

DISPUTE BETWEEN CHILANDAR AND VATOPEDI OVER THE BOUNDARIES IN KOMITISSA (1500)

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Komitissa is the region where many of the Athonite monasteries had their estates. The entire region was named after the eponymous settlement of former times. The area was situated in the immediate hinterland of Mount Athos, bordering on the slopes of Megali Vigla. The precise extent of its territory, however, is difficult to establish. Though outside the Komitissa area, Prosphori, a metochion of Vatopedi, communicated with it via its northern boundary, opening onto the metochia of Iviron and Chilandar. A history of the broader Komitissa area and the Athonite metochia was outlined by George Ostrogorsky. He pointed out its importance both as a vanguard of Mount Athos and as an important economic centre, rich with cultivated fields, vineyards, pastures and fishing grounds¹.

Vatopedi's metochion of Prosphori was an old acquisition dating back to the 11th century².

It was within the broader Komitissa region that Chilandar acquired two important metochia at an early period. The first, the monastery of Zygon together with its estates, was granted to the monk Sava Nemanjić by the Emperor Alexios III as early as 1199. The other, the little monastery of St. Nicholas, otherwise known as Scorpios, was bought from the Protaton by Chilandar in 1325. These two, not very far from one another, were undisputed metochia of Chilandar³.

Both monasteries remained in the possession of their metochia even after the Ottoman conquest.

1. G. Ostrogorski, «Komitisa i svetogorski manastiri», *ZRV* 13 (1971), 221-256.

2. Cf. J. Lefort, «La fortune foncière de Vatopédi hors de l'Athos avant la fin du XIII^e siècle», see in this volume, 43-54.

3. M. Živojinović, «Le monastère de Chilandar et ses métèques dans la région de l'Athos», *ZRV* 26 (1987), 50-58; *Chilandar* (grecs) nos. 5, 13, 110, 111.

The Komitissa region was not only famous for a considerable number of metochia owned by Athonite monasteries, but also for the centuries-long disputes over these estates or their boundaries. Quarrels arose between Xeropotamou and Zographou, Zographou and Chilandar, Vatopedi and Iviron, Chilandar and Rossikon, but that between Iviron and Chilandar was certainly beyond comparison. For it lasted almost five centuries⁴.

The conflict between Vatopedi and Chilandar did not last long, nor did contestation of ownership of the entire estate cause it. It may be ranked among the classic disputes born out of failure to respect a common boundary shared by adjacent estates. It is likely to have begun by the end of 1499, to be concluded a few months later. There is no evidence whatsoever either to confirm that the dispute was opened in Byzantine times, or that it was re-opened in subsequent centuries. Two original Ottoman documents provide information about the dispute: a *hüccet* issued on January 3rd-12th, 1500, and a *ferman* issued on April 30th-May 9th, 1500. Their content has provided the starting-point for this paper. The late Vančo Bošković had already drawn attention to them when writing about Mara Branković and the monasteries of Mount Athos. He made a brief review of the dispute, although it was beyond the focus of his topic⁵. In this paper I will try to give a detailed account of the dispute, and to point out all the essential data related to it.

The dispute may be hard to understand without an explanation of a few previous occurrences. The first important fact is that the monks of Chilandar extended considerably their estates in the Komitissa region. The exact time of these enlargements cannot be established, but it may be assumed they were partly accomplished as early as the first half of the 15th century. The

4. Ostrogoriski, 221-256; V. Bošković, «Mara Branković u turskim dokumentima iz Svete Gore», *Hilandarski Zbornik* 5 (1983), 200-204; *Iviron* IV, 28-29, nos. 100, 101, 103, 104; Chilandar Monastery Archive, Turcaia (CMAT), 12/37/43 [summary in: V. Bošković, «Dokumenti Bajazita II u Hilandaru (Sveta Gora)», *Prilozi za orientalnu filologiju* 31 (1982), 147-148 / no. 2], 7/3, 11/1, 12/37/42, 7/4, 12/37/40, 12/37/35 [all published in: Bošković, «Mara Branković», 206-211], 12/37/48, 12/37/34, 7/28, 7/47, 7/49 [summaries in: V. Bošković - D. Bojanić, «Sultanske povelje manastira Hilandara», *Hilandarski Zbornik* 8 (1991), 179, 183, 185, 196-198], 8/63, 8/69, 12/37/44, 13/1, 12/37/56, 12/37/51, 12/37/30, 12/37/53, 12/37/33, 12/37/32, 2/141, 12/37/39, 12/37/31.

5. CMAT, 12/37/12, 12/37/13 (summary in: Bošković, «Dokumenti Bajazita II», 148-149 / no. 7). A note on the dispute: Bošković, «Mara Branković», 203. There is no mention of the dispute in: G. Satakides, *Sultansurkundnen der Athos-Kloster Vatopedi aus der Zeit Bayezid II. und Selim I.*, Institute for Balkan Studies, Thessaloniki 1995. The documents of the *kadis*, preserved in Vatopedi, are yet to be searched through.

metochion was extended to the full in 1486, after a suit against the monks of Zographou. The history of this suit is of crucial importance in illuminating the dispute with Vatopedi later on. On that occasion the boundaries of Chilandar's metochion were precisely established.

According to the Chilandar monks themselves, it was some time after the fall of Constantinople (1453) that a pasture in Komitissa was ceded to Zographou because Chilandar shepherds had fled the attacks of Christian pirates. The monks of the Bulgarian monastery took this cession to be a gift. A few decades later, when Chilandar claimed the pasture back, Zographou declined the request declaring the land to be its own. In 1484 and 1485 Chilandar more than once sought justice before the local courts and the Porte. The case moved from a standstill when the monks entreated the despoina Mara Branković to mediate personally on their behalf, basing their hopes on her authority as an ex-sultana. By order of the sultan Bayezid II, the *kadi* of Gömüldjine (today Komotini) Fethullah came to Komitissa in 1485 or in the beginning of 1486 to settle the dispute. Chilandar claimed that the pasture had been in its possession ever since the times of the despot, i.e., of the emperor Dušan. They even produced his «144-year-old charter of endowment» (*vakfname*), and called witnesses. Their statement was corroborated by Ignat, protos of Mount Athos and monk of Pantocrator, as well as by the monks Callistos from Vatopedi, Ierotheos from the Great Lavra, Makariye from Xeropotamou, Nikandar from the Rossikon, and by three other inhabitants of Komitissa. The boundaries of the estate were then precisely determined by the *kadi*. The monks of Zographou did not act promptly upon the verdict. They seemed to comply only after the second *ferman*, issued by the sultan in November 1486, and the decision by the *kadi* of Thessaloniki Karazade, who fully endorsed Fethullah's findings⁶. The return of the Chilandar monks to Komitissa, however (or, perhaps, the enlargement which had now been formally ratified and acted upon) annoyed the monks of Iviron. Even before the dispute with Zographou was settled, they began another.

6. The names of the monks are given as they are written in Ottoman documents. On the dispute between Chilandar and Zographou, cf. Bošković, «Mara Branković», 201-203. The dispute was displayed on the bases of: CMAT, 12/37/43 (summary in: Bošković, «Dokumenti Bajazita II», 147-148 / no. 2), 7/3, 11/1, 12/37/42, 7/4 (all published in: Bošković, «Mara Branković», 206-209). On Protos Ignatios, cf. Παπαρχαυοῦδου, *Ἱθώωνος μοναχολογίαις*, 382.

The dispute with Zographou was extremely important for Chilandar not only because of the recovery of the pasture, but also because the Ottoman authorities confirmed its right to an enormous estate of 4,000 *dönüm* (stromata). The reliability of the statements given by the agents of Chilandar cannot be verified, and no original charter of the emperor Dušan referring to such an endowment of land in Komitissa has been found either. Such a gift cannot even be confirmed by other sources. Only an apparent forgery of the emperor's charter dated 1347 has been preserved. According to this, in order to meet the request of Chilandar, the emperor Dušan bought from the protos the site of Livade at Provlaka and the Church of St. Nicholas in Paleokomitissa for 600 golden coins. He bestowed them upon Chilandar, intending them to be added to the adjacent estates in Scorpios and Zygon⁷. If, in fact, there never was an original charter, then the forgery mentioned may have been the document that Chilandar produced to the *kadi* of Gömüldjine. The use of the text of the charter, however, cannot be questioned, because the boundaries fixed by the *kadi* are almost literally copied from it. This may mean that it was composed before 1485/86. If this was the case, the question arises why the charter was accepted as proof (in subsequent disputes with Ivron, the charter was never again mentioned!). If it was known at the time to be a forgery, then what interests led the protos of Mount Athos and the eminent monks from other monasteries to testify in favour of Chilandar? The witness-stand was taken even by the representatives of Vatopedi and Rossikon, the very monasteries with which Chilandar, only some fifteen years later, was to become involved in a dispute over the then established boundaries! The enormous influence of, and support from, Mara Branković may be a part of the answer. Whatever the case may be, in 1486 Chilandar's right to the estate in Komitissa within the then fixed boundaries was confirmed. The investigation of the *kadi* of Gömüldjine and his findings became the grounds on which Chilandar built its case in subsequent disputes.

An exhaustive *hüccet*, issued in the beginning of January 1500, provides more information about the dispute between Chilandar and Vatopedi. It reveals that Chilandar's metochion in Komitissa shared a considerable part of its southern boundary with Prosfiori, the metochion of Vatopedi. This cannot be deduced from the fake charter of emperor Dušan or Fethullah's document. According to the Chilandar monks, their colleagues of Vatopedi encroached upon their property «to the east of the border threshing field»,

7. *Chilandar* (slaves), no. 37; translated into Greek: *Chilandar* (grecs), no. 136.

occupied a good part of the pasture, and set about ploughing the land. The monks of Chilandar having lodged a complaint to the Porte, sultan Bayezid II ordered the *kadi* of Serres, Pir Mehmed, to investigate the matter. The *kadi* went to investigate, brought the monks of both monasteries to the spot and started the inquiry. Both Chilandar and Vatopedi entrusted the affair to their most respected representatives. The monks Marko Crnojević, Makarije, Sariyon (?), pop Theophan, and Makarije the blacksmith spoke on behalf of Chilandar. The *kadi* heard the accusation, in which the imperial orders and *kadi*'s decisions were cited, dating from the times of the dispute with Zographou. Most of the boundary fixed by *kadi* Fethullah in 1485/86 was accurately cited by the Chilandarians.

As one can see in the document, the boundary mentioned is not wholly unambiguous in some details.

The representatives of Vatopedi, the ex-patriarch Maximos, the monks papa Iob, Antonios, Theodoulos, Sophronios, the metropolitan Malachia, and another monk whose name is illegible, fully denied the charge. When the *kadi* requested that Chilandar substantiate its claims, three Muslims were brought forward as witnesses. One of them was the *na'ib* at the *sheria* court of Siderokausa. They confirmed the story of Chilandar and gave a short account of the way the boundary had been fixed. Obviously, being trustworthy persons without any direct interest in the matter, they had been asked to check up on Chilandar's documentation. *Kadi* Pir Mehmed had no further doubts. All he needed to do was to confirm the findings of previous investigations and order their observance. A *hüccet* was thus issued in the third decade of *Cemazi ül-ahir* of the year 905 of the Hijrah (January 3rd-12th, 1500). The Chilandar monks took the *hüccet* to the Porte, and on the strength of it they demanded a *mukarrer-name*, the confirmation of their right. The same order was given to the bey of Thessaloniki Husseyini, and to the *kadi* of Thessaloniki in the first decade of *Şevval* the same year (April 30th-May 9th, 1500). They seem to have carried out the order, as no information about the dispute has appeared since.

Unlike the previous dispute with Zographou, representatives of other Athonite monasteries were not summoned to testify in this case. They did not even need to, because there was indisputable Ottoman documentation, and Chilandar made use of it. A forged charter of protos and Synaxis of Mount Athos, dating from the year 1338, has been preserved in the archive of Chilandar. According to this charter, the Synaxis decided that the entire pasture in dispute was the property of Chilandar. The boundary between the

metochia of Chilandar and Vatopedi, quoted in the forgery, seems to be the same as that described in the Ottoman documents⁸. The charter may have been composed precisely for the 1500 dispute. The Ottoman documents do not reveal whether it was submitted as a 'proof'. As a matter of fact, such action was superfluous because the case was won on the basis of other arguments.

Both monasteries involved in the dispute were represented by very authoritative persons. "Bariyah Maksimo" headed the Vatopedi list. Under the name Maximos IV, he had been the head of the patriarchate of Constantinople from 1491 to 1497. Having fallen into disgrace, he retired to Vatopedi and remained there till his death⁹. The *hüccet* shows that the ex-patriarch did not completely withdraw from public life, but rather put his great experience at the disposal of Vatopedi. Among the other Vatopedi monks, Sophronios may be identified, if he is the same monk whose name occurs in the documents of Dionysiou monastery in 1496 and 1503. Monk Sophronios (Sophroniye bin Iflagoniyar) was the representative of Vatopedi in yet another dispute with Chilandar in Arsenikia in 1502¹⁰. Although the last on the list, the metropolitan Malachia also attracts our attention. He was mentioned in 1503 as ex-metropolitan of Mithimna¹¹. Marko Crnojević (Marko veled-i Černa; in two *fermans* of 1505 - Černa-ogli Marko) was the first among the monks of Chilandar. It is almost beyond doubt that he came from the reigning Montenegrin family of the Crnojević. He was identified by V. Bošković as Stevan Crnojević, the last ruler of Montenegro (1496-1498), who is known to have become a monk after the fall of his state. He was to appear before the Porte on behalf of Athonite monks (probably not all of them, but rather of Chilandar monks only) in 1505, where he procured two *fermans* against the wrongdoings of local Ottoman officials¹². His top position on the list was a mark of honour, while the position of hegoumenos was held by Makariye. In his capacity of hegoumenos, Makariye is referred to in the *hüccet* of July 1500, and in a document of June 1501. Without this title he was

8. *Chilandar* (grecs), nos. 128, 128 bis.

9. M. I. Gedeon, *Πατριαρχικοί τίτλοι*, Constantinople 1890, 491-492.

10. *Dionysiou*, nos. 39, 42; CMAAT, 1/8.

11. *Μονή Βατοπέδιου*, 59 (The chapter Άπό τήν δθωμικνή κατάρκτηση ὡς τόν 206 αἰῶνα, by Kr. Chrysochoides).

12. Bošković, «Dokumenti Bajazita II», 135-138.

also mentioned twice in 1502 (once as Makariye, the son of *Vurgarub*?), and a few times in 1504-1506¹³.

While Vatopedi's dispute with Chilandar in Komitissa was now closed, another dispute with Iviron arose in 1622 and 1734. They are also likely to have shared a boundary, across which Vatopedi seems to have been encroaching upon Iviron's part of Komitissa¹⁴.

Apart from the disagreement concerning the boundary between Komitissa and Prospori, the only other conflict of interests between Chilandar and Vatopedi was that in Arsenikia, near Lerissos, in 1502. The dispute broke out after Vatopedi built a mill in the immediate vicinity of Chilandar's property, thereby causing damage to the latter. The Vatopedi monks undertook the obligation before the court of Siderokausia not to cut off water-supplies to the vegetable garden of Chilandar, and to ensure that no further damage be done¹⁵. These two disputes having been settled, the relations between the two monasteries remained harmonious for the next two centuries, or even longer. This much may be deduced from the Greek documents so far published and the unpublished Ottoman documents in the monastery of Chilandar (15th-17th c.).

The key source, the *hüccet* in question, is annexed to the paper with an English translation. Since it largely repeats the content of the *hüccet*, another document, the *ferman*, does not need to be reproduced here.

Document:

[Chilandar Monastery Archive, Turcica, box 12, file 37, no. 12]

1. Dimensions: 42.7 cm. x 15.7 cm. The *hüccet* is glued onto a green cloth.
2. The upper part of the document being slightly torn, the beginning of an unclear note is not discernible: «[...] *bilâ selâm ul-hakk ve-l-küf-i bâtil*», which could mean the *hüccet* refers to «worthless infidelity» which is therefore not deserving of «the Lord's blessing».

3. The *hüccet* is confirmed by the autographs and seals of nine different *kadis*. Some of them are from the mid-16th century, which means that the monks of Chilandar presented this document several times in court in order to reconfirm its

13. CMAAT, 1/5, 12/7/19, 1/8; *Pantocrator*, no. 29; *Kullumius*, 166; *Dionysiou*, 214.

14. Ostrogorski, «Komitissa», 241-246, based on documents edited in: Regel, *Χρονολόγια*, no. 20; *Chilandar* (grecs), no. 170.

15. CMAAT, 1/8.

legal force. The document is verified by: Pir Mehmed, son of Mehmed, *kadi* of Serres; Ahmed, son of Abdusselam, *kadi* of Sidrekapsi, *mitfetis*; Mumin, son of Süleyman, *kadi* of Sidrekapsi; Hasan, son of Mehmed El-Fenari [?], *na'ib* in Thessaloniki and Sidrekapsi; Cater [?], son of Avas, *kadi* of Sidrekapsi; Mehmed, son of Yakub, *na'ib* in Thessaloniki; Seyyid, son of İsa, *na'ib* in Sidrekapsi; Abdullummin, son of Mehemmed El-Arabi, *kadi* of Thessaloniki and Sidrekapsi; Ahmed, son of Hussam, *kadi* of Sidrekapsi.

The reason for writing the letter and the cause for composing the discourse is as follows:

The former *kadi* of Gömüldjine *mevlana* Fethullah by the Sultan's order investigated and fixed the boundaries of the winter pasture for water buffaloes situated beyond the Peninsula. [The pasture] belongs to the monastery of Chilandar, one of the Holy Mountain's monasteries, a dependent of Thessaloniki. [The findings] were presented [to the Porte] and the letter of confirmation was obtained. Since the monastery of Vatopedi has encroached upon their land, an order for the investigation was issued by the Imperial Threshold. We arrived at [the place] with the illustrious noble *ferman* and started the inquiry. Monk Marko, the son of Cherna, monk Makariye, monk Sariyon [?], monk *pop* Theophan, monk Makariye the blacksmith, and the others from Chilandar appeared before the purified council – may the All-Compassionate bless its founder – demanded the presence of patriarch Maximos, monk *papa* Iob, monk Andono, monk Theodulos, monk Yovano...ni [?] monk Sophronios, metropolitan Malachia and the others from the monastery of Vatopedi, and their accusations were heard:

«Prior to this, the above-mentioned *mevlana* Fethullah with noble imperial *tuğra* had fixed the boundary: from the mulberry tree located between the *pirgos* of Vatopedi monastery and the *pirgos* of Chilandar monastery high to the mountain, from the low place it runs in a straight line to the two fork-shaped stones, then continues round by the horse road towards the threshing field between the large field [!] with an oak tree nearby; reaching it, it then continues alongside the road, at the point where the road branches it runs right, from the stream coming from the white crest in a straight line to the erected stones at the other side of the stream, then it runs again directly towards the stones erected in the same manner, then to the red rock on the seashore across the burned island¹⁶. Coming from the outside, to the right,

16. The *pirgos* of Chilandar should be Palaiokastro; the *pirgos* at Provlaka does not correspond to the mentioned boundary. The same could be said for Frankokastron. Under the «burned island» is meant the island of Amuliani.

where the *pirgos* of Vatopedi is located, it is theirs. The left side is our winter pasture for water buffaloes. They encroached upon it from the east side of the aforementioned threshing field and they till our pasture. The boundary was fixed in this way. These lands had been granted to us by imperial *berat* of the fortunate and powerful court».

The case having been presented, the above-mentioned monks [from Vatopedi] replied with a denial. After that, when the evidence was required from the plaintiffs to prove their words, Dervish Ibrahim, son of Hamza, the *hammam* keeper, Kara Hacci, son of Yusuf, and *mevlana* Muhyiddin, son of Omer, *na'ib* at the court of Sidrekapsi, all being responsible Muslims and good monotheists testified:

«Prior to this, the people of Zographou monastery and the people of Chilandar monastery had quarreled over the winter pasture in question. *Mevlana* Fethullah came over by the sultan's order. He described the land in detail and fixed the boundary on the Vatopedi side exactly in the described manner. They also obtained a letter of confirmation when they asked for it. After that, when they complained again, saying that [the Vatopedi monks] had taken their pasture and encroached upon the *sinor* of Komitissa, the former *kadi* of Thessaloniki Karazade endorsed the findings of *mevlana* Fethullah, accepted his description of the land's borders and ordered that it be confirmed. Karazade also decided to confirm the boundary on the Vatopedi side in the manner described.

Their shariat-abiding testimony was acknowledged and approved. On account of this, the decisions and delimitations of *mevlana* Fetullah and, secondly, Karazade, made by the Sultan's order, were brought into force. The fixing of boundaries and delimitation of the *sinors* was ordered in the above mentioned way. This document is written and given into the hands of the above mentioned monks of the monastery of Chilandar to be their proof in times of need. This took place and was written in the first decade of *Cemazi ül-ahir* of the year nine hundred and five [January 3rd-12th, 1500].

Witnesses for the case:

Emin Orhan *Celebi*, Hacı Ali, son of Abdullah [...?], and Mustafa, son of Kasim, and scribe Mustafa *Celebi*, son of Avas, and Mustafa, son of Hamza, emir Hasan *Celebi*, son of emir Mustafa, Hacı Sinan *Beşe*, and the scribe of the letter Ferruh.

Handwritten text in Cyrillic script, arranged in columns. The text is dense and appears to be a historical or administrative document. There are several lines of text at the top, followed by a large section of text in the middle. A circular stamp or seal is visible in the lower right quadrant of the page. The text is written in a cursive style typical of older Cyrillic manuscripts.

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**THE MONASTERY
OF VATOPEDI
HISTORY AND ART**

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