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Particular features as regards the categories of civil servant with policing powers during the Phanariot Rulership

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Abstract. Our work makes a foray into the history of the police and analyzes categories of civil servants/public officials with police duties, as we find them in the era of the Phanariot rulers. The analysis I made on this subject concerns only the officials from the Romanian countries, without extending the presentation to other medieval countries. The structure of our paper targets public positions and categories of officials, with the specifics of their activity. The original character of the paper consists in the interdisciplinary approach of public functions and police duties, both in terms of public administration history, the history of the Romanian police, but also the English language, for which the archaic Romanian words represented a real challenge.

Keywords. civil servant, police history, public order, tax collector

Introduction

The Phanariot era has depleted the resources of Wallachia, but towards the conclusion/end of the XVIII th century a national trend become prominent/apparent the objectives of which were related to the amendment of the legal status of the Principalities with respect to the suzerainty, the relapse to independence/autonomy and even a reorganization of the Romanian state, a new statal polity that was intended to be underneath external protection , in particular „the orthodox” power of the Russian tzars.

The division of powers, a current/modern governmental principle that ought to avoid the excessive/undue buildup of power into the hands of a single individual was truncated. Thus, the ruler had attributes that empowered/conferred a solid status as regards the three compartments of the state, namely the executive, legislative and judicial.

Among the categories of civil servant/public officials mandated with policing powers the following are to be considered: the stewards, the tax collectors of county subdivisions, bailiffs of regions/districts, colonels/polkovniks of counties and last, but certainly not least pass, border and center rulers.

1. The organization/order of stewards from 1819

The quality of steward represents an administrator, agent or representative, when we refer to a generic definition. But the term was also used in the field of inheritances, which does

not interest us from the point of view of our theme. From the point of view of administrative law, the trustee was a county administrator or prefect.

The responsibility of the stewards was the stability as regards the inhabitants of the county and the averting of villages from „perils and damages”. The above mentioned were not allowed to have beside the clerks, that were under the suspicion of having done an evil deed [1].

„The organization/ordinance to be conducted within the framework of the counties ought to follow that the contribution/ quota(rom. ”cislă”) to be equally dispensed, signed and directed towards the treasury. Consequently, the extracts/duplicates were to come into the possession of the tax collectors and to each village according to the amount/sum of the ordinance. The count of the villagers had to be exact with respect of the chief magistrate of the district/burgrave in order that the rural areas to perform the corresponding contribution in a correct manner so as not to confuse the tax collectors (there are some places with similar procedure today, in European villages) [2]. The outcome of the proceedings was to be assessed by the stewards, that, in turn, to ensure that the inhabitants were thankful/settled with the county tax and , in the opposite case/ falling which to do justice.

A registry/repository was drawn up as an evidence in point of the taxes/levies and disposals (rom. orânduire) that had been completed to be handed in to the trustee/logothete of the possession.

Neither the establishment of a levy/tax for each member of the community was accepted in terms of a county, nor goods such as/ like flour, cornflour/maize, poultry/domestic fowls, honeydew, lambs nor even the basic needs for a household, the dough had to be used to acquire the intended item. The only category that was permitted to provide the necessary firewood for the winter weather were the scutnic servitals/servants (rom. ”dârvar”) while during the summer the number increased up to 10 of the same category in point of one single steward.

All cases of trial were to be identified according to the provisions or judgement together with the judges of the county in the presence of the recorder/filling clerk and not discriminating between the underprivileged and the well-off.

As regards the documents the tax collectors handed in in point of the sums that were compiled from the villages or for the imposts, retributions or chaise (menzil) no currency was to be taken, the disbursal/recompense had, in this case, depended on a different system/manner of payout/requital. A duplicate of any type of ordinance had to be sent/dispatched/forwarded to the treasurer”.

The stewards banned the tax collectors of districts to dispose in order to move around villages of a number of four horses that were supposed to be fed with hay and grains from the deposits of the rural areas, instead one’s own horses had to be considered for displacement in the same manner that the servants of the throne used to practise in the past.

Furthermore, the tax collectors were neither allowed to take horses from within the villages unless the steward had been informed nor to be accompanied by a quite significant number of servants with the purpose of not amassing various expenses and harden the situation of the inhabitants. „The tax collectors were chosen by the stewards from among the gentry (rom. ”boiernași”) of the county, people with a good condition and education in the districts.

The stewards had been offered the task of protecting the archpriests (rom. "protopop") of the counties for the purpose of ensuring that the priests did not benefit more than was written in the charters. "The stewards were not permitted to organize the tax collectors according to a recommendation or an amount of money that was illegally taken with the purpose of an advantage. [3] [4]

2. Tax collectors of county subdivisions (rom. *zapcii de plăși*)

In the Middle Ages, the word „estate” in Wallachia was the equivalent of a part of a property, whereas under the Austrian military involvement in Oltenia (1718-1739) would have the meaning of subdivision of the counties, being dispensed in four parts. Each part had a steward as a leader whilst at the head of any county part there was a vornic.

As regards Oltenia, after the relapse from the Austrian occupation under the reign of Constantin Mavrocordat, the term that referred to the „administrative subdivision significantly reduced in comparison to a county” had been used all over Wallachia, whereas the administrators of the corresponding subdivisions were named tax collectors, three administrators of the counties -subprefects [5].

The tax collectors were referred to as stewards since 1741. In the mountainous area the districts were referred to as regions that had as ruler the bailiffs. During the reign of Matei Basarab specific words such as „border guards” or „region bailiffs” were to be encountered but also in the text as regards the income and expenditure ledger/registry of the ruler Constantin Brâncoveanu [6].

„Until the moment of instituting the Organic Decree the tax collectors functioned according to the rule of the counties stewards, individuals that had neither education nor interest towards the concerns of the inhabitants, being paid insignificant amounts of money and with the aim of gaining happiness from taking undued goods and hardships against the villagers” .

Hereinafter, there was an estimated number of two county stewards per districts, a steward and a judge and the same amount in point of the tax collectors, namely the former higher in status and the latter with a lower rank. The villages from the mountaineer border were supposed to observe/surveil the passes towards Austria (Transylvania).

3. The bailiffs of lands/regions (rom. *vătafii de plai*)

The mountaineer villagers (rom. "plăieșii de sat") were headed by the mountaineer bailiffs (rom. *vătafii de plăieși*) and both categories had as ruler the land bailiff. In the days/time of Matei Basarab the land bailiff was denominated by the ruler (rom. "domn") whereas back to the period of Grigore D. Ghica Vodă (1822-1828) the position of the above mentioned had as reference the document of the ruler (rom. "carte domnească").

The main responsibilities in point of the land bailiffs were as follows: to capture the thieves, the guarding of the passes towards Transylvania, the security of paths, the control of the peregrines that entered the country in terms of the legality of papers and the investigation of the minor acts of culpability. [7]

The documents of the land/region subprefecture (rom. "cărțile de vătășie de plai") stipulated that if thieves and dacoits happened to come across the land, then the sentinel would

detain the person(s) and together with the land bailiff to retain any item that was to be found as corresponding possession. The villainous were to be sent to the county stewards and, afterwards, the ruler had the position of considering the deeds and gave a sentence taking into account the gravity and outcome. The assets of the thieves, besides the ones that the land bailiff had taken, were to be handed in to the stewards of the counties and, in addition, there was offered the possibility for each inhabitant of the mountaineer region one day a year to take from the herds of sheep one lamb of that respective spring and a piece of cheese but no more than that" [8].

4. The Polkovniks of counties (rom. *polcovnicii de județe*)

The position of polkovnik had been established in Wallachia since 1779.

Alexandru Ipsilanti, one of the ruler of the Phanariot era in the book that was published on the 16th of March 1779, mentioned the following: the ruler/dominator of abroad, counties and of frontiers were identified as steadler authorities keeping a watch on a particular region of the corresponding district along with the ministrants so that not to permit thieves to skulk around and commit wrong things. A polkovnik was ordained in respect of each county that ought to find prior an estimated number of 30 ministrants. [9]

These ministrants would neither be from among the villagers nor the servitals of the rural areas, only the ones that were carefully and with confidence (rom. "chezășie") averted to be diligent in the occupancy".

There were two categories of polkovniks, namely the former-military, under the command of commander-in-chief (rom. "vel spătar") or ("Aga în București" - Qazi) and the latter -the patrol/mercenary soldiers of the county along with ministrants had the purpose of rooting out the villains, in other terms the law enforcement of the county.

The rulers were appointed for each region (rom. "ocol") whilst the polkovniks were interim named within the framework of the county, yet being able to be of service for some other districts/shires (rom. "comitat", "județ"). The district polkovnik had been offered a different position in relation to the others, thus ensuring the security of the city as regards both the thieves and the fire-calamity. The establishment of the polkovniks had the location where the residence of the steward was placed.

The polkovnik had a different position in relation to the others, he ensured the peace and security of the county, continuously, both in terms of robbers and fire. The headquarters of the polcovnicii are located at the steward's chair.

As regards the disputes, the combatants were to be separated among themselves and taken to detention (rom. „gros”), following that the next day to have the boyars (rom. "boierii ispravnici") informed. The thieves that were detained had to pay for the forfeit an amount of a tael (rom. "taler") and 500 coins for the jail whilst for minor deeds the imprisoned ones a sum of 20 coins was perceived in part. [10]

The woodland of Vlășia encompassed in 1803 an authority (rom. "polcovnicie") of about 40 ministrants, being disposed in a particular manner. The existence of an hayloft authority represented by the polkovnik was mentioned in the region of Dâmbovița in point of the ice floes at the Gorgani overpass, The reigning Court and the Mahalaua Spirei, as a cluster of mourners (rom. "ciocli-gropari") in the time of the plagues. [11]

5. The center, border and pass rulers (rom. *căpitanii de scaun, de mijloc, de margine și de poteră*)

In accordance with the reform that was instituted by the ruler Constantin Mavrocordat almost all civil ministrants with military obligations (mercenaries) to be disbanded (mercenaries), whereas the frontier and counties rulers were to be replaced by the stewards with internal policing attribute. [12]

A number of execution bodies were within the remit of the stewards and the high commander. In 1775, Alexandru Ipsilanti had established approximately circa înființează circa 78 of border detachments (rom. "căpitanii de margine"), a number that differed from one county to another, and the ministrants were recruited from among the villagers and divided into two suites/groups with the purpose of serve their villages every other week. The characteristics were the clothing in point of the material and colour, namely red broadcloth and the fact according to which they were exempted from the payment of the plough tax.

The characteristics as regards the service of a ruler were the following:

- the servants/ministrants devoted to the skippers;
- submissiveness towards the master/captaincy;
- the defense of the captaincy against the ones that had as intention the infliction of damage;
- the immediate intervention in the situation of detaining boisterous individuals to be handed over to the rulers of the county in order to be judged and convicted.

In contrast to the captaincy of Moldavia in respect of the centre and border that carried out/complied with the corresponding activity within the framework of a demarcated territory, the posse captaincy was subordinated to the county ruler, being endowed with the attribute of disposal the ones involved in any part of the county according to the ordinance of the polkovnik rank, as it was stipulated in a decree of Alexandru Moruzi from 27th of July 1795, after 20 years since the reorganization that had been accomplished by Alexandru Ipsilanti. [13]

Conclusions

Analyzing these public positions with responsibilities in public order and the officials who held these positions in the second half of the medieval era, we found the correspondence between the eras and from an administrative perspective [14]. Some functions have survived from the previous era, right from the beginning of feudalism, others, however, have continued to be applied in the following epochs, reaching even to the present day. The function, as such, is found in different eras, even if the name is changed.

Given the administrative organization and public functions we encountered in the Romanian countries in the second part of the medieval era, we believe that our work can contribute to the broader analysis of the study of medieval public administration, both centrally and especially locally.

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