RSP • No. 51 • 2016: 83-93

ORIGINAL PAPER

Principles and regulations stipulated in the Constitution from 1923

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Abstract
The Constitution-which is the fundamental law of a state-contains norms and principles that legitimate the exercising of the political power, establishes the constituting and the functioning of the power structures, fixes the general frame of the juridical regulations regarding the social relationships, mechanisms and bodies that protect the social order. In the Constitution from 1923 had been more clearly formulated the national sovereignty principle, by declaring the state national unitary and indivisible, with inalienable territory, with the specification that the political power belongs to the nation that exercised it throughout its representatives elected through universal, direct, equal, compulsory and secret suffrage.

Keywords: *Constitution, constitutional thinking, 1923, principles regulations*

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The establishment of Great Romania in 1918, along with the mutations that took place in the Romanian society after 1866, were demanding the union of the state and the legislation, to contribute to the progress of the Romanian society. The documents and the decisions, voted at la Chişinău, Cernăuţi and Alba-Iulia in 1918, demonstrated the attitude of the Romanian nation towards a process that was encompassing a wide area from Europe, starting from the Baltic Sea, to the Aegean Sea (Banciu, 1988: 26; Iordache, 2001: 136). The adopting of a new constitutional institution became a major preoccupation for the members of the political groups and parties, along with the personalities of the juridical and cultural life, from that period of time. The opinions and recommendations that were referring to the dispositions that needed to be inserted in the new fundamental document, were expressed in the press, in the parliamentary debates, in the platforms of some political parties, or in the organised studies clubs that they had founded.

As an example, the Romanian Social Institute, led by Professor Dimitrie Gusti, organised, between the 18th of December 1921 and June 1922, a number of 23 lectures, delivered by significant personalities of those times, for rising the public interest for the new Constitution, and to make a poll, before the elections, on the constitutional bills elaborated by the political parties and groups. Among the allocutions presented by Dimitrie Gusti, Nicolae Iorga, Mircea Djuvara, V. Madgearu, Vintilă I. Brătianu, I. Nistor, C. Bacalbaşa, we mention the ones that refer to the way in which the Chambers were supposed to be organised, the role of the legal power, the use of the direct appeal to the nation, through referendum. There were designed contradictory solutions, whose justification explained the time interval between the Constitution from 1866 and the age of 1922-1923. There was as well criticised the bicameral system and the process that was encouraging the classical parliament.

The sociologist Dimitrie Gusti, in his opening speech of the public lectures said that: "A Constitution cannot be borrowed or the work of an inspired legislator, because it ought not to be created or invented, but only formulated politically and legally, in a solemn manner, with reference to the social psychology, the economic condition, the aspirations of the social justice and the ethical aspirations of the nation" (Gusti, 1922: 21).

N. Iorga was underlining that the sources for a Constitution were "our past, which is the verified human experience", thus, "there are no hypocritical forms, but a reality that is profitable and useful for everybody" (Iorga, 1922: 24). For Mircea Djuvara, the system of delegation, which was enabling the exercise of sovereignty, could not be supported through the instituting of a second electoral body, accessible due to the referendums. There was not recommended the cohabitation between the representative regime, simplified to the precedence of the assemblies and moderated by the involvement of the state leader, and the presumed resort to nation, through referendum. Thus, there could appear conflicts, both juridical and political. The classical constitutionalism did not provisioned the idea of the plea unmediated by the nation, encompassing the institution of delegation and the solution of the parliamentary regime, even if this regime was a dualist one (Djuvara, 1922: 153). According the opinion of Virgil Madgearu, the option of the poll was indissolubly related to the unicameral one (Madgearu, 1922: 181). The direct appeal to the nation was constituting a correction whose result was, on one side, the protection of the political minority against the illegal actions during the regulation, and, on the other side, the discovering of the real will of the electorate, "susceptible in expressing itself on addressing the problems of national relevance" (Stanomir, 2005: 89).

Principles and regulations stipulated in the Constitution from 1923

The Constitution from 1923 was preceded by four anterior bills, the most representative one being that of the National Peasants' Party, drafted by C. Stere. The first bill was that drafted by the Centre of Studies within the Liberal National Party, which subjected it to the debates of the public opinion in March 1921. Published by D. Ioaniţescu, that Constitutional bill included the neo-liberal doctrine principles, along with the platform of the National Liberal Party. A remarkable contribution for the elaboration of these principles had also Vintilă Brătianu. The liberals considered that the new constitutional establishment had to outline the political-juridical background, necessary for the consolidation of the national unification, and the ordinary laws, later adopted, legitimated this reality (Ioaniţescu, 1921: 6-25). There was also stipulated the unitary character of the Romanian state, and there were included some provisions mentioned in *The Declaration of Unification from Alba-Iulia*, which was referring to political and confessional rights and liberties of the conational people. The Romanian state was supposed to become an active instrument for the guidance and coordination of the entire cultural, economic and social life (Zeletin, 1927: 11). It was stipulated: the nationalisation of the resources of the subsoil and the regime of waters; the defending of the right to property, which was holding a "social function", the labour "being the rightful collaborator to all the benefits of the undertakings, and the just requests being necessary to be accomplished" (Zeletin, 1927: 8). For eliminating the administrative abuses, there was stipulated the material liability of the ministers and civil servants. There was also established the creation of a new Council, charged with the elaboration of the laws. The new Constitution was designed to have general principles and norms, and the ordinary laws, later adopted, were regulating each area.

In the summer of the same year, there was published at Cluj the bill elaborated by the professor of Constitutional Law, Romul Boilă. It was drew up under the influence of the Romanian National Party, and, later, this party prepared another bill, based on the already mentioned bill (Boilă, 1921). There was provisioned: the elaboration of a new Constitution on democratic principles; the participation of the entire nation to the elaboration of the decisions on addressing the organisation of the Romanian state; the observing of the supremacy of the law; the paying of fees and the fulfilling of public duties; the fulfilling of the military service.

The form of government of the Romanian state was the Kingdom. The laws were elaborated by the King and the National Representation, the latter one being made of the Deputies Assembly and the Senate. The Government was representing the executive power. The Council of Ministers, made of the ministers appointed by the King, was led by a president. As referring to the person designated by the King to constitute the government, there were two interdictions: to be a Romanian citizen and to not be a member of the royal family. The civil courts, which were sentencing the suits and the trials, were: the courts, the tribunals, the Law Courts and the Court of Cassation. The administrative courts, which were sentencing the administrative suits, were: the county chief's court, the county court and the administrative court. There were instituted Court of juries in all the criminal matters, in political and press offences, except those provisioned in art. 33. The judgements were sentenced in the name of the King, by special instituted bodies. The judges were irremovable. As regarding the organisation of the state power, there was provisioned the replacing of powers separation with that of its unity and indivisibility.

The point of view of the Peasants' Party was presented in the bill drew up by the department for studies of the party, presenting ideas of the Constitutional Law professor C. Stere, and adopted at the first Congress, held in November 1921. It was provisioned:

equality before law; freedom to communicate the ideas and opinions, in speech, writing and press; freedom of conscience, education; the right to meeting and association. There were guaranteed the inviolability of the domicile, along with the secret of mail. There was provisioned the granting of a wide local autonomy. The existence of commune and county councils was considered fictive, because there were delimited the attributions of citizenship auto-administration. The fundament of the administrative organisation had to be the local autonomy. The autonomous councils were responsible for abuse and negligence before he courts that were under the jurisdiction of the administrative courts. As regarding the administrative-territorial organisation, there was provisioned the creation of a new structure, "the province", which represented by a Council, chosen through general polling. The regionalisation, in the case of provinces, was doubled through the extension of the local representation, in case of counties, rural and urban communes, and the admission, in case of the rural communities with maximum 500 people, of the local administration led by a Peasants' Assembly, "called the Village Community" (Stere, 1922: 163).

In the new regions, the Province Council had established the meeting of a deliberative body, made of a deputy and a county senator, two county councillors, delegated by their councils, four delegates from the province's Chamber of Commerce, a trader, an industrialist, an industrial worker and a craftsman, two delegates of the communal councils of the cities that had a population higher than 50.000 dwellers, two delegates of the technical council within the C.F. and the Public Works departments. There were considered rightful members: the officiating general directors; the metropolitan or the bishop of the diocese from the capital of the province; the mayor of the capital city; the rectors of the Universities and a delegate chosen among the managing board of each superior schools from the province. There was provisioned the providing of free elections, through the instituting of a permanent commission of the Deputies Assembly, with the purpose to have control over the Government, between the sessions. The guarantee of the citizen's freedoms, the local autonomy and the free elections were considered by C. Stere the fundament of the public law, in the civilised states (Stere, 1922: 49).

The bill drafted by C. Stere could be also remarked due to the merging of two elements, unspecific for the constitutional norms after 1866: the one-chamber organisation and the semi-direct democracy (Stanomir, 2005: 96). There could be noticed the evolution towards a monist parliamentarianism, with a corrective of the popular legislative initiative and the abrogative referendum. The owners of the legislative initiative were the citizens, with the request to meet a minimum number of signatures. Thus, there was instituted an Assembly that had the role of the professional representation, created on geographical criteria, "for obtaining a faithful image of the interests that could appear in the economic and social space of Great Romania" (Stanomir, 2005: 96).

For the elaboration of the bills, from the economic and social fields, there was proposed the constituting of a consultative body, the *Superior Economic Council*, made of the representatives of the workers, peasants, employers and professional organisations, equal in number, with attributions of Legislative Council. Therefore, the *Superior Economic Council* became an institution that reunited both the delegates of the employers and those of the industrial or agricultural workers, and had the mission to give assistance for the legislating activity. There was also constituted, along the *Legislating Committee*, which had the responsibility of a department of the constitutive professional assembly, with the role to coordinate the drawing up of the texts, the legislative initiatives that the Council was forwarding to the Deputies Assembly, on addressing "the social and

economic policy". *Superior Economic Council* and the *Legislating Committee* were meeting in the *Legislative Council of the Kingdom*, whose consulting was mandatory for all the bills, excepting those concerning the budget (Stere, 1922: 66-70).

The bills, voted by the Deputies Assembly, had to be approved through plebiscite, organised either of the initiative of the king or the Deputies Assembly and, in exceptional cases, of the people's initiative. According to the provisions of art. 71, the laws voted by the Deputies Assembly could be subjected to electoral consulting, which could confirm or abrogate them. The sovereign and the deputies had the power to start the procedures for the referendum. The citizens had the right to interfere directly, by supporting the initiative coming from the members of the Assembly.

The last Constitution bill was drawn-up by C. Berariu, expressing the point of view of the people from Bucovina (Berariu, 1922). Having as a basis the anterior bills, the author formulated the principles that he considered to be appropriate for the organisation of the state, most of them being provisioned in the liberal bill. There were stipulated: the unitary and indivisible character of the Romanian state; equality of all Romanians before the law; individual freedom; inviolability of domicile; freedom of education; freedom of speech, writing and press. As regarding the organisation of the power in state, there was mentioned that: "The public power was only one and indivisible in the Romanian state; it proceeds from the nation" (art. 54). The person of the king was declared inviolable, the Deputies Assembly was made of deputies elected by the Romanian citizens, aged 21, "through universal, equal, direct, obligatory, secret and proportionally represented vote" (art. 89). In order to be elected, they had to be: Romanian citizens, of 25 years old; to have capacity of exercise; the domicile in Romania; to be educated. The Senate was made of rightful members and elected members. Any bill was firstly examined by the commissions chosen by each Assembly, among their members. The initiative of laws belonged to the King and the Legislative Bodies. As regarding the administrative organisation of the country, there was adopted the view from the bill initiated by C. Stere, which provisioned the administrative decentralisation and the emerging of a new regime, founded on self-administration. There was guaranteed the private property, being stipulated the principle regarding the nationalisation of the subsoil resources. On addressing the judicial power, there was stipulated that the civil courts were: the law courts, the tribunals, the Court of Appeal and the High Court of Cassation and Justice.

The beginning of a new period in the evolution of the efforts for the elaboration and the adopting of a new Constitution marked the arriving at the governing, on the 19th of January 1922, of the National-Liberal Party. In the report that the Government gave to the king, on the 21st of January 1922, there were noted down the reasons for the dissolving of the Parliament: the organising of new elections and the specification, in the decree that was convoking the Electoral Body, that the new assemblies were to be called National Assemblies, with the attribution of the Constituent power. The liberals were stating that Romanian was the last of the national states, created after World War I, that had not elaborated a new Constitution so far, whose dispositions to be in accordance with the request of those times. On the 3rd of March 1922, there were to be elections for Senate in the Old Kingdom, Basarabia and Bucovina, and those for the Deputies Assembly, were on the 5th, 6th and 7th of March 1922 (Crăciunoiu, 1995: 27). Moreover, on the 6yh and 7th of March 1922, there were established the elections for the deputies in Transylvania, Banat, Crişana, Sătmar and Maramureş, whereas the ones for senators were on the 9th and 10th of March 1922 (Crăciunoiu, 1995: 27). For these reasons, the Government dissolved the Parliament based on the royal decree from the 22nd of January 1922, and convoked the

Electoral Body "for electing national assemblies, with the attributions of a constituent assembly". The same day, the parties from opposition published an official statement, through which there was acknowledged the offensive against the liberals, their dissatisfaction being related not only to the creation of just a single-vision party, but also the organisation, under its supervision, of new elections, along with the intention to confer the new Legislative Bodies the attribution of Constituent Assembly. Although the opposing parties were not against the principle that stated the adopting of a new Constitution, they considered that a government could not convoke a Constituent Assembly, in favour for its party.

At the parliamentary general elections from March 1922, the National-Liberal Party got a high number of votes, which assured its dominant position in the Legislative Chambers. On the 26th of March 1922, the Ministers Council approved the text for the inauguration of the Parliament in its definitive form, specifying the maintaining of the character of Constituent Assembly. The next day, at the ceremony for the reading of the King's Message from the inauguration of the new Legislative Bodies, the parties from opposition missed. In the King's Message, there was specified that the Constituent Assemblies had as main task "to consolidate the work for the national union", having as landmark the democratic constitutional ground. There was also mandatory the forming of the parliamentary commissions, which, along with the Government, were to analyse the Constitutional bills, the fiscal administrative reform, and other social-economic issues, imposed by the necessity of internal consolidation. The second day, on the 28th of March, when the proceedings began, the representatives of the opposing parties read the protest declarations, against the Chambers and the Government. In the meeting of the Parliament from the 12th of April 1922, the both Legislative Bodies designated each a Constitutional Commission, which, as regarding the Chamber, was initially made of 37 members (A.N.I.C., fund Parliament, file 1972/1922, ff. 389-390), and had 42 members, for the Senate. Most of the members from the Commissions were representatives of the governing party and the ones that had agreed to collaborate with it. The two Commissions formed the Mixed Constitutional Commission or, as it was also called, "The Great Parliamentary Commission", whose mission was to prepare immediately the necessary materials for the drafting of the Constitutional bill.

Summoned on the 21st of June 1922, shortly after the inauguration of the extraordinary session of the Parliament, the Joint Constitutional Commission had M. Pherekyde as a president, who was also the president of the Senate, and as spokesperson for the bill, was appointed C. G. Dissescu. Ion I. C. Brătianu made the proposition that, for the simplification as regarding the studying of different aspects, to be chosen among the members of the Joint Constitutional Commission, a delegation that would elaborate the Constitution bill (A.N.I.C., fund Parliament, file 1972/1922, 390). The proposal was approved and it was hence formed the "Delegation of the Constitutional Commission", made of 15 members (A.N.I.C., fund Parliament, file 1972/1922, 390). In order to carry on the works for the elaboration of the Constitution bill properly, there was made a proposition that the members of this Commission to be divided in 10 sub-commissions, grouped according to the issues that were going to be debated. There was also decided that members of the Government to attend these works too. The debates from the Delegation of the Constitutional Commission were focused mainly on three aspects, which could not be solved without the agreement of the Government: art. 7 from the Constitution, the issue on the introduction of death penalty and the establishment of the policy on addressing the subsoil property (Popescu, 1983: 112).

Principles and regulations stipulated in the Constitution from 1923

On the 14th of July 1922, during the last meeting of the preliminary debates, there was made the decision that the spokesperson C. G. Dissescu to draft the Constitution bill (A.N.I.C., fund Parliament, file 2010/1923, 92), and at the beginning of September to be revised by the Government and subjected to discussions by the joint parliamentary sub-commissions, convoked in plenary meeting. Therefore, there was drafted the Constitution bill, which included the modifications specified in the articles. On the 2nd of November 1922, the Government convoked the Constitutional Commission Delegation, for discussing certain constitutional dispositions and to give the text drafted by C. G. Dissescu the final form, before being subjected to the Plenary Commission (Popescu, 1983: 121). The works of the Delegation of the Constitutional Commission took place between 2nd and 23rd of November 1922, during eleven meetings. There were debated all the articles of the bill, some being modified and others abrogated (A.N.I.C., fund Parliament, file 2010/1923, 319-322). In the first months of 1923, the Constitution bill was brought before a joint committee of the legislative forum, and on the 4th of March 1923, C. G. Dissescu drafted the report, which contained the modifications specified by the Committee of delegates for the sections of the Senate (Ilin-Grozoiu, 2009: 290). On the 5th of March 1923, the bill itself, along with the reports made by the presidents of the committees of delegates for each section, was put on the desks of the Legislative Bodies. At the Chamber, the debates on the articles of the Constitution bill started on the 20th of March 1923, and at the Senate on the 17th of March 1923 (Ilin-Grozoiu, 2009: 291). There were subjected to the debates in the Senate the articles that the deputies had disagreed on. Both the Chamber and the Senate, the articles were slightly modified. In the Senate, most of them were voted successively. The amendments proposed by the Deputies Assembly were ignored.

Sixteen days after the debates, the Constitution bill was entirely subjected to voting. In the Chamber, the vote for the Constitution took place on the 26th of March 1923, through nominal voting. In the Senate, the voting of the constitution was done on the 27th of March 1923, in the presence of the members of the Government and the president, M. Pherekyde. After the promulgation, the Constitution from 1923 was published in the "Official Gazette", no.282, from the 29th of March 1923. The new Constitution was similar to that from 1866, both as regarding the external form and the fundamental principle. It was made of 138 articles, in which there were included the titles VII and VIII referring to the revision of the fundamental law and the transitory and supplementary dispositions, which gathered 10 articles, unlike that from 1866, which had 133 articles, from which the last 5 were the articles of the two final titles. There had been revised 21 articles, and 20 had been excluded, there had been inserted 24 new articles, 87 remaining unchanged, or had been feebly modified, which also conferred a certain individuality and originality.

The Constitution from 1923 formulated more clearly and much better the principle of national sovereignty, by declaring the Romanian state a national, unitary and indivisible state, whose territory was inalienable, through the interdiction to colonise the national territory with foreign populations or ethnic groups, through the declaration that the political power belongs to the nation, which exercise it through representatives, elected by the electoral body through universal, direct, equal, obligatory and secret suffrage.

By following the structure of the anterior Constitution, the electoral establishment from 1923 included normative provisions that were referring to the organisation and carrying out of the social relations between citizens, social groups and categories, along with the position and the status of the individual within the society. There were stipulated the rights and the freedoms of the citizens, the characteristics of a democratic state: "The

Romanians, regardless their ethnic origin, language or religion, enjoy the freedom of conscience, freedom of education, of press, meetings, freedom of association, and all the freedoms and rights established by the laws" (art. 5). Moreover, there was provisioned: "The difference between the religious beliefs and confessions, of ethnic origin and language, does not constitute, in Romania, an impediment for obtaining civil and political rights, and to exercise them" (art.7). In the same context, there was introduced art. 126, which stipulated that: "Romanian language is the official language of the Romanian state", an inadequate provision in 1866. As regarding the civil right of the women, there was mentioned that they would be establish, based on the full equality between the two genders and that the special laws, "voted with a majority of two thirds, shall determine the conditions in which women can enjoy the right to exercise political rights". The freedom to communicate and publish the ideas and the opinions orally, in writing and in press, was still maintained in the anterior formulations, with the introduction of new sections or by revising others that referred especially to the liability of press and the trials of the crimes from this field. There were guaranteed the citizens' rights and freedoms: the individual freedom, the inviolability of the domicile, the freedom of work, the freedom of education, the privacy of letters, telegrams, and phone calls.

Further on, by guaranteeing not only the right to any type of property, but also the debts to the state, in the new Constitution, there was provisioned that "a special law shall determine the cases of public use, the procedures and the way in which is done the expropriation". Thus, besides the three cases of expropriation for the public use – "communication, public health and the defence works" – provisioned in the Constitution from 1866, in that from 1923, there were added: "cultural interest works, and those imposed by the direct general interests of the state and the public administrations", stating that "the other cases of public use shall be established through laws voted with a majority of three thirds". An article with several sections proclaimed, for the first time, that "ore deposits, along with any type of subsoil resources, are the property of the state" (art.19) and that "a special law of the mines shall determine the norms and conditions for the valuing of these assets".

After 1918, as a consequence after the introduction of the universal vote, there appeared significant changes as regarding the way in which the members of the Parliament were elected. According to the provisions from this Constitution, the legislative power was being exercised collectively, by the King and the National Representation. The National Representation was made of the Senate and the Deputies Assembly. There was stated that "the members of the Assemblies represent the nation" (art. 42), which conferred them the quality of exponents of the powers in state. The Deputies Assembly was made of deputies elected by the major Romanian citizen, through universal, equal, direct, obligatory and secret vote, based on the representation of the minorities. According to the dispositions from art. 66 of the Constitution from 1923, in order to be considered eligible in the Deputies Assembly, any person had to meet the following requests: to be a Romanian citizen; they have the right to exercise the civil and political rights; to reach the age of 25 years old and to have the domicile in Romania.

The Senate was made of elected senators and legitimate senators. The first category was elected by the Romanian citizens of 40 years old, along with the members of the county, communal and urban councils (one for each county), and by the members of the Commerce, Industry, Labour and Agriculture Chambers (one for each circumscription and for each category), and, moreover, by each University (a senator for each university, elected through the vote of the professors). The Constitution from 1923

extended and clarified the juridical policy of the legitimate senators. Thus, there was made a distinction between the two categories of legitimate senators, distinction based on the nature of their political position, due to which there was awarded the quality of legitimate senator (Negulescu, Alexianu, 1942: 105). There were, on one side, legitimate senators owing to the position they were holding, their quality of senators ceasing when the mandate on the position ended. The presence in the Senate was due to the representativeness conferred to the physical person by the quality they had: heir of the throne, starting with the age of 18, with deliberative vote from 25 years old; the metropolitan of the country; the diocesan bishops of the Romanian orthodox churches and the Greco-catholic ones, designated in accordance to the laws of the country; the heads of the confessions recognised by the state; the president of the Romanian Academy. In the second category, there were the legitimate senators, who had a mandate due to their personal qualities. The Constitution from 1923 gave them a mandate for life, whose exercising did not depend on the reconfirmation of their position.

In the period between the wars, the Senate transformed itself into a representative instance, for the parliamentary recognition of those who held or had a certain public post of honour, or were representing certain areas (*Istoria* Românilor, 2003: 186). Consequently, the electoral fight was carried out for the obtaining of a higher number of places in the Deputies Assembly. The duration of a mandate for the senators and deputies was of four years. By adopting the Electoral Law from the 27th of March 1926 (Mamina, 2000: 62-68), the number of the legitimate senators increased, also including the president of the Ruling Council from Ardeal, a Council founded according to the decision from Alba-Iulia, from December 1918.

The legislative initiative belonged to the executive and the parliamentarians. The bill was being debated upon in the specialised commission, then in the reunited commissions, being then handed in the plenum. There, it was decided whether the bill needed to be taken into account, then it was debated upon and voted the articles. The debate was finalised through the general voting, which could be done by standing up or sitting down, orally (nominally) or through secret voting (blackballing). The right to control the executive power was given to the Parliament. According to the provisions of the Constitution from 1923, each member of the Assembly had the right to ask the ministers questions, to interpellate, to which the ministers had to answer. Each Assembly had the right to send the ministers the petitions from the citizens, the ministers having the obligation to give explanation about the petitions. In case the parliamentarians did not agree with the activity of government or certain ministers, they could file censor motions.

The members of the National Representation were protected by immunity, for two complementary directions, political irresponsibility and inviolability. There were provisioned guarantees that protected the institution of the Assemblies, as a department, such was the interdiction to be surrounded by armed forces, without the agreement of the assembly, and the exclusive competence of the assemblies to manage with the internal order, due to the position of their presidents, by resorting to the orderly guard.

The leadership of current works from the state was assured by the Government, which was representing the executive power. The mandate to form the government was given, by the king, to a person, and he was drawing up the list with the ministers, which was subsequently handed in to the sovereign, for approving it through a decree (Scurtu, I. 2003: 189). The judicial power was exercised by the competent bodies. Their judgements were sentenced according to the law and exercised in the name of the King. There was one Court of Cassation and Justice, which was sentencing the constitutionality of the laws

and was declaring inapplicable those that proved to be against the constitutional norms. After the Great Union from 1918, Romania continued to be a state with a monarchic-constitutional regime. In the political life, the king was occupying a central place. The continuity with the political regime from 1866 was evidenced by the presence of several attributions, exemplified by art. 88: the appointing and the dismissing of the ministers, the right to political amnesty; the appointing or the confirmation in the public positions, sets of rules for the applying of the laws, without the modification or the suspension of the laws. The King was the head of the armed power and the holder of the executive power, which he was exercising through his ministers, according to the constitutional provisions. At the beginning of each parliamentary session, the king delivered a message, in which it was evidenced the legislative action programme that his cabinet had to develop further. For the assuring of the strict applying of the dispositions provisioned in the Constitution from 1923, there was introduced both the preventive control for the constitutionality of the laws, by founding both the Legislative Council and the repressive control, through the Court of Cassation and Justice. The Court of Cassation and Justice was the only body that, in joint sections, had the right to judge the constitutionality of the laws, and to declare inapplicable the ones that infringed the Constitution (Mamina, 2000: 39).

The adopting of the Constitution from the 29th of March 1923 constituted a first stage for the institutional-legislative uniformity of the Great Romania. The constitutional establishment from 1923 had a wide-range character, representing, after all, the Constitution of the Union, which led to the affirmation of an institutional political system of Great Romania. Although, during the debates that were referring to its adopting, the political opposition contested vehemently, the Constitution was finally accepted unanimously and applied by all the political factors, because they did not contest the content, but the procedure for adopting that might have not guaranteed the representation of the free will, for all the Romanian citizens. The Constitution from 1923 maintained the free spirit of the fundamental law from the 1st of July 1866, through a superior form as regarding the legislative technique, and a rather modernised and specialised language. Under these circumstances, there was passed the decisive threshold towards the unification of the electoral legislation in Romania.

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The National Central Historical Archives Service from Bucharest, fund Parliament, file 1972/1922, file 2010/1923.

Article Info

Received: August 31 2016
Accepted: September 16 2016