

## **RESEARCH ON LEGAL ASPECTS OF AGRICULTURAL LANDS IN BIHOR COUNTY FROM THE INTERBELICIAN PERIOD TO THE PRESENT**

**Blajovici (Balint) Alexandra Marilena\*, BrejeaRaduPetru\*\***

\*Agency for Payments and Intervention for Agriculture (APIA), 1, Matei Corvin Street, 410142  
Oradea, Romania, e-mail: alexandra\_mxm@yahoo.com

\*\*University of Oradea, Faculty of Environmental Protection, 26 Gen. Magheru St., 410048,  
Oradea, Romania, e-mail: alexandra\_mxm@yahoo.com

### **Abstract**

*This issue needs to be treated from a legal point of view in order to better understand the evolution of agriculture over time in Bihor county, due to the absence of administrative and legislative continuity, and implicitly of the stability of the entire agricultural system.*

*The situation of the territories held by the inhabitants of Bihor must be understood in the context in which only in 1918 Transylvania was united with the Kingdom of Romania, following that, in 1940, through the Vienna Dictate, Romania to give Hungary a large area of land, including from Bihor county. This situation was maintained until the 1946 Paris Peace Conference.*

*It will follow the evolution of agricultural lands in Bihor county, beginning with the inter-war agrarian reforms, the privatization of agriculture after the fall of the communist regime in 1989 and until the 1991 agricultural reform, valid and current, with an impact on agriculture and implicitly on agricultural production at the level of Bihor County.*

**Keywords:** (Bihor, land, agricultural, agriculture, interwar, legal)

### **INTRODUCTION**

The present paper presents a radiography on the legal situation of the agricultural lands and of the historical events that marked the destinies of the Bihorians, with a spatio-temporal limitation, respectively the Bihor County, from the interwar period to the present.

Bihor County is located in the northwest of Romania, with an area of 7544 km<sup>2</sup>, of which 499,600 ha is represented by agricultural land, according to (Wikipedia). It is bordered on the north-east by the counties of Satu Mare and Salaj, on the east by the county of Cluj, on the south-east by the counties of Alba and Arad, and on the west by the Republic of Hungary.

### **MATERIAL AND METHOD**

The study presents a series of general information that have been taken from the specialized literature, according to the mentioned bibliography, and those that refer to accurate data come from the records of the Ministry of Agriculture and Rural Development (MADR), the National Institute of Statistics (INS) and The Agency for Payments and Intervention

for Agriculture (APIA). We also used the information sources by accessing the websites: MADR, INSSE, APIA, and online publications with agricultural profile.

## RESULTS AND DISCUSSION

After the "Great Union" of 1918, another important historical moment took place in 1921, resulting in the appropriation of the peasants with land due to the expropriation of the big agrarians. As we know by "vocally" from our predecessors, the majority population was the peasantry who led a life "from day to day", so the necessity of a "reform" law was imposed.

By Law no. 3610/1921 for the Agrarian Reform of Transylvania, Banat, Crisana and Maramures, the colonization was regulated, aiming the formation of new villages or the enlargement of the existing ones, aspect also noted in Bihor county, respectively from the mountain area to the plains.

Dumitru Sandru considered this reform "the most radical of all the reforms carried out in the countries of south-east Europe".

Florin Constantin in the work "A sincere history of the Romanian people", showed that in 1912 Romania had a total area of 130,177 km<sup>2</sup>, and in 1920 it had an area of 295,049 km<sup>2</sup>. He pointed out that in the rural area the main occupation was land exploitation, in percentage of 90.4%. At that time, the population of Bihor was marked by massive losses of labor force, due to disability, as well as economic losses suffered after the First World War.

Shortly, the economic crisis took place in the inter-war period in 1929-1933.

According to the study conducted by Horia N. Lupan on the price and rent of the land in Romania, between years 1929-1930, in all the communes of the country, at the country level, the value of the lease was, according to the situation presented below.

*Table 1*  
Table showing the comparative situation of the average tariff of agricultural land (by Horia N. Lupan)

Land category	Sale price (lei)	Lease value ha (lei)	Lease %
Arable	20240	1438	7,10
Vegetable gardens	39080	3967	10,15
Natural hay	23939	1870	7,81
Pastures	9708	726	7,78
Apple orchards	38100	4160	10,88
Vineyards	56000	9000	16,03

The price of the lease had different values, depending on the location, region, soil quality, aspects that we encounter even at the present time.

In Bihor county, in the area called "Tara Motilor", until 1929, the communes were not owned. Given this situation, through the Decision of the Minister of Agriculture no. 2211 of April 29, 1929, it was decided to divide the meadows and the mountain gaps, distributing them to 59 communes in the area of Vascau and Beius: the Romanian state resumed the lands of Pietroasa and Budureasa commune, and the citizens became leases of the state.

Later, with the elections won by the Communists, another great agrarian reform was outlined through the preparation of the agricultural cooperativization. In 1945, there were political tensions concluded with the dissatisfaction of the masses followed by the approval of Law no. 187/1945 for carrying out the agrarian reform; certain aspects were provided that would correct the shortcomings in the real situation regarding the Romanian peasant.

Currently, we observe a reluctance of the Romanian peasant regarding the association, which probably appears as a consequence of the experience of the former CAPs. A series of important events have affected the life of the Romanian peasant, as follows:

-Starting with 1948, the struggle of the communist state against the rich peasantry is deepened.

-In 1949, appeared the Law on agricultural tax which provided for a progressive tax on the agricultural and non-agricultural income of the peasants. The year 1949 marks the forced collectivization. Through collectivization, the peasant remains the owner of the land, but only in impartible, the state being the decision maker. The state took by force from the peasants land areas through expropriations, donations, mergers and collectivization.

-The last agrarian reform with validity up to the present time and which essentially established the problem of retrocessions is the one enforced by Law no. 18/1991 of the land fund.

-Another big change is the one given by Law no. 247/2005.

## CONCLUSIONS

Compared to other European countries, it is acknowledged that the Romanian has the mentality of owning land.

I am of the opinion that, starting from this mentality, arises the fear of any form of association, having as result a lower production compared to other Member States of the European Union. The Romanian and Bihorians farmers choose to work their agricultural land in their own regime.

The current law of the land fund has suffered 24 major amendments, which indicates that this domain still has to suffer, implicitly affecting the Romanian agriculture and that of Bihor county.

Although it has been tried to be a modernized agrarian reform, in fact many abuses have been committed, starting from the possibility of the awarding commissions to decide if the refunds are made on the old or the new sites.

On the role of the courts there are even in present a long series of lawsuits aiming application of Law no. 18/1991, fact which indicates that he had many gaps.

Although there have been several changes and completions, the legal situation of agricultural land is not fully resolved even at the present moment.

## REFERENCES

1. Andrei Otetea, I, Popescu- Puturi, I Nestor, M. Berza, V. Maciu, 1970, History of the Romanian People, Scientific Publishing House,
2. Blaga Mihoc, Agrarian reform from 1921: a history of agriculture in Bihor county (1918-1940) Publishing house Muzeul Țării Crișurilor, 1994
3. Borcea Liviu, Medieval Bihor, Publishing house Arca, 2005
4. Constantiniu F., 2011, „A sincere history of the Romanian people”, Universe Enciclopedic Publishing House
5. Faur A., 2003, The behavior of the Soviet military in the western counties of Romania (1944- 1945), vol. II, The University of Oradea Publishing House,
6. Faur Viorel, Contributions to the knowledge of Bihor's history, Volum 1-2, Publishing house Muzeul tarii Crisurilor, 1970,
7. Moisa G., 2003 History of Transylvania in Romanian historiography, 1965-1989, University Press Clujana Publishing House, Cluj,
8. Sandru D., 1975, The agricultural reform since 1921 in Romania, Academy Publishing House of the Socialist Republic of Romania, Bucharest
9. Statistical Yearbook of Bihor County 2018
10. The General Agricultural Census from 2010
11. Paris Peace Conference July 19 - October 15, 1946
12. Decision of the Minister of Agriculture no. 2211 of April 29, 1929
13. The decree regarding the establishment of public services in Transylvania no. 3632 of December 11, 1918
14. The dictate from Vienna from August 30, 1940
15. Law no. 3610/1921 for the Agrarian Reform in Transylvania, Banat, Crișana and Maramureș
16. Law no. 18/1991 of the land fund
17. Law no. 247/2005 regarding the reform in the fields of property and justice, as well as some adjacent measures
18. Land fund law no. 59/1974
19. Law no. 187/1945 for carrying out the agrarian reform