

General Points of the Public Administration in Romania

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Abstract

The present study presents some points of view about public administration. It also contains my arguments concerning general characteristics of the public administration. It describes the importance of a proper function of the public administration being carried out.

Key words: public administration, central administrative authority, state authority, public administration tasks.

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1. Introduction

The study of the context of emergence and development of the state administration was approached by the human thinking, from the moment that, in the social existence appeared and developed the phenomenon of the administrative state.

Regardless the historical period of the time that our country went through, once the formation of the legal state, appeared the need of administration and implied the recruitment from the population line of the citizens to be concerned with this activity.

Although, in current language to administrate is synonym with to conduct or to organize, when we talk about administration as being a complex process, we refer to the fact of this being a rational and efficient activity that uses human, financial and material resources with the aim of achieving best results with minimal efforts. The activity of a group that work together for carrying out common aims, that is how the administration can be named.

2. About public administration

A definition of public administration could be „the totality of administrative authority existing in a state, section or service, that takes care of the administrative problems of an institution or economical agent”.

The public administration is a form in which we realize the executive function of the state through a concrete organization and pursuance of the laws.

An optimal organization can t be the result of an accident, any organization must have a scientific foundation. Therefore the rational and effective working of public administration needs an implementation of the scientific methods of organization of the administrative activities.

The administration of the state is assigned to a state authority, this being the main administration and their territorial units and the local administration that has to administrate the local collectivity interests according to the State Constitution.

From this reasoning we can understand better which are the contradictions from the local public administration authority, and different public services of the special public central administration as ministries, departments that act in a certain territory, but are exterior structures of certain central administrative authority. It is necessary to specify that within the territorial framework of the local and central are administration organs, the relations between them are diverse and they have to cooperate because they have a joint aim- the organization of the public services for the citizens from the territory.

Public administration has as an aim the achievement of the political values that express the general interests of the organized in a state society and that are formulated in laws by the organs of the law, as well as the judicial decisions given in the basis of the law.

By characterizing the public administration as being an activity conducting in principal, we detach its position of mediator between the plan of political management and the plan that political values and decision are realized.

The public administration in the legal state represents the major mean whereby we realize the values established at the level of political landing. It has to be sustained, omnipresent, prompt and dynamic because it represents the state, in common language to administrate means to be in charge, to organize, to conduct public and particular activities.

The doctrine considers that in the complex content of administration it contains the imperatives: to forecast, to organize, to conduct, to coordinate, to control.

The notion of public administration can have two orientations: a material and a formal one. In a material orientation public administration represents an activity of organization of performing and performing the law, realized through actions with disposition character or actions with performing character, by the authorities that compose the system so as to satisfaction of the general interests, aims that organizes and ensures good function of the public services and carries out certain performances towards the population.

Public administration, as activity overgrows the domain of the organs that compiles the respective system of organization, this we can find in the system of the legal and judicial power, as well as in the one of an out of state organization that organizes the performing and performs the law.

In a formal orientation the public administration can be understood as a system of organs that contain various administrative structures that achieve the activity of organizing the performing and performs the law. The public administration orientated in a system of organs of the state is composed from: the President of Romania, the Government, ministries, and other organs of central public administration of specialty, their services decentralized in the counties, the prefect and the public local administration authorities.

The public administration tasks in terms of organization, represents one of the most important side through which administration does the functions within the social system. In this regard the Romanian Constitution states in article 101(1) that the main task of the Government is ensuring the implementation of the internal and external politics of the country and the exercise of general management of the public administration according to his government program accepted by the Parliament. The law on organization and function of the Govern and of the Ministries number 90/2001 and the Law of the local public administration number 2015/2001 also predict important organizational tasks for the central, special public administration authorities and for the local public administration authorities.

Command task is found in the activity of the public administration in two plans: the public administration collaborates in making political decisions by preparing them, and public administration adopts administrative decisions that have as a main objective to create the organizational framework and the concrete conditions for implementation of the political decisions.

Coordination as an attribute of management in the public administration is found almost at all levels of administrative structures and consists in harmonization and synchronization of the actions carried out in order to organize the execution and of execution in concrete of the political decisions that are transposed into law and order normative acts. Without coordination it is not possible the effective action of the different elements of the administrative mechanism, and performing the functions of the administration would be threatened, which would have repercussion on the whole social system. Coordination ensures dynamic integration of the actions of various elements of the public administration, in order to achieve them rhythmically, proportionate and efficient.

The control is also another attribute of administrative activity, it has the purpose to measure the results of the administrative actions in the enforcement of political decisions and of reprogramming the activities making the necessary correlations. The control must determine an increase in achievement of the administrative actions to ensure fulfillment of the public administration functions.

3. Conclusions

For A Iorgovan, the public administration represents „the whole activity of the President, the Government the central self-contained administration authorities, the local self-contained administration authorities, and where necessary the subordinated structures, hereby, in a public power procedure, public laws are carried out or in the extent of the laws are performed public services”.

The domain of local public administration is first regulated by the Constitution in the articles 120 and 123 that contain dispositions with basic principle status. The general law of local public administration number 215 from 2001, as well as in the numerous special laws from which we only remind the Law of the Prefect number 34 from 2004, the Law number 393 from 2004 respecting the local elected status, the law number 67 from 2004 respecting the election of the local administration authorities.

A proper function of administration, of the public services became a tranquility factor, as sure as a deficient going of the public services is at the origin of a lot of political crisis and even popular rebellion. The modern state provided with a huge administrative apparatus, must not lose the control of the administration, must not be fainting in spite of its gigantesque or just from this reason.

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