

PUBLIC ORDER AND ADMINISTRATIVE AUTHORITIES IN THE MODERN ERA. THE POLICE OF BUCHAREST IN THE MID-19TH CENTURY

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Abstract:

Our study intertwines information and bibliographic sources specific to the history of public administration and the history of the Romanian police, bringing to the attention of interested parties two fundamental concepts of these fields: public order and administrative authority, which we examine through the lens of a practical case: the police of Bucharest. In this context, we aim to briefly analyze the evolution of the structure and organization of the Bucharest police in the mid-19th century, taking into account the role and functions of the police in maintaining public order in Bucharest during this period, as well as the influence exerted by the political factors of that time on the public order authority.

As a research method, we chose the comparative analysis of concepts associated with "public order" and the qualitative analysis of the documents we had access to, starting from the historical study of the political context specific to the period analyzed: the mid-19th century.

Keywords: *public order, good governance, administrative institution, modern era, police*

Introduction

The topic we aim to analyze explores the essential transformations within Romanian social and administrative structures in the context of modernization. The 19th century marked a period of profound changes in Europe, and Bucharest was no exception. As the city rapidly developed, the need to maintain public order and efficiently manage urban congestion became imperative.

By the mid-19th century, Bucharest's authorities began implementing reforms inspired by Western models to address the challenges posed by urbanization and population growth. The Bucharest police played a very important role in this process, being responsible not only for maintaining public order but also for preventing and combating crime, ensuring the security of citizens, and regulating the daily aspects of urban life.

The analysis of this period highlights how administrative and police structures evolved to meet new requirements and challenges. The study will shed light on both organizational and legislative aspects, as well as the impact of these measures on the daily life of Bucharest residents, offering a comprehensive perspective on the city's development during a time of transition and modernization.

Regulation for the Reorganization of the Capital's Police

The return to native princes in 1822 did not bring significant changes in public administration due to the body of civil servants who had been trained during the Phanariot period. [1] The reforms that were anticipated, including in public administration, were slow to materialize [2]

On July 6, 1850, a Regulation for the reorganization of the capital's police came into force. It stated that: "The Police oversees everything concerning the prevention of police-related evils as mandated by this Regulation, namely: the defense of public and private rights concerning any residence, the city's security against fire and other such dangers as well as against theft and crowding caused by evildoers or vagrants, the removal of beggars, ensuring good and unadulterated quality of provisions, fair measurement and sale of essential items, preventative measures against breaches of police regulations, initial investigation of misdemeanors and crimes, arrest of such suspects, and their referral to competent courts according to the country's Regulations [3] when such a measure is deemed necessary after a summary investigation conducted by the Police", as stated in Article 1.

According to the Regulation, the Police Department depended on the Ministry of Internal Affairs and was composed of the High Police, which had authority over the entire country, and the Ordinary Police, which in the city of Iași was represented by the Agie, and in the counties by the prefects. In turn, the Ordinary Police was divided into three branches: the Police overseeing peace and good governance, the Municipal Police, and the Judicial Police.

The Police's Vigilance Over Peace and the Maintenance of Order

"The police's vigilance over peace and the maintenance of order" was an administrative authority responsible for intervening in any incidents that disturbed the peace and safety of citizens, as well as serving as an auxiliary means for the administration (officials) when requested. From the beginning, attention was given to the recruitment of personnel, their relationship with citizens, and the principle: "It is easier and better to prevent than to combat". It is easier and better to prevent than to combat." Social value acquires a different status compared to what it had been until then. [4]

In this regard, Article 6 stated: "Police officers, in fulfilling their duties, shall conduct themselves with dignity, modesty, without harshness in words or deeds, being obligated to prevent prohibited actions through their diligence rather than to punish them in all occurrences". The right to property could not be violated: "The police are obliged to respect the domicile of citizens; they may only enter in cases of clear wrongdoing, when called for assistance, or when explicitly mentioned by the competent authority within the laws". [5]

The most important duty entrusted by the Governance was uncovering those who would conspire against it by drafting proclamations, posters, creating armament and ammunition depots, plotting, and inciting rebellion through unauthorized public gatherings. If street demonstrations could not be prevented, the police would request military assistance, with the role of mediator falling to the commissioner of the respective division, who, in turn, had to warn the demonstrators three times by beating a drum, informing them that the assembly was illegal and that they must disperse. If the warnings had no effect, the military would intervene by force, using firearms if necessary, and the leaders would be arrested and referred to the competent courts. To prevent such manifestations from becoming particularly serious, the police controlled the sale of gunpowder in "appropriate quantities" and only to trusted individuals. It was prohibited for merchants to sell ammunition without police authorization, as well as firearms or edged weapons, specifically mentioning stiletos, stiletto knives, bayonets, and canes with swords.

The police also had the responsibility of implementing measures to prevent and extinguish fires, fining those who did not follow the established rules in this regard.

Although firefighters extinguished any fire that occurred, the role of the police was quite important, with the police commissioner and his subordinates being required to be present at the scene of the disaster, to prevent panic and collaborate with the firefighters, to request help from private water carriers and the public present if the situation demanded it, and to ensure the protection of evacuated goods against theft or intentional destruction [6]. The police were also responsible for the traffic on public roads, the control of foreign subjects, various guild craftsmen, and servants.

The Municipal Police and the Judicial Police – Institutions of Public Administration

The "Municipal Police" represented the second branch of the so-called Ordinary Police and had responsibilities in the area of "cleanliness oversight" and rules regarding the beautification of cities, ensuring the freedom and security of movement of people on public roads, the protection of monuments and public buildings, taking specific measures for fire prevention, regulating the circulation of carriages and cabs, and supervising markets and tariffed objects.

Regarding supply, the barrier inspectors had the obligation to allow access to the city for food producers, with the note that these had to be sold in specially designated areas (markets). In all markets and halls of the city, police officers were assigned with the main responsibilities of: prohibiting the sale of products before the fixed time in the market's operating schedule, withdrawing perishable products from sale, preventing fraud between seller and buyer, both by verifying measuring instruments from a metrological point of view and by checking payments from buyer to seller [2], ensuring these were made in good faith and with respect to the maximum prices imposed by the market's pricing.

The "Judicial Police" involved duties in investigating the circumstances in which laws were violated, drafting documents (journals), identifying criminals, arresting them, and bringing them to justice. Special attention was required for evidence [7], especially in cases of murder or attempted murder and assault, which were submitted to the courts in sealed bags or packages with the police seal, together with the completed journals (minutes) and the interrogation of the accused person.

The investigation of detainees by the Police and their referral to the competent court for "minor cases" was to be done within three days after their discovery, while for "criminal and complicated cases", the detention of the accused could be extended up to eight days.

The "guilt" was divided, according to the severity of the act, as follows: in violation of police rules, in faults, and in crimes. The first two types of guilt were judged by the Rectifying Police Courts, and the latter by the Criminal Courts. At a later date following the publication of the Regulation, a legislative provision was to make a distinction between the cases to be judged by the two courts. At this time, the basis for the Criminal Record Service was also established, meaning that all detainees had to be recorded in a register, indicating the name and surname of the detainee, the accusation, the case, the place and date of their arrest, the investigation conducted, and the day of their release or referral to the courts.

The Police of Bucharest

During the 17th-18th centuries, the police force in Bucharest was in its early stages, organized to ensure order and safety in the capital of Wallachia. It was known as the "Agie" and was led by an "agă", appointed by the ruler.

The Agie was responsible for patrolling the streets, preventing thefts and other crimes, and maintaining public order. At that time, Bucharest was a developing city with active trade and a growing population, necessitating an efficient police structure. In addition to public order duties, the Agie played a significant role in managing markets and supervising taverns to prevent disturbances. This early form of policing reflects the authorities' concerns about controlling and organizing urban life in the context of an expanding capital.

The head of the Capital's Police had various duties, such as setting the prices of goods, overseeing the distribution and sale of merchandise, and closely monitoring merchants who "used dishonest measures". He also had to supervise coffeehouses and public establishments, ensuring that shops were not open on holidays. He was responsible for the city's cleanliness, ordering it as he saw fit.

Furthermore, he commanded zapcii and strejari. They had to guard the city with fixed posts and through patrolling. Over time, different guards operated under the command of either the "marele spătar" or the "vel aga", depending on the period. During the 17th-18th centuries, the public order and security of Bucharest were entrusted to the vel aga.

Public Order in Bucharest in the Mid-19th Century

In the mid-19th century, Bucharest faced multiple challenges related to public order. The main issues were increased crime, including robberies, thefts, and public violence, as well as disturbances caused by social and political conflicts. As the city expanded and the population grew, these problems became more pronounced.

Dishonest people, "at odds with the law", were imprisoned in the Agie jail and later brought to trial before the "vel aga". These public functions were mentioned earlier.

To maintain public order, authorities implemented various strategies and measures. The police were restructured and modernized, introducing regular patrols in high-risk areas. Additionally, guard posts were established, and checks in markets and crowded places were intensified. Anonymous reports were also encouraged to facilitate the identification and capture of criminals.

The effectiveness of police interventions varied. On one hand, regular patrols and the visible presence of police officers helped deter some crimes and increased citizens' sense of safety. On the other hand, corruption and inefficiency among some members of the police force limited the positive impact of these measures. Additionally, a lack of resources and insufficiently developed infrastructure were significant obstacles in maintaining public order to the desired standards. Nevertheless, the reforms initiated during this period laid the foundation for the subsequent development of a more efficient public order system in Bucharest [8].

Organization of the Bucharest Police as an administrative institution

We discover in certain documents information about the breadth of the Bucharest Police or about the Regulation for the improvement and guardianship of good order in the Bucharest Police. Both the police and the city of Bucharest were demarcated by barriers

and many other signs such as crosses, roads, alleys, houses, stones. The police of the city of Bucharest was divided into 5 districts, each district into 3 "people/ethnic group". Each district in turn was administered by a commissioner, appointed from the noble "caftanlâi", chosen men known for their good and worthy character, so that through them the Holy Police might serve in its duties. Both at the headquarters of the Holy and at the 5 precincts, a flexible number of gendarmes were stationed, according to the territorial extent and importance. Moreover, at the headquarters of the Holy and at each precinct, there was a taller booth where a foot gendarme was permanently stationed. Another, mounted on horseback, was always ready to alert the firefighters and even the aga himself [7].

The surface of the Capital was divided into 2 concentric regions until around 1774: 'The Domain of the Holy', which encompassed the center of Bucharest and was under the jurisdiction of the Vel Aga, and "The Peripheral Domain", which fell under the jurisdiction of the Great Steward, overseeing the city's neighborhoods. "The Domain of the Holy" was further divided into five districts, each led by a "vătaf de plasă" or "zapciu". Later on, the term "plasă" was changed to "vopsea/paint", and the "zapciu" in turn became known as "comisar" or "pristav". Subsequently, in 1852, the "vopsele/paints" (districts) were given color names, fixing five colors in Bucharest: red, yellow, black, blue, and green. Each color was overseen by a commissioner.

Each "comiție" (district) was divided into three parts, led by a deputy commissioner, and each part contained several neighborhoods (82 in total in Bucharest), overseen by an "epistat", an assistant, and three "vătășei". The night watch of the Capital was ensured by 40 mounted "dorobanți", while the traders provided 12,000 night guards (400 per night) to the Holy.

District commissioners had the right to propose amicable reconciliation of the involved parties [8], but if people refused this method, commissioners were obliged to send them under police guard to the Police Court. At that time, cases presented to the Police Court were judged very quickly and in the absence of lawyers.

Conclusions

This study offers a detailed insight into the evolution and functioning of the Bucharest police within the specific social and administrative transformations of the period. From our analysis, it is observed, among other aspects, that during the reorganization of the capital's police force, its role as a guardian of public order and good governance was crucial. The police not only supervised daily activities of citizens but also focused on crime prevention and maintaining a climate of safety. This aspect was pivotal in fostering a stable and functional urban environment, facilitating the transition to a modern society [9].

Another significant conclusion concerns the distinction between municipal police and judicial police, which reflected a clear delineation of administrative responsibilities. The municipal police concentrated on maintaining local public order, while the judicial police handled tasks related to crime investigation and resolution. This functional separation allowed for greater efficiency and specialization within the personnel, contributing to the development of a more organized and accountable public administration.

Regarding the Bucharest police or the Capital police, as encountered in some studied documents, it is noted that in the mid-19th century, public order in Bucharest was influenced by several factors, including population growth, rapid urbanization, and political and social changes. The capital's police played a central role in managing these challenges by implementing measures and regulations to ensure the city's safety and stability. During this period, surveillance and control mechanisms were strengthened, adapting to the needs of an expanding city.

As an administrative institution, the organization of the Bucharest Police underwent significant reforms that targeted both internal structure and relationships with other public authorities [10]. Institutional reform enabled better coordination between different departments and more efficient resource allocation. Through the professionalization of the police force and the introduction of modern management practices, the capital's police became a pillar of modern public administration, capable of addressing the complex challenges of the era.

In light of the foregoing, it can be affirmed that the study of public order and administrative authorities in mid-19th century Bucharest highlights the importance of police reforms in the modernization of Romanian society. The Bucharest police not only contributed to maintaining public order and safety but also played an essential role in transforming public administration into an efficient structure adapted to the demands of a changing society. These efforts of reorganization and professionalization laid the foundation for the subsequent development of public law enforcement institutions in modern Romania.

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