

INVOLVING LOCAL PUBLIC ADMINISTRATION IN RURAL COMMUNITY DEVELOPMENT

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Abstract

The paper presents an objective evaluation of the present state of the involvement of local public administration authorities in the development of rural communities, and it presents the necessary measures to improve life quality. Reaching such a goal will show why European Community and Governmental funds are so slowly obtained at the level of local public administration authorities and will allow the establishment of the ways to increase attractiveness for and interest in from the factors involved in promoting rural communities' development.

Key words: local communities, autonomy, local public administration, development

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The changes occurred in Romania in the aftermath of the so-called Revolution of 1989 on both political and economic levels, and particular on social level, have marked the entire Romanian society.

They have promoted, ever since the beginning of the '90s, studies concerning the market economy compared to centralised economic systems (which had proved inefficient). At the same time, they have removed both the State's intervention in economy and the so-called public control.

On the same occasion, they have defined new responsibilities at different levels. A new way of governing and a new legislative frame (adopted after existing models) have appeared.

To note that the option concerning the relationship between citizens and authorities (in the sense of their participation in social life) soon appeared and, in short time, it yielded good results.

At local level, decision-making is done with actual support from local authorities as a result of wide consultations.

At national level, the population is invited to express, through voting, its opinions and even sanction when it is the case.

Both local public administration and central public administration operate according to a well-known system, decentralisation.

This is how a series of responsibilities are transferred to the level of local communities and supported by the inhabitants of communes, towns, or municipia.

For a better distribution of the tasks, and also for an efficient knowledge, in accordance with a European model, Romania has an organic law regulating the activity of public employees as well as of the central and local administrative apparatus – the “**statute of public employees**”.

Local authorities are, in fact, representatives of the community. The issues of the communities are diverse and they need different specialists who, in close correlation, work to solve them.

The community is represented, locally, by authorities elected through universal, equal, direct, secret and freely expressed vote, under the conditions established by the law for the election of local public authorities.

The interests of the local community are different, and in close interdependence with its own potential of development.

The principle on which is based the functioning of central and local authorities is the principle of subsidiarity, defined both **horizontally** – market – family – community – State – and **vertically** – national level – regional level – local level – community level.

Any type of activity is based on a study or a project, and on an acknowledgement following public consultation. Carrying out these projects is possible due to the sums collected for the local budget and distributed in accordance with the needs of the community.

Building up local budgets is done in accordance with the principle of local autonomy by local councils, being made up of the totality of financial resources of the administrative-territorial unit.

Approaching this issue is a necessity asked by the need to find out sources for the progress of the Romanian village.

Sustainable rural development is a major objective of the national policy as part of the European Union strategy concerning the development of agriculture in accordance with the Common Agricultural Policy.

The notion of European administrative area

The notion of European administrative area was developed after the model of European economic and social areas.

A common administrative area is possible when a set of legal principles, rules and regulations is equally observed over a territory covered by a national Constitution.

The main texts making up the European Union (the Treaty of Rome – 1957 and the Treaty of Maastricht – 1992) do not suggest a common model of administration for its member states. Once the democratic nature of the political regime is established, the aspects related to Government and administration are subjected to the member states fully autonomous administratively.

Some of the aspects covered by the legislative activity of the European institution are:

- the intermediary role of the public administration which ensures free competition between the firms within the European Union stimulated so as to reach member-states specific standards;
- the support of the State for the enterprises, a support authorised and monitored by the European Union.

On the other hand, there is a rich legislative heritage concerning the autonomy, the legal aspects of some administrative sectors, which constitutes the so-called *acquis communautaire* (representing the entire set of common rights and obligations linking all the member-states within the European Union).

The structure of territorial public administration depends on the general option between centralising principles and decentralising principles. The necessity of local structures is determined by the fact that central public administration organisms cannot ensure the achievement of administrative tasks all over the territory and for which they need a local network.

Within the European Union, there are also both unitary administrative systems (France, Italy) and federal administrative systems (Germany, Belgium). These two

forms of organisation mark the way local public administration is structured. Thus, a territorial community belonging to a unitary state is distinct from another one, which is a member of a federal state; the former will have only administrative competences and will not impact the state's unitary structure.

Integrated into a unitary administrative system or not, local communities benefit from the state's financial support – (federal) central administrations – but they are also tax-payers and produce a smaller income compared to the national average.

The institutional frame for the development of the rural communities in Romania

The administrative doctrine of the last years is based on three main principles when it concerns the way territorial administration is organised:

- the **principle of centralisation**, as a basic principle of organising local administration, supposes exclusively the dependence of local organs of the central administration, since they are, from a legal point of view, the only ones that adopt decisions applicable in the field, and territory authorities (we speak here only of state authorities) have only the competence of applying decisions of central authorities;

- the **principle of deconcentration** is, in reality, a form of centralisation of decision-making, and it consists in the acknowledgement of the state's agents distributed all over the country;

- the **principles of decentralisation** supposes the existence of some local public people designated by the community of the territory to have their own competences, and intervening directly in the management and administration of the community's "businesses": this notion also involves the idea of **local autonomy**.

The two notions are often used together, as stipulated by the art. 119 of the Constitution (1991): "*Public administration in administrative-territorial units is based on the principle of local autonomy and on the principle of decentralisation of public services.*"

As legal reality, local autonomy has varied depending on several factors such as:

- historical tradition;
- geographical environment;
- economic resources;
- degree of civic or political education;
- the state of national and international regulations.

Local autonomy in the communes and towns is exercised by two authorities: **local councils** and the **mayor**, elected under legal conditions. In this way, the legislator reflects the double nature of the commune, town or municipium, i.e. *community* and *administrative-territorial unit* (authorities elected through voting by a local community).

Through the prism of local autonomy, local public authorities are not subordinated to county or central authorities. But, on the ground of constitutional stipulations, **county councils**, the prefect or the Government may exert their prerogatives of *coordinating authority*, his/her prerogatives of controlling legality and its general public administration coordination, respectively.

Besides local public administration authorities, the institutional frame of the economic dimension of the management of regional and local development in Romania is ensured, mainly, by the following ministries:

- the Ministry of Economics and Finances;
- the Ministry for SMEs, Trade, Tourism, and Liberal Professions;
- the Ministry of Transports;
- the Ministry of Development, Public Works and Dwellings.

Conclusions

On the ground of our analyses whose results are presented above, we can say that Romanian administration is confronted with certain major problems needing solutions; it is obvious that the process of decentralisation of administration is stagnant since it lacks main elements such as basic rules, principles of functioning of the entire process, institutional structure that governs the process, the legal frame that allows the achievement of this process.

Local autonomy should function on the ground of some principles as subsidiarity – which supports wider competence delegation to local authorities in accordance with the European Chart of Local Autonomy – and solidarity – which aims at ensuring for all local communities the possibility of developing as harmoniously as possible in the spirit of national unity and of the observance of European standards.

Specificity of activities in the rural area does not contribute to the economic development of the villages.

It is imperiously necessary to attract investments for industrial activities or for the constructions which proved to be some of the basic branches of the national economy with important contribution to local development.

For these areas to become attractive from the point of view of investments we need to adopt and implement projects particularly in the field of transport infrastructure which should be contained in territorial management plans and, if the case, complementary to regional projects.

The lack of (little) funds at the disposal of local communities that allow the initiation and completion of feasibility studies in order to access European projects determines the lack of such projects thus depriving the community of its chances.

Thus, we need to find emergency solutions to meet the more serious issues accumulated in time, during the transition to market economy in Romania, as well as the changing of the concepts of social inclusion and development.

It is necessary to approach anti-poverty measures and to supply an action frame for their implementation, to permanently monitor the dynamics of poverty and of social exclusion, to develop reports concerning their specific aspects and to establish partnerships and cooperation relationship between the different institutions interested.

It is necessary to intensify actions in the field of social dialogue and child protection, to increase responsibility in supporting the families in need in order to prevent abandon and to protect the children in risk situations.

To sum up, the main factors leading to a flaw functioning of the local public administration are:

- dysfunctionalities in the relationships with the state decentralised institutions;
- insufficient financial resources at the level of local budgets;
- lack of funds for a good organization of the different services;
- lack of space for the personnel and lack of technical equipment compared to the existing issues;
- flaws of the legislative system;
- lack of motivation of the personnel because of the low wages compared to the work and responsibility of the job;
- fear of unemployment.

In agreement with the present legislation (Law nr. 215/2001 concerning local public administration and Law nr. 315/2004 concerning regional development), local authorities should be involved in the development of programmes and in their implementation, no matter the financing form.

Thus, local public administration authorities become the main actors of local development.

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