



Administrative Organization Models of Romania in the Inter-War Period

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Introduction

The administrative-territorial organisation of the country, accomplished by legislative means, represents a very important supra-structure element, as it determines the formation of the state administrative system and its local subsystems, frames the political life and organises the economical and social life of a nation.

The adopted models of administrative organisation are always imposed by the concrete historical, geo-political, economical and social circumstances.

In the inter-war period, the whole Romania was confronted with inherent transition problems, determined by the need for a legislative unification, in order to insure the control of the state over the entire territory and administrative union, which proved to be a difficult process. The world economical crisis between 1929-1933, the political instability of the country, the establishment of the Royal Authoritarian Regime and the beginning of the Second World War, were complex events which determined Romania to be in a permanent search for the optimum administrative organisation model.

The present paper tries to analyse, from a critical point of view, these models, taking into account the internal political, economical and social context, as well as the European context.

Chapter I deals with the period 1918-1925 when the legislative unification of the country took place, the legislative measures to integrate the Romanian united provinces within the Romanian state and presents the administrative organisation models, existing up to that date in each of the Romanian territories.

Chapter II deals with the administrative unification, difficulties, which occurred, legislative changes and necessary adjustments. There are also analysed the laws of 1929 and 1936 which proposed two different models of organisation, one based on local autonomy and decentralised and the other on more centralised principles, but both under the rule of the Constitution of 1923.

Chapter III deals mainly with the organisation model based on a regional level, with its characteristics, determined by the Constitution of 1938, which sanctioned the Authoritarian Regime imposed by Carol the second.

This paper also approaches the evolution of the regulations regarding the municipal administration and systematisation, comprised in the laws of administrative organisation of the inter-war period.

The Administrative Territorial Organisation of Romania Since the Great Union of 1918 Until the Administrative Unification of 1925

At the end of the First World War, Europe, penetrated by a new political trend – the principle of nationalities- gained a new political configuration: numerous territories became united with other countries (France, Italy, Serbia, Greece etc.), new countries appeared (Czechoslovakia, Finland) and others became reunited after a long period of divisions and foreign occupations.

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This was the European context in which, during the year 1918 the completion of the Romanian National State took place.

The union of Transylvania, Bucovina and Basarabia with the Romanian Kingdom, three Romanian provinces which evolved in different political-administrative systems, raised for the power in Bucharest, the very difficult and complex task of a unitary administration, of a life articulation and harmonising of the new state. This involved, of course, a transition period, necessary for the legislative unification and for an adequate administrative reform.

As a consequence of the separate political evolution, the provinces united with Romania had specific laws and institutions, which did not involve the participation of the Romanians. Consequently, they were strangers to the “Romanian spirit, mentality and aspirations”¹.

The consolidation of the political unity claimed the unification of the legislation through a normal and evolutionary union, not through a hurried and insufficiently prepared one. The legislative and institutional unification was meant, on one hand, to eliminate the regional institutional administrative particularities and on the other, to create the economical reconstruction instruments of the country, to modernise the economical, political and cultural structures.

From an operational point of view, the Romanian state, as the other European states, had in view two modalities for the legislative unification:

- the extension of the Romanian Kingdom legislation to the other provinces (the hard approach);
- maintaining the valid existing regulations for a certain period of time, followed by the accomplishment of the unification through an original synthesis which would value, as much as possible, all viable historical traditions and create a new synthesis, adapted to the new state² (the soft approach).

The two approach modalities of the legislative unification accomplishment became a debate theme in the scientific circles, juridical, administrative, political, economical reviews, but also in the parliamentary debates.

Although under a technical aspect, the first approach would have been easier to accomplish in Romania, the second option was considered to be more adequate and was also imposed on a European level (France, for example, did not immediately extend the French laws to Alsace and Lorene. The new commercial and civil legislation was introduced only in 1924 through two laws, which substituted not only the old laws but also retained from the German codes, things considered to be positive. These laws, were to be extended over the whole territory of France, after a transition period of 10 years)³.

The following in time of the legislative unification process, reveals the fact that in the practice of the Romanian constitutional life, “a knit of principles and modalities of unification accomplishment occurred”⁴.

The maintaining on certain periods of certain regulations specific only to some provinces, interfered with a tacit extension and an expressed one of some laws from the Old Kingdom, with the promulgation of the unification laws and codes, without making a division into periods of these accomplishments⁵.

The process of legislative unification covered the entire inter-war period, with an extension to the next period.

The exercise of the Romanian Government authority over all the provinces of the country, from which we must make a clear distinction, was realized through ceasing the activity of the provisional provincial organizations, at the beginning of April 1928. Together with the sanctioning

¹ Gh. Iancu, Unificarea legislativă. Sistemul administrativ al României (1919-1939), în Vese V., Pușcaș V. ș.a., Dezvoltare și modernizare în România interbelică, București, 1988

² A. R. Ionașcu, Problema unificării legislației civile în cugetarea juridică românească (1919-1941), în Pandectele române, 1942

³ Em. Dandea, Verificarea legislativă în Alsacia și Lorena, în Administrația română, 1927, 7, nr.7, pag.2-3

⁴ Gh. Iancu, Unificarea legislativă. Sistemul administrativ al României (1919-1939), în Vese V., Pușcaș V. ș.a., Dezvoltare și modernizare în România interbelică, București, 1988

⁵ Camil Negrea, Evoluția legislației în Transilvania de la 1918 până azi, Sibiu 1943, pag. 27.

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of the 1918 Unification documents by the authorities in Bucharest, the Romanian Constitution of 1866 was tacitly extended over the whole territory⁶.

Through the decree-laws of April the 9th, 11/24 December and 18/31 December 1918 regarding the Organization of Basarabia, Transylvania and Bucovina⁷, the existing laws of Basarabia and Bucovina were maintained within the Romanian state. In Transylvania, this was accomplished through the First Decree of the Dirigent Council, of January 24 1919, the only regional organ which was invested with legislative power.

The Russian laws were temporarily maintained in Basarabia, the Austrian ones in Bucovina and the Hungarian Right and the Austrian Civil Code in Transylvania. "Adopting these foreign laws meant their naturalization"⁸.

Through the same papers, the army, the external politics, the means of communication, the borders were taken under the government authority, marking the beginning of the process of unitary leading of the country by the Government.

In the period 1918 - April 1920, when regional governmental provisional bodies functioned, the legislative-institutional unification process had two starting points, one from the level of Government towards the ones which belonged to its competence⁹, which meant the extension of some regulations from old Romania over the united provinces, and the other from the provincial bodies.

Initially the abrogation of certain legal regulations which were against the political integration of those provinces into the Romanian state was followed.

In the case of Basarabia which had given up autonomy in November 27/December 10 1918, there were introduced, through extension, the Romanian commercial, criminal, and penal procedure codes¹⁰.

In Transylvania, between the 2nd of December 1918 and the 20th of April 1920, there functioned the Dirigent Council, provincial body with executive and legislative limited functions, established by the Government. The action of legislation of the Dirigent Council, accomplished in 24 Decrees, ceased together with the Parliament meeting of November 20, 1919. The decrees of the Dirigent Council were added to the other laws, which were valid in Transylvania.

The provisional regional bodies finished their activity in the beginning of April 1920¹¹.

The power transfer operations towards the authorities in Bucharest were coordinated by the Central Commission for unification and discharge, which was constituted under the protection of the Presidency of the Ministers' Council. In Cluj, Chişinău, Cernăuţi there functioned regional unification and discharge Commissions. Their general secretariats functioned decentralized for each Ministry. These services were dissolved through ministerial decisions in the period 1922-1924¹².

After the political Unification act of 1918, the ending of the Romanian national unitary state formation was marked by the promulgation of the new Constitution, voted by the Deputies' Meeting on the 26th of March 1923 and by the Senate on the 27th of March 1923, and promulgated through royal decree on the 28th of March 1923¹³.

The constitution stipulated on one hand the review of the legislation of different provinces in order to harmonize with the fundamental law (art. 137), and, on the other hand, in order to insure a scientific rigor to the unification techniques it stipulated the setting up of the Legislative Council.

⁶ Monitorul Oficial nr. 8 din 10 aprilie, pentru Basarabia, Monitorul Oficial nr. 212 din 13 decembrie 1918, pentru Transilvania, Monitorul Oficial nr. 217 din 19 decembrie 1918 pentru Bucovina.

⁷ Idem.

⁸ G. P. Docan, Interdependenţa legilor provinciale şi de unificare în " Pandectele române" , 1943, 22, partea al V-a, pag. 8.

⁹ Victor Onişor, Tratat de drept administrativ, ed. a II-a Bucureşti, 1939, pag. 21.

¹⁰ G. P. Docan, op. cit.

¹¹ Monitorul Oficial nr. 4 din 4 aprilie 1920, referitor la Consiliul Dirigent, Basarabia şi Bucovina.

¹² V. Onişor, op. cit. p. 87-89.

¹³ Monitorul Oficial nr. 282 din 29 martie 1923.

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The Legislative Council, as consultative body of legislative technique, was created through the law of the organization and functioning of the Legislative Council of February 25, 1925¹⁴ and was meant to decide upon the law projects, excepting those which regarded the budget credits, but "it didn't touch in any way the prerogatives of the ruling power or the freedom of law initiatives"¹⁵.

The work of unification laws establishment began before the Constitution of 1923 and increased considerably after March 1923, when numerous unification laws were created, in the field of public right as well as in the private one¹⁶.

The elaboration process of new general codes was extended until the year 1943 when it was considered ended, although the reestablishment of the Romanian codes in the NV of Transylvania taken away by the Treaty of Viena, was accomplished in March 31, 1945.

The Constitution of 1923 (as the Constitution of 1866) put the principle of power separation at the basis of the state organization. One of the most important functions of the executive power is the administrative one.

In 1918, in the complete Romanian state there were functioning administrative laws, specific to different provinces. According to the adopted general principle, these laws were also temporarily maintained valid¹⁷.

Therefore, in 1918, situation of the administrative territorial organization of the united provinces was as follows:

- Transylvania was split in 25 counties and parishes (small, large and council towns) split in administrative circles;
- Through the Law XXX: 1876 completed in 1877 and 1886; Law XXII: 1866, completed with the Decrees II and III of the Dirigent Council;
- Bucovina – became Dukedom in 1862 and was organized in 11 districts without juridical Personality (comparable with the small rural districts from the Old Kingdom, led by district captains), the local parishes, the associated parishes, domain territories and towns with statute. (The Law of August 28 1908 regarding the emission of the of a new parish regulation).

In Basarabia, the administrative divisions were Gubernia (the province), Uezdi (the county) and Volostea (the parish). The 8 counties of Basarabia were divided into counties, which were grouping more parishes.

The old Kingdom of Romania was divided into 37 counties (33 according to the Law concerning the establishment of the County Councils of 2/14 April 1864, 2 counties after the attachment and reorganization of Dobrogea through the Law for the organization of Dobrogea of March 21, 1880 and 2 counties in the SV of Dobrogea (Cadrilater) attached after the Peace Conference of Bucharest on the 26/29th of July- 28th of July/10th of August 1913, which ended the Second Balkan War.

The Parishes Could be Rural or Urban

The counties were divided in districts (plăși), administrative circumscriptions without juridical personality which were grouping more parishes. (according to the Law of July 31 1894, the Law for the organization of the rural parishes and the administration of the districts of May the 1st 1904, with the ulterior completions).

In the period 1918-1925, the country was organized into 76 counties. Their situation, divided into historical provinces, was as follows:

- Basarabia with 9 counties and a surface of 44.422 square km;
- Banat with 2 counties and a surface of 17.980 square km;
- Crișana with 3 counties and a surface of 17.096 square km;

¹⁴ Monitorul Oficial nr. 45 din 26 februarie 1925.

¹⁵ Cornelius Rudesca, Bret apercu...l'activite' de Conseil Legislativ Roumain, în Revista de Drept Public, 1935, nr. 1-2, pag. 127-144.

¹⁶ O. Sachelarie, V. .Al. Georgescu, Unirea din 1918 și problema unificării legislației, în " Studii. Revistă de istorie", 1968, 21, nr. 6, p. 1195.

¹⁷ E. D. Tarangul, Tratat de Drept Administrativ Român, Cernăuți, 1944, pag. 146.

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- Dobrogea with 4 counties and a surface of 23.262 square km;
- Maramureș with 2 counties and a surface of 8.592 square km;
- Moldova with 13 counties and a surface of 38.058 square km;
- Muntenia with 12 counties and a surface of 52.505 square km;
- Oltenia with 5 counties and a surface of 24.078 square km;
- Transylvania with 15 counties and a surface of 57.819 square km¹⁸.

The surface of Romania was of 294.244 square km:

- 137.903 square km the surface of the Old Kingdom;
- 156.341 square km the surface of the united provinces.

The population which was around 7.897.311 inhabitants in the old kingdom in 1913, raised to 16.267.341 inhabitants in 1919.

In order to study a unitary and rational territory division of the country, the Commission for the study of a new distribution of the counties, created by the Ministry of Internal Affairs was established in 1920.

Analyzing the situation at that time, the Commission formulated the following conclusions:

- Very high surface discrepancies, unjustified from an economical or administrative point of view. Examples: the Hotin county with a surface 8 times smaller than Zastavna, in Transylvania - the counties Brașov or Târnava Mică, with surfaces of around 2000 square km, with the surface 6 times smaller than the county of Hunedoara;
- High differences concerning the number of population: the counties from Bucovina were situated much below the county average (215.000 inhabitants), while counties as Bihor, Caraș-Severin, had a population of over 450.000 inhabitants.

In general, these discrepancies determine very different tasks for the administrative authorities.

Huge disparities in the field of equipping with means of communication: roads, railways. The weak network of communication in many counties negatively influences the capacity of administrative action. (for example, Basarabia, where there are big counties, but with few roads and railways, in contrast with Bucovina where small counties have many networks of communication).

Anomalies as concerning the shape, which affects on one hand the functionality of the administration and on the other hand prevent the access of the population from the extremities of the territorial entity, to the place of residence where important institutions are concentrated. For example: the counties Cojocna, Tecuci, Cahul etc. with the proportion length- width 4:1.

The eccentricity of the residences makes it difficult for the population to reach from the other side of the territory to the public institutions concentrated in the town – county residence. These discrepancies and differences were the cause of several malfunctions regarding the administrative action and the other sectors of the social life.

On the base of these conclusions, principles and established criteria, the Commission suggested to the governors the solution of big counties, which would group 300.000-400.000 inhabitants, as a solution in favour of the development of the public life and administrative decentralization.

The proposal of a territory division in 48 counties, followed by another one which involved 62 counties were not well received, from political reasons.

The new Constitution of Romania from March 29, 1923¹⁹, stated in Art.4 the territory division of the country in counties and parishes. "Their territorial number, extension and subdivisions will be established according to the shapes stipulated in the administrative organization laws"²⁰.

The county was a political-territorial body with public power responsibilities and an administrative and patrimony management body, endowed with representative bodies²¹.

¹⁸ Nistor I.S., Comuna și județul, evoluția istorică, ed Dacia, 2000, p.117.

¹⁹ M.O. nr. 282 din 29 martie 1923.

²⁰ Idem.

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The Constitution established that the county interests were assured by the County Councils (Art. 41), composed of members chosen by universal vote, equal, direct, secret, compulsory, with the representation of the minority. In addition to these, other members were added according to laws; among the accepted members there could be also mature women.

The election of the County Council through universal vote meant a considerable progress towards the democratization of the public life, comparable for example with Transylvania before the Union of 1918, where half of the members of the Comitatenze Congregation was formed of elected members and the other half of recruits among those who were paying direct huge tax. (virilism).

In the summer of 1925 the Administrative Science Institute of Romania was founded with the purpose of critically analyzing the administrative regulations and their way of applying, of organizing debates meant to offer solutions for the modernization of the Romanian administration and with the purpose of editing books with administrative themes. The Romanian Institute for Scientific Organization of Labour had among its preoccupations problems concerning the improvement of the public services. New magazines appeared: The New Administration, The Administrative Ardeal or The Romanian Administration.

All this ideation movement mainly followed the modernization of the administrative activity of Romania, both as concerning the doctrine plan and the practical life²².

The Models of Administrative-Territorial Organization, Established in the Spirit Tendencies of the Constitution of 1923

The Administrative Unification of Romania

The Law for the administrative unification of June 14 ,1925²³ represented an important moment in the administrative life of Romania, as, on one hand it was provided with and to some extend valued the conclusions, analysis, projects from that period, and on the other hand had as a basis the regulations of the new Constitution.

The territory of the country was divided (Art. 480) into 71 counties, 498 districts, 8879 parishes of which 71 urban county residences of which 17 municipia, 94 urban non-residence parishes, 10 suburban parishes and 8704 rural parishes.

Between the 7th of October 1925 and the 5th of February 1926, there were published in the Official Gazette, a number of decrees-law and ministerial decisions of the Ministry of Internal Affairs²⁴ concerning the administrative unification.

By the orders of the new normative acts the denominations of some counties or county residences changed.

The county Bistrița-Năsăud was recalled Năsăud, the County of Alba de Jos became Alba, instead of The Solnoc-Dăbâca County – The Someș County, The Chișinău County –The Lăpușna County. The Caraș-Severin County was divided into Caraș and Severin.

Alba-Iulia became the residence town of the County of Alba instead of Aiud, Baia –Mare the residence of the Satu Mare County instead of Carei, Blaj the residence of the Târnava Mica County instead of Târnăveni. Many settlement denominations also changed in the rural area. In total, a number of 446 settlements, mostly rural, changed their names²⁵.

Contrary to the suggestions of the experts, a division into small counties was chosen, maintaining the mal-proportions between units, aspect noted at that time as well, many voices claiming for the abolishment of the small counties, with low financial possibilities.

²¹ G. Ursu, Dicționar Enciclopedic Administrativ, Cluj, 1935, p. 351.

²² Gh. Iancu, op. cit. p. 52.

²³ M.O. nr. 128 din 14 iunie 1925.

²⁴ Ministerul de Interne, Împărțirea administrativă a României însoțită de Legea pentru unificarea administrațiunii comunale a orașului București, București, 1926, p. 3.

²⁵ V. Meruțiu, Județele din Ardeal și Maramureș până în Banat. Evoluția teritorială, Cluj, 1929.

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The parish, with its double quality of executive power body and local collectivity body, had two types of responsibilities: of general interest – applying the legal regulations of the central and county power and of local interest – the management of the population's public problems.

The law of 1925 unified the types of parishes on the whole territory of the state according to the model from the Old Kingdom, through establishing two types of parish: rural and urban. The urban ones could be: county residences, non-residences, suburban or towns.

At the level of parishes, urban or rural, deliberative bodies functioned – the parish council, and executive – the mayor, the mayor help, the delegation of the parish council.

Concerning the rural parishes, the unification law of 1925 stipulated: “The rural parish is formed of one or more villages. The parish residence will be one of the villages.”

The district (plasa), as a geographical and administrative unit of coordination and control (a circumscription of administrative de-concentration), was grouping more rural parishes, in average 17 parishes. Maintained in its shape since the initial legislation of the Old Kingdom, the district (plasa) was led by a county chief subordinated to the county chief commissioner and was missing a juridical personality²⁶.

The maintaining of this administrative subdivision caused strong disputes at that time. The criticizing showed the lack of the ruler's innovation, which, after a long experience, should have reorganized the district (plasa) or abolished it. The county chief of the district (plasa) from the old administration had own responsibilities of low importance and responsibilities given by the county chief commissioner, in extent to this delegation.

To these organic imperfections practical ones were added: many times these clerks were incapable and chosen on political criteria.

The supporters of the maintaining of districts (plase) showed that administrative decentralizing imposed their maintaining and the allocation of certain over-parish administrative responsibilities.

Actually, the principle of administrative decentralizing in the unification law of 1925 remained more in the reason exposure, the district realizing only an approach of the central administration of the state to the citizen.

Marking a considerable transition period, the unification law caused, as it was applied, strong criticizing coming from the political and social actors involved. The united provinces entered in the process of unification with their administrative traditions, with their customs and mentalities and it was normal that the adaptation to the new context would be done step by step. The technical and social problems encountered in the course of applying the law, the strength in front of different changes, determined only after 2 years and a half from its publishing, the changing of 106 from its 400 articles.

The centralized and bureaucratic model of organization stipulated by the law, despite the political declarations and reason exposure, determined difficulties in the applying process of the law in Transylvania and Bucovina, provinces in which the administrative-territorial units had a great level of autonomy in the past and could not accept legal norms inferior to the preceding ones.

At a rural level, the concept of parish was different in the united provinces from the one in the Old Kingdom. In Transylvania, Basarabia and Bucovina, each village constituted a parish, endowed with own patrimony, deliberative and executive bodies, as in the Old Kingdom the parish was composed of villages and hamlets²⁷.

The scheme below²⁸ describes the different situation of the Romanian village in the united provinces.

A different situation occurs at the level of the parishes, the following chart being based on their five 5 levels of income²⁹.

²⁶ The law of administrative unification of 1925, M.O. nr.128 from 14 June 1925, art. 353 and the following.

²⁷ The law for the organization of the rural parishes and the administration of the districts, of May the 1st 1904, art. 1.

²⁸ From data coming from the Administrative Code, buc. 1930, p. 311.

²⁹ Idem, p. 311.

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Table 1. The level of the parishes.

Parishes with Income	The Old Kingdom		Transylvania		Basarabia		Bucovina	
	Nr.	%	Nr.	%	Nr.	%	Nr.	%
Lei								
Up to 50.000	682	18,5	473	11,5	22	3	22	6,5
Up to 200.000	2497	67,5	2089	52,5	296	41	180	55,5
Up to 500.000	423	11,5	931	23	266	37	87	27
Up to 1.000.000	63	1,7	337	8	99	14	27	8
Over to 1.000.000	30	0,8	193	5	37	5	10	3

By not taking into consideration these discrepancies, we consider that the ruler did not chose the right solution. It was necessary to have in view that in Ardeal, Bucovina and Basarabia each natural population center constituted an administrative unit. On the other hand, at the level of the whole territory, not every village could be transformed into a rural parish, mostly in the Old Kingdom and in Basarabia.

At the county level, in spite of the administrative decentralizing principle stipulated in the Constitution of 1923, Art. 108, a real decentralization was not realized, the prefect having increased powers. This meant a regress for Ardeal, Bucovina and Basarabia, provinces in which the administrative -territorial units of this rank enjoyed a real local autonomy.

The Model of Administrative Organization Based on Local Principles and on Decentralization

Under the influence of the same Constitution of 1923, but under a new political regime, with different views upon the country's administrative life, Romania acknowledged a new and interesting model of administrative organization of the territory, established by the law for the local administration from august the 3rd 1929.

The factors which led to the provision of a new law of the country's organization, were on one hand internal, imposed by the difficulties encountered in applying the unification law in the territory and by the wish to materialize the principle of administrative decentralization. On the other hand, external factors appeared under the influence of the reform of a series of European countries and of the regionalisation models offered by them.

The idea of regionalisation appeared in Romania because of internal reasons, linked to the distinct administrative evolutions of the different provinces, and external ones, determined by the perception of the region issue, as an administrative unit in other European countries. In France, Vidal de la Broche; I Lucien Lefevre, in the German countries Ratzel and Haushoffen, in the Anglo-Saxon countries Bryce, sustained the necessity of the administrative organization, based on regional level³⁰.

At the time when this law was promulgated, the European precedents in the field of regionalisation were the following: Belgium was organized in provinces, Poland, after the Constitution of 1929 was divided into 16 administrative regions called principalities. Czechoslovakia, after the law of July the 14th 1927 was organized in 4 administrative provinces. Yugoslavia substituted the 33 regions established in 1922 with 9 big regions, called banovins, through the law of October the 3rd 1929³¹.

³⁰ Paul Negulescu, ș.a. Codul Administrativ Adnotat, buc. 1930, p. 245.

³¹ Vese V. Pușcaș V. ș.a., Dezvoltare și modernizare în România interbelică, Buc. 1988, p. 61-62.

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France was organized in a more centralized way, with 91 departments. The solution of administrative regions establishment which recalled of the old provinces, could not take place, but the departments could associate among each other in order to manage common projects.

The idea to create administrative regions was not new in Romania, but previous law projects could not be promoted because of the limits imposed by the Constitution. The fundamental law acknowledged as administrative –territorial units, the parish and the county, so an organization based on administrative regions would have been unconstitutional.

Therefore, the ruler appealed to an innovation by creating the 7 Local Ministerial Directorates, as centers of administration and local inspection³². They were, in fact, decentralized bodies of the central authority. The Local Ministerial Directorate was composed of the local ministerial director and the chiefs of the local ministerial services, as executive bodies of the Government³³.

The 7 Local Ministerial Directorates were organized in the big provincial cities: Bucharest, Cernăuți, Chișinău, Cluj, Craiova, Iași, Timișoara, from the 1st of January 1930.

The Article 300 of the law stipulates that the counties subordinated to a Directorate can associate in a “general association” on unlimited term, for the execution, creation or maintaining of work, economical, sanitary institutions or public services. On the basis of this article, 7 General County Associations were created, which represented and were promoting the interests of the province.

These Associations were: Muntenia with 17 counties; Transylvania with 18 counties; Moldova with 9 counties; Bucovina with 7 counties; Basarabia with 9 counties; Banat with 5 counties; Oltenia with 6 counties. Total 71 counties³⁴.

The basic idea in the creation of this organization model on provinces, was that sustaining that only an organization adopting the regional particularities can integrally correspond to the so varied economical and social needs, dependent on the local and temporal circumstances.

The criticism with nationalist tint brought about at that time to this model, shows the confrontation of the idea of national unity with the one of uniformity.

In the county decentralized organization two types of bodies were encountered: deliberative and executive: the prefect, the county council and the administrative commission. The statute of the prefect was changed in the decentralizing spirit of the law, remaining only the representative of the central county administration, without continuing to be the chief of the county administration. The chief of the county administration became the president of the permanent delegation of the county council, elected by the council on a period of 5 years.

Referring to the parish level (Title II of the law), the Law of 1929 maintains the classification of the parishes as urban and rural. The urban parishes could be cities and towns. Towns were defined as urban parishes with less than 50.000 inhabitants and were not declared cities. The parishes declared balneary and climatic resorts through special laws could obtain the acknowledgement to be urban parishes, as a decision of the local council, with the approval of the Local Committee of Review and the confirmation of the ministerial director.

The rural parishes, defined as territorial-administrative units having more than 10.000 inhabitants, could be formed of one or more villages. In the case when a parish with this number of inhabitants was not possible, or certain villages disposed of sufficient financial means in order to support a parish administration, the law says that there was possible to constitute parishes with a smaller number of inhabitants, formed of a single or more villages.

Another innovation of this law was that the villages were, for the first time, equipped with juridical personality. Article 6 states that the villages with form part of a rural parish are considered, from an administrative point of view, as sectors of that parish. The villages were divided into two categories: small villages with a population of under 600 inhabitants and big villages with a population of over 600 inhabitants.

³² V. și I. Scurtu, *Din viața politică a României...*, p. 150-151.

³³ The law for the organization of the local administration of the 3rd of August 1929, M.O., nr. 170 of the 3rd of August 1929.

³⁴ V. Onișor, *Treaty of Romanian Administrative Law*, ed. II, Buc, 1930, p. 94.

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As a consequence of this law, the situation of administrative-territorial units in the rural area was as follows: parishes 1500 Villages 15276, of which: small villages 7289. If for the big villages, the election of a village council is compulsory for the small villages this is not compulsory. The village mayor, elected in the village general meeting without too many formalities, has more an honorific function.

Art. 25 of the law states that the counties will be divided into more territorial circumscriptions called districts (plăși). The law, maintains, though, the plasa, as a territorial circumscription, headed by a mayor, as a representative of the prefect, administrative police officer and body of control and supervision, as concerning the rural administration.

The maintaining of these districts, seen as a prolongation of the central power in the territory, was criticized because it was in contradiction with the decentralizing intentions of the law. The broad local autonomy realized through the law of 1929, required an integration mechanism to counterbalance the eventual centrifugal tendencies, but also to supervise the legality of the decision making process.

This way, a system of administrative guardianship:

- for the village and the rural parish: in a first phase: The County Delegation, in the second phase: The Local Review Committee (attached to the directorate);
- for the urban parish and the counties: in first phase: The Local Review. Committee, in the second phase: The Central Review Committee.

One can notice the respecting of the democratic principles through the creation of a system in which the guardianship way does not pass by the Ministry of Internal Affairs.

The innovative character of this law resides in the realization of a real regionalization on historical provinces, without this territorial units being stipulated by the Constitution. The Stere Project from the same year, which proposed the creation of the administrative region, was declared unconstitutional through the approval of the Legislative Council (Paul Negulescu, Treaty of Administrative Law, Buc, 1934, p. 113).

Known in the literature as the “experiment” or “experience” of 1929, this law created a slow administrative mechanism, interposing between the counties and the central level of the Local Ministerial Directorates, as bodies of disconnection, having as components local services: internal, finances, public instruction, cults, agriculture, fields, public works and communications, industry and commerce, labour, health and social protection.

This solution did not confirm the expectations, as the administration became complicated, requiring high costs. This slow and complicated organization also determined the grouping of almost 10.000 small villages in the Old Kingdom, forming 700-800 parishes. A parish was composed now of 30-40 villages, which made it impossible for the local administration to function well³⁵.

This organization as well as the Local Ministerial Directorates were given up on the 15th of July 1931, after the installation of the Iorga Government.

We must acknowledge though, the merit of this law, which realized a real administrative decentralization and a better autonomy of the local life.

Because of the reasons already mentioned, as well as due to the historical circumstances and to the effects of the supra-production crisis from this period, this organization model based on local autonomy, did not resist for long. Through successive modifying laws – 11 modifying laws until 1936 – the law of 1925 was restored. The modifying laws were:

- 1) the law of December the 31st 1929, for the modification of art. 537, al 1. Art 376 al II and art. 368;
- 2) the law of January the 4th 1930 for the modification of art.294, 297, 298,299;
- 3) the law of July the 6th 1930 for completing the art 247;
- 4) the law of July the 6th 1930 for the modification of art.462;
- 5) the law of January the 29th 1931 for the modification of art 44, 178, 429, 430, 437, 453, 454;

³⁵ Vese V., Pușcaș V. ș.a. Dezvoltare și modernizare în România interbelică, Buc. 1988, p 58, G. Ursu, op. cit., p. 158.

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- 6) the law of July the 15th 1931 for the modification of some dispositions of the law for the organization of the local administration;
- 7) the law of September the 21st 1932;
- 8) the law of April the 20th 1933, for the modification of the organization law of the Review Committees;
- 9) the law of April the 14th 1933 for the organization of the local finances;
- 10) the law of May the 3rd 1933 for the abrogation of some disposals from the local administration organization law³⁶.

The Return to the Centralized Administrative Organization Model of Romania – The Administrative Law of 1936

The experiences Romania went through, as a consequence of the administrative laws of 1925 and 1929, called like that because of their instability in time and the applying difficulties, as well as the concern to offer the administration an active role in the state, justified the voting of a new administrative law.

The administrative law of March the 27th 1926³⁷ previewed a division of the territory, according to Art. 4 of the Constitution of 1923, into parishes and villages, invested with juridical personality and having own patrimony and own leading bodies.

The district (“plasa”) was also maintained, as a simple administrative circumscription of the county, with the role of controlling the activity of the authorities of the rural parishes.

The parishes were classified as rural, suburban and urban (residence towns of the counties and residence towns). The economically or culturally important residence towns of the counties could be declared municipia, by law.

The parishes were administered by a parish council as deliberative body, the mayor and the mayor help, as executive bodies. The law establishes the number of members of the parish councils, elected as follows:

- 10 for the rural parishes;
- 18 for the non-residence towns;
- 28 for the residence towns;
- 36 for the municipia.

A part of the parish council members were legal members, recruited from the field of different public services or bodies with technical responsibilities in order to complete the competence of the elected councilors.

The mayor was elected by the parish council, from the elected councilors. There existed two ways in which the mayor could be elected. According to art. 31 of the law, in the rural parishes and non-residence towns, the mayor could be named by the prefect, and in the county residence towns and in municipia, by the minister of internal affairs, in the following situations:

- if after two successive elections no candidate would obtain the absolute majority, the prefect named the mayor and the mayor help from the candidates with the same number of votes;
- if in the urban parishes no candidate would obtain 2/3 of the number of stated votes, the mayor was named (by the prefect or the minister of internal affairs), from the candidates to the town hall.

The county council was composed of elected members and members of law, the last ones being divided into two categories: some with deliberative vote and the others with consultative vote. The members of the county council were chosen by election in 5 special commissions. The speakers of the 5 commissions composed the permanent delegation, which substituted the council between the sessions. The permanent delegation had, besides the delegated responsibilities, also

³⁶ Enciclopedia României, 1938, vol.I, p. 306.

³⁷ M.O., The first part, nr. 73 of the 27th of March, 1936.

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own responsibilities: it was the consultative body of the prefect and had control and counseling tasks upon the rural parishes and the non-residence towns.

According to this law, the prefect is the representative of the Government in the county and the leader of the county administration. If the law of 1929 stated that the leader of the county administration became the president of the permanent delegation of the (elected) county council, the present law returns and reserves an important role for the prefect.

The prefecture council, created for the first time by the law of 1925 as a consultative body of the prefect, is transformed this time, into a real administrative body, with continuous activity, formed by the public decentralized service chiefs.

In conclusion, the model of administrative organization of the territory is a centralized one. The centralization was accomplished by strengthening the prefect's authority to the loss of the elected county authorities, the possibility of naming mayors and the reintroduction of members of law in the local councils.

Nevertheless, the ruler maintained the possibility of associating counties in order to commonly solve some public works which go beyond the county level. It also offered a special administrative regime to the balneary-climatic resorts, the art. 171 offering them the possibility of associating with each other or associating with private institutions, in order to execute works, services or enterprises of local interest.

In the rule of law application, appeared in February the 18th 1937, own responsibilities for each service and office of the local administration, are stipulated. This way of activity systematization represents a real progress in the efficiency of the administration.

Territory Division of Romania into Regional Level Units, Based on the Principles of the Constitution of 1938

The Political-Historical Conditions

Before the Second World War, Romania was characterized by a very unstable political life. At the parliamentary elections of December the 20th 1937, to which 13 parties and 53 political groupings took part, no party obtained the necessary percentage for the formation of the Government.

Taking into account the world's political and historical context, as well as the internal political destabilization, the King Carol the II-nd dissolved the Parliament and tried, without success, to impose the formation of a Goga Government. Without much hesitation, on the 10th of February 1938, he decided the setting up of the monarchic authoritarian regime, forming a Government led by the Patriarch Miron Cristea.

On the 27th of February 1938 a new Constitution was published, which set up the basis of the new regime.

The political organization of the state through the Constitution was imposing the reorganization of the administration on new basis, totally different, according to the following principles³⁸: the dominance of the competence – shows the preference of the ruler for bodies named on the basis of competence, with reference to the elected ones.

The abolishment of the artificial administrative units. The law is based on the principle that only those units which, through their nature and their extension represent legitimate, cultural, economical and financial units, are capable of satisfying the general and local interests. In this context, the county is considered to be a parasitic division, which maintains its services through the contribution of the state.

³⁸ Enciclopedia României, 1938, vol I, p. 310 a.

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Order and authority in the administration – the executive of the units is given to named persons, which freed from the pressure of the electorate would be able to dedicate themselves to the general interests.

The organization and systematization of the administrative activity – with the purpose of assuring continuity and efficiency to the administrative action. The division of the state territory into regions and parishes.

The Administrative Law of August 14, 1938³⁹

Title 1 art.1 of the law stipulates that “the local administration must be practiced through the following territorial circumscriptions: the parish, the district (plasa), the county and the region”.

The parish and the region, as juridical persons exercise as well, attributions of general administration, given by law. The district (plasa) and the county are defined as circumscriptions of administrative control and de-concentration.

The rural parishes, formed of one or more villages, must dispose of sufficient financial means, in order to cover the expenses of the parish administration. As regarding municipia, the law defines them as “residences of the regions and towns which have a population of over 50.000 inhabitants”.

The mayor is a body named on 6 months, on criteria of competence, the academic requirements for the level of municipia or balneary-climatic resorts being the academic title or officer having at least the lieutenant-colonel degree. He is also the chief of the parish administration and president of the parish council.

The parish council was composed of elected members and members of law. The law established in this way the number of elected members: 3 in the rural parishes, 5 in the urban non-residence parishes, 7 in the urban county residence parishes, 12 in municipia.

The election of the members of law was done by the prefect or the royal resident, sometimes by the people, teachers from the schools’staff, doctors, directors of cultural institutions, on 6 a period of years.

At the level of the county, the de-concentrated institutions of the state were functioning and a prefect who became career public clerk, in the structure of the Ministry of Internal Affairs, recruited from the praetors, holding the position of Government representative as well as of chief of county administration. His responsibilities are more restricted, being more a counseling, control and supervision body. The law does not state anymore the existence of the County Council, of the permanent delegation or of the Prefecture Council.

The district (plasa), maintained as an administrative control subdivision, contained more parishes and was leaded by a district praetor named through ministerial decision. He is the representative of the Government and the chief of the police inside the district and his appointment requires juridical studies and administrative technical training.

The county. According to the Title III, Cap. I, Art. 53 of the law, we show further the picture of the 10 counties, with territorial circumscriptions and their residences (table 2).

Table 2. The county, territorial circumscriptions and their residences.

The County	Residence	District
Olt	<i>Craiova</i>	Dolj
		Mehedinți
		Gorj
		Vâlcea
		Romanați
		Olt

³⁹ M.O. , The first Part, nr.187 from the 14th of August 1938.

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Bucegi	<i>Bucharest</i>	Ilfov
		Teleorman
		Argeş
		Muscel
		Dâmboviţa
		Vlaşca
		Prahova
		Buzău
		Braşov
		Trei-Scaune
		The County of the Sea
Ialomiţa		
Durostor		
Caliacra		
The County of the Low Danube	<i>Galaţi</i>	Covurlui
		Brăila
		Tulcea
		Ismail
		Cahul
		Fălciu
		Tutova
		Tecuci
		Putna
		Râmnicu-Sărat
Nistru	<i>Chişinău</i>	Lăpuşna
		Orhei
		Tighina
		Cetatea -Albă
Prut	<i>Iaşi</i>	Iaşi
		Bacău
		Neamţ
		Baia
		Botoşani
		Bălţi
		Soroca
		Vaslui
Roman		
Suceava	<i>Cernăuţi</i>	Cernăuţi
		Hotin
		Storjineţi
		Rădăuţi
		Câmpulung
		Suceava
Dorohoi		
Mureş	<i>Alba-Iulia</i>	Alba
		Turda
		Mureş
		Ciuc
		Odorhei
		Făgăraş
Târnava-Mare		

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		Târnava-Mică
		Sibiu
Someș	<i>Cluj-Napoca</i>	Cluj
		Bihor
		Someș
		Sălaj
		Satu-Mare
		Maramureș
		Năsăud
Timiș	<i>Timișoara</i>	Arad
		Caraș
		Severin
		Hunedoara

The de-concentration of the ministerial services was accomplished through circumscriptions which corresponded to the counties. Therefore, each ministry had an external service which functioned by to the royal resident (exception from this: the justice, the army, external affairs, higher education institutions etc.).

The representative of the Government in the county was The Royal Resident. He was appointed on a period of 6 years through royal decree, by the proposal of the Minister of Internal Affairs and had the position of state secretary and the title of excellency.

The Royal resident had two categories of functions:

1. Representative of the Government:

- hierarchic chief of all the clerks in the county;
- he called together, at least monthly, all the chiefs of the external de-concentrated services;
- he had under his rule all the prefects concerned with the public order and security;
- he annually presented a report to the king, concerning the general state of the county

2. Administrator of the county:

- chief of the county administration and president of the County Council;
- represented the county and the Government at ceremonies

The Council of the county was formed of members elected by the parish county councils, by the agriculture, commerce and industry chambers, and the labour chambers of the county, for a period of 6 years, and of members of law chosen among the officials of the county, on the period of holding the position on the basis of which they were awarded the quality of member of law, proposed by the royal resident and appointed by the Minister of Internal Affairs.

This new and innovative model of administrative organization presents a series of particularities.

First of all, a very high degree of decentralization is perceived, at the level of the parish and county. The Parish and County Councils were led by appointed clerks, the mayor and the royal resident and their very small number of elected members betrays the drastic limitation of the local autonomy. The mayor did not lose though, the entire quality of decentralized body, as he was not included in the central hierarchy.

The strong administrative mechanism, based on career clerks from the structure of the Ministry of Internal Affairs, recruited on the basis of competence, reveal centralized intentions. We can not ignore the fact that the bureaucratic organization (based on hierarchy, labour division and impersonal rules) was properly chosen as an instrument of elimination of the political factor and of rendering a professional body of public career clerks.

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Figure 1. The administrative organization in the Romania, from 1938.

The relationship politics-administration results from the existence of the state of law. The public administration“ must include all the activities having a role in the materialization of the...elected ones⁴⁰”.

As a consequence, we are confronted with a model of centralized administrative organization, typical to the crisis periods or to totalitarian regimes.

A duality of bodies charged with the local interests administration and the administration of state de-concentrated interests, is being noticed.

In parallel with the separation of the state administration from the local administration (parish and county as decentralized units), an accomplishment of the centralization through the appointment of several chiefs as the executives of these two branches, by the central administration, was being searched for.

Another innovation of the administration law of 1938 was the abolishment of the juridical personality of the counties, considered to be artificially created administrations and useless for the community.

All the responsibilities of the districts were transferred to the level of counties, the county remaining a control circumscription.

The creation of the 10 counties was the outcome of a very elaborate process, starting from the specialized regions such as:

- Railway regions;

⁴⁰ Grover Sterling, *Managing the Public Sector*, Ed. All a, 1986.

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- Education inspectorates;
- Border regions;
- The Commerce Chambers' Circumscriptions;
- The Agriculture and Labour Chambers' Circumscriptions.

It can be noticed that in certain counties, such as: Olt, Mării, Nistru, Mureș, Someș, even Low Danube, which were built on natural areas, a systemic premonition took place. It is not the case of the Bucegi County which groups parts of geographical units with a unique diversity and unity.

The historical events related to the big world war determined the short time duration of this model. After the arbitrage of Vienna, the territory of Romania was diminished with 33,8 % (100.913 square km) and the population with 33,3 % (6.777.000 inhabitants). Under these circumstances, the new government established on the 4th of September 1949, suspended the Constitution of 1938.

This led to the abolishment of the counties, the district as an administrative-territorial unit with juridical, decentralized personality being reintroduced. (Law no.67, of September 21 1949)⁴¹.

The Problem of Territory Sistematzation in the Inter-War Administrative Legislation of Romania

The activity of systematization was always linked to the administrative organization of the territory. Therefore, the inter-war legislation in the field tried to deal with this important problem.

The unification administrative law affects chapter VIII, art.76, regarding to the municipal problems. Through the stipulations of this law, the parish was obliged to elaborate, in 4 months, a general systematization plan“ in view of the possible development that the parish might accomplish and its various services in the future.” (art. 69).

At art.73, the construction authorization is established by the permanent delegation, with the signature of the mayor, on the basis of the technical service approval.

The law makes further reference to the alignment of the streets and squares, for this, giving the right to the Parish Councils to declare public utility.

The law of 1929⁴², presents specific concern in this field.

The parishes are imposed (urban, suburban, rural and balneary-climatic resorts) to elaborate plans of“ alignment, surveying and systematization” (art.115). At the residence of each district the “Commission for the systematization” was formed, led by the president of the district delegation, with sub-commissions at the level of each department.

The elaboration of the plans and systematization projects is appointed to the “Superior Technical Council of the Ministry of Public Works”. The opening without authorization of streets, passages, closed streets is punished by fines and the regime of the unauthorized constructions is clarified.

The disposals about the village and the rural parish concerning the systematization are quite vague and allowing, the ruler taking into account the low financial possibilities at the level of these units.

The administrative law of 1936 deals more with the systematization of the settlings, in the following chapters:

Cap. III- Plans of situation and systematization

Cap. IV-Urbanism

The search for solutions for the avoidance of previous failures concerning the elaboration of situation plans, led to the obligation of the parishes without material means, to note at the

⁴¹ The Collection of regulation laws, Tom XVIII din 5-30 Sept. 1940 pag 1286-1289

⁴² M.O. nr 170 of the 3rd of August 1929, The sixth part, Section II, Urbanism and Construction Policy, art. 115-125.

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Deposit House, at the beginning of each budgetary year, an annual contribution established by the tutorial body. The situation plans were further elaborated by the county specialized services.

Fines for the deviation from the alignments, the juridical regime of field parceling and the expropriation for public utility causes, were given.

The local council was able, based on the art.157, to oblige the owners of marsh fields take sanitation, draining and rising the water level measures.

If they did not respect these measures, the local authorities could do the respective works, the owners having to support the expenses. The law imposed the existence of local rules concerning the maintaining of the pavements and drains.

Although we notice an evolution in the approach of the settlements' systematization through the laws of administrative organization, until 1938, the regulations were not sufficiently serious and complete, there did not exist a well defined general review. Different administrative laws elaborated several measures with isolated character. Therefore, they did not produce notable effects upon the urban life, which continued to develop by chance (exception is The Law of the Public Works House of Bucharest).

The Administration Law of August 14 1938, established a new beginning of real urban organization. The basic principle in elaborating these regulations was that systematization and development of the urban life is not a technical problem anymore. It represents a concept which comprises a range of technical, financial, administrative and juridical measures, concerning the organization and urban development conditions.

As concerning the situation and systematization plans, differing from the previous laws, this law establishes which are the compulsory plans of the parishes and what must they comprise. Therefore, at title VII Compulsory works, Cap. I, art.139, the law stipulates that the following measures are compulsory for all the parishes⁴³:

- a general alignment and surveying plan;
- a systematization, adornment and extension plan.

The general alignment and surveying plan concerns the actual situation of the parish, with the route of the streets and narrow streets; it also comprises the surveying plan.

The systematization, adornment and extension plan is the technical development plan of the parish and the administrative programme for its accomplishment, divided according to the incomes of the parish. It had to have in view: extension areas around the limits of the settlement, a technical development plan of the parish (norms of extension systematization), hygienic, archaeological and aesthetic servitude, the height regime, the water and sewerage network, the evacuation of waste, a local administration rule, a plan elaboration programme, with reference to the financial means of the parish.

For the technical-administrative supervision of elaborating these plans, the law establishes commissions formed of specialists at a central level and at the county level (art.142, art.143) appointing them with very clear responsibilities (art.144).

Starting from the reality that the usual incomes of the parishes are insufficient for the requirements of situation and systematization plan elaboration, the law establishes special financial means.

The compulsory urban action plans stipulated by the law (art.139, al3) had to correspond with the requirements of the plan and with the financial possibilities of the administrative-territorial unit.

The juridical consequences produced by the systematization plans, especially related to the private property, are divided into two categories:

- establishes the exercise of the right of property (parceling, building, authorizations);
- restricts the exercise of this right (servitude of non-construction, reconstruction and using).

⁴³ M.O. 187 of the 14th of August 1938.

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Despite the fact that the regulations of this administrative law concerning the systematization and public works are based and value the previous experiences of Romania and even of other European countries, in a newer view, we can not analyze its effects upon the territory from a practical aspect, due to the short period (2 years) in which this law was in use.

Conclusions

The analysis of the proposed or applied solutions, by the different political regimes of Romania between the years 1919-1939, concerning a better administrative organization of the territory, leads to the following conclusions:

- no administrative organization model from the inter-war period was parted from the European context;
- all proposed projects were strongly influenced by the internal political evolution, many changes coming as a consequence of the wish of some parties to demonstrate that they have political solutions;
- all executives acknowledged the state as a fundamental cell in the territorial organization, the only regulation which "attacked" the legitimacy of this natural concentration unit of population, being the law of 1929, which denominated the sectors of the parish;
- the parish was maintained in all the models, the way of formation (composing) showing the permanent search of solutions to conciliate the several provincial particularities;
- the district, traditional administrative unit in the Old Kingdom, was extended as nomenclature over the similar level units from the united provinces (the comitats from Transylvania, uezdi from Banat, captain-ships from Bucovina).

The district level strengthened its importance in the administrative organization of the country, the only period in which it functioned without juridical personality being between 1938-1940, when the responsibilities were transferred to the county level.

The regional level determined a permanent search in the inter-war period; the politicians recognized that an administrative reform with the exclusion of the regional level in the organization of the decentralization, is a dead reform.

Once the union ideal accomplished, the discussions on the regionalization always constituted a delicate subject.

Among the law projects, which targeted the territory regionalization⁴⁴ we can note:

- the project C.I Negruzzi 1919 – provinces;
- the project of the Simion Mehedinți Commission 1920 – regions;
- the projects Argetoianu 1921, 1931 – regions;
- the project P.N.R 1922 – provinces;
- the project C. Stere 1929 – regions.

We notice the legislation and transfer in practice of two totally different regionalization models:

1. The model of 1929 based on a real decentralization and a broad local autonomy.
2. The model of 1938 based on a strong centralization, on the considerable restriction of the local autonomy and a strong accent on the professional side of the apolitical public clerks.

Although the first model was well elaborated and offered territory management solutions acceptable for all the provinces of the country (valued the experience of applying the administrative unification law of 1925), it did not resist for a long time due to the economical context, to the crisis period requiring centralized administrative systems, pyramidal hierarchy, bureaucracy.

The model of administrative organization of 1938, strong, based on the constitution, really adequate to the historical context, was remarkable through its professional linked and de-

⁴⁴ Nistor. I.S. , op. cit., p.123

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politicizing measures of the public clerks' body, but mostly created for the first time, in a systemic approach, regional units with juridical personality, the counties.

The administrative organization laws are laws with the organization fundamental character of a state. Their effects are noticed after longer periods of time and therefore, they must not be modified as easy as other laws.

The attempts to accomplish the administrative union in inter-war Romania have not been fully successful because of two reasons:

- the legislative instability caused by the permanent interference of the politics in the loss and sometimes with the sacrifice of the administrative life;
- the diversity of preexisting administrative organizations in different regions of the country, difficult to integrate into a unitary law, which would promote other bodies as well previous nonexistent rules in these regions.

The administrative laws in the inter-war period contain dispositions concerning the settlements' and urban systematization. Studying these regulations we can observe their evolution in time, both from a technical, juridical point of view, as well as from the point of view of the administrative operational measures.

If the administrative laws of 1925, 1929, 1936 show a simple approach, proposing isolated measures, transposed in small amount in the life of the settlements, the law of 1938 approaches this problem in a systemic manner. This law synthesizes both the experience of certain European countries (England, Austria, Germany, France, Italy etc) and the previous Romanian experience. Rules of town systematization are established, among which, the imposing of a relation between surface, population and economical importance, the creation of an extension area in view of a future development, the structure of towns' surfaces and their parceling. Hygienic, sewerage and waste evacuation norms are imposed.

The law also stipulates sanctions for the misbehaviour in systematization but also ways of fund formation, necessary to the systematization at different levels, commissions for study and correlated plans, solutions for the appeared litigation matters, related to the property regime.

References

- Dandea, E.** (1927), *Verificarea legislativă în Alsacia și Lorena*, În Administrația Română, nr. 7.
- Docan, G.** (1943), *Interdependența legilor provinciale și de unificare*, în Padelele române, 22, partea a IV-a.
- Iancu, Gh.**, *Unificarea legislativă. Sistemul administrativ al României (1919-1939)*, în Vese V., Pușcaș, V. (1988), *Dezvoltare și modernizare în România interbelică*.
- Ionașcu, A.** (1942), *Problema unificării legislației civile în cugetarea juridică românească (1919-1941)*, în Pandectele române.
- Merițiu, V.** (1929), *Județele din Ardeal și Maramureș până în Banat. Evoluție teritorială*, Cluj-Napoca.
- Negoescu, P.** (1930), *Codul Administrativ adnotat*, București.
- Negrea, C.** (1943), *Evoluția legislației în Transilvania de la 1918 până astăzi*, Sibiu.
- Onișor, V.** (1930), *Tratat de drept administrativ român*, ediția a II-a București.
- Popescu, Gh.** (1994), *Dezvoltarea economică în profil teritorial a României 1900-1985*, Cluj-Napoca.
- Rudescu, C.** (1935), *Bref aperçu sur l'activité de Conseil Legislativ Roumain*, în Revista de Drept Public, nr. 1-2.
- Sachelarie, O., Georgescu, V. Al.** (1968), *Unirea din 1918 și problema unificării legislației*, în Studii. Revistă de istorie. 21, nr. 6.
- Sterlig, G.** (1986), *Managing the Public Sector*, III edition.
- Surd, V.** (2002), *Introducere în geografia spațiului rural*, Editura Presa Universitară Clujeană, Cluj-Napoca.
- Tarangul, E. D.** (1944), *Tratat de drept administrativ român*, Cernăuți.

Administrative Organization Models of Romania in the Inter-War Period

Ursu, G. (1935), *Dicționar Enciclopedic Administrativ*, Cluj-Napoca.*** *Monitorul Oficial* nr. 212 din 13 decembrie 1918.

Vese, V., Pușcaș, V. (1988), *Dezvoltarea și modernizarea în România interbelică*, Bucureșt.

*** (1940), *Colecțiunea de Legi și regulamente, tom XVIII din 5-30 septembrie 1940.*

*** (1938), *Enciclopedia României*, vol I, II, III. IV.

*** *Monitorul Oficial* nr. 217 din 19 decembrie 1928.

*** *Monitorul Oficial* nr. 8 din 10 aprilie 1918.

*** *Monitorul Oficial* nr. 4 din 4 aprilie 1920.

*** *Monitorul Oficial* nr. 282 din 29 martie 1923.

*** *Monitorul Oficial* nr. 45 din 26 februarie 1925.

*** *Monitorul Oficial* nr. 128 din 14 iunie 1925.

*** *Monitorul Oficial* nr. 170 din 3 august 1929.

*** *Monitorul Oficial* nr. 73, partea I, din 27 martie 1936.

*** *Monitorul Oficial* nr. 187, partea I, din 14 august 1938.

*** *Ministerul de Interne*, (1926), *Împărțirea administrativă a României însoțită de Legea pentru unificarea administrației comunale a orașului București*, București.