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Higher Education Institutions at the Romanian - Hungarian Border Prior to the war: Academy of Law Oradea¹

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Abstract: *Oradea, an important cultural, economic and administrative town at the western border of Romania, is known as an academic center since 1780 through its area of operation for over two centuries of the Academy of Law. The Romanian age of higher education institutions has proven to be a step in regaining the status of high school like the other existing universities in the country between the wars. The abolition of the Academy and its merger with the Faculty of Law of the University of Cluj, in 1934, was a great loss for the city of Oradea, the values gathered during more than two centuries of high school, representing a solid fundament for the academic education, from this part of the country, after the second world war.*

Keywords: *Oradea, the inter-war period, law academies*

During the period between the two World Wars, as Romania materialized its statute as national state, the political, economic and social development currents, perceptible with a century or more before, grew up. It was an age filled with vitality and creativity, in which the Romanians of all social categories experimented new ideas, but in the same time it was an age of conflicts and divisions, because the state was forced to reorganize institutions established long time ago, to re-examine respected traditions and confront with the issues of a bourgeois society in progress, on the urbanization way, a common phenomenon of the whole Europe. (Mihai Bărbulescu, Denis Deletant, Keith Hitchins, Șerban Papacostea, Pompiliu Teodor, 2006, p. 346)

These characteristics are to be found, perhaps with more intensity, in the life of cities placed at the border with Hungary. Therefore, Oradea Mare (Nagyvarad), the center of Crisana and Bihor lands, node of many railroads, which opens in the mind of the great historian Nicolae Iorga old battle landscapes, stubborn surroundings and brave protections, glorious chapters from the Transylvanian principality and the House of Austria, was at the beginning of the 20th Century a city with clean and quiet streets, with plentifully Jew's stores, with a square of celebrity and charity, where can be seen banks, churches and castles (N. Iorga, 2005, p.342-344). A decade later, this "wholesale dealer metropolis and miller's trade center was working hard to its industries that weren't stopped by the War's economic consequences, manufacturing fine and almost cheap boots, which went to Bucharest, and the Czech-Slovakian merchandise was spoiling into the shop window". The cultural life of the city, it is active because of press, who still manages to pass of censor, as expected to, which is added the "Familia" review, the so old literary page of Iosif Vulcan, and Cele Trei Crișuri, the colonel's Bacaloglu journal, which served too the precious connections with the Hungarian culture (Ibidem, p. 416-417).

The education institutions, having also the support of the Inter-war Romanian governments, developed, the academic education, as well as all over the country having the fastest dynamic (Marcela Sălăgean, 2004, p. 597).

At the beginning of the 20th Century, the Transylvanian education, particularly the one in Oradea, as well as the one from the Old Kingdom, was structured on three categories: primary, secondary and superior, the teaching activities taking place after the laws and rules elaborated by the Hungarian governments (Mihai Bărbulescu, Denis Deletant, Keith Hitchins, Șerban Papacostea, Pompiliu Teodor, 2006, p. 335-337). The Great Unification at the 1st of December 1918 and the formation of the United National State meant, from this point of view, for the Romanian authorities, the institutional and legislative standardization. Therefore, the Romanian Government, by extending of some disposals from the Old Kingdom upon the united provinces, on one side, and the regional organisms by adopting measures of their own, on the other side,

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managed to remove some laws or parts of some local laws that were in opposition to the new realities. In this context, the evolution of education, in the following years, meant first of all finding ways to frame in a unitary educational system for all the territories from the Great Romania (Florin Diac, 2004, p.251-253).

At the beginning of the process, the Old Kingdom's education was exclusively of state, while in Transylvania, it was much diversified. Therefore, besides the numerous confessional and particular schools for primary and secondary education, there were also high education institutions belonging to the Hungarian state but got into the Romania's property after 1918. It is also the case of the Royal Law Academy of Oradea, taken by the Dirigent Council for Transylvania, Banat and Hungarian Lands lived by Romanians, right after the Romanian army's entrance in Oradea, on 20th of April 1919 (Buletinul Academiei de Drept din Oradea, 1928, p.7).

The "oldest public institution of academic culture from an immense region of the Eastern Europe" (Ibidem, p.3), was funded by the Order of the Locumtenential Royal Council, no. 5482 from October 30, 1777. The birth of the Royal Academy of Oradea takes part of a well-thought strategy applied by Maria Teresa Empress, inside her policy of forming frames for an administration, which it was wanted to be as effective as it could be and promoting the elements that could assure the cohesion of a powerful empire. In this context, the institution of Oradea gets under its jurisdiction 14 counties (Ovidiu Bozgan, 1995, p.79), the teaching activity beginning in November 1780 only with the Faculty of Philosophy, then in June 17, 1788, the Austrian government extended "the frame of this Academy by adding two years of Law Faculty" (Buletinul ..., 1928, p.3).

During the over two centuries evolution of the institution can be identified 5 stages, four under Austrian ruling, respectively Austrian-Hungarian, and a Romanian one. There are to be distinguished (Dorel Moțiu, Augustin Țărău, 2002, p.39):

1. The "Ratio Educationis" stage (1780 – 1848), in which the Academy was ruled by a Supreme Director, and the special affairs were handled by a sub-director. The teaching language was Latin, passing to Hungarian in 1848. In the next two years, due to the Revolution of 1848, there were no lectures held at the Academy. Also during the Revolution of 1848 comes the first request for constituting at Oradea an University by funding "a complete Faculty of Letters, which added to the Law one, already existing, to make an University" (Buletinul..., 1928, p.3-4);
2. The "Bach" stage (1850-1861), it is the period in which the two sections of the Academy split, remaining only the Faculty of Law, with 3 years lectures. The institution will be called "The Cesar-Royal Academy of Law"(Cornel Sigmirean, 2000, p.134), will have from now on its own Director (Buletinul ..., 1928, p.4), the teaching language is German(Estrela Bădescu, 2001, p.28), being removed from the curricula the political disciplines and new ones were introduced, for instance Austrian Law and the History of Austria(Dorel Moțiu, Augustin Țărău, 2002, p.39);
3. The "Hungarian Provisional State" Age (1861-1867), characterized by the re-introduction of the Hungarian language as in the majority of the academic education institutions in Hungary, Slovakia and Transylvania, as well as the previous removed disciplines, the reformation of the admission system and abandoning the institution by the Austrian teachers (Ibidem, p.39);
4. The "Constitutional" Age (1867-1918) is the age in which important changes took place in the Academy's life. So, threw the Royal Decree on the 4th of May 1871, the Academy is transformed into "a complete Faculty of Law and State Sciences with 4 year lectures, being excluded only the right to give the doctor's title and the senior lecturer", the given diploma being equivalent with that of other Law faculties attached to the two Hungarian universities (Cornel Sigmirean, 2000, p.135). The teachers' personnel are recruited after the same regulation to which are added the disposals of the 19th Law from 1872 for founding and organizing the University of Cluj. The 1874 regulation brings a new organization of studies, by the existence of eight departments and a "bifurcation" of disciplines starting with the 3rd year, in Law Sciences (justice) and State Sciences (political-economic). Depending on the State's exam type, which it was the equivalent of the Bachelors' Degree from the Romanian universities, and it was established depending on the chosen specialization, the students could enter into Law or have and administrative job. Still in 1874, in the 2nd of December,

took place the solemn inauguration of the new Academy's headquarters, now the building of the Mihai Eminescu National College. The year 1911 brings to the Academy a new development stage by founding another two departments, the Philosophy one and the Universal History, as well as by establishing "the dean's institution" position in which it was elected professor Iuliu Hovanyi (Estrela Bădescu, 2001, p.28). The policy of the Hungarian Minister of Instruction in encouraging the creation of "isolated faculties (Academies) that foresaw the same lectures as those which took part from universities", to disregard the universities filled with auditors, got to the making of culture centers into the big cities, that later could become universities. Following the Debrecen and Presburg (today Bratislava) Academies example, which had been developed and transformed, in 1914, in universities, the institution of Oradea began its own transformation process by founding the Philosophic Studies, Historic and Literary, the project not being realized because of the beginning of the First World War (Buletinul ..., 1928, p.6-7).

5. The Academy's Romanian Age (1919-1934) meant a profound structural mutation expressed by replacing the old German system with the French inspired Romanian one (Dorel Moțiu, Augustin Țărău, 2002, p.44). As it is natural, the transition spread gradually, in conformity with the will of some Transylvanian Romanians, threw which also Onisifor Ghibu, general secretary inside the Dirigent Council, to preserve some local particularities and approaching gradually the education reform.

Therefore, despite the fact that on the 1st of January 1919 the Romanian language was established as the official teaching language in all the education institutes belonging to the Romanian state (Lucian Leuștean, 2003, p.99-101), the lectures continued to be held, with the acceptance of the Dirigent Council, where needed, for one year, in Hungarian. The functioning and organizing regulation of the Academy remains the one of 1874, being changed only punctually, at the proposal of the Teachers' Council and with the approval of the Romanian authorities, for the graduates of this institution to have their studies recognized on the country's territory. The study curricula is established on the 9th of October the same year, by the order of the Dirigent Council, as being identical with that of the Faculty of Law from the University of Cluj (A.N. – D.J.Bh, *fond Academia de Drept din Oradea*, dos. 562/1919-1920, f.20).

The academic years 1919-1920 and 1920-1921 are years of transition for the Academy because the big majority of the teachers refused to take the oath of faith, so they were released or gave up freely to their departments. The main disciplines were held by PhD. Iuliu Hovanyi, named again Director of the Academy, and by PhD. Andor Sigmond, the only ones that took the oath, the rest of the study curricula being held by substitutes.

Once adopting the new organizing regulation on October 12, 1921, we can say that the Academy comes back into normality. From now on the lectures are being held only in Romanian, becoming as holders the first romanian teachers, Bogdan Ionescu and Iacob Lazăr. By this regulation are being established the students' matriculation conditions at the Law lectures, their division in extraordinary (for those without school-leaving exam) and ordinary (for those who have passed the school-leaving examination), as well as the three year studies. The students could obtain at the end a diploma of License in Law after a Law Science exam, pretty rough, because it meant the passing of 5 exams: civil law, commercial, criminal, constitutional and administrative. The regulation also established the fees that students had to pay and the study curricula (Ovidiu Bozgan, 1995, p.84-85).

This regulation worked for the following 8 years when were made holders another 3 professors: dr. Victor Cădere, dr. Constantin Petrescu-Ercea, dr. Dumitru Mototolescu and there were established 4 definitive senior lecturers, threw whom dr. Eugeniu Sperantia and dr. George Sofronie. The teaching personnel were completed with substitutes as George Strat and Tiberiu Mosoiu. From the academic year 1924-1925 is elected as dean PhD. Iacob Lazăr (A.N. – D.J.Cj, *fond Facultatea de Drept Oradea*, dos. 36, f.41), for a three year period, in 1927 being named as dean professor dr. Bogdan Ionescu (Ibidem, f.56).

In the same period, the Academy "was honored with some important visits": the holders of the Public Instruction Ministry, Prof. Mironescu (in the fall of 1921) and PhD. C. Angelescu (in the summer of 1928), general directors of the superior education – professors Burileanu and I. M. Marinescu as well as the rector of the University of Bucharest, Prof. Pangrati. To them are

added remarkable academic teachers from Romania and abroad, who accepted the invitation to keep conferences in their specialization, for instance: Prof. Demoque from the Faculty of Law in Paris, V. Dimitriu professor at Cluj and then at Bucharest, professors Paul Negulescu, G. Tașcă and M. Simpson from the University of Bucharest (Buletinul..., 1928, p.8-9).

The new regulation of organization of the Academy published in December 1929, doesn't bring any changes in comparison to the first one besides the re-evaluation of the number of scholar fees and diverse stipulations that enforce the academic autonomy (Ovidiu Bozgan, 1995, p.86). Also this year, the Academy's teaching personnel develop an intense activity for applying the article 100 from the *Secondary and Superior Education Law*, referring to the founding of the preparatory year in order to "selection from the high-school graduates those who will later occupy professional or administrative state superior positions and their training in order to be specialized in Law Sciences". For the study curricula of this year, the teachers' council proposes Latin, French and German culture and civilization lectures, lectures of Methodology in Social Sciences as well as a lecture of Introduction in Law Sciences. Also, one of the holder teachers is named director of this program and president of the examining community of the preparatory year. The exam will be organized following the same requests as the fundamental exams, the students having the same rights and obligations like those from the first, second and third year of the Law Sciences (A.N. – D.J.Cj, *fond Facultatea de Drept Oradea*, dos. 96, f. 33-34).

The year 1929 meant for the teachers of the Law Academy of Oradea the retaking of steps for founding a university in the city from the Rivers' shore. The arguments brought by the Academy's heads were based on the existence in the same city of three superior education institutions, of which two of Theology, as well as economic arguments, the founding of the new university being possible without supplementary expensive. Also, there were mentioned alike cases existing in countries like Italy, Yugoslavia, Belgium, Holland, France, England and Ireland (Buletinul ..., 1928, p.12-13). The quality of the teachers' group and its major contribution to the cultural life in Oradea were emphasized too in the statement for supporting the project of founding the "King Michael the 1st" University at Oradea, addressed to the Minister of Public Instructions by the president of the Students' Center in the city (A.N. – D.J.Cj, *fond Facultate de Drept Oradea*, dos. 96, f.56-57). Even if the academic usances were in favor of a merger of these schools at the Faculty of Law and thus of making "a small academic center of Crișana", the project didn't get the approval from the authorities of Bucharest, despite of its support from many local personalities, threw whom: the heads of the two Churches – bishop Roman Ciorogariu and Valeriu Traian Frentiu, the mayor Aurel Lazăr, the prefect Iosif Maiorescu and all the Bihors' parliamentaries (Ion Zainea, 2007, p. 251-252).

At the beginning of the '30s it is identified the Romanian universities' concern for elaborating a legislation for the superior education. Therefore, during the period of 1931 – 1932 took place many meetings for discussing the different legislative projects, after which "the Law for Organizing the Academic Education" was elaborated. This law did not bring new elements, besides those existing at the time of its elaboration (22 of April 1932), in what concerns the Romanian university system, but it was amended by specialists in the field.

So, in a work drawn up by the researchers of the Romanian Pedagogic Institute ran by Prof. G. G. Antonescu and published in 1933 entitled "The Organizing of Education", it is made a critical analysis of the Romanian educational system in comparison with the structure of education in the main countries in the world. In the part referring to the superior education, being based on statistics connected to the education in the United Romania during the period between 1921/22 – 1928/29 and published in 1931, the authors observe the small number of students matriculated in the Romanian universities in the academic year 1928-1929 (31.154 students to 2.283.211 young people that graduated a state school, particular or confessional), as well as the small number of those who get annually the degree or a doctors' degree (8,2% of the matriculated students get the degree and doctors' degree, existing 1 graduated to 7020 inhabitants). Threw the causes identified by the authors and upon which they think it should overcome, it is named "the lack of organization of the study possibilities, the hard fees upon students and the difficult conditions in living in a city, especially for villain students". Another drawback of the academic system in Romania, emphasized by the authors, "is the students' distribution into the academic

education totally inadequate to the social life structure and its future needs". In a country in which 87,1% of its population handles with agriculture, the only activity, on which it is based the states economy, although 38% of the academic young people is headed to Law Faculties, authors questioning themselves where will all these "young people prepared in Law" be hired. Considering that there was in society a certain misunderstanding between the Law students and the lawyers' group, the authors finally recommend the growth of the students' number and the development of "another school policy, with another orientation of the young people"(G.G. Antonescu, Iosif I. Gabrea, 1933, p.43-44).

In this context, the destiny of the Law Academy of Oradea changes, being transformed from 25th of August 1930 into the "King Carol the 2nd" Law Academy and passing under the authority of the University of Bucharest. During the 4 years of functioning in this formula, the Academy had a large autonomy, two of its teachers being full-right members of the Senate of the University of Bucharest (A.N. – D.J.Cj, *fond Facultatea de Drept Oradea*, dos. 146, f.321). Also in this period, the institution obtained the right to organize doctor's degree lectures in 2 specializations: Law Sciences, respectively Politics and Economy. The teachers' group was formed of 17 holders, being elected as Dean PhD. Petrescu-Ercea (Ibidem, f. 291).

In what concerns the number of students, this constantly grown during the Academy's Romanian Age. So, from 70 obedient students, 64 ordinary and 6 extraordinary, in the 1st semester of the 1919-1920 (A.N. – D.J.Bh, *fond Academia de Drept din Oradea*, dos. 562/1919-1920, f.219) academic year it gets to 557 at the beginning of the '30s (A.N. – D.J.Bh, *fond Facultatea de Drept Oradea*, dos. 36, f.80) and to almost 800 matriculated students in the 1933-1934 academic year. If we add to this a competent and well connected group of teachers, we can say that the institution had enough force to continue its activity without sensing the economic crisis from the beginning of the '30s (Ovidiu Bozgan, 1995, p.90).

Despite this, the Law Faculty of Cluj had big difficulties in assuring teaching of 1813 students, which represented almost 40% of the students from the university, the holder teachers being very few. In these conditions, in June 1934, inside the Inter-Academic Council from Bucharest, it is for the first time discussed the issue of merging the Academy of Law of Oradea with the Law Faculty of Cluj. The faculty's dean Romul Boila, was against this project, but the president of Cluj's University, Florian Ștefănescu-Goangă, insisted upon the disastrous situation of the Faculty of Law. Other interventions pointed the impossibility of organizing at Oradea of practical activities and doctor's degree lectures or the financial savings that could be realized. On the other hand, the Oradea teachers were thrilled by the idea of continuing the activity in the big Transylvanian academic center, seeing in this a stage in obtaining the holder ship at the University of Bucharest. As a follow, the Royal Decree no. 2424 of August 20, 1934, published in the Official Monitor no. 192 on 22 of August, confirms the union of the Oradea Academy with the Law Faculty of Cluj, the Minister of Public Instruction, Constantin Angelescu motivating the fusion only on financial issues. The transfer is effectively realized on October 1934, when are moved all the departments and the teachers that occupy them, from Oradea to Cluj, the conferences and vacant departments of the two faculties being abolished. The students of the Academy are transferred to Cluj, respecting the frequency, the exams they had and all the gained rights, in September 1934 being organized in Oradea a liquidation examination. All the administrative personnel is being moved to Cluj, following to be appointed after the needs, by the University's rector. The mobile goods and the Academy's Library, that had over 35.000 volumes, passed into the patrimony of the Cluj University, non-mobile ones being passed into the property of the Romanian state (Ibidem, p.91).

For the local, regional and national Romanian cultural life, the inheritance left by the Academy of Oradea in over a century and a half of function had and has a special meaning. Here took place, on 25 of July 1852, "The Reading Society of the Romanian Junimea Studying at the Academy of Laws from Great Oradea" the first Romanian association with national character ruled by Alexandru Roman, former student of the Academy (Buletinul..., 1928, p.10). Then, in 1922, Bogdan Ionescu puts the bases of the cultural association "The Romanian Athenaeum", and in December 1929, with the help of the teachers' group of the Academy and some local intellectuals, it is founded the cultural association "The National House"(Ovidiu Bozgan, 1995, p.89). All the Academy's activities from the inter-war period have been mentioned in two of its

publishing, "Bulletin of Law Academy from Oradea, period 1918/19-1927/28" appeared in 1928 and "The Festive Anniversary of King Carol the 2nd Law Academy" of 1930, the last one celebrating 150 years from the founding of the institution, as well as in the local news-papers "The West Gazette" and "Tribune".

The Academy's teachers were highly involved in the local, national and international life. As examples could be: PhD. Iacob Lazăr, who had been chosen as deputy of Aleșd in 1920, PhD. Victor Cădere named, gradually, ambassador at Warsaw, deputy and general secretary at the Minister of Internal Affairs and ambassador at Lisbon during the Second World War. The great specialist in International Law, PhD. George Sofronie, was the prefect of Bihor county, mayor of Oradea and deputy. Another teacher, PhD. Bogdan Ionescu, was also prefect of Bihor county as well as Tiberiu Moșoiu, vice-president of the Chamber of Deputies in the Romanian Parliament (Ibidem, p.87).

The graduates of the Academy's law lectures occupied important positions in the local and national administration, for instance: dr. Coriolan Pop, first prefect of Bihor County inside the Great Romania, former Academy student during 1882-1886, or dr. Gheorghe Plopu, councilor and prime president of section at the Romanian High Court of Cassation, studied between 1877-1881, dr. Aurel Lazăr, Minister of Resort inside the Dirigent Council, deputy, was a student between 1890-1894, or dr. Nicolae Zigre, sub-secretary of state, vice-president of the Romanian Senate and former substitute teacher at the Academy, and the list could go on (Buletinul..., 1928, p.10).

For the city of Oradea, the functioning, in its areal, of this educational institute with academic statute in which, up to 1918 had been formed the most Romanian jurists (Cornel Sigmirean, 2000, p.134) meant, the regaining, during the inter-war period, the statute of the most important cultural and spiritual center, situated at the Western border, auctioning as a vector upon the economy, culture and institutions of this region, helping to their organic integration inside the Great Romania. The gathered values during over two centuries of superior education represented a solid basis for the academic education, from this part of the country, after the Second World War.

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