

JURIST MIRCEA DJUVARA ON THE EDUCATION OF YOUNG PEOPLE (1939)

Professor Gheorghe CALCAN, PhD.

Petroleum – Gas University of Ploiești

calcangheorghe@yahoo.com

Abstract:

Our paper aims to draw public's attention to the conception that Mircea Djuvara, a prominent Romanian jurist (1880-1944), had of education. His ideas on the education of young people were published in the magazine Royal Foundations of 1939. Mircea Djuvara considered that, in the education of young people, besides the well-known factors, namely family, school, church and so forth, an important role could be played by new factors, such as the nation and possible examples provided by politics. Mircea Djuvara recommended that young people should get involved in social activities, and, by doing so, to promote national collectivity.

Keywords: *Mircea Djuvara, education, young people*

1. Mircea Djuvara: brief presentation of his personality

Mircea Djuvara was born in Bucharest in 1886, in a family with traditions in the Law field [1]. He graduated from “Gheorghe Lazăr” High school from Bucharest, being among the best students every year, and then he studied law, philosophy and philosophy at the University of Bucharest. As a young man, he was deeply marked by the personality and conception of Titu Maiorescu, fact which led to Djuvara getting closer to the intellectual group *Convorbiri literare (Literary Conversations)*.

Mircea Djuvara continued his intellectual formation at the University of Sorbonne, where he attended doctoral studies in Law, as well as at the Faculty of Medicine in Paris and at some universities in Germany. In addition to law studies, he participated in lectures on philosophy, mathematics, physics, medicine and psychology, being captivated by the lectures that Bergson would held at Collège de France. He published several articles in French scientific journals and in 1913, he obtained the doctorate in law [2].

Immediately after, Djuvara returned to his country, where he started his didactic activity at the Faculty of Law, within the University of Bucharest, teaching lectures in legal encyclopaedia and constitutional law and excelling in the fields of law

encyclopedia and law philosophy. He ascended all didactic levels: lecturer, associate professor and full professor (1932), and proved to be a very good speaker, which would explain the respect of his students. Moreover, as a professor, he attended numerous public conferences.

Furthermore, Mircea Djuvara had an intense diplomatic activity: he was a member of the Romanian delegation at the Peace Conference from Paris-Versailles (1919), the country's delegate to the General Assemblies of the League of Nations, and in 1924, he participated in the Romanian-Soviet Conference in Vienna.

With respect to his scientific activity, Mircea Djuvara was appointed a correspondent member of the Romanian Academy, the vice president of the International Institute of Law Philosophy and Legal Sociology and a professor at the International Law Academy in The Hague. Moreover, he was a member of the Romanian Social Institute, of the Institute of Administrative Sciences, of the Academy of Moral and Political Sciences, of Libere University, as well as a foreign member of the Academy of Sciences and Arts in Boston.

Mircea Djuvara was the Minister of Justice in 1936, Minister of State, member of the Parliament in several terms (1922-1938) and lawyer at the Ilfov Bar [3]. His scientific work includes over 140 titles that cover fields such as: general philosophy, legal philosophy, law theory, legal sociology and so forth [4]. He died in 1944.

2. Mircea Djuvara: On the Education of Young People

When analyzing the problem of social education of young people, Mircea Djuvara considered that this issue involved understanding the relationships between the individual and the society. The two universes, i.e. the individual and the society, coexist, and basically, they are not to be perceived as two diametrically opposed realities. "Individuals are almost impossible to conceive without the society" [5]. Therefore, he considered the existence of a bipolar reality.

Society is not a unit composed of separate individuals, as the individual and the social groups are interdependent. An individual evolves under the relation of consciousness and motivations, being influenced by the traditions that exist in that society. "All our thoughts, all our feelings, all our actions appear as a kind of reflexes of the society" [6]. The "Greek miracle" itself, as Djuvara argued when referring to

everything that ancient Greece had achieved in the field of science and art, could exist only when shaped and influenced Elada civilization. In conclusion, “society exercises a deep action on the soul of the individual” [7].

A child socializes in a certain environment in which he lives. At first, he/ she receives from the family and society, and then, at their maturity, they give back the fruits of the education they received. Therefore, it is obvious that education must play an important role in the formation of human personality. Djuvara knew and embraced the views on child psychology developed by well-known theorists of the time, from France (Jean Piaget), England, Germany, as well as from our country.

The Romanian jurist unreservedly supported the role of the action, of what we nowadays call *game*, in the formation of the child and of the human character. In this regard, he noted, that “at the beginning of [the formation of] consciousness there can only be action” [8]. A child’s play may later become sports game, that had a number of valences. Djuvara considered that discipline is freely assumed and very important, as it may acquire complex valences, since “game in a group sometimes involves very strict rules and, at the same time, voluntarily obeying them, which is in fact the ideal way of social life” [9]. By means of sports game, both the pride of getting good results and the admiration for what was beautiful were cultivated.

Mircea Djuvara approaches the issue of discipline philosophically, and in connection with the concept of freedom. “Listening to and subjecting ourselves to discipline is a great virtue, but the obedience given must not be that of an animal, but that of free and thoughtful human being” [10]. The answer to the question how a man could be disciplined, yet not blindly submissive, was simple: by reason, by the prioritization of goals and by a conscious and assumed choice.

The ratio between discipline / obedience and freedom was vital in the organization and functioning of the state. If man listened to and obeyed all state requirements, and did not think, he would neither be free any longer, nor be able to create, and, as a result, society would remain petrified and would no longer advance. “Discipline, if it is total and generalized” is nothing more to man than “an absurdity and an insult” [11]. Discipline, as Djuvara stated, is justified only for the fulfillment of a higher purpose, which man, by reason, understands, approves and accomplishes.

Discipline “must never degenerate into brutality”, it must be “freely received and, especially, freely understood, even when it implies inevitable rigor”. As far as possible, discipline must be “cherished, sought and loved even by the one to whom it is imposed” [12].

Djuvara’s vision of the discipline is, obviously, very profound and characterized by suppleness, philosophical background, as well as by the need to understand the rules of behaviour that are beneficial to the human being, and to the society in general.

When analyzing in depth and systematically the problem of young people’s education, the Romanian jurist brings to attention other elements of this process, such as the importance of personal example. Djuvara considers that “personal example contagion” could play a miraculous role, as it represents “one of the most effective means of education.” However, the affection between the educator and the educated is also essential. “The primary school teacher or any other teacher who does not know how to get closer to the child’s soul [...] can ultimately do more harm than good” [13].

Language and word play also their role in the formation of a young person, through the messages they carry and transmit, messages that could reach unexpected spheres. Words could sing to our soul “rhythmically” or in “musical phrases”. It was about using words in poetry and music, so that they may “work deep inside and be valuable means of education” [14].

Manual work and teamwork cannot be neglected in one’s development. Human activity brings the satisfaction of the “well-done work”, the feeling of solidarity and understanding of others’ wishes and needs. Djuvara emphasized the need to involve young people in common activities that were necessary for the community in which they lived. State authorities had the responsibility to train students in achieving “a healthy social ideal”. They were to be guided “to live an active life together”. Otherwise, young generation could become a prey to light demagogues, wasting time with harmful effects on the formation of this social segment’s personality [15]. “The individual can mature only by profession”, while the dilettante “always remains imperfect” [16].

When discussing educational factors, the traditional ones, such as family, school and church, are also taken into account by Mircea Djuvara. Within a family, the influence of the “warm connection between parents and children” was emphasized, as

well as the fact that any family that could achieve a strong cohesion in order to overcome difficult moments constitutes “a superior school of altruism and moral education” [17].

Djuvara did not insist on the role of school and church, as they were well-known factors in one’s development. The interposition of the communist regime in the Romanian history led to the circumvention of the church’s role in the process of forming one’s personality. However, in the interwar time, church was still a pillar of morality, compassion and altruism, and had been well founded at the beginning of the twentieth century [18].

Mircea Djuvara brought to public attention a less discussed aspect when it comes to the education of young people, namely the nation. “The man of our times is generally very sensitive to the call of the nation, which comes [...] from the depths of his consciousness.” This feeling is more prevalent in the difficult moments of a people’s history, when the individual “gladly” sacrifices both himself and his wealth “for the salvation of the nation he is part of” [19]. It was, obviously, an influence of the turbulent times that Europe was going through, namely the sacrifice of national integrity and independence of some states, as well as the outbreak of World War II. The reaction of Mircea Djuvara was that of a patriot’s, who in a turbulent era, saw his own country threatened [20].

When addressing the political sphere, Djuvara did not hesitate to highlight its educational value. The author debased demagoguery, opportunism and selfishness which he considered to be transposed in materialistic interests and the thirst for power. The politics must subordinate to the interests of the nation and be open to “those who, by forgetting themselves, feel the vocation to guide their society on the path of public progress” [21].

In Djuvara’s opinion, the educational ideal of his time should have been the harmonious formation of each individual’s personality, which had to be based on optimism, moderation and modesty and, further on, given back to the society under the form of a creative activity. Evil exists in us and in the society, but one must defeat it “for the sake of our exaltation and progress [...] and for the benefit of others.” The author

recommended young people to be energetic and to direct their energies “towards the ideal values of the spirit” and to the benefit of the society [22].

Djuvara emphasized that the ideal human being of his time could not be “that of the wise man of antiquity”, nor that of the “saint of the Middle Ages”, nor the ideal of the seventeenth century, or of any other past time. The ideal of his time consisted in “the cultivation of the self” and in “one’s active participation in the integrity of social life”. Isolation was nothing else but spiritual mutilation, and only by living a social life and through acts of courage, the fullness of human life could be shaped [23].

3. Conclusions

Throughout his life and career, Mircea Djuvara proved to be a genuine intellectual. He transcends the field of his profession and easily translates from law to various other areas, such as: diplomacy, philosophy, psychology, pedagogy, education, literature, oratory and so forth. Undoubtedly a voice of his time, Mircea Djuvara was in contact with the ideas of influential personalities of that time, such as Titu Maiorescu and Henri Bergson, and he appreciated the works of thinkers, such as Blaise Pascale, Jean Jacques Rousseau, Émile Durchein and others whom he cited in his research.

When addressing the issue of young people’s education, Mircea Djuvara demonstrated suppleness, honesty and realism. He was not a novice in the matter, and, at times, he proved a true avant-gardist [24]. Djuvara started from the universally valid concepts, from the realities of his time and of his society, in order to envision recommendations that were viable for his time and for the national community in which he lived. From generally valid principles, the author pictured the educational ideal of his present and, due to his life and professional experience, he managed to draw exhortations and words of wisdom for the education of young people.

Enlivened by patriotic feelings, Mircea Djuvara tried to inoculate them to the young generation as well and in order to do so, he did not bypass the example of the politics, advocating for honesty and involvement in the nation’s propagation.

His conception of education represented a real plea for the involvement of young people in action and in the society, as well as for discipline, which the jurist defined as an assumed and vital necessity and, essentially, as an expression of human freedom.

To conclude, Mircea Djuvara remains a true model, one of the greatest jurists of our nation, who got actively involved in several related fields and ennobled his profession through an encyclopaedic spirit.

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