

This is the longer version of the paper:

A winding road: urban autonomy in the Romanian Principalities between the 14th and the 18th century

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Some Romanian historians have claimed that medieval towns in the Romanian Principalities are a local creation. Research into the path followed by urbanization, as well as into local institutions, shows that towns south and east of the Carpathians were not significantly different from similar centres in Central and Western Europe. The main difference lies in the delay determined by the late emergence of medieval Romanian states. The presence of Turkic peoples, and then of Mongols, as well as the influence these groups had, especially east of the Carpathians, limited the development of these areas. The Romanian-inhabited lands only saw political and economic growth from the 14th century on, when the kingdoms of Hungary and Poland sought to expand their influence here. As they fought to escape the rule of these kingdoms, the principalities of Wallachia (cca. 1290-1330) and Moldavia (cca. 1345-1364) emerged.

Medieval development (14th-16th centuries)

In the Romanian Principalities, as well as in Hungary, Poland, or Serbia, the monarch was the one regulating the rights of towns. In Romanian-inhabited territory, the monarchy followed a Byzantine pattern, claiming divine right and ultimate power over all other institutions. This was how the rulers of Wallachia and Moldavia attempted, and to a certain extent succeeded, to assert supremacy over the other powers of the state. The centralization attempts, which entailed a well thought-out adjustment of the administrative and fiscal system, also directed the relations with communities that entered the urbanization stage.¹ For the oldest towns, Argeş, Câmpulung, Râmnic, Târgovişte or Baia, Siret and Suceava, the 14th century is the century when their rights and obligations are finally set.² The first privileges were granted to colonists populating the settlements to be urbanized in Wallachia or Moldavia.

The usage of the term *varoş* to designate towns (first time in 1389 in Wallachia)³ in the chancellery is closely related not only to the assertion of the rights of the ruler (as conveyed by the phrase *varoş gospodstva mi* – “my princely town”), but also the existence of institutional autonomy in that settlement, confirmed by the central authority. Townspeople essentially had the following rights acknowledged: individual freedom, the right to be judged by their own rules, that of electing representatives, of fully owning land within the settlement bounds, of using the surrounding domain, of tax exemptions for certain taxes and customs duties. The right to hold a weekly market or a yearly fair was granted or acknowledged by the ruling authority as well. In Câmpulung’s case, the right to closed community existed as well: without popular consent, no foreigner could settle in town. Instead, the prince imposed its own representatives since the very beginning. They were responsible for those not belonging to the town community, monitored tax collection and also saw that the prince’s decisions

¹ Şerban Papacostea, *Geneza statutului în evul mediu românesc. Studii critice*, 2nd ed. (Bucharest, 1999), pp. 143-148.

² *Documenta Romaniae Historica*, B, XXIII, p. 252, doc. 144 (hereafter DRH).

³ DRH, B, I, p. 28, doc. 10.

were obeyed. The prince had a superior right over the town domain.⁴ This privilege was captured in a document which was periodically acknowledged. The name under which these true urban charters feature in Wallachia is that of “town books.”⁵ Except for Câmpulung, no charter was preserved in a complete form, but only as privilege fragments referring to the town domain or which include tax exemptions (Târgoviște, Gherghița, Pitești). The situation is similar in Serbia, where no charter with privileges granted to Saxon miners was kept, although other sources indicate their autonomy.⁶ Towns lost many of their documents to the many battles of the Middle Ages, and especially in the seemingly endless streak of wars of the 18th century. And let us not forget fires, in no small number at the time, which also did their part. Monasteries were more mindful or preserving and passing documents to future generations.

The timeline sets urban emergence at a later date in Wallachia and Moldavia, if compared to Central Europe. This regions are among the last to be urbanized after this process pervaded Poland and Hungary (Transylvania included) in the 13th century. This is an overview for how process of urban transition ended in the Romanian Principalities:

1. former half of the 14th century, for towns with colonists in Transylvania, Câmpulung, Argeș, Târgoviște and Râmnic in Wallachia;

2. the later half of the 14th century, the beginning of the 15th, for Floci, Pitești, Târgșor, Gherghița, Buzău and Ocna Mare in Wallachia, and Baia, Siret, Suceava, Neamț, Bacău, Iași in Moldavia;

4. in the 15th century, for Râmnicul Sărat and Slatina in Wallachia, and Vaslui, Bârlad, Huși, Adjud, Tecuci in Moldavia;

5. in the 16th century, for Bucharest, Craiova, Târgul Jiului and Cornățel in Wallachia, and Galați, Fălciu, Reni and Ștefănești in Moldavia. Since they emerged only later on, when the ruler already had substantial authority, some of them did not endure as towns until modern times.

In internal sources of Wallachia, the leader of the townspeople is referred to solely as the *judet*. Slavonic texts term him *sudet*, Latin ones, *judex*, and German ones, *Richter*.⁷ All these cases share the same meaning, that of “judge,” originating in his initial task, that of presiding over trials.⁸ In Western and Central European towns, those called *judex*, *scultetus* or *advocatus* were originally representatives of the king or the seniors, sharing judgement on their behalf. Instead, the first institution of townsmen was the juror council, which was involved in the struggle for rights and control over the internal market. Following such disputes, townspeople were granted the right to choose their own *judex*. Jurors continued to weigh significantly in the balance of power, ensuring that the judge did not focus too much of it in his hands.⁹ For Wallachia, neighbouring Transylvania was a genuine model for how towns emerged and privileges were granted. This is also why numerous features in towns north of the mountains are also present south of them.¹⁰ Câmpulung suggests this type of development, where the *greav*, a preserve for the colonist group, turns into *judex*, specific for

⁴ Theodor Codrescu, *Uricariul*, vol. XI (Iași, 1889), pp. 252-253.

⁵ *Documente privind istoria României*, XVII, B, I, p. 389, doc. 350 (hereafter DIR).

⁶ Sima Ćirković, “Unfulfilled Autonomy: Urban Society in Serbia and Bosnia,” in *Urban Society of Eastern Europe*, ed. Bariša Krekic (Berkeley, 1987), p. 161.

⁷ *Documente privitoare la istoria românilor culese de Eudoxiu de Hurmuzaki*, vol. XV, part 1, p. 277, doc. 503 (hereafter DH); Nicolae Iorga, *Scrisori de negustori*, Bucharest, 1925, p. 7, doc. VII.

⁸ J.F. Niermeyer, *Mediae latinitatis lexicon minus*, ed. C. Van de Kieft (Leiden, 1976), pp. 561-563.

⁹ Fritz Rösig, *The Medieval Town*, ed. D. J. A. Matthew (Berkeley, 1967), p. 23-24; Aleksander Gieysztor, “From Forum to Civitas: Urban Changes in Poland in the Twelfth and Thirteenth Centuries,” in *La Pologne au XII^e Congres International des Sciences Historiques a Vienne* (Warsaw, 1965), pp. 23-24.

¹⁰ Enikő Rüzš-Fogarasi, *Privilegiile și îndatoririle orașelor din Transilvania voievodală* (Cluj-Napoca, 2003), pp. 85-114.

the town community. The latter was compounded by another institutional body for self-government, the town council, made up of *pârgari*.

In Moldavia, the names lent by sources to representatives of the town communities vary from one ethnic group to the other. The term prevailing in local documents is that of *șoltuz*, which entered via a Polish venue and is remotely related to the Latin *scultetus*. The representative of the Armenians is usually called a *voit*, a term derived from a Polish word as well, with its root in the Latin *advocatus*.¹¹ This word was also successful and found alternative use in some towns, whether in Armenian groups or among the main population.¹² To separate them, the documents of the time would state: “the Armenian *voit*,” “the Romanian *voit*,” or “the Romanian *șoltuz*,” etc.¹³ Where Saxons and Hungarians were more numerous, local terms were used, showing their oral use: *Graf / Groff, Richter* and, less frequently *Greben* for Saxons;¹⁴ *biró* for Hungarians.¹⁵ In Latin documents, town headmen were called *iudex* and *advocatus*.¹⁶

Differences in name show that each group originally had its leader, a situation which persisted in some cases until later on. In Suceava, a document passed at the end of the 16th century mentions an Armenian *șoltuz* and a Romanian one. We might have considered the Armenian one as a simple representative of this group, but he features, as well as the other *șoltuz*, along with the 12 *pârgari* and bearing his own seal. They therefore had their own town council, with duties as precisely drawn out as the other council. Despite the differences among the two jurisdictions, the *șoltuzi* collaborated when issues involving the whole community surfaced.¹⁷

The precariousness of sources makes it impossible to identify a transition state in Moldavian towns, one between the arrival of the settlers and the granting of extended autonomy. In Poland or the former Russian principality of Galician Rus', the *scultetus* initially features as a representative of the main authority, only to be later superseded by the town council.¹⁸ Even though both the *scultetus* and the council are recorded relatively early in Moldavia, we must not rule out the above-mentioned situation, encountered in all neighbouring areas.

Romanian historiographers have yet to agree on whether the newcomers from Wallachia or Moldavia followed “German law” in their organization. Few have supported this theory (among them, the great Iorga),¹⁹ but many others disclaimed or ignored this aspect, stating that we have no evidence and that the settlers' presence was as insignificant as it was the result of chance. One of the arguments of those challenging the theory is the fact that

¹¹ N. Grigoraș, *Instituții feudale din Moldova*, I, *Organizarea de stat până la mijlocul sec. al XVIII-lea* (Bucharest, 1971), pp. 320-321; Olha Kozubska-Andrusiv, *Urban Development and German Law in Galician Rus' during the Thirteenth – Fifteenth Centuries* (PhD dissertation, Central European University, 2007), pp. 210-213.

¹² DH, vol. XV, part 1, p. 203, doc. 366.

¹³ DRH, A, II, p. 4, doc. 4; DIR, XVII, A, II, p. 191, doc. 254.

¹⁴ *Akta grodzkie i ziemskie z Czasów Rzeczypospolitej Polskiej z archiwum tak zwanego bernardyńskiego we Lwowie*, tom IV (Lviv, 1873), p. 108, doc. LIV; DH, vol. XV, part 1, p. 78, doc. 135 și 136; p. 113, doc. 203; p. 158, doc. 239; p. 226, doc. 408; Mihai Costăchescu, *Documente moldovenești de la Ștefăniță voievod (1517-1527)* (Bucharest, 1943), p. 567, doc. 120.

¹⁵ DH, vol. XV, part 1, p. 751, doc. 1454.

¹⁶ DH, vol. XV, part 1, p. 55, doc. XCV; p. 203, doc. 366; p. 642, doc. 1192; N. Iorga, *Studii și documente*, vol. XXIII (Bucharest, 1913) p. 331, doc. 126; p. 365, doc. 222.

¹⁷ Al. Rosetti, *Scrisori românești din Arhivele Bistriței (1592-1638)* (Bucharest, 1944), p. 32, doc. 5; *Documente și însemnări românești din sec. al XVI-lea*, ed. Gheorghe Chivu et al. (Bucharest, 1979), p. 188, doc. 97.

¹⁸ Gieysztor, “From Forum to Civitas,” pp. 23-24; Zientara, “Socio-Economic and Spatial Transformation,” pp. 76-77; Kozubska-Andrusiv, *Urban Development*, pp. 217-219.

¹⁹ N. Iorga, *Istoria românilor prin călători*, ed. Adrian Angheliescu (Bucharest, 1981), p. 115.

provisions of municipal laws in force in towns have not been kept.²⁰ The adoption of the “German law” did not entail only an adoption of legal provisions. This was only a component in the complex process of *locatio civitatis*, which indicated the foundation of towns on new grounds (especially those where colonists settled).²¹

There are several arguments which support the at least partial introduction of such elements in Wallachian towns: the presence of German *hospites*; their taking up residence by a possible *locatio* in one of the oldest towns in the country; the privilege which granted them access to leadership of these towns; the German-based terminology of a large part of town institutions; the right to judge and full control over land in town. Unfortunately, documentary sources are scanty. In Wallachia, data on the laws that governed the townspeople are almost completely lacking. Research into the privileges of Câmpulung can provide us with some insight. First of all, these documents mention the “old custom”, used in “their law and trial”.²² The last phrase indicates that officials dispatched by the prince couldn’t interfere with the local trial, since there was a town “law” and a town “custom”. And, since there was a large Saxon community in Câmpulung, some elements of German law obviously found their way into this “law”. It is hard to tell whether these elements persisted until the 17th century and whether they were ever laid into writing. There are towns in Wallachia where no colonisation of any sort is certified. We assume that a “town custom” existed in them as well, combining common law with elements specific to urban life.

We have reason to claim that this process also involved Moldavian towns as well, with their local specifics. Sources limit our arguments to legal structure and topography, since these were two of the main components in the *locatio civitatis*.

To clarify the legal authority of the *șoltuzes*, we must rely on late documents, the only ones at hand. A *șoltuz* in Trotuș presides over the case of one woman who gave birth to a child out of wedlock, and that of a Gypsy horse thief.²³ 17th century sources reveal that the *șoltuz* in Baia was invested with the power to judge serious matters as well. This right was likely a concession for the Saxons who settled here in the 14th century and was part of a vaster privilege. Bishop Marco Bandini relates that the document with this privilege still existed in the town archive and included a more special provision: the right to relieve of the death penalty for those seeking refuge in the town cemetery.²⁴ A 1660 document shows the *șoltuz* and the *pârgari* in Baia even using restraints (“we shackled him”) to look into the matter of a Gypsy accused of theft. One phrase in the document refers to an exceptional right held by the *șoltuz*, namely, passing the death penalty (*ius gladii*): “we led him to perdition, by the law of the country and how it well becomes a thief.” We do not know whether all the *șoltuzes* in Moldavia’s towns had this right. Two late documents, undated (but probably from the 17th century) reveal the *șoltuzes*, the *pârgari*, and the well-to-do in Bacău and Trotuș judging over thefts.²⁵ In this cases, a ransom for the guilty was usually sought, so the damages would be covered.²⁶ The fact that the cited text document robberies shows that the *șoltuzes* in some

²⁰ P.P. Panaitescu, “Comunele medievale în Principatele Române,” in *Interpretări românești*, 2nd ed. by Ștefan S. Gorovei, Maria-Magdalena Székely (Bucharest, 1994), pp. 137-138; Constantin C. Giurescu, *Târguri sau orașe și cetăți moldovene din secolul al X-lea până la mijlocul secolului al XVI-lea*, 2nd ed. (Bucharest, 1997), pp. 169-170. Neutral standpoints in D. Ciurea, “Noi considerații privind orașele și târgurile din Moldova în secolele XIV-XIX,” *Anuarul Institutului de Istorie și Arheologie Iași*, vol. VII (1970), p. 25; Grigoraș, *Instituții*, p. 319.

²¹ Zientara, “Socio-Economic and Spatial Transformation,” pp. 62-66; Paul W. Knoll, “The Urban Development of Medieval Poland, with Particular Reference to Kraków,” in *Urban Society of Eastern Europe*, pp. 71-73, 78-80.

²² DRH, B, XXV, p. 262, doc. 250.

²³ DIR, XVII, A, V, p. 64, doc. 80; Gh. Ghibănescu, *Surete și izvoade*, vol. XXIV (Iași, 1926), p. 133, doc. 119.

²⁴ Marco Bandini, *Codex. Vizitarea generală a tuturor bisericilor catolice de rit roman din Provincia Moldova, 1646-1648*, ed. Traian Diaconescu (Iași, 2006), p. 218.

²⁵ Ghibănescu, *Surete*, vol. XVI, p. 33, doc. 49; vol. XXIV, p. 133, doc. 119.

²⁶ Dan Horia Mazilu, *Lege și fărădelege în lumea românească veche* (Iași, 2006), pp. 124-125.

towns were allowed to judge such offences, less serious than murders, but liable to capital punishment. The murderers were sent to be tried by high officials of the ruler or even the ruler himself.²⁷ Still, their power over life and death hints to an extended privilege, similar to the ones that only royal towns in Hungary and Transylvania had.²⁸ A point of interest is that the above-mentioned towns are all west of the Siret river, in the area that belonged to Hungary in mid-14th century. The privileges of communities in these settlements originated in those times. We have no data on such powers of the *județi* in Wallachia, but they must not be altogether ruled out.

The *județ/șoltuz*, along with the council of the 12 *pârgari* had many other duties, similar to those of town councils in the rest of Europe: along with the right to judge, collect certain taxes, they also divided plots of land on the domain, granted confirmation documents for properties or transactions carried out in town, represented the town before the ruler or in relations with other towns.

Along with the *județ/șoltuz* and the *pârgari* council, another role of note in town was that of "the good people," also called "the good and elderly" (Old Slav. *dobri i stari liodi*).²⁹ Their importance increases from the 16th century on, as does the importance of priests, especially those in churches belonging to the authority.³⁰ In most cases, "the good people" only feature as witnesses in various transactions. Only in special cases do records note them alongside the *județ* and the *pârgarii*, issuing documents.³¹ Specific conditions in Wallachia (but in Moldavia as well) did not lend "the good people" an institutionalized form, but only a consultative nature. In cases of utmost importance, they accompanied the *județ* when representing the town in trials or when the ruler was asked to renew old rights. Among them were members of the so-called "urban patriciate", the *meliores* of Latin documents, that also explains the name "great" assigned to them in several internal documents.³²

Not too many data on "the good people" or the town's representatives attending the great assemblies in the country remain. Information about them is either way cursory at best. We assume that the representatives of townspeople were called upon as well. There is also no direct testimony to the existence of town assemblies. We may however state that assemblies directed at electing the *județ/șoltuz* and the *pârgari* fell in this category, along with those celebrating major moments in urban life. Terms such as "the people of the town" or "all the good and the elderly" refer to these reunions. An assembly of this kind must have been the one in 1597, when the townspeople of Târgoviște consented to transferring one part of the town domain to the Golgota monastery, following a donation by prince Pătrașcu the Good of Wallachia.³³

Towns were also entitled to a seal. Originally, this right belonged to the ruler, so the town community could only make use of it if he conceded to it.³⁴ This had been the case in neighbouring Hungary, where Saxons were granted the right to have a seal by the king. The

²⁷ *Instituții feudale din Țările Române. Dicționar*, eds. Ovid Sachelarie, Nicolae Stoicescu (Bucharest, 1988), p. 203, 299-300.

²⁸ Martyn C. Rady, *Medieval Buda: a Study of Municipal Government and Jurisdiction in the Kingdom of Hungary* (New York, 1985), pp. 19-20; Pál Engel, *The Realm of St Stephen. A History of Medieval Hungary, 895-1526* (London, 2001), pp. 112-113, 251-252.

²⁹ Ioan Bogdan, *Documente privitoare la relațiile Țării Românești cu Brașovul și Țara Ungurească în secolele XV – XVI*, vol. I (Bucharest, 1905), pp. 81-82, doc. LVI; p. 193, doc. CLIX; DRH, D, I, p. 351, doc. 255; B, IV, p. 118, doc. 90; V, p. 87, doc. 81.

³⁰ DRH, XVI, B, V, p. 275, doc. 289; p. 294, doc. 307; DRH, B, XI, p. 64, doc. 48; XXII, p. 494, doc. 261.

³¹ DRH, B, V, p. 291, doc. 266; XI, p. 354, doc. 268.

³² Radu Manolescu, "Cu privire la problema patriciatului în orașele Țării Românești și Moldovei (sec. XV-prima jumătate a sec. XVI)," *Cumidava* (Brașov) vol. IV (1970), p. 92.

³³ DRH, B, XI, p. 355, doc. 268; p. 357, doc. 269.

³⁴ Emil Vîrtosu, "Despre dreptul de sigiliu," *Studii și Cercetări de Numismatică*, vol. III (1960), p. 338, 342-343; Dan Cernovodeanu, *Știința și arta heraldică în România* (Bucharest, 1977), p. 183.

Andreanum, issued in 1224, stated that: “I allowed them to have a single seal (*sigillum*), which would be distinctively known to us and to our noblemen.”³⁵ Similarly, when they acknowledged the representative town institutions, the Wallachian or Moldavian rulers also granted them the right to their own seal, a true symbol of autonomy. The seal, called a *pecete* in Romanian (Old Slav. *peciat*), belonged to the community, and not to the *județ*, who was only to use it as elect representative of this body.³⁶

Only few privileges in Wallachia have been kept, most in late copies. The privilege of Câmpulung left townspeople the right to be judge by their “custom,” so no official from the prince could intervene. Another provision unique to this town is the right of inhabitants to full possession over land not only inside the town, but also on its domain. The prince and the boyars could not own land here. If any townsman was to die without inheritors, his wealth was transferred to the town. A good share of the duties that other townspeople owed the prince is not recorded in Câmpulung, as well as the taxes levied for the sale or purchase of products in the town market. Only those residing here were allowed to sell wine.³⁷ The explanation for the Câmpulung autonomy is to be found in town emergence period. The privilege granted to colonists arriving in the latter half of the 13th century was largely inspired by other grants to Transylvanian Saxons.

The privileges preserved for other towns only concern tax exemptions or the domain. The townspeople of Târgoviște benefited from a privilege kept in a confirmation given by Dan II in the 1424-1431 period.³⁸ The community was exempted of all customs duties in the country, except for those in their own town. Exemptions for Târgoviște are not as generous as those for Câmpulung, where townspeople were not burdened with taxed goods in their own town. The prince wished to keep a safe source of income in town, which had become the main seat of power in the country. Instead, townspeople were free to sell their goods around the country. The townspeople of Târgoviște were also granted a reduction in the donations for the wine they obtained from vineyards on the town domain, one of their main sources of income. A similar reduction was also granted to the townspeople of Pitești. No relevant documents have been kept to this day, but, the inscriptions on two crosses (one near Târgoviște, and one near Pitești), record the quota of wine that was to be donated by the inhabitants.³⁹

Modern archives of Moldavia have kept only two town privileges. The documents initially granted to the communities in Vaslui and Bârlad have not been preserved to this day; only the later acknowledgements by Ștefan the Great remain. Another lost document was also held by Târgul Frumos.⁴⁰ The above-mentioned privileges are incomplete and only focus on two matters: the town domain and tax exemptions. The acknowledgment of the townspeople privilege in Vaslui dates back to 1491, but it was only kept in later Romanian copies. The text largely refers to the purchase by the prince Ștefan of 16 villages and a former village that he claims to add to the town domain, but actually only subordinates to his palace. In a small paragraph, the ruler acknowledges the “custom of old” for the *șoltuzes*, the *pârgari*, and the “paupers,” according to which those owning a dwelling in town did not pay the lesser customs duty for the merchandise they traded in Vaslui. An exception to this was fish, which was taxed by the cartload.⁴¹ The privilege for the townspeople of Bârlad was confirmed by Ștefan the Great in 1494 or early 1495. The provisions in the document, with its original preserved,

³⁵ DIR, veacul XI, XII și XIII, C, I, p. 209, doc. 157.

³⁶ Emil Vîrtosu, “Din sigilografia Moldovei și Țării Românești,” in DIR, *Introducere*, vol. II (Bucharest, 1956), p. 333.

³⁷ DRH, B, XXIII, p. 252, doc. 144; XXV, p. 262, doc. 250 și p. 468, doc. 424.

³⁸ DRH, B, I, p. 109, doc. 55.

³⁹ Virgil Drăghiceanu, “O tocmeală a lui Matei Basarab,” *Buletinul Comisiei Monumentelor Istorice*, vol. IV (1911), p. 148 and vol. XIX (1926), p. 88.

⁴⁰ Ghibănescu, *Surete*, vol. III, p. 169, doc. 100; p. 274, doc. 159.

⁴¹ DRH, A, III, p. 188, doc. 96.

are not so dissimilar to those in Vaslui, with minor differences.⁴² A careful study of these documents shows that the phrase noting exemption is identical, although the second document is an original. Alexandru the Good, who probably granted them in early 15th century, may have issued them simultaneously. The presence of the *șoltuzes* and the *pârgari* shows that original privileges certainly had a legal component as well, which allowed those settled here to elect their representatives of choice. This right is no longer mentioned in Ștefan's acknowledgement, since it had already become a component in urban organization throughout the country and could not be withdrawn. Inhabitants now placed more emphasis on the acknowledgement of the exemptions they enjoyed.

The above privileges mention the law (Old Slav. *zakon*) or the custom (Old Slav. *obiciai*) of old. The "custom" is also mentioned when renewing the privilege granted to Polish merchants in 1456 by Petru Aron of Moldavia. Foreign merchants were allowed to have a dwelling in Suceava, provided they observed the "custom of the *târg*," as did the other townspeople.⁴³ These phrases prove there was a *law* specific to the towns of Moldavia. The inhabitants and the ruler were familiar with it and took into account. The system of organization in towns prove that this law definitely had elements of "German law," with a *șoltuz*, the *pârgari* council, the right to trial, to full ownership over lands in town, Latin seal, exemptions etc. Further arguments are provided by the hints regarding the *locatio civitas* in Baia, Roman or Siret. The law was initially applied to groups of settlers, and was later extended to include the rest of the population in those settlements. There are however limits to the introduction of this new order, which have to do with how Moldavia evolved along its political and economic lines. Rulers of Moldavia encouraged the development of towns, but did not forget to press them for even more taxes and even labour. Furthermore, we have no data confirming that duties were added to a single amount. Even though they accepted a different organization compared to the law of the country, the process of adopting the "German law" was not completed. Towns in Moldavia could not extend their autonomy.

Another feature of medieval towns in the Romanian Principalities is their institutional dualism. Authorities elected by the townspeople were joined by designated representatives of the prince. While the *județ/șoltuz* and the *pârgari* saw to ensuring compliance with the town autonomy, the prince's representatives guaranteed that his authority was obeyed and duties were levied. This process is encountered, in various proportions, all over the European area. In towns, the mainstay of the prince's authority was the *pârcălab* (in Wallachia) or the *vornic* (in Moldavia), in towns where residences of the prince existed.⁴⁴ The origin of the office of *pârcălab* must be sought in the Western environment, and more specifically in the Hungarian one, since it was adapted in the administration south and east of the Carpathians from here.⁴⁵ The designation comes from the Hungarian *porkolab*, which, in its turn, was derived from the German *Burggraf*.⁴⁶ In the latter half of the 14th century, the office was introduced in towns as well.⁴⁷ The town *pârcălab* or *vornic* had legal, fiscal, administrative and probably military duties. His jurisdiction primarily covered those that did not fall within the scope of the *județ* or the *șoltuz*: the serfs from the so-called "12 villages" (from the town hinterland), and people living in town but not part of the community (servants and gypsy slaves). The *pârcălab/vornic* gathered the customs duties for the prince off goods that passed through the

⁴² DRH, A, III, p. 279, doc. 151.

⁴³ M. Costăchescu, *Documentele moldovenești înainte de Ștefan cel Mare*, vol. II (Iași, 1932), p. 788, doc. 231.

⁴⁴ DIR, XVI, B, VI, p. 25, doc. 29.

⁴⁵ Niermeyer, *Mediae latinitatis*, p. 153.

⁴⁶ Antonius Bartal, *Glossarium mediae et infimae latinitatis regni Hungariae* (Lipsia, 1901), p. 86, 545; C.C. Giurescu, *Istoria românilor*, vol. II, 2nd ed. (Bucharest, 2000), p. 294; Valentin Georgescu, "Le régime de la propriété dans les villes roumaines et leur organisation administrative aux XVII^e - XVIII^e siècles - Valachie et Moldavie," *Studia Balcanica*, III (1970), p. 73.

⁴⁷ DRH, B, I, p. 186, doc. 106.

settlement and those sold in the town marketplace.⁴⁸ The only townspeople we know exempted from the duty collected by the two were those in Câmpulung and Târgoviște (in Wallachia) and Vaslui and Bârlad (lesser customs duty, except for the fish tax, in Moldavia).⁴⁹ Along with the *județ*, the *pârcălab/vornic* handled disturbances. He had the power "to pursue for harlotry and theft, and to fine those guilty and to chastise them"; those with "great guilt unto themselves" were to be sent before the prince.⁵⁰

Later development (17th-18th centuries)

In the 14th-16th centuries, a state of balance was introduced in the relations between towns and rulers, with the latter respecting the rights of towns. This tends to change at the turn of the 16th century, since Eastern elements begin to make their way into towns. It was in this time that the Greeks, Jews and Armenians from south of the Danube begin to increase in number, at the expense of the dwindling Saxon community, which begins to blend in, as Catholicism is abandoned and the Lutheran faith gains new ground. The political and economical reorientation of Wallachia towards the Ottoman area also paved the way for Eastern influences. The authority of the ruler in towns gradually increases, leading to resistance from local communities, such as those in Argeș, Câmpulung; in other cases, this opposition was less vocal (Bucharest). New officials appointed by the ruler appear, especially in towns which are the main seats of power (the *ispravnic*s of Craiova, Bucharest, and then of Târgoviște).⁵¹ The office of *județ* even disappears around 1700 in Bucharest, that of the *șoltuz* in 1742 in Iași shares the same fate, cancelling almost completely the relative autonomy of these town communities (some elements endure in the guild organization).⁵² Not all towns go through the same process, since some local institutions survive, with diminished authority, in several centres, especially those in Wallachia (Câmpulung, Pitești, Slatina, Târgu Jiu, Ocna Mare). A large number of the townspeople representatives are taken over in the 18th century by officials such as the *căpitanul de târg*, the great *aga*, the great *spătar*, all appointed by the ruler among his most trusted followers.⁵³ The Organic Statute, the first modern constitution in the Romanian Principalities (1831-1832) dealt one final blow to these Medieval forms of urban organization, replacing them with the town magistrate.

The second method used by rulers to intervene in the affairs of towns were taxes. For example, the duty paid by the townspeople of Argeș had been transferred in the 16th century to the prior of the monastery nearby, who collected tax with his own *pârcălab*.⁵⁴ After 1700, the townspeople are required to pay even more taxes; initially exceptional in character, they would later become permanent. Ultimately, most of the problems that the townspeople had with rulers concerned the domain. The land surrounding the town was fully controlled only by several towns, the oldest ones, where groups of German settlers had taken residence (Câmpulung and Argeș in Wallachia, probably Baia and Neamț in Moldavia). The other

⁴⁸ DRH, B, I, p. 186, doc. 106; p. 219, doc. 128; Șerban Papacostea, *Oltenia sub stăpânire austriacă (1718-1739)*, ed. Gheorghe Lazăr (Bucharest, 1998), pp. 108-110.

⁴⁹ I. Răuțescu, *Câmpulung-Muscel* (Câmpulung, 1943), p. 361; DRH, B, I, p. 109, doc. 55.

⁵⁰ Dinu C. Giurescu, "Anatefterul. Condiția de porunci a visteriei lui Constantin Brâncoveanu," *Studii și Materiale de Istorie Medie*, vol. V (1962), p. 366, doc. 1.

⁵¹ DIR, XVII, B, III, p. 123, doc. 99; DRH., B, XXII, p. 199, doc. 88; XXIII, p. 137, doc. 77.

⁵² *Documente privind istoria orașului București*, eds. Florian Georgescu, Paul I. Cernovodeanu (Bucharest, 1960), p. 54, doc. 18; Giurescu, „Anatefterul,” p. 400, doc. 51; *Documente privitoare la istoria orașului Iași*, vol. V, ed. I. Caproșu (Iași, 2002), p. 105, doc. 186.

⁵³ *Istoria politică și geografică a Țării Românești de la cea mai veche a sa întemeiere până la anul 1774*, ed. G. Sion (Bucharest, 1863), pp. 176-179; Georgescu, „Le régime de la propriété,” p. 74.

⁵⁴ I. Ionașcu, „Din relațiile mănăstirii Curtea de Argeș cu orașenii argeșeni,” *Revista Istorică Română*, XIV (1945), no. IV, p. 459.

towns were only entitled to use the domain for agriculture or to grow grapevine. This right of use remained unchallenged for several centuries, but, once historical conditions changed, the rulers chose to step in and attempt to change the status of these lands. The above-mentioned inhabitants of Argeș negotiated in early 16th century an exchange of domains with the above-mentioned monastery, which they questioned shortly afterwards.⁵⁵ The matter was still pending in mid 17th century, indicating that the townspeople were not willing to give up on their rights so easily.⁵⁶

The process of donating town domain intensifies in the 18th century. On several occasions, the rulers donated, based on the rights they claimed to have over settlements, even whole towns. This process owed its occurrence to several factors. First of all, in the latter half of the 18th century, the ruling authority no longer had villages to donate to the boyars. Since there was no other source, they resorted to donating town domains. Furthermore, the wars that broke out between major powers in the latter half of the 17th and 18th centuries some even waged on the territory of the Principalities, took a heavy toll on towns in the area. The final factor was the emergence of new towns following a retracing of trade routes. Since some were located near older towns (for instance, Ploiești in relation to Târgșor), the latter were unable to withstand competition, were ruined and never recovered. Towns such as Floci, Gherghița, Târgșor were reduced to villages or disappeared altogether.⁵⁷ Their domains were considered "free land" (*moșii slobode*), and the central authority saw fit to dispose of them accordingly. The act of donating their domains built on the reference to the medieval custom of rewarding fealty or ensuring a place in the hereafter.

Although it was engaged in constantly limiting the rights of town communities, the ruling authority did not dare interfere with the domains of older towns that had endured. The communities here fought to defend their rights, having as their arguments the old charters which contained legal and tax-related privileges. In the latter half of the 18th century and in early 19th, abuses were recorded, such as the attempts to donate the domains of Ploiești și Târgoviște, but the townspeople here rebelled and, following lengthy trials, won their land back.⁵⁸ To conclude, we have found that in Wallachia the transfer of town domains was not as ample as in Moldavia, where the rulers transferred to boyars or places of worship control not only over lands, but also on the inhabited territory of towns (such as Vaslui or Roman). Trials also existed here, but the lack of cohesion within communities and the well-placed connections of the grand boyars cancelled the attempts of the inhabitants. They remained dependent on their new masters, to which they owed the taxes only levied until then by the ruler. The rulers were also the ones to introduce the first trends in modernization in both principalities. The capitals in Bucharest and Iași see the introduction of dedicated institutions, tasked with overseeing the condition of streets, bridges, hospitals, schools, customs houses, the water network, etc. It was only in the next century, after 1821, that towns shed their medieval features. The older privileges were completely eliminated, the social status was levelled for all town inhabitants, and new institutions were introduced.

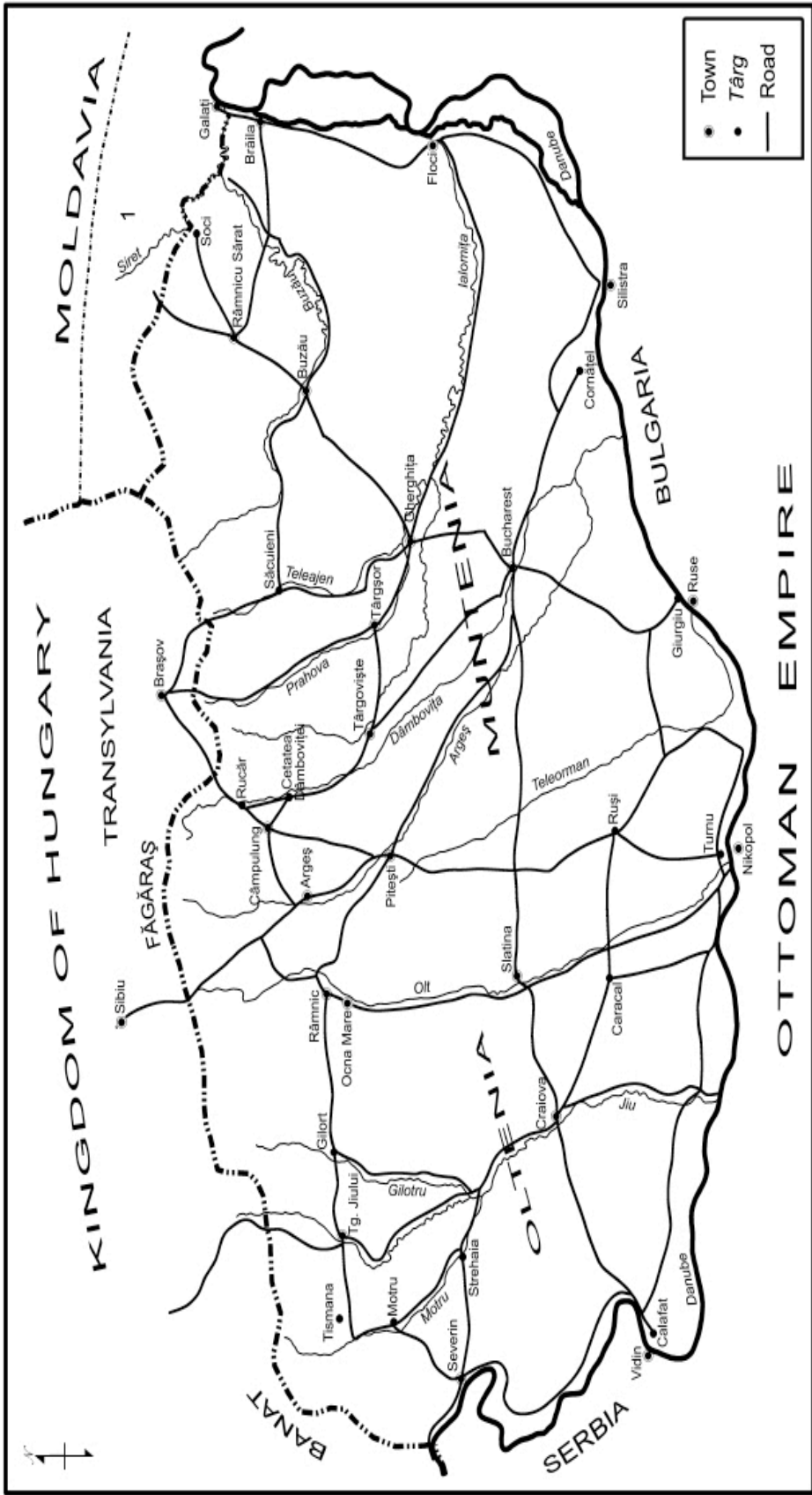
Maps: 1. Wallachia; 2. Moldavia

⁵⁵ DRH, B, II, p. 464, doc. 249; III, p. 52, doc. 30; V, p. 207, doc. 191.

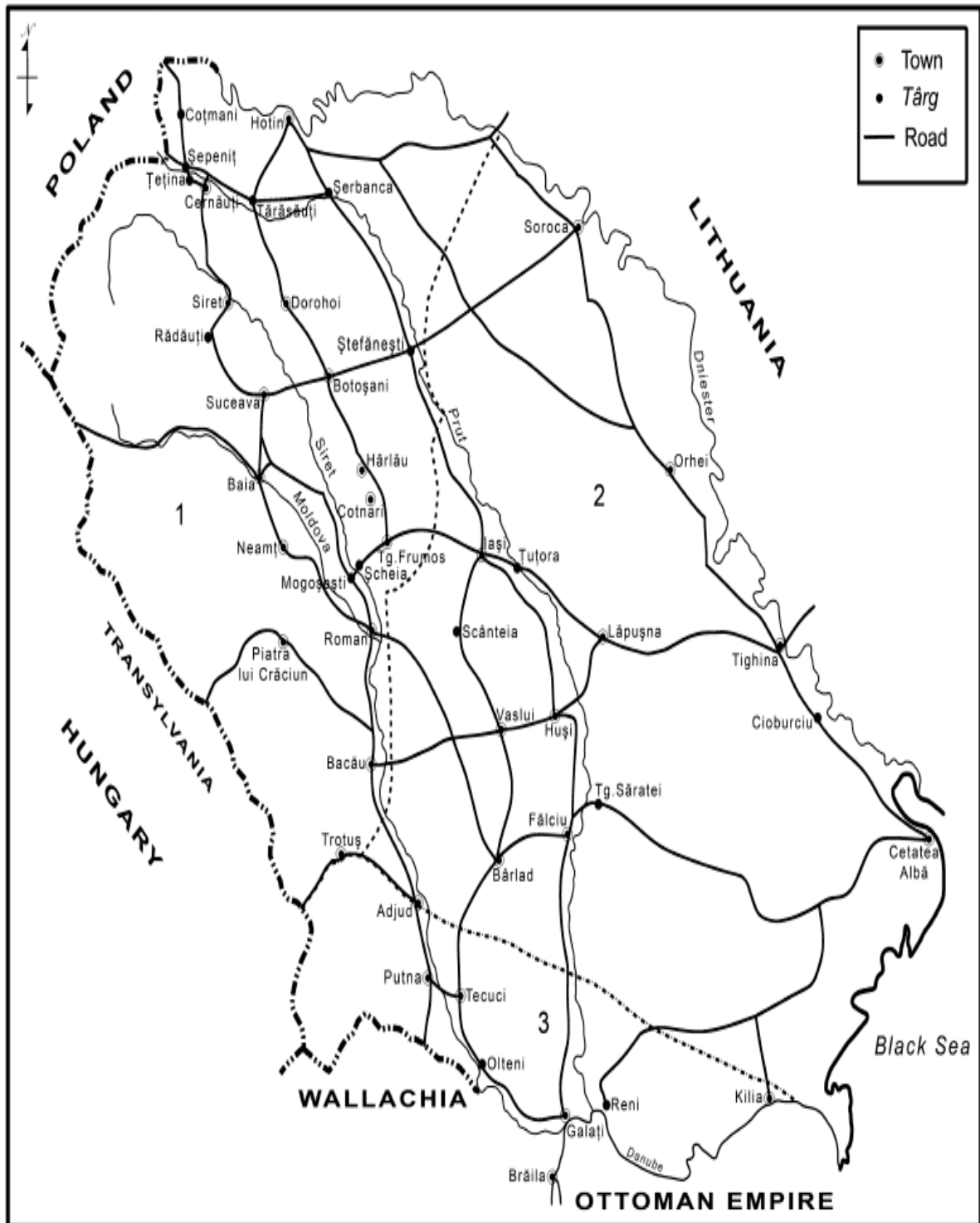
⁵⁶ DRH, V, p. 145, doc. 131, p. 207, doc. 191, p. 221, doc. 205; I. Ionașcu, „Din relațiile,” pp. 458-465.

⁵⁷ George Potra, Nicolae Simache, *Contribuții la istoricul orașelor Ploiești și Târgșor (1632-1857)*, p. 439, doc. 90; Al. T. Dumitrescu, „Despre orașul de Floci,” *Revista pentru Istorie Arheologie Filologie*, vol. XI (1910), part II, pp. 433-434.

⁵⁸ I. N. Simache, „O străveche așezare din regiunea Ploiești: Târgșorul vechi,” in *Din activitatea muzeelor noastre. Studii, referate, dări de seamă, documente*, vol. I (Ploiești, 1956), p. 111; Radu Gioglovan, „Două procese pentru apărarea moșiei orașului Târgoviște în sec. XIX,” *Studii și Articole de Istorie*, II (1957), pp. 463-470.



Map 2. Wallachia (14th - 16th centuries)
 1 - Land claimed by both Wallachia and Moldavia



Map 3. Moldavia (14th - 16th centuries)

1. The Upper Country (*Țara de Sus*); 2. The Lower Country (*Țara de Jos*); 3. Land claimed by both Wallachia and Moldavia.