

CONSTITUTIONALITY, COMMUNISM AND MEMORY

THE YEAR 1952 – IMPOTANT MOMENT IN THE WORKING-CLASS DEMOCRACY IN THE PEOPLE’S REPUBLIC OF ROMANIA

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Abstract: The year 1952 represents for Romania a climax of export Stalinism, a moment when the power of Gheorghe Gheorghiu-Dej and of the communist leaders' group around him was established.

The collectivization of agriculture, the development of socialist property, the adopted repressive laws, the Party plenaries and the conferences of certain important professional sections of the society generating new people, the successive trials and sentences, as well as the Soviet Constitution of 1936, evidenced in the 87 articles of the Romanian fundamental Law of September that year, are the achievements of the totalitarian regime, which had managed to annihilate the course of Romanian democratic history and to forcefully trigger the process of alienation of citizens deprived of real rights. The authors present the main events in the People's Republic of 1952, trying to capture both the power struggle within the party and the drastic diminuation of private property.

Keywords: Constitution, power, repression, plenary meeting, communist regime.

Since the very first years from the setting up of the communist regime, the legitimacy question has represented a high priority for the party, the government and especially for the leaders of the unique party. In the 50' of the previous century, the relation between regime and society depended on the limited room for manoeuvre granted by Kremlin. During the phase of power struggle, Gheorghe Gheorghiu-Dej was interested in the people's confidence in him, using it as a means of obtaining Stalin's esteem. The Marxist doctrine defined government as an instrument of the working class, a political and institutional activity which permanently needed legitimacy, a self-regeneration through the state and the "disguised" propaganda of the party.

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Discussing the idea of legitimacy within dictatorial and totalitarian regimes, Stephen White explains the way the government is rightful and legitimate and that by virtue of this attribute its decisions can be observed without resorting to coercive measures¹.

The citizens' compliance with the government, without the intervention of coercive measures, through a dialogue between the regime and the society and a transfer of expectations and compromises proved to be idealistic, unrealistic, mere propaganda. David Betham ascribed to the government the character of a superstructure, of an autonomous unity, not connected with citizens, a fact which proved impossible to be put into practice for a longer period of time. The expectations and attitudes of the population who was the subject of the governing did not permit it².

Linda Cook remarked *the social contract* between party elites and society through which the totalitarian regime offered the population social policies (jobs, salaries, economic performance and efficiency, subsidized prices and services)³. Romania was constrained to accept the regime, because at “the moment of awakening” a forceful cancellation of it failed to be started. In Romania, the Communists' seizure of power is typical of the general European pattern of *People's Democracies*, a pattern conceived by Stalin. Initially, the Communist Party supported the policy of coalition governments, structures in which it gradually increased its influence and weight until, through Soviet protection and intimidation, it managed to successively eliminate its opponents, so as to become *the sole master of the power*. The radical and irrational restructuring of the old system of values and of the administrative, scientific and cultural institutions was aimed at creating the socialist ownership, as the property of the whole people, the necessary basis for moulding *the new man*⁴. The internal and international pressure of the Stalinist period left only a narrow space in which the concerns regarding legitimacy were hard to hold. During the first years of communist regime, though the society was an active actor, its degree of involvement was not the same with all the social categories. The conflict party-state versus society persisted throughout the communist domination with variable intensity.

The year 1952 represents the sample which demonstrates the effort made by the party and the leaders, headed by Gheorghe Gheorghiu-Dej, to strengthen their power in “the heat of the class struggle”, in “abolishing the dying, harmful and

¹ Stephen White, *Economic Performance and Communist Legitimacy*, in “World Politics”, vol. 38, nr. 3/1986, p. 462.

² See David Betham, *The Legitimation of Power*, Londra, MacMillan, 1991, p. 118.

³ See Linda J. Cook, *Brezhnev's Social Contract and Gorbachev's Reforms*, in “Soviet Studies”, vol. 44, nr. 1, 1999, p. 37.

⁴ Cezar Avram (coord.), *Introducere în istoria dreptului*, Bucharest, Fundația România de Măine Publishing, 2007, p. 286.

degrading capitalism”⁵. During that period of time they built a social basis of power by using physical and moral violence. During the sixth decade of the previous century, the pluralist political discourse was non-existent, the economy inefficient, while the population’s confidence in the Marxist-Leninist ideals was reduced by nationalization, collectivization, industrialization and forced urbanization. Class struggle was more than necessary because control over peasantry through collectivization “was incomplete, Gheorghiu-Dej’s situation as a leader was only partially consolidated”⁶, the party’s actions of internal purges were in full progress, “while the population’s discontent at the economic conditions and the fear of repression were a reality”⁷. The continuous aggravation of the generalised repression against the population mostly resulted from the methods already experimented in the Soviet Union and put into effect through the Soviet counsellors and through the communist repressive legislation.

The capital punishment for the “crimes” which were jeopardizing the state security and national economy (economic sabotage, group or individual terrorism, denigration of the regime, the party and the leaders etc.) became a law in January 1949, while a year later the repressive legislation was set to “improve” through the imprisonment of those who were directly or indirectly endangering the building of socialism. The acts of arresting and sentencing the ministers, the undersecretaries of State and the senior officials belonging to the Romanian governments of the 1920-1947 period, as well as extensive deportation in the summer of 1951 were followed by the displacement of a great number of workers and office workers from the Valea Jiului, Constanța and Brașov to the new building sites of the *socialist construction*.

The carrying on of the first five-year plan of the RPR was going to worsen both the pressure on peasantry and on other social categories in the urban and rural areas. The compulsory contributions, the acts of arresting and sentencing, the taxes collected through individual acts of violence brought out in strong relief the repression policy of the regime. The collectivization excesses emerging from the circulars and directives of the Central Committee of the Romanian Workers’ Party reveal the non-observance of the free consent, of the citizens’ basic rights and, last but not least, the demagogy of the alliance between workers and peasants. The year 1952 represents the climax of the continuous aggravation of the generalized repression against the population, in the first phase of implementing the methods already experimented in the Soviet Union.

On 15 January 1952 decrees were issued regarding milk and wool collecting and on 26 January, a decree concerning the carrying into effect of the monetary reform as well as the reducing of the commercial prices for the main food products

⁵ *Ibidem*, p. 288.

⁶ Dinu C. Giurescu (coord.), *Istoria Românilor. Volumul X. România în anii 1948-1989*, Bucharest, Encyclopedic Publishing House, 2013, p. 142.

⁷ *Ibidem*.

and industrial items were approved⁸. The monetary reform (26-27 January) represented a new confiscation of the monetary mass in circulation⁹ and a relevant connecting of the leu to the rubla¹⁰.

⁸ See Dinu C. Giurescu (coord.), *Istoria României în date*, Bucharest, Encyclopedic Publishing, 2003, p. 527.

⁹ The Decision of the Council of Ministers No. 147/1952 regarding the carrying into effect of the monetary reform and the reductions in prices, in force from 26 January 1952 to 24 November 1997, abrogated by Decision No. 735 of 1997. For details, see <http://lege5.ro/Gratuit/g42tknzu/hotararea-nr-147-1952-cu-privire-la-efectuarea-reformei-banesti-si-la-reducerile-de-preturi>, accessed on 30 March 2016:

Art. 7.

The old money is to be changed into notes of the State Bank, treasury bills issued by the Ministry of Finance as well as into division currency unlimitedly, as follows:

For population and private enterprises, the exchange is effected individually, on the basis of the following norms:

a) the sums of money in cash up to 1,000 old lei inclusive are to be changed in the proportion of 100 old lei for 1 new leu;

b) the sums of money in cash up to 3,000 old lei inclusive are to be changed this way: 1,000 lei in the proportion indicated at point “a” above, while the rest up to 3,000 old lei inclusive, in the proportion of 200 old lei for 1 new leu;

c) the sums of money in cash over 3,000 old lei are to be changed this way: 3,000 old lei are to be changed in the conditions stipulated at point “b” above, while the rest is to be changed in the proportion of 400 lei for 1 leu.

For the state-owned enterprises, institutions and organizations, as well as the cooperatist and public ones, the change of money in cash is to be effected in the proportion of 200 old lei for 1 new leu.

Art. 8.

The paying of the money orders, directions, cheques and postal orders to natural persons or to associations of natural persons, for which the necessary pecuniary means had reached the public institutions before the introductions of the new leu, is to be effected according to the stipulations of art. 7 of this Decision.

Art. 9.

At the same time with putting the new money in circulation, the sums deposited at C.E.C. bank to bring in more will be recalculated in the following way:

a) the balance of deposits up to 1,000 old lei inclusive will be recalculated in the proportion of 50 old lei for 1 new leu;

b) the balance of deposits up to 3,000 old lei inclusive will be recalculated in this way: 1,000 old lei, according to the stipulations of point “a” above, while the rest up to 3,000 old lei is to be recalculated in the proportion of 100 old lei for 1 new leu;

c) the balance of deposits over 3,000 old lei is to be recalculated in this way: 3,000 old lei according to the stipulations of “b” above, and the rest will be recalculated in the proportion of 200 old lei for 1 new leu.

Art. 10.

The postage stamps, fiscal stamps, stamped sheets of paper, in circulation up to the date of the monetary reform, are replaced by “I. L. Caragiale” new stamps, in the proportion of 200 old lei for one new leu. Beginning with 28 January 1952, one could use only new stamps.

Art. 11.

The monetary reserves of state enterprises, institutions and organizations, cooperatist and public ones, as well as of the collective agricultural farms, deposited in accounts in the credit institutions or in mutual accounts, will be recalculated in the proportion of 20 old lei for 1 new leu.

The way of putting the reform into operation and the incidents caused by it represented reason for starting a new phase of power struggle. At the same time with the harsh battle of the top leaders for gaining control of the party, the negative reactions of the rural population to the collectivization and those of the urban population to the rhythm of the socialist industrialization of the country and to “the imposed legality of the people” did not cease to appear¹¹. In February The Military Council was established, as “advisory body within the Armed Forces Ministry”, as well as other specialized institutions in the financial and administrative machinery¹². At the end of the same month (29 February – 1 March) the Plenary of the Romanian Workers' Party took place which, through the incriminating and unmasking tone of the speakers, put the Minister of Finance, Vasile Luca and the governor of the Bank of RPR, Aurel Vijoli in the category of “right-wing deviation”. Having as aim “the assertion of the guilt” of those persons, the plenary also managed to label Ana Pauker and Teohari Georgescu as activists having a “conciliatory attitude” towards the two accused persons. *The factional group*, anti-Party and anti-State, that is Luca, Pauker and Teohari Georgescu, who had become “unhealthy phenomena” at the moment of the monetary reform in the

Art. 12.

The monetary reserves of the private industrial and commercial enterprises, deposited in accounts in the credit institutions, are to be recalculated in this way:

a) the sum necessary for the normal activity of the enterprises, which will not exceed the total amount of the salaries paid to the workers registered for the second half of the previous month, will be changed in the proportion of 20 old lei for 1 new leu.

b) the rest will be recalculated in the proportion of 200 old lei for 1 new leu.

Art. 13.

The sums owed among enterprises, institutions and organisations, the population's payment obligations to the state are to be recalculated in the proportion of 20 old lei for 1 new leu. The same proportion is used for recalculating the debts in lei of the Romanian People's Republic to foreign states, after 1945.

Art. 14.

The embassies, legations and diplomatic offices of the foreign states, related to the Government of the Romanian People's Republic, will be allowed to change, on 28 January 1952 at the offices of the State Bank, all the sums of old lei coming from foreign currency delivered to the State Bank in January, the current year, up to the date of the monetary reform.

The exchange of these sums is effected in the proportion of 20 old lei for 1 new leu.

Art. 15.

Beginning with 28 January 1952, the salaries, pensions, grants, state grants to large families, as well as all the prices and tariff in force up to the date of the monetary reform are to be recalculated through dividing the sums by coefficient 20.

¹⁰ *Ibidem*, art. 4.

¹¹ Dinu C. Giurescu (coord.), *Istoria Românilor. Volumul X...*, pp. 153-154; Cezar Avram, *Deceniul stalinist. Colectivizarea în fața istoriei*, Panciova, “Libertatea” Press and Publishing House, 2005, pp. 134-137.

¹² See Dinu C. Giurescu (coord.), *Istoria României...*, p. 527.

financial and economic fields, were also criticized through a letter sent by the Central Committee to all the party organizations¹³.

Complying with the recommendations from Moscow, other two plenaries¹⁴ unmasked again the group of *deviationists* whom they removed from the party and state leadership, considering them “hostile elements”. The plenary of 26-27 May 1952, Gheorghe Gheorghiu-Dej presiding, had been thoroughly prepared by congresses held with the various categories of people paid from the state budget. A great importance was attached to the *Congress of the primary school teachers* on 10 April 1952, where Gheorghe Gheorghiu-Dej delivered an ample speech, meant to mobilize “the primary school teacher for the high mission, that of moulding the new citizen of our country, builder of socialism”¹⁵. On this occasion, the party leader was trying to obtain new supporters in the power struggle, appealing to the patriotic mission of “raising the young people as people thoroughly dedicated to the working people, to our Homeland, the Romanian People’s Republic, people dedicated to the peace cause, educated in the spirit of brotherhood between peoples, of boundless love for our liberator and friend, the Soviet Union, for the teacher of the workers all over the world, the science and culture master mind of genius, comrade Stalin, of bringing to the vast masses of the people the beacon of culture and science”¹⁶. In his speech, the party leader was expounding “the conception of the regime of people’s democracy regarding education”, considering that the young people’s education is a duty performed under “the cult of life, of creative work, the cult of tenacious struggle for the people’s happiness”, and not dominated by “the cult of death”¹⁷. In the view of the Romanian Workers’ Party, the enlightenment of the masses with the aim of “training the future citizens, conscious builders of socialism”, the reform of education had as priority, together with the training of the necessary staff for the building of socialism, also the liquidation of illiteracy and the enriching of the population’s knowledge “through assimilating the advanced Soviet culture together with learning Russian from the IVth grade of the primary school”¹⁸. Once in every group of 3-4 sentences of his speech at the Congress, Gheorghe Gheorghiu-Dej referred to the *great works of Stalin* who warned the communist world against the *harmfulness* of the activities

¹³ After asserting the success of the monetary reform in “eliminating the unhealthy phenomena which had appeared in the financial and economic fields”, due to the right-wing deviation of the anti-State, anti-Party and factional group of Ana Pauker, Vasile Luca and Teohari Georgescu, the letter ends with the mobilizing call to the party members to carry out the party line “for the economic strengthening of the country”; see Dinu C. Giurescu (coord.), *Istoria României...*, p. 528.

¹⁴ The Plenaries of 26-27 May 1952 and 19-20 August 1953.

¹⁵ *Speech delivered at the Congress of the primary school teachers of the RPR* (10 April 1952) by Gheorghe Gheorghiu-Dej, in “Studii. Revistă de istorie și filosofie”, anul 5/1952, nr. II/April-June, Bucharest, Publishing House of the Academy of the Romanian People’s Republic, p. 22.

¹⁶ *Ibidem*.

¹⁷ *Ibidem*, p. 27.

¹⁸ *Ibidem*, p. 28.

done by “amateurs and people pretending to know everything”, and also warned of the necessities of the *socialist society*, “in short the producing of stahanovists, technicians, educators, scholars”, necessary staff for socialism building¹⁹. The primary school teacher “should educate the pupils in the spirit of socialist patriotism and proletarian internationalism, in the spirit of the struggle against the internal and external enemies of the regime of people’s democracy”. The unique party, as well as the institutions of the People’s Republic, were engaged in “getting to know the inestimable values of the Soviet culture”, the “immortal works of Lenin and Stalin”, the writings of Puşkin, Tolstoi and Gorki. School was called to instill into the Romanians’ soul “the feeling of friendship and brotherly collaboration with the great Soviet people, love for the glorious Soviet Union, which liberated us and is helping us to build our socialist Homeland, love for our people’s best friend, Comrade Stalin”²⁰.

The Romanian communists’ obedience to Kremlin is also apparent from the telegrams exchanged on the occasion of celebrating 9 May 1952, addressed to “beloved Iosif Vissarionovici”. The telegram signed by dr. Petru Groza, on behalf of the R.P.R. government and by Gheorghe Gheorghiu-Dej, on behalf of the Central Committee of the Romanian Workers’ Party, addressed to “the brilliant leader of peoples, the father and best friend of the Romanian people”, was glorifying the great Stalin and “the memorable event of our history”, the victory of “the Soviet Union’s glorious armed forces against the fascist imperialism”²¹, a victory which had brought the Romanian people “for the first time in its tormented history, the true national and state independence, the foundation for our national rebirth”²².

The Plenary of 26-27 May 1952, Gheorghiu-Dej presiding, was aimed at unmasking and crushing “the infractional, anti-party and anti-state group consisting of Ana Pauker, Vasile Luca and Teohari Georgescu” considered to belong to the *Moscow wing*²³. Intangible until the year 1951, those persons were to be labelled as “tools” which had infiltrated among the decision-makers of the people’s democracy. Discussing the presented reports, the plenary attendance noted “the criminal opposition” of the exploiting classes, driven away from power, of the capitalist elements generated by the small-scale production of wares, as well as of the group of traitors around Vasile Luca. At the same time, the plenary highlighted

¹⁹ *Ibidem*, p. 29.

²⁰ *Ibidem*, pp. 29-30.

²¹ *Apud The telegrams exchanged on the occasion of 9 May 1952 celebration to comrade Iosif Vissarionovici Stalin*, in “Studii. Revistă de istorie și filosofie”, anul 5/1952, nr. II/April-June, Bucharest, Publishing House of the Academy of the Romanian’s People Republic, p. 20.

²² Even the great leader was satisfied “with the friendly salute on the occasion of the 75th anniversary of proclaiming Romania’s State Independence” (*Ibidem*).

²³ Mihnea Berindei, Dorin Dobrinu, Armand Goşu (editors), *Istoria comunismului din România. Documente perioada Gheorghe Gheorghiu-Dej (1945-1965)*, Bucharest, Humanitas Publishing House, 2009, p. 379.

the anti-Marxist conception of the right-wing deviationist group who had lost the sense of social class and had broken away from the party and the working class, a fact that contravened “the general direction set by the decisions and resolutions of the Romanian Workers’ Party”²⁴. The line of hindering the socialist economy development was also blamable, as well as the supporting of the capitalist sector, a fact that was seriously detrimental to the interests of the needy peasantry and the working class. The plenary resolution pointed out the party’s option of being guided by Lenin’s and Stalin’s doctrine. Comrade “Stalin teaches us that right-wing deviation is extremely dangerous because it means the capitalist elements’ influence reaching the working class and the party, because it represents the resistance put up by the main elements of the classes in the process of disappearing, because it puts the working class off its guard, it undermines the mobilizing determination of our country’s revolutionary forces, it discourages the working class and enables the capitalist elements’s offensive...”²⁵. The blaming of V. Luca’s activity set forth the visionary argument of Gheorghe Gheorghiu-Dej who “fought against that man’s hypocrisy, characteristic of right-wing deviationists”²⁶. In order to emphasize Vasile Luca’s “anti-party line”, “the communist memory” “was invoked”, bringing forward old deviations and factional methods practised even in the period of the party’s illegal activity”²⁷. The “leading” role in “the factional, unprincipled fights” of the years 1929-1931 consisting in attracting the Union of Communist Youth, the Red Aid and the trade-unions in these rather external than internal disputes, punished by the party leadership through “sending to jobs with low status” in the period 1932-1933, as well as the contribution to including “the democratic elements into the monarchist-fascist organization FRN, all these things constituted the counts of indictment appearing in the speeches delivered in the party decision forums. Other *serious* accusations (the stifling of criticism and self-criticism) were added to these “violations of the statute”, facts that harmed “the healthy raising of cadres and reduced their working enthusiasm and fighting spirit”²⁸. With such charges, the fate of the one who not long ago had been *obeyed and praised*, was sealed. It is to be noted that again the accused person was followed by other opponents, important members, considered by Gheorghe Gheorghiu-Dej as “dangerous for the party”, for its power and position in the communist state. The plenary of May 1952 regarded Teohari Georgescu as guilty “of lack of combativity against the class enemy”, of “losing

²⁴ “Scântea”, nr. 2364 of 3 June (Editorial).

²⁵ See I. V. Stalin, *Works. April 1929-June 1930*, vol. 12, PMR Publishing House, Bucharest, 1951, pp. 42, 384.

²⁶ “Scântea”, nr. 2364 of 3 June 1952 (Editorial).

²⁷ *Ibidem*.

²⁸ “Studii. Revistă de istorie și filosofie”, year V/1952, no. 2, April-June The Publishing House of RPR Academy, p. 12.

the revolutionary vigilance in his work”²⁹. In order to be penalized, Teohari Georgescu was criticized for not taking measures to send the profiteers for trial, people who rob the workers in towns and the working peasants”³⁰.

By a majority vote, the plenary decided that “comrade Ana Pauker had a position of supporting Vasile Luca’s right-wing deviation, that she had deviated herself from the party line, regarding agriculture and collecting for which she was responsible at the Central Committee of the Party and at the Government. This was especially to be seen in the delay in organising the agricultural associations for tilling the ground in common, TOZ type, in failing to give proper care to founding new collective farms, in permitting the kulaks to be in collective farms and in agricultural associations, as well as in the lack of interest in the problems of the MTS (machine and tractor stations) and of the State farms in which there gathered a great number of hostile elements”³¹. In order to be able to remove the person supported by Kremlin, the plenary brought forward accusations in the area of “left-wing deviations from the party line as regards forming collective agricultural farms by tolerating the violation of the principle of the working peasants’ free consent”³². The criticism expressed by Ana Pauker against Vasile Luca at the plenary in February 1952 was considered formal and insincere because the accused woman had had unprincipled relationships within the party leadership”³³.

The plenary meetings of 29 February – 1 March and 26-27 May 1952 *self-critically* analysed the activity of certain members of the party leadership, judging “as a significant weakness the fact that the party only tardily discovered the right-wing deviations”³⁴. It was considered that Vasile Luca had been able to carry on his anti-party activity owing to the support of Teohari Georgescu and Ana Pauker, “who had always a spirit of compromise and back-up of the right-wing deviation from the party line”³⁵.

The hindering of the party control, the stimulating of the capitalist elements in villages and towns, the slowing down of the rhythm of the country socialist industrialization, the violation of the principle of free consent in the socialist transformation of agriculture, the arresting and framing of a great number of working peasants and the “illegal and rude violation of the people’s legality” were the counts of the charge brought against “the Moscow group”. In fact, these accusations were related to the communist regimes which had functioned and

²⁹ *Ibidem*.

³⁰ *Ibidem*, p. 13.

³¹ *Pentru continua întărire a partidului*, in “Studii. Revistă de istorie și filosofie”, year V/1952, no. 2/April-June, The Publishing House of RPR Academy, p. 13.

³² *Ibidem*.

³³ *Ibidem*.

³⁴ The letter of the CC of the RWP sent to the party organizations and members in March 1952.

³⁵ “Studii. Revistă de istorie și filosofie”, year V/1952..., p. 13.

were to function with grievous violations of *the socialist legality*³⁶. As a result of the serious accusations the “factional, anti-party and anti-state” group was to receive drastic penalties: Vasile Luca and Lotar Rădăceanu were discharged from their top positions in ministries, Teohari Georgescu³⁷ – expelled from the CC Secretariate and from the Political Office and sent to humble jobs, Vasile Luca³⁸ expelled from the CC of the Romanian Workers’ Party and sent to be judged by the party control commission, while Ana Pauker³⁹, after receiving a warning, was no longer to be elected in the secretariate and the Political March Office⁴⁰. Gheorghiu Dej’s victory was recorded through the re-election of a new Political Office, Organization Bureau and a new Central Committee Secretariate whose members were, among others, the following: Gheorghe Gheorghiu-Dej, Alexandru Moghioroș, Iosif Chișinevschi, Miron Constantinescu, Gheorghe Apostol, Chivu Stoica, Emil Botnăraș, Petre Borilă, Constantin Pârvulescu. Ana Pauker, Liuba Chișinevschi, Gheorghe Florescu and Nicolae Ceaușescu are among those elected in the Organization Bureau. Gheorghe Stoica, Ghizela Vass and Nicolae Ceaușescu were elected as candidate-members. In the speeches delivered at the close of the plenary meeting proceedings, the general secretary of the Central Committee of the Romanian Workers’ Party pointed out “that the debates and the decisions made by the Central Committee proved the unflinching unity of the Party, of its leadership and its resoluteness in the struggle for elimination of the opportunism, and the spirit of compromise”⁴¹.

³⁶ Dinu C. Giurescu (coord.), *Istoria Românilor. Volumul X...*, Bucharest, Encyclopedic Publishing House, p. 150.

³⁷ “Comrade Teohari Georgescu had a conciliatory attitude towards V. Luca’s right-wing deviation, trying to hide his own right-wing errors, his lack of competitiveness in the face of class enemy and his losing the revolutionary vigilance” (*For the continuous consolidation of the party* in “Studii. Revistă de istorie și filosofie”, year 5/1952, No. 2/April-June, Publishing House of RPR Academy, p. 13).

³⁸ “Losing the sense of class, Vasile Luca detached himself from the Party, from the working class, he surrounded himself with hostile elements, rose against the general line of the Party, and introduced his own opportunistic right-wing line – of stimulating capitalist elements from villages and towns, thus causing serious damage to the state and creating difficulties in supplying the working people” (See *Pentru continua întărire a partidului*, in “Studii. Revistă de istorie și filosofie”, year 5/1952, No. 2/April-June, Publishing House of RPR Academy, p. 13). Vasile Luca would die on 27 July 1963 in Aiud after his death penalty was commuted to life imprisonment (It is important to see www.historia.ro/exclusiv_web/general/articol/vasile-luca-dej-nu-merit-sa-mor-inchisoare, accessed on 29 March 2016).

³⁹ This is the beginning of “comrade Ana’s” gradual expulsion from the political life. After her mandate of leading position in the Ministry of External Affairs ceased on 11 July 1952 and after her mandate of vice-president of the government also expired in September the same year, she would be expelled from the executive and the “security” service investigation would start, but not so ruthless as in the case of Lucrețiu Pătrășcanu; for details see Dinu C. Giurescu, *Istoria Românilor. Volumul X...*, p. 150.

⁴⁰ *The plenary meeting of the CC of the RWP 26-27 May 1952*, in “Studii. Revistă de istorie și filosofie”, year 5/1952, No. II/April-June, Bucharest, Publishing House of RPR Academy, p. 5.

⁴¹ *Ibidem*, pp. 6-7.

The decisions of the plenary in May had special repercussions on the peasantry. The income tax was settled for the members of GAS (state agricultural farms) and agricultural associations and also for kulaks⁴². In June hundreds of workers “having no connection with the rural world”, were assigned as presidents or secretaries in the people’s councils, with the task of controlling the peasantry on behalf of the party⁴³.

The power’s fear of the people’s movement of 1949-1962 determined the power network to be as little as possible tolerant to crimes. It developed the principle of systematic punishment, meant to cause apprehension and obedience. Technically, the function of continuous repression was assumed by the political police, the penitentiary system, the magistracy enslaved to the regime and necessarily integrated in the party and it was strongly supported and “covered” by the communist legislation. The evolution of the penal power witnessed no moment of “clemency” for the individual proprietorship, for the peasant trying to defend his property. It brought about a forceful mutation of the political and juridical principles and practices, managing to entirely take over the Stalinist legislation which had proved its brutality and compulsion force in the Soviet society of the years 20’ and 30’.

For the peasants’ evading to deliver and not delivering the quotas of products, which had become a mass phenomenon, the stipulations of Decree No. 183/1949 and Decree No. 33/1950 were not sufficient. So the Decree No. 131/1952⁴⁴ of 18 June was promulgated in order to make the penalties harsher. The act of not fulfilling the payment obligations written in the call entitled the authorities, by administrative way, to the arresting, the interrogation and even detencion of the debtors, without any special or previous consent from the body of judges (art. 2). That is why during the years 1952-1955 there were many convicts from the country villages, without judgement or trial. Simultaneously, a directive was issued through which “the young people with an unhealthy social origin” were incorporated in militarily organized working detachments⁴⁵.

On the same line of worsening the repression and coercion by juridical measures, the Decree 202/1953⁴⁶ was issued in order to abrogate Decree 183/1949 and Decree 199/1950. Keeping the penalties of the abrogated decrees, the Decree No. 202/1953 introduced new penalties, as well as the ones taken over from Decree No. 111/1951 and Decree No. 405/1949. In all “the offences punished through the decree, the law courts will also pronounce the total forfeiture of the convicted people’s property” (art. 4). The instigators, the accomplices, the supporters and the

⁴² The tax increased by 50%.

⁴³ Cezar Avram, *Politici agrare în Oltenia anilor 1949-1962. Mutații socio-economice în satul românesc*, Craiova, The South Publishing House, 1999, pp. 118-121.

⁴⁴ Official Journal No. 30 of 18 June 1952.

⁴⁵ General Management of Labour Department – DGSM; For details see also Dinu C. Giurescu (coord.), *Istoria Românilor. Volumul X...*, p. 529.

⁴⁶ Official Journal No. 15 of 14 May 1953.

concealers “are to be penalized by the punishments stipulated in the decree for the perpetrators” (art. 5). The acts of preparation and attempt are punished in the same way as “the consumed offences, while not denouncing an offence depicted in the decree is penalized by severe 3 to 10 years imprisonment (art. 6). If the law court ascertains that there are extenuating circumstances, instead of death penalty “hard labour and imprisonment for life or for indefinite time is to be applied (art. 7)”. The acts referred to in the Decree No. 202/1953 were judged by the military law courts (art. 9)⁴⁷.

In August and September there was the *Canal Trial* of “elements alien to the class and having hostile feelings”, who had trickled into leading positions of the General Management of the Danube-Black Sea Canal⁴⁸, a process that led to hard imprisonment (20-25 years) and total forfeiture of property. At the same time a number of members and personalities of the historical parties, as well as former officers of the royal court.

On 20 September the Ministry of State Security was set up which included the State Security General Department, with minister Alexandru Drăghici⁴⁹. During 22-24 September the session of the Great National Assembly took place, which adopted a new fundamental law appreciated by the party officials as the document representing “the balance of the historic achievements attained until its adoption by the working people of our country on its way of socialist building”⁵⁰.

The Constitution of 1952 confirmed the consolidation of the people’s democratic power, the goals of complete eradication of the contradiction between the socialist character of the state power and the character of production relations based on private ownership, expressing “the stage of maximal sovietization of the Romanian People’s Republic”⁵¹. Its pattern was I.V. Stalin’s Constitution of 1936 “whose articles it largely resumes” (84 maintains the Soviet wording)⁵². In the introductory chapter, the Constitution proclaimed Romanian as “state of the working people in towns and villages”. Further, the subordination to the Soviet Union was emphasized by stating that “the creation and consolidation of the people’s democratic state, the friendship and alliance with the great Soviet Union” were meant to ensure “the independence, state sovereignty, development and flourishing of the Romanian People’s Republic”⁵³. The foreign policy was described as “a policy of defence of peace, a policy of friendship and alliance with

⁴⁷ Cezar Avram, *Politici agrare ...*, p. 83; Gail Kligman, Katherine Verdery, *Țăranii sub asediu. Colectivizarea agriculturii în România (1949-1962)*, Iași, Polirom Publishing House, 2015, p. 128.

⁴⁸ Apud Dinu C. Giurescu (coord.), *Istoria României ...*, p. 530.

⁴⁹ *Ibidem*, p. 531.

⁵⁰ Official Journal No. 1 of 27 September 1952.

⁵¹ Dinu C. Giurescu (coord.), *Istoria României ...*, p. 531.

⁵² The text of September 1952 contains 105 articles: Idem, *The History of Romania ...*, p. 156.

⁵³ Official Journal No. 1 of 27 September 1952. In this sense, it is also to see *The Constitution of the Romanian People’s Republic 1952* available on <http://legislatie.resurse-pentru-democratie.org/constitutie/constitutia-republicii-populare-romane-1952.php>, accessed on 30 March 2016.

the Union of the Soviet Socialist Republics and with the countries having people's democracy, a policy of peace and friendship with all peace loving peoples". The equality between the national minorities was also reflected in providing the administrative-territorial autonomy of the Magyar population in the Szekler districts. In addition, it was stated that the state policy was aimed at "abolishing the exploitation of man by man and at building the socialism"⁵⁴.

As regards the state regime, the Constitution proclaimed *the regime of people's democracy*, which "represents the working people's power". The people's democratic state is a form of proletarian dictatorship, exerted by the party of the working class, among the state functions being that of repressing the classes inside the country, thrown down from power, the function of defending the country against external aggression, the economic and organizational function and the cultural-educational one. Based on these constitutional provisions, the new socialist system of state bodies was created and the replacement of the current state apparatus by a new one was carried out through the changes made to the laws of judicial organization and those of organization and functioning of the Prosecution department⁵⁵.

After mentioning the prerogatives and the way of setting up the supreme body, "the sole legislative body", namely *the Great National Assembly*, the role of the Presidium was defined, the forum that was to be turned into *Council of State* by law 1/1961⁵⁶. The *Council of Ministers* was considered as "supreme executive body and the body of state power management in the R.P.R.", being formed by GNA⁵⁷.

According to the Constitution, justice was performed by "*the Supreme Court of the R.P.R., the regional courts and the people's courts*, as well as by *special law courts*, founded by law" (art. 64). The law courts had the task of defending "the regime of people's democracy" and the working people's achievements, of ensuring "people's legality, public property and citizens' rights" (art. 65). *The Supreme Court* was elected by GNA for a period of 5 years. *People's assessors* were participating in the act of judging at all the courts, with the exception of the cases when the law stipulated otherwise. The proceedings were in Romanian, and in the regions and districts also inhabited by population of other nationality, the use of that nationality's native language was ensured. The state authority was also reinforced by having the *General Prosecutor* (chosen for a five-year period), by assigning the task of "superior supervising" of observing the laws by ministries and the other central bodies, by the local bodies of state power and administration, as well as by civil servants and the other citizens. He was responsible to the GNA,

⁵⁴ *Ibidem*.

⁵⁵ Apud Avram Cezar (coord.), *Introducere în istoria ...*, p. 293.

⁵⁶ *Ibidem*, p. 294.

⁵⁷ Official Journal No. 1 of 27 September 1952. in this sense, it is also to see *The Constitution of the Romanian People's Republic 1952* available on <http://legislatie.resurse-pentru-democratie.org/constitutie/constitutia-republicii-populare-romane-1952.php>, accessed on 30 March 2016.

and in the interval between sessions, to the GNA Presidium and to the Council of Ministers⁵⁸. The judicature structure and the Prosecuting magistracy had received a new regulation through Law No. 5 of 19 June 1952⁵⁹.

As regards *the administrative-territorial division* the article 18⁶⁰ of the Constitution settled on the following regions: Bacău, Baia Mare, București, Cluj, Constanța, Craiova, Galați, Hunedoara, Iași, Oradea, Pitești, Ploiești, Stalin, Suceava, Timișoara, The Autonomous Magyar Region. By the art. 19⁶¹, 20 and 21, the Autonomous Magyar Region was created, “made up of the territory inhabited by the compact Magyar Szeckler population, having an autonomous administrative management elected by the population of the Autonomous Region”⁶², on whose territory the laws of Romania, the decisions and rules of the state central bodies were compulsory. The regulations of this region were to be elaborated by the local power body and then submitted to the GNA for approval.

The Constitution of 1952 laid down *the citizens’ fundamental rights and duties* based on the major principle of equality of all the citizens, irrespective of sex, nationality, race, religion or level of education in all the fields of economic, political and cultural life. Moreover, any instances of chauvinism, racist hatred, national hatred or nationalistic chauvinistic propaganda were penalized by law. In addition, the equality of women to men was proclaimed, in all the domains of activity – economic, political, state and cultural –, an equality materialized in a series of provisions regarding protection of marriage and family, defence of mothers and children’s interests, setting up of maternity hospitals, creches and nurseries for babies and small children, the right to salary, the right to rest, social insurance and education in conditions equal to those of men. The Constitution recognizes the citizens’ liberty of conscience, freedom of speech, of the press, freedom of participating in assemblies, meetings, processions and demonstrations, the free use of mother tongue, inviolability of person and domicile, the secret of correspondence, etc. However, in reality, the citizens’s rights and liberties were infringed and great abuses were committed⁶³.

Work is declared “a duty and a point of how our for every citizen able to work”, after the principles “he who does not work, does not eat” and “from each one after their capacities”⁶⁴. The right to rest was ensured by setting the working day of 8 hours, the annual paid leaves, by putting rest homes, sanatoriums and

⁵⁸ *Ibidem*.

⁵⁹ Later the *State Arbitrage* (Law No. 5/1954) and *State Notary Office* (Decree No. 377/1960) were set up as well as public jurisdictional bodies: *the commissions for settling the work litigations and the councils of comradely judgement*; Avram Cezar (coord.), *Introducere în istoria ...*, p. 295.

⁶⁰ Later it was modified through Law No. 5 of 1956.

⁶¹ Modified through Law No. 5 of 1956.

⁶² Official Journal No. 1 of 27 September 1952. in this sense, it is also to see *The Constitution of the Romanian People’s Republic 1952* available on <http://legislatie.resurse-pentru-democratie.org/constitutie/constitutia-republicii-populare-romane-1952.php>, accessed on 30 March 2016.

⁶³ Avram Cezar (coord.), *Introducere în istoria ...*, p. 295.

⁶⁴ Ioan Scurtu, Ion Alexandrescu, Ion Bulei, Ion Mamina, *Enciclopedia de Istorie a României*, Bucharest, Meronia Publishing House, 2001, p. 30.

culture institutions at their disposal. The right to insurance against sickness or incapacity was materialized through “free medical assistance offered to the working people. As regards the right to education, this was secured through organizing and developing the state elementary education, general, compulsory and free of charge, through the system of state grants awarded to meritorious pupils and students of the institutions of higher, secondary and primary education and through organizing the free of charge vocational education for the working people.

Concerning the exercising of one’s right to association, the Constitution stipulated that “the most active and conscious citizens from the working class, as well as among the other sections of the working people, get together and join the Romanian Workers’ Party, the working people’s vanguard detachment in the struggle for consolidating and developing the regime of people’s democracy and for building the socialist society (art. 86, paragraph 3). At the same time, the Romanian Workers’ Party was proclaimed “the leading force of both the organizations of the working people and also of the state institutions and bodies”, all the organizations of the people who work in RPR “gathering around it”⁶⁵.

Apart from the rights, the citizens had also certain duties: the obligation to observe the Constitution and the laws of the state of people’s democracy, to watch, strengthen and develop “the socialist public property”, to abide by work discipline and to actively contribute “to the consolidation of people’s democracy regime and the economic and cultural flourishing of the country”⁶⁶. These duties were to represent an important weapon of the communist regime⁶⁷.

It is laid down in the Constitution that there are three domains in the national economy: *the socialist domain, the domain of small-scale commodity output and the private-capitalist domain*. So, it was the first time that in a Romanian fundamental law there was mentioned the socialist property. This one “is either in the form of state ownership (people’s common assets), or in the form of cooperative-collectivist ownership (the property of collective agricultural farms or of cooperative organizations)”⁶⁸. In accordance with art. 6 paragraph 3, “the socialist structure, which holds the leading role in the RPR national economy, constitutes the foundation of the country’s development on the way to socialism”. The results of the nationalizations of the years 1948-1950, following the one in June 1948, are recorded in article 7⁶⁹.

⁶⁵ Art. 86, paragraph 4 of the Constitution of 1956.

⁶⁶ Official Journal No. 1 of 27 September 1952. in this sense, it is also to see *The Constitution of the Romanian People’s Republic 1952* available on <http://legislatie.resurse-pentru-democratie.org/constitutie/constitutia-republicii-populare-romane-1952.php>, accessed on 30 March 2016.

⁶⁷ See Mihaela Cristina Verzea, *Partidul stat. Structuri politice (1948-1965)*, Cetatea de Scaun Publishing, Târgoviște, 2013, pp. 201-202.

⁶⁸ Art. 6 paragraph 1 of Constitution of 1952.

⁶⁹ Art. 7 of the Constitution of 1952 stipulated that “The riches of any kind of the subsoil, the factories, plants and mines, waters, springs of natural energy, ways of communication of any kind, railway, fluvial, maritime and aerial transport, banks, post office, telegraph, radio, printing press, cinematography and theatre, state agricultural farms, machine and tractors station, village enterprises

The cooperatist ownership was collective property comprising: “the live stock and the dead one belonging to the collective agricultural farms and the cooperatives, the production obtained by them, as well as all their enterprises and buildings represent the public property of the collective agricultural farms and cooperatives”⁷⁰. The peasants members of the collective agricultural farms had the right to own for personal use a plot near the house and, as personal property, the household on this patch of land, the dwelling place, productive animals, fowls, small agricultural implements in accordance with the status of the collective agricultural farm.

The small-scale commodity production included “the small and medium-sized peasant farms, which had private ownership, (namely land) based on the producer’s own work, as well as the workshops of the handcraftsmen who do not exploit the work of other people” (art. 10).

The private-capitalist ownership comprised the kulaks’ households, the private commercial enterprises, the small-scale unnationalized industrial enterprises, based on exploiting the paid work, the state being “constantly engaged in a policy of restricting and eliminating the capitalist elements” (art. 11).

The right to personal property referred to the incomes and savings, obtained from work, the dwelling house and the adjoining auxiliary household, household utensils and items of personal use, as well as the right to inherit the citizens’ individual property.

The predominance of the state property was aimed at developing Romania’s economic life on the basis of the state plan of the national economy, in the interest of building the socialism. The foreign trade was state monopoly.

Putting the Constitution of 1952 into force would not make the People’s Republic more powerful, free and “so much the less the master of its own destiny”⁷¹. The Constitution was to be improved 11 times during the interval 1953-1964, the most important amendment being the one in the political administrative field, in March 1961⁷², when the Council of State was set up instead of the Great National Assembly Presidium, having Gheorghe Gheorghiu-Dej as president. The Constitution of 1952 reinforced the role of the party and that of the group of communist leaders around Gheorghiu-Dej. The entire activity of the state powers was subordinated to the party. For the first time it was emphasized, as condition, that “only the most active and conscious citizens from working people” belonged to Romanian Workers’ Party (ar. 86). The last two chapters (ch. VIII and ch. IX) were about the coat of arms, the flag, and the capital of RPR, new symbols that broke the Romanian tradition and marked the new trend of the regime.

and the nationalized part of the housing resources in towns represent the state property, common assets of the people”.

⁷⁰ Art. 9 of the Constitution of 1952.

⁷¹ Dinu C. Giurescu (coord.), *Istoria Românilor. Volumul X ...*, p. 157.

⁷² Official Journal No. 9 of 25 March 1961.

The month of November was to put into circulation the decision of the CC of the RWP and of the Council of Ministers concerning the building and rebuilding of the towns, a document that would start the carrying on of an ample process in the recent history of the Romanian state. The election of deputies for the second legislative period of the National Assembly on 30 November were going to consolidate the communist power, the Front of People's Democracy obtaining 98% of the votes⁷³. The year 1952 was coming to an end with a worsening of the forceful collectivization of agriculture, in spite of all the peasantry's resistance, with a new wave of political process, with maintaining the climate of terror and uncertainty for the citizens. At the same time, the political power of Gheorghe Gheorghiu-Dej' group became a certainty, while the obedience to the Soviet Union reached its climax.

⁷³ Dinu C. Giurescu (coord.), *Istoria Românilor. Volumul X...*, p.159.

