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ROMANIAN CONSTITUTIONAL EVOLUTION AND POLITICAL REGIMES IN COMPARATIVE PERSPECTIVE: FROM ORGANIC REGULATIONS TO EUROPEAN INTEGRATION

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Abstract:
This article examines the evolution of Romanian constitutionalism from the adoption of the Organic Regulations in the nineteenth century to the contemporary constitutional framework shaped by European integration. Using a comparative historical approach, the study analyzes the relationship between constitutional change and political regime transformation, emphasizing the influence of European constitutional models on Romanian institutional development.
The analysis focuses on three major periods. The first explores the constitutional foundations of the modern Romanian state through the Organic Regulations, the Union of the Principalities, and the Constitution of 1866. The second investigates the constitutional transformations associated with democratic governance, authoritarian rule, and socialist constitutionalism during the twentieth century. The third examines the democratic transition after 1989, the impact of European integration, and the contemporary challenges facing constitutional democracy.
The findings indicate that Romanian constitutional development largely followed the dominant constitutional trends of successive European historical periods while preserving important national characteristics. Constitutional reforms were closely linked to broader processes of political modernization, state-building, ideological change, and international integration. The comparative perspective also reveals significant similarities between Romania and other Central and Eastern European states that experienced comparable constitutional trajectories.
The article concludes that Romanian constitutionalism evolved through a continuous process of institutional adaptation shaped by the interaction between external influences and domestic political realities, contributing to the broader understanding of constitutional development and political modernization in Europe.
Keywords: *constitutionalism; constitutional development; political regimes; Romanian constitutional history; political modernization; European integration.*

Introduction

The evolution of constitutional systems represents one of the most significant indicators of political modernization and institutional development. Throughout European history, constitutional reforms have frequently accompanied major political transformations, reflecting changing conceptions of governance, state authority and the relationship between citizens and public institutions. Consequently, the study of

constitutional development provides valuable insights into the broader processes of state-building and political change.

Romania offers a particularly relevant example of the interaction between constitutional evolution and political transformation. From the Organic Regulations of the nineteenth century to the constitutional framework associated with European integration, Romanian constitutionalism developed under the influence of both domestic political realities and broader European constitutional trends. Liberal constitutionalism, authoritarian governance, socialist constitutionalism and democratic reconstruction each left a significant mark on the institutional structure of the Romanian state [1].

The objective of this article is to examine the evolution of Romanian constitutionalism from a comparative perspective, emphasizing the relationship between constitutional change and political regimes. Particular attention is given to the manner in which successive constitutional frameworks reflected the dominant political and ideological orientations of their respective historical periods. At the same time, the article highlights the influence of European constitutional models on Romanian institutional development and the gradual integration of Romania into the European constitutional space [2].

Methodologically, the study combines historical and comparative approaches. The historical perspective facilitates the analysis of constitutional developments across different periods, while the comparative perspective allows the identification of similarities and differences between Romania and other European states that experienced comparable processes of political modernization. Through this approach, the article seeks to demonstrate that Romanian constitutional evolution was characterized by a continuous interaction between external influences and domestic political realities.

The article is structured into three main sections. The first examines the constitutional foundations of the modern Romanian state between 1831 and 1918. The second analyzes the relationship between constitutional regimes and political transformation during the twentieth century. The third investigates the impact of democratization and European integration on contemporary Romanian constitutional development. The study concludes by evaluating the broader significance of Romanian constitutionalism within the context of European political modernization.

1. Constitutional Modernization and State Building in Romania (1831–1918)

The origins of Romanian constitutionalism are closely connected to the broader process of political and institutional modernization that transformed Europe during the nineteenth century. In the Romanian Principalities, the Organic Regulations adopted in 1831 in Wallachia and in 1832 in Moldavia represented the first coherent legal framework for the organization of public authority and administration. Although they did not establish a democratic constitutional regime, they introduced principles of institutional governance that contributed to the gradual transition from traditional structures of authority toward a modern state model [1].

The constitutional evolution of the Romanian territories was strongly influenced by the liberal and national movements that emerged throughout Europe during the first half of the nineteenth century. The revolutionary events of 1848 played an important role in promoting constitutional ideas, political representation and national unity. These developments encouraged the formation of a political elite increasingly concerned with administrative reform, legal modernization and the consolidation of state institutions [2].

A decisive stage in the process of state-building was represented by the Union of Moldavia and Wallachia in 1859. The election of Alexandru Ioan Cuza as ruler of both principalities created the foundations of the modern Romanian state and accelerated the implementation of institutional reforms. Administrative, judicial, educational and agrarian reforms contributed to the modernization of public authority and facilitated the transition toward a more centralized and efficient political system [3].

The culmination of this process was the adoption of the Constitution of 1866, widely regarded as the first modern constitution of Romania. Inspired primarily by the Belgian Constitution of 1831, the new fundamental law established constitutional monarchy, representative government, ministerial responsibility and the separation of powers. These principles aligned Romania with the dominant constitutional traditions of Western Europe and provided the institutional stability necessary for further political development [1].

The Constitution of 1866 played a fundamental role in the consolidation of Romanian statehood. It created a legal framework capable of supporting the country's independence, proclaimed in 1877, and the subsequent transformation of Romania into

a kingdom in 1881. At the same time, the constitution contributed to the development of parliamentary institutions and strengthened the legitimacy of the modern state within the European political system [4].

From a comparative perspective, Romanian constitutional modernization followed patterns similar to those observed in other European states engaged in nation-building processes. Constitutional borrowing, institutional adaptation and administrative centralization represented common features of nineteenth-century modernization. Nevertheless, Romanian constitutional development retained specific national characteristics determined by the interaction between domestic political realities and external constitutional influences. This combination of adaptation and continuity would remain a defining feature of Romanian constitutionalism throughout its subsequent evolution [1].

2. Constitutional Regimes and Political Transformation in Romania (1918–1989)

The end of the First World War and the creation of Greater Romania generated profound political, social and institutional transformations. The incorporation of Transylvania, Bessarabia and Bukovina into the Romanian state required the establishment of a constitutional framework capable of ensuring legal unity and political cohesion. In this context, the Constitution of 1923 became one of the most important constitutional acts in Romanian history, consolidating the principles of national sovereignty, representative democracy and political pluralism within a unified state [5].

The Constitution of 1923 largely preserved the liberal principles established by the Constitution of 1866 while adapting them to the realities of an enlarged national state. The extension of political participation and the strengthening of parliamentary institutions reflected broader European democratic tendencies that emerged after the First World War. At the same time, the constitutional framework sought to facilitate the integration of territories that had previously functioned under different administrative and legal systems [6].

The interwar constitutional order represented the highest point of democratic constitutionalism in pre-communist Romania. Nevertheless, like many European democracies of the period, Romania faced significant challenges generated by economic

instability, political fragmentation and ideological radicalization. The growing influence of authoritarian doctrines gradually weakened confidence in parliamentary governance and contributed to the emergence of alternative political models [7].

These developments culminated in the adoption of the Constitution of 1938 under King Carol II. The new constitutional framework fundamentally altered the balance between state institutions by strengthening executive authority and reducing the role of representative political structures. The Constitution of 1938 reflected a broader European tendency toward authoritarian governance observable in several states during the late interwar period. Consequently, constitutional change became directly linked to the transformation of the political regime itself [8].

The outbreak of the Second World War and the subsequent geopolitical reconfiguration of Eastern Europe produced another major constitutional rupture. Following the establishment of communist rule, Romania abandoned the liberal constitutional tradition that had characterized much of the modern period. The Constitution of 1948 introduced a new model of state organization inspired by Soviet constitutional principles and established the foundations of socialist constitutionalism [9].

The Constitutions of 1952 and 1965 further consolidated the political monopoly of the Communist Party and institutionalized the ideological objectives of the socialist regime. Although these constitutional texts formally proclaimed extensive social and economic rights, political pluralism and genuine constitutional control mechanisms were absent. As a result, constitutional provisions functioned primarily as instruments of political legitimacy rather than effective guarantees of individual rights and institutional balance [10].

From a comparative perspective, Romanian constitutional development during the socialist period followed patterns similar to those observed throughout Central and Eastern Europe. However, certain distinctive elements emerged during the later decades of the communist regime, particularly the emphasis placed on national sovereignty and political autonomy within the broader socialist bloc. Despite these particularities, constitutional governance remained subordinated to ideological objectives and centralized political authority [11].

The period between 1918 and 1989 illustrates the close relationship between constitutional frameworks and political regimes. Democratic constitutionalism, authoritarian governance and socialist constitutionalism each generated distinct institutional arrangements reflecting the dominant political priorities of their respective eras. These constitutional experiences would profoundly influence the democratic transition initiated after 1989 and the subsequent reorientation of Romania toward European constitutional values.

3. Europeanization and Contemporary Constitutional Challenges (1990–2025)

The collapse of the communist regime in December 1989 initiated a new stage in Romanian constitutional development. The transition to democracy required the reconstruction of political institutions and the establishment of a constitutional framework based on the rule of law, political pluralism and the protection of fundamental rights. The Constitution of 1991 represented the legal foundation of this transformation and marked Romania's return to the European tradition of democratic constitutionalism [12].

The adoption of the Constitution of 1991 was part of a broader process of political and institutional reform that affected the states of Central and Eastern Europe after the end of the Cold War. Similar constitutional transformations occurred in Poland, Hungary and the Czech Republic, where democratic governance replaced socialist political systems. In Romania, constitutional reform was accompanied by the gradual development of competitive elections, independent public institutions and a constitutional system designed to prevent the concentration of political power [13].

A major objective of post-communist constitutional development was integration into Euro-Atlantic structures. Romania's accession to NATO in 2004 and to the European Union in 2007 accelerated legislative harmonization and institutional modernization. Constitutional development became increasingly connected to European legal standards, particularly in areas concerning democratic governance, judicial independence and the protection of fundamental rights [14].

The constitutional revision adopted in 2003 represented an important stage in this process. The amendments introduced provisions necessary for European integration, clarified aspects of constitutional governance and strengthened mechanisms intended to

guarantee the supremacy of constitutional norms. As a result, Romanian constitutionalism entered a new phase characterized by the interaction between national constitutional traditions and supranational legal obligations [15].

European integration has generated significant benefits for constitutional development, but it has also produced new debates regarding constitutional identity, sovereignty and the relationship between domestic and European legal orders. Similar discussions have emerged in several member states of the European Union, demonstrating that constitutional adaptation remains an ongoing process rather than a completed project. The Romanian experience reflects these broader European trends and illustrates the challenges faced by contemporary constitutional democracies [16].

Another important issue concerns the resilience of democratic institutions. Recent European debates regarding the rule of law, judicial independence and institutional accountability have emphasized the importance of constitutional safeguards in protecting democratic governance. In this context, Romania's constitutional framework has generally demonstrated stability, while continuing to evolve in response to new political, social and legal challenges [17].

From a comparative perspective, contemporary Romanian constitutionalism represents both a continuation of earlier modernization efforts and a response to the realities of European integration. The constitutional trajectory followed after 1990 demonstrates the capacity of Romanian institutions to adapt to changing political circumstances while preserving the fundamental principles of democratic governance. Consequently, the contemporary constitutional order can be understood as the result of a long historical process linking constitutional modernization, political transformation and Europeanization [18].

Conclusions

The constitutional evolution of Romania illustrates the close relationship between legal institutions, political regimes and state modernization. From the Organic Regulations to the constitutional framework associated with European integration, constitutional reforms have reflected the major political transformations that shaped Romanian society during the nineteenth, twentieth and twenty-first centuries.

The analysis demonstrates that Romanian constitutional development largely followed the dominant constitutional tendencies of successive European historical periods. Liberal constitutionalism influenced the formation of the modern Romanian state during the nineteenth century, democratic principles shaped the constitutional framework of Greater Romania after the First World War, while authoritarian and socialist regimes generated fundamentally different constitutional arrangements during the twentieth century. Following the collapse of communism, democratic reconstruction and European integration became the principal factors influencing constitutional development.

The comparative perspective reveals important similarities between Romania and other European states that experienced processes of nation-building, authoritarian transformation, democratic transition and Europeanization. Nevertheless, Romanian constitutionalism also developed distinctive characteristics resulting from the interaction between domestic political realities and external constitutional influences.

The post-1989 period represents the most successful phase of constitutional consolidation in modern Romanian history. Democratic institutions, constitutional guarantees and the rule of law have been significantly strengthened through domestic reforms and European integration. At the same time, contemporary debates concerning constitutional identity, judicial independence and democratic resilience demonstrate that constitutional development remains an ongoing process.

Ultimately, the Romanian experience confirms that constitutional modernization is neither linear nor uniform. Instead, it is shaped by historical circumstances, political choices and institutional adaptation. As such, the evolution of Romanian constitutionalism contributes to a broader understanding of the relationship between constitutional change, political regimes and democratic development in Europe.

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