LOCAL PUBLIC ADMINISTRATION IN ROMANIA

by

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CAP. 1. INTRODUCTION

Over the past 10 years many historical, social and political events have taken place in Romania. The process of state-building began with 1990, the first year after the 1989 Revolution.

The first steps onto the way of democratization through the setting up of a multiparty political system, the separation of state powers, a market economy based on free initiative and competition, determined a radical change of the way of thinking in Romania. The change of the administrative system was done by the Constitution from 1991, Law of the Local Public Administration in 1991, Law 70/1991 and in 1999 by the Local Public Finances Law and the Public Servant Law. They created the necessary environment for transferring an important part of the administrative authority from the central to the local level.

The public administration reform is the main objective of the governmental program and measures for implementing the socio-economic reform in the entire society, stipulating clear objectives, goals and ways to realize them. These were set up based on the principle that the central and local public administration are determinant in the implementation of the Socio-economic Reform Program, because of their presence in all fields of activity being, in fact, the interface with the population.

In this view, it is obvious that the reform should start with the public administration, pointing on the idea that the administrative system must serve the citizens not vice versa.

In 9 years Romania changed the political government only once, in 1996, had 2 presidents, passed through 2 elections campaigns, in 1992 and 1996, and is preparing this year elections.

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<tr>
<th>YEAR</th>
<th>GOVERNMENT</th>
<th>PRESIDENT</th>
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<tr>
<td>1989-1992</td>
<td>National Salvation Front (left)</td>
<td>Ion Iliescu</td>
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<tr>
<td>1992-1996</td>
<td>Social-Democratic Party from Romania (left)</td>
<td>Ion Iliescu</td>
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<td>1996</td>
<td>Coalition of parties (right)</td>
<td>Emil Constantinescu</td>
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Despite of this and because of those 40 years of one party system, Romania does not have the basic components of the politics: culture, class and public opinion. This lack determined an instability inside the party or the coalition empowered, a lack of trust, a lack of coherence in the legislative system and lots of structural problems – for example: 3 Prime Ministers in 4 years.

The inefficiency, instability, incoherence of the government is projected onto the Romanian economy that passes a bad and deep crisis with negative and disastrous impact on the other sectors of the social life.
A lack of coherence in policies and decisions and a lack of concrete objectives characterized all the governments. The effects are felt by the population: high rate of unemployment, low rate of living standards, no social protection.

The budgetary sector was the first and the deepest affected by the incoherence of the governments because each year the budget was voted too late.

In 1998, the "usual" delay was accompanied by a drastic reduction of the budget for health, schools and public administration. That means no investments in these sectors, low quality of the services, high rate of unemployment in this sector.

Because of the low budget, in August 1998, the government promulgated the Budgetary Wage-paying Law, in order to limit the level of wages in these sectors, determining the public administration institutions to dismiss 30% from the employees. One of the effects is that the specialists from these institutions (architects, accountants, and lawyers) are leaving for big wages to private companies, a de-specialization phenomenon.

1999 brought The Local Finances Law and The Public Servant Law.

**CAP.2. OVERVIEW OF THE ADMINISTRATIVE STRUCTURE OF THE STATE**

In the public administration system of a state co-exist, generally, 2 of the 4 types of the regimes, each development period being characterized by a predominant one. In the meantime, the two-existed regimes are interfered, generally, by one of the intermediary juridical regimes, the administrative de-concentration and the administrative trusteeship.

The Romanian public administration system is characterized by the co-existence of the centralized and de-centralized systems interfered by the de-concentration.

The executive authority is a centralized system (see in the Scheme), consisting in three administrative levels:

- **the government and the central governmental machinery**
- **ministries and other central governmental agencies**
- **the local public administration**

The Constitution stipulates the duties and the hierarchic relations.

The Government is the central executive body. It controls public administration and implements domestic and foreign policies. It directs and supervises the activities of ministries and bodies of the central and local administration and ensures that the administration complies with the law.

The Government consists of the Prime Minister, ministers and other members, in accordance with the organic law [the Constitution]. There are ministers of state and 16 ministers. The ministers of state co-ordinate the activity in a specific field (finance foreign affairs, minorities, labor and social protection, transport, internal affairs, education, environment-water-forest, sport). Each
minister of state also has the service of at least ten people. A minister of state is responsible for co-ordination and defining reform strategy.

The members of the government may not hold any other public or private office, other than that of deputy or senator.

The Prime Minister is the head of the government. He directs the action of the government, co-ordinates the activity of its members and represents the government in its relations with Parliament, the President, the Supreme Court of Justice, political parties and other bodies of national importance.

The President designates the Prime Minister, after consulting the party with an absolute majority in Parliament.

The Prime Minister has the power to appoint and dismiss the General Secretary of the Government.

In 1991, a government decree authorized the establishment of the Department for Local Public Administration, which provided general supervision of local public administration with a view to:

- analyze how local public administrative bodies perform their duties
- support and monitor the activity of local public administrative bodies in applying the Government Reform Program
- undertake studies, submit conclusions and make proposals to the government for improvements in this area
- make proposals to the government for appointment or dismissal of prefects and secretaries of district councils or the Municipality of Bucharest
- process applications, proposals and complaints brought before the county

In each county and in the Municipality of Bucharest, the Government appoints a prefect to represent the central authorities.

The prefect is in charge of the local offices of ministries and other agencies of central administration. As representative of the government, the prefect ensures that local and county councils and mayors perform their duties in accordance with the law. There are no hierarchical relationships between prefects and local councils.

Prefects have a number of functions concerned with reviewing the legality of administrative decisions of public and county authorities and ensuring compliance with the law and with public order. To ensure respect for the law, the prefect may delegate responsibilities of local and county authorities, except those concerning day-to-day management, before the administrative courts.

In the performance of his duties, the prefect may issue orders of a technical or sectorial nature. Orders of the prefect are countersigned by the heads of sector bodies and services subordinated to him.

The prefect submits an annual report to the government on the general, economic, social, cultural and administrative state of the county. He also submits to the County Council or to the Council of the Municipality of Bucharest a record of the activity of the public services of ministries and other agencies of central administration in the county or Municipality of Bucharest.

The local public administration has administrative autonomy, the local autonomy being realized by the elected local councils and mayors (Constitution,
The de-centralization of the public administration is based on the territorial-administrative organization of the territory (Constitution, art.3). The Local Public Administration Law edited in 1991 stipulates the components and the competencies of the de-centralized local administration.

**CAP.3. HISTORY OF CIVIL SERVICE**

In the Romanian Principalities, administrative units existed even before the 16th century: districts in Wallachia and counties in Moldavia. The communal authority was made up of a leader and 12 jurors elected.

After 1830, with the introduction of the Organic Regulations, the local administration was largely modified the autonomy of the towns being, for instance, recognized.

The modern public administration was born in 1864, with the adoption of the Communal Law, 1 April 1864, and the Law for the Creation of the County Councils, both of them inspired from the French legislation.

**1859-1918**

The Communal Law (1 April 1859) stipulated:
- organization of the rural commune invested with legal personality
- regulated the separation of the rural administration from the urban
- stated that towns would constitute independent communes
- the communes were led by the communal council made up of 5-17 members and a mayor, elected by the inhabitants of the community
- the council worked in ordinary meetings- once a month-, and special meetings whenever necessary
- the Prefect (or Ministry of Interior) as higher authority, had the right to suspend decisions taken beyond the powers of the council.
- the Prince could cancel the illegal decisions of the communal authorities
- the council adopted regulations for internal administration, appointed and dismissed communal employees.
- the mayor is the delegate of the central authority. Is elected at the same time as the council members and is confirmed by the prefect (in the rural communes). In the urban communes is appointed by the Prince among the counselors

The Law for the Creation of County Councils (2 April 1859) stipulated:
- the county is a state administrative sub-division, invested with a legal personality and a certain public power, and rights to own property
- is leaded by a council, elected, and chaired by a president elected from the members.
- met for one ordinary session every year
- voted the income budget, the compulsory and optional expenses budget and adopted regulations
- the compulsory expenses: court, Prefect’s office, police barracks, civil prison, roads and bridges in the county, hospitals, postal services, salaries for the permanent committee members and county clerks
- the prefect was the governmental representative in the council and was appointed by the central authority
- the council elected from its members a permanent committee, for a 4 year term, made up of 3 members and 3 deputies with permanent activity between the sessions. The Committee was chaired by the Prefect, prepared the drafts for the council to discuss, to solve current problems, to represent the county in the court, informed the council about the decision taken
- the Prefect could cancel the decisions
- each “plasa” (a group of several communes) was administered by a sub-prefect
- the sub-prefect checked the communal pay offices, the registrar’s offices, the implementation of the county council decisions and permanent committee, reporting periodically, making proposals

The Constitution of 1 July 1866 strengthened the principle of administrative decentralization and local autonomy, stipulating that no tax should be enforced without the agreement of the county or commune council.

The development of the human settlement, specially the towns, imposed the necessity of these 2 laws, which determined an increasing of the Civil Service dimension. The Civil Servants represented an authority for the citizens, these positions, being, in the meantime, the ideal for most of the people. The political control over this service and also the interference was more than obvious because the public administration scheme was very simple:

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PRINCE

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PREFECT
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The inter-war period strengthened the administrative decentralization adopting the Administrative Law from 5 August 1929 modified then through the Administrative Law in 1938. What they brought, important, were the administrative-territorial changes: the commune, district, county and province. Only the commune and province had legal personality. The Civil Service increased in number and modifies its structure. For the first time was stipulated that the Prefect was a career civil servant, appointed by royal decree to lead the employees of the Ministry of Interior in the district. What is interesting in these laws is that the rural communes had an elected council but the mayor was elected from the councilors.

The Communism changed the whole administrative system preserving the territorial divisions with an adagio: the region. The Grand National Assembly and the County led the public administration system and Popular Councils replaced Local Councils. The members of the Grand National Assembly were elected periodically but only at the Communist party proposals, in the Popular Councils case the members being named at the Local Communist Party proposals.

13 April 1948- the Grand National Assembly approved the Constitution, which preserved the previous administrative-territorial divisions, creating the region as a new administrative unit

The Constitution institutionalized the people’s councils, as specialized local organs constituted as branches of activity. The hierarchy was total and very strict, both vertically and horizontally.

6 Sept. 1950- Law no.5 -was created a soviet type territorial organization, with the introduction as administrative units, besides the commune and the town, of the district and the region

21 August 1965- a new Constitution stipulated:
• the foundation for the whole system of state organs was the Grand National Assembly and the people’s council
• their mandate was for 5 years at the county level and two and a half years in towns and villages
• dual subordination was reintroduced- central and local- in the specialized organs of the administration and in the worsening of centralism and in the power concentration, which became apparent also through the new right of the people’s council to appoint and dismiss judges
• the appointment of the people’s councils was strictly under the control of the party structures
• the mayor had no competition and were nominated as candidates by the secretaries of the Communist Party’s committees

Being at the beck and call of a state party that restricted individual and collective freedoms and the right to self-administration of the citizens, the people were turned from subjects into object of a policy. The economic and psychosocial consequences of those restrictions are dramatically faced today also by the local public administration, deprived of any means to face their responsibilities.

The political administrative system spanned every organization, public institution and economic enterprise in a single network of relations of subordination, coordination and control, led from the center by the nomenclature of the Romanian Communist Party (RCP) that held the key posts, both in the party hierarchy and in the state structure.

The Political Executive and the Central Committee of the RCP were the only authorities with powers to draw up policies for all the domains and sectors, the other institutions of power and state administration, including the management structures of the economy, having only execution functions.

The main role of the Government and of the ministries was to administer the activities of all institutions and organizations in their own domain, from economic units to mass media, schools, hospitals, fire brigades, etc. practically covering all decisions concerned

At a territorial-administrative level, the network of central organizations used to administer, control and lead all units of execution, being doubled by the structures and sections of the RCP committees. The main element of subordination was the central and drastic control on resources of any form, from the allocation of raw materials and funding, to the control and establishment of the number of staff and wages.

1989 can be defined as the year of revolution in Europe. The walls of ideology crumbled, democracy triumphed in the eastern part of the continent. The change was fast, at times violent and radical, causing the disappearance of the communist-type totalitarian client systems.

**CAP.4. FORMAL RELATIONS, CONSTITUTIONAL AND LEGAL NORMS, GUIDING RELATIONS BETWEEN ELECTED POLITICIANS AND APPOINTED OFFICIALS**
The Romanian system of public administration has a hierarchic-functional structure. In the public administration structure, this structure is the mix one, a mix between the hierarchical structure, which assure the unity of management, and the functional structure, which determine the plurality in managing. The hierarchical structure determines the division of the authority in central and local authority. The functional structure determines the division of authority in authority with general competencies and those with specialized competencies. This also determine a division on specific activities:

- central level - ministries
  - specialized organs subordinated to the Government or ministries
- local level – decentralized public services of the ministries supervised by the Prefect

The authorities of public administration are a subsystem inside the public authority system as the Constitution stipulates based on the principle of power division in the state: the legislative, executive and juridical.

The public authority can be classified using two types of classifications:
1. the linear one – a) central authorities – the Government, ministries and other central organs of the public administration
   b) territorial authorities- the decentralized public services of the ministries and other central organs
   c) local authorities – local councils and mayors
2. the functional – a) authorities with general competencies which are exercising the executive power: government, local councils and mayors
   b) authorities of the specialized public administration-realizes the public administration in a specific field of activity

Public service is mostly defined in Romanian literature as an administrative organism, with determined competencies, financed by the general budget of public administration created either by the state, the county or commune in order to satisfy a public need and ensure regular and permanent application. The root of the term "public service" is the British term "civil service" emerged in the late XVIII century to distinguish between civilian and military personnel of the East India company, defined as "remunerated" personnel other than those serving in the armed forces, whose functions are to administer policies formulated by or approved by national governments. The Civil Servant Law from 1999 defines the public service as the total of the activities realised by the public institutions and authorities in order to satisfy public interests.

In this view, the public services are organized as organs of public administration, public institutions and public companies whose activity is realized by personnel with specific education and training paid from the central budget. Therefore, the public service is seen as an activity of general interest whose decision regarding when and how is to be realized is taken by the public authorities. The positions of the public services are called public positions.

Administrative Code defines the "public servant" as the person who was legally invested, appointed or elected, in a public position, in order to realize a continuous remunerated activity that gives him specific rights and obligations.
The Public Servant Law defines the public servant as “the person appointed in a public position”.

There are 2 categories of public servants:
1. according to the level of studies requested by the position
   - p.s. with university degree (4-5 years)
   - p.s. with university degree (3 years)
   - p.s. with high school studies
2. according to the moment they occupy the position
   - debutant
   - permanent

Some authors agreed that there are two more classifications of public servants but which are not clearly stipulated in the Public Servant Law:
1. according to the participation at the decision process
   - direct participation
   - indirect participation
2. according to the administrative level in the structure
   - from central level
   - from local level

The Public Servant Law eliminates the category of the “elected public servants” which becomes the “elected officials”.

The law stipulates that the appointed positions are strictly occupied through open competition between candidates.

In December 1999 the Romanian Parliament promulgated, finally, the Public Servant Law which tries to create the special body of public servant and also to clarify the public servants positions inside the system. The project of the law tried to clarify the public servants positions versus politics but because the political interests were stronger than the need the politics won.

**A comparison between the public administration before and after 1989**

| Centralised, bureaucratic, monolithic system under the control of the Communist Party. |
| Pseudo-democratic representative bodies dependent on the Communist Party. |
| Non democratic elections. |
| Central budget. |
| Partly decentralised system divided into self-governments and central government administration. |
| Central representative bodies elected in a democratic way (the Chamber of Deputies and the Senate), as well as the local ones (municipal and county councils). |
| Division of power: executive authority, legislative authority and the judicature. |
| Budgetary system consisting in the central budget and independent |
The system of public administration is formed by a variety of different organs but with a common characteristic: the methodology of applying the law.

The government that de facto is the organ of the executive power in fact because of the nature of its activity is the most important body assuring the coherence of the public administration. The ministries and the specialized bodies of the public administration that realize the duties of the state have a very important place in the public administration system.

The government is the central body of the executive power that organizes the activity of the public administration system. The governmental action expressed by the governmental politics acts in all the components of the public administration system. The government is formed by: the Prim Minister, ministers of state, ministers and state secretaries. The President appoints the Prim Minister who proposes the member of the government. The government realizes its competencies in plenum through the deliberative activities adopting resolutions and rulings. The resolutions regard the exercise of competencies in all the fields of public administration. The government directly supervises the central bodies of the public administration. The managers of these bodies are appointed and dismissed by the Prim Minister and the employers are career servants with a distinct legal status.

The local public administration has an important place in the public administration system. The local public administration is organized in the territorial administrative units of the state: the communes, towns and counties.

According to the Law of Public Administration, the local public administration is organized in the respect of the local autonomy principle realized in communes and towns by the local councils as deliberative authorities and mayors as executive authorities, and in counties through the county council and their presidents.

The Local councils are formed by councilors elected; the number of the councilors depends on the number of inhabitants. The local council duties regard the administration of the town, the local budget and taxes, the administration of the public and private domain of the town and the public order. They are also responsible for the appointment of the vice-mayors and the setting up of local institutions. The councilors can be dismissed to the prefect proposal, by the government.

The mayor is elected and has a 4 years mandate. He is responsible for the administration of the public problems like the local budget, the legal obligation of the town, appoints the local public servants, authorized the activity. He also act as a governmental representative regarding the respect of the laws and governmental dispositions, the elections organization, the civil state acts. In this view he can give local resolutions. The secretary of the town hall, legally, is a career public servant and has an important role in the public activity. It is absolutely necessary to be a lawyer. Even it is considered a career job, the Secretary of the town halls is also a political position because is appointed and
can be dismissed by the Prefect (art.52) even art. 51 stipulate that the secretary cannot be a member of a political party or organization.

The County Council is the body the public administration is realized in the county, being directly elected. A president elected by the councilors from the councilors rules it. It represents the local collectivity and it is not hierarchical superior to the local council. The president of the county council is responsible for the county duties as the county budget, appoints the county public servants, and distributes the local budgets in the county.

The Prefect is an important body in the decentralized public administration. He is a governmental agent representing the executive power and the central public administration at the county level. The prefect is appointed by the government (art.96- the Law of the Public Administration). They cannot be in the meantime members of the Parliament or the county and local councils or mayors. Just the government can dismiss him. It is a political position.

The prefect duties are:
- controls the legality of the administrative papers edited by the local and county council and the mayor
  - can ask to dissolve the local or county council if their dispositions are not exactly legal
  - can ask the mayor's adjuration

The access to the position from the public administration must be accessible to all the citizens. In the public administration system, because of the link with the political system, there are some public positions with a political character. For example, the ministers, secretaries of state, the prefects, mayors, etc. The law stipulates the access to these positions, these positions being not a profession just a mission limited in time. The people who are exercising these jobs have a special legal status.

The majority of the public positions are professional, being occupied by people for whom they are professions. The access to these positions and the legal status is clarified by the Public Servant Law.

**CAP.5. POLITICAL CULTURE AND ATTITUDES**

The role civil servants are expected to play in relations to their political masters, and the public opinion toward civil servants can be the subject of a real and big analyze.

Going back into the Romanian history, we will see that the political subordination existed all the time.

In the Communist Regime the political administrative system spanned every public institution in a single network of relations of subordination, coordination and control, led from the center by the Communist Party. At the territorial level, the network of central organizations used to administer, control and lead all units of execution, being doubled by the structures and sections of the Communist Party committees. Every position was occupied by the nomination of the C.P., after a deep check and on the condition of being a C.P. member. The Public Administration was very important for the political leaders
because could be a source of control over the citizens so the political principle was applied mainly here. The politics and public administration were a whole. The public opinion did not make any difference between the governmental and political actions and the public servants; the attitude toward the government was reflected in the attitude toward civil servants.

After 1989 the situation has changed. The statute and duties of the civil servants are regulated by the Constitution 9 adopted in 1991, the Law of the Public Administration (1991) ,Law 30/1990 and the Public Servant Law from 1999. It is supposed that the civil servants are professional, not political engaged but the reality is that they are a very good political manipulated mass. The Public Servant Law was waited since 1923 but mainly after 1989 in the view that will protect the public servant against the political pressure. Analysing the law we cannot conclude that this thing will ever be possible. According to the law a public servant has the right to candidate for an elected public position and if it will succeed, at the end of the mandate the institution where he worked before has the obligation to give him the position back.

According to the law, the Public Servant Body will be lead by the National Agency of the Public Servants under the Government’s authority. The president of the National Agency will be appointed by the Prime Minister. The Agency will be entitled and responsible for all the laws and legal norms necessary to the public servants. Inside each public institution will be created a commission formed by legal representatives and trade union representatives which will take care about the work condition, health and security but its vote will be just consultative.

The public servant rights are very strict but he has the right not to be discriminate on political basis. So the only protection against the political interference into his life will be this paragraph. The wage will be set up by a special law which will be created in the view of a “necessary” reduction of the number of public servants. What is interesting is that the other 1 rights are the same rights stipulated by the Labour Code and Constitution. We can say that this law is in fact a compendium of all the already existing labour laws.

What is interesting nowadays, is that the public opinion toward the civil servant changed, in the way that the civil service is considered a separate entity from the government, the politicians. A public survey revealed that 76 % of the citizens who have administrative problems have a good opinion about the civil servants. The citizens are satisfied that their problem was solved in time, the public servant was kind without any bribes. The general opinion is that the government is responsible for the problems in administration because 40% of citizens think that there is bureaucracy in the public administration, 37% think the public servants are bureaucrats, 27% think that the small salary is the cause of the public servants attitude towards citizens, 54% thinking that a raising would be the solution for a kinder behavior.

**CAP.6. POLITICAL PROCESS IN PRACTISE**
According to the Romanian Constitution, the local public administration functions on the base of the administrative autonomy and de-centralization principles. The elected local councils and mayor realize the local autonomy.

For a better understanding of the political process is necessary to have a look on the SCHEME of the PUBLIC ADMINISTRATION SYSTEM in ROMANIA. Romania is a parliamentary republic with a bi-cameral parliament and a president.

The members of the Parliament and the President of the republic are elected. During his mandate, the President is not allowed to act as a member of a political party. The President proposes the Prim-minister and appoints the members of the Government.

The members of the Government are selected from the members of the Parliament.

The Prim-minister leads the Government and the Government leads the public administration system. The government realizes its competencies in plenum through the deliberative activities adopting resolutions and rulings.

The County and Local Councils and the Mayors represent the autonomy of the local administration (according to the scheme). Studying the same scheme we will see that the Prefect, who acts as the governmental representative in the territory, supervises these institutions, controlling the legality of the administrative papers edited, having the power to adjure the mayor and to dissolve the Councils.

What is absolutely obvious in practice in the local public administration is the interference of the politics in it.

Let's take the case of a Town Hall.

The Mayor and the Local Council are elected. The candidates at these public positions are 99%, members of different political parties so finally these positions become political positions. Because of this, and of the electors opinions, the team Mayor-local Council can have 2 different form: both of them from the same party, both of them from different parties. I have the privilege to study both types, and the results are remarkable.

The first (and the happiest case) was the Mayor and the majority of the Local Council from the same party. (Fortunately, in this case, the mayor acts mainly as a mayor not a politician). The two bodies cooperate and work profitable for the community deciding together the better measures for the community benefit. 85% of the acts proposed in the Council meetings are approved with a majority and the results of their application in reality shows that they are well thought. The Mayor and the Local Council are supporting the actions and decisions of each other. The big danger in this case is having a not so thinkable mayor. What is well-seen in this case, if you visit this city, is the good administration of the local problem, and the financial resources found by the local administration, who have a very good public image. The Mayor tried to apply a politics inside the City Hall based on the competency principle. But, in the key positions, like chief-office, secretary of the Local Council, managers, he preferred to appoint people who trusts and who are generally from the same political party.
The members of his political party have better access to him and a better influence in the city.

The second case is: the Mayor from a political party and the majority of the Local Council from the opposition. If you visit that town you can understand what that mean. (Fortunately, in this case, the mayor acts mainly as a mayor not a politician). The Local Council meetings are a real fight, the Mayor trying to do the best for the community and the Local Council trying to do the worse for the Mayor’s public image. The results are disastrous public acts, mess in the public life, a continuos discreditation, lack of financial resources, everybody being occupied to destroy the other’s image not building him a good image. In the administrative apparatus inside the Town Hall is a real mess, existing different groups of interests, everybody is preoccupied by his self-advantages, nobody is loyal to the mayor. The big mistake of this mayor was and is that, after he was elected, he did not appoint in the key positions inside the town hall what we call “his people”.

From these two case studies we can see that there is not possible a clear demarcation between politics and civil service. Politics will always influence the local decisions as long as this public administration system will exist.

Going to an upper level with the analyze, to the relation Prefecture-Local Council, we will see also the political influence because the Prefect is named by the government, being a political position. In both case studies the Prefects are from the opposite political side. Both of them have orders to protect and support the mayors from their side; and that is exactly they are doing.

Referring to the implementation of the governmental decision, what is clear is that the law obliges the local administration to put them into practice. There is no way out.

**CAP.7. CONCLUSIONS**

It is well known that Romania is in a deep process of change in all the fields. The politico-administrative system as all others is looking for its identity and form. Because we have a 40 years inheritance, the change will take longer than in any other European country. We will have to build our own political tradition and to adapt the society to it. In our field is clear that we are moving faster to a clear separation by politics and the creation of a civil service body, increasing focus on professional criteria.

In my view, a potential solution would be the change of the public administration system, eliminating the political positions from it. I know that this is a radical solution and is not possible so I think it is enough if we would improve the training of the public servants, set up more professional institutions for public servants, change the Public Servants Status, educate the citizens regarding their civil rights, change the mentalities of the people both citizens and public servants, educate the citizens about their constitutional and political rights.
SOURCES AND REFERENCES

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THE SCHEME OF THE MUNICIPAL COUNCIL

PUBLIC ADMINISTRATION
ADMINISTRATIVE SECRETARIAT
PROTOCOLE

PROTECTING AUTHORITY

CIVIL ESTATE

JURIDICAL OFFICE

PUBLIC RELATIONS

PROGRAMS, PROGNOSIS,
ECONOMICAL SYNTHESIS
PERSONNEL

BUDGET, FINANCES,
ACCOUNTABILITY
DUTIES AND TAXES

COMMERCIAL CONTROL

AUTHORIZATION OF THE PRIVATE
SOCIETES

URBAN PLANNING
ENVIRONMENT PROTECTION

CADASTRAL SURVEY
DATABASES

ADMINISTRATION OF THE PUBLIC
AND PRIVATE DOMAIN

ADMINISTRATIVE