IMPRECATION IN BOOKS OF CURSES[1]

Abstract: *Romanian eighteenth century reflects a cultural dialogue where the Greek tutelage appears as defining against the expansion of the ideas of the French 'Lumières.' In this context of cultural confluences characterizing the Romanian space, we propose to approach the first Romanian rhetoric from the perspective of the immutable versus the 'esprit du siècle.' We track in a diachronic perspective the evolution of a figure coming from the classical rhetoric to the one adapted to the Romanian space* (*Rhetoric of Piuariu Molnar*, *chapter 34* '*To Curse*') *and its impact on customary and normative law of the analyzed century.*

Key words: *rhetoric, books of curses, re diplomatica.*

Romanian Rhetoric: Between Implicit and Theory

Rhetoric manifested itself in our old culture as a rhetoric implicitly stated through the scholar aspect of the literary language, which had undergone a long process of honing due to the writings of Miron Costin, Dimitrie Cantemir, Dosoftei, Antim and so on. The acquisition of the art of rhetoric occurred in an early era of Romanian usage, following patterns derived from Slavonic, Latin or Greek, whose mastering required considerable effort, as highlighted by linguists and historians of literary Romanian. This accumulation and adaptation of formulas, rules and patterns was achieved in the peculiar circumstances of the birth of a literature in the vernacular language, although the mechanism of this process may be correlated, apart from the works of the afore-mentioned writers, with the teaching of grammar and rhetoric in the princely and monastery academies that existed in the 17th century and the following centuries.

In Romanian diplomacy, or more exactly in the ecclesiastical documents we shall refer to in the following, the borrowing of terms or formulas excluded to a large extent the notion of innovation or coinage. We do not refer here to the general adoption of the diplomatic terminology, signalled in Romanian studies ever since the beginning of the 19th century, but especially to a single subdivision, namely that of *sanctio*. From a rhetoric perspective, this subdivision may be identified with *imprecatio*, and from the perspective of its content and finality it may be assimilated to the *anathema*. The peculiarity of this subdivision in the Orthodox-rite Romanian diplomacy lies in the fact that certain documents in which it was introduced acquired a juridical specialization. We refer here to the so-called *books of curses*, which are documents attested in Romanian in Wallachia and Moldavia starting with the 16th century and lasting until the beginning of the 19th century. In these documents, which served as items of evidence in secular and ecclesiastical courts of law, *imprecatio*, commonly assimilated with the *curse*, is shaped within the predetermined patterns of an impressive *re diplomatica*, which was only partially identified in theoretical writings in the Romanian space, though at a later date, after the appearance of the first work of rhetoric.

As it is known, the name of Ioan Piuariu Molnar is relevant to this moment in time. Reputable researchers of the history of culture and literary language have disputed Molnar's paternity of the manual called *Rhetoric*, *Namely the Teaching and Drawing*

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Up of Beautiful Discourse (Buda, 1798), hypothesizing that he only edited it.[1] Thus, although this first rhetoric can no longer be numbered among the original writings of Romanian culture, its appearance may be correlated with the didactic finality[2] and the effort to adapt Romanian language to the elitist norms that the translation of such a treatise requires even nowadays is extremely laudable. The option to edit a manual of rhetoric illustrated prevalently by examples taken from patristic literature[3] during a period marked by a surge of enlightenment will most likely have been taken in the spirit of exemplary models, since the range of religious problems had witnessed a comeback in the whole of Europe. It is not without significance that among the first such theoretical preoccupations for Romanian we can number those aimed to draw up a sacred rhetoric, following patterns with a long practice in the West. Here we shall only draw attention to the treatise entitled *Principii de retorică şi elocuinţa amvonului* (=Principles of Rhetoric and Eloquence at the Pulpit), projected both as a rhetoric of argumentation and of the ornate discourse ('It is not enough that the author should only have a good plan and solid proof, but he should also embellish them with vivid and powerful expressions,' p. 108).

Imprecatio in Treatises of Rhetoric and in Diplomacy

The tradition of analysis of this figure asserts itself on the line of biblical hermeneutics, liberal arts and patristic writings (see for example Cassiodor's *Expositio Psalmorum* or the *Sermon on Whitsuntide Sunday* of Saint Chiril from Turov). Equally, *imprecatio* was correlated with *sanctio* in potifical offices (see Le *Liber diurnus*) and lasted up to the dictaminis treatises (such as Alberic du Monte Cassino's *Breviarum de dictamine*) and further on to documents serving as models included in pontifical diplomatic manuals that were widespread in Western Europe[4] for a long time.

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[1] The researchers pointed out not only the similarities with fragments from various writings (see Antim Ivireanul's *Didahiile*), but also the fact that the language and stylistic peculiarities from the manual of *Rhetoric* do not identify with those present in the Transylvanian scholar's other books (*Economia stupilor* or *Istoria universală*) (= Economy of Bee-Breeding *or* Universal History). The comparative philological study written by professor N. A. Ursu demonstrated that the first rhetoric manual in Romanian reproduces, all but entirely, Francis Scufos's manual, entitled *Téhni ritorikis* (Venice, 1681).

[2] At the time, the *Rhetoric* had been announced by Samuil Micu in *Historia Daco-Romanorum sive Valachorum* and by Radu Tempea in *Cuvântare înainte* (=Foreword) to *Gramatica românească* (=Romanian grammar) (1797) as being an integral part of the effort to eliminate 'all the chaff that had invaded our language'.

[3] See the introductory study of the edition of the Rhetoric, where A. Sasu (p. 6 and the following) notices, alongside these, other examples from Plato, Demosthenes, Pindar, Euclid, Prometheus, Thucydides or Plutarch, but also from similar works by Aristotle, Cicero, and Quintilian.

[4] See A. de Boüard. *Manuel de diplomatique française et pontificale*, II, Paris, Editions A. et J. Picard & C ie, 1952, p. 15-16: 'Ea vero racione quod ipsi canonici qui ibi Deum serviunt ipsa vinea teneant sine jussione de nullo episcopo nec de abato; et si episcopus aut abas vel ullus omo aut ulla oposita persona(t) ea tenere voluerit, primus ira Dei omnipotentis et omnium sanctorum incurat et cum Juda traitore qui Deum trait participationem abet, et postea ad eredes meos reverted. Sane si quis, ego aut eredes mei vell omo, qui contra donacione vel elemosione iste ulloque tempore ire, inquietare aut inrumpere voluerit, non vale[at vi]ndicare quod repetid sed comp[o]net in vinculo auri obtimi libra I, et in antea donacio ista omnique tempore firma stabilis permaneat omnique tempore, cum stipulacione interposita pro omni firmitate subnixa.' (Fragment from the Act of Donation drawn up by Marcia to the Saint Pierre church…, March 1010).

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Close to the century when the books of curses became more and more widespread, the impressive volume *De Re Diplomatica* written by Johannis Mabillon had been printed in several editions. Dealing with all the subdivisions of the epistolary range of formulas, Mabillon drew up, just like his illustrious predecessor, Marculf, a list of *imprecatio* formulas, which he inserted in a detailed history of their use in royal and ecclesiastical offices, in private or public documents[1].

In the Romanian manuals and treatises of rhetoric[2], used either in secular or ecclesiastical schools[3], whether they were printed or left in manuscript form, the illustration of *imprecatio* was carried out with enough diligence and skill. If in the *Rhetoric* edited by Molnar[4] or in that of Archimandrite Dionisie[1] the trope had been

[1] See Chapter VIII: I. Diplomatum imprecationes an ferendae.II. Poenarum quatuor genera in chartis apponi solita. III Multa seu mulcta corporalis & pecuniaria in regiis & imperialibus. IV. Item in ecclesiasticis, in quibus sapius occurunt imprecationes. V. Earum exempla aud Graecos. VI & VII. Apud Latinos formulae earumdem ex Conciliiis & legibus. VIII. Item exempla in testamentis Aredii Abbatis. IX. Radegundis, & Bertchramni Episcopi. X. Theudelindae Reginae. XI & XII. & aliorum. XIII. Ad hoc imprecationes Synodi Romane. XIV. Chrothildis matrone. XV. Sanctorum Bonifaciii & Arnulf Episcoporum in seipsos. XVI. Zacharie Pape. XVII. Johannis Ravennatis. XVIII & XIX Reges Francorum Merovingici & Carolingi rarius utuntur imprecationibus. XX. An etiam Imperatores Caroline stirpis. XXI & Capevingi Reges. XXII. Anglicani eis untuntur. XXIII. Item Hispanici. XXIV raro Germani. Cap XIX: I. Privilegii Aeduensis imprecationes expendutur: II & III. Opposite de eis eruditorum sententie. IV. Sententia media. V, VI & VII Admissa imprecatione depositionis quid afferi pobit? Pro Gregorio M. VIII. Unde hec imprecatio desumta. IX. Que mens hac in re Gregorio fuisset etc.

[2] Ioan Piuariu Molnar, cited work, 1798 ed., pp. 271-274; Romanian manuscript 43: I. Maiorescu's Curs pentru retorică (=*Course of Rhetoric*) (A. Nestorescu edition, 2002, p. 220); D. Gusti, *Ritorica română pentru tinerime* (=Romanian Rhetoric for Youth), M. Frînculescu edition, 1980, p. 155.

[3] Archimandrite Dionisie, cited work, 1859 edition, p 137-138; Romanian manuscript 520: *Curs începătoriu de ritorică, seau regule pentru frumoasa vorbire (eloquentia)* (=A course of Rhetoric for Beginners, or Rules for Beautiful Speech (eloquentia) – 19th century, f. 149 and others.

[4] See the 1798 edition, pp 271-274 : "Să face blestemul, când cineva neputând cu fapta a păgubi pre vrăjmaş, îl blestemă cu limba, şii fiincă iaste cu neputinţă, cu mână şi cu fier să-l piiarză din lume, îi pofteşte din inimă şi din suflet boli, sărăcii, înnecare, moarte, şi după cum zice pilda, o Iliadă de răutăţi şi un muşuroiu de sărăcie. De această shimă trebue să să ferească ritorul cel creştin pre cât să poate, fiindcă Învăţătoriul nostru Hc nu numai cu cuvinte şi cu fapte ne-au sfătuit, ci şi cu groaznică poruncă ne-au poruncit ca să iubim pre brăjmaşi, şi să nu le poftim niciodată vreun rău, însă pentru ca să dăm şi aici pildă, chipul blestemului va fi vânzătoriul Iuda, căruia să cuvin toate blestemele lumii, fiindcă au vândut pre acela, care, cum zice Pavel, s-au făcut blestem, pentru ca să ne slobozească pre noi oamenii din blestemul păcatului. Unde eşti Iudo, noule Luţifere al Ierarhii Apostoleşti? Încă trăieşti? Încă răsufli, o vicleanule? Încă vezi lumina Soarelui tu, care ai vândut pre Lumina cea adevărată, şi o ai stins cu întunearecul morţii? (..)" (= 'The curse is come true, when someone who cannot harm his enemy with his deeds, curses him with his tongue, and since it is beyond his power to waste him from this world with his hands or sword, whole-heartedly casts on him diseases, poverty, drowning, death, and, as the saying goes, an Iliad of wicked things and a mountain of scarcity. The Christian believer should keep away from this habit as much as possible, because our Teacher J. Christ counselled us not only by by means of words and deeds, but also ordered us with a most terrible order, to love our enemies, and to never wish them harm, but if we are to serve an example too, we say that the face of the curse is Judas the traitor, who merits all the curses in the world, because he betrayed the one who, as Paul says, turned to curse, so that we people may be freed from the curse of sin. Where are you, Judas, the new Lucifer of the Hirarchy of the Apostles? You still alive? You still

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illustrated by examples from the Bible, but also from light and peasurable books, in the former through the assimilation and interpretation of examples, in the latter by reproducing the examples, in the manuals of rhetoric and epistolary manuals that would later appear, the examples taken from sacred literature would become more and more scarce, until they eventually disappeared altogether.[2]

In this manner, the trope reflects the major changes that occurred in society together with the modification towards reading becoming a leisure activity and opting for a certain manner of presenting the examples. After studying the theoretical texts that illustrated the trope until the first half of the 19th century, we notice that the formulas of the curse proclaimed by a bishop were not used in order to illustrate the former (we refer hare mainly to the curse stipulated in the books of curses or in *sanctio* in certain acts, written especially on matters pertaining to monastery matters: property, will, etc.), not even when examples from patristic writings were extracted. This fact confirms the major difference that was applied, because if the curse pronounced by a bishop does not illustrate the *imprecatio* category, this shows that on the one hand it had a totally different function or well-determined finality at the time, and on the other, that its impact was especially powerful, so much so that it was also used for matters other than the normed ones.

Imprecatio and the bishop's curse

Due to reasons that belong to the diplomatic subdivisions of the documents issued by Romanian offices, we consider that *sanctio* from the books of curses identifies

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breathe, you, slyest of all? You still see the light of the Sun, you, who sold the real Light, and put It out with the darkness of death? (…)'.

[1] Dionisie the Arhimandrite, *cited work*, vol. II, p 137: 'Impricațiunea, blestemu, este o figură prin care Oratorulu, pătrunsu fiindu de sentimente de mânie, de despreţu, de ură, chiamă asupra cuiva răsbunarea cerească, pedepse, nenorociri, nevoi etc. Psalmul 108 ne înfăţişază unu modelu de imprecaţiune. Asemene şi esemplele următoare: <<Blestemat pământul întru lucrurile tale; în necazuri vei mânca dintr-însul în zilele vieţii tale, spini şi pălămidă va răsări ţie, până te vei întoarce în pământu că pământu eşti şi în pământ te vei întoarce>> (Facere cap 3, v. 17). <<Oriunde vei merge să calci, o stăpâne!/ Pe trup făr de viaţă şi-n visu-ţi să-l vezi!/ Să strângi tu în mână, mâni de sânge pline!/ Şi orice ţ-or spune tu toate să crezi!/ Să-ţi ardă plămânii d-o sete adâncă,/ Şi apă, sărmane, să nu poţi să bei!/ Să simţi totdeauna pe capu-ţi o stâncă/ Să pleci a ta frunte la cine nu vrei!/ Să nu se cunoască ce bine vei face!/ Să plângi, însă lacrămi să nu poţi vărsa!/ Şi orice dorinţă, şi orice-ţi va place,/ Să secе îndată ce tu vei gusta.>> (= 'The imprecation, the curse, is a figure by which the Orator, filled by feelings of anger, contempt, hate, calls upon someone the holy revenge, punishment, misfortunes, needs, etc. Psalm 108 illustrates a model of imprecation. Just like the following examples: Cursed be the earth and your works; in misfortunes you shall eat from it for the rest of your days, thorns and horse thistles will sprout from the ground for you, until you return to the ground because that's what you are and to the ground you shall return' Genesis chap. 3, v. 17). 'Wherever your steps may take you, oh, Master! /May you step on a lifeless dream and see your dream too! /May you clasp in your hand hands full of blood! /And whatever they tell you you shall believe!/ May your lungs be scorched by deep thirst, / And water, you wretched man, may you not find! May you always feel the burden of a rock on your head/ May you lower your forehead to those you refute!/ May no one know your good deeds! May you cry, yet not be able to shed tears!/ And any wish you may have, and whatever you may like, may it run dry as soon as as you taste it.' Bolintineanu" .)

[2] See Ioan Maiorescu, *Retorica* (= Rhetoric), edition and introductory study by Andrei Nestorescu, p.220; Romanian Manuscript 520 (19th century) *Curs începătoriu de ritorică, seau regule pentru frumoasa vorbire (eloquentia)* (=A Course of Rhetoric for Beginners, or Rules for Beautiful Speech (eloquentia), f. 149, Blestemu (= Curse) (*Imprecatio*).

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with *imprecatio* in its religious extension that we called *the bishop's curse.* We do not refer to the official documents[1] issued by the church in order to anathematize, but only to the books of curses, Romanian acts in which the curse proclaimed by a bishop has a firm finality, on the basis of which the subsequent declarations of a recipient (often a multiple one) are considered as irrefutable evidence. As is known, the books of curses were issued by the top hierarchs of the Romanian Church or from Jerusalem in order to find out the truth in well-determined cases (most frequently in trials aimed to establish the boundaries of estates, of forests, etc.). The circulation of books of curses in Greek dwindles at the dawn of the 15th century and attests, insofar as the Romanian space is concerned, the subordination of our churches and monasteries to Jerusalem or Athos.

The recipients of books of curses were made to confess in writing, sometimes even on the back side of the document, everything they believed, had heard or knew to be right with regard to the cause that formed the object of the act. This confession was supposed to be entirely true, otherwise the curse proclaimed by a bishop would fall on them in a most frightening manner.

The wide use of these documents at the dawn of modernity has a statistical support. We should point out that the National Archives in Buchares and the corpus of documents preserved in the stock of books of the Metropolitan church, dioceses, monasteries and convents from Wallachia total approximately 351 such acts written by patriarchs of Jerusalem, metropolitan bishops or bishops in the interval between the 17th century and the beginning of the 19th century. For the latter century, the most representative are the two registries preserved at the Library of the Romanian Academy, namely *Romanian manuscript 3989* and Romanian manuscript 3990 respectively.

Thus, *Romanian manuscript 3989 – Registry comprising the decisions of the Metropolitan Church of Wallachia to issue books of curses in various cases*, *especially those concerning properties and tresspassing of estates*, *for the years 1847-1850 –* comprises the written reference to the issuing of 75 books of curses in 1850, while the Romanian manuscript 3990 – *Registry comprising the decisions of the Metropolitan Church of Wallachia to issue books of curses in various cases*, *especially those concerning freedoms and tresspassing of estates* (*1859-1862*) mentioned the issuing of 48 books of curses during the year of 1860; 49 books of curses in 1861; two books of curses in 1862.

Beyond these attestations, which confirm the existence of a category of juridical and administrative acts, we notice that the curse proclaimed by a bishop appears to heve been almost standard. It is very likely that this aspect too, that of the immutable formula, contributed to its not serving as an example for the illustration of the trope in treatises of rhetoric.

If we refer to the European bibliography for this field preceding the 18th century, we notice nevertheless that among the *imprecatio* formulas[2] from *De Re Diplomatica* used in kingly and ecclesiastical offices, phrases appear that form what we nowadays call a bishop's curse. The wide dissemination of these phrases in Western diplomacy until the 12th century is attested by documents not only in the afore-

[1] The curse pronounced by a bishop may be encountered in a variety of acts, from documents attesting somenone's property to the books of consigning to damnation or of strengthening through curse (documents issued by the patriarch or metropolitan bishop with the aim of enforcing a decision taken by the ruler and related to administrative or juridical matters).
[2] See cited edition pp. 96-106.

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mentioned volume, but also later on, in A. de Boüard's[1] treatises and shows us that in those times *imprecatio* had not become specialized and also that the separation of sacred and profane formulas had not yet occurred. It is likely that only the history of ecclesiastical law will provide references to exactly when this specialization did occur. This is especially true since the Orthodox space was normed almost exclusively by the Nomocanon until the great Schism. The procedeure of anathematization included in the Nomocanon with all that it entails (from the one who had the right to issue it to the one who is its addressee, all the way up to spiritual and material formulas and punishments) started to be used by almost all Orthodox peoples,[2] reaching even the status of a practice that due to its high frequency eventually fell in disgrace and was condemned (as attested by the history of the Russian Church).

The fact that in our country there occurred a specialization amounting to a juridical value of the oath is doubtless due to the role that the Orthodox church had in Romanian society and its involvment in the courts of law of the Divan. Owing to *Correcting the Law*, this procedure became well-known in the Romanian Orthodox space too, entering the collective memory under various forms[3].

As a matter of fact, the curse proclaimed by a bishop with formulas that are very close or even identical with the ones used in our country is encountered in Russian documents until the time of Patriarch Nifon[4], in Serbian docunents[5], and, most certainly, in Greek acts. The fact that in some Serbian and Russian documents the curse proclaimed by a bishop is inserted at the *sanctio* level shows that it had the status of usual practice, and was as widespread as in our country. Even if the curse cast by a bishop from the *sanctio* in the Serbian and Russian diplomatarium studied so far appears more as a reminiscence of the epistorlary formulas, because it does not have the same finality, nor the same impact (which is proved by the simplification of the formulas of *sanctio* to a single word: *anathema*), it neverthelss attests a procedural unity and a common imaginary realm. It would be significant to prove that it was used exclusively in ecclesiastical documents and to delimit it from the curses in folklore/literary usage, even if was absent in treatises of rhetoric and in epistolary manuals.

As far as the Romanian books of curses are concerned, we consider that on the level of *sanctio* the specialization of *imprecatio* occurred due to the old ecclesiastical normative juridical texts, not through treatises of rhetoric or manuals of epistolography. The entire complex of circumstances in which the books of curses appeared and functioned lead to the specialization of the curse pronounced by a bishop and to its

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[1] See A. de Boüard, *Manual de diplomatique française et potificale*, I-II, Paris, Editions de Auguste Picard, 1929, 1948 ; 1-281-290 passim; II 143, 251-253.

[2] See J.M. Hussey, *The Orthodox Church in the Byzantine Empire*, Oxford, Clarendon Press, 1986, pp. 304-310.

[3] On the topic of the common places from normative texts and books of curses, see Laura Bădescu, 'Books of curses and normative codes in the 18th century,' in Language and Literature – European landmarks of identity, nr. 8/2011, Piteşti, Editura Universităţii din Piteşti, pp. 171-179; Laura Bădescu, „Les Lettres de malediction et la norme", in vol. 'Contemporary Perspectives On the Medieval World,' nr. 2, 2010, Piteşti, Editura Tiparg.

[4] See for example William Palmer, *The patriarch and the tsar*, vol III – *Condemnation of the Patriarch Nicon by a plenary Council of the orthodox catholic eastern church*, London, Trubner and Co., 1873, pp. 76, 431.

[5] See *Шематизам, православне епархіе*, 1899, pp. 44-45.

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identification with the official oath at the beginning of the 19th century, which is confirmed in Caragea's *Legislation* (1818).

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