The Constitution of United Romania of March 1923
A Consecration of National Unity and the Fulfillment of a Popular Desideratum

The century that has passed since the drafting and entry into force of the Constitution of 29 March 1923 of United Romania saw the production and publication of a rich literature devoted to this important moment in the contemporary history of the Romanians.

Thus, in what concerns the opinions expressed by politicians of different stripes on the occasion of the drafting of the Constitution of 1923, the volume Noua Constituție a României remains extremely useful to this day, comprising a number of 23 conferences organized in 1921–1922 by the Romanian Social Institute, whose president was Professor Dimitrie Gusti. Also, the positions of the various parties and political groups on the fundamental law can be inferred from the analysis of the preliminary drafts of the Constitution and of the programs of the political parties adopted in the years 1920–1922. Important considerations on the political disputes around the drafting of the Constitu-
tion are contained in the memoirs and writings of some politicians and statesmen from the interwar period, such as N. Iorga, M. Theodorian-Carada, Al. Marghiloman, C. Stere, Armand Călinescu, C. Argetoianu et al. Last but not least, for the atmosphere in which the political battles took place in Parliament and outside it, as well as for the point of view expressed by the government and the replies given to the opposition in what concerns the draft of the new Constitution, of real use are *Dezbaterile Adunării Deputaților* (Debates of the Assembly of Deputies) and *Dezbaterile Senatului* (Debates of the Senate), containing extensive and illustrative material in this regard.

In general, the works published between the two world wars, followed later by numerous studies that provided in-depth approaches on the matter, allow for an objective assessment of the role and importance of the Constitution of 29 March 1923 for the completion of the Romanian unitary national state and the acceleration of the evolution of Romanian society, in accordance with the requirements of a modern European state.

The basis of the social-political, administrative, economic and cultural organization of modern Romania was the Constitution sanctioned by King Carol I on 30 June 1866 and countersigned by the president of the Council of Ministers, Lascăr Catargiu, and 6 ministers. Containing 133 articles, grouped into 8 titles, the Constitution entered into force on the date of sanction. The 1866 Constitution legitimized the establishment of the modern Romanian national state, with a constitutional monarchy as the form of government and with the de jure separation of powers in the state. Being inspired by the Belgian Constitution of 7 February 1831, the Romanian Constitution was appreciated at that time as one of the most democratic of the era.

Over the years, until the First World War, the Constitution underwent several significant changes: in 1881, when Romania became a kingdom, then in 1884, when the number of electoral colleges was reduced from four to three, and finally in 1917, when the principle of universal suffrage was adopted, alongside that of agrarian reform.

During the First World War, the issue of adopting a new Constitution was of particular concern for the political parties and also for the Romanian public opinion. Thus, at the end of March 1917, the Parliament debated the implementation of the two reforms, having a mandate from the voters to revise the Constitution. Prime Minister Ion I. C. Brătianu had thoroughly analyzed the state of mind of the population, especially in the villages, and considered it to be very good, as the Russian Revolution had not inflamed the spirits, while the army was in a good state. However, even if he agreed with the idea of the revision, he wanted more time to think before making a final decision.
In those conditions, while on the battlefront at Răcăciuni, on 21 March 1917 King Ferdinand I gave a speech before the soldiers, addressing them as sons of peasants and assuring them that at the end of the war they would also gain the right to possess more of the land for which they had fought, as well as greater participation in public affairs—in other words, the application, in principle, of the two great reforms. Without having any prior understanding with Brătianu, because Ferdinand I did not announce the immediate introduction of the reforms, but only after the end of the war, the king did give him, as I. G. Duca wrote, “a strong helping hand in the fight he had to undertake with the Conservatives for the definitive implementation of the two great democratic reforms.”

Consequently, on 6 May 1917, Ion I. C. Brătianu relaunched the reform program, after a three-year interruption, presenting a draft law to amend the Constitution. It stated that it was the patriotic duty of the Senate to respond diligently to the demands for reforms:

For the implementation of reforms designed to fundamentally change the organization of our state, a spirit of self-sacrifice is definitely required. Of course, these are unprecedented sacrifices in the history of the legal transformations of human societies.

The existing circumstances facilitated the reform initiatives:

We are at a singular time in the history of the Romanian nation, singular also because of the sufferings the nation has been enduring, as well as because of the greatness of the goal that draws ever nearer. Our sufferings must now be at heights which at other times would have been difficult to reach. From these heights, the consciences of the country’s representatives will consider the problems that are put before them.

The prime minister requested the urgent election of the commission that would draft the principles of the reform.

After long parliamentary debates that lasted between 24 May and 14 June 1917, the necessity of the reforms, and even their opportunity, was noted by all:

The truth is that these reforms are self-evident. They are not a momentary whim, nor are they the work of one man; they spring from the need for the national, social and political development of a people that lives and wants to keep on living, a people which in all the defining moments of its history, with admirable insight, has known how to lay the necessary foundations for each period of its development.
Thus, there was no need to prove the necessity of the reforms, because they were self-evident: one meant the socioeconomic development of the peasantry through a fairer distribution of the land, while the other was aimed at perfecting Romania’s democratic foundations. Both reforms were “foundations for a healthy future society” and “a work of justice.” One duty, as Brătianu emphasized, was incumbent upon everyone, partisans or opponents, namely, to show the soldiers the firm determination to look only towards the final victory. The head of the government got the deputies to vote on the reforms, thus amending the Constitution.11 An important hurdle, which had required the most astute and discerning approach to the raised problems, had been overcome.

The law to amend articles 19, 57 and 67 of the Constitution, sanctioned by royal decree no. 721 of 19 July 1917, was published in Monitorul Oficial no. 93 of 20 July/2 August 1917.12

At the same time, including after the 1917 revision, there came a series of implicit changes to the 1866 Constitution, brought about by Decree-law no. 3902 of 29 December 1918 relative to naturalization, Decree-law no. 2085 of 22 May 1919 on granting citizenship rights, and others.13

The end of the World War brought important changes regarding both the territory and the population of Romania, placing it in a new regional and European context. Following the union with Bessarabia, Bukovina, Transylvania and Banat in 1918, Romania changed its geopolitical status in Europe, from a small country to a medium-sized one.14 Its surface area increased from 138,000 km² in 1915 to 295,049 km² in 1918, ranking 10th in Europe. After the Paris Peace Conference, Romania’s borders totaled 3,400.3 km, of which 601.4 km with Bulgaria, 557.3 km with Yugoslavia, 428 km with Hungary, 201 km with Czechoslovakia, 346.6 km with Poland, 812 km with the Soviets, with 454 km of Black Sea coast. As the geographer Vintilă Mihăilescu pointed out, after 1918 the land of the Romanian state constituted “a harmonious unit.”15 During the same period, Romania’s population grew from 7.9 million inhabitants in 1915 to 14.7 million in 1919, later reaching 18 million in 1930 and 20 million in 1939, ranking 8th in Europe, after the USSR, Germany, Great Britain, France, Italy, Poland and Spain.16

Therefore, the completion of the Romanian national state necessarily required the adoption of a new Constitution, taking into account the fact that the Council of the Country in Chișinău and the Great National Assembly of Alba Iulia had requested, in the Declaration and the Resolution of the Union, respectively, the summoning of a Constituent Assembly elected by universal vote.17
The issue of the new Constitution preoccupied the political parties and the public opinion in Romania much earlier than March 1923. It was made necessary by the changes that had taken place in the social-political, economic and cultural life up to that time and it had to constitute a guarantee of the future path. The dominant idea was not the revision of the old Constitution, but the adoption of a new one, so that the Parliament of the country could debate “the entire complexity of the fundamental law, with the participation of representatives from across United Romania.”

The modification of the old Constitution was possible through the provisions of Article 129 of the Constitution of 1866, which stipulated that “The legislative power has the right to declare that it is necessary to undertake a revision of the provisions of certain articles of the Constitution.” According to the same article, this declaration had to be read three times, every 15 days, in public meetings of the two chambers, read and adopted, after which both the Assembly of Deputies and the Senate were to be deemed dissolved. The new Parliament had the right to discuss and approve the amendments proposed by the previous legislative bodies.

In general, the need to adopt a new Constitution was written as a substantive issue in the programs of the main political parties of the time, several drafts of the Constitution being prepared. No one denied the opportunity of adopting a new Constitution for the whole of Romania, the only question concerned who had the right to do it. Thus, with or without taking into account the aforementioned provisions, each of the two governments from the period 1919–1921, led by Alexandru Vaida-Voevod (1919–1920) and Alexandru Averescu (1920–1921), believed itself to be entitled to amend the Constitution, but failed to take this step.

The first problem, that of the need for a new Constitution, was also discussed by N. Iorga and by D. Gusti, both noting, at the same time, its political significance. Incidentally, while speaking at a conference organized by the Romanian Social Institute, during the lectures on the New Constitution of Romania focusing on the history of the Romanian Constitution, in this case on the one of 1866, Iorga considered it, clearly exaggerating, a simple translation of a foreign, Western Constitution, “which has absolutely no connection with our own past and does not represent any particularly new elaboration.” It was

*a coat borrowed from a foreign country, without having taken our measurements, which we received as it was sent to us, made by an excellent tailor, but one accustomed to making clothes for other bodies. And we lived with our body to one side and the foreign garment hanging over it, without any effect on our political life.*
In the same context, D. Gusti expressed similar ideas:

*A Constitution cannot be borrowed, nor can it be the work of an inspired legislator, because it does not have to create or invent anything, but only to encode politically and juridically, in a solemn way, the social psychology, the economic state, the social justice aspirations and the ethical aspirations of the nation.*

*And while it has been said that the Constitution is for the state what the conscience is for the human soul, it must be added that a contemporary Constitution is the codified national conscience itself, that is, it is more than a legal technical formulation of all the norms applied to the operation of public powers.*

*This explains why the nations, resulted from the newly redrawn European political map, hastened to consecrate their state consolidation by urgently drawing up their fundamental constitutional pact.*

The sociologist Gusti believed that the Constitution of a country could not be borrowed, regardless of how inspired its legislator may be. The historian Iorga, going further, emphasized the historical character and role of the Constitution: “The present sums up a past and has a responsibility towards the future.” According to Iorga, the Constitution is the fundamental law of the country, born from what he called the independent development of our people, from ancient times to the present day, with the aim of opening up to the future. In 1922, he favored a coat of our own, tailored for the Romanian body.

The idea of a new Constitution that would take into account the needs of the Romanian state was not only expressed by Iorga and Gusti. Thus, starting from the consideration that,

*if the unjust and narrow borders of yesterday’s homeland have disappeared and the union of the four branches of the Romanians has been achieved, now it must be completed through social unification and fusion. And the new soul of fully united Romania must be housed in a new state establishment, whose vault should be magnificently supported by solid and imposing legal pillars,*

the Romanian Social Institute organized 23 lectures, with the participation of well-known scholars and public figures (D. Gusti, N. Iorga, Vintilă I. Brătianu, Const. G. Dissescu, G. Grigorovici, Calypso C. Botez, Mircea Djuvara, Virgil Madgearu, Mihail Manolescu, M. Sanielevici et al.). The debates in themselves were a genuine “scholarly research on the most essential elements of the future Constitution,” all participants emphasizing the necessity, actuality and importance of the adoption of a new Constitution for United Romania.
The politicians of the time, as well as most of the general public, were of the same opinion. Moreover, it was considered an honor and a great opportunity to have the Constitution promulgated during the rule of one or the other of the parties. In general, the opposition did not challenge the fundamental aspects regarding the content, but rather believed that the new Constitution should be voted on under their own government. It was, of course, a false reduction of the problem, because it was known that whenever it happened, the party in power could impose its own draft Constitution, which would inevitably reflect both its thinking and its political, socio-economic and cultural interests. For all these reasons, the new Constitution was opposed also in order to postpone it, depending on the place held by one political party or another in the two institutions—Parliament and Government.

By a royal decree of 23 January 1922, Parliament was dissolved and the elections for the National Constituent Assembly were announced for early March. The adopted formula was in contradiction with the existing constitutional framework, because in order to amend or adopt a new Constitution, ordinary elections had to be held, and the resulting Parliament would have to decide on the draft proposal. New legislative elections for the Constituent Assembly could only take place with the expressed consent of the newly elected Parliament. But, in January 1922, neither the king nor Ion I. C. Brătianu considered it useful to respect these constitutional provisions.

The Liberals wanted the new Constitution to be adopted under their government, for a purely subjective reason, stemming from the claim to be the only artisans behind the great historical acts. As a last resort, the urgency of convening the Constituent Assembly was defended by the Government with the argument that Romania had delayed the adoption of the new Constitution for too long after the Union, being the last of the national states established after the war to solve this problem, and for that reason the internal political situation was also affected.28

A first step in this regard was the organization of the coronation festivities of King Ferdinand I in Alba Iulia as king of all Romanians, on 15 October 1922. The main opposition parties—the Romanian National Party and the Peasant Party—did not participate in those festivities, declaring that they had been reduced to a simple “party rally.”29 N. Iorga, the leader of the Democratic Nationalist Party, was present in Alba Iulia “out of devotion to the Crown, out of love for good order,” but added ironically: “Of course, when Mr. Ion Brătianu is crowned, I will not have the same attitude.”30

According to the schedule, the coronation celebrations began on 15 October 1922, at 10 o’clock, when the president of the Council of Ministers and other officials stepped forward to meet the king and the queen at the Coronation
tion Church. The coronation was the moment when Ferdinand I became the king of all Romanians, “from the Dniester to the Tisza.” Beyond the criticism of the opposition, the event also had an international significance, marked by the participation of representatives of France, Great Britain, Italy, Spain, the Kingdom of the Serbs, Croats, and Slovenes, Czechoslovakia, Greece, Belgium, Holland, Norway, Denmark, Japan and Portugal.

After presiding over the coronation ceremonies, thus demonstrating the king’s trust in the Government, the Liberals decided to submit the draft of the new Constitution to Parliament for debate.

The new Constitution was discussed in the spring of 1923, when the National Liberal Party was in power, led by Ion I. C. Brătianu (19 January 1922–27 March 1926). After an electoral campaign conducted in an atmosphere of tension, the National Liberal Party secured a comfortable parliamentary majority—222 out of the 369 seats in the Assembly of Deputies. The Peasant Party (40 mandates) and the Romanian National Party (26 mandates) came next. The opposition forces vehemently challenged the election results, saying that the Liberals had won through “terror and ballot stuffing.” They declared, unanimously, that the installation of Ion I. C. Brătianu in the government had been done through behind-the-scenes machinations, against all democratic norms. In an ostentatious way, the leaders of these parties refused to participate in the baptism of Prince Michael, because the Crown had allegedly become a “vassal to the Brătianus.”

As to the Bessarabian political leaders, their positions towards the adoption of the Constitution differed. Ion Inculeț’s group, which on 20 January 1923 had merged with the National Liberal Party, supported and voted in favor of the new fundamental law, while Pan Halippa’s group, which had merged with the opposition Peasant Party, adopted a negative attitude. On behalf of a group of 27 Bessarabian deputies, in the meeting of the Assembly of Deputies on 9 March 1923, Halippa subjected to a harsh criticism the draft Constitution presented by the Liberal Government. The Bessarabian leader claimed that the draft Constitution did not provide citizens with the legal means of defense against administrative and governmental abuses, offered the possibility of turning the judicial institution into a docile party instrument, provided for the abolition of provincial autonomy and did not guarantee communal and county administrative autonomy, while also failing to establish the periodicity of elections for the legislative bodies. Halippa also expressed the fear that “the entire constitutional and parliamentary regime can be removed at any time under the vague pretext of state danger by the simple declaration of a state of siege.”

The Liberals, on the contrary, claimed that their coming to power was absolutely justified, because their party was “the only political body capable of
ensuring the leadership of the state and the solution to the great problems of the day."

On 26 March 1923, the Assembly of Deputies adopted with 247 votes in favor, 8 against and 2 abstentions the draft of the new Constitution.\(^{35}\) The following day, the Senate also adopted the bill with 137 votes in favor, 2 against and 2 abstentions.\(^{36}\) Sanctioned by King Ferdinand I, the new Constitution was published in Monitorul Oficial on 29 March 1923.\(^{37}\)

The Constitution of 1923 contained 138 articles, 6 more than the amended Constitution of 1917 and 5 more than that of 1866. Of the aforementioned total, 20 articles underwent radical changes or were replaced, 7 new articles were added, another 25 articles were revised or supplemented and 76 articles were maintained in their original 1866 form.\(^{38}\) The principles of the social-political system and the legal and territorial-administrative organization of the state were established.

The Constitution of United Romania enacted the unitary Romanian national state and its indivisible character.\(^{39}\) Art. 1 provided that “the Kingdom of Romania is a unitary and indivisible national state,” and art. 2 stipulated that “the territory of Romania is inalienable. The borders of the State cannot be changed or rectified except by virtue of a law.”\(^{40}\)

From the point of view of the administrative-territorial organization of Romania, in art. 4 the county and the commune were established as administrative units with legal personality. The counties had acquired legal personality by the Law of 2 April 1864, being organized according to the model of the French departments, and by the Law of 1892.\(^{41}\) In the interwar period, the county became an administrative-territorial unit with attributions of public power and an administrative structure in patrimonial management, endowed with representative bodies.\(^{42}\) Enacting the provisions of the Constitution of 1923, the Law of 1925 then defined the county, on the one hand, as a decentralized administrative unit, in which capacity it had the power to manage local public services, having its own organs, its own patrimony and some administrative autonomy. At the same time, the county was also an administrative constituency, where the external services of some ministries functioned.\(^{43}\)

After the adoption of the Administrative Unification Law of 1925, a new division of Romania into counties was carried out, through several decree-laws and ministerial decisions of the Ministry of the Interior, published in Monitorul Oficial between 7 October 1925 and 5 February 1926.\(^{44}\) The new regulations also entailed the change of the name of some counties or residences, such as, for example, the change of the name of Chișinău County to Lăpușna County.\(^{45}\)
The 1923 Constitution established, through several articles, a series of civil rights and freedoms specific to a democratic state. According to art. 5,

*Romanians, regardless of their ethnic origin, language or religion, enjoy freedom of conscience, freedom of education, freedom of the press, freedom of assembly, freedom of association and all the rights and freedoms established by law.*

In the same spirit, it was specified that “differences in religious beliefs, ethnic origin and language do not constitute in Romania an obstacle to acquiring civil and political rights and exercising them” (art. 7).

The Constitution therefore guaranteed equality in society and before the law, without any distinction according to social class, ethnic origin, language, religious beliefs and affiliation. All these provisions had a special significance, reflecting the democratic achievements of the Romanian society and its expectations for the historical period that followed. In addition to the aforementioned aspects, the Constitution provided for universal suffrage, the freedom of organization and assembly, and of the press. No person could be pursued or searched except in the situations and under the conditions provided by the law. No one could be detained or arrested except on the basis of a reasoned court warrant, which had to be served at the time of the arrest or no later than 24 hours after being taken into custody.

Many of these provisions was also contained in the Acts of Union of 1918. The right to work, written in the Constitution, was of great importance.

*All factors of production enjoy equal protection. The state can intervene through laws in the relationships between these factors to prevent economic or social conflicts. The right to work will be defended.*

However, work was not guaranteed, a fact mentioned by the rapporteur for the draft Constitution in the Senate, C. G. Dissescu:

*If work is to be compulsory, he said, then we must also impose on the state the obligation to provide work, that is, to enact the right to work. However, I think that both are dangerous and the principles of the Liberal Party, on the dogmatic basis we have, do not include either compulsory work, or proclaiming the right to work.*

The 1923 Constitution enshrined the principle of national sovereignty, based on the idea that the nation, in its entirety, holds the political power, having the right to control the activities of all state bodies and being represented by its
elected members (art. 42): “All the powers of the state emanate through delegation and according to the principles and rules laid down in the Constitution.” This was not a new or modified article, the same provisions being found in art. 33 of the old Constitution. The practical realization of the principle of national sovereignty required, however, a wide participation of all citizens in the exercise of political rights on new bases, the election of representative bodies, and the right to control the activity of state institutions. This because the electoral system had been modernized after the war, ensuring the election of state bodies that would represent the entire nation. The system of income qualifications for voting was abolished and in its place the right to universal, equal, direct and compulsory vote was enacted. It is also true that at that time only about 3 million voters were registered on the electoral lists, out of Romania’s entire population of about 17 million inhabitants.48

In a democratic spirit, the Constitution reaffirmed the principle of the separation between the legislative, executive and judicial powers in the state.

It should be noted that in keeping with its art. 6, the new Constitution continued to exclude all women, who represented half of the country’s population, from voting, as well as some socio-professional categories. In the Old Kingdom, women, according to the Constitution of 1866, were not considered equal in rights to men. In Transylvania and Bessarabia, under the old law codes, women had some civil rights.49 In 1918, the Declaration of Union of Alba Iulia also included the principle of granting civil and political rights to women. Also, the newly formed parties had generally included in their programs the enfranchisement of women.

After the union, an increasingly strong trend had made its presence felt in Romanian society, stressing the need for women’s participation in political and social affairs, a sign of real progress. Practically, no one doubted that women could and should play an important role in public life. Their intellectual qualities, capacity to work, and role in the family were factors that required an increasingly careful examination of the situation of women in society under all aspects, and therefore also from a legal and political point of view.50 Defending an outdated position, some members of the constitutional commissions categorically spoke against the granting of full civil and political rights to women, because, according to them, this would have undermined family life and created disruptions of a social nature in the rural environment. Others contended that women did not even want or demand the right to vote.

Responding to this point of view, M. Djuvara argued that in political matters we should not “passively wait for the citizenry to mature,” but we should stimulate the process, and one of the most favorable means in this regard was “the creation of as many opportunities as possible for its practice, . . . in other
words, the enfranchisement of women.” Consequently, in the meeting of 20 March 1923, the rapporteur C. G. Dissescu, in the statement of reasons, specified that art. 6 had been discussed four times and the Government had decided, in principle, for the granting of civil rights to women. As for the granting of political rights, since the necessary data on the number of women were missing, it was considered that the enactment of this principle was premature, and it was to be introduced later, based on special laws voted by a two-thirds majority. The rapporteur C. G. Dissescu believed that, unlike civil rights, political rights went beyond the personal interests, as they concerned the general needs of the state.52

In the spirit of discipline, the majority of parliamentarians voted for the text of art. 6, a fact that made N. Iorga describe the 1923 Constitution as a mixture of provisions: some advanced and others conservative.53

In another vein, in keeping with the principles stipulated in the 1923 Constitution, the Electoral Law of 27 March 1926 detailed the right to elect and be elected, the organization and conduct of parliamentary elections, as well as the structure of the Assembly of Deputies and the Senate. Starting from the concept that legislative assemblies should be constituted so that Government action could not be impeded “by a turbulent or excessively divided minority,” the 1926 Act would introduce the so-called “bonus majority.” Concretely, it was stipulated that the group that received more than 40% of the total votes in the country was granted, as a “bonus,” half of all mandates in the Assembly of Deputies. The other half was shared between all groups, including the majority, that received more than 2% of the total votes on a national scale. Consequently, the Electoral Law did not provide for a faithful correspondence between the will of the voters and the composition of the legislative bodies, violating the principle of equal vote, since the votes given to the majority formation counted for more than those given to minority groups. Beyond these shortcomings, the Electoral Law of 1926 was seen as one of the laws of unification, because it ensured the establishment of a unitary framework for the organization, conduct and determination of the results of the elections at the scale of the entire country.

The Constitution of 1923 guaranteed the right to property. Also, for the first time, it introduced the principle of the nationalization of the underground and ore deposits, of natural resources of any kind. This sparked heated debates both inside and outside of Romania. It was not by accident that the legislator invoked in this regard similar measures taken in Western Europe. In France, for instance, the mines had been the property of the nation since the 18th century, since 1791. In Prussia, a law of 1865 denied the right of the owner of the surface of the land to possess the mine excavated underneath. In Bavaria, Baden, and other German provinces, a number of laws established that the owner had no right to the ore deposits or to the crude oil. In Austria, according to a law
from 1854, the mine did not belong to the owner of the land, but to the state, which could lease it, the owner of the land being only entitled to royalties. Finally, in Belgium, the mines had belonged to the state since 1910, and the same was the case in Spain, Italy, and Greece.56

One of the articles debated with great passion both before and after the entry into force of the 1923 Constitution, especially after Carol II returned to the throne of Romania, was art. 92, which forbade the king to interfere in public affairs, acknowledging the witticism of Thiers from the time of Charles X: “Le roi règne et ne gouverne pas,” proclaiming that the Government exercises the executive power in the name of the king.57 As the supporters of royal interventionism in public affairs later complained, looking back at the principles of 1866, the Constitution of 1923 “sought to reduce the role of the king, making him a passive body, a mere representation, prohibiting him from any involvement in public affairs.”58 However, the true Belgian formula would have been precisely “Le roi règne et gouverne,” which actually happened after the abrogation of the Constitution in February 1938, on the grounds that “state interventionism is the means by which a balance of social interests can be achieved.”59

In another sense, the adoption and entry into force of the Constitution in 1923 meant the achievement of a balance between the constitutional and administrative traditions of the recently united historical provinces and the centralizing and uniformizing tendencies of the Old Kingdom.

In Bessarabia, perhaps, as Iulian Peter mentioned in his study on the contribution of the provinces to the shaping of Romanian public law, the idea of state had been rather vague until 1917–1918, being confused with the idea of the domination of the Great Russians and of the emperor of Russia. Because of this, public life in Bessarabia was in an embryonic state, the administration having more of an economic than a political character. The ultra-democratic ideas, which spread in Bessarabia in the years 1917–1918, had as their first consequence a wave of egalitarianism and then the establishment of a socializing rural democracy. The movement in question subsided only after the representatives of the majority Romanian population effectively took over the management of public affairs. Consequently, two trends remained present in Bessarabia: one prioritized economic issues, the other the democratization of public institutions.60 According to Iulian Peter, these legacies originating from opposing civilizations initially collided in the unifying legislation. The political pendulum swung from one extreme to the other. After multiple experiments followed by a series of necessary adjustments, after a deeper fusion between the various doctrines present in the new Romania, the waters became calmer and clearer. A period of intense legislative activity in the field of administration followed. As a result of
that complex process, the influence of the newly united provinces tempered the administrative dogmatism of the Old Kingdom, and the Old Kingdom, in its turn, curbed provincial particularism, achieving the legal unity indispensable to the consolidation of the state.\textsuperscript{61}

From the point of view of the perspectives of the development of the Romanian state, the Constitution of 1923 was a significant step towards the homogenization and consolidation of the country.

The adoption and entry into force of the new Constitution meant, first of all, a consecration of the Great Union of 1918 and thus the fulfillment of a popular desideratum, which gave it special legal and factual value. It provided, at the same time, clear and firm options in favor of a political, socio-economic and cultural path prepared in the previous years by the postwar Liberal government, but also in part by the Averescu government, both inspired by the European neoliberal doctrine. It was, finally, a call of all democratic forces to national solidarity, in order to ensure the modernization of the political and social-economic structures of the new Romania, objectively required by the state framework established by the Great Union in 1918, according to the doctrine of “development by ourselves.”\textsuperscript{62}

Considered retrospectively one century later, the Constitution of 1923 actually reflected the changes made in the economic life, in the social structure and in the political evolution of Romania as a whole. Establishing a unitary framework for the organization of state life, it responded to a national desideratum of the greatest importance.\textsuperscript{63} Although the opposition parties—especially the Romanian National Party and the Peasant Party—vehemently criticized the new Constitution, declaring it “null and void,”\textsuperscript{64} later they not only recognized it, but also governed on its basis.

Notes

1. 
2. \textit{Ante-proiect de Constituție întocmit de Cercul de Studii al Partidului Național-Liberal cu o expunere de principii de D. Ioanitescu} (Bucharest: Biblioteca Cerc. de Studii pNL, 1921); \textit{Anteproiect de Constituție pentru Statul Român Întregit cu o scurtă expunere de motive de Romul Boiă} (Cluj: Tipografia Națională Soc. Anonimă Cluj, 1921); \textit{Noua Constituție a României: Reflexiuni și ante-proiect de Constantin Berariu: Extras
5. Muraru et al., 67.
8. Iordache, 346.
13. Negulescu, 189; Muraru et al., 68.
22. See *Noua Constituție a României*.
24. Iorga, 5.
27. Gusti, 1.


34. *Dezbaterile Adunării Deputaților* 44, meeting of 9 March 1923: 1044.


38. *Constituția.*


40. *Constituția.*


42. Gavril Ursu, *Dicționar enciclopedic administrativ* (Cluj: Tipografia “Cartea Românească,” 1935), 156.

43. Ursu, 156.


45. Pușcaș and Vesa, 54.


47. *Dezbaterile Adunării Naționale Constituante, 1923*: 1051.

48. For example, in the 1922 elections, 2,908,015 voters were registered (Ivan, tab. I, p. 2).


50. Popescu, 185–186.


55. Ivan, tab. II.
Abstract
The Constitution of United Romania of March 1923: A Consecration of National Unity and the Fulfillment of a Popular Desideratum

The adoption and entry into force of the new Constitution meant, first of all, a consecration of the Great Union of 1918 and thus the fulfillment of a popular desideratum, which gave it special legal and factual value. It provided, at the same time, clear and firm options in favor of a political, socio-economic and cultural path prepared in the previous years by the postwar Liberal government, but also in part by the Averescu government, both inspired by the European neoliberal doctrine. It was, finally, a call of all democratic forces to national solidarity, in order to ensure the modernization of the political and social-economic structures of the new Romania, objectively required by the state framework established by the Great Union in 1918, according to the doctrine of “development by ourselves.”

Keywords
Greater Romania, Constitution, political parties