MODELS OF ADMINISTRATIVE-TERRITORIAL ORGANIZATION OF ROMANIA IN THE INTERWAR PERIOD. THE COUNTY. THE DIRECTORATE. THE PROVINCE

Ciprian-Adrian PĂUN, Associate Professor, PhD.

Babeș-Bolyai University

ABSTRACT

This article examines the complex evolution of the administrative-territorial organization in Greater Romania during the interwar period, specifically between 1918 and 1936. Following the Great Union, the Romanian state faced the massive challenge of institutional unification, attempting to harmonize four distinct legislative systems (the Old Kingdom, Transylvania, Bessarabia, and Bukovina). The study analyzes three major legislative milestones: the 1925 Law on Administrative Unification, the 1929 Law on the Organization of Local Administration, and the 1936 Administrative Law.

The initial 1925 legislation, promoted by the Liberal government, established a centralized model centered on the county (județ) and the commune, with the prefect serving as both a representative of the central power and the head of local administration. Dissatisfaction with this model led to the 1929 reform under the National Peasants' Party, which introduced a paradigm shift toward decentralization. This reform recognized the "village" as a fundamental legal entity and introduced "General County Associations" and "Ministerial Directorates" to reflect regional historical identities (provinces).

However, these reforms sparked intense constitutional debates regarding State unity and the legality of administrative justice bodies like the Revision Committees. By 1936, the legislative pendulum swung back toward centralization, re-establishing the prefect's dominance and limiting the autonomy of elected councils. The article concludes that the interwar administrative reforms were characterized by a constant tension between the need for a modern, decentralized European state and the political impulse for central control. The frequent shifts in legislation reflected the era's political instability and the difficulty of integrating diverse regional administrative traditions into a single national framework.

KEYWORDS: *administrative decentralization, Greater Romania, interwar period, institutional unification, local autonomy*

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1. INTRODUCTION

The Great Union of 1918 brought not only national fulfillment but also an urgent need for administrative structural reform. Romania had to integrate territories with vastly different legal heritages—Austrian, Hungarian, and Russian—into a coherent national system. This article explores the legislative efforts to build a functional administrative state during the interwar years. It focuses on the transition from the highly centralized Liberal model of 1925 to the decentralizing experiment of 1929 and the eventual return to centralism in 1936. The central question of this study is how the Romanian state navigated the balance between respecting regional historical traditions and ensuring the political indivisibility of the nation.

2. THE 1925 UNIFICATION LAW – ESTABLISHING THE CENTRALIZED FRAMEWORK

Title III of the 1925 Law refers to the county (*județ*). The county council was composed of three-fifths elected members—chosen by all county voters through universal, equal, direct, secret, and compulsory suffrage, via a list system with minority representation—and two-fifths ex-officio members (Art. 101). The number of county councilors was established in proportion to the county's population, excluding the population of the county seat. The following were provided: 36 councilors in counties with a population greater than 400,000 inhabitants; 30 councilors in counties with a population greater than 200,000 inhabitants; and 24 councilors in all other counties.

Ex-officio councilors included the mayor and up to two councilors elected by the City Council of the county seat, the school inspector and senior representatives of vocational and secondary education, the highest-ranking representatives of the Ministries of Public Health, Social Protection, Agriculture, and Public Works, the financial administrator, the agricultural counselor, the archpriest of the cult with the most followers within the county or residing in the county capital, one representative each from the Chambers of Agriculture, Commerce, Industry, and Labor, the head of the State Litigation Service of that county, a representative of the cooperatives (either the president of the Production Federation or the president of the Federation of People's Banks headquartered in the county capital).

In the presence of the prefect, the elected councilors took the following oath: "I swear loyalty to the King and the Constitution; I swear to impartially apply the laws of the country and to defend the interests of the county" (Ministry of Justice, Collection of Laws and Regulations, 1925).

The Council, presided over by its oldest member, elected its Bureau by secret ballot for a period of 4 years, consisting of a president, two vice-presidents, two secretaries, and two questors. The Council conducted its work in plenary sessions and in five committees, each with 5-8 members: the Administrative, Financial, and Control Committee; the Public Works Committee; the

Economic Committee; the Cults and Education Committee; and the Sanitary and Social Assistance Committee.

According to the law, "County Councils have the initiative and decide on all matters of county interest, in accordance with the present law and special laws." The Council met in the county capital, at the Prefecture building, in ordinary sessions on October 10 and March 1 of each year. In extraordinary sessions, the Council met whenever necessary or at the request of the prefect.

Convocation for an extraordinary session was permitted only with the approval of the Ministry of Internal Affairs. The duration of the ordinary session was 15 days, and the extraordinary session 10 days, with the possibility of extension following a Council decision. No salary was received for the mandate of councilor, only a per diem and travel reimbursement.

The prefect attended all Council meetings, having the right to speak but not to vote. The rapporteurs of the five specialized committees formed the Permanent Delegation, chaired by the prefect.

Title V regulates the issue of representatives of the central authority and control bodies. The county prefect was appointed by Royal Decree at the proposal of the Minister of Internal Affairs. In addition to the other conditions required of public officials, the candidate had to be at least 30 years old and hold a university degree recognized by the state. The prefect could not hold any other political office paid by the state, county, or commune, nor practice any liberal profession, or serve as an administrator or censor on the boards of commercial companies, cooperatives, or banks. He was the representative of the central power, but also the "head of the county administration." In this capacity, he exercised control and supervised all county and communal services. Together with the Permanent Delegation, he appointed, promoted, revoked, and applied disciplinary sanctions to county officials, according to the statutes and laws in force. He was the head of the police in the county and, in this capacity, gave orders to all police and gendarmerie bodies, and in situations of *force majeure*, mobilized the public force.

Each county was divided into several districts (*plăși*), led by a Praetor (*Pretor*) subordinate to the prefect.

In accordance with the 1925 legal regulations, the country was divided into 71 counties, grouped by Decision no. 577 of February 6, 1926, into 9 administrative regional districts (Săgeată, 2002):

a) District I with headquarters in Cluj: Cluj, Maramureș, Mureș, Năsăud, Satu Mare, Sălaj, Someș; b) District II with headquarters in Timișoara: Arad, Bihor, Caraș, Hunedoara, Mehedinți, Severin, Timiș-Torontal; c) District III with headquarters in Sibiu: Alba, Făgăraș, Odorhei, Sibiu, Târnava Mare, Târnava Mică, Turda; d) District IV with headquarters in Craiova: Argeș, Dolj, Gorj, Olt, Romanați, Teleorman, Vâlcea; e) District V with headquarters in Ploiești: Brașov, Buzău, Ciuc, Dâmbovița, Ilfov, Muscel, Prahova, Trei Scaune, Vlașca; f) District VI with headquarters in Galați: Brăila, Caliacra, Constanța, Covurlui, Durostor, Ialomița, Ismail, Râmnicu Sărat, Tulcea; g)

District VII with headquarters in Cernăuți: Botoșani, Cernăuți, Câmpulung, Dorohoi, Fălticeni, Hotin, Neamț, Rădăuți, Storojineț, Suceava; h) District VIII with headquarters in Iași: Bacău, Bălți, Iași, Putna, Roman, Tecuci, Tutova, Vaslui; i) District IX with headquarters in Chișinău: Cahul, Cetatea Albă, Fălciu, Lăpușna, Orhei, Soroca, Tighina (The New Organization of Inspection Services within the Ministry of Internal Affairs, 1926).

Each district was led by an administrative inspector general, seconded by a second-class inspector general, who was obliged to apply the unification law (Allocation of Districts..., 1926).

After nearly two years of attempts, the results were not up to expectations. Reports from the relevant departments of the Ministry of Internal Affairs and from the administrative inspectors general revealed that the unification law was not being applied uniformly in all regions, and some provisions were not being put into practice.

Since an implementation regulation for the law had not been drafted, some texts were misunderstood, or the communal and county administrations did not pay sufficient attention to the strict application of the provisions. Nicolae Iorga describes the results of the new administration very vividly: "In the Old Kingdom, what existed ten years ago persisted—Caragiale's world with more diplomas. It was a sorrow to witness in every journey through our provincial towns... Bessarabia, with no other roads than those few Russian highways and the deep-rutted tracks through the middle of the signatures... Cernăuți is perhaps the most un-Romanian city in Romania... In Transylvania, instead of reviving the small Romanian centers like Făgăraș, Orăștie, or Sebeș, the new regime—following the custom of the liberated slave who copies his arrogant masters—throws itself toward the capital without any character... Vulnerable towns like Blaj showed the same peeling plaster on the walls of schools and churches, the same 'nemeș' poverty from 1700 in the wealthier peasant house of the Uniate bishop" (Iorga, 1932).

Authorities believed that matters could only be remedied through the organization of rigorous and permanent control. For this to yield results, it had to be carried out by region, establishing the sphere of duties and limits of competence. Inspections and controls were to be executed by administrative inspectors general, prefects, and praetors.

By Decision number 25,134 of November 18, 1927, of the Minister of Internal Affairs, the regional administrative districts were reorganized, increasing to 10 with new headquarters. The counties were distributed as follows:

1. District I with headquarters in Pitești: Argeș, Dâmbovița, Dolj, Gorj, Mehedinți, Muscel, Olt, Teleorman, Vâlcea, Vlașca;
2. District II with headquarters in Ploiești: Brăila, Buzău, Caliacra, Constanța, Durostor, Ialomița, Ilfov, Prahova, Râmnicu Sărat, Tulcea;
3. District III with headquarters in Iași: Bacău, Covurlui, Fălciu, Fălticeni, Iași, Neamț, Putna, Roman, Tecuci, Tutova, Vaslui;

4. District IV with headquarters in Botoșani: Botoșani, Cernăuți, Câmpulung, Dorohoi, Rădăuți, Storojineț, Suceava;
5. District V with headquarters in Chișinău: Bălți, Hotin, Lăpușna, Orhei, Soroca;
6. District VI with headquarters in Cetatea Albă: Cahul, Cetatea Albă, Ismail, Tighina;
7. District VII with headquarters in Sibiu: Alba, Făgăraș, Hunedoara, Sibiu, Târnava Mare, Târnava Mică;
8. District VIII with headquarters in Târgu-Mureș: Brașov, Ciuc, Mureș, Odorhei, Trei Scaune, Turda;
9. District IX with headquarters in Oradea: Arad, Bihor, Carei, Timiș, Torontal;
10. District X with headquarters in Cluj: Cluj, Maramureș, Năsăud, Satu Mare, Sălaj, Someș (Official Gazette no. 257, 1927).

As things continued to evolve slowly, by Decision no. 4640/8 of April 11, 1928, of the Minister of Internal Affairs, the number of districts returned to 9, with the counties being allocated differently:

1. District I with headquarters in Pitești: Argeș, Dolj, Gorj, Mehedinți, Muscel, Olt, Romanați, Teleorman, Vâlcea.
2. District II with headquarters in Ploiești: Brăila, Buzău, Dâmbovița, Ialomița, Ilfov, Prahova, Râmnicu Sărat, Vlașca.
3. District III with headquarters in Iași: Bacău, Covurlui, Fălciu, Fălticeni, Iași, Neamț, Putna, Roman, Tecuci, Tutova, Vaslui.
4. District IV with headquarters in Botoșani: Botoșani, Cernăuți, Câmpulung, Dorohoi, Rădăuți, Storojineț, Suceava.
5. District V with headquarters in Chișinău: Bălți, Hotin, Cahul, Lăpușna, Orhei, Soroca, Tighina.
6. District VI with headquarters in Constanța: Caliacra, Cetatea Albă, Constanța, Durostor, Ismail, Tulcea.
7. District VII with headquarters in Brașov: Alba, Brașov, Făgăraș, Hunedoara, Odorhei, Sibiu, Târnava Mare, Târnava Mică, Trei Scaune.
8. District VIII with headquarters in Oradea: Arad, Bihor, Caraș, Sălaj, Severin, Timiș-Torontal.
9. District IX with headquarters in Cluj: Ciuc, Cluj, Maramureș, Mureș, Năsăud, Satu Mare, Someș, Turda (Official Gazette no. 85, 1928).

The institutional and administrative unification actions of Greater Romania lasted ten years, from 1918 to 1928, and only partially met the needs for development, modernization, and Europeanization of society. Adequate solutions were not found for the transformations in political-economic and socio-cultural life, nor were the advanced elements necessary for state organization adopted from former legislations (see the centralization-decentralization debate). In other words, Romania integrated into the Central European and Western development model, but the pace of evolution was sluggish, involving complicated procedures that were insufficiently supported and burdened by a great deal of political ballast. Beyond the doctrinal debates, many of which were sterile, the administrative reform did not offer sufficient arguments for the consolidation of the national market or for the increase of local revenues.

3. THE DECENTRALIZATION REFORM OF 1929 – REGIONALISM AND LOCAL AUTONOMY

The National Peasants' Party (PNȚ) government of autumn 1928, from the very first moments of taking power, introduced a legislative projection different from that of the Liberals, based on the decentralization of the State (Nistor, 2000).

In the eyes of the legislator, there were at least three basic principles of the administrative reform: 1. Local autonomy; 2. Administrative decentralization; 3. Administrative control and guardianship bodies.

Local autonomy aimed at the administration and leadership of administrative units either directly or through elected representatives of the villagers from that administrative unit. It was conceived "from the bottom up," and as a hierarchy, it addressed the village, the rural commune and urban commune, municipalities, the county, and the province/region. Subordinations flowed from the region toward the county and municipalities; from the county toward urban and rural communes; and from rural communes toward the village (ibid.).

The administrative decentralization proposed by the PNȚ was based on reducing the supervision and control activities of the Ministry of Internal Affairs. A representative of the central power was provided for in a relationship of collaboration-subordination toward: the regional director; the county prefect; the chief-praetor and the praetor.

The coordination apparatus of the two parallel hierarchies consisted of the Regional Director and the County Administrative Commission. The entire administrative mechanism benefited from the services of two courts: the Central Revision Committee and the Regional Revision Committee.

The Regional Revision Committees were administrative bodies that, on one hand, supplemented the guardianship and control organs over local administration institutions, and on the other hand, were called upon to provide their opinion whenever government agents exercised their control powers or made decisions regarding the functioning of local administrations.

An important issue in the conception of the new administrative organization law, according to the "Explanatory Memorandum," "refers to the administrative traditions of the sister provinces, according to their customs and mentalities" (ibid.). An administrative law of Romania after the Great Union had to incorporate "the traditions and customs of at least four distinct administrative systems," which could only be achieved through a compromise with "all its disadvantages and advantages"; disadvantages because it is nearly impossible "to find the formula that satisfies each individual administrative system," and advantages because "the administrative organs of a country must necessarily be unitary" (ibid.).

According to the legislator's conception, "any population center, as created over time, constitutes an administrative unit. The basic administrative unit must be the commune, as a natural population center, which is divided into municipalities, urban communes, and rural communes." An important role in the organization of local administration was envisioned for the village, which "in Transylvania, Bukovina, and Bessarabia, under the regimes in which these provinces lived until the union, constitutes at the same time the fundamental administrative unit" (Official Gazette, part III, 1928).

N. Iorga's speech in the Chamber was adopted into the argument, stating that "the village is the only reality and the great factor in preserving national consciousness and its development for the future" (ibid.). The village was to be considered a commune, not a sector of a commune. Only in this way could "the true development of villages be affirmed." In the system of the 1925 law, where communes were composed of several villages, it could happen—as in the Old Kingdom—that the village was "strangled." The villages in Transylvania and Bessarabia, which bring their historical tradition as true centers of civic life, did not deserve this fate, the new law proclaimed. Therefore, the principle of the local administration organization law had to be based on the village as the administrative-territorial unit, and only by exception on the commune with multiple villages. "The individuality of each administrative unit is the village," which must, however, be subject to administrative guardianship, "for without control and coordination, good administration cannot be guaranteed...". "In this way, democracy would gain deep roots in public life...". "In Bessarabia, but also in the other annexed provinces, the only centers of civic life where the national language and traditional customs could be preserved were only the villages."

The rural commune is considered in the project as an intermediate administrative unit between the village and the county, acting as a control body exercising administrative guardianship over the village. In the legislator's view, the commune fulfilled this role on the sole condition that it comprised a number of villages whose total population was approximately 30,000 inhabitants.

The county was retained in the new law as the immediately superior administrative-territorial unit. It is administered by a County Council, from among whose members the County Delegation is elected, led by the administrative prefect.

The county prefect—distinct from the administrative one—is the representative of the central power, the head of the general police, and the executive organ of the County Council. He exercises control and supervision over all local administrations in the county. An innovation of the law is the County Administrative Commission, composed of all heads of public administrations in the county, with the role of coordinating the activity of various administrative services and removing identified deficiencies.

Alongside the village, considered a "natural population center," the institution of the **province** was introduced into the law—a "historical formation, entered into each of our lives with its traditions and customs" (*Official Gazette*, no. 89, 1929). N. Iorga supported both in the Chamber, stating, "the current law has two fortunate ideas: the village and the region."

Regions, as administrative units, established themselves during parliamentary debates as solutions suitable for the good organization of the country (ibid.). The region could be managed in such a way that the population across the entire country could satisfy individual interests as well as the ideal of national unity and achieve local autonomy. "The Minister of the Interior does not know what hurts the man in Cluj, Cernăuți, or Iași," and often orders coming from Bucharest are "inapplicable or yield results contrary to those desired." If an administrative unification law based on local autonomy and administrative decentralization by provinces had been promulgated immediately after the Great Union, the relations between the united provinces and the Old Kingdom "would be much more softened, and the country, after the unfortunate ten-year rule of the Liberals, would not be in today's economic and financial state" (ibid.).

To avoid grounds for unconstitutionality and to soothe the fear of affecting State unity, the legislator did not use the titles "province" or "region" in the text of the law, but rather **"general county association"** (*asociație județeană generală*) (ibid.).

General county associations represented and promoted the interests of the province; they possessed legal personality and operated based on autonomy and administrative decentralization. They were subject to the administrative control of revision committees that evaluated "the results of good administration" (ibid.). During the debate on the bill, the status of **ex-officio councilors** (*consilieri de drept*) was also discussed. It was argued that the legislator was inconsistent regarding ex-officio councilors in communal and county councils because they did not exist in rural councils, and that "the institution of ex-officio councilors does not accord at all with the principles of local autonomy" (ibid.), defined by law as "meaning the administration and leadership of administrative units, either directly or through representatives freely elected by the citizens of the administrative unit." The legislator admitted that "in principle, ex-officio councilors have no role in a law based on local autonomy" (ibid.). Keeping them in the administrative organization laws alongside elected members was anachronistic. The electorate lacked the necessary representativeness in the elected bodies (councils), and the subordination of local power to the will of the central power was maintained.

Furthermore, the same situation is found in articles 67, 69, 70, 72, and 73 of the Romanian Constitution regarding the composition of the Senate. Through this measure, the 1923 Constitution went against the European trend of expanding democracy by removing a large portion of the Senate from the electoral body.

The **Law for the Organization of Local Administration**, promulgated on August 3, 1929, reduced the number of communes from 8,751 to 1,500. The status of the 15,267 villages scattered throughout Romania's provinces was as follows: 7,289 villages—roughly half—were considered small under the bill, with a population of up to 600 inhabitants; to these were added 3,208 villages under 1,000 inhabitants. Thus, about 10,500 villages—over two-thirds of the total—had a population of up to 1,000 inhabitants. Approximately 3,000 villages recorded between 1,000 and 2,000 inhabitants, and 1,000 villages had a demographic basin of over 2,000 inhabitants (Nistor, 2000).

Communal administrative competence extended to all matters of communal interest: managing communal assets, encouraging and supporting collective labor, public instruction and health, field guarding, etc. The administration of the rural commune was entrusted to the **Communal Council**, composed of councilors elected by universal suffrage for a 5-year mandate. The Council elected the mayor and the Council Delegation, appointed the notary, cashier, and communal service employees, set compensation, voted on the communal budget, approved communal administrative contributions and fees, and established in-kind labor requirements (Articles 24–26 of the law).

The mayor was the president of the Communal Council and the Council Delegation, and the head of the communal administration. He convened and presided over Communal Council sessions, managed all communal services, and published laws, regulations, and orders from the government or superior authorities. Villages, in turn, were administered by a **village assembly**, a **village council**, and a **village mayor**. The mayor of the commune's seat village served as the deputy mayor to the communal mayor.

The law established an "extensive, diversified institutional-administrative reality capable of conferring new functional attributes to the structures of the rural world and allowing for real decentralization."

Regarding the counties (*județe*), they were maintained in number and territorial delimitation in accordance with the 1925 Law. The novelty of the 1929 law was that they were grouped by historical provinces into general county associations with legal personality. **Local ministerial directorates** were also created as organs of the central power:

- **Ministerial Directorate I (Muntenia):** Bucharest, 17 counties.
- **Ministerial Directorate II (Bukovina):** Cernăuți, 7 counties.
- **Ministerial Directorate III (Bessarabia):** Chișinău, 9 counties.

- **Ministerial Directorate IV (Transylvania):** Cluj, 18 counties.
- **Ministerial Directorate V (Oltenia):** Craiova, 6 counties.
- **Ministerial Directorate VI (Moldavia):** Iași, 9 counties.
- **Ministerial Directorate VII (Banat):** Timișoara, 5 counties.

The ministerial directorate was led by a ministerial director appointed by Royal Decree, equal in the administrative hierarchy to an undersecretary of state. The fall of the National Peasant government and the takeover by Nicolae Iorga’s cabinet on April 18, 1931, jeopardized the local ministerial directorates, which were abolished on July 15, 1931. It should be noted that although Iorga supported the 1929 law in Parliament, he later declared: "the new regime had the passion for spending typical of all upstarts... The administrative law also carries great expenses, born from the inspiration of Constantin Stere... Village Councils were created alongside communal ones, and a swarm of mayors demanded their pay, however small... The Directorates implied new appeals to the taxpayer's purse" (Iorga, 1932).

The National Peasant governors aimed to revitalize rural life. Thus, in Article 1 of the law, they adopted the "village" alongside the rural commune as a local administrative unit. Villages within a rural commune were provided with their own organs; those with over 600 inhabitants (Art. 6, para. 2) had a mayor assisted by an elected Village Assembly or Village Council, a Village Council Delegation, as well as a collector and other officials. Additionally, villages were represented in the general Council of the central rural commune. The village mayors held a dual capacity: they were mayors in their village and deputies in the rural commune.

The villages or sectors of rural communes thus organized were legal entities (Art. 1). The legal paradox of the law was that a rural commune would be composed of two or more overlapping legal entities, depending on the number of component villages. According to the bill, villages—through their administrative organs—had the power to establish local taxes. Given that under the 1923 Constitution, communal taxes could only be established with the approval of an elected Communal Council, contemporary jurists considered these provisions unconstitutional, as a commune could only have one representing Council. This issue of constitutionality did not greatly concern the 1929 legislator. C. Stere argued in the Chamber that while "the Constitution of States is made by men, the same cannot be said of villages: the village is sprung from divine hands, and therefore no one has the right to attempt against its life" (*Official Gazette* no. 89, 1929).

It was further argued that "the laws of 1925 and 1926 can bring new interpretations to constitutional provisions because they were voted on by the authors of the 1923 Constitution. If the division into sectors and their constitution into administrative units, with a territorial organization and competence similar to those of communes, is constitutional for Bucharest and municipalities, it must also be constitutional for the other urban and rural communes, as Articles 4 and 111 of the Constitution recorded no distinction in this regard and provided for no exception" (ibid.).

Following debates in Parliament, the text of Art. 56 para. (3) was modified to state that "any communal tax can only be established with the consent of the Communal Council" (ibid.).

Another constitutional dispute concerned the province (Stere's project), the region, and later in the law, the "county associations" (Art. 4, Romanian Constitution). Liberal parliamentarians, in particular, argued during Chamber interventions that the provisions in C. Stere's project regarding the "Province" were unconstitutional in relation to Art. 4 of the Constitution. Even within the doctrine of administrative law, discussions were not clarified regarding the constitutionality of the incriminated text; therefore, the solution should have been provided by the High Court of Cassation and Justice, sovereign in declaring a legal text constitutional or unconstitutional.

The region as a territorial-administrative unit had already become, in doctrine, the subject of vast literature and discussion, both abroad and in Romania, with arguments for and against varying according to the political and administrative structure of the respective state, economic life conditions, and the traditions of various nations.

Paul Negulescu expressed his views on this subject in several texts: "dividing the country into regions, subject to more or less distinct regimes, offers very great advantages. Various regions present particularities, have pronounced characteristics, specific resources, and a certain spirit of solidarity exists among inhabitants. If, for instance, we made Northern Moldavia one region, Southern Moldavia another, and turned Oltenia, Banat, Dobrogea, Bessarabia, Bukovina into regions, and Transylvania into 2–3 regions, and Muntenia into 2 regions—we would render real services to the administration. A multitude of tasks could be given to these regions, tasks they would fulfill much better than central authorities. A Regional Council assisted by the Councils of the Chambers of Commerce and Industry, as well as those of Agriculture in the region, would take all necessary measures for the development of these branches of activity" (Negulescu, Boilă, Alexianu, 1930).

The eminent jurist opined that: "Active administration entrusted to a president or a governor of the region, assisted by competent technical staff, would be better executed than today, when control is done only from the center. Emulation would exist in this regard between various regions, which should enjoy very broad rights in economic, technical, and educational regulations" (ibid.).

He was, in fact, sketching the role of the region in the country's administrative organization and the program of activities that local and regional bodies were to implement.

The doctrine integrated the region into the modern administrative organism within the context of decentralizing central power, based on positive results recorded in Germany, Austria, Czechoslovakia, Yugoslavia, and Poland. The arguments that some Romanian theorists opposed to the region were of the type: "absolute autonomy, regionalism, or various cells of the state's political organism could not develop without control, without guidance... They could, at a given moment, jeopardize this very existence, fragment, or dissolve the State" (*Official Gazette*, Part III, 1925).

The region—or the "General County Association"—and the "Ministerial Directorates" (Arts. 292–322), as supra-county administrative and political territorial units, constituted, in the opinion of challengers, territorial divisions prohibited by Art. 4 of the country's fundamental law.

Before examining the validity of this claim, we will draw a parallel between the Association of Counties in the administrative unification law (Art. 296) and the general county association in the local administration organization law (Arts. 292–322) as supra-county administrative and political territorial units. From the analysis of the text, in Art. 296 of the 1925 administrative unification law, "counties may associate for a well-defined purpose to execute, create, or maintain works and institutions that are of local or regional use from a sanitary, economic, cultural, and public works perspective" (Art. 296 of the Law for the Unification of Administrative Organization of June 14, 1925). If these county associations were considered constitutional, then the optional associations for a limited time of counties within the territory of a Ministerial Directorate established to "execute, create, or institute works or institutions of sanitary, economic, cultural, or public works use, and for any other act, creation, or operation of services or institutions that fall within the duties and competences of the counties" should also be considered constitutional (Art. 300 of the law for the organization of local administration).

If the purpose and duties of both associations are the same, and if the 1925 legislator legislated within the limits of the Constitution: "we have no serious reason to conclude upon the unconstitutionality of the general county associations in the law for the organization of local administration."

This did not involve a political division of the country's territory through the establishment of these county associations, as the purpose was purely administrative. Furthermore, Art. 4 of the Constitution specifies: "The territory of Romania, from an administrative point of view, is divided into counties and counties into communes," unlike the 1866 Constitution which, also in Art. 4, regulated: "The territory is divided into counties, counties into districts (*plăși*), districts into communes."

The 1923 constituent legislator, by introducing the phrase "from an administrative point of view," did nothing other than draw attention to the fact that Romania's territory is "unitary and indivisible" from a political point of view, but divisible from an administrative point of view.

Evidently, the constitutional provision prohibits political autonomy but in no way limits administrative decentralization, a principle of constitutional law regulated by Art. 8 of the Constitution. Almost all jurists involved in the Parliamentary debates showed that discussions on the unconstitutionality of the Region were only important regarding the future evolution of the administrative system; Romania did not have the Region legislated as a distinct administrative unit in terms of administrative organization. What was understood as a Region actually constituted a geographical notion to identify a territory belonging to the jurisdiction of the Ministerial Directorate.

Finally, the last issue of unconstitutionality raised during the debates on the bill for the organization of local administration refers to the "Local Revision Committees" (Art. 325).

It has been written in specialized literature that "the principle of decentralization runs through the entire fabric of our local organization like a red thread, stretched by the local administration law, with one end in the autonomous organization of communes up to the regional Ministerial Directorates, as the first and last stage of the decentralizing system of our administrative organism" (*Official Gazette* no. 88, 1929).

Within this "organism" fits the new institution, the "Local Revision Committee" (Deciu, 1933), as an imperative of the principle of administrative decentralization, regulated by Art. 108 para. (2) of the modified 1923 Constitution, in the 1929 Law for the Unification of Local Administration.

The new institution of Local Revision Committees imposed itself as a necessity to separate active administration from jurisdictional administration, called to censor the acts of local administrative bodies, as well as deliberative resolutions and decisions submitted for execution by local autonomy administrations. The establishment of the institution aimed to solve two problems: the decentralization of central power as an administrative guardianship authority and the creation of judicial bodies distinct from those invested with leading local administration and solving all administrative life issues assigned to its organs.

The first problem is solved by deconcentrating central power of certain duties, transferred to the competence of administrative guardianship organs (Art. 323); the second by creating judicial organs as courts for the annulment and reformation of acts and decisions of autonomous local authorities (Art. 325), removed from central power control to guarantee them the broadest possible competence in resolving the cases brought before them.

If decentralization—a principle included in Art. 108 para. 2 of the Constitution at the base of administrative organization—is conditioned by granting a certain autonomy to local administrations, it is no less true that it also means the separation of the guidance and execution organs of local administration from the jurisdictional organs of judgment and administrative guardianship; that is, the separation of the manager with duties of leading communal and county administration from the judge called to approve or judge their acts and resolutions.

The principle of decentralization actually means the separation of the duties of central power organs from those of local organs, in the sense that the prefect, as a representative of the central power, should not simultaneously be the head of the county administration with administrative guardianship powers, as this would empty the principle of local autonomy of content and the separation of the distinct roles of manager and administrative judge would not be realized.

Those who supported the unconstitutionality of the Revision Committees based their claims on the provisions of Art. 107 of the Constitution: "Special authorities of any kind, with administrative litigation duties, cannot be established."

The violation of this constitutional provision stemmed from confusing administrative litigation, assigned to the Court of Appeal, with administrative justice entrusted by the law for the organization of local administration to the Local Revision Committees.

To clarify the issue, we will analyze the competence given by the Law on Administrative Litigation to the Courts of Appeal and the competence granted to the Local Revision Committee.

According to Art. 1 of the Law on Administrative Litigation of December 23, 1925, "anyone who claims to be harmed in their rights by an administrative act of authority performed in violation of laws and regulations, or by the ill will of administrative authorities to resolve a request regarding a right, may apply for the recognition of their right to the competent judicial courts" (the Court of Appeal within the applicant's domicile for requests based on Arts. 99 and 107 of the Constitution and Art. 1 of the law).

According to Art. 6, "the Court of Appeal invested with such requests judges the act; if it is illegal, it may annul it or award civil damages until the date of restoration of the harmed right, also having the power to judge the claim for compensation, either against the administrative authority brought to court or against the guilty official" (Law 151 on Administrative Litigation of December 23, 1925).

Administrative litigation aims at the reparation toward a private individual (natural or legal person) of moral or material damages caused by an illegal administrative act of authority or management, which the court declares as such (Art. 6 last para.)—without, however, annulling it—and which serves as the basis for establishing the moral and material damages claimed by the person whose rights were harmed. The sentence given in the case extends only to the interests of the plaintiff, and the court can only be seized by the person interested and directly harmed by the abusive administrative act.

Administrative justice assigned to the Revision Committees has as its object, according to Art. 334 of the Law for the Organization of Local Administration, "any decision or act of autonomous administrative authorities contrary to the law; they may also order competent authorities to fulfill duties prescribed by law or to refrain from any act contrary to the law, and may even impose that they issue the very decision required by law."

It primarily aims at defending general interests jeopardized by the illegal act of local administration, and can be seized by any person directly or indirectly—depending on whether the abusive act harms a general or private interest—or the Committee may act *ex officio*.

The comparison made between the method of seizing these two judicial instances, the effect of the pronounced judgments, the object pursued by the lawsuit filed before the Court of Appeal in administrative litigation matters versus that solved by the Revision Committee, as well as their different competences, highlights an essential distinction such that it cannot be claimed that

Revision Committees are "special authorities with administrative litigation duties" prohibited from being established by Art. 107 para. (1) of the Constitution.

The 1923 Constitution did not prohibit the establishment of institutions called to resolve conflicts between individuals and the administration, but only the establishment of authorities endowed with the same rights as ordinary (common law) judicial courts.

4. CONSTITUTIONAL DEBATES AND THE RETURN TO CENTRALISM (1931-1936)

The 1929 legislative arrangement was contested by the National Liberal Party, which, upon returning to government, prepared a new project materialized in the administrative law of March 27, 1936. This returned to the provisions of the 1925 administrative unification law and, consequently, to the principle of administrative centralization.

The bill comprises six parts: I. Local administration with all its needs; II. Local finances; III. Hierarchical appeal; IV. Administrative justice; V. Professional training; VI. General provisions.

The legislator declared in the Explanatory Memorandum that it used the experience gained in administrative practice since 1925 and aimed through the new regulation for: Simplification; Savings; Coordination of the activities of various local administrations; Association of different administrations for works of common interest; Guaranteeing the autonomy of local administrations and removing them completely from political influence; Financial independence of local administrations; Continuity; Training and selection of administrative personnel; Strengthening central and local authority.

New elements compared to previous laws concerned administrative elections; the functioning and duration of local councils; the selection of administrative personnel; urban planning and systematization plans for cities and counties; the association of different administrations; the exercise of the right to petition; administrative courts; balneo-climatic resorts.

The Explanatory Memorandum reiterates the law's purpose as being "to remove politics from local administration households," seeking "fortunate solutions." This was also the desideratum of the 1925 Liberal legislator, who considered essential the modern principles of administrative law doctrine and administrative science based on local autonomy, decentralization, local administration continuity, strengthening central and local power, coordinating the activities of various administrations, and removing the administration from political influence. As long as the county prefect was provided with a dual capacity—as a representative of central power and head of the county administration, the one who appoints, promotes, and applies disciplinary punishments to all county officials, suspends, and fines mayors—local autonomy and removing politics from administration remained merely an electoral exercise of the P.N.L. In the Explanatory Memorandum, but also during the parliamentary debate on the law, the former rapporteur of the 1925 law, Constantin D. Dimitriu, stated that "from 1925 until today, five administrative regimes have been followed, communal and county elections have been held six times, local elective and

executive organs and local officials have been changed several times," and the consequences were the complete destruction of local and administrative life due to political passions and struggles (Dimitriu, 1935).

Regarding the Bill, he stated that it incorporated the experience of the last ten years, "that it is a good act of administration," and that "all provisions whose application proved useful" were maintained (ibid.), regardless of the governments that legislated them.

The driving idea of the project was ensuring administrative continuity. "Continuity is ensured by renewing the Council every three years and by its dissolution in exceptional cases, a procedure assigned to the competence of Administrative Courts of Justice (Art. 65)" (ibid.).

For the other reasons for dissolution provided by Art. 165 letters f, g, h, i, competence belonged to the Ministry of Internal Affairs, which took the measure at the prefect's request. Dissolution of the Council was a reason for shortening its mandate, a situation in which one could no longer speak of ensuring the continuity of administration, without which "administrative life could not be conceived."

From the point of view of administrative doctrine, the act by which a mandate is shortened took two forms: dissolution by right (*de jure*), when the reasons provided by law are maintained and the Council ceases its functionality, and dissolution through a legal act. The legislator did not concern himself with this aspect due to the legal consequences produced by the mode of dissolution. He chose the method of dissolution through a legal act, although in some situations regulated by law, *de jure* dissolution was also provided for.

In the situations provided by Art. 165, letter (a) "When after three consecutive convocations the councilors have not gathered in the number required by law for the validity of deliberations"; letter (b) "When the number of elected councilors has been reduced by legal causes to half and cannot be completed by substitute councilors," the prefect could, by order, dissolve the Council.

The path chosen by the legislator was not accidental. If the prefect, by order, had disposed the dissolution, he was then obliged to set the date for elections. However, the legislator chose the path of dissolution by legal act. Dissolution competence was distributed to two administrative bodies with jurisdictional duties—Administrative Courts for cases provided by Art. 165 letters (a-e) and the Ministry of Internal Affairs for Art. 165 letters (f-i).

Administrative courts were jurisdictional administrative organs whose members were appointed by Royal Decree at the proposal of the Ministry of Internal Affairs. Through the appointment methods, political influence over these Courts and central power intervention over local autonomy were ensured.

Consistent in his "administrative work," the legislator provided that in case of dissolution, until the election of a new Council, "interim councils" were appointed (Art. 136) by decision of the guardianship organ, the prefect or the Minister of Internal Affairs (Art. 157). Notably, the law did

not provide operational terms for Interim Councils nor for the organization of new elections. It was said of this system during Chamber debates that it is "a regrettable one, for it maintains a state of provisionality indefinitely."

The legislator's will was not directed toward local autonomy, but toward a system based on political interests, centralization, and administrative guardianship.

In constituting the local Council of the urban commune and in the County Council, ex-officio councilors were maintained, some of them appointed by the prefect's decision. The reason invoked was that they render "real services" and provide a "corrective to the elected Council" (*Official Gazette* no. 50, 1925). However, this violated the electorate's will in choosing and constituting Councils, which, to be recognized, had to enjoy representativeness given by voters. Simultaneously, it opened the door for influences exercised by the prefect and, through him, by central power in local administration. Strengthening the positions of the prefect and the Minister of Internal Affairs in local administrations violated autonomy and decentralization.

This intention was not at all hidden by the bill's rapporteur: "It is beyond doubt that for the security of the national and political unity of a State, a centralizing regime is needed, but concentrated only regarding strict interests of a general, communal order that concern the totality of citizens... In any case, decentralization must not be extended to the extreme. Local organizations must not be left with a misunderstood independence, with a life separate from the rest of the country and even the State" (ibid.).

The principle of decentralization—asserted the legislator—had to meet certain limits, determined largely by the "public spirit," by the "conception of each citizen and the collective of citizens to place collective interest above individual interest, of duties, obligations, and the measure of each person's rights" (ibid.). Therefore, it had to be subject to administrative and jurisdictional control exercised either through hierarchical control or through administrative guardianship (Giuglea, 1931).

The guardianship of central organs made administration sluggish and sometimes allowed it to exercise duties without having the necessary competences. For example, the Budget was approved or modified by officials from the Ministry of Internal Affairs or the prefecture. According to the provisions of the bill, all resolutions of the County Council and the County Delegation were limited, as they were subject to the will of the prefect, who continued to be a political organ *par excellence* "and could draw county and communal management means into the sphere of political concerns" (*Official Gazette* no. 50, 1925). The guardianship he exercised over communes and county administration "positioned him as the true head of all county and communal administrations, for he concentrated both the executive will of communal and county organs regarding the administration itself as well as local management, finances, and public works" (ibid.).

The power of the Minister of Internal Affairs, the prefect, the praetor, and the notary as representatives of the central power over the elective bodies of the local administration was far from being reduced or restricted compared to the provisions of the 1925 administrative unification law.

Through the Bill and finally through the Administrative Law, a system of administrative-jurisdictional organization was created, referred to in the law, in Part IV, Title I, as "Administrative Justice." The Administrative Courts, adopted from the French law of 1926, were courts of first instance with administrative litigation duties.

The activity of the Courts was one of administrative jurisdiction or special jurisdiction within a state's administration. The expression "administrative jurisdiction" carries the meaning of an activity involving the resolution of legal conflicts by a system of jurisdictional bodies operating within the framework of the State apparatus.

The Administrative Courts took the place of the former Local Revision Committees and were intended to fulfill the role of control bodies, administrative guardianship, revision, and reformation—possessing the power to annul and even reformulate decisions or acts of local administrative authorities where the law provided for such procedures. Their competences were very broad, and their rulings were subject to appeal at the High Court of Cassation and Justice. The members of the local and central revision committees were drawn from the corps of magistrates.

The administrative law shows an evolution in this field, in the sense that administrative justice was organized into an independent system led by the Central Administrative Court (whereas in France, district-level administrative tribunals were subordinate to the Council of State). However, it also represented an involution, as it was no longer possible to appeal the rulings pronounced by this court to the High Court of Cassation and Justice.

The legislator achieved a political goal by removing administrative acts of a jurisdictional nature from judicial control. Furthermore, the method of appointment ensured the political role of the central authority in the control exercised over the administration.

One must not forget the other aspect: the creation of a parallel justice system, as Romania already had an administrative litigation law in force, which assigned the resolution of disputes concerning administrative acts to its own courts (the Courts of Appeal). The legislator was aware of the confusion created, admitting that "if they retain in their duties the judgment of the rights of the injured party, it will give rise to discussions regarding their constitutionality in relation to the provisions of Article 107 of the Constitution" (ibid.).

Other innovations of the law refer to the "hierarchical appeal" and the professional training of public officials.

By the law of March 27, 1936, the provisions of the 1925 law were reinstated, effectively returning to the principle of administrative centralization.

The administration of the rural commune was entrusted to the Communal Council, the mayor, and the deputy mayor. The Council consisted of 10 elected members, regardless of the commune's population, and *ex-officio* members—the priest, the teacher, the veterinarian, the agronomist, and the forest engineer, in communes where they resided—as well as local donors of public buildings (schools, churches, or hospitals). The *ex-officio* members were appointed by the prefect's decision, thus violating the principle of citizen representativeness in Local Councils, where the prefect's control—and implicitly that of the central power—was clearly visible.

5. CONCLUSION

The administrative journey of interwar Romania reflects the broader struggle of the state to modernize and unify. While the 1929 law represented a visionary attempt to empower local communities and recognize the historical individuality of the provinces, it was ultimately hampered by constitutional fears and political volatility. The return to centralization in 1936 demonstrated that, in a period of growing geopolitical and internal tension, the Romanian political elite prioritized state control over local democracy. Ultimately, the interwar experiments provided a rich legal precedent but failed to create a stable administrative culture, as the system remained deeply influenced by partisan politics rather than administrative efficiency.

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