

THE AUTHORITARIAN CONSTITUTION *VERSUS* THE NATIONAL RENAISSANCE FRONT¹

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Abstract. *On February 27th, 1938 the Constitution laid the ideological and theoretical foundations for the birth of the sole party, called by the new regime The National Renaissance Front (NRF) and proclaimed as the only political entity in the state. The NRF was strongly militarized in all its management structures starting with the Directorate to the Superior National Council, because of its corporate-like structure according to constitutional principles and because people were only allowed and granted positions in the party, state or Parliament if they actually had a job. The constitutional order of the monarchy overwrote the stately European or native authoritarian theories by overestimating the state and minimalizing individual rights and freedom. At that time, one would not know what regime people who voted for the new regime consecrated by the 27th of February 1938 Constitution had been living in and some of the parliament declarations of the regime's representatives, when analysed critically, would try to bring light on the article ahead.*

Keywords: *Constitution, the State, sole party, dictatorship, authoritarian, new regime*

Introduction

The goal of this article is to analyse the constitutional order of the 1938 authoritarian regime and the ideological principles of the one party, The National Renaissance Front. The proposed scientific methodology is based on the quality method, specific to the social sciences area². Our hypothesis is that the more the ideological principles of the one party were theorised and substantiated, the more the February 27th, 1938 constitutional order was made official and politically

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² Septimiu Chelcea, *Methodology of Sociological Research. Quantitative and Qualitative Methods*, second edition, revised, Economic Publishing House, Bucharest, 2004, p. 72.

legitimate. As such, were the 1938 Constitution principles the source of the sole political structure? This is the question I shall try to answer in this article.

Since the citizens who voted and formed the majority for the new authoritarian Constitution did not know the kind of regime they were living in, I shall resort to analysing parliamentary discourses of the new regime and sole party to understand whether the regime was or was not a totalitarian/authoritarian one and whether it was based on constitutional order established by popular vote. The plebiscite for the validation of the new constitution took place on February 24 and the results coincided with what the party was expecting – that is, 4.297.581 votes for and 5843 against, which means that the plebiscite was accepted by 99% in favour of the new Constitution and Carol's (Romanian for "Charles") regime and 0.13%³ against. Voting for the Constitution meant the acceptance of royal dictatorship. The new regime did not allow any sort of official political action, making society and public life nuclear and uniform. As a consequence, by taking part in political life one recognised and accepted the authoritarian monarchy and implicitly the sole party

The new Constitution was promulgated by King Carol II on February 27th, 1938 in a ceremony attended by all members of the government. On this occasion, Patriarch Miron Cristea, President of the Council of Ministers, gave an ample speech about political parties. He thought that by the new Constitution the old regime could not see itself as part of the current state organisation. The Patriarch claimed that "today we also destroyed agitation, fights, electoral competition and killings and in their place, we will have quiet, work, peace and the sense of unity, sealed with brotherly embraces by the folk, as was in ancient times"⁴. The Patriarch's anti-democratic message against parties and democratic systems was found in almost all the Carlingian political speeches of those days. Elements such as establishing order and removal of anything politically oriented became clichés in the two and a half years of this regime's expansion.

The new Constitution's title as "God Given" was based on the fact that it was given to the country by the King by God's grace. The vote on the plebiscite day was not done in democratic ways, as requested by the democratic method, but by raising hands in a public meeting or by verbal declaration at the workplace. The ballot boxes were manufactured by the Internal Affairs Ministry and their caretaking was entrusted to local judges⁵. The Royal decree by which people were asked to decide on the new Constitution was also published in the "Universul" newspaper. Article V of this new Decree specified that "the vote will be made by verbal declaration in front of the voting bureau. There will be different lists for those who vote "for" and for those who vote "against". [...] Those entrusted with the preparation and progress of this plebiscite were the Internal Affairs and Justice ministers, as specified by the 10th article"⁶.

³ Ion Muraru, Gheorghe Iancu, *Romanian Constitutions*, Actami Publishing, Bucharest, 2000, p. 119.

⁴ *Constitution*: promulgated by Royal High Decree Law, Nr. 1045 on February 27, Official Gazette Publishing, No. 48, Part I A of February 27, 1938, Bucharest, Official Gazette Publishing, Bucharest, 1938, p. 2.

⁵ ANIC, Royal Family Fund, File 89/1938, *Preliminary draft electoral law of Legislative Bodies (House and Senate)*, sheet 27.

⁶ *The Universe*, the 55th year, No. 52 of 22 February 1938, *The Plebiscite will be Thursday*, p. 5.

Since parliamentary democracy was undermined, the fundamental law turned monarchy into an authoritarian unconstitutional one. As such, the vote was not secret, but public. Voting was compulsory and absence was fined by 1000 lei. Electors would bear the consequences of voting against. There was even an official regime procedure regarding those who voted against the Constitution and it meant monitoring those people. As a consequence, those who troubled the unanimity, the so claimed harmony and national salvation were asked by the organisers to sign a paper in which they were obliged to explain their choice.

The lawful age for voting was raised to 30 by the Constitution and as a consequence the young were excluded from political life. The premeditated purpose was the annihilation of the Legionary movement and its political share. The disaster of democratic political parties in the December 1937 elections (the party “All for the Country” getting 16% of the voices) made the monarch resort to manufacturing a new regime by suspending political parties and suppressing the main citizen rights and freedoms consecrated in previous Constitutions of 1866 and 1923. Actually, the constitutional plebiscite meant an agreement given by the citizens of the Romanian Kingdom to the monarch and to the regime, to suspend their own rights and freedoms. The natural consequence of this plebiscite’s success was the unification of all political forces under the royal sceptre, in fact under the new ruling political organisation, the Front of National Renaissance, officially accepted by the nation. The sole party, as in fact all other institutions, thus had a claimed legitimacy given by the monarch’s symbolic power, which he got as a consequence of the vote during the plebiscite for the new Constitution.

The Making of the Sole Political Organism

“The law for the foundation of the political organism “The National Renaissance Front”⁷ was decreed based on art. 98 of the Constitution. Law 4321/1938 by which the Front of National Renaissance was founded was published in the *Monitorul Oficial* (Official Journal of Romania) No 293 on December 16th 1938 and put Romanian democracy in front of a fait accompli, because it was considered “the only organisation in the country and any political activity outside of NRF was outlawed”. The NRF supreme leader was the King and its leaders were nominated by royal decree. According to the foundation decree, the NRF became the only political organisation in the state, which confirms the authoritarian nature of the regime. The Front was nothing but the emanation of the February 27th 1938 Constitution, and the fundamental law of the Romanian authoritarian state represented the royal will, which was subjected to the plebiscite vote, thus legitimising the monarch and legalising the regime. On June 22nd 1940 under Gheorghe Tătărescu’s Government, the law-decree regarding the conversion of the NRF to the Party of the Nation was proclaimed on the very day of France’s surrender to the German army; the decree was signed by the Minister of Justice, Aurelian Bentoiu⁸.

⁷ *Official Gazette*, No. 293 of 16 December 1938 “Establishing political organization NRF”, pp. 1-2.

⁸ A.N.I.C., NRF Fund, File 850/1940, sheet 25.

Who were the political players who created the NRF? We will try to answer this question making use of newspapers and archive documents of the times. At the designation of senators appointed by the King, a list of the founding members of the NRF was published in the Universe journal, as follows: 1) Gen adj. G. Manu, 2) N. Samsonovici, 3) Gen. I. Sichițiu, 4) Dimitrie Gusti, 5) N. Karpen, 6) N. Miculescu, 7) Gen. C. Ștefănescu-Amza, 8) Gen. Mihail Ionescu, 9) Gen. C. C. Brăiescu, 10) Ion Pelivan, 11) Gen. Gh. Rusescu⁹. The NRF's political architecture reflects its military nature. Thus, Vasilescu-Karpen who held the position of rapporteur, was the Rector of the Polytechnic University of Bucharest, General Ioan Sichițiu was a general and former Chief of the General Staff, General Mihail Ionescu, former Minister and Chairman of the CFR Board. The presence of the military body, of judges, members of the gendarmerie and police structures in the sole party structure showed its desire to supervise and control everything and embodied the way the new regime was led. We find that, from the beginning, the entire leadership was militarised, and its purpose was the keeping of public order and safety, which confirms that the royalist policy architecture consisted of militarisation of state institutions¹⁰. Although attempts were made to militarise the party and the regime's institutions, "the NRF remained a hybrid political organism, a conglomerate of groups, currents, guidelines and trends, united under the same company"¹¹. However, the "Decree-Law of 16 December 1938 conditions, in the public life area, an institutional reality specific to national revolutions"¹². In the struggle of the parties for power pluralism was abolished for the benefit of the king and for a greater political stability. The purpose of the new political organization was to mobilize the national consciousness in order to fulfil a political action.

Besides the list of founding members, the Universe Journal led by Stelian Popescu also, published the lists of the sole party leaders of the NRF, corporately and professionally organised, according to the 1930 constitutional principles. The structure of the Directorate highlights the eclectic nature of persons named by royal decree. For agriculture and manual labour 1) Armand Călinescu, 2) Flondor Gheorghe, 3) Gherman Iftimie, 4) Jebeleanu Ioan, 5) Ionescu Sisești, 6) Șerban Mihail, 7) Seșcioreanu Constantin. For commerce and industry, 1) Angelescu Constantin, 2) Bujoi Ion, 3) Const. Mitiță, 4) Gafencu Grigore, 5) Gigurtu Ion, 6) Savu Eugen, 7) Slăvescu Victor. For intellectual metiers: 1) Petre Andrei, 2) Cancicov Mircea, 3) Cazalciu Grigore, 4) Ghelmegeanu Mihai, 5) Hațeganu Iuliu, 6) Iamandi Victor, 7) Ralea Mihail¹³. We also want to point

⁹ *The Universe*, the 56th year, No.153 of 7 June 1939, "Founding Members NRF", p. 11.

¹⁰ Florin Grecu, *The Construction of a Sole Party: the National Renaissance Front*, Encyclopaedic Publishing House, Bucharest, 2012; see chapter III, *Ministry of National Renaissance Front versus party-state*, pp. 96-130.

¹¹ Sorin Alexandrescu, *Romanian Paradox*, Universe Publishing House, Bucharest, 1998, p. 119.

¹² Ioan Stanomir, "Constitution" Crown "and Country", *Constitutionalism and Authoritarian Monarchy between 1938-1940*, *Studia Politica, Revista Română de Știință Politică*, Vol. III, No.1, University of Bucharest, Meridians Publishing House, Bucharest, 2003, p. 119.

¹³ *The Universe*, the 56th year, No. 4 of 6 January 1939, "The regulations for the establishment NRF law", p. 9.

that the Directorate was meant to be the leading decision-making body of the party. In this sense, the political elites who formed this body were figures of the traditional political parties, predominantly from those parties banned by the decree of March 1938.

The NRF Supreme Council was made up of 150 members, 50 members for each of the three trades stipulated in the Constitution. The royal advisors and founding members would take part anytime in the National Supreme Council meetings. The members of the Directorate and the National Supreme Council were appointed by royal decree on a 2-year term at the Ministers' Council proposition¹⁴. The decisional architecture of the sole party was composed of a small number of members. The president of the Superior Council was Armand Călinescu, Prime Minister and President of the sole party, and on the 23rd of January 1940, Alexandru Vaida-Voevod, was elected. Vaida-Voevod's choice as president of the sole party and head of the Superior NRF coincided with the initiative of King Carol II, to reorganize the front. The President led the Executive Board and the Superior Council of the NRF.

By reorganizing the National Renaissance Front, on January 20, 1940, it was agreed that the elected ruling bodies be no more nominated by royal decree, and instead be approved by the Ministry of Internal Affairs and proposed by the Council of Ministers. Gheorghe Tătărescu, the Prime Minister, was appointed as vice-President of the sole party. The vice-Presidents of the royal party were also vice-Presidents of the executive body of the Front. C. C. Giurescu was designated as General Secretary of the NRF. Nicolae Cornăţeanu, former rapporteur of the Assembly of Deputies, was appointed prime Secretary for agriculture and manual labour, and served as Minister of Agriculture and president of the Council of Ministers headed by Armand Călinescu. Ion Bujo, prime Secretary for Trade and Industry. Victor Moldovan – prime Secretary for intellectual professions; and General Peter Georgescu was appointed National Commander of the NRF Guard¹⁵. The construction of the central leadership of the sole party emphasizes that the appointees originated from three different political groups, and it was hoped that by designating them “we will be able to intercede resolution agreements with opposing political parties”¹⁶. Trying to achieve national reconciliation, real political support offers also came from Maniu's and Brătianu's parties, PNT (National Peasant Party) and respectively PNL (National Liberal Party); Carol resorted to the three nominations, portraying an image of the three-headed sole party, offering some support, possibly a democratic one.

What did the National Superior Council do? It defined the Front's political directives, it presented the government's wishes, offered observations on the course of public administration, approved proposed candidates for parliamentary elections. The National Superior Council was that kind of “political office” which follows the directions of the party. This body was empowered to organise corporate elections

¹⁴ *Ibidem*, p. 9.

¹⁵ A.N.I.C., NRF Fund, File 10/1939-1940, sheet 104.

¹⁶ Ion Scurtu, *Charles II*, vol. III, Encyclopaedic Publishing House, Bucharest, 2004, p. 286.

for the Parliament. The elections were supervised by the Ministry of Internal Affairs and study circles, the party's political body.

Besides organizational issues, we can understand the political directions of the sole party from the explanatory memorandum of Patriarch Miron Cristea, President of the Council of Ministers, of the Superior Council and the Directorate. The Patriarch-Prime Minister suggested that the sole party organs "are meant to educate the masses, imbuing them with belief in the superiority of the Front." The manner in which this sentiment of superiority was pervading was relevant for the education of youth. Education could be achieved by employing the youth in the structure of the new regime. On the other hand, "advisers, managers and leaders of the Front were meant to know their troubles, deprivation, hardships and conditions of life." The aim was "to find and recommend those who were competent, the means to remove the evil"¹⁷. The allusion to remove the evil refers to the Legionnaires, for they were destabilizing elements in the new constitutional order. The stated goal of the movement was to change the shape of the political regime of King Carol II, and the Iron Guard movement was campaigning against the multiparty parliamentary system and parliamentarism. Knowing their strife and their shortcomings were in fact ways through which the sole party regime wanted to establish order and discipline, through surveillance and control.

The decree founding the NRF was consistent with the principles of the authoritarian Constitution promulgated by the Monarch on the 27th of February 1938, which stated that all Romanians who had reached the age of 21, except for active military and members of the court order, had the right to require registration in the NRF, provided they met the conditions of operation and discipline. By the decree of March 3rd, 1938, the political parties were abolished, which created the opportunity for the sole party to organise the elections. In the spirit of the state of siege, a decree meant to dissolve political parties was issued, and Article I stated that "all organised associations, existing groups or parties, that spread political ideas or their implementations, are to remain dissolved"¹⁸. The decree was meeting the constitutional intentions of the regime. By abolishing the system of political parties, Romanian democracy was confronted with a *fait accompli*. The personal dictatorship of King Carol II was born. The consequence of the abolition of the multiparty regime led to the birth of the sole party called the National Renaissance Front, which filled the "power vacuum" created after the disappearance or abolition of the political parties. Therefore, the text of the law concerning the NRF served as reminder that in future only the sole party was entitled to set and submit candidacies for the parliamentary, administrative and professional elections. The parliamentary elections were designed to strengthen the parliamentary political regime created by the Constitution and to complete the work of reconstruction of the State, through a policy that was meant to be uniform but undemocratic, under constitutionalised, institutional, plebiscite and enacted authoritarianism.

¹⁷ *New country by working all*, "Patriarch Miron Cristea's speech at the establishment of the National Renaissance Front", p. 30, NRF Library, Undersecretary of State Propaganda, National Printing, Bucharest, 1939, see also A.N.I.C., Prime Minister's Fund, File 41/1938, sheets 456-461.

¹⁸ Official Gazette, No. 75 of March 31, 1938, p. 6, "Decree Law for the Dissolution of Political Parties".

*“Constitutional” Criteria and “Ideological Fundamentals”
of the Sole Political Party*

The authoritarianism of the regime was defined by means of an antidemocratic legislative formula which mystified the political party era, that is “any political activity other than that of the NRF shall be viewed as illegal and its authors shall be punished with loss of civic rights for 2 to 5 years”. The natural consequence was the elimination of political parties, especially the banishment of Codreanu’s Garda de Fier (Iron Guard), which was the mainly targeted political entity after the elections of December 1937. Historian Armin Heinen reminds us that the new regime’s and NRF’s actions were directed against the Legionnaires, accused of having endangered the state order¹⁹. On the other hand, the monopolisation of the state’s political life in favour of a sole party created the legislation frame for the application of the King’s authoritarian policies. To this effect, we note the references the Minister of Justice, Victor Iamandi, made during parliamentary debates, expressing his opinion about the NRF’s role. He believed that by the creation of a sole party, “the country’s political life had been monopolised in favour of a single mass political organisation, as most of this country’s citizens who joined this party are determined to work for the consolidation of the new regime”²⁰. The principle of work becomes the incentive of public addresses delivered by the representatives of the regime. This phenomenon was present in both central and local public addresses. Consequently, both apparatuses aimed to apply what was enounced as the constitutional principle of labour’s reign. To this effect, the Constitution of 27th of February 1938 established the state on a communitarian and nationalist basis, instead of individualism, and enshrined the principle of Romanian ethnical precedence.

G. G. Mironescu stated in his *Inovațiile Constituției din 1938 (Innovations of 1938 Constitution)* that the truly fundamental idea of the State’s organisation in the newly adopted constitution was not represented by the principles of individualism or corporatism or by the dismissal of individualism, but by the natural obligation to use the nation through actual work. Mironescu considered that only those who actually work in various professions have the right to play a role in the State’s governance, as, according to the new Constitution, the organisation of the State is based on what might be designated as the *Labour’s Reign*. *The principle of actual work* resides in the fact that, for someone to be elector or to be elected, beside other considerations, he must effectively carry out one of the following occupations: manual occupation and agriculture, industry and commerce and intellectual occupations²¹. This principle had a political dimension in it, and this decision was directed against the former political parties of the “former

¹⁹ Armin Heinen, *Legion of the Archangel Michael. A Contribution to the Problem of International Fascism*, Humanitas Publishing House, Bucharest, 1999, p. 352.

²⁰ Victor Iamandi, “Parliamentary Debates”, Senate Meeting of 28 June 1939, *Official Gazette*, no. 9, Part III, Central Printing House, Bucharest, 1939, p. 13.

²¹ G. G. Mironescu, “The Innovations of the 1938 Constitution”, *Annals of the Bucharest Law Faculty*, No. 2 and 3, June-September, 1939, p. 31.

regime”, who were accused of the disorder they had provoked on the political scene following the elections of December 1937, namely that they had supported the principles of clientelism rather than the principles of work; working had meant collecting votes for parties through electoral agitators and bullies; such elements would no longer be present either in the newly configured Constitution of the new regime, or in Parliament. Such ideas aimed at building a negative image of the former representative democratic regime and forging a new one for the new regime and the NRF. During the interwar period, with the help of mayors and by means of governmental pressure, the administration stopped the electors from reaching the polling stations. The “ballots came into the possession of the government’s electoral agents, who voted instead of those entitled to do it”²², as Alexandru Marghiloman observed.

During that time, the sole political party was the subject of the authoritarian and unconstitutional kingship that aimed at becoming the society’s catalyst by rallying around itself all political, economic and social forces. King Carol’s party aimed to educate the behaviour and the state of mind of the citizens. Citizens could find ways to express themselves within the framework of the royal mono-party political system. *The common good* is thus considered to be the result of the personal ethics of the prince, and not of the political nation²³. The wellbeing of society was used as propaganda at various government and party levels. Hence, the National Resurrection Front had to consolidate the state by everyone’s work and contribution, as only under a strong state could the citizens lead a peaceful life. The Front was the sole political party representing the aspirations of the citizens, it created a political frame everyone could join to express a certain opinion, and thus the peace that the regime and the state needed in order to be able to govern and apply the established policies was built.

The catalyst binding the Front and society resided in the fabrication of an imaginary mission uniting the rulers and the people, and which was intended to be permanent. Thus, the state crafts itself a totalitarian tool by which it would spread through society ultimate values which are essential for its survival. The Crown ceases to be a neutral actor and a guarantor of the rule of law, as it itself suffers a symbolic and constitutional statute change.²⁴ The National Renaissance Front was considered to be the instrument by which all the leaders of the country would understand what was going on, as no other political activity could be legal except within and through the Front.

Although all the representatives of Carol’s governments after 1938 shared such convictions, the situation in the NRF showed the opposite, as the sole party was sabotaged from the inside and the NRF representatives were not new people, as the recent ideology with authoritarian valences would have required. The

²² Sorin Radu, *Voters in Romania during Parliamentary Democracy (1919-1937)*, European Institute Publishing House, Iasi, 2004, p. 259.

²³ Alexandra Ionescu, *Le bien commun et ses doubles: deux rencontres roumaines entre morale et politique*, University of Bucharest Publishing House, Bucharest, 2001, pp. 196-197.

²⁴ Ioan Stanomir, *op. cit.*, “Constitution, Crown and Country”, p. 93.

representatives of the former parties did nothing else but carry on the endless fight for positions within the state apparatus, which demonstrates that nothing was achieved; on the contrary, everything was amplified. Political conflicts continued under the umbrella of the authoritarian monarchy and everyone took as much advantage as possible out of the new regime, which demonstrates that the party members led a political life which was contrary to and outside the NRF²⁵.

The exposure of the NRF's doctrinal authoritarianism reveals the capacity, or the lack of capacity, of the regime to mobilise the progressive elements around Carol II for the purpose of offering an ideological solution able to captivate the spirit of the masses according to the new party's vision, and also to provide it with legal support in order to legitimize it.

The constitutional order of the new regime and sole political party was based on the fact that "individualism has as effect the undermining of the idea of society, whilst the community doctrine provides spiritual and dynamic force, and, by the solidarity structure of society, the participation of all society members is ensured. As a consequence, in the view of the Communitarian State, the isolated activities of individuals are considered as being inferior to associated activities, as the individual must integrate his activity into social groups and the state itself, and this is the only way that the activities of all individuals shall be taken into consideration and harmonized"²⁶. The nationalization of politics, the underestimation and exclusion of the individualism and liberalism principles represented the official nature of the authoritarian regime's politics. This regime theorised collectivist concepts in order to politically and legally legitimate the NRF in the eyes of the crowd and political parties. The emergence of the NRF did not surprise any political actor, and, in this context, it is important to know that political parties were abolished in March 1939, and the next step was the creation of the sole political party for all individuals.

The sole political party and the new look of the doctrinal state which, as defined by Millon Chantal Delsol, is based on ideology, were focused on the adhesion of masses to the new regime.

Typically, the doctrinal state considers itself the sole trustee of the common project and political and social ethics²⁷. The regime was directed against the Iron Guard, and the way the latter could be eliminated or at least diminished in influence and adhesion was to determine young people to join the NRF. The way young people were to be drawn into the NRF structures consisted in organising a political life which could be modelled on the spirit of the new Constitution, which had been submitted to a referendum on the 24th of February 1938²⁸.

The rhetoric of the new regime, which was legitimised by demonising the former regime and was based on representative party democracy, is also used by

²⁵ Ion Scurtu, *Charles II*, Encyclopedic Publishing House, Bucharest, 2004, p. 180.

²⁶ Paul Negulescu, *Romanian Law Lecture. After the Principles of Constitution from 27 February 1938. Held at the Faculty of Law in the school year 1938-1939*, Edited by Ion. I. Borşan, Bucharest, 1939, p. 241.

²⁷ *Ibidem*, p. 116.

²⁸ *The Universe*, art. cit., No. 344 of December 17, 1938, p. 2.

Armand Călinescu who considered that “the political expression of the new regime is represented by the creation of the NRF. It is not a party such as those of the past. This is why no agent of this Front was seen making demagogic promises, nor shall any representative of this Front be seen in the halls of ministries and in the offices of administrations asking for all sorts of favours”²⁹.

The possibility that the former regime would flirt with the practices of former political parties, of the party and multiparty regime, was unconceivable since the NRF never aimed to be a party of morality, spirituality or in accordance with the political fashion of that time, that is totalitarian-authoritarian. Although it did not succeed in mobilising the youth in order to prevent it from being influenced by the Legionnaire ideology, the NRF was infested with ex-members of former political parties, and this became a camouflage, an umbrella for the illegality of democratic political parties, unofficially legalising their activities and meetings.

*Authoritarianism versus Totalitarianism
in “Parliamentary Debates”*

The government’s representatives had different opinions and theories about defining the new constitutional order as authoritarian or totalitarian. Parliament debates revealed the existence of unanimity regarding the rejection of the authoritarian or totalitarian nature of the regime. Consequently, the definition of the regime of Carol II raised numerous interrogations, even among deputies of the corporatist Parliament, which would start to function on the 9th of June 1939, after the Chamber and Senate “elections” on the 1st and 2nd of June.

Asked in Parliament how he would define the post 1938 regime, Ion Gigurtu, engineer and manufacturer, reminded his contemporaries that “we live under a monarchic regime, not a dictatorship, as dictatorship involves power usurpation and a dictator. Dictatorship is not permanent, as it has no time restrictions, whilst monarchy is. Dictatorship can be mixed with the reign of the whim, whilst monarchy is legal in its essence. The authoritarian regime involves a dictatorship that is a small minority imposing its view on all citizens. The totalitarian regime results as a consequence of dictatorship, consolidating it and ensuring it in time. Monarchy needs not such a regime; it governs the country by the consensus of all participants, and has an older right for such obedience. Monarchy does not govern as a political party, nor in the immediate interest of a category of citizens or for electoral success, it governs not only for the present, but for future generations”³⁰.

Deputy Ion Gigurtu’s speech is adopted by the regime’s doctrine maker, Professor of Public Law, I. V. Gruia. According to him, with the enactment of the Constitution on 27 February 1938, “we are within the limits of the authoritarian Romanian state”, on one hand. On the other hand, the authoritarian state is not a totalitarian or dictatorial state, nor is it inconsistent with the law and the principles

²⁹ *Idem*, Year of the 56, No. 119 of 4 May 1939 “*Held Solemn Oath of Commanders of National Guards*”, Speech by A. Călinescu, p. 11.

³⁰ Ion Gigurtu, “Parliamentary Debates”, The Assembly of Deputies Meeting of June 23, *Official Gazette*, no. 5, Part III, Central Printing House, Bucharest, 1939, p. 19.

of freedom and lawfulness. In a dictatorial state there is no legal rule – regardless of its source – restricting the rights and obligations of state authorities towards its individuals or of its individuals towards the state³¹. Furthermore, Ion Gruia tries to put forward arguments supporting the theory according to which a dictatorial state summarises absolutism. The authoritarian state is based on law, equality, the control of legal acts as far as it is legally allowed, enshrining and underpinning individual rights and liberties, and with actual individual freedom conditioned by the fulfilment of all fundamental obligations towards the state. The authoritarian state’s organisation leans on the limit of state’s rights and obligations³².

Armand Călinescu, legal expert by profession, didn’t agree with the definition of the regime as being dictatorial. He tries to respond to the provocation regarding the character of the regime, as nobody actually knew exactly in what kind of regime people who had voted in favour of Carol’s regime, which was in place from 24 February and institutionalised by the Constitution of 27 February 1938, lived. Thus, “in the place of demagogic tolerance, which yesterday hid the satisfaction of state interests in favour of personal ones, we devoted authority to state interests. Consequently, the restoration of order, the consolidation of the idea of authority, the rehabilitation of the state were the first tasks needing to be carried out by the new regime”³³.

Invoking the need for authority as a state attribute was also supported by Victor Vâlcovici, royal resident and Senator appointed by the King from the intellectual environment, who considered that the times politicians lived in were extensions of the social phenomenon, as it represented a natural corollary of the coup d’état of 10 February. “This coup d’état is not only a political revolution, but also a moral revolution. The coup d’état of last February is the King’s command to take a stand against the parties and, at the King’s command, we all stood aligned, determined to shake off the immoral state the sins of the political parties had plunged us into”.³⁴ “The aim of the coup d’état was to regain the prestige the state needed. This is not a totalitarian state, not an Italian statocracy, but a serious understanding of the Romanian State’s vocation, and for this noble purpose the state needs authority”³⁵.

Defining the provisions of the act adopted on 27 February 1938, which inaugurated the new regime as less authoritarian, seemed in the opinion of the regime’s representatives to be totally integrated into the ideological current, in the European context, and in accordance with the political current of its time. The political representatives refused to state that the democratic principles of political pluralism and the fundamental rights of citizens had been destroyed,

³¹ I. V. Gruia, “Within the Romanian State Constitutional Law 27 February, 1938”, *Romanian Parliament ten years from 1930 to 1939*, year X, No. 311/20, December 31, 1939, p. 10.

³² *Ibidem*, p. 10.

³³ Armand Călinescu, “Speech on the Results of the New Regime and the New Parliament Convened,” “Parliamentary debates”, The Assembly of Deputies Meeting of June 28, 1939, *Official Gazette*, No. 7 of 10 July 1939 Part III, Central Printing House, Bucharest, 1939, p. 11.

³⁴ Victor Vâlcovici, “Parliamentary Debates”, Chamber of Deputies, Meeting of Wednesday, June 28, 1939, *Official Gazette*, No. 7 July 10, 1939, Part III, Central Printing House, Bucharest, 1939, p. 2.

³⁵ *Ibidem*, p. 3.

rights which had been guaranteed by the previous Constitutions of 1866 and 1923. The constitutional legislators of 1938 recognised the need for a political organisation which should replace the old parties and consolidate the authoritarian regime. The project was drawn by Armand Călinescu, who envisaged the creation of a sole party as an instrument meant to mobilise and channel the support of the masses for the newly created regime.

The speeches of the Minister of Interior and future President of the Council of Ministers laid the theoretical and doctrinal foundations of the National Resurrection Front and became reference documents for the study of the authoritarian phenomenon in regimes with sole political parties. Through his speeches in Parliament and radio interventions, Armand Călinescu raised a few interrogations about the nature and the role of the new party, which was the result of the Constitution of 27 February 1938.

Why was a sole political organisation needed? The answer is provided by Armand Călinescu himself during a radio conference about the *Purpose of the National Renaissance Front*. “It was needed out of the necessity to defend the Nation and the State against outer and inner perils. For this reason, union, and not division should be aimed at, and it should consolidate, and not share the authority, it should concentrate, and not disperse ideals”³⁶.

The creation of the sole political party was directed against the Iron Guard, which threatened the political order. The invocation of kind and homeland was also directed against the Iron Guard and, implicitly, against political parties, accused of splitting the political spectrum and, above all, against the very nature of Romanian politics. The alliance hinted at in the speech is between the “Totul pentru Țară” (“Everything for the Country”) Party run by Corneliu Zelea Codreanu, and the National Peasants’ Party, run by Iuliu Maniu. This alliance led to the establishment of the new regime, which considered that the political parties were culpable for the destruction of authority by violence caused by the parties during election campaigns, which were believed to divide the society, the individuals and the state, and, last but not least, the electorate.

A strong state was therefore considered to be one where authority reigned, where parties and citizens united with the state’s interests. The theorisation of such a concept aimed to destroy democracy and to establish a regime based on the values of state authoritarianism and a sole political party. Authoritarianism had the National Renaissance Front as its leading edge, supposed to bundle ideals together and re-establish social unity.

What is the Front? The answer is also given by the Minister of the Interior, under the government run by the Patriarch Miron Cristea. He believed that “it is first of all a Romanian formula, as no common elements with a foreign regime, but similar form details in political matters can be found”³⁷. The Front wasn’t meant to be the copy of the sole political party, as the German and Italian models were. The Front was meant to be an original one, because the people and the

³⁶ Armand Călinescu, *The New Regime*, Central Printing House, Bucharest, 1939, p. 105.

³⁷ *Ibidem*, p. 95.

nation required it. The constitutional referendum, the creation of the sole party, the organisation of elections which were won by the NRF proved that the organisation was one of the masses and the exponent of the political interests of King Carol II. If Armand Călinescu considered that the Front was a Romanian party, then its ideology meant nothing else than a copy of the authoritarian and totalitarian ideological currents of that time.

What does the Front aim at? It aims at the rehabilitation of the state, as the state was the victim of politicking. The state surrendered to such extent that its servants, its ministers negotiated with the criminals. The glorification of the state as a concept, its rehabilitation to its natural status meant not only the restoration of authority and prestige, but also the recognition of ideals the state has the mission to formulate³⁸. Victimization of the state due to politicking aligns with the rhetoric against the former system of political parties, accused of having destroyed the state's authority by various political cartels, especially the above mentioned one between the Legionnaires and the National Peasants' Party's members. The only solution for restoring prestige and unity was the creation of a sole political party, which should bundle all ideals and interests together under the protection of a single man, King Carol II, who was considered to be the guarantor of unity and statehood, "the saviour of the nation".

During the King's dictatorship, politics did no longer include disputes over what should be done. Politics consisted in governing, considering the public interest and preventing the private interest from damaging the public interest. This is why dictatorship needs no conflicts. Delsol states that "dictatorship goes in no politics, whilst the corporate dictatorship wants to be the only politics that doesn't want to go in for politics"³⁹. The main goal of the corporate state is social peacefulness⁴⁰, whilst dictatorship puts an end to economy conflicts by creating the corporate system. The creation of workers' guilds had as end the conservation of political power to the detriment of extremist political currents which advocate the change of social and political order.

Carol's regime and Armand Călinescu in particular embraced both European and local statism and authoritarian theories overestimating the state and minimalizing individual rights and liberties in favour of the greater public good, which was considered to be superior to narrow group or party interests. Putting an end to the era of political romanticism as well as inverting the individual-state relationship under the Constitution of 27 February 1938 were its main goals. Consequently, in the view of the Front, according to authoritarian constitutional order, the individual should be subordinated to the state. Thus, "the personal interest is to be overlooked, unless it coincides with the collective interest. The personal interest cannot be fulfilled, unless it is part of a professional activity, which is useful for everybody. Therefore, promoting the general interest of the community

³⁸ *Ibidem*.

³⁹ Chantal Millon Delsol, *Political Ideas of the Twentieth Century*, translated by Velica Boari, Polirom Publishing House, 2002, p. 117.

⁴⁰ *Ibidem*, p. 118.

was the first mission of the National Renaissance Front”⁴¹. A natural consequence of the Individual-State relationship reversal based itself on “remodelling the individual’s profile as citizen, and was the ultimate stake of the Constitution and New Regime”⁴².

The Front forged itself missions and hoped to reach the goal of teaming up around the regime and the King. The mission of promoting collective interests was directed against the private interests of the political parties, whose main goal was the takeover of power. Under the new regime, power was to be the attribute of the sole political power and the Monarch. The sole party coordinated the activity of government policies and the Monarch ran the activity of the party. Consequently, the Monarch was the leader of the party and nation, the absolute master, as it is mentioned in the first article of the NRF’s organisation law.

The abstract citizen, who is the creation of the regime and fundamental law, becomes, according to the King’s own interests, an instrument, and is subordinated to the Monarch’s cult of personality, to the cult of work and family. The citizen’s statute shall be mixed with that of member of the sole party, but the citizenship condition derives from the individual’s statute as productive and efficient work factor, as provided in the Constitution of 27 February 1938. Between 1938 and 1940, citizenship of the Kingdom of Romania was conditioned by the regime’s approval and by participation in the uninominal elections for a corporate Parliament. At that time, citizenship was also conditioned by its ethnical character, with xenophobic and anti-Semitic accents. The exclusion of Jews from public services, the minimisation of their civil and political rights and freedoms, the application of the numerus clausus principle, the application of anti-Semitic laws transformed the monarchy of Carol II into a state founded on the criterion of totalitarian states that made from their anti-Semitic law an authentic state policy with catastrophic results. The application of anti-Semitic laws was incorrectly founded by the Monarchic authority regime on the principle of Romanian ethnical precedence. Article 4 of the Constitution of 27 February resulted in the “enshrinement of racism, and especially of anti-Semitism”⁴³ and excluded the participation of Jews in political and social life during the last months of existence of the sole political party and authoritarian regime under the rule of Carol II.

Conclusions

The Constitution of 27 February 1938 eliminated the liberal democratic regime, which was instituted through the enactment of the 1866 and 1923 Constitutions. The infringement of the Constitution and the absolute powers granted to the head of the state were the ways by which the principles of interwar democracy were disposed of and then replaced by those of institutionalised authoritarianism, and constitutionalised by the country’s fundamental law.

⁴¹ Armand Călinescu, *op. cit.*, *New Regime*, p. 96.

⁴² Ioan Stanomir, *op. cit.*, p. 95.

⁴³ *Idem*, “Genesis of an Authoritarian Regime: the Constitution of 1938,” *Studia Politica, Romanian Journal of Political Science*, vol. I, No.2, University of Bucharest, Meridians Publishing House, Bucharest, 2001, p. 370.

Tudor Drăgan considered that by “the constitution of 1938, in clearly stated terms, the abolishment of the parliamentary regime was enacted, providing political responsibility of the ministers towards the King. In doing so, as well as by removing the right to investigation and interpellation, the legislative assembly and other rights and freedoms, this Constitution actually abolished control over the political actions of the Executive and allowed the arbitrary application of the law in society, to groups and individuals”⁴⁴.

The principle of separation of powers became the concrete concept of concentration of powers. The Constitution granted the King the right to possess both executive and legislative power. On the other hand, the Constitution granted the King all conventional rights which were enshrined in the previous fundamental laws, namely the right to initiate, promulgate and sanction laws. The separation of powers into Executive, Legislative and Judicial did not divide, but concentrated power. The precedence of the executive over the legislative, the appointment of the King as head of the state, the application of the “it is my government” dictum, with the Ministers having no responsibilities except towards the King, turned the institutions of Parliament and Ministries into monarchical instruments. The political system of the sole party represented the definition of Carol’s new authoritarian regime. The elimination of political parties, the instauration of curfew, the creation of the sole political party, the proclamation of the King as absolute head of the NRF, Administration, Government and Parliament transformed Romania into a ministerial monarchy between 1938 and 1940. Antidemocracy and antiparlamentarianism were the constitutional principles on which the architecture of the Romanian monarchical authoritarian regime was founded.

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⁴⁴ Tudor Drăganu, *Constitutional Law and Political Institutions*, Elementary treaty, vol. II, Lumina Lex Publishing House, Bucharest, 1998, p. 271.

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