

FISHING IN POLITICALLY TROUBLED WATERS: THE FISHERMEN
OF VYLKOVE, ROMANIAN NATION-MAKING
AND AN INTERNATIONAL ORGANIZATION
IN THE DANUBE DELTA IN LATE 1850S AND EARLY 1860S

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Based on various archival sources, this paper looks at how the production of borders and its negative effects on the fishermen community of Vylkove (Vâlcov) were instrumentalized by different agents interested in strengthening their position in the Danube Delta in the post-Crimean War context. Following the Paris Peace Treaty (30 March 1856) and an additional agreement in 1857, borders changed in the area of the Maritime Danube, and the burgh of Vylkove became part of Moldavia. It was thus doubly disconnected from its fishing grounds (taken over by the Ottomans), and from its main markets – Bessarabia and the Ukrainian provinces of the Russian Empire. As the economic condition of the community worsened, the Moldavian authorities tried to support its new subjects and turned their situation into a question of Prince Cuza’s relations with the Sublime Porte. The European Powers accepted to analyze these issues in the European Commission of the Danube, an international organization that aimed to clarify its own attributions in the Lower Danubian area.

Keywords: Danube Delta, Vylkove, fishermen, border studies, international organizations.

A BORDER CHANGE AND ITS LOCAL CONSEQUENCES

The Danube Delta has always been an abundant fishing ground, famous for the diversity, quantity, and quality of its aquatic resources¹. When imperial Russia annexed the eastern half of the principality of Moldavia in 1812 and the entire Danube Delta in 1829, it also reorganized the activity of the local fisheries. One of the largest communities lived at Vylkove (Vâlcov), the main hub of the Lower Danubian fishing industry. Most of its inhabitants were Lipovans or Old Believers who had migrated towards the Danube during the 18th century. While trying to escape the persecutions of the Russian authorities, they also took advantage of the economic opportunities provided by the rich Danubian fishing grounds. The

* The research leading to these findings has received funding from the European Research Council under the European Union's Seventh Framework Programme (FP/2007–2013) / ERC Grant Agreement n. 615313.

¹ Details on fishing in the Danube Delta in Constantin C. Giurescu, *Istoria pescuitului și a pisciculturii în România: din cele mai vechi timpuri până la instituirea legii pescuitului (1896)*, București, 1964, *passim*.

Lipovan fishermen preserved strong religious traditions, and their utopian creeds contributed to the organization of labor and the distribution of its material benefits within the community. Fishing was a cooperative industry, and by the mid-1830s there were 294 fishing boats and 966 fishermen recorded “near the village of Vylkove”². A source estimates the annual catch of the Vylkove fisheries at 200,000 pouds (1 poud = 16.38 kilos), 30,000 of which were sold at Kilia (Chilia) and 50,000 pouds at Ismail³. The most coveted goods were sturgeon and caviar, famous all over Europe⁴.

Despite such promising prospects, Lipovan communities in the Danube Delta lived in harsh economic conditions⁵. To some extent, the very organization of the fishing industry accounted for this. According to Russia’s administrative regulations, the Danube Delta was divided into seven fishing zones, each farmed to a contractor, who leased the right to seine in exchange for a tithe of 10 percent of the catch. The catch was sold to fish merchants, middlemen between fishers and consumers who most presumably secured the largest profit margin. The communities’ overdependence on fishing made them vulnerable during the years with a bad catch, while their location in a marshy environment with scarce resources and often stricken by deadly epidemics added to the overall misery of the population⁶. A later description by a French consul is illustrative for the aspect of Vylkove and of its inhabitants:

“Les maisons sont presque exclusivement bâties sur pilotis, et, à perte de vue, l’œil s’étend sur des marécages qui, durant la belle saison, se couvrent de roseaux verdoyants qu’à distance plus d’un voyageur inexpérimenté a pu prendre pour de riches cultures de céréales. Ces roseaux sont, du reste, une ressource pour les pauvres habitants de ces contrées ; ils en couvrent leurs habitations, en tapissent et en forment leurs huttes, en tressent des nattes et des corbeilles, les emploient

² Alexander Prigarin, *Fishing Traditions among Old Believers in the Danube Delta. Survival Strategies During the 19th Century*, in vol. Constantin Iordachi and Kristof Van Assche (eds.), *The Bio-Politics of the Danube Delta: Nature, History, Policies*, Lanham, London, 2014, p. 235. According to another source, there were 1,005 people recorded in the category of burghers in the early 1840s: Valentin Tomuleț, *Instituirea administrației speciale a orașului Ismail și rolul ei în evoluția burgheziei comerciale (1830–1853)*, in vol. *Basarabia în sistemul economic și politic al imperiului rus (1812–1868)*. Studii, Chișinău, 2012, p. 250.

³ Jules de Hagemester, *Mémoire sur le commerce des ports de la Nouvelle Russie, de la Moldavie et de la Valachie*, Odessa, Simferopol, 1835, p. 148.

⁴ Constantin Ardeleanu, *Sturgeon and Caviar Trade at the Lower Danube – a Historical Approach to a Contemporary Problem*, in vol. Ruthy Gertwagen et alii (eds.), *When Humanities Meet Ecology: Historic Changes in Mediterranean and Black Sea Marine Biodiversity and Ecosystems since the Roman Period until Nowadays*, Rome, 2010, pp. 133–140; Idem, *Fishing in the Lower Danube and Its Floodplain from the Earliest Times to the Twentieth Century*, in vol. Tonnes Bekker-Nielsen and Ruthy Gertwagen (eds.), *The Inland Seas. Towards an Ecohistory of the Mediterranean and the Black Sea*, Stuttgart, 2016, pp. 309–339.

⁵ Details in Igor Ciobanu, *Importanța Deltei Dunării pentru populația locală și administrația țaristă a regiunii în prima jumătate a secolului al XIX-lea*, in “Analele Universității Dunărea de Jos din Galați. Istorie”, t. 12, 2013, pp. 47–53.

⁶ A. Prigarin, *Fishing Traditions*, pp. 228–230.

comme combustible et en font un objet de trafic. [...] Logeant dans des cabanes couvertes pour la plupart de joncs à parois de terre mélangée de paille hachée ou de fumier, mal nourris, mal vêtus, sans cesse exposés aux intempéries, dévorés par les moustiques, qui pullulent à certaines époques de l'année, ils offrent une prise facile à la maladie”⁷.

As its economic situation worsened in the 1830s, the Vylkove community asked for state support. In 1840, the Russian government accepted to grant to the villagers the status of burghers, together with full property over some pasture lands and the use of neighboring fishing grounds. The Vylkovians hardly survived economically, and through an imperial decree issued in November 1853 they were also granted the right to fish free of duty, for a period of five years, in the waters of the St. George (Sf. Gheorghe) Island, south of their burgh⁸.

However, military operations had already started between the Ottoman Empire and Russia, and during the subsequent diplomatic negotiations for concluding the Crimean War Western statesmen decided to remove Russia from the Danube, on account of its alleged mismanagement of river navigation⁹. Article 20 of the Paris Peace Treaty (30 March 1856) stipulated that Russia accepted a border change in Southern Bessarabia, and Article 21 further added that the returned territory (including the Danube Delta) was to be “annexed to the Principality of Moldavia, under the Suzerainty of the Sublime Porte”¹⁰. The border delimitation in Bessarabia led to serious disputes between Britain and Russia, as the latter tried to return as little land as possible¹¹. This made the Sublime Porte eager to clarify the status of its new territorial acquisitions, and in August 1856 the governments in Bucharest and Jassy were officially informed about the decisions taken in Paris, including the appropriation of the Danube Delta by the Ottoman Empire. Patriotic groups protested against this abuse, and a memorandum drafted by General Gheorghe Magheru was submitted to the signatories of the 1856 Paris Treaty¹².

⁷ *Bulletin Consulaire Français. Recueil des rapports commerciaux adresses au Ministre des Affaires Etrangères par les agents diplomatiques et consulaires de France à l'étrangers*, Paris, 1880, pp. 754–755 (*Les Pêcheries du Delta Danubien*, report of Consul de Laigue, Galatz, 23 June 1880).

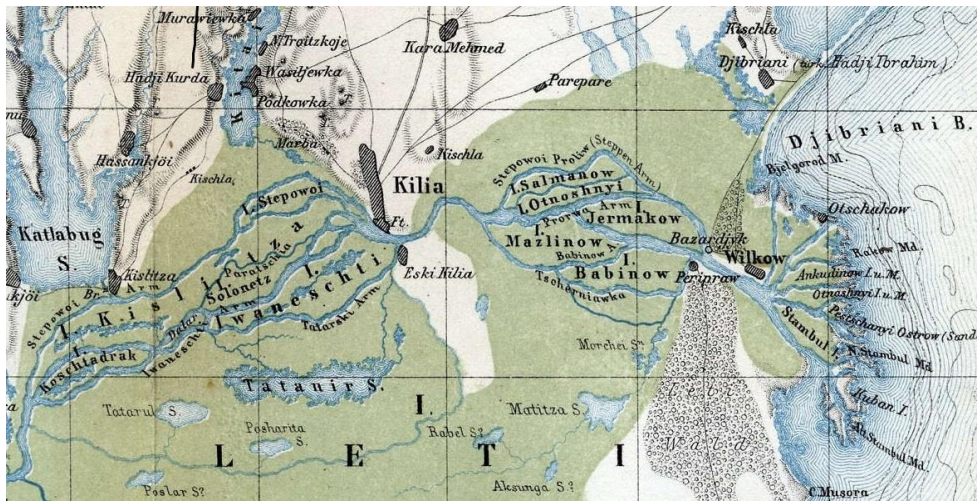
⁸ The National Archives of the United Kingdom, Public Record Office (hereafter TNA, PRO), FO 78/3217 (Foreign Office and Predecessor. Political and Other Departments: General Correspondence before 1906, Ottoman Empire, Danube Navigation Commission), unnumbered (No. 2, 13 February 1861).

⁹ More on this in Constantin Ardeleanu, *International Trade and Diplomacy at the Lower Danube. The Sulina Question and the Economic Premises of the Crimean War (1829–1853)*, Brăila, 2014.

¹⁰ *Congrès de Paris 1856*, Paris, 1856, p. 13.

¹¹ Dumitru Vitcu, *The Treaty of Paris and the Bolgrad Crisis of Its Execution*, in “Anuarul Institutului de Istorie A.D. Xenopol”, t. 43–44, 2006–2007, pp. 335–353.

¹² Spiridon G. Focas, *The Lower Danube River. In the Southeastern European Political and Economic Complex from Antiquity to the Conference of Belgrade of 1948*, Boulder, New York, 1987, pp. 245–246.



The Kilia Delta. Detail from a Map of the Danube Delta

(https://upload.wikimedia.org/wikipedia/commons/8/81/Danube_mouths_1867.jpg)

In order to avoid future disputes, the seven plenipotentiaries reassembled in Paris and through a Protocol signed on 6 January 1857 changed the status of the Danube Delta, which was placed under the direct sovereignty of the Porte¹³. The arrangement was later included in an appendix to the 1856 Paris Treaty, signed in the French capital on 19 June 1857¹⁴.

For many of the ichthyophagous communities in the Danube Delta, these border changes further aggravated their misery. Placed on the left bank of the river, Vylkove was part of Moldavia, thus doubly disconnected from its fishing grounds (taken over by the Ottomans), and from its main markets – Bessarabia and the Ukrainian provinces of the Russian Empire.

Based on diverse archival sources, this paper looks at how the production of borders and its negative effects on the Vylkovians were instrumentalized by different agents interested in strengthening their position in the Danube Delta. This episode, apparently insignificant in the larger context of post-Crimean power politics in a strategic Russian–Ottoman borderland, is however relevant in several ways: from the double perspective of border studies and international relations, the paper aims to better clarify the nexus between the construction of (physical and economic) borders, power relations and everyday practices in a periphery where state control was rather weak. For this approach, it also shows the avatars of an international institution (the European Commission of the Danube – ECD) that managed to act as an intermediary between local and national actors, and

¹³ Hertslet's *Commercial Treaties: A Collection of Treaties and Conventions, Between Great Britain and Foreign Powers*, vol. 10, London, 1859, pp. 553–554.

¹⁴ *Ibid.*, pp. 959–961.

contributed to the production of specialized knowledge and in decision making for its area of expertise.

Within this multi-layered narrative, the paper will focus on the activity of three main agents, all of them trying to secure a multiplicity of (often contradictory) interests in the Danube Delta: the Vylkovians, the Moldavian authorities, and the European commissioners.

THE FISHERMEN'S PLIGHT

The Moldavian and Ottoman authorities lost no time to impose their sovereignty in the newly acquired territories. It is relevant to mention that in both cases territorial control and sovereignty also took an economic form, that of farming different monopolies to private contractors in order to secure quick revenues for the state. From this perspective, border guards acted not only as protectors of state security against external threats, but also as keepers of local magnates' economic interests.

In Moldavia, fishing was farmed to a contractor who imposed a tithe of ten percent on the catch, plus the monopoly of the fish trade. The Lipovan community of Vylkove strongly opposed these privileges, and their petitions were successful in March 1860, when the tithe was suspended, though only on a provisional basis¹⁵.

Fish trade patterns underwent major changes, apparently to the loss of producers. A large part of the catch was sold on the local market or throughout Moldavia, but the customs tolls paid for exporting to / importing into the Russian Empire made products too expensive to stand their competition. Additional deprivation was derived from the fact that the taxes were paid for higher values than the actual market price of the fish products¹⁶.

Even more burdensome was the new border between Moldavia and the Ottoman Empire in the Danube Delta. As the Vylkovians fished in imperial waters, the Ottoman authorities made them pay a tithe of 20 percent in kind, plus 12 percent export duty when the catch was brought to their burgh in Moldavia and 1 percent as tax for the Ottoman scale. Non-marketable fish caught for domestic consumption was taxed with 10 percent. The Moldavian authorities required an additional 5 percent as importation duty, so all in all the Vylkovians paid taxes amounting to 32.9 percent for the fish caught in Ottoman waters and sold in Moldavia, and to 40.4 percent for the catch further exported and sold in the Russian

¹⁵ *Procès-verbal des discussions de la Commission Européenne du Danube relatives à la délimitation entre la Turquie et la Moldavie sur le bras de Kilia, et aux droits de pêche de la Commune de Wilkov* (122^e Protocole de la Commission), Appendix II, "Exposé faisant connaître les droits concédés à la Commune de Wilkov par le Gouvernement I. Russe et la situation de cette Commune depuis son annexion à la Moldavie", Galatz, 1861, p. 3.

¹⁶ *Ibid.*, pp. 3–4; details in the reports and appendixes of the British commissioner – TNA, FO 78/3217, unnumbered (Nos. 2 and 5, 13 February and 13 April 1861).

Empire. Moreover, the Lipovans lost other significant privileges, such as the right to cut firewood and to harvest reeds in the Danube Delta, advantages forbidden or heavily taxed by the Ottomans¹⁷.

All in all, the Vylkovians' situation became even more miserable than during the Russian times, making the community consider the opportunity of migrating towards a more economically hospitable area. They complained to the Moldavian and Ottoman authorities and asked for redress, but without much success. However, for the Moldovan authorities their cry for help proved useful for an exercise in nation and state building.

Few details are available on the response of the Moldavian authorities to the 1857 Paris Protocol which gave the Ottoman Empire direct sovereignty over the Danube Delta. Ottoman troops occupied the area at the beginning of that year, and kaymakam Nicolae Vogoride's government did not protest the Porte's occupation of the entire Danube Delta, contrary to the practice that, for an international river, the border should run along its thalweg. The question was raised later that year in Moldavia's new legislative and consultative body, the Ad-hoc Divan. A committee which included leaders of the national party (Lascăr Catargiu, Manolachi Costachi, Petru Mavrogheni, Anastasie Panu, Dimitrie Rallet, Vasile Sturdza) and had Constantin Hurmuzaki as rapporteur drafted a detailed report on the border question, officially presented in the Divan on 9/21 December 1857. Several changes were proposed, and the document was unanimously voted on 13/25 December 1857¹⁸.

The report was a thorough analysis of the historical and juridical relations between the Danubian Principalities and the Ottoman Empire, illustrative for its authors' professional interests and national faith. Historical evidence was brought to prove that Moldavia and Wallachia were the true masters of the Danube Delta, and the Capitulations signed by different Ottoman sultans had always guaranteed their ancient rights. In this light, the Sublime Porte had committed an abuse by taking over the entire Danube Delta and by disregarding international norms in delimitating the border along the thalweg of an international river. The conclusion was not short of unionist references, making the border issue part of the political program to be followed by the national parties in Bucharest and Iași: "L'Assemblée ad-hoc de Moldavie désire et demande que les Puissances veuillent bien décréter la rectification de la nouvelle Frontière entre les Principautés-Unies et l'Empire Ottoman par une Commission européenne, d'une manière conforme aux imprescriptibles droits de propriété, de liberté de navigation et de commerce garantis aux Principautés roumaines par les art. 15, 21, 22 et 23 du Traité de Paris"¹⁹.

The petition did not receive much attention from Europe's diplomats during the negotiations which resulted in the adoption of the 1858 Paris Convention, the

¹⁷ *Procès-verbal*, pp. 3–4.

¹⁸ *Acte și documente relative la istoria renascerei României*, edited by Dimitrie A. Sturdza and C. Colescu-Vartic, vol. VI, part I, Bucharest, 1896, pp. 314–334.

¹⁹ *Ibid.*

United Principalities' new Constitution²⁰. As the Vylkovians' misfortune and protests had grown during those years, the episode could be used by the Moldavian (Romanian) authorities to prove the practical downsides of the Ottoman appropriation of the entire Danube Delta. Prince Alexandru Ioan Cuza made this a topic in the United Principalities' relations with the Ottoman Empire, in his attempt to both expose the Porte's abuse and to strengthen the country's individual (i.e. independent) existence.

Cuza relied on his French connection to impose the question on his protectors' agenda, and Napoleon III and his diplomats²¹ were readily convinced about the justice of their Eastern European supporter's cause. With French backing, Cuza intended to renegotiate the borderline, which would have served for several of his political and economic priorities. Given its Romanian and Christian character, the Danube Delta was part of the lost territories claimed by the Romanian motherland, but Cuza was mainly interested in fact to gain access to a navigable waterway, much needed to boost the development of the United Principalities' Danubian outlets.

Cuza's agent to Istanbul, Costache Negri, discussed the claim with several Ottoman diplomats. In January 1860, Negri reported home about his talks with Foreign Minister Fuad Pasha, who dismissed both interconnected issues: regarding the border issue, the 1857 Protocol did not mention the *thalweg* principle, so the Porte incorporated the entire Danube Delta; as for the Vylkovians' lament, orders would be sent to the Ottoman authorities in the area to stop such local abuses²².

Negri was soon assisted in his lobbying by Count of Lallemand, France's attaché to Istanbul, instructed as such by Ambassador (and later Minister) Édouard Thouvenel²³. In fact, the French position was based on a report sent from Galați by Édouard Engelhardt, an expert in Danubian matters as a delegate in the Danube Commission²⁴. Discussions continued throughout the following months, with the new French ambassador, Charles La Valette, backing the claims of France's political protégée²⁵. Cuza also raised the question officially, and he addressed a

²⁰ French commissioner Édouard Engelhardt reported on the border issue, correctly stating that a more independent and national administration would protest against the Porte's confiscation of the entire Danube Delta – Centre des Archives Diplomatiques de Nantes, Représentant de la France auprès de la Commission Européenne du Danube, Série B (hereafter CADN, CED/B), file 10, ff. 147–149 (No. 67, 23 July 1858).

²¹ R. V. Bossy, *Agenția diplomatică a României în Paris și legăturile politice franco-române sub Cuza-Vodă*, Bucharest, 1931, pp. 127–128.

²² *Alexandru Ioan Cuza și Costache Negri. Corespondență*, edited by Emil Boldan, Bucharest, 1980, pp. 87–88 (No. 45, 12/24 January 1860).

²³ *Ibid.*, pp. 92–93 (No. 47, 31 January/12 February 1860).

²⁴ R. V. Bossy, *Agenția diplomatică*, p. 187 (No. XIX, 12 February 1860). Engelhardt reported to Paris with details on Cuza's intention to ask for a new delimitation – CADN, CED/B, file 10, ff. 213–214 (No. 98, 8 October 1859).

²⁵ R. V. Bossy, *Agenția diplomatică*, p. 187 (No. XX, 29 June 1860); *Alexandru Ioan Cuza și Costache Negri*, pp. 100, 112–113, 132–133 (No. 50, 27 February/10 March, No. 54, 17/29 June and No. 58, 10/22 July 1861).

memorandum to the United Principalities' seven protectors. The Ottoman authorities, Cuza maintained, had disregarded their own practice of having the thalweg as state border along the entire Lower Danube. By this abuse, they prevented local fishermen communities from enjoying their rights, which was his government's duty to protect²⁶.

By late August 1860, Negri reported to Cuza that their request for an analysis of the border delimitation along the Maritime Danube was accepted by the powers²⁷. During a meeting held at the residence of Henry Bulwer, the British ambassador to Istanbul, the Porte and other European plenipotentiaries accepted to have the problem analyzed by the ECD²⁸.

Available sources are unclear if this arbitration was decided following Cuza's lobbying through French channels or through the internationalization of the Vylkovians' cause when Russia started to promote it. The Porte accepted an international mediation, as it tried to avoid being at the same time judge and defendant in the dispute with its vassal state. Through the ambassadorial decision taken in Istanbul, the ECD was entrusted with new powers, eventually turning it into a source of order and justice in the Danube Delta.

THE EXPERTISE OF AN INTERNATIONAL ORGANIZATION

After Russia's defeat in the Crimean War, the Western victors tried to remove the sources of economic and political uncertainty from the Lower Danube. The Paris Treaty stipulated the extension to the entire Danube of the 1815 Vienna principles relative to the navigation of international rivers. A European Commission of the Danube (ECD), composed of delegates of the seven signatory powers, was "charged to designate and to cause to be executed the works necessary below Isatcha [Isaccea], to clear the mouths of the Danube, as well as the neighboring parts of the sea, from the sands and other impediments which obstruct them, in order to put that part of the river and the said parts of the sea in the best possible state for navigation". The duties of the ECD were to be transferred, after two years, to a commission of riparian states, much similar to the Central Commission for the Navigation of the Rhine²⁹.

However, fearing Austria's hydro-hegemonic claims within this Riparian Commission, the ECD was prolonged beyond its initial term, as a sign of the non-

²⁶ R. V. Bossy, *Agenția diplomatică*, p. 127.

²⁷ Alexandru Ioan Cuza și Costache Negri, p. 152 (No. 66, 18/30 August 1861).

²⁸ R. V. Bossy, *L'Autriche et les Principautés-Unies*, Bucharest, 1938, pp. 162–163 and 276 (No. CI, 21 September 1861).

²⁹ D. A. Sturdza, *Recueil de documents relatifs à la liberté de la navigation du Danube*, Berlin, 1904, pp. 32–34 and *La Commission Européenne du Danube et son Œuvre de 1856 à 1931*, Paris, 1931, 411–413. In English in *Treaties and Other Documents Relating to the Navigation of the Danube: 1856–1875*, London, 1878, pp. 1–2.

riparian victors' interest in maintaining a foothold in a strategic inter-imperial junction. The existence of the ECD was a complicated exercise in international bargaining, as the non-riparian powers requested to prolong the institution until the completion of the works that had begun in the area³⁰. But it proved difficult to define what "completion" and "works" actually meant. Were they hydrotechnical, or regulatory and executive as well?

The ECD gradually moved beyond its initial technical scope and acquired legislative, executive, administrative, and juridical powers, which turned it into an effective autonomous international organization. It drafted regulations governing navigation and river police, it settled the rate of the tolls to be paid by the ships of all nations in order to cover its own expenses, and planned the hydrotechnical works it deemed necessary. As executive authority, it applied its own regulations, tariffs, and hydrotechnical plans. But in having reserved so many attributions to this organization, the commissioners had taken into consideration the exceptional circumstances in which the ECD had to fulfil its task. The independence which several commissioners requested was "legitimate and necessary", given the disorder, anarchy, and arbitrariness that ruled in the Danube Delta before and after the Crimean War. The Ottoman Empire, which had received this territory in 1856–1857 through the resolution of the Western victors, could not provide the "guarantees of order and security which European navigation imperiously needed, and so, in order to compensate for its inexperience, its notorious impotence, even its ill-will, the governments deemed it expedient to invest their plenipotentiaries with a part of their sovereign rights"³¹.

By 1860, when the border question was brought to its attention, the fate of the ECD was not clear. Several of the commissioners and the governments they represented requested, according to their own interests, its termination and replacement with the Riparian Commission. Others aimed to prolong it and thus maintain a form of European control in a critical inter-imperial junction, and the border delimitation was a great opportunity to prove it.

Discussions on the case (with its two interconnected components – the border delimitation and the Vylkovians' plight) started in November 1860, but they were soon adjourned so as to allow the delegates to procure the original map used in 1856–1857, to get more information on the topics and wait for instructions from their governments³². The debates were resumed on 20 May 1861, after the

³⁰ Sturdza, *Recueil de documents*, pp. 67–77; *Treaties and Other Documents*, pp. 14–20; Focas, *The Lower Danube River*, pp. 265–292.

³¹ Édouard Engelhardt, *Second mémoire sur les travaux de la Commission Européenne du Danube*, Galatz, 1866, pp. 31–32.

³² *Procès-verbal*, sittings of 15 November and 1 December 1860; Engelhardt's opinions in CADN, CED/B, file 10, ff. 259–263 (Nos. 123, 124 and 126, 20 November, 2 December and 18 December 1860).

fishermen sent two more petitions and threatened to emigrate if their case was not solved³³.

Concerning the border issue, two main opinions were formulated:

The French delegate, Engelhardt, considered that the thalweg of the navigable course was the legal borderline between the United Principalities and the Ottoman Empire. He backed his opinion with a long historical and juridical argumentation meant to prove that this was both the practice at the Lower Danube, and it had been the intention of the 1857 Paris plenipotentiaries to have such an arrangement. The current border was an error, also caused by the misrepresentation of the Belgorod branch of the Danube, which on the 1857 map used in Paris appeared as being similar in size to the Sulina branch, though it was in fact thirteen times smaller³⁴. Justice and equity required a resettlement of the border along the thalweg of the navigable course of the Kilia branch, going downstream from the Tchatal (Fork) of Ismail to the mouth of the Staroe Stambul sub-branch. The United Principalities were entitled to receive several islands in the northern part of the Kilia Delta, a solution which would solve the fishermen's claims and secure to the Principalities a navigable connection with the Black Sea.

The second point of view was that the Porte had been granted direct sovereignty over the entire Danube Delta, including the sub-delta of the Kilia branch, and its right of property also covered the whole watercourse. The territory of Moldavia (the United Principalities) started with the *terra ferma* beyond the delta itself.

Engelhardt's position was supported by Strambio, the Italian commissioner. But this had much to do with larger political interests, as at the time Italy was fighting for international recognition and followed on the trail of French diplomacy. Strambio also insisted on the Principalities' right to have a navigable connection with the Black Sea, a prerequisite for the country's future economic development³⁵.

Offenberg, Russia's delegate, was for the strict interpretation of the 1857 Protocol, and maintained that the Moldavian territory was limited to the *terra ferma* beyond the northernmost channel of the river. The thalweg was a just principle, but it was not to be applied in relation to the navigable channel, but to Danube's northernmost sub-branch. As for the Vylkovians' rights, they were independent of any border delimitation and had to be safeguarded according to the legal principles applied to mixed properties³⁶. To Engelhardt, who initially thought that Russia would stand more firm in defense of the Vylkovians' rights, Offenberg's opinions were politically motivated. If Moldavia got access to a navigable watercourse, it could develop, through simple technical works, a direct

³³ *Procès-verbal*, sitting of 3 May 1861.

³⁴ *Ibid.*, sitting of 20 May 1861. CADN, CED/B, file 10, Engelhardt's Memorandum – *Note sur l'état d'innavigabilité du bras secondaire de la Kilia désignée sur le nom de Belgorod*, ff. 280–284.

³⁵ *Procès-verbal*, sitting of 20 May 1861.

³⁶ *Ibid.*

link to the Black Sea or even establish a maritime port in the area. These measures would have led to the “progress of the Romanian element in Lower Bessarabia, and would facilitate daily and closer relations with Western Europe”, developments which were contrary to Russia’s interests³⁷. Engelhardt also suspected that the Russians instigated their former subjects to revolt and encouraged them to emigrate to the Russian Empire³⁸.

The Prussian, Ottoman, and Austrian commissioners defended the same view in relation to the border delimitation (the thalweg of the northernmost sub-branch), whereas Britain’s John Stokes rejected the French proposal considering that the 1857 map was the only source of legitimacy for the border settlement³⁹. If Russia’s interest in the Lipovan community was linked to the ethnic character of the fishermen, Austria was mainly concerned with their religious identity. The Habsburgs were trying to act as guardians of their religious rights⁴⁰, and in the border question Becke, the Austrian commissioner, did not want to contribute to the progress of the United Principalities’ cause, a threat to all its imperial neighbors.

The position of the Moldavian government was presented by Prince Alexandru Cantacuzino, the prefect of Covurlui County. Cantacuzino sent two memoranda to the ECD, in which he insisted on the Principalities’ autonomy and on the fact that the 1857 Protocol hurt Moldavia’s historical rights in the Danube Delta. Juridically, the thalweg principle had to be imposed, as Danube’s thalweg separated the Principalities from the Ottoman Empire for hundreds of kilometers, along the entire course of the river below the Iron Gates. Cantacuzino also came with a geographical definition of the Danube Delta, which included the area between the thalwegs of the branches of Kilia and St. George⁴¹. His solution, which would have solved the local inhabitants’ claims, was to settle the border along the middle or Sulina branch of the Danube⁴².

It became clear that geographical knowledge and its interpretation played a major part in this dispute. One of the dissensions was related to the status of the Belgorod sub-branch. From his visits to the area, Engelhardt stated that it was very shallow (i.e. unnavigable), and Strambio denied that it was in fact a separate branch of the Danube. Offenbergh opposed these views, as Belgorod discharged its waters into the Black Sea, and seasonally its course was very deep. Stokes mentioned his own visit in the area in the spring of 1861, when he found 12 feet of water at the entrance into the sub-branch, 7 to 15 feet along its course, and 4 ½ feet at its mouth, conditions which were only a little inferior to those of the Oeakov sub-

³⁷ CADN, CED/B, file 10, ff. 261–263 (No. 126, 18 December 1860).

³⁸ *Ibid.*, f. 268 (No. 130, 8 April 1861).

³⁹ TNA, FO 78/3217, unnumbered (No. 2, 13 February 1861).

⁴⁰ Arhiereul dr. Veniamin Pocitan Ploeșteanu, *Momente din viața și activitatea lui Melchisedec între anii 1856–1861*, Bucharest, 1936, pp. 70–72.

⁴¹ *Procès-verbal*, Appendix IV, *Mémoire du Gouvernement Moldave, présente a l’Honorable Commission Européenne du Danube, par le Prince Alexandre Cantacuzène*, 10/22 May 1861.

⁴² *Documente privind domnia lui Alexandru Ioan Cuza*, edited by Dan Berindei, Elisabeta Oprescu and Valeriu Stan, Bucharest, 1989, pp. 288–290 (No. 382, 29 July 1861).

branch⁴³. It was clearly an impasse. The commissioners had collected a huge amount of information on the local geography and hydrography of the Danube Delta, but they could not agree on things like: What characteristics define the separate “identity” of a branch of a river in such a labyrinthic area? How deep should a waterway be in order to be considered navigable? For how many months a year should its physical characteristics be recorded?

A decision was taken with a majority of votes: the border should be the thalweg of “the most northern branch of the Danube from the head of the Delta to the sea – namely the Thalweg of the branch that washes throughout the mainland of Bessarabia, ceded to Moldavia, thus excluding all and every one of the Islands of the Delta from Moldavia”⁴⁴.

Engelhardt was not happy with this solution, as he considered that several of his colleagues had misinformed their governments⁴⁵. He overtly criticized Stokes, who insisted that the Belgorod sub-branch was similar to the other sub-branches in the Kilia Delta, though the British delegate later maintained that he had never presented the branch as navigable for maritime ships. The dispute continued, and the French and British governments decided to send them to a joint visit to the area⁴⁶. However, the dispute gradually died away, to the misfortune of the United Principalities.

As for the Vylkovians’ petitions, the Moldavian and Ottoman authorities quarreled on who was responsible for the fishermen’s condition. In a memorandum Cantacuzino submitted to the ECD, he referred to several documents which proved the Ottomans’ ill-will. Kaymakam Vogoridi was guilty for previous abuses, which Cuza tried to repair. Cantacuzino also claimed that the Ottomans tried to convince the local population to migrate to the Ottoman Empire, and quoted the fact that several families had settled on the Leti (Letea) Island, where the village of Hassan Baba was established⁴⁷.

The Ottoman commissioner admitted that about 1,500 inhabitants had settled on Ottoman territory, but they had done so because of the privileges granted to them within the empire. Such migrations were in fact regular and continuous exchanges of population. The Porte did not know about the Vylkovians’ former privileges, which were to be properly considered by the Ottoman authorities. All these details show the borderlines as very fluid and permeable in all directions, as Russia, the Ottoman Empire and the United Principalities were trying to secure the

⁴³ TNA, FO 78/3217, unnumbered (No. 5, 13 April 1861); CADN, CED/B, file 8, ff. 51–52 and 64–65 (Nos. 4 and 5, 9 August and 27 September 1861).

⁴⁴ TNA, FO 78/3217, unnumbered (No. 20, 1 August 1861); CADN, CED/B, file 10, ff. 276–277 (No. 137, 22 July 1861).

⁴⁵ CADN, CED/B, file 10, ff. 284–285 (No. 141, 28 August 1861).

⁴⁶ *Ibid.*, ff. 278–279 and 291–292 (Nos. 140 and 144, 23 August and 10 October 1861).

⁴⁷ *Procès-verbal*, Apendixes V and VI, *Note adressée à la Commission Européenne du Danube, par le Prince Alexandre Cantacuzène*, 21 May/2 June 1861.

services of the local human resources, whose allegiance to such harsh living conditions was vital for the economic progress of the area⁴⁸.

A compromise was reached on 31 July 1861, when the seven commissioners decided to urge Moldavia and the Ottoman Empire to conclude an agreement and protect the rights of the Danubian fishermen. The Porte was to grant them full customs and tithe exemption for the catch fished within the limits of their communal fishery. A fixed annual sum replaced all other taxes for the fish caught in Ottoman waters outside the limits of their concession. They were allowed to cut firewood and to harvest reed in the islands of the Kilia Delta. The Moldavian government granted them exemption from paying import duties for their fishery products, and full equality for the treatment applied to this commune, in relation to domestic taxes of all kinds, transit and export duties, and to completely abolish the monopoly granted for the sale of fish⁴⁹.

CONCLUSIONS

Three levels of analysis intermingle in the brief episode presented above – local, national, and international – all extremely significant as the parties involved in the dispute and in its resolution were trying to define or strengthen their agency in the Danube Delta.

The fishermen needed to adapt their industry to the new political and economic realities of the Danube Delta, and their difficult economic condition made the community a very sympathetic victim whose fate sensitized national governments and diplomatic agents alike. Their claim was based on the community's privileges granted by the Russia state, and a feeling of justice prevailed among the political actors who claimed to relieve their condition. However, despite several reassurances, the unfortunate Vylkovians continued to suffer from the same evils in the decades to come, as mentioned in a French report:

“Le rive roumaine ne se trouvant plus actuellement séparée des îles appartenant à la Turquie, que par un bras de 10 mètres environ et qui tend à diminuer chaque année, les habitants établis en partie sur une rive, en partie sur l'autre, se trouvent soumis, pour l'exploitation de leur industrie, à un double droit d'exportation en Turquie et d'importation en Roumanie et réciproquement, selon que le produit de leur pêche a été salé et préparé pour l'exportation sur l'une ou l'autre des deux rives. La perception de ces droits est en outre l'occasion d'une foule de vexations et de mesures arbitraires et donne lieu à un grand nombre de

⁴⁸ *Ibid.*, Appendix 7, *Mémoire adressé à Mr. le Commissaire de Turquie par Mr. Le Gouverneur General de Toulcha sur les questions de la délimitation et des pêcheries* (undated memorandum).

⁴⁹ *Ibid.*, sitting of 29 June 1861; details on the arrangement in Ștefan Stanciu, *România și Comisia Europeană a Dunării. Diplomatie. Suveranitate. Cooperare internațională*, Galați, 2002, pp. 75–77.

plaintes et de réclamations, dont ils ont à plusieurs reprises, saisi les Puissances signataires au Traité de Paris”⁵⁰.

At a state level, the Romanian and Ottoman authorities competed over a border that had a major symbolic and economic value. Claiming territories that were part of the nation’s historical memory and demanding them, on the basis of a strong historical and juridical argumentation, from the suzerain power was definitely a marker of Cuza’s new approach on his country’s relations with the Porte. The economic value of the area is also noticeable, at a time when Danubian trade represented a major source of revenue for the United Principalities. For the Ottoman state, protecting the Empire’s northern border was vital not only in itself, but also in order to contain the growing pretensions of its smaller vassal states.

Not least of all, the ECD was trying to clarify its prerogatives at the Lower Danube, and in order to regulate Danubian shipping it claimed to itself several attributions that in fact belonged to the territorial authority, the Ottoman Empire. It was a period when the status of the organization was still unclear, and this episode gave it additional prestige as a source of law and order in an inter-imperial junction. The ECD did manage to act as an intermediary between local and national actors, and contributed to the production of specialized knowledge and in decision making in its area of expertise.

The border question returned to public attention in the mid-1870s, during the Eastern Crisis, when Romania insisted on reaching to a convenient solution to its dispute with the Porte⁵¹. When the treaties of San Stefano and Berlin were signed in 1878, the Russian diplomats took the precaution to clearly mention the new configuration of the Empire’s southern border. Russia reannexed Southern Bessarabia, whereas Romania received the province of Dobrudja and the Danube Delta, and the borderline along the Maritime Danube was to follow the thalweg of the Kilia branch and the mouth of the Stari Stamboul⁵².

⁵⁰ Centre des Archives Diplomatiques de La Courneuve, Correspondence consulaire et commerciale, Galatz, file 3, ff. 309–310 (Galatz, 12 July 1870).

⁵¹ *Mémoire concernant les questions dont la solution intéresse à un haut degré la Roumanie dans ses rapports avec la Sublime-Porte*, appendix in Mihail Kogălniceanu’s memorandum of 16/28 June 1876, in *Le mémorial diplomatique*, vol. 13, Paris, 1876, pp. 499–500.

⁵² *Les grands traités politiques. Recueil des principaux textes diplomatique depuis 1815 jusqu’à nos jours*, Paris, 1912, p. 224.