

THE 1923 CONSTITUTION – A “NEW CONSTITUTION” FOR A “GREATER AND NEW ROMANIA”?

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Abstract

The Romanian Constitution of 1923 was the most debated subject in the history of modern and contemporary Romanian constitutionalism. This is understandable because the Constitution of 1923 had a double purpose: to codify the fulfillment of the ideal of national state unity of the Romanians and to project the consolidation of the national economy, mature democracy, and the Romanian society's integration in the pace and direction of European evolution. The prerequisites for major transformations and a “new state”, for a new stage of modernization of the country were the expectations of Romanian citizens and many political leaders. From the above-mentioned considerations in post-war Romania was needing a new Constitution. The current study is dealing with both political and cultural debates in Romania (1918–1923) regarding the content, principles, and political interests of the Constitution of 1923. Our conclusion is that the Romanian Constitution of 1923 was not a “New Constitution”, being a revision and adaptation of the 1866 Constitution. The political leaders which supported the adoption of Liberal Party's draft of Constitution had given up proposing a new country project to Romanians, being only concerned with the daily management of Romania's affairs, depending on contextual interests they were trying to adapt to. After 15 years, the Constitution of 1923 was replaced with the King Carol II's authoritarian Constitution.

Keywords: Greater Romania, New Romania, Constitution, national state, modernization, national unity, political parties, reform, social justice, First World War.

The Romanian Constitution of 1923 was the most debated subject in the history of modern and contemporary Romanian constitutionalism. Lawyers, economists, sociologists, historians, etc. addressed various topics of its stages of elaboration, adoption, application, and the effects on Romanian society; the discussions continued even after 1989. This is understandable because the Constitution of 1923 had a double purpose: to codify the fulfillment of the ideal of national-state unity of the Romanians and to project the consolidation of the national economy, mature democracy, and the Romanian society's integration in the pace and direction of European evolution. These were the declared expectations of political leaders in Romania after 1918. Dan Berindei said that a happy destiny offered Romanians the chance to accomplish their national ideal in 1918, but also

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the mission to build a viable national state.¹ The prerequisites for a new stage of development and modernization of the country were imposed both by the completion of state unity and by the aspirations of its citizens, as well as by the signals of important societal changes announced in Europe and throughout the world. Major transformations, not only socio-economic, but also cultural-political were foreshadowed, which the Constitution after the Great Union had to enshrine through the legal and political legitimacy conferred on “a new state”.² Therefore, the post–1918 constitutional elaboration was required not only by the territorial and national unification of Romania, but especially by the transformations expected to give the country a new appearance, apt to include it in the directions of the evolution of the West.

It results from the above-mentioned considerations that post–war Romania was needing a **new Constitution**. What was meant then and throughout the interwar period by this term represents itself a topic of legal, political and historiographical discussion. The deepening of the latter could meaningfully highlight the characteristics and spirit of the era of the Constitution adoption that was to be the basis of Romania’s governance until 1938. The meanings given to the expectations for a new post–war Constitution were very diverse. By the adjective “new” some political leaders understood that, chronologically, a Constitution resulting from the debates of a Constituent Assembly would replace the Constitution of 1866. Others believed that the constitution drafting process would lead to an absolutely new outcome, which would codify the terms of integration of Old Romania and the provinces that had declared their option to be part of the post–1918 Romanian state. There were also synchronic attitudes stimulating the aspiration for a new Constitution in Greater Romania, originating from Central-Southern-Eastern Europe, where the new national states founded or re-integrated at the end of the First World War had adopted new constitutions, which codified the recent state organizations, such as Austria, Czechoslovakia, Poland, Hungary or those that were in the process of renewal (Germany, Romania, Serbia).

Nicolae Iorga asserted the need for a new Constitution in Greater Romania, given that the constitutional development of the Romanian people had certain specific characteristics: the medieval state organization would have developed in accordance with some customs, a kind of “unwritten Constitution”, established by “the Council of the Country”, which included representatives of the social structures; it decided, of course together with the Ruler, the internal and external policy of the Romanian Principalities and expressed the conscience of the people. At least that would have been the case until the establishment of the Phanariot

¹ Dan Berindei, “Chances et destinées de la viabilité d’une solution: la Grande Roumanie”, *Nouvelles Etudes d’Histoire* 12, (2010): 82.

² Dan Banciu, “Greater Romania’s issues after 1918, in the debates organized by the Romanian Social Institute (1921–1923)”, *Revista română de sociologie* 29, no. 3–4 (2018): 342.

regime, which also brought “the corruption of our old traditional Constitution”.³ Later state arrangements imposed from outside, such as the Organic Regulation (1831) or the Paris Convention (1858) followed; the latter had been an act originating entirely from abroad, unsuitable for Romanian society. Iorga explained the adoption of the Statute of Alexandru I. Cuza and M. Kogălniceanu (1864), as being an approach equally inspired by European models, but more adapted to the political practice in the recently founded Romania. Then, in the year of Cuza’s abdication and the installation of Prince Charles of Hohenzollern (1866) on the throne of the country, a new Constitution was adopted in Romania, modeled after the Belgian Constitution. Iorga had a very severe assessment of the Constitution of 1866, considering that the state arrangement it proposed “never represented a reality accepted by the national conscience”, being subject to revisions in this respect. Consequently, the great historian agreed with Dimitrie Gusti’s suggestion, which stated that Greater Romania needed a new Constitution that would take into account both the historical experience of the Romanian people and the realities of post-war society.

Nicolae Iorga’s severe attitude towards the 1866 Constitution was political rather than historiographic; he tried to support the necessity of drafting, after 1918, a Constitution of Romania that would provide the state with a solid and democratic structure, compatible with the aspirations of a whole nation, eager for political and economic-social integration in the European world. Newer research on the history of Romanian constitutional development has noted the synchronism and diachronic of form and content between the Constitution of 1866 and the most liberal European constitution of that time, but also the rather reluctant local environment, and the existing discrepancies between form and substance. This situation would have been due, first of all, to the “maintenance in our administration of some Balkan-Phanariot practices based on fraud and corruption, in contrast with the value and democratic background of the fundamental legislations of European essence, aimed to organize and operate the state and its administration”.⁴ That is why, since the end of the First World War, the constitutional topic has been maintained by the concerns that arose as a consequence of the need to give Greater Romania an adequate state organization, according to the new conditions. The political parties continued to debate the same theme until the dramatic end of Greater Romania (1940), with sporadic resumptions after 1944, and with conceptual and procedural recollections after 1989.

Nowadays, a question is persisting: was the Constitution of 1923 a new Constitution, as many political and intellectual voices in Old Romania and the

³ Nicolae Iorga, “History of the Romanian Constitution”, in *Noua Constituție a României – 23 de prelegeri publice organizate de Institutul Social Român* (București: Tiparul Cultura Națională), 17.

⁴ Angela Banciu, *Istoria vieții constituționale în România (1866–1991)* (București: “Șansa” Publishers, 1996), 41.

provinces that united with Romania wanted, after the First World War, or did it only result from a revision process of the 1866 Constitution?⁵ The question is not just rhetorical. Most personalities of the time believed that a new Constitution of Greater Romania meant a legal recognition of the political unity that was achieved through the Acts of Union from 1918, starting with the Declarations/Resolutions of Union from Chișinău, Cernăuți, Alba Iulia, and the Decrees of Union, of the same year. A new post-war Constitution was also aimed to support the need that a Constituent Assembly composed of representatives of the new provinces and Old Romania reach an agreement on a constitutional act through the vote of the delegates of the Romanian people from the entire territory of Greater Romania. Beyond the territorial and population aspects, there were also expectations that the state organization of Romania as a whole would reflect the characteristics of a “new state”,⁶ including the socio-economic, political and cultural transformations that Romanian citizens were hoping for. Therefore, it was frequently said that a new Constitution was necessary not only for Greater Romania, but also for a New Romania or, like Vintilă Brătianu said, for a “Great and New Romania”.⁷ Moreover, Vintilă Brătianu wrote in the first months of 1919 that “old Romania was economically in the same abnormal conditions as it was from a political-military point of view”.⁸ Without any doubt, the liberal leader appreciated that there had to be a change for the better in Greater Romania. Alexandru Papacostea was of the same opinion in the fall of 1922, stating that the Great Union had to be followed by the “national integration process” which would have meant the transition to a deep political, economic and social transformation of the country. The respective transition assumed that “the new Romanian state will draw up a constitution as a result of the entire national will, it will then be able to organize itself unitarily, through laws fixed on a common basis, /.../, receiving in this regard suggestions from all regions and corners of the country”.⁹

Francois Cochet, a historian specializing in the analysis of contemporary conflicts, wrote that the First World War was a major event “taking place with the mental machine of the 19th century while at the same time highlighting the

⁵ See discussion in Banciu, *Istoria vieții constituționale*, 69–84; more recently Mircea Duțu, “Constituția din 1923: un punct culminant al constituționalismului românesc”, (A conference in the framework of the Symposium The 1923 Constitution. Romania as a unitary national state, Romanian Academy, November 24, 2022) [juridice.ro](https://www.juridice.ro/essentials/6193/constitutia-din-1923-un-punct-culminant-al-constituționalismului-romanesc), Accessed on March 2, 2023, <https://www.juridice.ro/essentials/6193/constitutia-din-1923-un-punct-culminant-al-constituționalismului-romanesc>.

⁶ Banciu, *Istoria vieții constituționale*, 73.

⁷ Vintilă Brătianu, “The Needs of the Modern State and the Constitution of Greater Romania”, in *Noua Constituție a României – 23 de prelegeri publice organizate de Institutul Social Român* (București: Tiparul Cultura Națională), 38.

⁸ Alexandru Papacostea, *România politică. Doctrină, idei, figuri, 1907–1925* (București: Bucovina Printing House, 1932), 176.

⁹ Papacostea, *România politică*, 236.

technology of the 20th century”.¹⁰ This generated the need for an “adjustment of the mental sphere with the technical one”, meaning consequences not only for the military, but also for political and economic leaders, for all citizens. The same French expert noted what many researchers had stated over a century ago, namely that the national idea played a special role in explaining the behavior of states and citizens both during the world conflagration and after its end. Moreover, the national idea has become “a real engine of history and a principle of liberation”.¹¹ And Pierre Miquel added that serving the nation and the national state was considered not only by soldiers, but by all citizens as the “supreme value” in society.¹² That is why the changes were expected immediately after the end of the war. This is all the more so since the First World War saw a very long phase of trenches, and behind the front, special behavioral rhythms and peculiarities had been produced. Unlike the Western part of Europe, where the conflict finished at the end of 1918, in Central-Eastern Europe the disturbances and upheavals in society continued, both due to the fall of the three autocratic empires, but also to the anarchic and military actions of the Bolsheviks. That made the profound changes meet even more intense expectations in this part of the continent. This explains the circulation of the expression “Great and New Romania” since the last part of the First World War among the Romanian population, and in the political discussions of the first post-conflict years, including the constitutional debates, with episodic returns throughout the interwar period.

Recent research on the subject of the history of the “Greater Romania’s” idea begins with the observation that this theme is “vast and delicate”.¹³ And if such an assessment refers to the 19th century, we can imagine what expressions have been and will still be released for the century that passed after 1918! The difficulty of such research can be understood from a methodological point of view because it must be undertaken in the fields of culture, politics, mentalities, literature, etc. The idea of “Great Romania” was expressed in a multitude of meanings and forms, depending on a series of internal and international conjunctures. Until the end of the First World War, it represented a national ideal, more clearly or sometimes more confusedly expressed. It is certain that such a political ideal was thought and proposed by the Romanian elite in the ideological context of the revolution of 1848. Let us remember that Nicolae Bălcescu wrote in the editorial of the short-lived journal “Future Romania” (Paris, November 1850) that the Romanians should preserve and strengthen his belief in the future of a “great and indivisible

¹⁰ Francois Cochet, *Idées reçues sur la Première Guerre mondiale*, 3rd ed. (Paris: Éditions Le Cavalier Bleu, 2018), 158.

¹¹ Cochet, *Idées reçues sur la Première Guerre mondiale*, 159.

¹² Pierre Miquel, *1918. De la grande peur à la victoire* (Paris: Éditions Tallandier, 2018), 20.

¹³ See Cecile Folschweiller, “L’idée de « Grande Roumanie » au XIXe siècle”, *Recherche*, no. 29 (2022): 51.

Romania”, so that, two years later, Dumitru Brătianu was attributed the expression “Great Romania”, which covered a historical meaning (“Trajan’s Romania”, “Michael’s Romania”, etc.) and a political one, as it had been formulated on the so-called Freedom Plain.¹⁴ This idea was expressed in different forms and utterances, depending on the local and regional European context. For example, after 1867, when Transylvania was reallocated within the Austro-Hungarian Empire, there were hesitations in expressing this ideal because of Bucharest’s relations with Vienna and Berlin; but certain cultural institutions, such as the Romanian Academy and ASTRA, continued to maintain it in various forms. During the court trial of the representatives of the Memorandum (1894), this ideal was noticed among the Romanian academic youth by foreign journalists and secret agents of the Vienna Court. More and more explicit formulations existed after the Balkan wars and especially after the outbreak of the First World War, when there was open talk about the political union of all Romanians. For example, from 1910–1914, local publications began to appear (Bucharest, Constanța, Galați) with the name “Great Romania”, and after Romania entered the war (August 1916), the expression was increasingly frequent in journalistic format and in political speeches.¹⁵ The ideal of Greater Romania became possible and real in 1918, through the political union of Romanians from the historical provinces with Old Romania. The 1923 constitution codified the new geopolitical reality through the phrase “unitary national state”, and the liberal political leaders predestined it to ethnicism¹⁶ and even apothotic consolidation. Meanwhile Ion Slavici remarked that the creation of Greater Romania was not only a great achievement, but also the assumption of a difficult mission. Or precisely this meant the transformation that was supposed to give substance to the form!

Among the various expressions referring to the ideal of Great Romania, we also note that of “New Romania”. In 1917, Onisifor Ghibu left Transylvania for Bessarabia because of the repression of the Hungarian authorities towards the Romanian militants for the national cause. In Chișinău, Ghibu founded the newspaper *Ardealul (Transylvania)* with the aim of animating the Bessarabia’s people regarding the Romanian national problem, in the context of the war and the Russian revolution. A few days before the meeting of the Council of the Country, in the editorial of November 19, 1917, the Transylvanian intellectual note about that event: “It is therefore a national Council (parliament) that will know how to work wholeheartedly for the settlement of Bessarabia on **the foundations of a new life**”¹⁷ (our emphasis). Onisifor Ghibu informed its countrymen on the situation in Transylvania and emphasized the fact that the hope of the Romanians in the

¹⁴ Folschweiller, “L’idée de « Grande Roumanie » au XIXe siècle”, 53.

¹⁵ Folschweiller, “L’idée de « Grande Roumanie » au XIXe siècle”, 62–63.

¹⁶ Lucian Boia, *Cum s-a românizat România* (București: Humanitas, 2015), 53–54.

¹⁷ *Ardealul (Transylvania)* 1, no. 8 (Chișinău), November 19, 1917, 1.

provinces under the control of the empires resided only in the “shield of mother Romania”, also referring to the fact that the Transylvanian volunteers organized in Russia were going to fight for the liberation of all Romanians “within Greater Romania”. In the next issue of the same publication (November 28, 1917), Ghibu specified that the “new life” of the Bessarabia’s people would only become possible as a “national life”.

Onisifor Ghibu and his Chişinău collaborators also prepared the celebration of the 24th of January in 1918. An editorial committee, which included representatives from Old Romania, Bessarabia, Transylvania, Bucovina, decided that the publication *Ardealul (Transylvania)* would change its name to *România Nouă*, becoming a daily “propaganda organ for the political union of all Romanians”. After the decision to unify Bessarabia with Romania, on March 27, 1918, the newspaper’s editorial was entitled “Let’s strengthen the Union”; right in the opening of the text it was stated: “We, the Romanians of today, are building the New Romania”.¹⁸ The priest A. Murata also wrote then that in the “new house” the Romanians had the duty “to clean the rot”. What he meant, have explained Vasile Harea and Vlad Caracliu, students from Bessarabia, warning that “Any politics can be done in old Romania, but this politicism must not enter Bessarabia and we will not allow it to enter”.¹⁹ This was also an exhortation to a wise national policy. Nicolae Vuleu, a Transylvanian bookseller and supporter of the aforementioned publication, initiated and organized the first Romanian bookstore in Chişinău, certainly called “România Nouă”, as well as a printing house that used Latin characters. From the advertisements published in the name of this bookstore, we learn that it distributed Romanian literature, volumes for children and religious books, magazines from Romania.

A few days after the National Assembly in Alba Iulia (December 1, 1918), the Romanians from Maramureş started editing the publication of the local Romanian National Council *Council-organ of the Maramureş R.N.C.* In the very first issue (December 7, 1918), the editors announced that the “Great Council of Romanians” and the Governing Council, led by Iuliu Maniu, met in Sibiu, and were organizing “the hard work of laying the foundation for our golden future”.²⁰ The theme of the golden future of Romanians in Greater Romania appeared in several successive issues of the same Maramureş publication. At one point it was said that the golden future was a promise that “we will create, based on the right that every individual has to be free to decide on its own destiny”.²¹ It follows that also in Maramureş, the quality of life of Romanians was correlated with aspects of national life, self-determination and the achievement of the political union of all Romanians. And a little later, the same “golden future” received a much more

¹⁸ *România Nouă* 2, no. 71 (Chişinău), April 13, 1918, 1.

¹⁹ *România Nouă* 2, no. 77 (Chişinău), April 20, 1918, 1.

²⁰ *Sfatul* 1, no.1 (Sighet), December 7/20, 1918, 4.

²¹ *Sfatul* 2, no. 2–3 (Sighet), January 11/24, 1919, 3.

progressive and straightforward definition: “We want to reach the highest state of culture, well-being and happiness, so that the citizens of Greater Romania could proudly boast [...]: «I am a Romanian citizen»”.²² Celebrating one year since the decision of the National Assembly in Alba Iulia, the people of Maramureș were convinced that they would have a “new life”, the date of December 1, 1918 being considered “the day of a new conception of our nation”.²³ The citizens from Bistrița and Năsăud areas considered also the Great Union as a starting point towards a better future. In a Manifesto from 1919, the Romanians in this area were told: “No one should worry or be upset because of the future that awaits us. The good people who chased away the old rulers of this country will take sufficient care that the Romanians from Transylvania and Banat could have a satisfied and happy life in their ancestral land”.²⁴ We mention that both in Bessarabia and in Transylvanian Bucovina, the plebiscite decisions to achieve the union with Romania were taken in the circumstances of certain phases of the front movement, the Bolshevik and nationalist anarchic disturbances that infested the mentioned Romanian provinces from the east, north and west of Greater Romania. This resulted in the increased concern of the population of the new provinces united with Romania regarding their future as citizens of Greater Romania.

The political and socio-economic renewal initiatives enjoyed great popularity in the Kingdom of Romania. Liberal and conservative politicians argued over these issues, which led to repeated postponements and reformulations, especially regarding the agrarian reform, the extension of the right to vote, and certain economic policies. In the general elections of May 1914, the National Liberal Party, which had managed to obtain the majority of seats in the two parliamentary chambers, reiterated it will carry out the two much-debated reforms in Romania, the agrarian one and the introduction of universal suffrage. The outbreak of the war, in the summer of the same year, was the reason for a new postponement of the reforms and revision of the Constitution. In the dramatic context of the Romanian Army operations evolution, on December 9, 1916, King Ferdinand’s message was thus referring to the Romanian peasant, i.e., the soldier on the front: “Fighting for national unity, he is also fighting for his political and economic emancipation”.²⁵ It was naturally a promise of the monarch that the Romanian government would produce the two reforms—agrarian and electoral—after the end of the war. When he visited Petersburg, in May 1917, to obtain the Russian military re-engagement on the Romanian front, Ion I. C. Brătianu noticed that the revolution in Russia was

²² *Sfatul 2*, no. 12 (Sighet), April 12/25, 1919, 1.

²³ *Sfatul 2*, no. 48 (Sighet), November 28, 1919, 1; *Sfatul 2*, no. 49 (Sighet), December 5, 1919, 1.

²⁴ Adrian Onofreiu, Ioan Pinte, and Cornelia Vlașin, eds., *Anul 1918 în județul Bistrița-Năsăud. Contribuții documentare* (Cluj-Napoca: Mega, 2018), 287.

²⁵ Eufrosina Popescu, *Din istoria politică a României. Constituția din 1923* (București: Editura Politică, 1983), 39.

evolving towards anarchy; there was an unexpected turn that “opened a Pandora’s box, with all its evils and without any hope”.²⁶ Returning to Iași, the leader of the liberals shared with the king the conclusions of his visit to Russia, reported in the serious tone he perceived; he also proposed the solution of the rapid adoption of some reforms even during the war. Of course, Brătianu pursued the strengthening of his internal political position, but also a mobilization scenario of the Romanian army, which could no longer hope for cooperation with the tsarist militarism. Thus, in June 1917, the Assembly of Deputies and the Senate of Romania adopted the Law for the amendment of articles 19, 57 and 67 of the Constitution, introducing the proposal of the liberal and conservative-democratic government to implement the agrarian and electoral reform.²⁷ On July 19, 1917, the respective legislation was approved by Royal Decree no. 721, just in time to provide the king with additional arguments to encourage the Romanian military who were preparing the offensive in the summer of that year.

The topics of agrarian and electoral reforms was kept on the political agenda in the following year as well, being of intense concern in the unifying efforts of 1918. Especially the liberals wanted to be perceived by the citizens of Greater Romania as the reforming party that could lead the country in the post-war period. But the spirit of the renewal of Greater Romania had many other supporters in Bucharest, after the establishment of Greater Romania. The intellectuals around the Romanian Social Institute and Professor Dimitrie Gusti, in particular, proved to be a very dynamic ferment for the national project of Greater Romania to become a New Romania. This intellectual group advocated for a “New Constitution” in a “New Romania”, from 1919 until the adoption of the Constitution of 1923. In 1919, Gusti explained the role of the national state, whose proliferation was particularly extensive after the First World War and represented the main argument of the ideology of the Paris Peace Conference (1919–1920). Gusti was optimistically describing a “new Europe”, in which a “new political life” would take place, starting from “a new political idea”—the national state. In the famous study called the Problem of the nation, Dimitrie Gusti argued convincingly that “The old state, eternally aggressive and conquering, based, inside and outside, on simple brute force, has died, and the new state, founded on an idea, on the national and democratic idea, has replaced it”.²⁸ To support the New Romania’s project, Professor Gusti and his collaborators organized the famous conferences on the doctrines of political parties and the drafting of a new Constitution.²⁹ Gusti was

²⁶ Sherman David Spector, *România la Conferința de Pace de la Paris. Diplomația lui Ion I. C. Brătianu* (Iași: Institutul European, 1995), 38.

²⁷ Stelian Neagoe, ed., *Enciclopedia istoriei politice a României (1859–2002)* (București: Institutul de Științe Politice și Relații Internaționale, 2003), 153–154.

²⁸ Dimitrie Gusti, *Opere*, vol. 4 (București: Editura Academiei, 1970), 10.

²⁹ See *Doctrinile partidelor politice – 19 prelegeri publice organizate de Institutul Social Român* (București: Cultura Națională, 1922), and *Noua Constituție a României*.

very attached to this idea of the post-war “New Romania” so that he propagated it throughout the interwar period, although he noted, in 1938, that there was a lot of talk about the “New Romania”, as an organization vision of the country, but its application was still pending.

The Romanian Social Institute organized a series of conferences for the “reform of the Constitution”. The study of this segment showed that the majority of those who expressed their opinions on the subject emphasized the need that the unified Romania should benefit from a constitution representing the will of all the citizens of Greater Romania, not just of the politicians from Old Romania. Or, as the Romanians from the “Libertatea” Circle in Orăștie expressed themselves, in 1919, after the political-state union of 1918, the “perfect national unity” had to be achieved”.³⁰ This was considered to be the main mission of the post-war generation that had to assume a “new ideal” of society. Through it, all the Romanian provinces must be integrated into a state entity that the citizens of the country could accept and feel as inclusive for all. For this reason, most lecturers who presented their ideas at the Romanian Social Institute (1921–1922) suggested that Greater Romania needed a “New Constitution”, for a renewed Romania or, as Vintilă Brătianu says, for a “Great and New Romania”. Like Dimitrie Gusti, Grigore Iunian believed that Romania as a whole had to adopt a new Constitution, since this entity was “a newly created state”.³¹ It was necessary to harmonize the various interests, some of them divergent. Even the recalcitrant Constantin Argetoianu believed that the “requirements of the time”, instead of “stitching an old Constitution”,³² demand a new one. And the basic conclusion of the conference held by Professor Dimitrie Gusti was that the future Constitution had to foresee “a perspective of the future”, as an expression of the “will of the entire Romanian nation”. Which meant that, if until the Great Union “the strain of the nation was directed to defend and maintain us, now comes the great duty, one of the hardest, namely, to make all the hidden springs of new and fruitful riches come into use and to bring out the great treasure of cultural energy that the nation possesses in such abundance”.³³

A perfect case of the establishment of a new university institution involving the contribution of the Old Kingdom and the Romanian provinces recently united to Romania was the reorganization of the University of Cluj, called in the first post-war years “University of Upper Dacia”.³⁴ The first inaugural lecture in Romanian language at the University of Cluj (November 3, 1919), entitled *The*

³⁰ *Unirea desăvârșită – Ce am înțeles noi în trecut și ce trebuie să înțelegem acum prin unire* (Orăștie: “Libertatea” Printing House, 1919), 59 (see also the anastatic edition Bistrița/Paris, 2018).

³¹ *Noua Constituție a României*, 350.

³² Popescu, *Din istoria politică*, 54.

³³ Popescu, *Din istoria politică*, 425.

³⁴ See Vasile Pușcaș, *Universitate. Societate. Modernizare – Idealul universității moderne la Cluj (1919–1945)* (Cluj-Napoca: Editura Școala Ardeleană, 2019).

Duty of Our Life, was presented by the scientist Vasile Pârvan, and constituted a true academic, scientific and cultural program of the Cluj academic community. Even though this university was reorganized starting from an existing infrastructure, Vasile Pârvan considered it a “new university”, because it was established as a “new university fraternity” of the Romanian nation, a “new creation” that had the purpose of “enlightening the world with a new light”.³⁵ The nationalization in 1919 of the former Hungarian university in Cluj was called “Romanization”, in the language of the time, but it was conceived and established as a new construction of the Romanian state. The starting point was represented by the realities at that time in Transylvania and Romania as a whole, in the sense that the most advanced university experiences and European and American models adapted to local needs were adopted. Also, Vasile Pârvan gave direction to this action with the exhortation: “Not our ferocious Romanianizing, into the ethnographic vegetative, but our continuous humanization into the human sublime will create the supreme splendor of the Romanian creative culture”.³⁶ A few days after Vasile Pârvan’s inaugural lecture, the professor of Romanians History, Alexandru Lapedatu, from the same University, gave his first “opening lecture”, entitled *New development circumstances of national historiography* (November 6, 1919). He began his speech by ascertaining that “through the new political order established in Central and Eastern Europe, following the recently ended great world war, the Romanian nation from the north of the Danube has reached almost full possession of its national territory”.³⁷ The professor from Cluj did not want to emphasize only that the Romanians achieved “complete political freedom and national unity”, but also the fact that they were entering a phase of “new and happy circumstances of our national life” and “new living conditions”³⁸ for the Romanian citizens. Which meant that the Romanian intellectuals understood that the national ideal was fulfilled by achieving the Great Union, but they also associated the political and territorial aspects with the socio-economic ones, including the life’s quality improvement for the citizens of Greater Romania.

Nicolae Vasilescu, professor of political economy at the Faculty of Law, from the University of Bucharest, expressed very clearly the need for Greater Romania to assume a new ideal of country modernization based on the European and world situation in which the Romanian state was to develop. He also developed a vast program for the transformation of post-war Romania in the second volume of the very interesting work *La Roumanie dans la guerre et dans la paix*, published

³⁵ Vasile Pârvan, “The Duty of Our Life”, in *Alma Mater Napocensis – Idealul universităţii moderne*, ed. Vasile Puşcaş (Cluj-Napoca: Fundația Culturală Română, 1994), 72. Introductory study and notes by Vasile Puşcaş.

³⁶ Pârvan, “The Duty of Our Life”, 68.

³⁷ Alexandru Lapedatu, *Scrieri alese* (Cluj-Napoca: Dacia, 1985), 56. Foreword, edition, notes by Ioan Opreş.

³⁸ Lapedatu, *Scrieri alese*, 79.

at Felix Alcan, Paris, in 1919. Right from the introduction, the Bucharest professor said that the ideal of all Romanians, after the accomplishment of Greater Romania, was to move towards “making a new House”, i.e., “Greater Romania had to become a New Romania, a modern Romania”.³⁹ The author of this country planning considered such an ideal achievable and, even more, mandatory, to channel the constructive energies of Romanians and their aspirations to join the evolutionary flow of civilized nations as soon as possible. For this purpose, the determination of the leaders of Greater Romania to propose and carry out the moral, institutional, social, political and economic changes imposed by the new times has been very important. He suggested the need for a real work of “reconstruction” of the country and the nation, and for this, the New Romania should have started by putting “new people at its head, people who do not make public action their private affair, who do not subordinate the affairs of the state to the interests of their party or personal friends, who do not haggle over the permanent interests of the state, as politicians once did”⁴⁰ in Old Romania. He criticized the governing regime established by the agreement between King Ferdinand and the liberal Prime Minister Ion I. C. Brătianu. Nicolae Vasilescu urged the latter to move from a “constitutional alteration” to a “constitutional reality”, of course accepting and encouraging the correct elaboration and application of the completely New Constitution of Romania. And the scholar from Bucharest proposed, in the second mentioned volume, a series of political, administrative, economic, social, educational, financial reforms, demanded not only by citizens, but also by the new regional and European status of post-war Romania. All the above were designed as a work of reconstruction in the era of peace that had just begun, one of the results being the “re-building” of a “New Romania”. A reflection of such an ideal was expected to be taken into account by the drafting of the New Constitution, by a Constituent Assembly. Through this assembly, the representatives of the Old Kingdom and the provinces that had just united with Romania were going to have their say, substantively and procedurally. We mention that Nicolae Vasilescu used the terms “Romania”, “Greater Romania” and “New Romania” in his work, the most frequently used being the last, because the author insisted on the meanings of renewals and reforms that all Romanians were waiting for, in order to be integrated into a “Greater Romania”/“New Romania”.

It is certain that the publishing of Nicolae Vasilescu’s volumes in Paris in 1919 was equally intended to instill an attitude of optimism regarding the conduct of Greater Romania in the new European and international context. Because the projection of a New Romania in the French environment and beyond, during the Peace Conference and the rethinking of the international system (the so-called

³⁹ Nicolas Basilescu, *La Roumanie dans la guerre et dans la paix*, tome 2 *La Roumanie dans la paix* (Paris: Librairie Felix Alcan, 1919), 5.

⁴⁰ Basilescu, *La Roumanie*, 301.

“Versailles order”), was also an argument in favor of the support by the Great Powers of the national and territorial integration of Romania, that is, of Greater Romania. Professor George Sofronie offered in this respect his definition of the new Romania: “Thus, the new Romania appears to be a state that constitutes a classic example of the application of the principle of nationalities, through the will of the Romanians from the provinces reunited with the Old Kingdom and through its recognition by the states community, in the treaties that inaugurated the new international order, at the end of the world war”.⁴¹ The legal expert from the University of Cluj believed that the “new Romanian state” was promising to be a state of “order and peace in Central Europe”, a pacifist element which, together with other states in the area, was meant to support the objectives of the League of Nations.

It is noteworthy that the post-war ideal of the New Romania, after the fulfillment of Greater Romania, was also promoted by the Romanians in the United States of America. The Romanian Americans of that time were only the first generation in the New World and had not managed to become wealthy. A large part of them, the most numerous from Transylvania, intended to accumulate a modest capital and return to their native places to invest it in the purchase of arable land. Then came the news of the outbreak of the First World War and especially of Romania’s entry into the Entente camp to obtain the union of Transylvania. It pushed many Romanian Americans to request their participation in the war, together with the army of the United States of America, and to support Romania’s military campaigns in various ways.⁴² But in addition to the assumed goal of contributing to the defeat of the Austro-Hungarian Empire, they immediately supported President Wilson’s call for the application of the principle of national self-determination. The extraordinary work of Vasile Lucaciu and Vasile Stoica channeled the national aspirations of the American Romanians towards the goal of achieving Greater Romania. They also carried out an effective lobbying activity to convince the White House and the US Congress of the justice of the Romanians national aspirations. And they fulfilled all this from their modest incomes that they brought to support Romania’s military and political-diplomatic actions. In some documents that expressed the opinion of American Romanians, it was stated that Greater Romania should follow the model of the New World, that is, of America.⁴³ For a category of Romanian emigrants, the Great Union was also a call to return to their country, although most Romanian Americans decided, after the First World War, to naturalize and obtain American citizenship.⁴⁴ The interest of some

⁴¹ George Sofronie, *Principiul naționalităților în Tratatetele de Pace din 1919–1920* (București: Albatros, 1999), 202.

⁴² Remus Grama, *Românii-americiani și Marea Unire din 1918* [*Romanian Americans and the Great Union of 1918*] (Cluj-Napoca: Digital Data Publishers, 2018), 13–35.

⁴³ Grama, *Românii-americiani*, 67.

⁴⁴ Eugene S. Raica and Alexandru Nemoianu, *Istoria Societății “Unirea Românilor”* [*History of the “United Romanian Society”*] (Southfield, Michigan: The United Romanian Society, 1995), 114.

Romanians from America to return to Greater Romania was frequently related not only to the unified Romanian national state, but also to the desire to find a New Romania home where they could do useful work, where work would be appreciated.⁴⁵ And Aurel Sasu's very useful research on the Romanian media in the United States of America and Canada shows us that the aspiration of the Romanians in New York for a New Romania was also reflected in this paradigm, added to the title of the publication *Our Star* that became in 1920 *Our Star and New Romania*. In the very first issue of the aforesaid magazine, printed in Romanian and English, the editors, exulting in national optimism, aimed to convince American citizens that Romania was becoming "the most democratic country in the world". And it was not only about Greater Romania, but also about a New Romania. The editors of the publication also showed that the Romanians were going on the "new road", being aware that it was not an easy path, and many obstacles would be encountered. However, in the "Word of clarification" of the first issue (January 1920) it almost pathetically expresses the conviction that the Romanians will be victorious in the creation of the New Romania: "The new Romania that is being created now, at home, from the tears, hopes and sufferings of our brothers, is destined to become one of the leading countries in Europe".⁴⁶ Leaving the villages of Transylvania, at the end of the 19th century, the American Romanians saw this New Romania as a "Romania of the ploughmen", signaling from across the Atlantic the need for agrarian reform. But because many Romanian emigrants worked as laborers in different difficult areas, they expressed the determination to build a "Great and New Romania". In order to show the Americans appreciation and gratitude and demonstrate, at the same time, the quality of the constructive efforts the Romanians were capable of, they were declaring that "America taught us to work and honor work".⁴⁷ Last but not least, the Romanians in New York saw the same "great and new Romania" as "the most democratic country in the world", where the people would hold the "reins of rule". This encouraged them to offer generous and consistent support to the Romanians at home, who were "building the Romania of tomorrow".

The politicians of the time—the Generation of the Great Union—felt an immense satisfaction for the fulfillment of a national ideal, strongly imprinted in the consciousness of the Romanians of the modern era. And professor Dimitrie Gusti reminded them that the relationship between the nation and the state meant that "the state is at the service of the nation, and not the nation at the service of the state. The state is nothing but the organization and the political and legal personification of the nation, in the way it lives in the world of its economic and

⁴⁵ Vasile Pușcaș, *Iuliu Maniu văzut de românii americani* (Cluj-Napoca: Editura Școala Ardeleană, 2018), 22–23.

⁴⁶ Aurel Sasu, *Cultura română în Statele Unite și Canada*, vol. 1 *Presa* (București: Fundația Culturală Română, 1993), 243.

⁴⁷ Sasu, *Cultura română*, 1:244.

spiritual values. Only the nation is the creator of these values, while the state is the organizer of national values”.⁴⁸ What the well-known scholar was suggesting was that the national state completed in 1918 had to be reorganized in a way that would incorporate all the energies of the nation, to correspond to the very difficult period after the end of the First World War. In the political discussions of the first post-war years there were several options that should have been channeled towards a full national integration. It was stated that the effort of the Great Union Generation was a continuation of the national struggle of the previous generations, but a future action of the entire nation was also needed for the “complete fulfillment of our ideal”,⁴⁹ which for the senator G. G. Mironescu was literally becoming a “matter of existence”. However, for some politicians this subject meant only a political, economic and cultural “work of consolidation” (this is the case of Ionel I. C. Brătianu and the Liberal Party), while others (from Old Romania, but especially from the provinces that decided their union with the Romanian Kingdom) considered a reorganization of the “new state” to be fundamental,⁵⁰ as it was also designed by the Resolution of the National Assembly from Alba Iulia (December 1, 1918). Senator Eugeniu Bran believed that the future reconstruction of Greater Romania could be achieved “through honest and fair work”, and “the new state of united and great Romania could be built on truly democratic bases”, with the involvement of all its citizens, “and this is the only way we will achieve it if we all work together to build it, in harmony and good understanding”.⁵¹

It is true that the Alba Iulia Resolution (December 1, 1918), decreeing the union of the territories and populations of Transylvania and Banat with Romania, also included some “fundamental principles for the creation of the new Romanian state” that Iuliu Maniu explained to the participants at the National Assembly from Alba Iulia in the following way: “Only through a democratic regime can we strengthen our Romanian country, especially when we have to take into account the requirements of modern state life. Only with a regime of rights and freedoms within the country will we have the strength to validate our cause outside. Full freedom of the social classes is a guarantee for the good of the country”.⁵² Bishop Iuliu Hossu, the one who read the Union Resolution to the people, said that “a Greater Romania, one and indivisible” is being established, by which he meant “the

⁴⁸ Dimitrie Gusti, *Opere*, vol. 3 (București: Editura Academiei, 1970), 195.

⁴⁹ Cf. Senator G. G. Marinescu, June 30, 1920, in Gheorghe Sbârnă and Ion Calafeteanu, *Ratificarea Tratatelor de Pace de la Paris (1919–1920) în Parlamentul României Întregite* (Cluj-Napoca: Editura Școala Ardeleană, 2022), 162, 281.

⁵⁰ Cf. Senator Eugeniu Bran, August 17, 1920, in Gheorghe Sbârnă and Ion Calafeteanu, *Ratificarea Tratatelor de Pace de la Paris (1919–1920) în Parlamentul României Întregite* (Cluj-Napoca: Editura Școala Ardeleană, 2022), 315.

⁵¹ Cf. Senator Eugeniu Bran in Sbârnă and Calafeteanu, *Ratificarea Tratatelor*, 317.

⁵² Vasile Pușcaș, *Marea Unire. 1918. România Mare—Acte și documente* (Cluj-Napoca: Studia Publishing House, 2018), 181.

creation of the new Romanian State”.⁵³ The statement of Vasile Goldiș, made in the same context, is also worth mentioning. He says: “The union of all Romanians in one state will only then be stable and guaranteed by the further history of the world, if it responds to all the duties imposed by the new conception of civilization /.../”.⁵⁴ In the message of the representatives of the National Assembly from Alba Iulia to King Ferdinand I, on the occasion of handing over the Union Resolution, it was said that it was unanimously decided to unite Transylvania and Banat with the Kingdom of Romania, and the monarch from Bucharest replied that he was “full of hope in a beautiful future” of all Romanians.

The discussion in the Romanian Parliament related to the Paris Peace Treaties, on the occasion of their submission to the ratification process (1920–1922), was an opportunity to debate the post-war future of Greater Romania. In the summer of 1920, the Treaty of Versailles (with Germany) was under parliamentary debate. At the meeting of the Assembly of Deputies, when the respective Treaty was put to the vote (August 20, 1920), the Minister of Foreign Affairs Take Ionescu also participated. He finished his argument in favor of ratification with the following conclusion: by voting the peace treaty, the foundations of New Romania were being laid. The same official of the Romanian government claimed that the Trianon Treaty also confirmed “the fulfillment of our national unity” and at the same time, the hope to “consolidate the new state”.⁵⁵ Senators Ion Nistor and Nicolae Bățaria insisted on the fact that the post-war peace treaties reflected the new ideas of the era, “a new world emerged, and a new situation was created”. And the Parliament established by the elections of November 1919 also took over the role of Constituent Assembly, although there were still no concrete projects to revise the Constitution of 1866 or to adopt a totally new one. Therefore, when the first parliamentarians of integrated Romania debated the Peace Treaties for ratification, they often referred to the need for a new Constitution to be adopted as soon as possible. This is what happened when the Treaty with Austria or that of the minorities was discussed. The request for a reform of the administration and public function gave the opportunity to underline the situation, namely, constitutionalism was only a facade in Old Romania; added on the external conduct of its governors, these created an unwanted reputation for Romania (“Romania has the habit of making commitments and not fulfilling them”⁵⁶—stated bitterly Alexandru Vaida-Voevod).

The options of the post-war political parties on the constitutional issue of Romania as a whole were exposed in 1921–1922, at the same time as the public

⁵³ Onofreiu, Pinte, and Vlasin, *Anul 1918 în județul Bistrița-Năsăud*, 364.

⁵⁴ Pușcaș, *Marea Unire*, 172.

⁵⁵ Sbârnă and Calafeteanu, *Ratificarea Tratatelor*, 85, 317.

⁵⁶ Cf. Deputy Alexandru Vaida Voevod, August 13, 1920, in Gheorghe Sbârnă and Ion Calafeteanu, *Ratificarea Tratatelor de Pace de la Paris (1919–1920) în Parlamentul României Întregite* (Cluj-Napoca: Editura Școala Ardeleană, 2022), 208.

lectures initiated by the Romanian Social Institute (Dimitrie Gusti), through the so-called “pre-constitution drafts”. These documents expressed the positions of the parties, but they were also a form of dialogue between the parties, an information and testing of Romanian public opinion. In chronological order, the first preliminary draft of the constitution was formulated by a group of the Study Circle of the National Liberal Party. D. Ioanițescu made the statement of principles. He also explained the reason for the preparation of the draft: “First of all, to determine what should be, in view of the new social and political circumstances, the future bases of the Romanian State”. The authors appealed especially to the representatives of the provinces recently united with the Romanian Kingdom to make observations, in order to contribute to “a definitive clarification of many of the constitutional problems of New Romania”.⁵⁷ So, the initial draft of the NLP had the intention of drafting a new Constitution for a **New Romania**. The arguments brought by the liberals were as follows: “The Romanian state emerging from this war is an almost new state to build, not only because it has added new territories and a larger population, consisting of four branches, each living under a different regime, but also because it will exist in a new Europe, where the war has produced deep social and economic changes. Therefore, the drawing up of another constitution is required, because we will not succeed in adapting the state to the new conditions, by partial changes brought to our fundamental pact, largely outdated”.⁵⁸ Which meant that, on the publishing day of the document (March 1921), the National Liberal Party had taken over the main themes of the constitutional objectives debated by public opinion in the first years after the end of the war, namely to give Romania as a whole a constitution adapted to the realities of the existence of Greater Romania, synchronized with the political and social developments of the Western world. Specifically, the liberal authors of this draft constitution considered that, three years after the accomplishment of the Great Union, Romania was “still in the heroic period of national consolidation” that was going to last for quite a long time, would have required a continuation of the “national policy”, i.e., “a unitary state policy with a national character”.⁵⁹ The liberal leader Vintilă Brătianu also presented the principles and structure of the preliminary draft of the Romanian Social Institute’s cycle of lectures dedicated to the New Constitution; he sometimes takes whole sentences from the document of the Study Circle of the National Liberal Party, sometimes he makes additional arguments. For example, to the statement of the preliminary draft previously

⁵⁷ D. Ioanițescu, ed., *Ante-proiect de Constituție întocmit de Cercul de studii al Partidului Național-Liberal* (București: Library of NLP Studies’ Circle, 1921), 4. With a principle’s exposition by D. Ioanițescu.

⁵⁸ Ioanițescu, *Ante-proiect de Constituție întocmit de Cercul de studii al Partidului Național-Liberal*, 5.

⁵⁹ Ioanițescu, *Ante-proiect de Constituție întocmit de Cercul de studii al Partidului Național-Liberal*, 6.

presented, on the theme “the Romanian state emerging from this war is an almost new state to build...”. Vintilă Brătianu added: “A new state needs a new foundation and we are thus brought to do this new settlement not only taking into account the indispensable conditions of Greater Romania, but also the State’s way of living in the situation fixed by the current evolution of modern civilization”.⁶⁰ In January 1922, on the occasion of the installation of the Liberal Party in government, Ion I. C. Brătianu spoke of the Constitution drafting “derived from the will of the whole Greater Romania”.⁶¹ This was interpreted as a change of attitude of the leaders of the National Liberal Party, in the sense that they would have given up the intention to proceed with the revision of the Constitution themselves. In reality, they only had in mind that their preliminary draft be promoted and accepted by several groups of the post-war Romanian political spectrum.

The following draft constitution, brought to the attention of the Romanian public, also in 1921, belonged to the Romanian National Party, and Professor Romul Boilă was the author. Interestingly, the document was dated August 7, 1921, and located in Dealul Țarinei, in Bădăcin, at Iuliu Maniu’s house, which probably meant that it had the full acceptance of the leader of the Romanian National Party. The project prepared by Romul Boilă expressed from the first lines the desire to draw up a new Constitution in unified Romania, supported by the argument of “the need for a new organization of our state life”. And this was justified, according to Boilă, by the “acts of union” issued by the process of union of the new Romanian provinces with the Old Kingdom and the need for a “new and unitary organization” of the Romanian state. The Romanian National Party’s constitutional project stated that “the united provinces have accepted certain provisions of the old Constitution for supreme necessity considerations and a high sense of patriotism”.⁶² But the new citizens of the integrated Romania did not give up the aspiration to have “a new and unitary organization of the Romanian state”, as expressed by the Council of the Country (Chișinău), the Constituent Assembly from Cernăuți and the National Assembly from Alba Iulia. In other words, the whole structure of the preliminary project of the Transylvanian Romanians was thought out by referring to the Resolution of the Union of Alba Iulia, the Acts of the Union of Bessarabia and Bucovina, the Constitution of 1866 and the draft constitution of the National Liberal Party (Boilă mentions for each article whether it is new or a revision of the old Constitution of Romania or affirmation/denial of certain provisions from the liberal draft). In the eyes of the leaders of the Romanian National Party, this approach to the elaboration of the “New Constitution” was a “matter of honor”, but also a principled commitment according to which “once the union received by the old Kingdom, implies the solidarity of the entire nation with

⁶⁰ Brătianu, “The Needs of the Modern State and the Constitution”, 26.

⁶¹ Popescu, *Din istoria politică*, 97.

⁶² Romul Boilă, ed., *Anteproiect de Constituție pentru statul român întregit cu o scurtă expunere de motive* (Cluj: Tipografia Națională S.A., 1921), 35.

this matter”.⁶³ In liberal circles, only a revision of the Constitution of 1866 was proposed. But the constitutional project from Bădăcin added that it could only be a “complete revision” that would result in a “New Constitution” that would also express the interests of the “new citizens” of Greater Romania, including those of different nationalities and denominations. Through the “new organization of state life” in Romania as a whole, followed by the “New Constitution”, the draft of the Romanian National Party announced that “We must forever ensure the unitary and independent state life of the Romanian nation within its ethnic and historical borders /.../. By consolidating the Romanian state, in parallel, the spiritual union of the Romanian nation will be perfected, so that we will eventually reach absolute national unity, an indispensable element for the existence of the Romanian state”.⁶⁴ Romul Boilă knew very well the basic political conception of Iuliu Maniu, which was also reflected in the Statement of Reasons of the preliminary draft of the Romanian National Party, but also in the chapters and articles of the constitutional draft. Therefore, the substance of the respective document unfolded in the well-known triad of Maniu’s conception: true democracy, social justice, ethics in public life.⁶⁵ Noteworthy is the fact that, of all the preliminary constitutional drafts that were elaborated in that period, the text drafted by Romul Boilă contained the largest number of references to the “Old Constitution” (1866), some with an approving tone, and others dissociating from the constitutional framework of Old Romania. As expected, complementary elements were brought to the nationalities and confessional themes. There were differences compared to the liberal draft in the provisions about property, administrative decentralization and others. Romul Boilă also gave the lecture at the Romanian Social Institute in which the red thread of the exposition was an insistent plea for a “New Constitution”,⁶⁶ including a series of principles that should have been the basis of its drafting.

The Peasant Party had a distinct approach, illustrated in the draft constitution presented by Constantin Stere in 1922. The statement of reasons signed by Stere started from the post-war “new legal order”, based on the idea of the nation, so that a constitution had to be the expression of national sovereignty and validated only by the adoption of a Constituent Assembly. The respective theory was extracted not only from the political philosophy of the era, but especially from the statute of the Society/League of Nations, codifying the relations between the nation states after the First World War. It is interesting that Stere drew a lot of inspiration from the Anglo-American political-legal literature, which could be explained by the notoriety that

⁶³ Boilă, *Anteproiect de Constituție pentru statul român*, 36.

⁶⁴ Boilă, *Anteproiect de Constituție pentru statul român*, 36.

⁶⁵ Romul Boilă, “About Life and Work of Iuliu Maniu”, in *Calendarul America*, ed. Petru Lucaciu (Cleveland, Ohio: Americană-Română Publishing House, 1962), 65.

⁶⁶ See Romul Boilă, “Principles of the New Constitutions”, in *Noua Constituție a României – 23 de prelegeri publice organizate de Institutul Social Român* (București: Tiparul Cultura Națională), 375–395.

American President Woodrow Wilson had in the Central-South-East European area. On this basis, he considered that President Wilson had developed the principle of national sovereignty starting from that of national self-determination and built “a harmonious edifice of World Order”.⁶⁷ Stere and the Peasants’ Party frequently appealed to the Versailles System and President Wilson’s way of thinking, as a means of supporting with external arguments the fact that the Union of the Romanian provinces with the Kingdom of Romania also meant an obligation assumed by Romania as a whole, namely that of governing in accordance with the principles of the League of Nations. What Stere wanted to show in that Statement of Reasons was the special constitutional situation in which Greater Romania found itself after the ratification of the Acts of Union and the Paris Peace Treaties. The Peasant Party considered that the political and constitutional regime of the Old Kingdom could not be extended to the provinces united in 1918 “without the express and freely declared will”.⁶⁸ Stere insisted that a constitution of whole Romania had to be a “completely free expression of the will of the entire nation”. The Peasant Party emphasized a procedural situation, according to which “only a National Constituent Assembly, specifically convened and elected under all the necessary guarantees of complete sincerity and freedom of elections, can have the task of drawing up and voting on the new constitution of the Kingdom”.⁶⁹ Stere insisted that a constitution of whole Romania had to be a “completely free expression of the will of the entire nation”. The Peasant Party emphasized a procedural situation, according to which “only a National Constituent Assembly, specifically convened and elected under all the necessary guarantees of absolute sincerity and freedom of elections, can have the task of drawing up and voting on the new constitution of the Kingdom”. Therefore, in the opinion of the Peasant Party, only a legally validated Constituent Assembly had the right to draft and adopt a new Constitution. This attitude was not necessarily innovative, but rather offensive to the antiquated governmental procedures in Romania at that time. Consequently, the draft of the Peasant Party stated that “obsolete customs cannot give a legal basis to our state life”.⁷⁰ The conclusion of the Peasant Party’s preliminary draft was that a “New Constitution” of whole Romania had to be based on the Acts of Union (the resolutions of the plebiscite assemblies of the new Romanian provinces united to Romania), which strengthened the legitimacy of the principle of national sovereignty. Prior to this, Stere and the Peasant Party believed that a post-war constitution of Romania should be validated by a plebiscite regarding the text of the “New Constitution”. In the concrete conditions of Romania

⁶⁷ Constantin Stere, *Ante-proiect de Constituție întocmit de Secția de studii a Partidului Țărănesc* (București: Tipografia Viața Românească S.S., 1922), 7.

⁶⁸ Stere, *Ante-proiect de Constituție întocmit de Secția de studii a Partidului Țărănesc*, 16.

⁶⁹ Stere, *Ante-proiect de Constituție întocmit de Secția de studii a Partidului Țărănesc*, 17–18.

⁷⁰ Stere, *Ante-proiect de Constituție întocmit de Secția de studii a Partidului Țărănesc*, 20.

at that time, the plebiscite was difficult to achieve, with effects that would not have changed the state of mind of the population. A real change, according to Stere, would have resulted from the modification of the constitutional regime in Old Romania. Which could only be the effect of “intimate union in thought and feeling, resulting only from the respect of the particularities and natural characteristics of each and from the truly free activity of all”.⁷¹ Constantin Stere was criticizing the Romanian constitutional state before the First World War, considering that the “constitutional regime” in Romania was one “without law and without right”, subject to the arbitrary will of “the mentality of the public power’s representatives”. They had instituted a so-called “state doctrine” in the name of which the “egoism of a dominant class” acted, which meant that “the constitutional regime was falsified from the root”.⁷² We should emphasize the fact that for Constantin Stere and his colleagues from the Peasant Party, the project of a new Constitution was also starting from the Constitution of 1866, in order to underline the necessity of the principle of continuity. The preliminary draft of the constitution drawn up by the politician from Bessarabia needed to strengthen the validity of the principle of national sovereignty. That is why he rewrote the draft of Romania’s post-war constitution based on the general structure of the old Constitution. But he insisted on the role of the civil servant and public life, which had the obligation to support legality and civil freedom. In other words, the Peasant Party was in favor of an overall revision of the Constitution of 1866, but with “correctives” that the “New Constitution” should bring in order to correspond to the new evolutionary precepts of post-war Romanian and European society.

The Romanian New Constitution. Considerations and preliminary draft by Constantin Berariu (Cernăuți, 1922), also liberal, joined the series of political projects that fertilized the particularly intense public debate about the future Constitution of Greater Romania. Berariu from Cernăuți was a critic of the old Constitution of Romania for the reason that it would have created and maintained a series of “crises of law”. It was based on the study of the jurisprudence of the Court of Cassation and Justice of Romania, but also on the assumption that, in the post-war conditions, the Constitution of 1866 no longer corresponded to the provinces united with Old Romania, so that arbitrariness was reigning in the decisions of the legislator, the judge, the administrator who were no longer under the rule of the “sense of legality and responsibility” before the citizen. This situation “was eroding the foundations of the state’s existence”.⁷³ For this reason, the author from Bucovina considered that a new Constitution was necessary, a “single one for the whole country”. Inspired by the public debates of the first post-war years,

⁷¹ Stere, *Ante-proiect de Constituție întocmit de Secția de studii a Partidului Țărănesc*, 45.

⁷² Stere, *Ante-proiect de Constituție întocmit de Secția de studii a Partidului Țărănesc*, 46.

⁷³ Constantin Berariu, ed., *Noua Constituție a României: reflexiuni și anteproiect* (Cernăuți: Institute of Graphic Arts and Publishing House “Glasul Bucovinei”, 1922), 6.

Constantin Berariu believed that a partial amendment of the old Constitution would not solve the organizing problems of Greater Romania. On the contrary, he believed that the old Constitution “had to be replaced by a new one”.⁷⁴ In the controversy of ideas with the liberal project signed by D. Ioanițescu, Constantin Berariu also brought a political argument in favor of adopting a new Constitution: “The country and the number of the population have increased through the Great Union in such a considerable proportion, that the population from more than half of today’s territory of the country was not represented at the deliberations on the old Constitution”.⁷⁵ Therefore, he suggested that a future Constituent Assembly should discuss the entire constitutional issue of Greater Romania, so that the old Constitution would be replaced by a new one, which would receive the vote of all Romanians from the entire national state. The adoption of a new Constitution, believed Constantin Berariu, would have had the great advantage of being approved and respected by all Romanians within the post-war Romanian state. He pointed out without hesitation that only the projects of D. Ioanițescu and Romul Boilă were proposing an overall revision of the old Constitution of Romania. Their critical analysis led him to remarks that could serve as a synthesis of the preliminary projects of the Liberal Party and the Romanian National Party in the benefit of the Romanian citizens and the modernization of the Romanian state. In conclusion, we can say that Constantin Berariu’s draft brought more rationality to the passionate, partisan debate on the future constitution of Romania as a whole. His proposal to make a synthesis of the two projects—of the Liberal Party and the Romanian National Party—had logic and applicability in the Romanian state. At the same time, the suggestion of this moderate draft of the politicians from Bucovina was creating the premises for the elaboration of a new Constitution that would represent continuity, innovation and modernity in the consolidation and future progress of Greater Romania. Here we can add that this criticism of the old constitutional framework in pre-war Romania was not made to somehow diminish the special role of politicians from Old Romania and the monarchy in the realization of the Great Union. Iuliu Maniu and other leaders of the Romanians from the United Provinces have publicly highlighted many times the importance of the political action of Ion I. C. Brătianu, Nicolae Filipescu, Take Ionescu, Nicolae Iorga, etc. in fostering and establishing Greater Romania.⁷⁶ However, it was in the spirit of the era, this desire and hope that the entire Romanian state life would be renewed after a devastating war for the country and the Romanian citizens, after the great national fulfillment of the creation of Greater Romania, through a new Constitution.

Even if they did not present a preliminary constitutional draft like the most important Romanian political parties in the first post-war years, the social

⁷⁴ Berariu, *Noua Constituție a României*, 7.

⁷⁵ Berariu, *Noua Constituție a României*, 8.

⁷⁶ See Sbârnă and Calafeteanu, *Ratificarea Tratatelor*, 356.

democrats paid attention to the debates that referred to the elaboration of a new Constitution. The Bucovina social democrat, George Grigorovici, was very active in rejecting the Bolsheviks deviation from Greater Romania and Europe; found the time to accept Dimitrie Gusti's invitation to give a lecture at the Romanian Social Institute, on the subject of the future Constitution of integrated Romania. On that occasion he severely criticized the Soviet Constitution, also with the aim of emphasizing how important it was for Romania to adopt a “Democratic Constitution”.⁷⁷ This type of approach allowed the social-democratic leader to distance himself from the false interpretations of Marxism, but also to show that the Romanian social-democrats joined the other Romanian political parties that wanted to modernize the political system in Greater Romania, even if sometimes his criticism was different from the general theses of European social democracy, as was the case of the monarchical regime.⁷⁸ Following Lassalle's conception regarding the purpose and methods of drafting constitutions in European states, Grigorovici claims that the Constitution of 1866, but also a future Constitution of Greater Romania, had to express the situation of “power relations among different classes”, thus reflecting differentiations between the Written Constitution and the “Real Constitution”. He wants to show that the application of the Constitution in the Old Kingdom was an expression of the Romanian oligarchy that governed autocratically and even dictatorially. His criticism also focused on the characteristics of the post-war governments that did not reflect the strong tendency of the Romanians towards unity, which led to the existence of a “constitutional conflict”. He pleaded for an effort by the political parties and the entire nation to build a “new constitutional edifice” that would establish the truest democracy in Greater Romania.⁷⁹ The aforementioned social-democratic leader referred several times, in the lecture at the Romanian Social Institute, to Greater Romania as a national-state entity, he extensively argued the need for a new Constitution, but he never uttered the term “New Romania”.

The first years of Greater Romania depicted a much-diversified political life compared to that of Old Romania. In other words, the disappearance of the Conservative Party gave hope that the pre-war party system had ended its existence, and a new path would follow. The political regime also signaled the trend towards a vigorous parliamentary democracy, especially after the introduction of the universal suffrage and the entry on the political scene of new parties, such as the Peasants' Party, the Romanian National Party, the People's League, etc. There was also a popular impulse to participate in the political life of

⁷⁷ See George Grigorovici, “Soviet Constitution and Democratic Constitution”, in *Noua Constituție a României – 23 de prelegeri publice organizate de Institutul Social Român* (București: Tiparul Cultura Națională), 53–73.

⁷⁸ Petru Rușșindilar, *George Grigorovici și social-democrația în Bucovina* (București: Fundația Constantin-Titel Petrescu Publishing House, 1998), 149–150.

⁷⁹ Grigorovici, “Soviet Constitution and Democratic Constitution”, 73.

wider categories of citizens. And the public debates aiming at the adoption of a new Constitution gave the main political formations the opportunity to show what their governance options in Greater Romania were. The optimistic, constructive and innovative momentum of the first post-war years also mobilized the intelligentsia to a vivid participation in the identification and definition of Romania's future path after the First World War. Therefore, Greater Romania was often spoken of as a "New Romania". The development of preliminary drafts for a "New Constitution" gave the parties the opportunity to adapt and finalize their political programs, but also to present their methods of achieving intentions and publicly presenting projects.

At the end of November 1918, King Ferdinand decided to bring to power the liberals led by Ion I. C. Brătianu. The monarch considered that the post-war reconstruction period of Romania was very difficult, it required political stability, and participation in the Paris Peace Conference had to be achieved through experienced politicians. The National Liberal Party called itself the executor of the Great Union and considered itself entitled to assume the mission of reforming and consolidating Greater Romania. It's just that the socio-economic situation of the Romanians kept getting worse, the peace negotiations in Paris put Brătianu in a difficult situation, threats to the state's borders, still not officially recognized by international treaties, intensified from the east and west of the country, and Bolshevism attacked externally and menaced with internal social-political radicalization. The new parties in Greater Romania tried to organize themselves on the scale of the entire country, while the main leader of the liberals—Ion I. C. Brătianu—was increasingly challenged. In fact, leaving at the head of the Romanian Delegation to the Peace Conference (July 2, 1919), Brătianu had decided that his presence was more important in domestic politics, but returning to the country he also resigned from the position of prime minister of the government. And the elections of November 1919, lost by the Liberal Party, confirmed the growth of an anti-Brătianu sentiment and against the liberal formation. The year 1920 was still full of uncertainties (only in the fall of that year were the borders of Greater Romania internationally recognized), social and political radicalization increased in intensity, and the parties continued to make efforts to gain acceptability on the scale of the entire country. In such a context, the topic of a new Constitution appeared on Romania's political agenda. Central European states, including Germany and Austria, also rushed to base their state organization on new constitutions. Romania had remained among the last countries in the area without a new post-war constitutional project, and there was an urgent need for institutional, economic and social reforms. Therefore, a natural connection appeared between the elaboration of a "New Constitution" and the reformation of society in a "New Romania". In fact, the desideratum appeared that after the realization of the national ideal of the Great Union, the Romanian ideal should be reformulated for the creation of a "New Romania" or, as the author of *Poems of Light* (1919) said,

to evolve towards a society that, in the new post-war conditions, would reach “historical fullness”.

Even the governments of 1920–1921 did not demonstrate a solid base of popular and monarchical support. In March 1920, the Alexandru Vaida-Voevod government resigned; the king and Brătianu decided to appoint a government headed by General Averescu, leader of the People’s Party formation, hoping that he would succeed in establishing “order” and “social harmony” in Romania.⁸⁰ The Averescu government introduced the draft Agrarian Reform Law in Parliament (March, 1921) and tried to follow the initiatives of the Liberal Party in the field of economic recovery. The fiscal reform proposed by the finance minister, Nicolae Titulescu, disturbed the interests of some supporters of the liberals. The leaders of this party were dissatisfied with the way the Averescu government implemented their goals. This attracted strong opposition from the Liberal Party, to which Brătianu also associated King Ferdinand. So that Averescu was also forced to resign at the end of 1921. And once again, Ion I. C. Brătianu became the president of the Council of Ministers of Romania, in January 1922. His government organized the general elections, in March 1922, in the consecrated style of liberals before the First World War,⁸¹ which meant a widespread use of local administration pressure, individual and group aggression by party’s “electoral agents” and even violence to intimidate opponents. Consequently, the Liberal Party managed to gather an overwhelming parliamentary majority (222 seats), while the Peasant Party registered only 40 seats, the Romanian National Party 26 and the People’s Party 13. The electoral campaign was also very tense due to the liberals’ announcement that the future Parliament would have the role of Constituent Assembly, receiving the task of adopting a new Constitution. Therefore, Brătianu received “full freedom” from the monarch, although these facts were happening in a strong “anti-Brătianu atmosphere”, which was an extension of the external perceptions accumulated during his participation in the Paris Peace Conference.⁸²

The troubled and impulsive atmosphere during this electoral campaign extended into Romanian political life in the following years. Iuliu Maniu considered that the elections for the Constituent Assembly seemed to become a “European scandal”, while Virgil Madgearu declared that the Parliament resulting from those elections was “a gathering of ballot box thieves”.⁸³ In order to reward the royal support, Ion I. C. Brătianu forced and accelerated the organization of the coronation celebrations in Alba Iulia, while the opposition parties wanted it to

⁸⁰ Keith Hitchins, *Rumania, 1866–1947* (Oxford: Clarendon Press, 1994), 407.

⁸¹ Hitchins, *Rumania, 1866–1947*, 409; “The old political spirit persisted, and politics for the sake of short-term advantages, and not principles, intensified”, writes Keith Hitchins again, *Scurtă istorie a României* (Iași: Polirom, 2015), 189; see also Angela Banciu, *Rolul Constituției din 1923 în consolidarea unității naționale* (București: Științifică și Enciclopedică Publishing House, 1988), 67.

⁸² Lapedatu, *Scrieri alese*, 344; Spector, *România la Conferința de Pace de la Paris*, 25.

⁸³ Bogdan Bucur, *Sociologia proastei guvernări în România interbelică* (București: Rao Publishing House, 2019), 136.

occur only after the adoption of the new Constitution. The liberals did not take into account this desire of the representatives of the new provinces united with the Old Kingdom and, on October 15, 1922, they proceeded to carry on the coronation ceremony.⁸⁴ The Romanian National Party and the Peasant Party refused to participate in that event, which created the perception that the Brătianu family was the true master of the country,⁸⁵ while the king demonstrated that he was not an impartial constitutional factor. One week after the coronation ceremony, Constantin Rădulescu-Motru described the disappointment of the Romanian politicians in Transylvania as follows: “By the liberal politicians, in addition to the lack of sincerity, arrogance is also added (we want to avoid a Romanian sharper word). These descendants of old arrivistes have arrogance in their blood. Exchanging Budapest for Bucharest, the Transylvanians thought they were coming to brothers weakened by the wounds of war, and they would deliberate how it would be better to strengthen the impoverished country and its lost soul; but they met some braggarts, who treated them with superiority, spoke to them as subordinates, because they had saved them from the clutches of the Germans and the Hungarians”.⁸⁶ In these words, however, we also detect a great disappointment of Constantin Rădulescu-Motru towards the way in which political life was developing in Greater Romania. And at the beginning of 1923, first the Peasant Party and then the Romanian National Party announced that they could not recognize the legality of the Parliament and, in the conditions when the liberals informed that they were going to introduce their own preliminary draft of the Constitution for debate, the two mentioned opposition parties claimed that they would consider such a resulting Constitution “null and void”.

The National Constituent Assembly opened on November 28, 1922. A Constitutional Commission that included parliamentarians, members of the government and several renowned jurists was tasked with finalizing the draft constitution. The Liberal government introduced their draft Constitution into parliamentary debate on 5 March 1923, determined to ignore opposition objections. On March 9, at the National Assembly, Iuliu Maniu presented a protest of the Opposition reiterating its option for a new “fundamental arrangement” to serve a “new state”, the one resulting from the Union of the provinces with the Old Kingdom.⁸⁷ After two weeks of general discussions and the final formulation of the text by a committee, clearly dominated by liberals, the discussion of the articles of the project began on March 19. On March 26, 1923, the Chamber voted on the

⁸⁴ Ioan Scurtu and Gheorghe Buzatu, *Istoria românilor în secolul XX*, (București: Paideia Publishing House, 1999), 149.

⁸⁵ Scurtu and Buzatu, *Istoria românilor în secolul XX*, 150–151; see also Antonello Biagini, *Storia delle Romania contemporanea* (Milano: Libri S.p.A., 2007), 8.

⁸⁶ Constantin Rădulescu-Motru, *Publicistică politică* (București: Institutul de Științe Politice și Relații Internaționale Publishing House, 2002), 275.

⁸⁷ Eleodor Foșeneanu, *Istoria constituțională a României (1859–1991)*, 2nd ed. (București: Humanitas, 1998), 50.

Constitution (247 votes for, 8 against, 2 abstentions). The Senate voted on it the next day (137 votes for, 2 against, 2 abstentions). The King promulgated the Constitution on March 28, 1923, being published in the *Official Gazette*, no. 282, of March 29, 1923.⁸⁸ Politicians, attorneys and journalists of the time commented on the fact that the liberals did not even respect the review procedure provided for in the Constitution of 1866. This fact demonstrated an attitude of disregard for the constitutional framework and suggested that the same lack of respect for the content of the supreme law would have followed with regard to the Constitution of 1923. The Liberal Party was forced to quickly revise and adapt the old Constitution of 1866; the old constitutional framework was prolonged, but no new Constitution was drafted. The Constitution of 1923 had 138 articles, 10 more than the Constitution from 1866. Only 7 articles were new, and 20 had substantial changes, while 25 articles received additions or reformulations. More than half of the total articles (76) were taken over entirely from the old Constitution.⁸⁹ As for the speed of adopting the post-war Constitution, the liberals justified it by the fact that Romania was very late compared to the other states in the area, which was very true. But the delay was also due to the old-style political maneuvers that even the National Liberal Party practiced, in order to recover from the shock of the November 1919 elections, to expand its organizations throughout the country and to compromise the leaders of the new political formations in front of the Romanians and the monarch.

Ion I. C. Brătianu and his liberal supporters considered themselves entitled to bring a Constitution to Greater Romania, all the more so since they also called themselves the “fathers” of the agrarian and electoral reforms, announced just before the outbreak of the First World War. But more than Brătianu’s personal pride, or group (liberal), the Liberal Party’s economic interests weighed heavily on the forced revision of the Constitution. Ștefan Zeletin said that, more than anything, the financial-oligarchic groups around Ion I. C. Brătianu definitely wanted to impose in the Constitution the directions for the accumulation of newer resources in the unified territory of Greater Romania.⁹⁰ The same analyst predicted that, in order to achieve their goals, the liberals were obliged to resort to force and to reject any agreement with the other significant parties in the political life of post-war Romania. The leader of the Liberal Party and the government, Ion I. C. Brătianu, frequently expressed the wish to lay “the solid foundations of the reorganization and consolidation of the state” through the revision and adaptation

⁸⁸ Banciu, *Istoria vieții constituționale*, 81.

⁸⁹ Banciu, *Rolul Constituției din 1923*, 77; A statistic of interventions on the articles of the 1866 Constitution by Eleodor Focșeneanu slightly, insignificantly, differs from Angela Banciu’s enumeration. Instead, Focșeneanu unreservedly concluded that the constitutional revision carried out by the Liberal Party was “less radical” and rather took the form of an “adjustment to the political situation” after 1918. See Focșeneanu, *Istoria constituțională*, 62.

⁹⁰ Ion Novăcescu, *Ion I. C. Brătianu. Concepție și management politic* (Cluj-Napoca: Eikon Publishing House, 2011), 352.

of the Constitution.⁹¹ It was the slogan to which King Ferdinand also adhered. Lacking the will and ability to achieve a national pact of all political parties for the adoption of a new Constitution, Ion I. C. Brătianu was content to reach an agreement with the king on the procedure and the main chapters consented by the liberals for the constitutional revision.⁹² That is why most politicians of the time equated the 1923 Constitution with a product of Brătianu's combination with the monarchy.

In order to create the perception of a substantial change, the Liberal Party reorganized the structure of the 1923 Constitution, to emphasize the intention of organizing and operating the institutions and powers of the state. It highlighted the principle of national sovereignty, declaring the Romanian state as a national, unitary and indivisible state. It reformulated the characterization of the right to property, introducing the element of social needs that was fashionable in the post-war period. Of course, the declaration of the rights and obligations of Romanian citizens was resumed and developed, also referring to ethnic minorities. Last but not least, the liberals and the king were concerned with giving greater rigidity to the procedures for revising and amending the Constitution.⁹³ And trying to highlight once more the merits of the Constitution of 1866, which was in operation for more than half a century, Ion I. C. Brătianu announced, at the time of the final vote on the Constitution of 1923, that the latter would be the basis of "the general development of the state, without revisions, for the next 50 years".⁹⁴

Unfortunately, Brătianu's optimism was exaggerated. The 1923 Constitution was replaced only a decade and a half after its adoption. With the exception of apologetic views of the Liberal Party, the criticism directed at the Constitution of 1923 was very intense and varied in tone. The opposition parties of the time declared even at the time of the adoption of the Constitution, in March 1923, that they do not recognize the validity of the country's constitutional act and that they will proceed to change it as soon as they come to power. This is the proof, on their side, too, not only from the Liberal Party, that at the time Lasalle's conception of the balance of power prevailed with regard to the mode of adoption of a constitution. However, the respective parties did not change the Constitution when they came to power, towards the end of the third decade, because the implementation of the change was also up to the king. In 1938, Charles II further strengthened the centralism of the state and led the politico-state regime to formal authoritarianism. Moreover, a large part of contemporary historiography shows that royal, governmental and administrative state centralism was an important consequence of the 1923 Constitution. All of this led to exceptional measures, authoritarian excesses and the annihilation of certain provisions with positive

⁹¹ Novăcescu, *Ion I. C. Brătianu. Concepție și management politic*, 352.

⁹² Banciu, *Rolul Constituției din 1923*, 77.

⁹³ Banciu, *Rolul Constituției din 1923*, 78–80.

⁹⁴ Novăcescu, *Ion I. C. Brătianu. Concepție și management politic*, 355.

nuances in the constitutional discourse.⁹⁵ Mihail Manoilescu extended to the economic field the criticism of the political and economic system established by the 1923 Constitution, constantly brought forward by the liberals as an argument in support of nationalism and centralism: “If we were to assess the internal nationalism of that time, we would be surprised at the disproportion between the great means available to the bourgeoisie and the very poor results it has obtained in matters of internal nationalism”.⁹⁶ Of course, Manoilescu made this assessment starting from his own conception of the national state as an “economic unit”⁹⁷ that allowed to reach an “absolute optimal form” in the process of “utilizing national productive forces”. But he also criticized the centralism practiced in the economic governance in interwar Romania, because it inhibited free entrepreneurial initiative, being rather the expression of a group interest and having nothing to do with the Romanians’ national ideal.

I showed that the Romanians cherished the aspiration that Greater Romania would also be a New Romania or, as it was also called, a “Great and New Romania”. This was very intense in the period immediately after the First World War and even throughout the interwar era. And certain political orientations have added the “new” adjective in their daily discourse, and in some cases in the title of some of their publications. For example, the peasant press listed among its newspapers one called *Țara Nouă* [*The New Country*] (1919–1921), while the social democrats republished, after the Great Crisis, the magazine *Lumea Nouă* [*The New World*] (1933–1940).⁹⁸ Romanians living in the United States and Western Europe, as well as some Western supporters of the process of completing the unity of the Romanian national state, hoped that a “new Romania” would develop after the realization of the greater Union. So was the French professor Emmanuel de Martonne, who appreciated that the characteristics of Transylvania, Bessarabia, Bucovina should have forced Romanian politicians to build a new state.⁹⁹ The American sociologist Joseph S. Roucek wrote that one of the most important goals of Romanian society, after the First World War, was to “unite the new provinces with the old country, to merge all the new citizens into a new state

⁹⁵ We give only a few examples: Dimitrie Gusti, *Opere*, 3:280; Joseph Rothschild, *East Central Europe Between the Two World Wars* (Seattle; London: University of Washington Press, 1974), 287–288; Hitchins, *Rumania, 1866–1947*, 410; Irina Livezeanu, *Cultură și naționalitate în România Mare, 1918–1930* (București: Humanitas, 1998), 36; Lucian Boia, *Cum s-a românizat România*, 271; Alberto Basciani et al., *Dificila Unire: Basarabia și România Mare, 1918–1940* (București: Cartier Publishers, 2018), 198–199; Bucur, *Sociologia proastei guvernări*, 138.

⁹⁶ Mihail Manoilescu, *Rostul și destinul burgheziei românești* (București: Albatros, 2002), 317.

⁹⁷ Mihail Manoilescu, *Forțele naționale productive și comerțul exterior: Teoria protecționismului și a schimbului internațional* (București: Științifică și Enciclopedică Publishing House, 1986), 173.

⁹⁸ See Marian Petcu, “The press of political parties during 1918–1930”, *Revista română de sociologie* 30, no. 1–2 (2019): 147, 149.

⁹⁹ Basciani, *Dificila Unire*, 130.

to counterbalance the effects of their long separation”.¹⁰⁰ The achievement of this mission depended on the degree of success of the economic reconstruction of Greater Romania, but also on its evolution along the path of development and modernization. The long-awaited work with a normative character—the New Constitution—should have given Romania “a different organization, compared to the one in Old Romania”.¹⁰¹

The political and intellectual debates of the era, regarding the new Constitution of post-war Romania, did not indicate that anyone wanted a transformation of the country without any connection with Old Romania and the Constitution of 1866. As we have seen, the new provinces that united with Romania had accepted to temporarily enter the existing constitutional framework at the time of the Union. Implicitly, with the shared desire for the Romanian state to continue the state and societal modernization process by including the new Romanian citizens in that work. This also involved a reasoned criticism of the way the Constitution of 1866 was applied and how the state institutions functioned in Old Romania. This action was often met with rebukes from politicians in Bucharest.¹⁰² However, it is demonstrable that almost all preliminary constitutional drafts brought to the attention of Romanian public opinion, in 1921–1922, started from the intention of revising the Constitution of 1866. Some drafts, such as those proposed by the Liberal Party and the Romanian National Party, made direct reference to the articles of the old Constitution. It could rather be said that almost all post-war political actors hoped to reach the widest possible consensus for a comprehensive revision of it, and above all the imposition of a new spirit, of correct, democratic methods of governance in the new constitutional framework from Greater Romania. Which for most meant a new Constitution for a new state.

Historian Keith Hitchins even pointed out that “the new Constitution, in a certain sense, extended the provisions of the 1866 Constitution to the new provinces”.¹⁰³ In the spirit of old Romania, the 1923 Constitution upheld civil and political rights and freedoms, but did not say how they would be realized. Instead, we can see that administrative centralization has been excessively regulated, giving

¹⁰⁰ Joseph S. Roucek, “Sociology in Romania”, *American Sociological Review* 3, no. 1 (February 1938): 5, 7.

¹⁰¹ “Integrarea provinciilor unite cu România în structurile noului stat, după Unirea de la 1918”, [administratie.info](https://administratie.info/domenii/istorie/2541-integrare-a-provinciilor-unite-cu-romania-in-structurile-noului-stat-dupa-unirea-de-la-1918?highlight=WyJpbmRlZ3JhcmVhliwicHJvdmluY2lpbG9yIl0=), Accessed October 10, 2023, <https://administratie.info/domenii/istorie/2541-integrare-a-provinciilor-unite-cu-romania-in-structurile-noului-stat-dupa-unirea-de-la-1918?highlight=WyJpbmRlZ3JhcmVhliwicHJvdmluY2lpbG9yIl0=>.

¹⁰² For example, in the Senate meeting of July 29, 1920, the Minister of Foreign Affairs, Take Ionescu, told the Bucovinian G. Grigorovici: “Each province that united with Romania did not unite with the nothingness, but with a state that has a Constitution, a Constitution that stretches legitimately on the other united parties, too”. See Sbârnă and Calafeteanu, *Ratificarea Tratatelor*, 118.

¹⁰³ Hitchins, *Rumania, 1866–1947*, 410; Here details related to this aspect in Ion Bitoleanu, *Din istoria României moderne* (București: Științifică și Enciclopedică Publishing House, 1981), 74–75.

scope for discretionary interpretations to state power actors. To defend their centralizing conception, the liberals reproached certain politicians of the provinces recently united to the country for having federalist or regionalist options which would undermine the national unity of Romania. This topic absorbed a good part of the political polemics between the leaders of the parties of the old Romania and the new provinces. A very convincing expression was given by Alexandru Papacostea, in the magazine *România Politică* (October, 1922), when he said that Maniu or Vaida-Voevod could just as well have spoken of the “Bucharest regionalism” of Ion I. C. Brătianu.¹⁰⁴ Florin Constantiniu gave us a memorable description-evaluation of the Constitution adopted in Romania after the First World War, from the perspective of its effects during the decade and a half that it was in force: “The Constitution of 1923 represents a synthesis between the old constitution from 1866 and the reforms voted in Iași in 1917. It introduced universal, equal, direct and secret suffrage, placed the public interest before the individual one, increased the power of the legislature in relation to that of the king and proclaimed civil liberties in the spirit of a perfect democracy. The old and harmful tradition of form without substance was also manifested in the Constitution of 1923. However, this had been considered by many politicians as the foundation of a political life of genuine democracy. But the reality was completely different. As soon as any party was in power, the constitution was becoming a dead letter for it, the acquisition of the electoral clientele having priority over any law, including the fundamental one. The cry of the opposition parties was respect for the constitution, but not when they were in government”.¹⁰⁵ Naturally, any discussion about the legal and constitutional concepts of the 1923 Fundamental Law, about the configuration of state institutions, etc. reveals a clear direction towards modernity of the Romanian constitutional framework from the interwar period. Analyzing the process of adopting the Constitution of 1923, Eleodor Foçșeneanu came to the conclusion that it was a revision of the Constitution of 1866, by means of legislative techniques from the beginning of the 20th century and a language appropriate to the political, economic and social situation after the First World War.¹⁰⁶ However, as Hitchens and Constantiniu showed, the functionality of such a constitutional framework was frequently perverted by the local style of doing politics and the use of state powers in the partisan interest group or individual. This aspect denotes the existence in post-war Romania of a predominant ambivalent political culture, i.e., declaratively inspired by the West and applied according to the informal customs of the East.

Because it was the basis of the legislative, institutional, administrative unification, of the organization of the State, of economic life and social. The

¹⁰⁴ Papacostea, *România politică*, 239.

¹⁰⁵ Florin Constantiniu, *O istorie sinceră a poporului român* (București: Univers Enciclopedic Publishers, 1997), 332–333.

¹⁰⁶ Foçșeneanu, *Istoria constituțională a României*, 69.

realization of this process also depended on the constitutional provisions, but above all on the will of the political factor of the time, which had to constantly and sincerely support the adopted constitutional framework. At least until 1938, when King Charles II put an end to the regime of the 1923 Constitution, this allowed the development of a more advanced form of modern democracy, freedom of thought and expression, but also a development of the civic spirit derived from the right to the protection of the fundamental law. Other authors have called it a “liberal constitution”¹⁰⁷ due to the fact that it was imposed by the Liberal Party. Together with King Ferdinand, it pushed the adoption of its preliminary draft, without including the option of opposing political parties. This Constitution was equally considered a “partisan Constitution”, as it openly served the interests of the Brătianu clientele.¹⁰⁸ Of course, some historians have highlighted the “liberal spirit” that was maintained in the 1923 Constitution, sometimes with an ironic sense compared to the “liberalism” practiced by the Liberal Party; Ștefan Zeletin said that this type of liberalism should be brought to the European doctrinal level and meaning that existed after the world conflagration.

There is a common view that states after the First World War had to change their characteristics, because many people associated the old state behaviors with the circumstances of the European power system that generated the world war.¹⁰⁹ On the one hand, it was also an impetus for the establishment of the League/League of Nations in order to regulate inter-state relations. On the other hand, in order to reach a different type of state interactions, it was necessary for the states themselves to adopt new structures and functions. The subject was intensively debated in the draft constitutions of the post-war Romanian political formations. One of them, drawn up by C. Stere, from the National Peasant Party, built the entire content of the “New Constitution” project starting from the adequacy to a new European and international system. In other words, the creation of nation states in Central-South-Eastern Europe and the modernization of nation states in the West required, as David Mitrany and many other authors after him appreciated, that these states had the duty to improve their understanding of sovereignty.¹¹⁰ This also involved the political inclusiveness of all categories of citizens. In the case of Romania, the newly emerging problem of national minorities was frequently brought up, a topic hotly debated in the context of the reconfiguration of the post-war constitutional framework, supporting a new approach, different from the Constitution of 1866. And the decisive acts of the union of Bessarabia, Bucovina and Transylvania with Romanian Kingdom

¹⁰⁷ Scurtu and Buzatu, *Istoria românilor în secolul XX*, 151.

¹⁰⁸ Rothschild, *East Central Europe*, 297.

¹⁰⁹ Daniel S. Geller and J. David Singer, *Nations at War: A Scientific Study of International Conflict* (Cambridge: Cambridge University Press, 1998), 166.

¹¹⁰ John M. Hobson, *The State and International Relations* (Cambridge: Cambridge University Press, 2000), 87.

expressly provided for this aspect, assiduously promoted by the political representatives of those provinces, both in the procedures for ratifying the Peace Treaties and in the adoption of a new Constitution of Greater Romania. After all, most politicians in post-war Romania pleaded for the reconstruction of the post-1918 Romanian state, in order to create a context of reconciliation between all the citizens of the country, and through the impartial application of the rights that were guaranteed to all, equality between them would become effective. That is why a “New Constitution” was urgently needed for a “Great and New Romania”! In the political language of the interwar era, quite frequently, the Constitution of 1923 continued to be called the “New Constitution of Romania”,¹¹¹ although only the action to review and adapt it was new, as well as the attempt to consolidate the main power group in Old Romania. The same formula is being used today by some historians and especially by lawyers. But the terms “New Romania” and “Greater and New Romania” decreased in frequency until disappearance from the language of interwar politicians. This is a proof that they had given up proposing an ideal/country project to Romanians, being only concerned with the daily management of Romania’s affairs, depending on contextual interests they were trying to adapt to. Therefore, the period of the first years after the achievement of the Great Union can be considered as a very dynamic and fertile period for Romania from the point of view of adopting the European functional characteristics of the national state. This fact is also proven by the existence of extensive political, cultural, and social confrontations between the old and new conceptions reflected in the effort to draft the Constitution for what was hoped to be Greater Romania—a “new state”.

¹¹¹ Stelian Neagoe, *Enciclopedia istoriei politice a României*, 222; Professor George Sofronie vehemently denied the newness of the 1923 Constitution: “It is not a new Constitution, but a substantial modification of the one from 1866.” See George Sofronie, *Curs de drept constituțional* (Cluj; Sibiu: Cartea Românească, 1941), 89. The attorney M. Djuvara also appreciated that in 1923 just “a new wording of the old texts of the Constitution from 1866” has been done; quoted in Popescu, *Din istoria politică*, 220.