

THE FORMATION OF ROMANIAN LEGAL ELITES AND NATION-BUILDING IN NINETEENTH AND EARLY TWENTIETH-CENTURY TRANSYLVANIA*

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During the second half of the nineteenth century, the Romanian elites and various Romanian-backed cultural-political, ecclesiastical and educational organisations in Transylvania began to make a concerted effort to improve the social-economic and educational standing of Romanians in the area as a means of avoiding political disenfranchisement and contributing to nation-building in the context of increased pressure to assimilate into the society of the Kingdom of Hungary. One of the primary coordinates of this effort was to increase the number of young Romanians trained in law at the universities and academies in the Dual Monarchy. The paper provides a comparative overview of the three main areas of employment in which Romanian graduates of law could return the support they had received from Romanian-backed organisations, and themselves contribute to nation-building: the attorneys employed by Romanian banks and credit institutes, the lawyers of the Romanian Greek Catholic and Orthodox dioceses, and the law graduates who worked as county attorneys in administration Transylvania after 1867.

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Fashioning a legal elite as a nation-building project

The conclusion of the revolutionary events of 1848–1849 meant the onset of the neo-absolutist period, for Transylvania as well as for the entire Austrian Empire. Basing his account on the contemporary notes left by Count Belcredi,¹ the historian John Deak characterised this period as an essential moment in the evolution of the Austrian political system and of the bureaucratic apparatus on which it rested. Precisely for this reason, Deak regarded the 1850s as the “*era of*

1 * This paper was supported by CNCS–UEFISCDI through the research project PN-III-P1-1.1-PD-2016-1468.

Egbert Belcredi (1816–1894), Austrian politician of Czech origin.

bureaucracy".² Within this context, the Romanians³ in Transylvania were facing an issue which had already been noted by revolutionary leaders such as Avram Iancu during the previous decade: the dearth of a Romanian juridical or legal elite, a category that would have been able to permeate the state's administrative apparatus, and in doing so become an instrument in fostering Romanian nation-building in the Habsburg Monarchy. In an attempt to resolve this deficiency, in 1850 Avram Iancu bequeathed his entire estate to establish a law academy with Romanian as a teaching language, stating that "*those who fight with the arms of the law will be able to draw out the rights of the new nation*".⁴ This phenomenon, encompassing the social-professional and class-building aspects of the process of nation-building, is worth exploring in the case of the Romanians in the Monarchy for two main reasons. On the one hand, individuals of Romanian ethnicity and either Orthodox or Greek Catholic denomination generally saw themselves faced with a more restricted space of action when it came to higher education in the Romanian language, whereas the networks of schools with German or Hungarian as a teaching language were much denser and more accessible in the area.⁵ This was especially visible in the case of higher education in law – a law academy with German as a teaching language in Sibiu/Nagyszében had already been established in 1844, while those whose native language was Hungarian could study law in Oradea/Nagyvárad, Cluj/Kolozsvár, or Budapest during the second half of the nineteenth century.⁶ This educational status-quo fed into a more limited avenue of professional and social-economic growth for Romanians in Transylvania more generally, as the process of elite perpetuation and recruitment – and even that of establishing a politically-enfranchised middle stratum – were hindered by fewer possibilities to ascend the educational ladder. Thus, the social and professional aspects of nation-building through the concerted support of an

2 DEAK, John. *Forging a Multinational State. State Making in Imperial Austria from the Enlightenment to the First World War*. Stanford: Stanford University Press, 2015, p. 99–100.

3 The qualifier "Romanian" is used in the present text solely to denote ethnicity, rather than citizenship. The text refers only to those individuals of Romanian ethnicity from the Kingdom of Hungary, and more precisely, from Transylvania.

4 "Lucian Blaga" Central University Library of Cluj-Napoca, Special Collections Fund, "Testamentul lui Avram Iancu".

5 See SIGMIREAN, Cornel. *Istoria formării intelectualității românești din Transilvania și Banat în epoca modernă*. Cluj-Napoca: Presa Universitară Clujeană, 2000, p. 179–202. Over 80% of the gymnasiums attended by Romanian pupils in the second half of the nineteenth century were confessional schools, including those in Blaj/Balázsfalva, Beiuș/Belényes, Brașov/Brassó and Năsăud/Naszód, the only ones with Romanian as a teaching language in the entirety of Dualist Hungary.

6 The abovementioned academies and universities were established early on: the academy in Oradea dated from 1780, the university of Cluj from 1872, and the Budapest university from 1667.

elite category – law graduates – can be very well highlighted in the case of the Romanians living in Hungary during Dualism. From this perspective, the present paper also attends to Romanian group-making as a political project, meant to fashion an increasingly politically-aware and socially-empowered group in the area.⁷

Despite the failure of the desideratum expressed by the '48 political leader, the mid- nineteenth century nevertheless witnessed the commencement of a concerted nation-building project which envisaged the formation of a Romanian legal elite, which drew the support of both private persons and other Romanian associations and institutions.⁸ The first notable achievement was the establishment of a series of foundations⁹ which offered scholarships to young Romanians wishing to pursue a higher education at one of the academies or universities within the monarchy. The highest share of scholarships was invariably provided to those wishing to study law.¹⁰ The project was perpetuated and cultivated during Dualism (1867–1918), and, as a result of this nation-building strategy, an extensive number of Romanian law graduates materialised in Transylvania

7 BRUBAKER, Rogers. *Ethnicity without Groups*. Cambridge, MASS: Harvard University Press, 2004, p. 13.

8 By this we mean the organisations and institutions that were specific to the ethnic Romanian group living in the Kingdom of Hungary, such as the Orthodox and Greek Catholic Churches, the myriad of cultural-educational associations that emerged in the second half of the nineteenth century, as well as the political groups that went on to establish the National Romanian Party. The term “Romanian-backed” is also used to designate those institutions whose membership consisted primarily of individuals of Romanian ethnicity, and for which the main sources of capital or funds were provided by persons from the same ethnic milieu.

9 Numerous members of the Romanian elite in Dualist Hungary bequeathed their entire estate or a large share of it in order to support the educational formation of young Romanians who wished to pursue university studies. Thus, a series of foundations emerged, which were administered by various institutions such as the Transylvanian Association for the Romanian Literature and the Culture of the Romanian People (ASTRA), or the Greek Catholic Metropolitan See of Alba Iulia and Făgăraş. Detailed information on the Romanian foundations which supported the formation of a Romanian elite in Dualist Hungary may be found in: SIGMIREAN, Cornel and Aurel PAVEL. *Fundația Gojdu (1851–2001)*. Târgu Mureş: Editura Universității “Petru Maior”, 2002, p. 137–142; SIGMIREAN, Cornel. Rolul fondurilor și fundațiilor de stipendii în formarea intelectualității românești din Transilvania în perioada iluminismului. In: CHIOREAN, Ioan, ed. *De la umanism la iluminism*. Târgu Mureş: Mica Doris, 1994, p. 137–142; URECHE, Lazăr. *Fondurile grănicerești născădene (1851–1918)*. Cluj-Napoca: Presa Universitară Clujeană, 2001.

10 SIGMIREAN, C. *Istoria formării intelectualității*, p. 257–262. The preference for law and medical sciences among Romanian students who did not pursue a career in the clergy has also been noted by PÁLFI, Zoltán. Ethnoconfessional Patterns of the Choice of Study Paths among Transylvanian Students of Law and Medicine (1900–1919). In: KARADY, Victor and Borbála Zsuzsanna TÖRÖK, eds. *Cultural Dimensions of Elite Formation in Transylvania (1770–1950)*. Cluj-Napoca: Ethnocultural Diversity Resource Center, 2008, p. 41.

towards the late nineteenth century: “almost every village had two, three, or four Romanian lawyers, who were thus compelled by the competition to take on every lawsuit”.¹¹ However, it was not just ardent competition that presented a challenge to Romanian lawyers in Transleithania, but pecuniary issues as well: the costs of establishing a lawyer’s practice could be prohibitively high at the time, especially for those with a modest background. In a 1902 letter addressed by a young Romanian law graduate to his uncle, a deputy in the Budapest Parliament, a detailed reckoning of the costs involved by opening such a practice was provided. Without accounting for the value of renting an office space, the costs to open up such a practice in a medium-sized town in Transylvania could run up to 300 Crowns (roughly 150 Florin).¹² This issue was compounded by the fact that these costs would have come at the end of a lengthy series of financial efforts already made over the course of the three-year university studies, and those spent obtaining a doctoral degree in law. Moreover, in order to become a lawyer, one had to successfully pass an examination in front of a committee of the Chamber of Lawyers¹³, which involved its own hefty entrance fee. Consequently, actual practice in this liberal profession entailed a consistent financial effort, which young Romanian law graduates, who were at the beginning of their career and generally stemmed from the ranks of the small landowning peasantry, could scarcely afford. Thus, the solution to this issue, which a considerable part of young law graduates pursued, was to seek gainful employment in their field of study as legal consultants or attorneys in various Romanian-backed institutions or organisations (banks, bishoprics, etc.) or to enter the civil service of the Kingdom of Hungary.¹⁴ Starting from these considerations, this paper will sketch out and analyse the spectrum of professional opportunities which revealed

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- 11 PUȘCARIU, Sextil and Magdalena VULPE. *Spița unui neam din Ardeal*. Cluj-Napoca: Clusium, 1998, p. 117.
- 12 Romanian National Archives. Bistrița-Năsăud County Service, Fund Alexa David, f. 185, 1–2.
- 13 Such an institution existed in each of the 27 juridical districts which comprised Dualist Hungary. KOVÁCS, Mária M. *Liberal Professions and Illiberal Politics. Hungary from the Habsburgs to the Holocaust*. Washington; New York; Oxford: Oxford University Press, 1994, p. 14–15.
- 14 As per BRUBAKER, R. *Ethnicity without Groups*, p. 14–16, I consider Romanian-backed institutions and organisations such as the two Churches – the Orthodox and the Greek Catholic – or banks and credit institutes with a majority of Romanian shareholders and a majority of Romanian members at management level as “organisations of and for ethnic groups”, in this case the ethnic group of the Romanians living in Hungary under Dualism. These organisations’ close entwining with cultural-educational counterparts such as the ASTRA or their alignment with the goals espoused by “ethnopolitical entrepreneurs” in the Romanian national movement made them stand out as representative of the mainstream Romanian nation-building efforts.

themselves to the young Romanian legal elite at the end of the nineteenth and the beginning of the twentieth century. This analysis will take on a comparative dimension, focusing on the office of attorney (*főügyész*) in three main sectors: banking, the ecclesiastical field, and the county-level civil service. Finally, it will explore what the narratives of these career pathways reveal about the intertwined processes of nation-building and elite formation in the area.

In narrowing down the focus of this prosopographical study, the research has been guided by the positional approach to elites,¹⁵ with some slight changes. Although we could not clearly assess from the onset of the study how large the resulting elite segment would be, we have employed several limiting criteria that helped to discern a coherent body of historical actors. Thus, the study focused on individuals of either Orthodox or Greek Catholic denomination, who had pursued an education in law during Dualism at one of the law faculties or academies in the Monarchy, and who had attained the position of attorney in three different fields. The three sectors noted above were selected as being roughly equivalent from an ethnical-institutional perspective, given their importance and ties to the Romanian national movement or to the political life in Hungary at a broader level.¹⁶ Attorneys employed by Romanian-backed banks, by the two Romanian churches in Transylvania, or those who managed to ascend the administrative hierarchy were part of an educational elite¹⁷ by virtue of their higher studies in the field of law. As their careers advanced, they could also grow into reputational elites¹⁸, who crafted and cultivated networks of influence and also sought political involvement. While not necessarily discernible as a social class, those who attained this professional level could be assimilated to a sort of legal bourgeoisie, as was the case in late nineteenth-century France: they shared its three main attributes of “*professional competence, comfortable incomes, and leisure to invest in public activities*”.¹⁹ Within the framework of elite historiography, this category has not yet been approached as such, with the majority of studies focusing on Transylvania preferring to tackle the more clearly delineated parliamentary,

15 HOFFMANN-LANGE, Ursula. Methods of elite identification. In: BEST, Heinrich and John HIGLEY, eds. *The Palgrave handbook of political elites*. London: Palgrave Macmillan UK, 2018, p. 80–82.

16 See note 12.

17 O’NEILL, Ciaran. How Should Historians Approach Elites? In: DENORD, Francois, PALME, Mikael and Bertrand RÉAU, eds. *Researching Elites and Power. Theory, Methods, Analyses*. Cham: Springer, 2020, p. 162–164.

18 PÁL, Judit. The study of the Hungarian elites of the 19th and 20th Century. In: *Historica: Revue pro historii a příbuzné vědy*, 2014, vol. 5, no. 2, p. 231–232.

19 CHARLE, Christophe. The Specificities of French Elites at the End of the Nineteenth Century: France Compared to Britain and Germany. In: *Historical Reflections*, 2010, vol. 36, no. 2, p. 10.

political elite²⁰ or the uppermost levels of the county administration, namely the Lord Lieutenants (*főispán*).²¹ At the same time, inquiries that pursue law graduates as an elite category in the Dual Monarchy tend to privilege the analysis of this segment only once it reaches the highest level of political involvement, namely in the Reichstag.²² The present study acknowledges that not all educational elites managed to attain an exceptional professional status or political power – and that, consequently, many had to pursue alternative career pathways, which came with their own specific issues and opportunities. Moreover, it sheds light on the often-precarious positioning of individuals who were educated at higher levels, had expanded or mobilised considerable resources in this sense, and who then found themselves employed under sometimes less than ideal conditions. Although the institutions and organisations they were employed by were hailed by mainstream Romanian press in the region as pillars of nation-building and actively supported religious-cultural and political development, their inner workings as employers exposed from this perspective reveal what might be called the makeshift nature of the “ethnic”-institutional infrastructure.

The study is structured as follows: the first section provides an overview of the three main fields of employment into which young Romanian law graduates could integrate themselves professionally, apart from establishing their own practices; the second section dwells into the contours and attributes of the office of attorney in the banking, ecclesiastical and administrative sectors, on the basis of archival material and institutional guidelines for staffing, emphasizing the material conditions of employment; finally, the third section offers a brief prosopographic analysis of this group of individuals, focusing on their educational background, place of study, the scholarships they had benefitted from, and their age at obtaining employment.

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- 20 ONOJESCU, Alexandru, IUDEAN, Ovidiu and Vlad POPOVICI. Parliamentary Representation in Eastern Hungary 1867–1918. In: PÁL, Judit and Vlad POPOVICI, eds. *Elites and Politics in Central and Eastern Europe 1848–1918*. Frankfurt am Main: Peter Lang, 2014, p. 211–224; PÁL, Judit. Representation of the Transylvanian Towns in the Hungarian Parliament and Town MPs after the Austro-Hungarian Compromise (1866–1875). In: PÁL, Judit and Vlad POPOVICI, eds. *Elites and Politics in Central and Eastern Europe 1848–1918*. Frankfurt am Main: Peter Lang, 2014, p. 225–248.
- 21 PÁL, Judit. Research on High Hungarian Officials in the Dual Monarchy. The Case of Transylvanian Lord-Lieutenants. In: ADLGASSER, Franz and Fredrik LINDSTRÖM, eds. *The Habsburg Civil Service and Beyond. Bureaucracy and Civil Servants from the Vormärz to the Inter-War Years*. Vienna: Austrian Academy of Sciences Press, 2019, p. 149–166.
- 22 ADLGASSER, Franz. Lawyers in the Austrian Parliament, 1848–1918. A Prosopographic Case Study. In: PÁL, Judit and Vlad POPOVICI, eds. *Elites and Politics in Central and Eastern Europe 1848–1918*. Frankfurt am Main: Peter Lang, 2014, p. 39–52.

Attorneys in the institutional landscape

The choice to seek employment in one of the three above-mentioned fields derived at least partially from their importance in the Romanian institutional and organisational landscape in Dualist Hungary. The banking sector, which “*absorbed a wide share of the Romanian youth*”,²³ spanned to include not only law and economy graduates, but graduates of theology, professors, etc. as well. This sector witnessed a concerted growth in the second half of the nineteenth century, paralleling the general process of economic modernisation in the Dual Monarchy. Young Romanians’ involvement in this sector also stemmed from what has been described as “*a sort of competitive separatism*”, which characterised the financial-banking system in Transleithania as a reflection of the general fragmentation of public life along national-ethnic and political lines in this area of the Empire. Thus, various Romanian groups strove to establish a majority Romanian-owned banking network as an instrument to enable the consistent financing of ethnical-political and cultural goals, and to account for gaps in the accessibility of financial instruments for Romanians in the area. What is more, the goal of Romanian-backed banks was to prevent the interference of the state into ethnical-cultural, political, and educational projects by offering these initiatives a financial lifeline that was free of other restrictions and conditions.²⁴ However, the Romanian banking system in Dualist Hungary only began developing several decades after the first banks were established in the Transylvanian Saxon (1836) or Hungarian-speaking milieus (1840): what could be termed the first Romanian bank in Transylvania – by virtue of its majority-Romanian management – was only established in 1872.²⁵ Moreover, the founding of the *Albina* bank in Sibiu/Nagyszeben in the early 1870s did not immediately bring about a significant evolution of this sector; it was only towards the end of the century that the number of banks and credit institutes catering primarily to Romanians witnessed rapid growth, coalescing into what might be called a veritable financial-banking system.²⁶

From a confessional perspective, 2/3 of Romanians in Transleithania were shepherded by the Orthodox metropolitan of Transylvania, who resided in

23 PUȘCARIU, S. and M. VULPE. *Spița unui neam din Ardeal*, p. 117.

24 BALOG, Iosif-Marin. The Clergy’s Involvement in the Romanian Credit System from Transylvania during the Late Nineteenth and the Early Twentieth Centuries. Case Study: the Greek-Catholic Clergy. In: POPA-ANDREI, Mirela, ed. *Recruitment and Promotion among the Romanian Greek-Catholic Ecclesiastical Elite in Transylvania (1853–1918)*. Cluj-Napoca: Mega, 2014, p. 163–166.

25 On the nationalities’ banking system in Transylvania see CIOBANU, Vasile et al. *Istorie financiar-bancară (1867–1918)*, Vol. 2, *Studii asupra băncilor săsești, românești, maghiare și slovace din Austro-Ungaria*. Cluj-Napoca: Dacia, 2001.

26 BALOG, I-M. The Clergy’s Involvement, p. 163–166.

Sibiu, while another 1/3 were part of the Greek Catholic church, headed by the metropolitan of Alba Iulia and Făgăraș, who resided in Blaj/Balázsfalva. The high clergy of both confessions played key roles in the Romanian national movement over the course of the entire Dualist period, owing to their leadership at the mantle of the two most powerful Romanian institutions at the time.²⁷ The two Romanian churches raised an effective bulwark against the cultural and educational Magyarisation policies enacted by the Budapest governments, owing to their infrastructural breadth, which spanned deep into local communities, their wide-ranging involvement in ethnical-cultural life, and the status they had been granted from a legislative perspective. At the same time, both the high-level clergymen and the parish clergy were well aware of the essential social and cultural-educational role they fulfilled at local level, within the ranks of their coreligionists in Dualist Hungary. Clergymen exerted a profound influence especially among the Romanian peasantry, a category which encompassed the wide majority of the Romanians, as well as through the extensive Romanian school network, which was almost exclusively confessional. Consequently, the Orthodox and Greek Catholic Romanian clergy took on the mantle of political as well as spiritual shepherds for those who shared their faiths and ethnicity. This was especially visible during electoral campaigns, when, lacking a party structure that could reach from the central political forums to the level of the regular voter, the lay political leaders of the Romanian national movement made use of the Church administration to implement their objectives, with clergymen becoming veritable electoral agents.²⁸ It is doubtless that the position held by the two churches in the Romanian national movement weighed heavily in their relationship with the governments of the Kingdom of Hungary. Over the course of the Dualist period, the churches' relationship with the state witnessed a meandering evolution.²⁹ Thus, alongside capable ecclesiastical leaders, the Romanian churches in Transleithania also required the service of clerks and attorneys with solid bases of legal knowledge in order to face an ever-growing myriad of challenges.

Young law graduates, regardless of their ethnical or confessional background, could also elect to pursue a career within the framework of the state administration.

27 DĂNCILĂ-INEOAN, Andreea, EPEL, Marius and Ovidiu-Emil IUDEAN. *Voices of the Churches, Voices of the Nationalities. Competing Loyalties in the Upper House of the Hungarian Parliament (1867–1918)*. Berlin, Peter Lang, 2019.

28 This has been observed for “economically less-developed regions” in the Monarchy by COHEN, Gary B. Nationalist Politics and the Dynamics of State and Civil Society in the Habsburg Monarchy, 1867–1914. In: *Central European History*, 2007, vol. 40, no. 2, p. 248.

29 On the role of the two Romanian churches in Dualist Hungary see HITCHINS, Keith. *A Nation Affirmed: The Romanian National Movement in Transylvania 1860/1914*. Bucharest: Encyclopaedic Publishing House, 1999, p. 169–220.

There have been very few accounts of Romanian civil servants who were active during Dualism in the administrative field. Recent historiographical enquiries have stated that the Romanian civil servants during Dualism were “*completely neglected, both individually and as a group*”, arguing that the reason for this historiographical cone of shadow laid precisely in their employment by the state.³⁰ The political and social role of these civil servants weighed heavily in practice, and evolved proportionally with their rank within the administrative hierarchy. The fact that civil servants often acted as intermediaries between the population at large or the different ethnical-confessional or cultural-educational institutions and the authorities of the Kingdom of Hungary, turned the integration of as many Romanians as possible within the state structures into a highly prized objective within the wider nation-building project in Dualist Hungary. At the same time, civil servants were also one of the main liaisons between the body of voters and the political parties. This made such officials recruited from the ranks of the different ethnic groups in the Kingdom of Hungary into a dear resource for the state as well, helping for instance to mobilise Romanian voters on behalf of pro-governmental candidates. For this reason, this social-professional category was a point of contention between the Romanian national movement, as headed by the national party, and the governing Hungarian party’s interests. It is perhaps not surprising that a wide majority of the adherents of the Romanian activist-moderate current were recruited from state-employed clerks and attorneys, as this political orientation’s essential trait was its willingness to cooperate with the Hungarian Liberal Party and, implicitly, with the Budapest government.³¹ Despite the Romanian county-level civil servants’ willingness to compromise and collaborate with the central and local authorities, Romanians did not enter this field of employment in great numbers. Although the number of public officials was on the constant rise during the Dualist period³² as was that of

30 POPOVICI, Vlad. Considerații privind funcționarii publici români din Transilvania. Studiu de caz: comitatul Sibiu și scaunele săsești care l-au format (1861–1918). In: *Anuarul Institutului de Istorie “George Barițiu” din Cluj-Napoca. Series Historica*, 2016, vol. LV, p.159.

31 The main political representatives of this current were the Romanian pro-governmental deputies, who were elected to the Budapest parliament. Almost two thirds of these were recruited from among the state civil servants. What is more, the electoral chronicles concerning their election unanimously record the considerable aid they received in their electoral bids from county-level civil servants, part of whom were Romanian. More on the Romanian pro-governmental current in Dualist Hungary can be found in IUDEAN, Ovidiu-Emil. *The Romanian Governmental Representatives in the Budapest Parliament (1881–1918)*. Cluj-Napoca: Mega, 2016, 257 p.

32 CHIOREAN, Ioan. Funcționăria din Transilvania în perioada dualismului austro-ungar (1867–1918). In: *Anuarul Institutului de Cercetări Socio-Umane “Gheorghe Șincai” al Academiei Române*, 2002–2003, vol. V–VI, p. 44.

Romanians adequately trained in the field of law³³, an overview of the distribution of law graduates according to ethnicity clearly suggests the authorities' intention to limit the access of non-Magyar individuals into this framework. This was suggested by a comparative analysis, which overlaid the share of Romanians in Transylvania around 1900 – over 50% of the entire population – with that of the Romanians employed as civil servants at the same time (a little over 7%).³⁴

From a temporal perspective, the present analysis focuses on the careers of Romanian law graduates between roughly 1895 and 1918. There are two main reasons for selecting these two chronological landmarks: on the one hand, 1895 marked the beginning of the government headed by Dezső Bánffy,³⁵ whose policies towards the ethnic groups in Transleithania were regarded as profoundly Magyarising, and thus affected the possibilities of professional evolution within the administration for educated Romanians; on the other hand, as has been noted earlier, the Romanian-backed banking system, where many Romanian law graduates found gainful employment, only began to develop significantly during the last two decades of the nineteenth century. If social capital is taken as an indicator, then three of the five most important Romanian banks were founded between 1885 and 1887, and a fourth in 1898.³⁶ Another argument for the selection of this temporal interval has to do with the primary sources used in the first step of the prosopographic analysis to identify the target group – Romanian law graduates who worked in banks, for the Bishoprics, and in the civil service –, namely banking yearbooks, ecclesiastical schematisms, and civil service schematisms. These only exhibit the continuity necessary for the analysis starting from 1895, with the exception of Austrian and civil service schematisms for the Kingdom of Hungary which began to appear in the mid-

33 Following the reforms of the liberal period, those who had graduated law at an academy could only be appointed to inferior administrative position. In order to accede to higher offices and the judicial field, as well as to establish a private practice, one needed to obtain the title of doctor in law. See KOVÁCS, M. M. *Liberal Professions and Illiberal Politics*, p. 14. On the great number of Romanian law graduates see SIGMIREAN, C. *Istoria formării intelectualității*, p. 172.

34 CHIOREAN, I. *Funcționăria din Transilvania*, p. 50–51.

35 One of the main political projects of the Bánffy government was to end the “agitations” engendered by the nationalities in Dualist Hungary, with a special focus on the Slovak, Serb, and Romanian ethnic groups. To this purpose a “department for the nationalities’ affairs” was created. The Bánffy government’s actions were characterized by the nationalities’ political leadership as having a profoundly anti-national component. On the activity of prime-minister Bánffy see KATUS, László. *Hungary in the Dual Monarchy (1867–1914)*. New York: Columbia University Press, 2008, p. 403–408.

36 These were the “Ardeleana” bank in Orăștie (1885), “Timișana” in Timișoara (1885), “Victoria” in Arad (1887) and “Bihoreana” in Oradea (1898).

1870s.³⁷ Moreover, the selected temporal segment, amounting to almost a quarter of a century, is limited by the end of the First World War, which coincided with the dissolution of the Dual Monarchy, the establishment of Greater Romania, and, consequently, profound political and social shifts which also left their mark on the Romanian juridical elite educated during Dualism in Hungary.³⁸

The office of attorney was on the staff lists in all three previously discussed fields of employment, and came with much the same attributions in each field. The county attorney was one of the central civil servants at county level, occupying a position that came immediately after the county commissioner (*alispán*), protonotary and vicenotary. Individuals in this office provided “*legal counselling*” for the institution hiring them, as the legislation of the Kingdom of Hungary made it clear that “*his [the attorney’s] opinion must always be upheld in any cause wherein the juridical point of view is the decisive factor*”. As “*guardian of the laws*”, the county attorney was tasked with representing the institution in its juridical causes, filing lawsuits when damages against the county were made, and proposing levels of fines to be imposed on transgressors. What is more, he was charged with overseeing all disciplinary causes filed against the county civil servants and communal authorities. Although he was a clerk within the state administration, he was prohibited from practicing law in private unless he had received a special dispensation from the state. This could in turn only be granted if private interests were not in contradiction to those the attorney was bound to defend in the state’s employ, and if the time spent in defending private interests did not hinder “*the timely resolution of his official agenda*”.³⁹

The office of attorney was likewise one of the most important positions among the banking staff, but could only be found on the roster of the most significant banks, whose profits were exceedingly high. Before the First World War, there were 14 such officials working at the top Romanian banks in Transleithania, who accounted for 1.5% of the total number of civil servants in the financial-banking

37 *Hof- und Staatshandbuch der Österreichisch-Ungarischen Monarchie*. Wien: Druck und Verlag der K.K. Hof- und Staatsdruckerei, 1895–1918 and *Magyarország tisztii cím- és névtára*. Budapest: Pesti Könyvnyomda-Részvény-Társaság, 1895–1918.

38 For the shifts experienced by the Romanian jurists after the Great Union of 1918, with an emphasis on those in the civil service, see POPOVICI, Vlad. Does history remember civil servants? A case study on the regime change of 1918–1920 in Transylvania. In: DOGARU, Cosmin-Ștefan and Cătălin ROGOJANU, eds. *Elites, networks of power and citizens (19th–21st century)*. Cluj-Napoca: Presa Universitară Clujeană, 2019, p. 121–140.

39 “*Articolul de lege XXI din anul 1886, despre municipalități*”. In: PÁL, Judit and Szilárd FERENCZI, eds. *Cadrul legislativ al administrației din Transilvania în epoca dualistă (1867–1918)*. Cluj-Napoca: Mega, 2020, p. 188, 191–192.

sector. According to the *Normative guidelines for the systematisation of posts for stable clerks* issued by the *Albina* bank in Sibiu, banking clerks who were entitled to pensions were divided into five classes. The model offered by the first Romanian bank in Dualist Hungary in what concerned the hierarchy of clerks and their attributions was then gradually implemented by the other Romanian banking institutions as well.⁴⁰ Thus, the first class comprised the director of the bank, while the second included the directors of the local branches, the attorney, the secretary, and the head accountant. At the end of the nineteenth century, the attorney benefitted from a yearly salary ranging between 1500 and 3000 Florin, which was only exceeded by that earned by the bank's director (2000–4000 Florin). To this hefty sum was added the financial support for “quarters”⁴¹, which varied between 20 and 30% of the yearly salary, and was granted only if the bank did not provide the clerk with a rent-free place of residence. An important contribution to the attorney's income was the sum earned from the bank's net profits, as a *tantième* or bonus.⁴² Additionally, every three years, the salaries of banking clerks, including that earned by the attorney, incurred raises of 10%. Salary raises given more often than once every three years were correlated with the respective clerk's extraordinary merits. At the same time, withholding of raises every three years could reflect the clerk's unsatisfactory handling of this tasks. All these financial inducements however depended heavily on the “*progress of the curated incomes of the bank*” over a three-year period. Generally, the annual yearbooks issued by the banks note that raises were regularly awarded, even if they were provided on occasion over lengthier, four or five-year periods. This should be correlated with the banks' financial progress, with its investments in new branches, rather than with any supposed inadequacies in the activity of the staff in general or that of the attorney, in particular. The annual reports drafted by this official show that, from the perspective of activities and expenses, the legal chancellery ran by the attorney played an important role in securing the positive evolution of the bank itself. Another provision of the *Normative guidelines* for banks provided that a clerk could not be paid the maximum salary allotted for

40 DOBRESU, Vasile. *Funcții și funcționalități în sistemul de credit românesc din Transilvania până la Primul Război Mondial*. Târgu Mureș: Editura Universității “Petru Maior”, 2006, p. 61, 63.

41 Rent.

42 Sums varied from one bank to another. The clerks employed at the “*Albina*” or “*Economul*” bank received an equal share from 4% of the bank's annual net profit. PETRA-PETRESCU, Nicolae. *Monografia Institutului de credit și de economii “Albina” 1872–1897*. Sibiu: Editura Institutului “Albina”, 1897, p. 173; DRONCA, Lucian. *Din politica financiară a românilor ardeleni: Banca “Economul” din Cluj (1886 – 1918)*. Cluj-Napoca: Presa Universitară Clujeană, 1999, p. 37–39.

his respective class until he had been under the bank's employ for at least two decades.⁴³

However, the salaries and bonuses earned by a bank's attorney were not this official's only source of income. According to the *Norms for the attorney of the [banking] institute*, the attorney could also engage in "private practice" with the "approval of the director and only outside the confines of the bank's office space and outside working hours". However, those private causes which were regarded as being in the bank's best interests, such as "petitions for loans or mortgages" could be handled from the legal chancellery without a conflict of interest. Some banks' guidelines provided a series of measures such as a lower remuneration for this office, closer to the minimum wage for this category, if the attorney also had a private practice. There is also record of situations where the banks' interests against their debtors were defended in court by lawyers who committed abuses, and thus damaged their employer's image.⁴⁴ For this reason, some banks elected to provide very clear guidelines as to the amount and types of fees that legal advisers could extract from debtors. Others even prohibited their attorneys from directly cashing these fees, and remunerated them from the bank's own funds instead.⁴⁵ This was one of the main reasons behind some prosperous banks' decision to eschew the previous cooperation with lawyers with private practices, instead preferring to establish their own – more costly – legal chancelleries.

The legal chancellery was regarded as a separate department within the banking institution, with several clerks working under the direct supervision of the attorney. The same official made the hiring proposals for his staff and determined their level of remuneration, within the limits set by the bank. This meant that for instance, networks of legally-trained kin, friends and acquaintances could in time manage to obtain employment in this profitable sector, through the decision-making power wielded by the attorney. Certainly, competence and merit also played a part, but the fact that relatively free reign in the hiring process was

43 Romanian National Archives. Sibiu County Service (hereafter ANRSJSB), Banca Albina, register VII, Procese verbale ale Direcțiunii institutului de credit și de economii "Albina" (1887–1888), 110–113; PETRA-PETRESCU, N. *Monografia Institutului de credit*, p. 78–84; LĂPEDATU, Ioan I. *Monografia Institutului de credit și economii "Ardeleana". Societate pe acții în Orăștie, 1885–1910*. Sibiu: Tiparul Tipografiei Arhidiecezane, 1912, 221 p.; ZAINEA, Ion. Bănci românești la Oradea. In: *Historia Urbana*, 2007, vol. XV, no. 1–2, p. 57–60.

44 The high number of lawsuits started by Romanian banks was criticized by some contemporaries, being regarded as the main cause behind the population's indebtedness. In 1910, for instance, the attorney of the Cluj-based bank "Economul", by name of Victor Poruțiu, reported 428 lawsuits still pending. Romanian National Archives. Cluj County Service, *Banca Economul*, f. 409, 1910, 1.

45 DRECIN, Mihai D. *Banca "Albina" din Sibiu. Instituție națională a românilor transilvăneni, (1871–1918)*. Cluj-Napoca: Dacia, 1982, p. 60–61, 83–108; DOBRESCU, *Funcții și funcționalități*, p. 64.

given to the head attorney opened up space for other factors to come into play. In turn, this allowed personal interest to ingress into the elite-building process, as part of the wider nation-building phenomenon.

The second most important position in the chancellery was the adjunct attorney. The individual holding this office had to be “*a proven individual with the necessary qualification required by law, who has been registered by the Chamber of Lawyers*”. The position could be occupied indefinitely only after a three-month trial period. With the exception of the attorney position, this was the sole permanent office in the department, and constituted an appropriate channel for professional development for young Romanian law graduates, still in the early stages of their career. The office of adjunct was included in the 4th salary class, and was thus entitled to a salary between 900 and 1800 Florin, in addition to rent reimbursement. In some cases, adjuncts would succeed the acting head attorney after his retirement, or would be delegated as head attorneys to other newly-established branches, in other localities. In the largest Romanian banking institutions in Dualist Hungary, the legal chancellery could include another seven or eight office and correspondence clerk positions apart from the two main offices.⁴⁶ What is more, legal clerks who had worked for a bank benefitted by their institutions’ financial support after they had completed their activity, as they or their surviving families received pensions.⁴⁷ This was an important aspect in the era, as it enabled these officials’ surviving offspring to avoid downward social mobility and made their pathway towards obtaining an education somewhat easier. A telling example in this sense is the situation of the adjunct attorney George Foica, who passed away after having worked 12 years for the *Albina* bank. Owing to his “*most zealous activity*” in the employ of the bank, which would have entitled him to a pension of 439,90 Florin, the bank’s leadership decided that each of Foica’s minor children was entitled to a yearly sum of 100 Florin, a non-negligible amount at the time.⁴⁸

The transition from entrusting the defence of a banking institution’s interests to a private lawyer to establishing a proprietary legal chancellery was not always a clear-cut process. This was for instance the case when the first chancellery was established within the framework of a bank’s branch. Although it had been operating since 1882, the Braşov/Brassó branch of the *Albina* bank only benefitted from its own chancellery starting from 1908. During a meeting in the winter of 1906, the central bank leadership decided that “*the Braşov branch’s legal*

46 ANRSJSB, *Banca Albina*, register VII, Procese verbale ale Direcţiunii institutului de credit şi de economii “Albina” (1887–1888), 139–140, 148; *Anuarul Băncilor Române* (1905), p. 18.

47 DRONCA, L. *Din politica financiară*, p. 134–135.

48 ANRSJSB, *Banca Albina*, register XII, Procese verbale ale Direcţiunii institutului de credit şi de economii “Albina” (1896–1897), 135–136.

chancellery would pass under the direction of the institute, which must from thereon bear all of its expenses". To this purpose, an attorney would be hired in order to provide the necessary leadership for this department, and benefit from the same salary as his correspondent in the central institution. The decision would be implemented starting from May 1907, in order to allow the attorney who had previously defended the interests of the Braşov branch enough time to give an account of his activity.⁴⁹ The branch had been supported in its legal activities by the lawyer Iosif Puşcariu, who had been active as attorney of this institution since its establishment, for almost 25 years. Puşcariu stemmed from a family that was closely aligned to the Romanian national movement, part of whose members had also been ennobled. The attorney requested the bank grant him an extension in order to prepare the transfer of legal affairs from his own practice to the newly-established institutional one, while also asking that he be allowed to continue as leader of this new department. Although the bank's directorate assumed that "*there could not be any technical difficulties with the transfer*", it nevertheless allowed an extension until the end of 1907. During this interval, Puşcariu would be allowed to continue defending the legal interest of the branch, while preparing the transfer of affairs. Nevertheless, the acting attorney's plea that he be allowed to take over the bank's own legal department "*for four or five more years*" was met with the directorate's stark refusal, seeing as the guidelines for occupying the office of attorney at the head of the chancellery provided that the new employee "*not be older than 40 years of age*". At the time of his request, Puşcariu had already reached the advanced age of 72. These were not the first efforts Puşcariu had made to keep his position and the considerable salary that came with it: aware of the bank's intentions to set up its own legal department, Puşcariu had ceased his collaboration with his younger colleague, the lawyer Emil Dan, who had helped him represent the bank's interests as part of his private practice. In doing so, Puşcariu hoped to remove any competition for the office of attorney in the newly-established chancellery in Braşov. Nevertheless, these efforts were in vain, as on January 1st 1908, Emil Dan was appointed attorney and head of the lawyer's chancellery for the Braşov branch of the *Albina* bank.⁵⁰ Puşcariu's case shows the ambivalent way in which personal, material interests intersected with institutional ones as well as with group-building, as it materialized through the recruitment of new members of the legal elite.

The situation of the law graduates employed by the Romanian ecclesiastical institutions in Dualist Hungary stood in stark contrast to that of their counterparts

49 ANRSJSB, *Banca Albina*, register XV, Procese verbale ale Direcţiunii institutului de credit și de economii "Albina" (1906–1907), 70–71.

50 ANRSJSB, *Banca Albina*, register XV, Procese verbale ale Direcţiunii institutului de credit și de economii "Albina" (1906–1907), 78–79, 111–112, 159.

working in the financial sector. On the one hand, the conditions under which the attorney was bound to practice his trade were much less favourable than in the prior cases. During the final decade of the nineteenth century, the space provided for the legal chancellery of the Greek Catholic metropolitan See in Blaj was deemed to be “*a wholly inadequate cell*” by its occupant, Ludovic Csato, an important member of the National Romanian Party. On this account, numerous requests to relocate this department to a room that could provide an adequate space for the practice of the legal trade were forwarded to the metropolitan. The chapter vicar Ioan Micu Moldovan wrote in this sense to the attorney to inform him that the former space reserved for the chancellery would be turned into the archive of the metropolitan see, while the chancellery would be relocated to another building, this time with two “*relatively adequate*” monk’s cells at its disposal. The attorney’s reply provided additional details as to the severity of the issue, arguing that “*undoubtedly my unsettled health owed a great deal to the location*”, where the clerk could fulfil his legal tasks “*only at great danger to health and life*”. Although the second space was somewhat superior to the first cell, it was likewise deemed to be only in partial fulfilment of the “*hygienic rules*” needed to ensure proper working conditions. Not only were the two rooms unheated, but they were also located near the stables and chicken coops, which made the air “*insufficiently hygienic*” for the legal advisor. Despite having submitted various alternative spaces for relocation, such as the building of the former girls’ school administered by the church, the attorney was denied any other better alternatives and asked to “*please relocate his chancellery*”.⁵¹ As a consequence of this situation, the legal advisor soon quit his position, citing medical reasons for his decision. Given the fact that the Greek Catholic church had established itself as one of the essential pillars of Romanian nation-building in the area, reaching far and wide into the Romanian-inhabited areas in Transylvania and wielding considerable social capital and material resources,⁵² its inability to provide an adequate working environment for an essential part of its administrative-economic department appears unexpected. It may also signal the fact that institutional priorities for this confessional pillar tended to embrace primarily the safeguarding of its own material interests at the lowest possible cost, rather than the fostering of a legal elite that could grow to self-perpetuate itself, as was the case in the financial-banking sector.

On the other hand, while the environment in which these attorneys worked was less than ideal, the number of tasks they assumed as part of their practice

51 Romanian National Archives. Alba County Service (hereafter ANRSJAB), Fund Mitropolia Română Unită Blaj (hereafter MRU Blaj) – Avocatul Diecezan, folder 1/34, 59–63.

52 Greek Catholic church’s reach into the fold of Romanian inhabited territories, social capital, and material resources.

were increasingly cumbersome. According to the records of the Greek Catholic metropolitan See, it appears that they were tasked with handling an extremely high number of administrative and juridical causes, including those concerning the ecclesiastical foundations managed by the See. Just as in the case of the attorneys working in the banking sector, those employed by the churches submitted regular reports about their activity, either to the bishops or metropolitans, depending on their place of employment. The information they were required to provide concerned foremost the quantitative aspect of their activity, but also included an assessment of causes still in discussion. The request made by the Greek Catholic metropolitan Victor Mihályi to the newly-employed lawyer Iuliu Maniu is revealing in this sense. The higher clergyman had asked his attorney to submit a report within the following six weeks in which he was bound to offer an account of:

*“a) the number of causes for which you provided an opinion to the archbishoply consistory; b) the number of civil cases that were entrusted to you and what their status is, c) the number of urbarium-related cases inherited from previous holders of the office of attorney of the archdiocese or directly entrusted, and their status – how many have been completed and how many are still pending.”*⁵³

Iuliu Maniu,⁵⁴ who had pursued studies in law at the universities of Cluj, Budapest, and Vienna, only 26 years old at the time, was still at the beginning of his outstanding career, having only occupied the office of attorney of the metropolitan See for about a year. From the report given to the metropolitan it seems that Maniu had been extremely active, having presented 67 different reports and opinions to the Venerable Metropolitan Consistory in 1898, and 256 reports and opinions in 1899. The most “memorable” causes wherein he had defended the interests of the metropolitan See had to do with various lease contracts, such as that concerning the “*customs points of the bridges over the river Târnava which belonged to the metropolitan’s domains*” or with other property-related issues, such as the “*expropriation of the lots included in the*

53 ANRSJAB MRU Blaj – Avocatul Diecezan, folder 1/123, f. 1.

54 Iuliu Maniu (1873–1953) became one of the most prestigious Romanian politicians. He was a member of the Romanian National Party and a deputy in the Budapest parliament between 1906 and 1910. In the context of the events at the end of the First World War he was extremely active in the preparing the field for the Great National Assembly of Alba-Iulia of December 1st, 1918, at which the territories inhabited by Romanians in Dualist Hungary were united to the Kingdom of Romania. In the interwar period, he held the position of prime minister of the newly-established state, as president of the National Peasant Party. After the communist regime was installed, Iuliu Maniu became a political prisoner, sentenced to life in prison. He passed away in the Sighet prison, on February 5th 1953. More details on his life and activity can be found in STAN, Apostol. *Iuliu Maniu. Naționalism și democrație. Biografia unui mare român*. Bucharest: Saeculum, 1997.

assets of the metropolitan See with the entrepreneur of the railway on the Small Târnava Valley".⁵⁵

A prosopographic analysis of the target group – Romanian law graduates who worked in banks, for the Bishoprics, and in the civil service

Regardless of the field in which they were active – administration, banking, or ecclesiastical – attorneys had plenty of opportunities to put to good use the legal knowledge they had obtained during university studies, in exchange for a non-negligible salary. Perfectly integrated in the spirit of the times and the social-professional milieu of Dualist Hungary, in what Victor Karady described as “*a nation of jurists*”⁵⁶, an increasing number of Romanian law graduates were recruited to work as attorneys and thereby form part of the legal elite, one of the self-declared goals of the Romanian group-making process. From the data collected for nearly a quarter century, covering the later existence of the Dual Monarchy, we have identified 50 Romanian law graduates who held the office of attorney in the three fields of activity discussed. Of these, the highest number (24) were active in the banking system, followed by 19 in the ecclesiastical domain and 7 in the county administration.⁵⁷ It might be argued that the high number of attorneys in the banking sector was expected, given that several dozen Romanian-backed banks and credit institutes were already well established towards the end of the nineteenth century. However, it should be taken into account that the present analysis only selected those banks who had their own legal chancellery, and where the office of attorney was thus similarly placed with that of a second-class civil servant. Thus, only four Romanian banks in Dualist

55 ANRSJAB MRU Blaj – Avocatul Diecezan, dosar 1/123, f. 2.

56 KARADY, Victor. Un “nation des juristes”. Des usages sociaux de la formation juridique dans l’Hongrie de l’ancien regime. In: *Actes de la recherche en sciences sociales*, 1991, vol. 86–87, p. 106–124.

57 The data was extracted from the following publications and yearbooks: *Compasul Românesc. Anuar Financiar. vol. II–V*. Sibiu: Tiparul Tipografiei Arhidiecezane, 1893–1898 and *Anuarul Băncilor Române. vol II–XX*. Sibiu: Tiparul Tipografiei Arhidiecezane, 1901–1919, for the banking attorneys; *Calendariu pe anul comun dela Christos. vol. XLIV–LXIII*. Sibiu: Tiparul Tipografiei Arhidiecezane, 1895–1914, for the attorneys of the Orthodox eparchies and the *Şematismul veneratului Cleru alu Arhidiecesei Mitropoliei Greco-Catolice a Alba-Juliei şi Făgăraşului pre Anul*. Blasiu: Tipografia Seminarului Arhidiecezan, 1896, 1900, 1906, 1911, *Schematismus Cleri Dioecesis Szamosújváriensis Graeci Ritus Catholicorum Pro Anno A Christo Nato*. Gherla: Tiparul Tipografiei Diecezane, 1898, 1900, 1903, 1906, 1914, *Şematismul veneratului Cleru alu Diecesei Românesci Greco-Catolice a Lugosiului pre Anul*. Lugoş: Tipografia Ioan Virányi, 1903, *Schematismus Cleri Dioecesis Magno-Varadinensis Gr. R. Cath. Pro Anno*. Oradea: Tipografia Samuel Berger Jun., 1895, 1900, 1909, for the attorneys of the Greek Catholic eparchies; *Magyarország tisztii cím- és névtára*. Budapest: Pesti Könyvnyomda Részvénytársaság, 1895–1918, for the attorneys in the county administration.

Hungary were included in the analysis; most attorneys in the banking sector were employed by the *Albina* in Sibiu (53.8%), as this institution had the most widespread network of local branches, and thus required the highest number of individuals trained in law. The next two financial-banking institutions, namely the *Bihoreana* bank in Oradea and the *Victoria* bank in Arad/Arad would only establish their legal chancellery during the first decade of the twentieth century. Consequently, their share of the Romanian attorneys was even lower than that of the fourth credit institution, namely the *Ardeleana* bank in Orăștie/Szászváros, where 34.6% of the law graduates in the banking sector were active.

As far as ecclesiastical institutions were concerned, 42.5% of the attorneys identified were active in the three Orthodox eparchies, while 57.5% were employed by the four Greek Catholic eparchies. Thus, there was a relative balance between the capacity of the two Romanian churches in Dualist Hungary to absorb qualified law graduates for this position, the minor differences in the shares stemming from the slightly higher number of Greek Catholic eparchies. Noteworthy is the fact that only seven Romanians held the office of county attorney in the state administration, as part of the staff of five counties. At the same time, Romanians constituted a significant share of the population in at least 19 counties in Dualist Hungary. Two of the attorneys held this office in counties with an entrenched Romanian administrative tradition, namely Bistrița-Năsăud/Beszterce-Naszód and Făgăraș/Fogaras. Until 1851, numerous localities from these counties had been part of the Habsburg military border, and from 1861 and until the administrative reform of 1876, they had been part of the Autonomous Romanian Districts of Năsăud and Făgăraș. Numerous Romanian civil servants had been active within the framework of these autonomous administrative units, and were then integrated within the newly established administrative apparatus once the districts were dissolved and incorporated into counties.⁵⁸

Romanian law graduates who went on to serve as attorneys in the counties of Brașov and Maramureș/Máramaros owed their ascension into civil service not only to the legal qualifications but also to their kinship and political ties. Brothers Ioan and Eugen Mețianu, who successively served as attorneys of the Brașov County from the end of the nineteenth century until the dissolution of the Dual Monarchy, were the sons of the Orthodox metropolitan Ioan Mețianu.⁵⁹ Ioan Mihályi, attorney general of the Maramureș county until his death in 1914,

58 For details concerning these administrative units see ONOFREIU, Adrian. *Districtul Năsăudului (1861–1876)*. Cluj-Napoca: Argonaut, 2010 and BĂJENARU, Constantin. *Țara Făgărașului în timpul stăpânirii austriece (1691–1867)*. Alba Iulia: Altip, 2013.

59 On the family of the metropolitan Ion Mețianu see PĂCĂȚIAN, Teodor V. and Vasile OLTEAN. *Mitropolitul Ioan Mețianu (1828–1916)*. Sibiu: Andreiana, 2015, p. 29–72.

was the brother of the Greek Catholic metropolitan Victor Mihályi.⁶⁰ The Mihályi family was extremely important at local level, as his father, Gavrilă Mihályi, had served as the county's Lord Lieutenant while another brother, Petru Mihályi, had been a member of the Budapest parliament for almost four decades. Mihályi's successor, George Mihalca, also made use of an extensive family network to gain entry into civil service: he was the son of former Maramureş county commissioner, Vasile Mihalca, and the brother of one of the county's most influential civil servants, Vasile Mihalca Junior. These situations make clear how difficult the accession to an office such as that of county attorney was, and how indispensable strong ties to the county hierarchy and to the governing milieu in Budapest were. However, some counterexamples to this pattern also existed: despite a modest social background, Ioan Petran acceded to the office of attorney general of the Cluj/Kolozs county, which he held for over 25 years. At his passing in 1899, he bequeathed his entire estate – amounting to some 80-85.000 Florin – to the ASTRA, the Transylvanian Association for Romanian Literature and the Culture of the Romanian people.⁶¹ Numerous young Romanians who studied law at the beginning of the twentieth century would benefit from scholarship awarded by the “Ioan Petran” fund, in another instance of fostering elite reproduction as part of the general nation-building process. While kinship connections clearly mattered in obtaining a lucrative position within either of the three fields discussed – perhaps more so in civil service than in other domains –, it is difficult to tease out these connections for individuals who were not part of what might be called “*the elite of the elite*”, i.e. part of families who were less well known than the Meţianus or the Mihályis. It is only for these first-rank figures or their male relatives involved in the nationalist movement that family ties have already been documented in extenso. At least anecdotally, kinship appears to figure in a myriad of successful employment narratives in the Romanian institutional landscape as well as in civil service in select counties. Four of the seven attorney generals in the target group – Romanian law graduates employed by banks, by the Orthodox or Greek Catholic Bishopsrics, and by the state – who worked in these offices between roughly 1895 and 1918, were part of well-connected families: Meţianu, Mihalca and Mihályi. Likewise, at least three of the nineteen attorneys employed by the Romanian bishopsrics were related to leading families in the nationalist milieu or had male relatives who had already served in similar positions: Lucian Borcea, attorney of the Orthodox Metropolitan See of Sibiu in 1913 was the son of Ioan Borcea, who had fulfilled the same position until his passing in 1883;

60 On the family of the metropolitan Victor Mihályi see BOCSAN, Nicolae and Ion CÂRJĂ, eds. *Memoriile unui ierarh uitat. Victor Mihályi de Apşa (1841–1918)*. Cluj-Napoca: Presa Universitară Clujeană, 2009, p. 207–228.

61 Ioan Petran's Obituary. In: *Familia*, 1900, vol. XXXVI, no. 1, p. 11.

Ionel Pop, attorney of the Blaj diocese, succeeded his uncle Iuliu Maniu in this office during the first decade of the twentieth century; Liviu de Lemény likewise stemmed from a well-known Romanian family with ties to the ecclesiastical milieu. What is more, studies on kinship, political networks and administration in Dualist Hungary have shown this type of tie to play a substantial part in the ascension of the political ladder, even if it was not necessarily the sole causal factor in this type of mobility.⁶² If kinship worked as a mobilizing factor in a wide variety of contexts, then it would not have been unexpected to see it work in securing employment as well.

The place of secondary education could be identified for approximately 2/3 of the members of the target group – Romanian law graduates who worked in banks, for the Bishoprics, and in the civil service. Thus, the analysis reveals a relative balance between Gymnasiums with Romanian as language of teaching (42,5% of the individuals analysed) and Gymnasiums with Hungarian as teaching language (52,5%). Only 5% of the individuals for whom this piece of the educational pathways was known attended German-speaking secondary schooling. While less than revealing at first glance, this distribution in fact appears to be highly similar to that brought to light by a previous study which tracked places of secondary education for a sample of 2480 Romanian students, of whom 51% attended Romanian-speaking Gymnasiums, 47% Hungarian-speaking institutions, and only 2% German-speaking secondary schools.⁶³ Thus, the target group – Romanian law graduates who worked in banks, for the Bishoprics, and in the civil service – delineated by this study appears to be on the whole broadly representative of the Romanian educational elite during the late nineteenth and early twentieth centuries, at least in terms of secondary schooling. Moreover, this distribution suggests that the future members of the legal elite active in the three main public sectors discussed stemmed from families who embraced the possibility of obtaining an education in another language than Romanian as a means of perpetuating social class or climbing the social ladder. On the other hand, given that in Dualist Hungary there existed only four Romanian Gymnasiums, far too few to absorb the entire segment of potential pupils who were able and wished to pursue a secondary education, it is unsurprising that roughly half of the individuals analysed attended Hungarian-speaking institutions. Taking into account the fact that advanced knowledge of Hungarian was indispensable for

62 POPOVICI, Vlad. Family Relations and Group Mobilization within the Romanian Political Elite in Transylvania (1861–1900). In: *Transylvanian Review*, 2013, vol. XII, Supplement No. 2, 107–119.

63 SIGMIREAN, C. *Istoria formării intelectualității*, p. 188.

university studies as well as for employment in the civil service, it is possible that these two reasons also weighed in their decision. This is likely also the factor behind the very low percentage of individuals who chose to study in German, which did not seemingly bring any considerable advantage for educational and social mobility, compared to Hungarian.

During their educational formation, the law graduates who went on to accede to the office of attorney faced much the same challenges as all students who enrolled at a university in the Dual monarchy, which stemmed from the need of the higher education system to cultivate, on the one hand, loyal and educated citizens, and on the other hand, to maintain a common cultural identity.⁶⁴ In Transleithania's case, both aspects were deeply embedded in the process of Magyarization. Higher education was regarded as means of engendering ascendant social mobility, especially in the context of the accelerated modernisation process occurring towards the late nineteenth century. At the same time, state authorities regarded university studies as means of Magyarization, as they would have facilitated integration within the educational elites of the dominant nation. Paradoxically, Romanians who attended university did not seem to fit well into this paradigm. On the contrary, after having completed their education at universities in Transleithania, where the language of teaching was exclusively Hungarian, their assimilation became difficult because they managed to reach important positions in Romanian milieus in Hungary.⁶⁵ This was the case for all of the law graduates who were active in the ecclesiastical and banking fields. Approximately 57% of the individuals in the analysed group pursued an education in law at the "Ferenc József" Royal Hungarian University in Cluj. Established in 1872, the university of Cluj became the second higher education institution in Dualist Hungary, exceeded in importance only by the university of Budapest. Although it catered to fewer students and was less prestigious than its counterpart in the capital, the university of Cluj enabled would-be students from nearby localities to pursue a higher education closer to home and thus at significantly lower costs. Additionally, the prerequisites for obtaining a degree in the field of law were regarded by contemporaries as relatively unchallenging, compared to other domains, and much less demanding in Cluj than in the capital of Dualist Hungary.⁶⁶

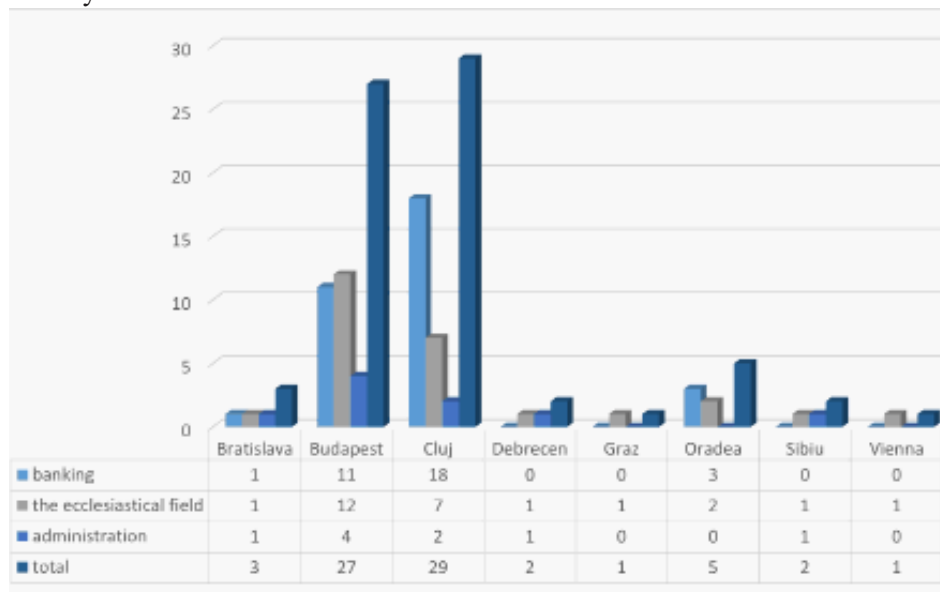
64 SURMAN, Jan. *Universities in Imperial Austria 1848–1918. A Social History of a Multilingual Space*. West Lafayette, Indiana: Purdue University Press, 2018, p. 2.

65 PÁLFY, Z. Ethnoconfessional Patterns, p. 38–40.

66 CSUCSUJA, István and Cornel SIGMIREAN. Universitatea "Ferenc József" între anii 1872–1919. In: GHITTA, Ovidiu, ed. *Istoria Universităţii "Babeş-Bolyai"*. Cluj-Napoca: Mega, 2012, p. 69, 82–89.

Despite these potential incentives in favour of attending university in Cluj, an important segment of the Romanian legal elites discussed elected to study in Budapest. Although the most prestigious Hungarian university was undoubtedly attractive for a wide array of students who wished to study law, attending its courses was only possible for those who could cover the high costs entailed by living in the capital. Although studying in Budapest had become commonplace in the second half of the nineteenth century, many Romanian jurists elected to study at several different institutions, precisely in order to ensure that they could afford to complete their entire educational pathway.⁶⁷

Figure 1. Romanian law graduates' place of higher education and field of activity



Source: author's calculations based on SIGMIREAN, Cornel. *Istoria formării intelectualității românești din Transilvania și Banat în epoca modernă*. Cluj-Napoca: Presa Universitară Clujeană, 2000. ISBN 973-8095-38-7 and SZABÓ, Miklós, SIMON, Zsolt and László SZÖGI. *Erdélyiek külföldi egyetemjárása 1849-1919 között – plakát, vol I-II*. Marosvásárhely: Mentor, 2014. ISBN 978-973-599-626-0

More than half of the law graduates examined also studied in Budapest, very few however exclusively studying in the capital. The majority began their educational pathways at various law academies such as those in Oradea, Sibiu, Debrecen and Bratislava/Pozsony, or even at the University of Cluj,

67 SIGMIREAN, C. *Istoria formării intelectualității*, p. 77–83, 229.

and managed to transfer to Budapest towards the end of their studies (Figure 1). There were also cases in which the pathway lead in the opposite direction, some law students having begun their education in Budapest and completed it in Cluj, likely forced by material circumstances. The University of Cluj was also a relatively attractive institution for individuals who had begun their studies at one of the abovementioned law academies, and wished to obtain a doctoral degree in law. Thus, 2/3 of the law graduates in question obtained their doctoral degree in the same field at the universities of Budapest and Cluj, the only institutions in Transleithania who could award such a degree. In order to be granted the title of doctor in law, the candidate needed to pass three examinations (*Rigurosum*), drawing from several fields: the philosophy of law, international law, Roman law, ecclesiastical law, Hungarian public law, Hungarian private law, Austrian civil law, penal law and penal procedure, commercial and exchange law, and civil Hungarian jurisprudence.⁶⁸

Regardless of whether they attended an academy or a university, the attorneys discussed benefitted from financial support in the form of scholarships granted by various Romanian institutions. This system had originated during the eighteenth century, as a result of the efforts made first by the Greek Catholic and then by the Orthodox church to support the higher education of Romanian students, particularly in theology and philology, in university centres throughout the Monarchy. Over the course of the nineteenth century, this nation-building project became generalized, as a growing number of wealthy Romanians bequeathed shares of their estates to support the formation of educational elites. Thus, numerous personal scholarship foundations which awarded stipends to young Romanians who wished to study in various fields were established. The majority of these personal foundations were managed by the landmark ecclesiastical, cultural and administrative institutions responsible for Romanian “group-making” in the Dual Monarchy, such as the Greek Catholic Metropolitan See in Blaj, the Orthodox Metropolitan See in Sibiu, the ASTRA, the Năsăud/Naszód Border Guard Funds, etc. Undoubtedly the most wide-ranging personal foundation, which grew into one the most important foundations to award study stipends for Orthodox students to attend university throughout the entire Empire, was that founded by the jurist Emanuil Gojdu.⁶⁹ This was also visible in the case of the attorneys analysed: more than 40% of those who had benefitted from scholarships had received them from the “Gojdu” foundation. The procedures for obtaining a scholarship were clearly outlined in the “Foundational letters” of each such charitable enterprise. Applicants had to prove excellent qualities

68 CSUCSUJA, I. and C. SIGMIREAN. Universitatea “Ferenc József”, p. 83–84.

69 SIGMIREAN, C. *Istoria formării intelectualității*, p. 229–256.

during their Gymnasium studies, exhibit an exceptional moral conduct and, in a letter of application, clearly outline the reasons for wishing to study in a certain field. Throughout the nineteenth century, the overarching needs of the Romanian society in Hungary as perceived by the elites preoccupied with the nation-building project would shift, which in turn would elicit shifts in the hierarchy of fields of study favoured by the foundations' steering committees. While theology had been privileged from the perspective of the number of scholarships awarded until the mid-nineteenth century, gradually, after a consistent body of educated Romanian clergymen had been formed, law took over as the best financed field of study.⁷⁰

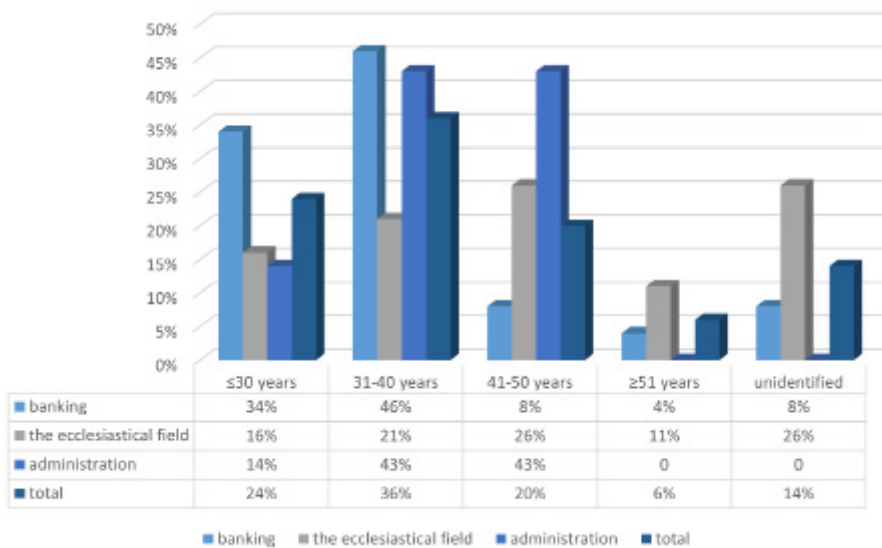
Information on social background was identified for roughly 2/3 of the target group analysed – Romanian law graduates who worked in banks, for the Bishoprics, and in the civil service. An overview of this aspect reveals that this group – likely in a similar manner to the entirety of the Romanian legal elite towards the end of the nineteenth century – constituted a next step in the elite formation process prioritized by the leadership of the Romanian national movement. Thus, roughly 40% of the law graduates who went on to work as attorneys stemmed from the two major local-level elite groups which had been the focus of educational formation prior to the late nineteenth century, namely teachers and priests. Roughly another quarter of individuals (26%) stemmed from small landowning families, another significant segment from which the future educational elite would be recruited in all fields. However, this target group – Romanian law graduates who worked in banks, for the Bishoprics, and in the civil service – distinguished itself from other elite categories by the fact that another quarter (26%) stemmed from an already established legal elite: their fathers had either been active as civil servants in the state administration or had practiced as lawyers. This segment of the newly-fashioned educational legal elite was therefore recruited both from already established elite groups as well as from what counted as rural middle class for Romanian society in Dualist Hungary. The few remaining shares of law graduates stemmed likewise from either craftsmen or tradesmen families, or were orphans who had benefitted from study stipends by virtue of their condition.

70 On the scholarship application process, how the educational progress of students who had received a stipend was monitored, and the transition from supporting the formation of an ecclesiastical elite to the establishment of a juridical or legal elite see IUDEAN, Ovidiu-Emil. Elite Strategies of Minority Nation-Building in Dualist Hungary: Law Graduates Supported by the Năsăud Border Regiment Scholarship Funds. In: *Banatica*, 2017, vol. XXVII, no. 27, p. 517–533 and IUDEAN, Ovidiu-Emil. Growing Shepherds, Building Elites: Supporting the Education of the Middle Clergy in Northern Transylvania in the Late Nineteenth Century. In: *Anuarul Institutului de Cercetări Socio-Umane "Gheorghe Șincai" al Academiei Române*, 2019, vol. XXII, no. 22, p. 5–22.

Individuals' geographical provenance was likewise ascertained in roughly 2/3 of cases, and attests to the representativity of this group for the wider elite formation process in the area, as the attorneys in question hailed from all counties in Transylvania where there was a majority Romanian-speaking population. This group was therefore indicative of a widely-cast nation-building net, that had managed to collect promising individuals from an extremely wide geographical area, ensure that they had received an education in law, and then place them in urban centres where either confessional or banking institutions were active, or in counties where civil service opportunities had presented themselves.

Although the financial support awarded for university studies represented an essential stepping stone in the formation of a Romanian legal elite in Dualist Hungary, it was not enough for students to receive financial aid in order to complete education. Rather, law graduates had to be integrated into the professional fields for which they had been trained. The largest segment of law graduates eventually joined law practices of already established lawyers, and then, when they had amassed enough experience and the means to do so, opened up their own offices.

Figure 2. Age distribution of Romanian law graduates and fields of activity



Source: author's calculations based on SIGMIREAN, Cornel. *Istoria formării intelectualității românești din Transilvania și Banat în epoca modernă*. Cluj-Napoca: Presa Universitară Clujeană, 2000. ISBN 973-8095-38-7 and SZABÓ, Miklós, SIMON, Zsolt and László SZÖGI. *Erdélyiek külföldi egyetemjárása 1849–1919 között – plakát, vol I-II*. Marosvásárhely: Mentor, 2014. ISBN 978-973-599-626-0

Nevertheless, banking and ecclesiastical institutions constituted an extremely attractive alternative for young jurists. These avenues of employment were attractive options especially for graduates still at the beginning of their career, which is strikingly visible in the ages at which the attorneys in the group began their activity (Figure 2). As shown in Figure 2, the banking sector appeared to have been the most dynamic, and as such, with the greatest capacity to absorb young law graduates; 80% of those who entered this field of employment were under the age of 40. On the opposite side of the spectrum, the ecclesiastical field integrated primarily law graduates with a mid-level experience. Those in the administrative field could only reach the position of county attorney after having accumulated significant experience either in the civil service or in private practice, which could vary from several years to several decades.

What should also be noted is that attorneys in all fields discussed relocated to large or medium-size urban areas, with considerable potential for development, owing to the placement of their institutions. This aided them in avoiding the professional congestion described at the beginning of the study, especially prevalent in small market towns, where numerous graduates vied for the same professional market and competition had reached great proportions. As was the case in other congested legal professional markets⁷¹, social networks and patronage were put to use to engender professional opportunities elsewhere, in more favourable milieus.⁷² This geographical mobility directly contributed to the broad dissemination of an elite attuned to the broad goals of nation-building not only from rural to urban areas – where major institutions were located – but also between various mid-sized towns.

Law graduates' involvement in nation-building

The political allegiance of the individuals in the target group – Romanian law graduates who worked in banks, for the Bishoprics, and in the civil service –, as in the case of their kinship networks, can only be reliably discerned for those who held prominent positions in the Romanian nationalist movement. Of the 19 attorneys in the service of the two ecclesiastical institutions, eight were either members of the National Romanian Party's central executive committee during

71 CHARLE, Christophe. Legitimacies in Peril: Towards a Comparative History of Elites and State in Nineteenth and Twentieth Century France and Western Europe. In: DENORD, Francois, PALME, Mikael and Bertrand RÉAU, eds. *Researching Elites and Power: Theory, Methods, Analyses*. Cham: Springer, 2020, p. 71–82, p. 78.

72 One such example of a young Romanian law graduate who put to use considerable networks in order to obtain a position in a better location is that of Alexa David, discussed in IUDEAN, Ovidiu-Emil. Making the Man of Law in Dualist Hungary: Alexa David's Career Strategies and Personal Networks on the Eve of the Twentieth Century. In: *Studia Universitatis Babeş-Bolyai. Historia*, 2018, vol. 63, no. 2, p. 16–35.

the late nineteenth or the early twentieth century; of these, three had been elected as deputies in the Budapest Parliament on the lists of the same party. It may therefore be safely assumed that they had been directly and actively involved in promoting the broad goals of nation-building as espoused by the National Romanian Party. Moreover, of the twenty-four bank attorneys, at least four had been members in the same central executive committee, of whom one (Aurel Vlad, attorney for the *Ardeleana* bank) had also served on the benches of the Budapest Parliament during the first decades of the twentieth century as representative of the National Romanian Party. In the civil service, direct involvement in the National Romanian Party would likely have constituted a barrier to both access and ascension, thus, none of the seven county attorneys general seemed to have been overtly involved in the political arm of the Romanian nationalist movement. This did not however preclude any kind of alignment to nation-building goals broadly speaking: both the Mihályi and Meșianu families were well-known as promoters of Romanian “group-making” in the ecclesiastical and cultural-educational fields.

It was precisely in these soft-power domains, and particularly through cultural-educational channels and organisations that the group-making of the Romanian nationalist movement manifested itself more fully. The adherence to nation-building as a cultural-ethnic process was starkly visible for the members of the target group – Romanian law graduates who worked in banks, for the Bishoprics, and in the civil service –, having manifested itself through recurring membership in organisations such as the ASTRA, the flagship of Romanian nationalism in Dualist Hungary. While membership in the ASTRA was firstly a cultural and charitable issue, its political contours cannot be denied. However, membership in the ASTRA was relatively unproblematic from a state perspective, thus enabling broad adherence and support including from categories such as civil servants. The overwhelming majority of these Romanian law graduates also figure on the membership lists of the ASTRA between 1901 and 1914: a little over half of the county attorneys general, some 2/3 of the attorneys employed by the bishoprics, and more than 80% of the banks’ attorneys made recurrent financial contributions to this organisation. Among the most numerous group – banks’ attorneys – a wide majority appeared to have invested in the financial backing of cultural-educational projects promoted by ASTRA for well over a decade, a non-negligible timeframe.

Conclusions

Nation-building strategies in the Dual Monarchy clearly integrated the prospect of elite formation, a tendency which became highly visible in the case of the Romanian nation in Hungary, which, on the whole, lagged behind in terms of

higher education and social mobility compared to its counterparts. The emphasis on legal studies as a pathway to both social ascendance and the promotion of ethnical-political interests had managed to create a consistent segment of young Romanian law graduates by the late nineteenth and early twentieth century, who could not be entirely absorbed by the market for private lawyers, especially in rural Romanian milieus. At the same time, the emergence and diversification of Romanian institutions such as the banking system, especially after the 1880s, provided a welcome outlet for those who sought an environment where they could practice their skills without incurring the heavy costs involved with opening and maintaining a private practice. Likewise, the essential administrative role of the two Romanian churches, their extensive financial dealings, and their ties to the political milieu meant that law graduates were necessary in the ecclesiastical field as well. Finally, civil service at county level presented opportunities for those who could wield some influence at local level, and whose networks of patronage opened up the coveted position of county attorney general.

While attorneys in all three sectors fulfilled similar tasks, their living was not always entirely comfortable, and their incomes were not directly comparable. It appears that the most desirable positions were those in the banking sector, which was certainly the most dynamic and open to attracting young lawyers. This field also provided various incentives, such as covering employees' rent or sharing a percentage of the bank's yearly profits. On the opposite side of the spectrum, although the attorney of the Romanian bishoprics was undoubtedly a prestigious position in the symbolic economy of this ethnic group, it did not necessarily come with considerable amenities or incentives. Civil service provided security, including financial, but necessarily involved a good working relation with the other representatives of the state and a desire for open cooperation and collaboration which may have presented difficulties during the Bánffy government era.

The inquiry into these three fields of employment and the identity of those occupying the position of attorney has also revealed the workings of the essentially multipositional Romanian elite in Dualist Hungary.⁷³ Attorneys such as Iosif Pușcariu, who worked for the *Albina* bank, or Ioan Mihályi, who served in the civil service of Maramureș county, are apt examples of the benefits of kinship ties to two of the most politically well-situated Romanian families in the Kingdom of Hungary. In other cases, privileged relations with a Romanian institutional pillar had been cultivated for several generations, even if not all predecessors had worked in the same field: for instance, Iuliu Maniu's maternal grandfather, Demetriu Coroianu, had been Greek Catholic vicar of Sylvania, part

73 BALOG, I-M. The Clergy's Involvement.

of the bishopric of Gherla, while his father, Ioan Maniu, had worked in the civil service as judge in the same area.

From the perspective of their educational background, the individuals examined did not display a considerably different pattern than the majority of Romanian law students at the time, generally electing to study in Budapest or in Cluj. Although few could afford to complete an education in the capital, at least a few semesters at the University of Budapest were regarded as necessary to distinguish oneself as an above-average law graduate.

The law graduates under scrutiny played a part primarily within the broader process of nation-building, rather than in the narrower confines of the Romanian nationalist movement. Although, as has been shown, a non-negligible share of these individuals also held executive positions within the National Romanian Party, participation in “group-making” was not reduced to this adherence to the political arm of the nationalist movement. Rather, their impact and influence were more diffuse, working in several different directions. On the one hand, these manifested themselves through their activity in the pillar-institutions of the Romanian milieu in Dualist Hungary: attorneys in the banking sector had a financially positive impact on the institutions employing them, and therefore presumably benefitted shareholders and the accumulation of Romanian capital; those active in bishoprics fostered these institutions’ economic and legal position, a net gain for their coreligionists given the Churches’ stark educational and cultural role, especially in rural areas; finally, those in county administration generally represented the key to electoral success at county level, often in favour of Romanian candidates running on the lists of the Hungarian Liberal Party.⁷⁴ On the other hand, these law graduates were part and parcel of the process of elite formation, a task vocally assumed by a plurality of political and ecclesiastical figures during the second half of the nineteenth century. Not only were they the product of the successful implementation of charitable giving through scholarship funds, but they also worked to strengthen the elite segment they were a part of, in two different ways: Iosif Pușcariu’s reluctance to give up a lucrative position in the banking sector aside, banks’ attorneys wielded decision-making power in the hiring of their underlings, thus being able to foster the professional development of future Romanian law graduates; on the other hand, the individuals in the target group – Romanian law graduates who worked in banks, for the Bishoprics, and in the civil service – discussed were clearly concerned with ensuring that the material conditions which had enabled them to pursue a higher education and attain a high social-professional position were also met for future young Romanian students. Perhaps the clearest example in this sense was that of Ioan

74 IUDEAN, O.-E. *The Romanian Governmental Representatives*.

Petran, who, alongside his extremely generous foundation, also donated his house in Cluj to be managed by the ASTRA, meaning it to house 14 Romanian students without means who were seeking an education at the local university.⁷⁵

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⁷⁵ *Analele Asociațiunii pentru Literatura Română și Cultura Poporului Român*, No. V–VI, Sibiu, Septembrie-Decembrie 1906, p. 238.

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