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FROM THE HISTORY OF MIXED MARRIAGES. MARRIAGES WITH GYPSIES IN THE ROMANIAN SPACE IN THE 18TH AND FIRST HALF OF THE 19TH CENTURY

KEY WORDS: family, mixed marriages, Gypsies, Romanian, Țara Moldovei, Basarabia, 18th Century, first half of the 19th Century

SŁOWA KLUCZE: rodzina, małżeństwa mieszane, Cyganie, Rumunii, Mołdawia, Besarabia, XVIII wiek, pierwsza połowa wieku XIX

Abstract

In the given article we will analyze marriages between Romanians (Moldovans¹) and Gypsies, and present the legal juridical framework regulating the issue of such marriages as well as the actual situation recorded in Țara Moldova in the eighteenth century, and in the territory between the Prut and Dniester rivers in the first half of the nineteenth century. The documents presented will include the descriptions of research sources including the code of laws issued in Țara Moldova, charters issued by the Prince of Țara Moldova, Ukases (decrees) issued in the Russian Empire, permission requests for marriages, consult requests of the priests officiating mixed marriages, as well as documents of the National Archive of Moldova.

The marriages of Gypsies with Romanians can be examined simultaneously from two points of view: as mixed marriages from the ethnic point of view and mixed marriages from the social point of view. According to religious criteria, which were the basis for the legitimate family formation, the representatives of both ethnicities were to be Orthodox, so that there were no impediments to the marriage from the canonical point of view. Problems arised in connection with the social status of the Gypsies, who were considered to be subservient people.

Introduction. In Țara Moldova there were numerous nations living side by side. Since the ancient times, Poles, Greeks, Germans, Hungarians, Armenians, and Gypsies lived in one land, resembling the situation present in other countries. In this re-

¹ In the text the term *Moldovan* is used according to the documents of the period referred to.

gard, Dimitrie Cantemir reported the following: „I do not think there is any other country of the size of Moldova, in which there are so many nations, and all so different” (Cantemir 1992, p. 19). The documents of the time, narrations of foreign travelers and chronicles remark that many different ethnicities cohabited with Romanians. For example, the 1772–1773 population census conducted in Soroca town indicated the presence of 107 Moldovans, eight Gypsies, one Armenian, as well as 50 Serbians and Hebrews, and in the following year, 1774, it informs that the number had increased to 37 Hebrews, who arrived from another location (Moldova 1975, p. 336). According to the same census, twenty of those families arrived from Poland (Țara Leșească) and ten among them were of Hebrew origin. The census also verifies five Gypsy families (Moldova 1975, p. 336; Felea 2009). Similar situations had been found throughout all the boroughs, as well as in the villages of Moldova. It was obvious that sooner or later, the representatives of these ethnicities would form family couples, which bear the name of mixed or exogamous in specialized literature.

A notion of a „mixed marriage”. According to Mihai Săsăujan *mixed marriage* „(*gamos miktos*), represents a marital union between two people belonging to different Christian faiths” (Săsăujan 2005, p. 19). Paula Virag claims that early research on mixed marriages have been done in the U.S. in 1920, and then the concept of „inter-marriage” was coined, a „term used for a marriage between persons of the same national origin and/or different religions” (Virag 2005, p. 123). Bogdan Craciun uses the term exogamy in the sense of „marital union between two people belonging to different faiths” (Crăciun 2005, p. 196). Istvan Horvath uses the term exogamy to indicate „spouses of a different ethnic origin” (Hovath 2005, p. 285). When speaking of mixed marriages in the nineteenth century in Transylvania, Cornelius Pădurean refers to „marriages between spouses of different religions, and often between different nationalities” (Pădurean 2005, p. 171).

In our opinion, mixed marriages can be approached from several perspectives: 1) marital union between representatives of two religions (Orthodox and Roman Catholic, Orthodox and Armenian-Gregorian etc.); 2) marital union between representatives of two different ethnic groups; 3) marital union between representatives of two different social groups.

Marriages of Romanians with Gypsies. In the given article we will analyze marriages between Moldovans and Gypsies, and will present the legal juridical framework, regulating the issue of such marriages, as well as the actual situation recorded in Țara Moldova in the eighteenth century, and the territory between the Prut and Dniester rivers in the first half of the nineteenth century. The research sources are as follows: the codex of laws issued in Țara Moldova (Carte românească de învățătură, Sobornicescul Hrisov), and those in Țara Românească (Îndreptarea legii, Pravilniceasca condică), charters issued by **reigns** of Țara Moldova, the Ukases (decrees) issued in the Russian Empire, permission requests for marriages, and requests of the priests to be consulted in officiating mixed marriages.

Gypsies constitute a special element in the population of Țara Moldova, as their marriages with Romanians can be examined simultaneously in two perspectives: mixed marriages from the ethnic point of view and mixed marriages from the social point of

view. According to religious criteria, which were the principle guidelines in forming a legitimate family, the representatives of both ethnicities were Orthodox, so from the canonical point of view there should not be any impediments to marriage. The problem – arose due to the subservient status of the Gypsy nation in the Moldovan country. In Țara Moldova, as well as in Țara Românească, the Gypsies were dependents-slaves (Егунов 1864; Nicolae 1924; Panaitescu 1929; Iordăchescu 1930; Bulat 1933; Bulat 1936, p. 3–8; Petra 1936; Крыжановская 1962, p. 221–241; Анцупов 2000, p. 13–18; *Rromii* 2002; Sârbu 2002; Duminiță 2006; Poștarencu 2010; Свињин 1867, p. 207–208; Защук 1862; Boga 1926; Tomuleț 2012, p. 32–33). C. Giurescu emphasizes that there is a great difference between slavery and closeness or *rumânie*, as they are two utterly different circumstances. „Compared to a slave, the rumanian, or the neighbor, was considered a free man” (Giurescu 1916, p. 272).

Romanian Society between the early seventeenth century and the beginning of the nineteenth century did not condone marriages between representatives of two different social classes, especially between the enslaved and free people, as it was considered a sin before God. This situation is reflected in the Codex of Romanian laws that does not accept marriages between Gypsies and Romanians. In Țara Românească, the *Îndreptarea Legii* stipulated as follows: „not even a musician/fiddler, playing the violin at the fairs, meetings and weddings, can take a girl of a good man or a boyar, as they pretend to be some mockery of God and people” (*Îndreptarea legii (1652)*, 1962, p. 211). With reference to marriages between Romanians and Gypsies, Antim Ivireanu argued that a Romanian man ought not to wed a Gypsy woman and a Gypsy man should not be married to a Romanian woman for „it is a scandal and brings many quarrels to people, and the worst is that the free nation remains in bondage” (Ivireanu 1972, p. 394). Therewith, these legislative provisions confirmed the existence of mixed marriages.

The prohibitions set by written laws and the customs of the land regarding marriages between Romanian and Gypsies were, in fact, being violated. The documents indicate the presence of mixed marriages; in some cases motivated by the spouse’s ignorance of their partner’s Gypsy ethnicity, but most frequently, driven by the feeling of love. The Gypsy partners were aware of their status being in opposition to the legislation and facing judgment of the society. On July 2, 1723 Meleghi *clucer* was speaking about a marriage concluded with a Gypsy, his ancestor’s slave, the *armas* Lungu. Meleghi reports that Lungu had a Gypsy girl Dochița, who had a daughter Nazariia. This girl married a „Romanian Moldovan »Constantine« and they had 6 children together: two boys and four girls”. Constantine confirmed all that, but he said that at the wedding ceremony he did not realize that his future spouse’s mother „was the daughter of a Gypsy”. The daughters of Constantine and Nazaria were married to Moldovans, who were obliged to pay tribute. Mihai Racoviță, in order „not to make a disturbance”, decided to redeem the family for 30 lei. The two sons were to be liberated by the price of 5 lei each, the four sons-in law by 3 lei each, and Constantine was to pay 8 lei for himself (Ghibănescu 1910, p. 131–132). Thus the whole family was set free. In these circumstances the solution was family friendly – all its members became liberated.

Another case of mixed marriage took place on May 13 1759, when it was learned that a certain Profira married a Gypsy man, Neculai, who was the boyar's servant. The **royal** decision was as follows „Profira, who happened to unite with Neculai a Gypsy of Merăi and Lupasco, would also be called a Gypsy and should they have a son, it would remain a Gypsy (although she was a Ruscă – sic!) and they were obliged to give all their sons under the governance of Lupasco and Merăi” (Iorga 1902, p. 425). In this situation the woman was declared a slave altogether with all her children.

Gheorghe Potra claims that Gypsies' lords saw a serious threat in the institution of mixed marriages as they feared losing slaves and were actively intervening to enforce a regulation (Potra 1939, p. 79) which stated the following: „a Moldovan, who weds a gypsy woman, will become a Gypsy too, as well as a Moldovan woman, who weds a Gypsy man will be reduced to Gypsy status” (*Documente* 1913, p. 1195). In 1781, the Prince Constantin Dimitrie Moruzi gave a circular order to the stewardship of Vaslui to stop marriages between Moldovans and Gypsies. The document mentions that the number of mixed marriages had increased, which was described as „actually very bad, and without consideration”. Therewith, marriages of Moldovan women with Gypsy men and vice versa were considered to be „entirely against Christendom”. This document also deals with the fate of the children born in these marriages. The Priests were not allowed to officiate marriages between Gypsies and Romanians. The guilty ones, i.e. the priests who breached the regulation, were „to be deposed from priesthood and become contributors to the Royal treasury”. The wedding officiating of Moldovan – Gypsy pairs was „primarily abhorrent for God, and then also for the humankind”, as well as considered a great sin. The principal book prohibiting weddings between Moldovans and Gypsies ought to be read at the fairs, in all villages of the country, at monasteries „to be heard by everyone” (Ioan Neculce 1921, p. 119–121). All priests were to submit a confirmation paper that proved they were familiar with the order named above.

Towards the end of the eighteenth century, the Țara Românească's *Pravilniceasca condică* established a regulation dissolving mixed marriages, and if there were any children born in the existing ones, they were to become free men (*Pravilniceasca condică* 1957). In Țara Moldova, the Anaphora of September 12, 1785 on Gypsy marriages as well as the charter of Alexander Ioan Mavrocordat established in November 1785, whose provisions confirmed the existence of mixed marriages, specified that: „During the process of Gypsies' sharing there occurred many confusions as well as injustices and children were separated from their parents..., also those who were cross-bred on the Moldovan side, i.e. if a Moldovan man was married to a Gypsy woman and vice versa, were made slaves as other Gypsies following the customs of the land reinforced by royal charters.. These people ought to be treated the way I order. Namely, the Moldovan side should not be upset with work by no means, but to be freed, and the Gypsy side to be called free, but subject to all the services levied on them by their masters throughout their life, in the same way as Gypsies, and if they were to become liberated, the lords should engage them in their service, from wherever they are, and with this work they are to earn the redemption and freedom of their children, and namely, all of their children of up to seven years of

age, and all the others born from then on will be free, just as every Moldovan citizen and free to go wherever they want, and all of their older children, seven years and up, are to spend all their life at the service of their masters” (*Uricariul* 1852, p. 161–169, 328). The *Sobornicescul Hrisov* (1785) forbade marriages between free men and slaves. With reference to marriages between Moldovans and Gypsies the Sobornicescu charter mentioned „such pairing and weddings to be resolutely stopped” (*Sobornicescul Hrisov* 1958, p. 28).

In the early nineteenth century on the territory between the rivers Prut and Dniester, as well as throughout the entire Țara Moldova, the restrictions on marriages between Gypsies and Moldovans had been maintained.

Case studies in Bessarabia. When the territory between the rivers Prut and Dniester was annexed to the Russian Empire in 1812, it was not possible to accurately determine the population of the region. In the work published in 1813, the author, Piotr Kunički reported that beside Moldovans living in Bessarabia there were Russians, Ukrainians, Greeks, Armenians, Bulgarians, Hebrew and Gypsies. However, the number of inhabitants belonging to each of these ethnic groups is unknown (Куницкий 1813, p. 13–14). Based on the census of 1817, Ștefan Ciobanu speaks of about 1090 Gypsy families (about 5450 people), a statement which is supported by L. Boga and D. Poștarencu (Boga 1926, p. 24; Poștarencu 2010, p. 55). The researcher D. Poștarencu also argues that until the mid-nineteenth century the number of Gypsies in Bessarabia advanced from 5450 in 1817 to 8880 in 1842; 9351 in 1844, 10454 in 1847 (Poștarencu 2010).

Unlike in Țara Moldova and Țara Românească, marriages between free persons and slaves were accepted in the Russian Empire, under the Imperial Ukase of 1742. A marriage between a free person and a slave was also permitted by the Ukase of March 17, 1775, as well as by those of February 18, 1808 and June 6, 1817. It was stipulated that free people married to slaves should remain free (Царьова 1991, p. 13, 38; *Новый* 1825, p. 297, 299). Upon annexation, the Russian legal tradition continued with resolving civil disputes related to family problems arising in the territory between the Prut and Dniester. However, it was not the case with marriages between Gypsies and Moldovans². The archival documents attest intermarriages. The young couple or their parents were delegated to the Exarchal Dicastery (responsible for resolving family disputes) with the request to permit the marriage.

In 1815 the Archpriest of Soroca county consulted the Dicastery on the question of marrying a young Gypsy man, blacksmith’s son, and a servant of Teodosiu from Mândâcul Vechi, with a Moldovan girl. He asked „to send me hastily some advice on how to proceed with them”. The boy’s father communicated that he himself was married to a Moldovan and had a decent household. Her mother and her rela-

² V. Tomuleț claims that in Bessarabia Gypsies were divided into two categories: „Gypsies belonging to the state, will be supervised directly by the Regional Government, and Gypsy serfs who belonged to the clergy, noble, mazili and merchants and depended directly by these social categories”. D. Poștarencu divides them by their owners: Gypsy of state Gypsy of aristocratic and Gypsy of monastery.

tives weren't against it, arguing that the girl was not rich „being poor” and the Gypsy man had a „good household”. She declared, that if the priest did not wed them, they would elope. The response of the Dicastery was harsh „according to the Săbornicescu Hrisov you are to absolutely prevent marriages of Moldovans and Gypsies” (*NARM*, F.205, inv.1, d.1126; Tomescu 1936, p. 48).

Another case of a marriage attestation between a Gypsy man and a Romanian girl was reported in June 1821. The Civil Court of Bessarabia required to be consulted on the legitimacy of the marriage between the daughter of Solomon Vraghie, the inhabitant of Stodolinaia village, Orhei County, and Marțoleasa, a Gypsy slave. The response of the Exarchal Authorities was as follows: according to civil and canon laws the marriage of the Gypsy with the daughter of Solomon Vraghie is to be recognized, and their social status is to remain free, or be slaves – to be examined by the civil authority (*ANRM*, F.205, inv.1, d.4525).

A similar case, recognizing the *fait accompli*, motivated by the love of a young lady for a young Gypsy occurred in Gura Galbenă village of Orhei County. The girl's father declared that he himself was actually a Gypsy of the Doljești monastery, which he left 27 years ago, calling himself Dascăl (master/teacher). He settled to live in Gura Galbenă village, Orhei County, concealed his Gypsy origin, declaring himself Moldovan and married a Moldovan woman. He requested to permit his daughter to marry a Gypsy, as the priest had refused to wed them motivating his decision by the fact that one was a slave and the other remained free. Dascal addressed the Dicastery and asked permission for his daughter to conclude the union. The Dicastery decided „from that time forward marriages with Moldovans are not to be interposed” (*ANRM*, F. 205, inv.1, d.1128; Ciobanu 2006, p. 31).

The Gypsy, Fiodor Iacovlev, addressed His Eminence, the Archbishop of Chisinau and Hotin, with the request to permit him to marry a free girl, Dimitrie, on August 7, 1822 (*ANRM*, F.205, inv.1, d.3982). The applicant stated that he was born in a Gypsy family from Mogilev town, in Podolsk gubernia, and raised in Orthodox religion. He was given as a slave to the Otaci village lord, the boyar Alexandru Cantacuzino and had been living there. At the time of submitting his request Fiodor was 24. He obtained the acceptance of the free girl and the acceptance of the boyar's wife, Elizaveta Cantacuzino. However, the wedding was opposed by the priests of the Otaci Church. The resolution of August 7, 1822 was in this case unfavourable for the young couple: under the 8th paragraph of the Charter issued on December 28, 1785 by Alexandru Ioan Mavrocordat, marriages between Moldovan girls and Gypsies are prohibited. If someone by ignorance or by mistake officiated such a marriage, the marriage should be dissolved immediately, and the priests who intentionally violated the law, should be deprived of the order and pay a fine. Accordingly, the request of the applicant Iacovlev could not be satisfied. At the same time it was prescribed to send the Dicasterial Ukase under the number of 2405 of August 9, 1822, to the priests of Bessarabia informing them about the prohibition to marry Gypsies and Moldovan girls. The archpriests of the countries reported to the Dicastery that they became aware of the Ukase content.

Conclusions. During the study period, some stability regarding marriages between Gypsies and Moldovans was established. The Romanian legislation forbade marriages between a subservient person and a free person, while the legislation of the Russian Empire permitted such marriages. Following the annexation of the territory between the rivers Dniester and Prut to the Russian Empire, it would seem that the change in the legislation towards mixed marriages should have been implemented in this area and adjusted to the Russian agenda. But for the first decades of the nineteenth century Bessarabia continued to observe the legislation applied in Țara Moldova, having banned the marriages between the enslaved and free people. The priests who were officiating such weddings were to be severely punished; therefore in most cases they strove to notify the superior authorities of detected cases or applications for marriage.

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