Abstract
The goal of the present study is to explore a unique system of public administration that was carried out during the dictatorship of Charles II in Romania between the two World Wars. In a paradoxical manner, the only effort to solve the nationality question through legislation took place under his royal dictatorship. In 1938, the government published its three-part collection of laws, known as the Minority Statute, which defined the rights of minorities. The Minority Statute was intended primarily for foreign publication, and it was addressed more toward a foreign audience, which is also illustrated by the fact that it was only published in the official newspaper, and censors had prohibited it from being published in either the majority or the minority press. Among the circumstances surrounding the creation of the Minority Statute, it is interesting to note that the Ministry of Foreign Affairs played the largest role in its drafting process.
1.1. Introduction

In 1937, a far-reaching process of change started taking place, as the fledgling Romanian democracy was replaced with the royal dictatorship. This new regime was introduced by King Charles II who, starting from the beginning of his rule (April 8, 1930) had made a concerted effort at introducing a system of authoritarian rule. His opportunity arrived after December 1937, when no political party reached the 40% minimum to form a cabinet. The king took advantage of this opportunity by asking the National Christian Party, led by O. Goga and A.C. Cuza, which had come in the fourth place in the elections with 9.15%, to form a new government, rather than the National Liberal Party that had won a plurality of the votes (Scurtu and Buzatu, 1999, pp. 333-334).

Since the political forces of the new ruling party would not have adequate representation in the Parliament, a royal decree on January 18, 1938 dissolved the new Parliament that had not even assembled, and called for new elections in March. But the king did not wait for these new March elections to take place. On February 10, 1938, Charles II saw that the time was ripe for establishing his authoritarian regime, and he dissolved the new Goga administration the same day. Not coincidentally, he chose the patriarch of the Romanian Orthodox Church, Miron Cristea, to form a new cabinet. This event marked the beginning of his personal rule and a series of actions and executive orders whose goal was the strengthening of the royal authority.

1.2. The Constitution of 1938

Among the first and most important steps toward royal authoritarianism was the abrogation of the Constitution of 1923 and the approval of a new law of the land. The new Constitution reserved a decisive authority to the royal power in every aspect of governance. The cabinet was appointed by the sovereign, and ministers reported solely to him. The Parliament became an absolute subordinate of executive power, since the king was only obligated to call it into session once a year, and could dissolve it at his discretion. According to the new Constitution, someone could be appointed to a cabinet position only if he was at least a third-generation Romanian. This precluded the possibility of minorities being appointed to the cabinet position for minority affairs, established later (Nagy, 1944, pp. 32-38 and 70-75; Szász, 1938, pp. 66-76). Article 61 of the new Constitution, regarding the election of the legislature, should also be considered as a first step toward establishing the new corporatist regime. As the article states, the representatives may be elected by “Romanian citizens with an occupation that is part of one of the following three categories: 1. agriculture and manual labor; 2. commerce and industry; 3. intellectual occupations” (Nagy, 1944, pp. 273).

A legally binding royal decree was published on March 30, 1938 regarding the dissolution of all political associations, groups and parties (Ellenzék, 1 April 1938), followed by a decree ordering the confiscation of all property previously owned by political parties (Ellenzék, 1 June 1938). According to these decrees, all political parties, including the National Hungarian Party, which had represented the interests of the Hungarian minority since 1922, had to cease operations.
1.3. The Minority Statute

In a paradoxical manner, the only attempt to address the nationality question through the legislative process took place under the royal dictatorship. In 1938 the government released a collection of laws, consisting of three parts, later to be known as the Minority Statute. The first two parts of the Minority Statute placed the Bureau of Minority Affairs\(^1\), previously working with the Ministry of Cults and the Arts, next to the Office of the Prime Minister, and the office was elevated to the status of a cabinet position. The third part, comprised of 28 articles, was intended to solve educational, denominational, administrative, economic and cultural problems.

The Minority Statute’s regulations concerning public administration and use of language were the following:

“Article 12. The ethnic origin or the linguistic and religious differences of a Romanian citizen does not represent an obstacle for occupying state, county or local offices.

Article 13. Any member of a minority in the local councils may express himself in his native language at the council’s deliberations. The transcripts of these councils’ sessions will be edited in Romanian.

Article 14. Minority citizens who have not mastered the national language may present inquiries to the local administration in their native language. In this case there will always be an official Romanian translation attached to these documents.

Article 15. Official correspondence is to be conducted in the national language.

Article 16. The civil servants of the minority communities have to know the language of the respective community.

Article 17. In communities where Romanian citizens of different ethnic, linguistic or religious backgrounds represent a significant proportion of the community, the judge or its deputy is to be elected from these minorities” (Mikó, 1938, pp. 177-192).

The Minority Statute – as established earlier – was intended primarily for foreign publication, and was addressed more toward a foreign audience, which was also illustrated by the fact that it was only published in the official newspaper, and censors had prohibited it from being published in either the majority or the minority press. Among the circumstances surrounding the creation of the Minority Statute, it is interesting to note that the Ministry of Foreign Affairs played the largest role in its drafting process (Nagy, 1944, pp. 38-40; 56-61).

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\(^1\) The Romanian Bureau of Minority Affairs was created in 1930, under the Maniu administration, within the framework of the Ministry of Religious Affairs. The Bureau went through a number of changes and modifications: during the Iorga administration (1931-1932) it was transformed into a State Secretariat, and later operated as the Agency for Minority Education. A number of people occupied leading positions within the Bureau of Minority Affairs until 1938, among them Zenobie Păcleșeanu, Brandsch Rudolf and Șerban Mihai.
1.4. The One-Party State

According to the Guild Act of October 12, 1938, in each province the laborers, private officials and manufacturers were to associate in guilds. Obviously, in the introduction of the guild system, the King was influenced by the Italian corporatist system. However, the general draft of the Guild Act, which was debated in the Parliament only during the following summer and that failed to be put into effect before the end of the royal dictatorship, in many ways differed from the Italian model.

The legal decree, published on December 16, 1938, which established the country’s only political organization, the Front of National Rebirth (Frontul Renașterii Naționale in Romanian), represented a significant milestone toward the establishment of a fully authoritarian system of governance. Later, on January 5, 1939, a decree concerning the execution of the aforementioned law, which consisted of 37 points, was published, Section 1 of which declared, “the Front of National Rebirth is the sole political organization”, and Section 6 stated that “ethnic minorities signed up for membership in the Front may take advantage of all their legal rights, established through existing law, through their respective subdivisions” (Ellenzék 6 January 1939).

After the publication of the executive order, the recruitment of the country’s population to the new political organization began. First to enroll in the Front were those, both majority as well as minority citizens, who – given their occupations – depended, directly or indirectly, on the state authorities (civil servants, professors, teachers, merchants). It became obvious, however, that the one condition for continued existence on an individual, as well as an institutional – and, in the case of minorities, on a national – level was enrollment in the Front of National Rebirth.

Of the various minorities in Romania, this was first recognized by the Germans, whose politics had already largely leaned toward the government. Thus, readers of Ellenzék (Opposition), could find out from the January 14 issue that “based on an agreement with the government, the country’s German minority will collectively join the Front of National Rebirth” (Ellenzék, January 14, 1939). After the establishment of the agreement, the government also recognized the German People’s Community (Deutsche Volksgemeinschaft), which had already been functional under the previous political conditions.

At the same time there were discussions, starting at the end of 1938, with the representatives of the Hungarian minority as well. The principal negotiating partners, however, did not come from the leadership of the old Hungarian National Party (György Bethlen, Gábor Pál, Elemér Gyárfás) – due to the dismissive attitude of the Romanian government, which was justified by the assertion that they did not intend to renew the old party framework – but rather, the role of representing the Hungarian minority was taken over by the Miklós Bánffy – Pál Szász duo. From this point, the leaders of the Hungarian historical churches (the Reformed Protestant bishop János Vásárhelyi, the Roman Catholic bishop Áron Márton, and the Unitarian bishop Dr. Béla Varga) also started to play an important role (Mikó, 1941, pp. 218-219).

On January 14, 1939, Silviu Dragomir, Government Commissioner for Minority Affairs, and Hodor Victor, provincial secretary-general, held negotiations in Klausenburg
(Cluj) with the Hungarian representatives, the result being an agreement of principles on the Hungarian minority’s joining the Front of National Rebirth. The January 14 agreement was followed by an agreement with the government three days later. The content of the agreement was announced to the public on the January 19, according to which, Hungarians with Romanian citizenship could enroll in the Front of National Rebirth; they could establish private chapters in their localities, and these chapters could represent themselves with ten members in the Supreme National Council, and with one member in the Directory of the Front. The Hungarian professional organizations would also join national professional institutions, and the agreement also allowed for the creation of a cohesive economic-social-cultural organization (Ellenzék, January 20, 1939). This role was filled by the Hungarian People’s Community of Romania.

The Hungarian People’s Community of Romania held its statutory meeting on February 11, 1939 in Klausenburg, in the salon of the National Casino, where many representatives of Transylvanian Hungarian public life made an appearance, having been invited by Miklós Bánffy. He opened the meeting and presented once more the points of the agreement made with the government. Then he elaborated on the fact that he believed that the situation would be a temporary one and that his charge was only until the “special regulations apply”. At the same time, he ensured the audience that he would submit, at the first such opportunity, his mandate to a referendum of the Hungarian community in Romania.

1.5. The Election Statute and its Consequences

A new juncture in the history of the royal dictatorship was the Election Statute, published on May 9, 1939. According to the first section of the Statute, the new Parliament would also consist of two chambers: the House of Representatives would have 258 members, and members of the Senate would be appointed in part by the sovereign, as well as ex officio, and some elected through popular elections. The sovereign would appoint half of the Senate, namely 88 senators. To these were added the Senators de jure, i.e. ecclesiastical and state officials, the heir to the throne, the Royal Princes of age, the Patriarch and the country’s archbishops, the bishops of the Greek Oriental and Greco-Catholic Churches and the heads of recognized denominations, if they represented churches with at least 200,000 followers. The new statute raised the age of suffrage from 21 to 30 years, and among the conditions to have the right to vote was that the electors had to pursue one of the following professions: agriculture, industry or business, or the intellectual occupations. Only those who could read and write could vote. Section (f) of Article 18 of the Election Statute is a particularly interesting passage, according to which those people who had taken up arms against the Romanian army during the wars for national union could not be eligible to vote or run for office (Official Monitor May 9, 1939).

Based on the new Election Statute, elections for the House of Representatives were held on June 1, 1939, and Senatorial elections were held the next day, on June 2. The candidates lists put together under the guidance of Prime Minister Armand Călinescu were approved by the king as well, in a way in which a third of the Parliament seats
were to be occupied by representatives who had taken part in the former legislatures, and the remaining two thirds by newly elected representatives (Scurtu and Buzatu, 1999, pp. 353).

In the June elections, the Hungarian People’s Community of Romania got less mandates than the Hungarian National Party had gotten in the previous years. This was primarily due to the prescriptions of the election and public administration statutes, as the Election Statute of May 9, 1939 had greatly enlarged the territories of election districts, instead of the county, which was the administrative region, to be an electoral district. So according to the Public Administration Statute of 1938 Brașov and Trei Scaune Counties belonging to Bucchi Province could not send any representatives to the Parliament, because the Hungarian majority in those two counties was insignificant compared to the province’s Romanian population. In the end, the Hungarian People’s Community only got 3.5% of the votes in the House of Representatives, meaning that out of the 16 Hungarian candidates, only nine received mandates. The situation in the Senate turned out similar, where out of the five senatorial candidates only two got into the upper house of the Parliament. The election results were much worse for the German People’s Community (the German minority received no Senate seats), despite the fact that there was an electoral agreement in place with the Hungarian People’s Community (Magyar Kisebbség, 1939, nr. 12. pp. 288-289).

2. The Administrative Reform
2.1. Premises

Given that the editors of the Constitution of 1938 omitted the provisions related to public administration, the next step of the new power was to develop a new Administrative Statute. The reform of public administration of 1938 was exceptional in that it did not follow the French pattern, but rather the Yugoslavian administrative divisions of King Alexander’s autocratic system of governance, introduced in 1929. The goal of the Statute of 1938, according to official sources, was to “decentralize the civil service and to distribute the centers of public administration”. However, in reality, the agents of the royal dictatorship wanted to centralize and to exert more control, and the new administrative divisions were not considerate of ethnic divisions – quite to the contrary, they focused on the disintegration of old national-ethnic units.

2 The Hungarians of Trei Scaune wanted to get three candidates into the Parliament that was organized according to corporatist principles (Baron Béla Szentereszthy, Dr. Andor Barabáspánd Sándor Boér). Of the three Hungarian candidates, none got into the legislature.

3 “Article 79. Institutions of public administration are to be determined by law.” The Romanian Constitution of 1938. (Nagy, 1944, p. 279).

4 Yugoslavia was divided into nine “Banovines” (“Banates” or provinces), named after nine rivers and other geographical landmarks (Drava, Sava, Danube, Morava, Drina, etc.). These divisions did not consider ethnic divisions. Serbs were in a majority in six of the nine provinces; Croatians, in two; Slovenes in one, and Muslims in none. (Rothschild, 1974, p. 238.)
The editors of the Administrative Statute of 1938 wanted to actualize an old desire, namely, to separate public administration from politics, when they announced that the civil service can only be led by those officials who have been trained for just this purpose. In this sense, the Statute focuses especially on local officials, forming a hierarchy consisting of degrees and classes, setting the conditions for recruitment and professional advancement (Manda and Manda, 1999, pp. 67-68).

2.2. Local Governmental Authorities

According to the Administrative Statute, the mayor and the communal council were responsible for the administration of urban and rural communities. In contrast with the Statute of 1929, however, the mayor was appointed, rather than elected by the council members. The mayors and vice-mayors could only be appointed from among the local population, the only exceptions being the pleasure resorts. The appointment of mayors was done in the following manner:

– in rural communities and towns that were not the county seats, the mayor was appointed by the Prefect.
– in county seats, the appointment of the mayors was the task of the Royal resident.
– in the case of pleasure resorts and municipalities, the mayor was appointed by royal decree, at the recommendation of the Minister of Interior (art. 10).

In the case of municipalities, county seats and pleasure resorts, the mayor had to possess a degree of higher education, and in the case of military officers, the Statute required a rank of Lieutenant Colonel. Only those above the age of 30 could be appointed to the mayoralty, a limit that applied to all localities.

People who could not be appointed to the mayoralty included teachers, priests, monks, people who had business connections with the community, alcoholics, and, in the case of rural communes, officials and civil servants. The office of the mayor was also incompatible with a legislative mandate (art. 12).

Vice-mayors were appointed based on similar conditions. In villages and towns (excluding county seats) one, in municipalities two vice-mayors assisted the mayor in his work. In those municipalities that were divided into districts, there were as many vice-mayors appointed as there were districts. In these cases, the leaders of the districts were the vice-mayors themselves (art. 19).

The Statute prescribed that in communities in which a national minority was in an absolute majority, the mayor to be appointed from that minority. In these communities, members of the local council could give speeches in their own languages, but these speeches had to be immediately translated into Romanian as well (art. 41).

The number of the rural and council members was reduced, compared to former administrative statutes. In the Administrative Statute of the royal dictatorship, the number of council members was regulated in the following manner:

• 3 council members in rural communities;
• 5 council members in towns that were not county seats;
• 7 council members in towns declared to be county seats;
• 12 council members in municipalities (art. 25).

In councils of rural communities, *ex officio* council members were: the representative of the Orthodox Church, or of another denomination (if the majority of the population belonged to that denomination), and the oldest representative of the public elementary school. The *ex officio* council members in urban councils were: the principal of the community’s school that granted the highest degree, the representative of the Orthodox Church or of another denomination if the majority of the population belonged to that denomination, the most experienced chief medical doctor of the state hospital, the state veterinarian, the director of the cultural center, the mayors of communities that were part of the suburbs (but only when issues concerning these communities were discussed). The mandate of the elected council members was 6 years, while the mandate of *ex officio* council members became void only if they lost their function that made it possible to fulfill the role of council member (art. 26-27).

2.3. The Provinces

The country was divided into ten provinces. The counties of the Old Kingdom were organized into the provinces of Olt (Dolj, Mehedinți, Gorj, Vâlcea, Romanății, Olt Counties), Marea (Constața, Ialomița, Durostor and Caliacra Counties), Dunărea de Jos (Covurlui, Brașila, Tulcea, Ismail, Cahul, Fălcuți, Tutova, Tecuci, Putna and Râmnicu-Sărat Counties), Nistru (Lăpușna, Orhei, Tighina and Cetatea-Albă Counties), Prut (Iași, Bacău, Neamț, Baia, Botoșani, Băști, Soroca, Vaslui and Roman Counties), Suceava (Cernăuți, Hotin, Storojineț, Rădăuți, Câmpulung, Suceava and Dorohoi Counties). The counties of Transylvania and Partium were organized into the provinces of Someș (Cluj, Bihor, Solnoci-Dăbâca, Sălaj, Satu Mare, Maramureș and Bistrița-Năsăud Counties), Mureș (Alba de Jos, Turda-Arieș, Mureș-Turda, Ciucaș, Odorhei, Făgăraș, Târnava Mare, Târnava Mică and Sibiu Counties) and Timiș (Timiș-Torontal, Arad, Caraș, Severin and Hunedoara Counties) (art. 53).

The Administrative Statute, from the perspective of Hungarians in Trei Scaune, proved to be one of the gravest actions of the royal dictatorship, because Trei Scaune and Brașov were torn apart from the other Transylvanian counties and attached to the counties of Ilfov, Teleorman, Argeș, Muscel, Dâmbovița, Vlașca, Prahova and Buzău, thus forming the Bucegi province, with Bucharest as the provincial seat.

Later, by decree, part of the community of Prejmer – part of Brașov County – was attached to Trei Scaune. According to the official justification, this move was necessary “to aid the rise and advancement of a Romanian village in Trei Scaune County, where the ancient Romanian element is in so much need of assistance” (Nagy, 1944, pp. 182-183).

The provincial centers were as follows: Craiova (Olt), Bucharest (Bucegi), Constanța (Marea), Galați (Dunărea de Jos), Chișinău (Nistru), Iași (Prut), Cernăuți (Suceava), Alba Iulia (Mureș), Cluj (Someș) and Timișoara (Timiș).
Thanks to the new administrative divisions, the proportion of the Hungarian population did not reach 50% in any province. Most Hungarians lived in Mureş province (30%), followed by Someş (24.4%) and Timiş (12.8%) provinces. In the province of Bucegi the percentage of Hungarians barely reached 5.4% (Magyar Kisebbség, 1938, nr. 23, pp. 576).

Fig. 1: The provinces, according to the Administrative Statute of 1938

Fig. 2: Ethnic-national divisions in Bucegi, Mureş, Someş and Timiş provinces
2.4. The Royal Governors

At the heads of the provinces were royal governors, appointed for 6 years with the rank of secretary of state. Besides the requirements of Section 67 of the Constitution, the royal governor also had to have a university or military degree and be at least 35 years old. The work of the royal governor was assisted by a secretary general (art. 57).

The royal governor, as the government’s provincial representative, had the following jurisdiction:
- He supervised the officials’ activities.
- He monitored the activities of the public service units.
- He could apply penalties or propose them to the respective Ministries.
- He resolved complaints regarding the services placed under his supervision.
- He released decrees and ordinances.
- He supervised the activities of public corporations.
- He monitored and controlled the administrative, economic and social life of the province.
- At least once a month, he summoned the heads of the providers of public services, to discuss and determine the best actions in order to harmonize their actions.
- Quarterly, he summoned the Prefects of the province in order to develop a joint plan of action.
- As a representative of the Ministry of Internal Affairs, he ensured public safety. The royal governor gave orders to police and gendarmerie stationed in the province.
- He supervised the activities of every cultural and humanitarian organization that depended on the state.
- At the end of each year, or whenever necessary, he made a detailed report for the king and the Ministry of Internal Affairs about the province’s general, financial, economic, cultural and administrative status. He reported on the state of public opinion and the impacts of administrative provisions.

The royal governor, as the leader of the province, had the following jurisdiction:
- He was the leader of the public administration of the province and chairman of the provincial council.
- He administered the province based on precepts set forth by statutes and regulations. He was the executor of the provincial council’s decrees.
- He supervised and oversaw local government, all associations, mutual firms and public corporations functioning in the province, and could take part in their executive board meetings.
- He represented the government and the province at state celebrations (art. 63-70).

5 “Ministers must be at least third-generation Romanians, with the exception of those who have already fulfilled ministerial roles”.

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2.5. The Provincial Councils

The provincial councils had elected and ex officio members. The council’s elected members belonged to two groups: council members elected by the communal councils and those elected by the Chambers of Agriculture, Commerce, as well as Industry and Labor (art. 71-74).

The ex officio members of the provincial councils included the president of the provincial university or the principal of the oldest secondary school, the highest-ranked or most experienced state engineer, physician, veterinarian, agricultural engineer, forestry engineer, the chairman of the institution providing the most important social care, and the provincial superintendent of the National Guard. The ex officio council members were appointed by the Minister of Internal Affairs, based on recommendations of the royal governor. Both elected and ex officio provincial council members had a 6-year mandate (art. 75-76).

The provincial council had policymaking as well as deliberative jurisdiction. The council made decisions regarding the province’s revenues, tax and fee rates, and approved the province’s budget, debts, and the transactions involving state-owned real estate.

The provincial council met twice a year (every year on the February 1 and November 1), but could be called to session any time in case of emergency. Calling for a session of the provincial council was the task of the royal governor. A normal session would not exceed five days, whereas an emergency session, three. The sessions of the provincial councils were public, but the members could decide on its secrecy with a two-thirds majority, if they decided on issues of national security. The royal governor presided over the sessions, and in his absence, the provincial secretary general was to preside (art. 84-93).

2.6. The Prefect

The Statute defined the county as an administrative division of control. The county, which up to then had been the most important form of administrative organization, completely lost its significance, and even its legal personality. The institution of the Prefecture remained as the leadership of the county. The Prefect was a professional public servant, who was appointed by royal decree at the recommendation of the Minister of Internal Affairs. He represented the government and the Ministry of Internal Affairs on the county’s territory. The Prefect could not have any other free occupation, or have official functions in commercial companies, cooperatives or people’s banks, and could not pursue commercial activities or give out property for rent (art. 97-98).

The Prefect’s jurisdiction:
- He supervised the activities of public officials and services.
- He supervised rural and urban communities, with the exception of municipalities.
- He executed and oversaw the county’s public works.
- He summoned the local officials and the leaders of the county’s supplier firms every month to harmonize their activities.
He led, monitored and was personally responsible for the military mobilization of the county’s populace.

He supervised and monitored the religious communities and all legal persons (associations, foundations) in the county.

He ensured the maintenance of public safety. He had control over police and the gendarmerie in the county.

At the end of each year, or whenever it was necessary, he delivered a detailed report to the royal governor about the county’s general financial, economic, cultural, administrative status, he reported on the state of public opinion as well as the impacts of administrative provisions (art. 99-101).

2.7. The Districts and Justices of Peace

In the Administrative Statute of the dictatorship, the district was defined as a subunit of administrative control. Similarly to the county, this administrative subunit also lost much of its significance. A Praetor or Justice of Peace, appointed by ministerial decree, led districts. The Justice of Peace was the government’s representative in the district, as well as the leader of the police forces within the territory of the district. The Justice of Peace supervised and monitored the official documents of rural and urban areas (except county seats and municipalities); every three months, he oversaw the activities of all the rural mayors, public notaries and public officials within the district. Every three months he delivered a written report to the Prefect about administrative activities and the status of the population within the district’s territory. At least every three months he invited the rural mayors and notaries to a conference, where they discussed the administrative, economic and cultural issues of the district. The familiarization of the public with the laws and regulations, as well as ensuring their faithful observance was the job of the Justice of Peace (art. 103-108).

2.8. Special Associations

The statute made it possible for communities to enter into partnerships with each other or with national public institutions for the provision of common services for the public good. As a result, they could establish associations with legal personalities. The bylaws of the associations had to be accepted by the councils of the administrative units taking part into the partnership, but the consent of the superior authorities (e.g. the royal governor) was also necessary. The bylaws or statutes of such associations also had to be published into the official monitor of the province (art. 111-112).

2.9. Disciplinary Actions against Administrative Authorities

The Prefect or the royal governor could not dissolve the administrative organs of the local government – the communal and provincial councils –, but he was entitled to suspend and even remove particular members in certain cases, which in the end really meant only a façade of autonomous local government. The mayors, vice-mayors and council members were suspended if:
– they could not justify their absence from three consequent sessions;
– they made decisions that caused damage to public administration;
– they committed acts that posed a threat to national security;
– they were sentenced for crimes or other misdemeanors (art. 134-135).

2.10. Administrative Elections

At administrative elections (i.e. elections for communal councils) every resident, regardless of the gender⁶, had the right to participate if: he or she was a Romanian citizen; was at least 30 years old; had practiced one of the legitimate occupations as set forth by the Constitution of 1938 (agriculture, industry or commerce, intellectual occupations) and if they had contributed to the community financially (through taxes and fees, etc.) for at least a year (art. 113). The assemblage of the communal electoral registry was mayor’s task, while the provincial secretary general put the registry for the provincial council’s election together.

The Statute did not make it possible for monks, priests, teachers, state, provincial and communal officials, military officers, and alcoholics to register themselves as candidates at the administrative elections. At the same time, the Statute did make it possible for people who owned real estate in pleasure resorts to run for the local councils in the respective localities, even if they were not in the electoral registries (art. 115).

2.11. The Proposal of the Hungarian People’s Community

On August 19, 1939, negotiations were held between the government and the leaders of the Hungarian People’s Community of Romania. At this meeting, Miklós Bánffy and Pál Szász handed over a memorandum to the Prime Minister that summarized the proposals of the leaders of the Hungarian People’s Community regarding elections in the public administration⁷. In the memorandum, they emphasized the idea of respecting ethnic-national divisions, and they set forth the following proposals regarding the participation of the Hungarians:

“1. In local councils:
   a) In villages, of the three elected members of the local council, Hungarians will occupy a number of seats, according to their proportions in the local population: one seat, if the percentage of Hungarians reaches 30%, two seats, if the percentage of Hungarians reaches 60%, three seats, if the percentage of Hungarians reaches 90%.
   b) In towns that are not county seats, of the five elected members of the local council, one seat for each 20% reached.
   c) In county seats, of the seven elected seats, one seat after every 15% reached.
   d) In municipalities, of the 12 elected seats, one for every 10% reached.

⁶ In Romania, women’s suffrage was first instituted under the royal dictatorship.
⁷ Administrative elections were not held until the Second Vienna Award.
II. In provincial councils, the following seats are reserved for the Hungarian minority:

a) In Bucegi province, three of the 20 seats, as follows: two in Trei Scaune County and one in Brașov County.

b) In Mureș province, seven of the 20 seats, as follows: two seats each in Ciuc and Odorhei Counties and one seat each in Mureș, Târnava Mică and Turda Counties.

c) In Someș province, three of the 14 seats, as follows: one each in Cluj, Sălaj, Bihor and Satu Mare Counties.

d) In Timiș province, three of the ten seats, as follows: one each in Timiș and Arad counties.

III. The appointment of mayors and vice-mayors:

Article 17 of the Minority Statute is to be interpreted and implemented such that in those villages and towns where the percentage of the Hungarian minority reaches 60%, the mayor is to be Hungarian, and where the percentage reaches 30%, the vice-mayor is to be Hungarian.  

3. The Fall of the Royal Dictatorship

On June 22, 1940 (the day that France capitulated to the Third Reich) a legal decree was published, according to which “the Front of National Rebirth is transformed into a unified and totalitarian party under the name of ‘National Party’, and will function under the leadership of His Majesty King Charles II”. The second part of the decree stated that “the National Party controls the moral and financial life of the nation and of the Romanian state” (Ellenzék, June 23, 1940).

With this provision Romania joined the ranks of totalitarian states, and this made minority politics even more impossible, especially given that at the time of the decree’s publication, the Romanian Minister of Justice announced that “those who by their actions or their will remain outside the party, will not be the party’s enemy, but rather their own, as they are doing away with their own personality” (Ellenzék, June 23, 1940).

The reorganization of the new party and of the state was disturbed by the Soviet ultimatums of June 26 and 27, in which the Russian side demanded Basarabia and North-Bucovina, a demand fulfilled by the Romanians. After the acceptance of the Soviet ultimatum, a very tense mood spread throughout the country, which was further exacerbated by the general mobilization of June 29.

After these events, Prime Minister Tătărescu submitted his resignation and a new government was formed, led by the notoriously pro-German Ion Gigurtu, which marked Romania’s commitment to Germany. At the same time Senator Hans Otto Roth was offered the position of Minister of Minority Affairs, which was unconstitutional, because

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Article 67 of the Constitution stated that “Ministers must be at least third-generation Romanians.” After Hans Otto Roth declined this mandate, the Ministry of Minority Affairs ceased to function.

On August 16, 1940, Romanian-Hungarian talks started at Turnu-Severin, and on August 30 Northern Transylvania was given back to Hungary based on the decision of the Axis Powers.

References