

COMPARATIVE ANALYSIS OF PUBLIC MANAGEMENT IN ROMANIA AND EU COUNTRIES

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ABSTRACT: *The paper presents the essential co-ordinates of public management with the view of realization of comparative analysis of manner of carrying on of activities in the field of public management in E.U. countries and in our country. Also the main changes are presented which have marked this field of science and practice at world-wide level and the manner how these changes have conducted to effectiveness of public services of administrative system of our country.*

KEY WORDS: *public management, public institutions, public administration, public services, legislative provisions, competitive environment, public managers, public servants.*

JEL CLASSIFICATION: *M.*

1. INTRODUCTION

The sciences of *public management* studies the management processes and relations existing between the components of administrative system but also among them in order to discover principles and laws, methods and techniques to improve forecasting, organization and coordination, administration of resources of control-valuation of activities with a view to raising satisfying degree of public interest.

Through there are important similarities of content with general management science, otherwise absolutely normal fact, the public management has content coordinates clearly defined by which are significantly distinguishes from this and other areas of economic and social sciences. It is also important to note that a close examination may identify important interdependencies between public management and other areas of economic and social sciences such as general management, public marketing, administrative law, public administration, administrative computing, social psychology etc.

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For correct delimitation of the contents of public management a few *essential coordinates* are presented afterwards.

The public management studies management processes and relations identifying in the public sector four levels:

- *outside* the *administrative system* of a country in international relations: interstate and interinstitutional;
- *between* the components-existing institutions in the structure of the administrative system of a country grouped by the three branches of the authority: legislative, executive, judicial;
- *as part of administrative authorities* as distinct entities of administrative system structure;
- *as part of public organizations* operating activities of public interest and which are not part of administrative system structure.

The science of public management seeks to identify general and specific principles and legalities for the public sector in general and especially for public institutions, which by their content should ensure the necessary fundamentals to satisfy the public interest.

2. GENERAL CHARACTERISTICS OF PUBLIC MANAGEMENT IN THE EUROPEAN UNION COUNTRIES

In most EU countries, the local and regional administration is substantiated by constitutional norms dispositions. The exception is the United Kingdom of Great Britain and Northern Ireland, which has no written constitution and therefore there are not fundamental rules relating to local government. According to the fundamental rules both in federal states and in the Unitarian ones, the *principles of local autonomy and decentralization are found as the basic principles of organization and operation of local and regional systems of EU states.*

Regarding federal states, Austria and Germany, according to their constitution, these principles are taken from by location constitutions. In this meaning there are the disposition of Article 116 of the Austrian federal constitutional law which sets that every land is divided in districts. The district is a territorial community endowed with administrative autonomy and thus they are qualified to decide the organization of districts and to adopt regulations on local communities.

In the same meaning are the provisions of Article 28 / of. 1 and 2 of fundamental law of Germany, which sanctions the principle of local autonomy, emphasizing that in lands, districts and municipalities, the citizens must have representatives elected by general suffrage, direct, equal and secret sanctioning the rule that municipality shall have the guarantee of right exercise to solve all local problems according law. Municipal associations also have the right to autonomy within their legal competencies and in accordance with legislative provisions.

Among the fundamental rules of other EU states can be include:

- Belgian Constitution, which contains a large number of rules by which are created and disposed by law the local and regional administration authorities. Through its basic law in Belgium is sanctioned the

existence of four linguistic regions, namely the region of French, Dutch, Brussels Capital Region and the Region of German, represented by a Council and Regional executive. Under the same provision, Belgium comprises three communities: French, Flemish and German, represented by a regional council and an executive. In this context is mentioned that every Belgian commune must be part of a linguistic region, emphasizing that the interests exclusively communal are regulated by the municipal councils, recognizing competencies of community interest as well as the in decentralization of powers to the local institutions.

- French Constitution contains provisions under which "territorial collectivities of the Republic are municipalities, departments, territories overseas". Any other territorial collectivity is established by law. These communities are administrated freely by elected councils and in the conditions provided by law. By the law the fundamental principles of free administration of local communities are determined also competencies and resources.
- Italian Constitution contains relevant information for local authorities in article 5 of chapter 5. The region has a special status that is governed by constitutional laws.
- The Spanish Constitution OF 1978 contains special provisions for both the regional and the local level.

Also in the other community member state: Sweden, the Netherlands, Denmark, Greece, Ireland and Luxembourg by their fundamental rules are determined the regime of local administration and principles that are the basis of it, communes being those that form the autonomous communities with legal personality, that endorse by their organs, patrimony and their own interests under the control of the central government. In all EU countries there are laws governing local and regional public administration.

The principal legislative dispositions concerning the organization of local communities in England and Wales are contained in local communities laws - Local Government, for Scotland local Scottish communities laws- Local Government in 1973 and 1975. Traditionally, the British system of local Government was recognized by law since nineteenth century; later, local authorities have established the structure, defined legal authorities have established the structure, defined legal authorities and the degree of decentralization of management.

In Austria a federal legislative text was elaborated which served as model laws voted in the nine lands, for organization of local communities on the principles of self management.

In Germany each land has established local constitution under the form of a statute of municipality or a rural district.

In France the legislation on municipalities are encoded into a code, bringing together emerging laws since 1884.

In Italy, the main legislative texts are the regions nr.62/1953 Act, which refers to the establishment and operation of regional, nr.108/1968 Act concerning the

election of regional councils and No.1-Presidential Decree 11/1972 and 1977 transferring the administrative functions of the State to the region. For provinces and municipalities Law 142/1990 on the legal regime of local, Law nr.81/1993 on rules for direct election of the mayor, President of province, municipal and provincial councils.

In Spain for regional administration there are nr.8/1980 Organic Law on the financing of the autonomous communities and organic laws from 1979 to 1983 adopted for each of the 17 autonomous communities by whom approving the autonomy statute. Regarding Romania, local government is regulated by Law no. 69/1991.

The content of the law states that local public administration from the territorial administrative units is based on the principle of local autonomy and decentralization of public services. It also contained information on public administration authorities by which local autonomy in communes and towns is realized. The local elected council and mayors work as autonomous administrative authorities and participate in satisfying public needs of communes and cities.

The county authority is defined by the County Council, public authority for coordinating the activity of commune and town councils for realization of public services of county interest. By these fundamental rules, local administration is not incorporated into the central administration of the state and it represents an autonomous administrative STRUCTURE bone by which the local communities solve their local problems through their elected authorities, but under the control of legality by state authorities. By the law no.27/1994 on local taxes – the sources of revenue for local and county budgets were created.

3. SIGNIFICANT CHANGES IN PUBLIC MANAGEMENT WORLDWIDE AND IN ROMANIA

From the period 1980-1990 in the public management have outlined some important changes which significantly mark this field of science and practice.

The changes originate in political ideology and socio-economic environment changes that cause mutations in public management. These mutations strongly put their mark upon administrative system strategies and policies and public institution in general.

One of the important issues that public managers intend to solve is the cost and quality of services. Therefore there concerns are focused on knowing their customers' needs, citizens and their transformation into effective and dynamic organization restructured to the model of the private sector. Although the changes generally were initiated by ministries aimed by business people and management consultants, the responsibility for implementation belongs to managers, responsible for each service.

How is normally the main source of change in developed democratic countries was government policy. Successively, the various governments have adopted different economic and social policies different from those substantiated in prior periods. It is relevant in this regard the experience of public managers of Great Britain. At the beginning of change, the objects at macro level included the combat of relative economic decline of Great Britain, improving economic efficiency, reaffirming the role of Britain in world politics. On average, the government should revitalize the private sector, improve competitiveness and reform the right to manage. At the micro

lower level, the government has in view to optimize the possibilities of consumer choice, to establish the consumer sovereignty on the market and to release the individuals from culture of dependency on the state.

The Government also wanted to motivate civil servants to assume their responsibility for their initiatives in this context the formation of an entrepreneurial culture. It is obvious that for making efficient public services and administrative system, generally it is necessary primarily a public management based on performance. We consider that the process of change is complex, lengthy and it includes several important changes:

1. Privatization of public services. In this respect also in Romania it is possible to develop a partnership, respectively between public and private organizations which carry on the activities of social interest. The market of public services will form attracting competition and rivalry, between services. It is necessary in this regard the flexibility of legislation to stimulate the formation of a competitive environment for public services. In this context we can add several forms of partnership:

- Subcontracting public works;
- Leasing of land and infrastructure for the implementation of public services;
- Development of franchising;
- Joint ventures.

Subcontracting consists in appealing to the services provided by specialized institutions and required to achieve at products lower costs and high quality based on a range of infrastructure. This form can be used in specialized services.

Franchising can be used within public providing services to households and sanitation, urban transport. This form supposes the renunciation of control by local authorities, whose decision-making powers should be reduced to technical specifications and quality standards. Obviously, such a form involves the elimination of existing monopoly at local level for concerned public services.

Concession of public services involves a typical regime of contractual execution. Its duration requires clear and stable regulations concerning an action in public domain, performances evaluation, payment arrangements, supervision and control.

Mixed organizations can be formed on the basis of existing public organizations or new institutions. As possible ways of action there are:

- Sale of part of the capital of public organization or individual private institutional investors. The procedure is similar to total privatization and put into practice by public offer of buying, fixed price sale, transfer to employees and public managers etc.
- Joint ventures, by which the private organization provides development capital and specialized qualifications.
- Establishment of new joint organizations is a much more frequently practiced variant even in public services. This is because the conditions of participation in capital are clearer than in the previous case, the remaining clauses can be easily negotiated by the partners.

Of course another form of production is the total privatization of public services, which in fact creates foundations for efficient allocation of resources and a high quality of products and services.

2. Transformation of staff functions in a component of the strategy of the public institution in general and not in meeting of specific administrative activities. In this context, it is necessary to make flexible employment practices of staff in administrative structures.

3. Changing management style of public managers this becoming more rationalistic, focused to targets and not paternalistic.

4. Changing the role of public officials from the traditional classic type to the new one mechanic the emphasis is on the creative capacity of the civil servant, on the flexibility of thought and action.

5. Orientation of public organizations led by public managers to customers.

6. Emphasizing the concern of civil servants for a public management of rationalist type oriented to continuous change, not to maintain a temporary stability of a system.

7. Development in public institutions of a new approach of learning organization.

8. Transforming public services in public business targeted exclusively to the market of services where all economic factors act; therefore public servant changes from state employee in businessman permanently preoccupied of customer needs, of quality of offered services and organizational effectiveness.

9. The introduction of professional managers in state institutions, this is the best way to ensure efficiency and effectiveness, and not least the quality of public services.

10. Computerization of public institutions allows streamlining the communication process and decreasing the degree of bureaucratization of a public institution and / or public management in a country.

11. Flexibility of public institutions structures. The public shall have separate compartments for which defined tasks clearly determined by the system of social needs.

12. Functioning to the administrative institutions is made on the principle of self-co-ordination, which supposes a decentralization, of respective system delegation of tasks, competences and responsibilities to lower levels of the system structure.

13. Emphasizing the creative side of public management. Adapting public institutions to a market economy requires profound changes in public management. Urgent need to innovate, to create "new" in management requires at the level of each public institution the adoption of innovative strategies aimed at promoting new for achieving efficiency in the system. One of the main objectives of public officials, especially those at the managerial positions in the system should be the discovery and assimilation of new elements in all fields, and an open-minded approach to proposals for change. This means undoubtedly high professionalism of the so-called public managers to identify, understand and recognize the need for change, on the one hand, and on the other hand to act for implementation. The public managers servants must think in terms of future management structures.

14. Guidance of the system to attract general public managers, based on the idea expressed repeatedly by Peter Drucker as a logical definition of a general manager is the specialist that can link its small field with others.

15. The transformation of public servants in collaborators, namely assistants for public officials makers, especially those in positions of leadership, political representatives. It is necessary that the relationship between public managers and employees relies on trust, generating a climate of collaboration, focused on stimulating initiative on free expression opinions. Frequently, the public manager diminishes by thirst for power, excessive ambition. We recommend regular consultation of civil servants employees to get an answer about the work of managers.

For example, the staff of civil servants may be asked to answer the following questions:

- How do I accomplish the work in relation to the requirements of team officials?
- What can I do to help the team to work more efficiently?
- What can I do to help improve your business?
- What you should know to better exploit the resources of the group which I manage?
- I defend my position too frequently?
- How do I use my authority?
- How can I contribute to increase the effectiveness of the group? Etc.

Thus, the leader can inform not only the demands that lie ahead, but also on how the business can improve his activity. The analysis results are significant because the opinions belong to members of the group whose work can be improved.

16. Enhancing the efficiency of the public sector. Through the principle of efficiency and optimization is achieved finality of the management as it is conceived in public management: the carrying out of social objectives during shortest time possible with minimal effort. At this level, the criterion for assessing any leadership is to increase efficiency.

The deficiencies found in public institutions do not always have objective causes, but subjective causes respectively a small concern of public servants to solve the problems existing organization. It outlines more the tendency that the costs element constitutes a crucial factor for assessing effectiveness. So what counts in modern management is to optimize economic and social efficiency to which must pay attention public managers. Achieving social efficiency becomes the main criterion of activity valuation of public managers. As a matter of fact there is a close conditioning link between the efficiency of conditioning in public institutions and the results obtained in the whole society.

These trends in public management globally describe fundamentally profound changes needed in public institutions in Romania. The reality demonstrates that a continuation of the development of management processes and execution in public institutions into old patterns, traditional approaches, do not make than agglomeration of the system and delay the new objectives of public management in Romania.

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