Norman Lords with brilliant diplomacy, leading to the Normans' retreat from the Balkan territory of the empire. From this we can see that Leon played a very important role in the defense and encouragement of this war.

1.2 Location and fiscal situation of the land rewarded to Leon

Leon Kephalas, whose family name appears not to be an eminent noble one, was, in Oikonomides' word, from a relatively low social level. In 1082, when Leon first appeared in Lavra archives, his title was *vestarches et primicierios des vestiarites*, while in 1086, his title became *proedros et katepanō d'Abydos*. In 1115, when his son Nicephoros was mentioned in Lavra archive, the son might inherit the paternal title of *proedros*. From here we can see that he is not so high-ranking as other contemporary figures introduced by Oikonomides(1996) and Otsuki(2003), such as Micheal Attaliatē, *anthypatos* (proconsul) and judge, or Kale, widow of Curopalates Symbatiōs Pakourianos, who might have more or less relative relationship with the imperial family.

According to the Lavra archives about Kephalas family, both father and son, we can list out 6 pieces of land owned by Kephalas Family before Nicephoros donated part of his land inherited from his father to Great Lavra. The land owned by Leon Kephalas, which are specifically recorded in relating materials, as well as the names of place mentioned about Nicephoros Kephalas, are listed in the chart below. Below will I analyze the concrete situation of each land.

Chart 1: land owned by Kephalas Family

Name	Location	Mentioned in Lavra No.	By which emperor	Form	Size and production	Fiscal exemption

①	Adrinou	Derkos	44,49	Nicephoros III Botaneiatès	Klasmatic land, petiton	334 modioi	Partly
②	Proasteion Mesolimna	in Mesolimna	45,49	Alexios I	proasteion		Privilege?
③	Chostianes chorion	Moglana	48,49	Alexios I	chorion		Fully logisimon
④	Ano		49	Alexios I	proasteion		
A	Archontochôrion		60		chorion		
B	Traianoupolis		60				

Source: Lavra 44, 45, 48, 49, 60, Lemerle, Paul et al. ed. (2019); Inoue, Kouichi. (1982).

1.2.1 Pasture in Delkos (①)

This piece of land appeared for the first time in Lavra No.44, a chrysobulle, imperial document with His Majesty's gold seal, by Alexios I Comnenos, edited in 1082, indiction 5, a.m. 6590. This archive seems like a guarantee or confirmation. Also, the very piece of land was mentioned again in another chrysobulle, Lavra 49 by the same emperor 7 years later, which was more likely a list of all the land owned by Leon Kephalas and the reconfirmation of the land ownership, fiscal exemption and right of inheritance.

According to the former archive, this piece of pasture land was firstly bestowed to Leo Kephalas through a pittakion by the Emperor Nicephoros III Botaneiatès, while at that time (τηνικαῦτα) he could not effectively anticipate (ἐφθασε) that land, let alone operate that land for husbandry. After the enthronement of Alexios I Comnenos, he became the effective owner (παραδόσεως προβάσης) of that land through a pratikon written by Exisōtēs, Tzirithôn. However, perhaps having learnt a lesson from the former bestow that failed to be implemented, he asked a chrysobulle from the emperor directly while the emperor replied to him with such a guarantee, which exempted Leo from all kinds of taxations and military obligation except taxation of 4 7/12 nomismata (sing., nomisma, hic Byzantine gold coin unit. In 11th century 1 nomisma contains 4.50g of 98% Au, in 12th century 4.30g 87% Au). In Lavra No.49 it is indicated that there are 2 chrysobulles about that piece of land, but maybe another of the 2 was lost.

Chart 2: production and (basic) taxation of different land

	Conditions	Output per modioi	nomisma(ta)	Taxation
First quality	Possible to irrigate, habituate and cultivate	1		1/24
Second quality	Possible to cultivate	1/2		1/48

Third quality	Pasture and 1/3 uncultivated	1/72
Mowing meadow	Possible to be 3 exploited all year round	1/8

Source: Oikonomidès, Nicolas (1996), pp.49-50.

As Oikonomidès introduced, several fiscal treaties were edited to instruct the tax officers how to lay taxation upon different kinds of land. Here let us arrange more clearly the taxation amount of different kinds of land, and then analyse and calculate the concrete value mentioned in the example of Leon Kephalas.

In the fiscal treaty of Parisnus, the land in the empire was divided into four main categories, namely three levels of quality and a special kind of land. The first quality of land is the fertile pieces, most possible to irrigate, habituate and cultivate. One modios of the most excellent land is evaluated to produce the value of 1 nomisma. The second quality of land means cultivatable land, able to produce crops valuing half a nomisma. The third level of land, however, indicates uncultivated but grazable pasture, which is expected to output 1/3 nomisma. Mowing meadow, as a special kind of land, is evaluated to give 3 nomismata of output since it can be exploited all year around instead of specific seasons. All kinds of land receive a taxation, if the owner does not have an exemption, 1/24 of the evaluated output of the land. So the taxation of 1st, 2nd, 3rd level and mowing meadow will be 1/24, 1/48, 1/72, and 1/8 nomisma. With this formula we can turn back to the example of Leon Kephalas. He had 334 modios of klastmatic, literally broken, pasture land, which is for sure of the 3rd level. So the land taxation will be $334/72=4.64$ nomismata, very close to the $4\frac{7}{12}$ nomismata recorded in the chrysobulle. From this we can also draw a conclusion that the regular land taxation was not exempted; what is exempted was the hard labor, the military obligation, which used to be taxed in the form of currency, or monetization since Anastasius I, and the onerous and overloaded taxation or obligation to provide accommodation for the fiscal officers, which can also be proved by the list of names likely to be fiscal officers in the latter part of the archive. This may also show the common attitude of the emperor to the land dynatoi: the emperor may exempt the diverse burden that counts little, but the basic land taxation is the landowners' duty.

1.2.2 Proasteion in Mesolimna near Thessaloniki (②)

This piece of land is firstly mentioned in Lavra 45, a chrysobulle by Alexios I Comnenos in indiction 6592, which is 1084 AD. And in Lavra 49 it was confirmed again.

The land was in the very beginning, belonging to Stephanos Maleinos, Thessalonician. Then the piece of land was bestowed to Frank Otos and Leon Baasprakanites by the Emperor Nicephoros III Botaneiates. However, the 2 people attended the rebel of Pounteses, so the land was confiscated after that. In the chrysobulle of 1084, the history of owners of that proasteion was introduced, after the order of the emperor was written to the bodyguards and fiscal officers that the piece of land was put into possession of Leon Kephalas. Leon owned the land and inherit right (μέρει) eternally, meanwhile the paroikoi, livestock and crops were also at his mercy.

Just as what happened in 1082, an imperial order (pittakon) was firstly issued and according to the protaxis of the emperor, vestarchos and fiscal officer Constantinos sent his subordinate dishypatos Bardas with a praktikon about the details of the possession of the land to Leon, who presented then the aforementioned praktikon to the emperor and then received a chrysobulle, as the occasion of the Derkos pasture.

As for the fiscal exemption of this land, Oikonomidès think that there were no exemption at the slightest (sans la moindre exemption), but as we can see in the Greek Leo owned all of the different rights and privileges (πάντων τῶν διαφερόντων αὐτῷ δικαίων καὶ προνομίων), so what does the προνομίων means is the most important: does it mean some kind of fiscal exemption, or at least something like preventing the tax officers from his territory, because etymologically the προνομίων mean go ahead of laws? We might prefer to admit, in a large scale, the view of Oikonomidès, since the other pieces of land, like ①③, was clearly introduced about their situations of fiscal exemptions in the chrysobulle of Lavra No 49.

The privilege, in my point of view, may refer to the occupation of the mobile property on the land. Meanwhile the chrysobulle laid stress on the inviolable rights towards Leon Kephalas and those who would inherit the land. The Greek origin used the verb επιφνεσθαι, literally (no one can) grow themselves upon the land, the French translation used attaquer, which might attempt to describe a juridical unoffensive situation. This seems to be a proclaim of right of Leo Kephalas, rather than a prohibition as is mentioned below in Lavra No 48.

1.2.3 Chostianes Chorion and Ano (③④)

This piece of land was mentioned in Lavra No 48, another chrysobulle by Alexios I Comnenos in a.m. 6594 indiction 13, 1086 A.D. And as the ①② above in Lavra No 49 it was mentioned again. The piece of land is an award to Leon Kephalas for his courageous defense against the Norman invaders led by Bohemond in Norman War in 1083. As is analyzed above, the defense of Larissa kastron seemed to be so decisive that a total fiscal exemption was given to the leader of the defensive army.

Here he also received another official archives before this chrysobulle. One is a prakton from Vestes Petros and the paroikoi: boidatoi (with one cow) and akthmones (with no land) that he owned was also listed here. Meanwhile, Leon also received a protaxis about this bestowing. However, he then requested that a chrysobulle should be sent to him for security (εἰς ασφάλειαν). The emperor satisfied him with a chrysobulle, which granted him and all his successors eternal ownership and exempted them from any charge and taxation from the fisc. This seems to be the only complete fiscal exemption in all the land belonging to Leon Kephalas.

However, although Leon might earn all the revenue from the land, there were still some restrictions upon the regulation of paroikoi living on the land. He could neither do harm to the paroikoi, nor expel them, nor accept new habitants from other villages. Leon Kephalas was merited for his grand military exploit, and received a full fiscal exemption, which meant the Chostianes Chorion was approximately his property, but he was also limited in his land when it came to the problem of paroikoi, which, characterized as the rising dynatoi and shrinking little peasants, at this time the empire was still trying to solve. The chrysobulle also shows us the dilemma that the emperor faced: how to make an equilibrium between the benefit of the merited Leon and the important, problem of paroikoi.

Other materials or archives lost, the land of Anō is merely mentioned in the No 49 archive already mentioned above. This proasteion Anō firstly belonged to an episkepsis in

Macedonia, but afterwards was divided by an imperial protaxis and was bestowed to Leon Kephalas, who can give his offsprings that land as heritage, or donate the land to anyone in any form.

1.3 Andronikos Doukas as a contrast

Leon Kephalas is a middle nobleman, whose land received and partly or totally exempted from the emperor was because of his exploit in the Norman's War. As a comparison, we can compare his situation with a imperial nobleman, Andronikos Doukas, who was recorded in the archive of Patmos. And his story was rewritten by Oikonomidès.

Andronikos Doukas was son pf Caisar Ioannes Doukas, and nephew of Emperor Constantine X Doukas, founder of Doukas Dynasty. His maternal grandfather was noble commander during Bulgarian War. In 1073, he was titled protoproedos, protovestiaros by his cousin, Emperor Michael VII, and became commander (domestikos) of elite regiment scholai. Andronikos also gained Alopekai near Miletus as episkepsis, probably a reward for his credit of helping the emperor defeat and capture Romanos IV, rivalry of the throne. About this, archive of Patmos I, No.1 (February 1072) recorded detailedly: From September 1072, Andronikos began to receive the revenue from the land. But it is not mentioned that tax officers could not be questioned with ambiguous excuse by officers, since Andronikos owned the domain, had the right to earn the revenue, and alienate the right. It was not mandatory for him to pay for the accommodation and the rent pakton.

The archive also listed the obligation of Andronikos. He was obligated to guard the arms the government sended to the territory, to mill the wheat and make bread, to supply the emperor guardians and to accept the exiled. However, according to Oikonomidès, the verb ἐξέκοψε in the archive seems that at least in 1073, Andronikos owned the land and the emperor donated him the revenue rather than the land itself. So he is not obligated to pay the tax. The donation, consisting of land and peasants, gave Andronikos 307 Nomismata per year. Oikonomidès holds the view that around half of that is fiscally exempted, and Andronikos should pay the rest part. In 1077, Andronikos passed away and the land of Alopekai domain was occupied by the Turks. Although Ioannes, son of Andronikos, led a troop of army and recaptured Alopekai, there is no doubt that the land had become desolated. As a rusult, he donated the land to the new Virgin Panachrantos in Constantinople.

We can see from the example of Andronikos that he received a fiscal exemption of a good land very naturally, while Leon never gained such exkousseia exemption except the pasture before his great contributition in the Norman War. But anyway, we may see here that it was regular to award an aristocrat from any stage, with a relatively incomplete fiscal exemption. Here the paradoxical thing appears: although the empire attempted to weaken the power of dynatoi and show consideration for the small peasants, but the exemption of noblemen especially those who had relative relationship with the imperial family seemed not uncommon in that era. However, returning to the example of Leon, his non-tax-free land rights had to be confirmed by constantly asking the emperor for chrysobulle, from which we can also see the prudence and loyalty of a land nobleman.

2. Nicephoros Kephalas: inheritance and donation

In chapter 2, Leon Kephalas, a middle-class military nobleman in early 11th century was introduced, together with his 4 pieces of land and their fiscal situation. Below in this chapter, the inheritance and the donation of his son, Nicephoros Kephalas will be detailedly analyzed. Meanwhile, his motivation of such actions will also be discussed, as a mental-historical description which may reveal a more common phenomena in 11th century Comnenian dynasty.

2.1 Inheritance

Leon Kephalas, defender of Larissa against the Normans, passed away in 1089, as Oikonomidès commented, heroically. We don't know whether he had attended other battles before his last moments, but he was actually hero of the empire. He was astute and asked the emperor for the confirmation for the 4 pieces of land listed in the second chapter.

The confirmation was recorded in the No. 49 archive of Lavra, which was not the very testament of Leon Kephalas, but a chrysobulle of the emperor, in response to Leon's children's request of confirmation upon Leon's testament. The archive was issued in 1089, indiction 13, a.m. 6598, It firstly mentioned that the emperor's favor about the powerful defender of Larissa, then listed and reconfirmed the 4 pieces of land in the order of ①Tadrinou, Derkos; ④Anō; ②proasteion Mesolimna; ③Chostianes chorion. We can suppose that this is the correct sequence in which Leon acquired the land. Since the detailed situation and taxation of the four territories were introduced in the second chapter, I will lay stress on the last part of Lavra 49: the possibility of inheritance of the 4 pieces of land.

The emperor, in the confirmation chrysobulle, affirm the validity of the legal testament by Leon and the effectiveness of the former 4 chrysobulles of donation issued by the emperor. The inheritance of the 4 pieces of land, namely a chorion, 2 proasteia, and a klasmatic land, and the output and revenue (καρποί καί πρόσοδοι) of the four, were clearly guaranteed again. Officers of the 'Fiscal Department' (logothetēs tōn sekretōn) and other tax officers should obey and respect what was written in the chrysobulle.

As other chrysobulles mentioned in chapter 2, this chrysobulle also played a rule of confirmation. Since Leon had more or less experienced a black-cheque land bestowing: the Derkos pasture ① by Nicephoros III Botaneiates, he was very careful and discreet when accepting new land. He tended to ask the emperor for a chrysobulle for a final confirmation and this time, when his testament was about to be carried out (although we do not know for certain the date he passed away so maybe he was still alive when the emperor signed this chrysobulle), he might have exhorted his sons, among which there was certainly Nicephoros Kephalas that will be mentioned below, that a chrysobulle should be requested in time to ensure the validity of the inheritance process. Thus, the hereditary inheritance of the land owned by Kephalas family was again reconfirmed; meanwhile, the chrysobulle also seemed like a response from the emperor to appease the Kephalas offsprings: not only in the sense of mourning or comforting, when old Leon could be inferred to be, even not dead, at least in a bad state of health; but also a signal of 'I will not undermine your interest, please be loyal to me'.

2.2 Donation

We might have noticed that in the chrysobulle confirming the validity of Kephalas family's inheritance Leon had plural sons rather than one son. In Lavra 60, one of them, Nicephoros

Kephalas was mentioned and he was described to donate all land owned by him, with some additional property, to Great Lavra, which explained why the land archives are eventually contained in Lavra's collection.

Lavra 60 was a pure donation archive, issued in 1115, which is a.m. 6624, indiction 9, different from those chrysobulles in Leon's time. According to its introduction, in the very beginning Nicephoros, son of Leon Kephalas, explained his situation to the Kathigomene of Great Lavra, Theodoros Kephalas, over whom we will discuss below, and other monks, through both of whom Nicephoros engaged himself to the Great Lavra. Nicephoros married twice legally and the 2 wives passed away one after one, leaving him alone and uncomforted with no son or daughter. Thus, he decided to donate what he received as hereditary property to Great Lavra in order to commemorate his parents and himself and make them in the peace of Great Lavra's Gospel echoes. Then Nicephoros narrated how grateful he was about the Great Lavra's prayer, which, through the intercession of the Virgin Maria, let him save from the sins and get mercy from the god.

Therefore, he decided to donate and make holy 2 pieces of land from his father, which was Archontochorion and Chostianes of Moglena, with their paroikoi, stocks, kathédrai, which may mean chair or furniture here, buildings, vineyard and cultivated lands together with chrysobulles, praktika and other documents that was held by him and gave him benefits. He also donated the pasture in Derkos, ta Adrinou, and his houses inwards the kastron of Traianoupolis. Some other vineyards, fields and land outside the kastron, without taxation and chores, were also in the list of donations.

All the aforementioned property, mainly land, were donated to Lavra by Nicephoros. Lavra would own full property rights, becoming owner and successor of all those immobile and mobile property that used to belong to Kephalas Family. And in the diptych of Lavra, Nicephoros and his parents would be commemorated. This donation archive also made a mutual guarantee in case of breach of the contract: if so, Nicephoros should not only 2 gives liters of nomismata of hyperpyra to Great Lavra as penalty, but a fine according to law should be paid to the vestiaron of the empire as well.

There might have been a complicated ceremony of the donation, during which the donation archive was completed. The whole process of donation seemed to be very solemn and populous with orthodox liturgy, since a scribe, an imperial clergy (klerikos), the first choir of Saint-Demetrios and notary Basileos Kyrtoleon attended the donation ceremony. Maybe after that ceremony, the Great Lavra, probably represented by the Kathigomene (branch director), Theodoros Kephalas. Meanwhile, the donation was so strictly carried out, since 5 witnesses, 3 from ecclesiastic institutions and 2 laity were also mentioned.

Here we may stop and arrange the relationship between the land property mentioned in Lavra 60 and what we have introduced about Leon Kephalas's land in chapter 2. Theoretically, Nicephoros is one of Leon's sons, so the former's land 'inherited from the latter' should be part of the four pieces of land in chapter. We can easily recognize ① Derkos and ③ Chostianes the same as the father's property. According to Bartusis's study, the toponym Archontochorion may refer to the prosteion ② of Mesolimna, which can be proved in the map since Archontochorion belonged to Mesolimna theme.

Then we may pay attention to the houses and land near or inside Traianoupolis: that is likely to be no less than part of the land inherited from Leon's ④ Anō land property. We can not proclaim for sure whether Nicephoros got all of Leon's land in Anō proasteion, but at least some of the father's property there was inherited. But here we have a question: since there were plural 'children' of Leon, why it seemed that Nicephoros inherited all his land property? Maybe Leon

had something besides ‘real estate’ like gold or jewelry that was inherited by other sons, but at least Nicephoros seemed to be an important son to whom most of Leon’s land eventually went.

Another thing we must lay stress on will be the name of the Kathigomene who accepted the donation. We may notice that his family name was Kephalas. Although the relationship between this Theodoros Kephalas and Leon or Nicephoros is not clearly introduced, or deliberately concealed in the Lavra materials, we may infer that they might have some kind of relative relationship. (Though we do not know if Theodoros was son of Leon, brother of Nicephoros) . We can not exclude the possibility that Nicephoros donated the land to some place with his relative holding a post of relatively high-ranking monk. As I mentioned, this donation may be casted with tricky consideration of the witty nobleman. We will analyze detailedly the motivation in the section below.

2.3 Motivation: piety or calculation

As what we did in chapter 2, we may also turn to another example of a donation to a monastery, in order to find out the situation when noblemen would donate their land to a monastery. From middle to late Byzantium era, there were a great number of donations made by landowners. Generally, the donation of land to monasteries had several possible motivations, for example, for religious motivations, sometimes escaping high taxation from the fiscal authorities, or sometimes as a trade with the ecclesiastic institutions: a piece of land for some daily necessities.

To discuss the situation of consecration or some else religious purpose, below we will see the example of Kale, whose Christian name was Maria as a comparison. The similarity was that she also donated to commemorate her husband, Pakourianos, from whom she inherited the proasteion Radolibos. As is introduced by Otsuki (2005), the Radolibos village was located near the Mountain Pangeon. Beside the land property, her husband also bequeathed her various movables and immovables in his testament, which included 28 ‘family members’, more than 30 kinds of precious goods, coins, clothes, mansion situated in capital city Constantinople, territory Radolibos village. widow as she was, she wished to show mournful feeling to her husband's death and to commemorate him forever, and thus donated her territory, Radolivos village to Iviron monastery, which also belongs to the Athos monasteries. Before her decision of donation, she only got the items in kind from the village. However, no sooner than a month after the will of her decision of donation was written, she was exempted from land tax (έλογίσθη) additional tax (parakolouthēmata) by chrysobulle. According to Oikonomidès (1996) the result of such exemption was directly due to that decision of donation to Iviron.

Secular landowners donated their lands, which were otherwise taxable, to monasteries, using the monasteries’ tax-free privileges to reduce their expenses and potentially receive some corresponding compensation in kind. Monasteries also took advantage of this mentality to expand their own lands. There are many such examples, for example, We can infer that the example mentioned in chapter 2 about Andronikos Doukas might be categorized in the former type, since the land was once occupied and maybe pillaged by the barbarians while taxation and obligations other than nominative exkoussia (lit., exemption) might still be required. Another type, which is like a “spiritual” transaction, has an example in Lavra materials: In a donation archive issued in 1065, the monk Jacob of Kalaphatou revoked his donation, including land and mobile property, not only something like vines, olive and fruit trees, but also books, holy statues and furniture to Theodoros of Kalaphatou and redonated that to Great Lavra. In exchange for that, he required Lavra to assure his memorial prayers after his death.

As an end of this chapter, we may hint another side of the motivation of Nicephoros's donation. As is analyzed above, Nicephoros at least inherited Leon's land as an important son, but in addition, the surname of Lavra branch director (Kathigomene) who received the donation is Kephalas, apart from his religious purpose mentioned above, it is likely that Nicephoros donated the family land through the introduction of a relative probably being a clergyman, which indicated a possibility that he had "speculated" on tax exemption.

3. Lavra: disputes and solution

Above have we narrate the whole story with historical materials about Leon Kephalas, the detailed situation of his land, and his son Nicephoros Kephalas's donation. These things happened in the 11th century, mainly under the reign of Alexios I Comnenos. How was the character of the Lavra archives? What happened to those land in 12th century under the management of Great Lavra? Below will we go on our discussion.

3.1 Great Lavra : from foundation to 11-12th century

Great Lavra ,constructed in 963 by St. Anathasius, contained up to 700 monks in the 11th century. As many other large monasteries in that era, Lavra gathered a large amount of land with fiscal exemption from the emperors of each dynasty, mostly from the donations of common laities. There are 3 volumes, 174 archives left for us and from there we tried to figure out the detailed categories and their chronological distribution.

From its foundation by Anathasius in the end of the 10th century, Great Lavra received grants of land, goods, and privileges from the emperor, and expanded its landholdings through immovable exchanges. In the early typikon (foundation documents), we can see stricter regulations on economic activities: Lavra's initial intentions regarding economic matters included prohibiting land sales and maintaining a relatively isolated communal lifestyle. However, perhaps due to opposition from successors to Anathasius's policies and the needs of practical economic problems, the situation at Lavra Monastery changed in the 11th and 12th centuries.

Entering the 11th century, the monastery experienced a dramatic increase in its population, accompanied by concerns about financial difficulties appearing in some 11th and 12th-century monastic documents. In this context, we can imagine that the monastery not only needed to generate income without explicitly violating regulations, but also needed to protect its existing land rights in land disputes. Two instances of land disputes and their resolutions, related to the aforementioned Kephalas family land donation, preserved in Lavra, will be detailed in this section.

3.2 Disputes with Pankratios

The character of Great Lavra can be seen, not only as a simple monastery situated in the holy land, Athos Mountain, but also as dynatoi, although not common individual but more likely to be an ecclesiastic institution or legal person. As a continuous story, what happened after Nicephoros donated the land to Great Lavra, meaning that the land transferred from one vulgar powerful nobleman to a ecclesiastic magnate? In the 2 sections below, we will focus on the record of the situation of land of the former Kephalas family. There is detailed description of 2 pieces of land

that match what Nicephoros donated in Lavra 60: One is Archontochorion proasteion and the other is Chostianes chorion of Moglena. Both were related with some dispute with 'neighbors' living in or beside the land belonging to Great Lavra.

The description of the former one, Archontochorion, was recorded in 1162. Perhaps up to the middle of 12th century the land which used to be part of the property of Kephalas Family was peacefully under the management of Great Lavra. But in Lavra 64, which is an act of the dux of Thessaloniki Ioannes Kontostephanos. The archive was kind of broken and the Athos series gave a French explanation. The beginning of the dispute was between Great Lavra and another secular landowner, Pankratios, who owned a piece of proasteion land situated just to the east of Great Lavra's land that formerly belonged to Nicephoros Kephalas. The land of the 2 owners was merely separated by a river named Tzernachova. As is introduced in the French explanation, proasteion land Archontochorion seemed to be divided into 2: the western side belonging to Great Lavra and the eastern side owned by Pankratios.

The background of the dispute is as follow. The land located to the east of Tzernachova river, as pronioia of Pankratios, was in the beginning exploited as pronioia by Romanos Rentios's family and Theotimos and Leon Loukites brothers, who were stratiotes. At that time, they, preceder of Pankratios, have already quarreled with Great Lavra about the disputed border (periorismos) , which had been solved temporarily by an act of formal fiscal officer Xiphilin in 1118. According to Bartusis(2012)'s research, A piece of land belonging to fisc situated on the left side of Hagios Basileios was given to the stratiotes, at the same time the stratiotes demanded Great Lavra for a piece of land located in the western bank of the river. The stratiotes made a specific promise that they could only farm there, instead of constructing houses and other constructions. But it seemed that, in-between 1118 and 1162, before Pankratios got the land, houses for the paroikoi of the stratiotes was indeed constructed. Meanwhile, 8 paroikoi formerly belonging to the Great Lavra was occupied by Pankratios. On 1162, the monastery eventually concentrated on solving the problem of the disputed land. Higoumene of Lavra, sent a letter to the emperor, Manuel I Comnenos, hoping that the emperor would help with the problem. The emperor ordered his nephew, the aforementioned, duke of Thessaloniki Ioannes Kontostephanos, who then checked the situation.

Regarding the issues left by the previous owner, Pankratios firstly argued that the houses on the land were not constructed by him, but Loukites who had passed away. The monks in Lavra did not deny that. However, they provided to a further Kontostephanos Xiphilin's act, emphasizing that the transmission of the right of the land only included the right to use, more precisely, to cultivate, since doing harm to the monks, cutting trees, or occupying other land were also prohibited. If so, the assignment of that land would be invalidated. Let alone those things, the monks also claimed that the former temporary 'owners': the stratiotes, to whom the monastery donated, had passed away, so the land could be taken back.

Kontostephanos's final judgment ordered that the disputed land, located on the west side of the river, should be returned to Great Lavra. Meanwhile, the houses were pulled down and moved to the eastern side of the river. After having asked the 8 paroikoi if they formerly belonged to Great Lavra and received a Yes answer, Kontostephanos also ordered that the 8 paroikoi should return to Great Lavra's land, while other paroikoi belonging to Pankratios, who were influenced by the pulling down of the house and became homeless, were informed not to go back to the Great Lavra's land. To assert this, the border of the 2 landowners were reclaimed and some signs were put to clarify the border. After the promise of paroikoi and Pankratios were made, this act was finally confirmed by 2 representatives for metropolitan of Thessaloniki and sealed by Kontostephanos.

As is introduced above, since the Novels in Macedonian dynasty, the attitude towards monasteries tended to be much more flexible than towards laity dynatoi. So it is not strange to see here that Great Lavra won in the solution of this dispute. Great Lavra, appearing as a model monastery, was viewed to be much safer to own and manage some more land than secular heir of stratiotes; besides, we can imagine that Great Lavra owned a profound influence in both central and local government for their benefit.

3.3 Problems with Cumans

After around 20 years, in 1181, which was indiction 14 a.m. 6689, Great Lavra faced another tough dispute that needed a report to the emperor. The relating land was Moglena, which is ③ above. In Chostianes chorion, Moglena. That part of land was faced with the harass from Cumans. Cumans (or in Russian Половцы), was a nation of minority in 11-12th century Byzantine empire. The Cumans are nomads who manipulated the language of the Turk language as mercenaries during the war against Pechenegs. They came from middle Asia and had begun to assimilate into Europe in 12th century.

According to Lavra 65, in 1181, indiction 14 a.m. 6689, which is a praktikon of vestiarite Andronikos Vatatzes, which can be divided into 3 parts, the first dispute between Great Lavra and Cumans was caused by the paroikoi, just as the example with Pankratios mentioned above. The Greek archive is not well preserved and a French explanation was given by Athos series. The first and second parts are copies of former document related to this case, while the last part was the main content of the praktikon.

The first part of the pratikon is the copy of the emperor's protaxis upon the case. The monk reported to the emperor that 62 paroikoi was given to the Cumans in the form of pronoria by mistake, by the officers. 12 of the 62 paroikoi was inherited from Kephalas family, 30 from the bestow of Manuel I, and the rest 20 seemed coming from Alexios I. The emperor gave a protaxis to Great Lavra and declared to prevent Great Lavra from tax officers and their abuse of their power.

The second part of the archive is another prostagma to Lavra, who then should hand it over to Vatatzes. The material is so broken, that 2 contradicting paragraphs appeared. One admits the possession of Lavra and the usage of paroikoi by Cumans, but Cumans should give back the land after their death; while the other declared that Lavra should take back the paroikoi and other paroikoi should be given to Cumans. It is likely that the former one is the aforementioned bestowing to Cumans, and the latter is the rearrangement. Meanwhile, the buildings built on Great Lavra's land by Cumans should be deconstructed.

The third part (the real praktikon) mentioned how Andronikos Vatatzes carried out the protagmata. Andronikos arrived at Chostianes chorion, finding out 16 stratiotes, none of whose name were Greek. Andronikos ordered them to leave Chostianes for other choria and returned the paroikoi that was occupied by them to Great Lavra. Meanwhile, some new paroikoi were given to the Cumans.

The pratikon tells us a common procedure of the monastery's request: firstly the monastery report what was happening, and the emperor gave the monastery a protaxis, perhaps, in this case, together with a confirmation for the use of contacting the central officers, in this case Andronikos Vatatzes. We can see again that the emperor tried to make a balance between the monastery and the Cuman stratiotes, since new paroikoi were given to them as a compensation.

According to Lavra 66, in 1184, a. m. 6692, not long after the aforementioned dispute, Cumans caused new problems in Moglena. They occupied the plain land of Pouzouchia around

Lavra, built fence for their cattle without paying a tithe, which seemed to be an occupation of other Vlachs and Bulgarians' land. The monks also appealed to the emperor. The emperor ordered the Cumans to pay the land tax, agreed to tax exemption for the Vlachs because they had already donated to Great Lavra, and returned the mill and the peasant to Saint-John-Prodrome Monastery in Moglena. But then gave the Cumans two peasants.

The last record of this land named Moglena in 12th century was in 1196, when in this summer, some stratiotes and paroikoi on this land refused to pay the tithe. Great Lavra reported the situation to the emperor, Alexios III Angelos, asking for a horismos to make sure the local praktor order them to pay double. A lysis was made by the emperor to ensure Great Lavra's right. We can also see here the word, tithe (δεκατεία), according to Oikonomidès (1996), there were 3 kinds of rent ratios at that time, namely half (ἡμισέα), one tenth (δεκατεία) and one third (τρίτα). The rent ratio here in Moglena must be the second one, one tenth. We do not know for sure whether this group of stratiotes mentioned included the Cumans, but perhaps there were a poor harvest, making them unable to pay their rent, while the real triggers remain unknown.

The Cuman example may have special significance. From the 12th century, the empire began to lose control over mercenaries (μισθοφόροι), most of whom were foreigners and stayed in the imperial land rather than went away. The empire also relied more and more upon them, who witnessed the fall of the military power and thus, the whole empire. Therefore, the empire needed to maintain as much of a balance as possible between the interests of the monasteries and the Cuman veterans.

As a summary of this chapter, The monastery's ability to appeal directly to the emperor embodies in all the archives. It is likely that since Great Lavra might communicate with the emperors and local governors, who were probably related to the imperial blood, its superiority in the judgment might also be guaranteed. Meanwhile, pronioia, mentioned in both of the above cases, does not give ownership, but is a land tax right granted in exchange for service to the state. From there you can see the restrictions on large landowners. Already started in the 11th century, it was associated with timar in the Ottoman era. Great Lavra, fiscally exempted and protected, tended to be tough to the stratiotes and paroikoi, whether Greek-speaking or not, signifying a character of a kind of profit-chasing dynatoi rather than a pure religious institution, seeming to be more powerful and free than vulgar dynatoi like Leon and Nicephoros Kephala.

4. Conclusion and Suggestion

From the above discussion, we can see that for large landowners in Byzantium, they faced the costs associated with different types of land and supporting tenant farmers, or paroikoi, leading to probable considerations of balancing income and expenditure. For landowners (dynatoi) outside ecclesiastic institutions, although there might be some degree of tax exemption, taxes tended to be an unavoidable expense. Landowners like Leon Kephala and his son Nicephoros, while seeking confirmation of land rights through chrysobulles from the emperor, might also donate land to monasteries when tax costs were relatively heavy. We can see the relatively shrewd calculations of "lay" landowners in land management.

On the other hand, the foundation documents of monasteries emphasized the Lavra's role as a charitable institution and place of ritual. However, monastic documents showed that the Lavra also faced land-related issues: potential disputes over land ownership and compromises within the empire, including among landowners or other ethnic groups. Monasteries, including Great Lavra,

enjoyed tax exemptions, but if their property rights were infringed upon, they would assert their rights to local officials or even the emperor. Various documents, including chrysobulles, recording these interactions, were carefully preserved, becoming important legal evidence of the Lavra's land-based economic activities.

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