

Law Studies in Romania prior to 1860 —Historical Evolution, Convergence and Divergence at European Level

OANA IUCU

WE CHOSE to conduct a survey of the historic period up to 1859/1860, when the first modern universities were established in Romania (Iași University, established in 1860, and the University of Bucharest), precisely in order to support with comparative data both synchronic and diachronic evolutions against the similar process which occurred at the European level. After having dedicated to this topic several years of study and thorough research in various libraries and archives, we considered that promoting internationally the idea of the existence of a legal higher education in Romania prior to 1859/1860 was both a moral duty and an honor.

This research material has been structured starting from Max Hacman’s famous quote: “Animated by the noblest feeling of love for his country and nation, possessed by the sacred desire of seeing his country proudly standing, as of full right, besides the greatest nations of the world, the author makes a vivid appeal towards his peers, inviting them to support him to accomplish the goals proposed, even in a slightly different way, because he is aware he couldn’t find by himself a solution to satisfy everybody. *Yet no matter what, it is high time we provided our country with a modern law school without which it could not do!*”¹

1. Law studies in the Middle Ages—the first mentions of Law Studies between the 11th and the 14th centuries

THE FIRST proof of the existence of “organized” law studies on the Romanian territory is to be found at Cenad, Banat province, in the year 1028, with the first Latin-speaking school on the territory of our country, mentioned in The Legend of Saint Gerard. Given that it was a religious school, it was necessary that pupils be also trained in subjects such as Rhetoric and Dialectics.² The school was destroyed in 1241, during the great Tatar invasion, but the Cenad School developed subsequent to the invaders’ withdrawal in the 12th and the 13th centuries, “training during all this time

not only the staff necessary for churches, but also the staff needed to work in the chancelleries of the various feudal institutions and offices, such as: hack writers, jurists, tax collectors, etc.”³

2. The first law studies mentioned in documents during the establishment and consolidation of the Romanian Principalities—between the 14th and the 16th centuries

THE AUTONOMY of the two countries, Moldavia and Wallachia, facilitated the consolidation of the feudal society in all respects, while preserving certain particular features of undoubted importance, such as the population of free peasants. This situation also explains the limited division during the feudal period, as well as the impressive resistance to the expansionist tendencies of neighboring countries.

The educational establishments attached to monasteries and the bishop’s councils were meant to prepare the clergy and the servants of the prince’s court and those working in urban administration. Those schools were organized so as to satisfy the higher cultural needs required in order to instruct those working in the fields of education, religion and state administration.

*

At the monastic schools there were schoolmasters, educators, and teachers, called at the time “nastavnici” and “gramatici” (copyists, clerks). Those professions are mentioned in a large number of documents, indicating a sustained teaching activity. The basic activity carried out in the monastery schools was instruction, i.e. teaching the knowledge required by the needs of the Church and those of the administration. The *pravile* (codes of law), often also used as schoolbooks, had a significant instructive and educational role in the 15th and the 16th centuries. During this period were copied 13 such codes of law called, proving that there was an increasing interest for legal literature, an interest also justified by the need to having a better organization and regulation of life in the Romanian feudal society.⁴

The interest in the legal written documents is proved by the fact that Ghervasie copied Matthew Vlastares’s *Sintagma* (the Byzantine jurist’s Code of Law) in 1474—the first legal writing which was also used in the Romanian education process. Lucaci, a religious educator and teacher at Putna Monastery also copied such a code of law, a fact which also proves the interest shown by the medieval society in legal writings, necessary in a broader sense to train the young priests learning in the monastery schools.⁵

The administration of towns used to require a complex activity of enforcing the prince’s orders and the legal norms provided by the codes of law (*pravile*), as well as by the “*obiceiul pământului*” (in translation, “the custom of the place,” i.e. the unwritten norms used on the Romanian territories in the Middle Ages). This practice also saw the development of the urban schools of Severin, followed by the one in Craiova; those towns also had offices with clerks writing the correspondence, messengers, and employees charged with legal proceedings or with the administration of the treasury. The staff

employed by the administrative system of the county leaders was also made of educated people. Those persons received orders and issued sentences, etc., that is, they were performing activities which required a certain amount of knowledge.⁶

*

Given the volume of external relations and the various diplomatic activities they carried out, the offices of the royal courts (that is, the Royal Court and the court of the Transylvanian princes) used to employ secretaries to draft documents and correspondence in the main languages used for diplomatic purposes, as well as, naturally, clerks trained in our country. Those people were in charge of reading and translating the mail received and drafted in these languages the diplomatic documents issued by the prince. Due to the complex activities and operations related to governance and state administration, the royal court was first and foremost a practical school, training and educating the country's future rulers, that is, the rulers' sons, as well as the higher or lesser state officials and those in charge of administrative, tax or judicial matters, diplomats, etc.⁷

The first Romanian language school—the one in Șcheii Brașovului—played an important role in preserving and rising the awareness of the national unity within the Romanian people. The fate of this very first Transylvanian school, as revealed by documents, was closely related to Saint Nicholas's Church, located in the suburbs of Brașov called Șchei. Considered by Andrei Barseanu as merely “a primary school” or at the most a scholars' school, where reading, writing, and religious chanting were taught, it was seen by Nicolae Iorga as a “Slavonic-speaking school” educating people able to make the appropriate dogmatic distinctions at the time of an anti-Orthodox offensive conducted by both the Lutheran and the Calvinist church.⁸ Lately, the epilogue of a Romanian religious hymn copied in 1570 by psalm reader Oprea has led to the conclusion that the Șchei school was an urban type of school, including two tiers, the lower and the higher one, and was intended to educate psalm readers, priests, and administrative staff.⁹

At a time when secondary schools, colleges, and Latin schools, which already had centuries of tradition, were being established in Central and Western Europe, Jacob Heraclides the Despot created in Moldavia the Cotnari Latin School, in the spring of 1562. The cultural agenda of Despot Vodă also included an academy, envisaged not as a higher education institution, but rather as a circle of scientists that would have helped develop science and literature.¹⁰ Based on the previous analysis, one can notice that the grounds were thus laid for training young people capable of attending higher level schools, whose graduates were needed in urban administration.

*

The early history of the University of Cluj dates back to the Middle Ages. In a spiritual environment also influenced by the Humanist impetus of the time the Cluj University was established pursuant to a decree issued on 15 May 1581, and it was organized and managed by the Jesuits. Like the other European universities of the time, the higher education institution included three faculties: Theology, Philosophy, and Law. Here we have therefore the very first duly organized higher education structure operating in the field of law studies. The curricula itself was similar to that of the European universities of the time, and the young people studying there were awarded the title of “baccalaure-

ate,” master, and doctor, entitling them to the same rights as the graduates of universities in France, Italy, Spain, and Germany. The Cluj University was attended by young Transylvanian scholars, more than 130 in number back in 1585.¹¹

3. Law studies during the transition from Humanism to the Enlightenment—the 17th–18th centuries

THESE CENTURIES saw especially the development of the Slavic and Latin-speaking schools. The Sfântu Gheorghe Vechi School in Bucharest continued its activity from the previous century as a Slavonic and Romanian-language school. This institution played a particularly important role in educating clerks and copyists (charged to write the documents of the royal chancelery), civil servants for the local administration, and the clergy necessary for the churches.¹² Basic notions of the legal regulations of that era may also have been taught in that school. According to the regulations of the time, the future civil servants employed by the towns’ administrative apparatus had to know certain laws and codes of law, which were taught in those schools. The best known are ”Pravila aleasă” (1632) in Moldavia, and ”Pravila de la Govora” (1640), as well as ”Indreptarea Legii” (1652)¹³ in Wallachia.

*

Higher education in Transylvania saw the establishment of a new institution of this kind on the Romanian territory: the Alba Iulia College (1622), an institution meant to instruct well-learned people for the benefit of the state and of the Church. Gabriel Bethlen, a personality quite receptive to culture, understood that a country’s administration,—“public administration,” that is—is in fact “an intellectual activity which must be carried out systematically; which requires thorough knowledge and having a calling.”¹⁴ It is worth mentioning that when the college was established, the prince awarded several scholarships to poor but promising students.

In Moldavia, Vasile Lupu, supported by Metropolitan Petru Movilă of Kiev, established the Trei Ieharhi College in Iași. That happened back in 1640, according to most researchers. In terms of school structure and level, it cannot be considered an academy, i.e. “a kind of university,” but rather an intermediate-level college.¹⁵

In Wallachia, “The Greek and Latin School” of Târgoviște (1646–1651) is considered by experts the very first secondary and higher education institution to be established in the country, although its short existence ended in 1651. It is also worth mentioning here the Greek-language School—which became later the Royal Academy, founded during Șerban Cantacuzino’s reign—one of the higher education institutions where “high officials in the administrative law field”¹⁶ were instructed, since there was no specific and duly organized curriculum for such professions.

4. Law studies in the 18th and 19th centuries

THE MEASURES taken in Wallachia and Moldavia towards organizing the schools are to be considered in a broader context of social reforms, as part of a program reflecting the needs of 18th century Romanian society, as well as the beginning of the process aiming at modernizing the state administration and the education system.

*

Between 1714 and 1821, as long as the Royal Academies of Iași and Bucharest were in operation, the educational content was gradually directed towards scientific subjects; new interest was shown in the study of modern languages, of Law, Music, Painting, etc. The curriculum of the Royal Academy in Iași, especially the one dating from the period 1765–1821, shows a new orientation of the studies. This new curriculum included Modern Physics, Rational Psychology, Logics, Metaphysics, Trigonometry, Law, Architecture taught in Romanian, Engineering Design etc.

Compared to the schools in Central, South-Eastern Europe and Asia Minor, the Academies of Bucharest and Iași are older. For instance, Athens University was established in 1837, the one in Belgrade was created only in 1863, Sofia University in 1905, the Istanbul one in 1908, the same year when Cairo University was opened.¹⁷

In Wallachia, Gheorghe Lazăr—a rationalist spirit, animated by the ideas of the Enlightenment and showing the revolutionary inspiration of the time, driven by his passionate love for his nation and his country—disseminated a clear conception concerning the education of the people, as well as an enlightened program to help renew and modernize the education system.

The education curricula designed and then implemented by Gheorghe Lazăr in the school he had established and managed himself, a curricula presented in the paper called “Înștiințarea” (The Notification) to “our beloved, entirely honorable youngsters” was organized in a modern way, according to four grades (levels) of instruction.¹⁸ The higher grade of education included “the noble philosophical, legal, and positive science castes”—that is, the core of the future faculties of sciences, law, and philosophy.

Anania Cuzanu was appointed “nomofilax” (law teacher) at the Royal Academy in 1813. “The appointment of a law teacher at the Royal Academy of Iași in 1813 marks the moment when law became a study discipline in Moldavia.”¹⁹ Anania Cuzanu taught at the Royal Academy of Iași until it was abolished in 1821. There is no information left about the course content, yet it is certain that the course helped training the staff needed for settling litigations at the time.

It is worth mentioning about this historical period that the *Eforia* of Schools was concerned with sending young students with scholarships abroad, the latter promising, along with their parents, to come to Bucharest as educators once they completed their studies. Eufrosin Poteca and Costache Moroiu, among others, left for studies abroad with the prince’s approval. To begin with, they attended the “Romanian” law course for one year—as they called the Roman legislation and Roman law. As far as we know, Costache Moroiu was a poor man’s son. His legal knowledge acquired in his country was very modest, and therefore he had to make efforts to cope with the requirements of the Western European law faculties, while in Italy.²⁰

Both Eufrosin Poteca and Costache Moroiu came back from abroad in 1825 and were appointed as teachers at Sf. Sava College, for a 250 lei monthly wages.²¹

*

In Transylvania, the higher education system comprised the academies and the universities. All Academies used to have a single faculty (either Theology or Law), in addition to which philosophy was studied for two years. The Universities had four faculties: Philosophy, Theology, Law, and Medicine. The new education act called *Ratio educationis publicae*, issued in Buda in 1806, marked a regress as compared to the 1777 act. The first part of this act explains, however, the structure of the education system and the subjects to be studied during each and every year of study at the highest educational institution, which was the university.

As regards Hungarian-language education, it is worth mentioning that the multifaceted activity of the Catholics also determined the Protestant denominations in Transylvania to pay closer attention to schooling issues. The Unitarian College in Cluj had to confine itself in a small building after the Catholics occupied its original headquarters located in the downtown place. Three new subjects (law, universal history, and geography) were introduced during the second decade of the 18th century.²²

After the Bethlenian College in Alba Iulia was abolished, shortly after the middle of the 17th century, Transylvania lacked, for four decades, a higher education institution. Once the Habsburg dynasty started exercising its power over Transylvania and after the Diploma Leopoldinum was issued in 1691, the Imperial Court in Vienna decided to establish a higher education system in Transylvania. The new 1698 university headquartered in Cluj inherited all the assets of the former Jesuit university. The Jesuit College was replaced by another college at the beginning of the year 1774. The 14 teachers from the Inter-Confessional University (as Empress Maria Theresa envisaged the Cluj university) asked for the right to wear the “doctoral toga” to help increase their prestige in the public eye. The university college was run and organized by another monastic order (the Piarists), which was less conservative than the Jesuit order. The new Piarist college would include four faculties: Theology, with six departments, the Law Faculty, which had four departments, Philosophy, having four departments, and the Faculty of Medicine (with one, and later three departments).²³

5. Law studies during the period of national revival (1821–1848)

THE SCHOOL Regulation in Wallachia, which was mainly Petrace Poenaru and Barbu Știrbei’s achievement, was approved by the General Congregation in early 1833; the similar act in Moldavia was passed in 1835. These two regulations are the very first “education bills” in the modern sense of the term; the Wallachian document included 258 articles, Moldavian one had 234 articles, which were generally similar. Pursuant to this piece of regulation, the “public schools” were organized according to four educational levels, also with “independent courses.” There were three special courses: law, applied mathematics, and agriculture—all lasting for three years.

The law course, intended for the training of future lawyers, included notions on: civil and commercial law (first year), criminal law and criminal procedure (second year), the history of law and political economy (third year), using the “codes of law of our nation” (art. 16–50, 86 of the School Regulation).

The law course alone was operational in 1834 among all the special courses of the Bucharest college; it was delivered by Moroiu, who was paid 500 lei a month. During that year, the rulers of the country wanted to extend the scope of law teaching, and thus the new Regulation for the core seminar (attended by the students who aspired to hold high ranks in the ecclesiastical hierarchy) also provided that the church code be taught to the fifth grade and that the national Code of law be taught to the third grade, each of them three times a week, for one hour and a half.²⁴ A Department of Logic and Roman Law was established in 1837, for which Eftimie Murgu, who had read philosophy and law in Pest, was appointed as a substitute teacher from September 1, for a 500 lei monthly pay.

*

In December 1837, B. Știrbei as Grand Logothete of Justice proposed to establish two more departments within Sf. Sava College, in addition to the existing one of Civil Law: a commercial law and a judicial instruction department. According to Știrbei’s project, legal education lasted for two years: civil law was taught during the first year, while commercial law and judicial law were taught during the second year of study. For three years after the new organization was introduced, Știrbei considered that anyone who was more than 21 years old and had a good knowledge of the Romanian language could enrol for the law courses. Following this deadline, the door was only open for the candidates having passed the exams in the humanities. Anyone who graduated from the two-year course and was awarded a certificate could immediately be accepted “as a candidate to a judge’s office, where the Logothete of Justice was presiding, and after having completed one year of unpaid practice, they could be appointed to a paid position—the very first vacancy adequate for their abilities. The internship was mandatory for those holding a position as a judge, a prosecutor, a substitute, clerks, and administrative staff.”²⁵

The law courses delivered in Bucharest were organized differently, according to Law No. 249/1838. Costache Moroiu was appointed professor of Roman law; Stefan Ferikidis delivered the civil law course; Constatin Brailoiu was in charge of judicial and criminal law, while Alecu Racovita was the commercial law teacher. Among them, professor Moroiu was still the most appreciated jurist of the country, especially after Nestor’s death. A former student of his, I. Barbatescu, mentioned in the foreword to his work on the Caragea Code that Moroiu had a particular way of teaching Roman law, “explaining it plainly and logically; his judicious criticism, as a genuine philosopher, helped him understand more thoroughly the true principles of Roman and of Romanian law.”²⁶

One can notice that scholarships were awarded during that period to the deserving students. In May 1845 was sent to Paris G. Costa-Foru, the very first holder of a baccalaureate diploma in the country, followed on 10 April 1846 by C. Bozianu, who had been employed with the Control Office for 13 years and who went to Paris with a 150-ducats scholarship.

Due to the troubled events of that time, no special course, not even the law course, was held in 1848, 1849, and 1850.

*

The School Regulation in Moldavia provided for the following organization in terms of the education system: there were ordinary schools, which included the primary and secondary schools; academic schools (namely, three faculties: Philosophy, lasting for two years, the Law School, lasting three years, and the Theological school); two special courses: three-year courses in Geometry and two-year courses in Economy; and extraordinary schools.²⁷

A committee charged to reorganize Sf. Sava Royal Academy was appointed in order to apply the provisions of the Organic Regulation regarding education matters. The committee proposed to replace the existing law course with a Roman law history course. The proposal for the law course was that, after analyzing the content of our former and current Codes of law, the teacher had to present to students various authors' conceptions on law and to make a comparison between "the Codes of law of our country" and the "foreign regulations," laying thus the foundation for comparative law. The special law course also included political economy, which is "somehow an accomplishment of theoretical legislation." The committee mentioned that this subject must be taught using statistical data from various countries. C. Moroiu and N. Brailoiu are among the teachers having delivered courses in Bucharest at that time.²⁸

*

It is worth mentioning, when speaking about Transylvania, that starting from 1830 the Hungarian parliament, which persisted in pursuing its Magyarization policy also in the education field, decided that only the students having studied in the Hungarian language were allowed to become civil servants and lawyers. The Saxon Religious School managed to escape those decisions and was even able to open (in November 1844) a Saxon Faculty of Law in Sibiu, which could also be attended by non-Germans. 1387 jurists were instructed there during the school's four decades of existence. A Faculty of Law and Philosophy was established in 1846 at Timișoara under the supervision of the Catholic diocese of Cenad, alongside the Faculty of Catholic Theology (1806), yet it only operated until the end of the academic year 1847–1848.²⁹

*

The highest level of education in Moldavia was represented, subsequent to 1821, by the most important school—the Vasilian Gymnasium, 1828—, which included an elementary class, an ordinary two-year course, and four "humanities classes," as well as new subjects, such as The Knowledge of the Moldavian Civil Code.

The 1835 School Regulation, organizing all levels of education in Moldavia, established the operation norms for Academia Mihaileană, named, as we have already mentioned, in honor of Prince Mihail Sturza. According to this regulation, the higher education system in Moldavia included three faculties: Philosophy, Law, and extraordinary courses.

Studies at the Faculty of Philosophy lasted for two years. The students graduating from this faculty could enrol at the Faculty of Law, which had a higher education profile: natural law, universal and particular public law, statistics, civil law, political sciences, criminal law, civil and criminal procedure, and commercial law. Christian Flechtenmacher taught a law course in 1836. During his course, he pleaded for hon-

esty among judges and against the abuse of a tyrannical regime. In 1837, nevertheless, Flechtenmacher was not allowed to teach the law course anymore, being fired from his position as legal advisor.³⁰

Damaschin Bojincă, who had studied at the Faculty of Law in Oradea, was appointed as a teacher for the third year of the law faculty the autumn of 1841. The graduates of the Academy were expected to hold the highest positions in the state administration, a fact which made some members of the General Congregation declare themselves against academic courses—the graduation of which opened the path towards high positions to students who did not come from the great boyar class.³¹

6. Law studies prior to the Unification of the Romanian Principalities (1848–1859)

ACCORDING TO the 1851 *Law for the Reorganization of Public Education* in the Principality of Moldavia, public instruction was free of charge and “independent” for “all Romanians,” as the government had to take “rapid and energetic” action to ensure public education across the country.

The three-year long higher education program was taught at the Academy of Iași, which included the Faculty of Philosophy, the Faculty of Law, a one-year long midwife school, a four-year surgery school, and a theological science school.³² The curricula of the Faculty of Law in Moldavia comprised subjects from all legal disciplines, with a focus on both public and private law. More pragmatic elements were also highlighted in the law studies program.

*

The 1850 draft bill aimed to organize the education system in Wallachia provided that the purpose of instructions was, first and foremost, training “high officials and civil servants.” The reform was especially intended for the middle and higher levels of education. The law stipulated the establishment of a Faculty of Law for those taking up a judicial career, as well as a Faculty of Sciences and a school for agriculture and household economy. The curricula of the Commercial School, designed to be established in Bucharest, included, besides commercial arithmetic and algebra applied to commercial calculus, elements of commercial law and the customs legislation of the main states.³³

If we were to compare the learning curricula in Moldavia and Wallachia, we could notice that the courses taught in Moldavia were more numerous and more diverse, the most remarkable courses being: Forensic Medicine, the Encyclopedia of Political Sciences, Financial Science and Knowledge of the Administrative Institutions of Moldavia.

The certificate issued by the college was not enough for admission at the Faculty of Law; candidates also had to take an entrance exam with examinations in the following subjects: world history, Latin and a spoken and cultivated language (*Vestitorul Românesc*, 1851, no. 48). Various benefits were introduced in order to attract the young graduates of this school. No one could hold a higher administrative position, above that of department head, unless one held a law diploma. Moreover, one could not get a posi-

tion as a judge, starting from the level of first instance tribunal clerks, nor could one become a lawyer or a border surveyor without this particular diploma.³⁴

During the academic year 1851/1852, there were only pupils enrolled in the first year, therefore all courses were delivered by Costaforu and Bozianu, the latest being appointed as the school manager.

Știrbei-Vodă also asked the *Eforia* to take measures in order provide students with a scholarship and send them abroad to study civil and commercial law, stating that he wanted not just theoreticians, but rather practitioners, whom the country needed “to organize it and make it accustomed to live a modern life.”³⁵

*

The education system in Moldavia included three levels: primary, secondary, and higher education. “Higher education” was taught in four faculties: Philosophy, Theoretical, Medical, and Law, the title of “academy” being preserved. The newspapers of the time used to criticize the transition towards organizing higher education as long as neither the primary, nor the secondary education was organized properly. Preparations were nevertheless made to establish the Law and the Philosophy Faculties, whose seminars were to be held at the headquarters of Academia Mihaileană. Teachers such as Simion Bărnuțiu and G. Apostoleanu from the highest grades of the secondary system and Al. Papiu-Ilarian were employed at the faculty in 1855. The courses of the Faculty of Law started on 6 October 1855.³⁶

The Faculty of Law and that of Philosophy opened 18 March 1857. During the academic years 1856/1857 and 1857/1858, the higher education courses were held at what was then called the *Faculty of Law and Science*. Prior to the beginning of the courses for the second year of the Faculty of Law and Philosophy, in September 1858, the Teachers’ Council proposed several amendments to the curricula. A two-year program was introduced for the philosophy-related subjects that were mandatory for the students enrolled with the Faculty of Law.

*

In Transylvania, Simion Bărnuțiu was the one who brought the best arguments in favor of creating a Romanian university, showing that establishing such a Romanian higher education institution was “the desire of the Romanian nation.”³⁷ This university was to include all the four faculties to be found at any university at that time: Theology, Law, Medicine, and Philosophy.

As regards the Hungarian-language education, there were several higher education law schools operating in Transylvania, such as the one in Oradea, two law schools with three-year studies (1841), and one law school in Cluj, providing a similar type of instruction.

Conclusions

WE HOPE our analysis represents a step forward in our knowledge and clarification of the establishment of law schools prior to the Unification of the Romanian Principalities. As we pointed out at the beginning of our study, we have chosen this particular historical period because that was the time when the

first modern universities were established in Romania (the University of Iași in 1860 and the University of Bucharest), subsequently being created the first structured forms of higher education in the field of Law Studies, organized according to a curriculum and with well-grounded certification (national certified diplomas). Our initiative tried to bring forth some comparative data to support both the synchronic and the diachronic evolution of Law Studies, as compared to the similar process occurred at a European level, while establishing a position for Romania and its education of that time in the social, educational, and cultural space to which it belonged. Very important is the fact that law studies in Romania saw a historical convergence in regard to the European higher education system. □

Notes

1. Max Hacman, “*Reforma studiului de drept*” (Cernăuți: Editura Glasul Bucovinei, 1921), 11–12.
2. D. Radosav, “Un tratat necunoscut al lui Gabriel Ivul,” *Banatica* (1973). See also Oana Iucu, *Învățământul juridic din România—abordare istorică și metodică* (Bucharest: Editura Universității din București, 2005), 13.
3. Victor Țărcovnicu, “Școala de la Cenad,” in *Istoria învățământului din România*, vol. 1, ed. Ștefan Pascu (Bucharest: Editura Didactică și Pedagogică, 1983), 73.
4. Maria Comșa, *Cultura materială veche românească* (Bucharest: Editura Academiei, 1978).
5. St. Bârsănescu, *Pagini nescrise din istoria culturii românești* (Bucharest: Ed. Academiei, 1971), 106.
6. See also Pascu, 1983.
7. M. Bordeianu and P. Vladcovschi, *Învățământul românesc în date* (Iași: Junimea Publishing House, 1979), 34.
8. V. Oltean, *Întâia Școală românească din Scheii Brașovului* (Brașov, 1981).
9. M. Bordeianu and P. Vladcovschi, *Învățământul românesc în date* (Iași: Junimea Publishing House, 1979), 34.
10. St. Bârsănescu, “Schola latina de la Cotnari,” in *Pagini nescrise din istoria culturii românești* (Bucharest: Ed. Academiei, 1971).
11. Ștefan Pascu, *Universitatea Babeș-Bolyai din Cluj* (Cluj: Editura Dacia, 1972).
12. *Ibid.*, 244.
13. Gh. Pârnușă, *Istoria învățământului și culturii din București* (Bucharest: Semne Publishing House, 1971), 56, 63.
14. Pascu, 152.
15. P. P. Panaitescu, *Viața feudală în Țara Românească și Moldova* (Bucharest: Ed. Științifică, 1957), 544.
16. Nicolae Iorga, *Documentele Cantacuzinilor* (Bucharest, 1902), 64.
17. Pascu, 333.
18. A. Manolache, Gh. Dumitrascu, and Gh. Parnuta, *Gândirea pedagogică a generației de la 1848* (Bucharest: EDP, 1968), 22.
19. Ștefan Barsănescu, *Academia Domnească din Iași* (Bucharest: EDP, 1962), 69.
20. See also, Oana Iucu, 23.
21. A. Rădulescu, *Cercetări asupra învățământului dreptului în Țara Românească până la anul 1865* (Bucharest: Institutul de Editura și Arte Grafice “Flacăra,” 1913), 17, 20.

22. Nicolae Iorga, *Istoria învățământului românesc* (Bucharest: Editura Didactică și Pedagogică, 1971).
23. See also Manolache, Dumitrașcu, and Pârnuță, 22.
24. Rădulescu, 17, 20.
25. See also Rădulescu.
26. See also Rădulescu; Oana Iucu, 42.
27. Manolache, Anghel, and Pârnuță, 17.
28. Oana Iucu, 37.
29. E. Cernea and E. Molcuț, *Istoria statutului și dreptului* (Bucharest: Casa de Editura Sansa, 1993), 11.
30. Gh. Ungureanu, “Învățământul juridic în Academia Mihăileană,” in *De la Academia Mihăileană la Liceul Național* (Iași, 1936), 351.
31. See also Oana Iucu, 40.
32. Molcuț and Cernea, 12.
33. Rădulescu, 66.
34. See also Oana Iucu, 42.
35. See also Oana Iucu, 42.
36. Cernea and Molcuț, 26.
37. See also George Bariț, *Parți alese din istoria Transilvaniei*, vol. 2 (Sibiu, 1890).

Abstract

Law Studies in Romania prior to 1860—Historical Evolution, Convergence and Divergence at European Level

Interestingly enough, the historical evolution of law studies in Romania has gone together with the development of the main European education systems in general and with that of the legal education systems in particular, in either the divergent or the convergent sense of those systems' emergence and development. The analysis we have performed brings in, from the standpoint of our own scientific contribution, a broader perspective on the main education institutions providing legal training, by characterizing and integrating those institutions in the historic contexts specific for the major social and cultural stages of humankind. Our intention is to prove, using the historical analysis method as well as the study of educational documents stored with the National Archives of Romania, that the Romanian education-related institutions and practices in the legal field (Law Studies) have known both developments and involutions similar to the major European institutions of this kind. As part of the Old Continent, Romania has also been permanently seeking synchronicity. We cannot ascertain that it has indeed found it, but the research work has been certainly done thoroughly and its results are worth being made known to the scientific community around the world.

Keywords

law studies, Moldavia, Wallachia, Transylvania, education system, law schools, higher education