

RURAL ADMINISTRATION IN ROMANIA: EVALUATION OF CURRENT STATE

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Abstract

A large part of Romania's population lives in the rural environment, in communes and in their composing villages. However, there is an important gap in what concerns the administrative action, access to public services and the general development level, between the urban and the rural environment. The paper at hand aims at performing an assessment of the rural space state, from an administrative perspective, starting from the general characteristics of communes in Romania. This evaluation represents the benchmark for identifying major ways for action in the administrative reform of the rural space.

Keywords: rural space, public administration, state, development, reform.



1. Benchmarks regarding the rural space in Romania

According to the statistics, 44.8% of Romania's population is concentrated in the rural environment (9.67 mil. inhabitants on July 1st, 2007 – according to the National Institute of Statistics). However, if we consider the fact that 13 towns have less than 5,000 inhabitants, 60 towns have up to 10,000 inhabitants, many towns and municipalities have in their composition villages, and many do not fulfill the minimal conditions imposed by the legislation for the status of town, we notice that the above percentage is much more significant, the rural population being dominant in Romania.

Thus, the Romanian communes represent the most significant category of administrative-territorial units (together with towns and counties) (according to art. 3 of the Romanian Constitution – 'The territory is organized, under administrative aspect, in communes, towns and counties. In the conditions of the law, some towns are declared municipalities'), both numerically, and demographically. Thus, in Romania there are 2,858 communes (comprising 13,000 villages) out of a total of 3,178 administrative-territorial units. Although the most numerous, the communes and the rural space, in general, did not enjoy an appropriate attention within the reform programs or in the plan of the instruments meant to aid in their development.

The primary sector is dominant in rural economy, more than two thirds of the rural population being occupied in agriculture, although the number of employed persons is of only 150,000. If we also take into account the fact that the average surface of an agricultural exploitation in Romania is of 3.37 ha, it derives that in the rural environment, labor productivity is at very low levels, compared to the urban one.

The average commune in Romania has between 3,500 and 4,000 inhabitants, out of which 23% over the age of 60 (compared to 16% in the urban environment), and 25% under 18. The average number of members of a rural household is of three persons. The commune has 3-4 composing villages, with an average distance of 7 km between the most distant of them. The average surface is comprised between 6,000 and 7,000 ha, out of which more than 90% outside the village limits.

The communes and the rural space are facing a series of problems, such as (Agenda of Communes, 2008; The Strategic Plan for the Sustainable Development of the Rural Space, 2011, p. 50):

- Insufficiency of own financial resources and of financial resources attracted for the development needs of the rural collectivities. The weak economic activity, the insignificant average salary incomes, the relatively small surface occupied by buildings and the low level, set by law, of the local taxes, determine a low capacity for generating own revenues for the commune's local budgets;
- Absence of the technical capacity and expertise at the level of the structures with decisional power, responsible with the identification and attraction of the financing sources, the drafting of the sustainable development strategies for the rural environment, for short, medium and long term, the drafting and promotion of the local development programs and projects;

- Supply of local public services at low quantitative and qualitative parameters. Unlike their fellow citizens in the urban environment, the members of the rural collectivities either do not benefit at all or have only limited access to several public services such as high school or professional education, public lighting, drinkable water supply, waste water sewerage system, cleaning, emergency situation management, local police, culture and persons' records etc.

2. Public administration at the level of communes in Romania

2.1. Overview

According to art. 120 of the Romanian Constitution, public administration within the administrative-territorial units is based on the principles of decentralization, local autonomy and deconcentration of public services.

The public administration authorities, through which local autonomy is achieved in communes and in towns, are the local councils and the mayors, elected in the conditions of the law. The local councils and the mayor function, in the conditions of the law, as autonomous administrative authorities and they settle the public affairs in communes and towns (art. 12 of the Constitution, Law no. 215/2001 on local public administration).

The main institutional structure of the local public administration of communes is the mayor's specialty apparatus, usually structured in 7 functional compartments, out of which the majority comprise one to five persons. Only half of the communes have organized directions or services. The main explanation for this situation is the fact that they cannot reach the minimum number of positions necessary for such types of compartments, respectively 7 and 5.

Of the total functional compartments, the services and offices represent 20%, and the compartments 80% (The Strategic Plan for the Sustainable Development of the Rural Space, 2011, p. 93).

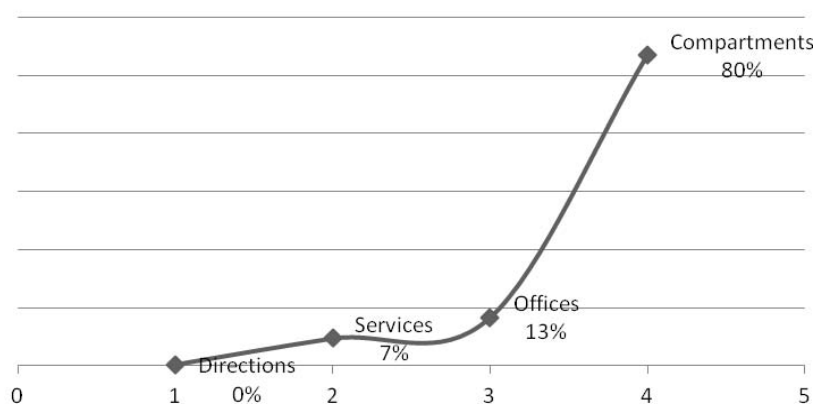


Figure 1: Types of compartments within the rural local administrations

Source: A.CO.R project

The most frequent fields of activity of the compartments within the specialty apparatus are (Agenda of Communes, 2008, p. 17): economic, with financial-fiscal-accounting duties, which include both the fiscal administration and the budgetary management and accounting, frequently, this compartment is also in charge of public procurements; administrative-secretariat; agricultural register/real estate-urbanistic cadaster; and urbanism.

Very few communes have organized specific compartments for public procurement, human resources, registry identification and civil status, social assistance, public domain administration, communal management, children's protection authority, and public relations. The compartments having as object of activity internal audit or the energetic service are almost non-existent at the level of the communal administration, even though there are imperative regulations in this sense.

Usually, the duties in the legal field, in human resources, and social care are coordinated or exercised by the secretary of the commune, due to the high volume of activity in different fields there can be no premises for quality work.

2.2. *The relation public administration – citizens*

The commune's administration is notified on average with 230-250 petitions per year, which represents one petition for every 15 inhabitants. The request for public interest information is not as intense, on the other hand: the number of requests for information on the grounds of Law no. 544/2001 during year 2010 was, on the average, 20, and 25% of the communal administrations did not receive such requests.

The meetings of the local councils are public, but the number of participants is extremely low: on average, 50 citizens per year attend them (others than the local councilors). 70% of the communes public assemblies were organized in 2010, their average at the national level being 3.

Only 30% of the communes performed within the last three years an opinion poll regarding the identification of the local problems and 55% of the mayor's offices have their own website, many of them being inadequate from the viewpoint of the content or being nonfunctional. On the average, within the communes there are 4 spaces of street display, one for each composing village.

Therefore, the citizens' communication with the local administration is executed especially by means of the petitioning activity, through public assemblies and street display, which indicates a low interest of the citizens with respect to the actions of administration and a reduced transparency of the later (Matei and Matei, 2010, pp. 206-218).

2.3. *The personnel in the public administration of communes*

Public servants represent 44% (out of which, 6% are management public servants) of the total personnel employed in the communal administration, and the contractual personnel accounts for the other 56%. From the total personnel, 50.5% are women and 49.5% men.

On average, in the rural administration there is one employee for every 170 inhabitants, the average number of employees in the specialty apparatus being of 21 persons. 12% of the communes have maximum 10 employees.

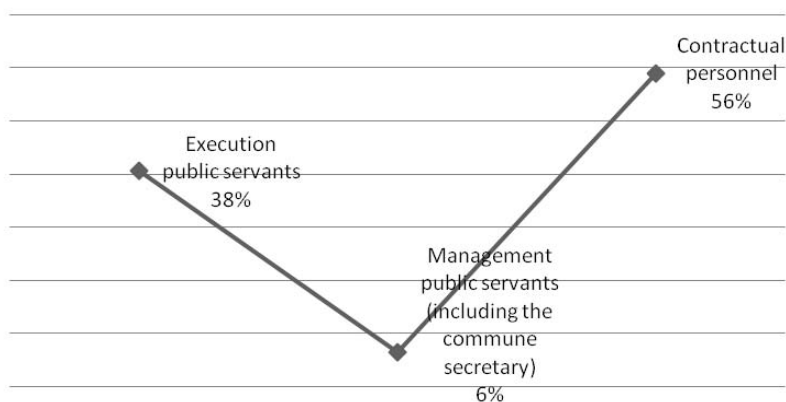


Figure 2: Categories of employees
Source: A.CO.R project

37% of the employees have graduated from a higher education institution, 3% post-high school studies, the majority being represented by the personnel with high school and secondary school education: high school education 34%, secondary school studies 26%.

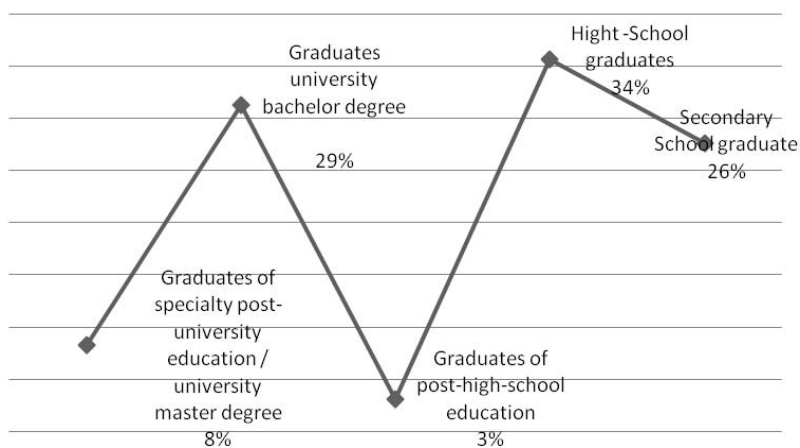


Figure 3: Level of education among public administration employees in rural area
Source: A.CO.R project

The average age of the personnel is close to 40 years old, only 9% of the employees being less than 30 years old. Most employees – 66%, fall within the age category 30-50 years old, and 25% of the employees are above 50 years old.

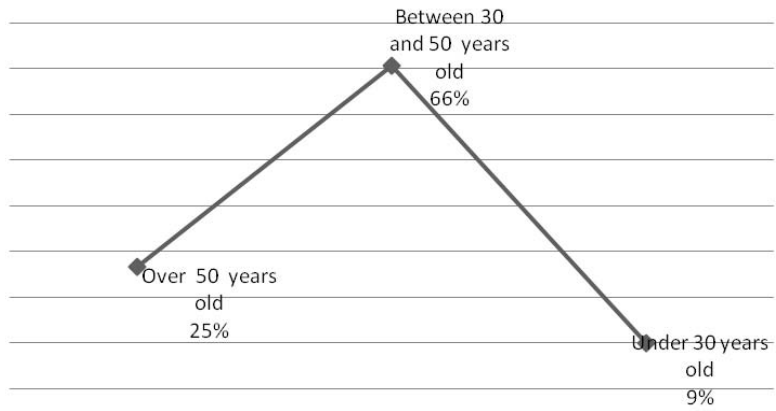


Figure 4: Age among public administration employees in rural area
Source: A.CO.R project

15% of the employees have attended, within the last 3 years, professional training programs, on topics such as: non-reimbursable funds – 11%, public procurement – 14%, public finance – 9%, accounting – 12%, organizational management – 9%, and information technology – 10%.

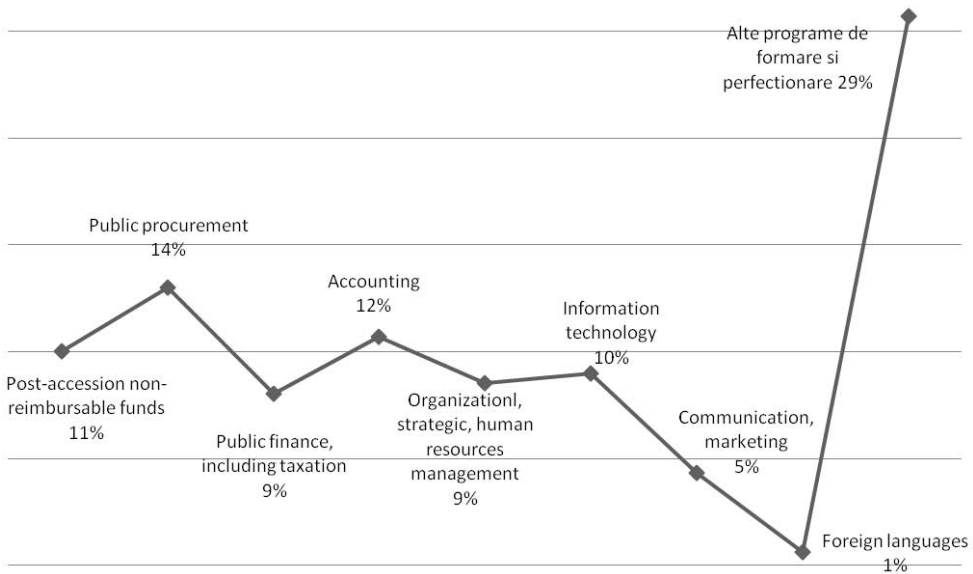


Figure 5: Topics of training programs
Source: A.CO.R project

Therefore, there is a high number of employees in the communes' administration with an inadequate level of training and with a quite senior age. The concerns for human resources development and for attracting young specialists are limited.

2.4. Work space and endowments

The administrative buildings in the rural environment have, on average, 200 m² of work space. Considering the average number of employees (21), it means that one employee has less than 10 m². Many of the headquarters are inappropriate as structure and utility for the activities specific to a town hall (small rooms, the impossibility to arrange spaces for public relations etc.), the majority being built at least 50 years ago. There is also an important number of communes that do not have in their ownership administrative buildings, having to rent spaces in order to perform their activity.

In what concerns the endowments available to the personnel in the specialty apparatus, the situation is the following (the information is based on the data supplied by 550 communes in Romania, a representative sample, within the project A.Co.R):

- each town hall has, on average, 11 computers (0.52/employee);
- the computers are connected to printers in proportion of over 70% and to the Internet in proportion of 85%;
- the computers are, in general, equipped with accounting, fiscal administration and urbanism software;
- each town hall is equipped with two copiers;
- 50% of the town halls have at least one photo camera;
- only one third of the town halls have a video camera; and
- two cars per institution.

In conclusion, the local public administration has an acceptable level of technical endowment, but does not have enough spaces, adequate for performing its activity. It is necessary that each institution uses informatics software for the activities of agricultural register, salary management, human resources management, budgetary management, registry identification and civil status records, social assistance, cadastral records, registration office/monitoring of documents' circuit, patrimony management, legislative programs and GIS.

2.5. Strategies for development and accessing structural instruments

Less than a half of the Romanian communes have drafted and adopted a local development strategy, instrument for planning the future. From the existing ones, a good part are non-realistic or insufficiently grounded, elaborated without applying forms of citizens' participation and consultation. The main objectives of the local public authorities, formulated in development strategies, are related to public utilities (water supply, sewerage) and public roads rehabilitation. At the secondary level, we find elements such as public lighting, schools or sports facilities. Very few of the objectives mentioned target human capital or the direct involvement in the local economic development. In what concerns the problems they are facing, the most acute is the limitation of the financial resources and the fluctuation in the legislation, to which are added the social problems in the rural communities.

Since 2007, Romania is a member state of the European Union, having access to different structural instruments. In 2010, less than 30% of the communes undertook

projects financed from approved structural instruments, the national average being of 0.63 projects per commune. The average value of these projects was 650,000 lei.

Half of the Romanian communes are part of inter-community development associations, but these associations are very large, sometimes comprising a whole county, such as the average number of member administrative-territorial units is more than 45.

Thus, we can appreciate that a limited image is outlined with respect to the action possibilities that local authorities use for development: absence of programming documents, limited access to alternative resources for financing the projects, erroneous understanding of the role of certain development aiding instruments (associations).

2.6. Budgetary situation

The low economic activity and, implicitly, the low number of employees, the absence of income for the population, lead to a limitation of the possibilities of financing development from local resources. In very many cases, the local administrations are unable to mobilize resources even for their own functioning (Dogariu, 2010, pp. 105-114). This situation is also generated by subjective factors (Agenda of the Communes, 2008, p. 22):

- The activity of setting, establishing, controlling, follow-up and collection of local taxes and fees, as well as of any other revenues of the administrative-territorial units is often inefficient, with personnel having a low specialization level, and under-dimensioned specialty compartments.
- Some local authorities prefer to request funds from the Government rather than to ensure an increased degree of collection of own incomes, which would also lead to the application of measures specific to forced execution, with major impact, from the political viewpoint, among the electorate.
- The capacity to elaborate projects and to attract non-reimbursable funds, in order to complete the local ones, is low, and the personnel training in this direction is rare, on the grounds of completely incentive-lacking salary policy.
- Some local authorities are not making sufficient efforts to attract private investments on the territory of the communes or to promote their specificity.

There is, therefore, a limitation of the financing resources for the local budgets, generated also by the general economic situation and by the level of incomes of the population, but especially by the incapacity of the local authorities to get involved in the economic development process, by attracting investments, by developing the local entrepreneurship and by collecting the budgetary revenues.

2.7. Public services of the communes

The number and quality of local public services are directly linked to the volume of human and financial resources mobilized by the local public authorities. The employees' performances, the level of professional training, are fully reflected in the quality of public services, and the financial resources give the measure of their quantity.

Some public services are found in the majority of communes, but we are speaking mostly of those with administrative character (The Strategic Plan for the Sustainable Development of the Rural Space, 2011, p. 103).

The social assistance service has as object of activity the assessment, counseling and care at home, as well as the payment of allowances of social aids for the persons in difficulty (Bădescu, Cucu and Șișeștean, 2009). Usually, the number of employees in charge is of 1-2, out of which only one is a social worker. In less than 10% of the communes they also collaborate with other social services suppliers, preponderantly with non-governmental organizations, although the number of assisted persons is quite high – 205/commune, on the average. Thus, it is established that one employee of such a service is responsible for more than 100 persons.

The most frequent calamities in rural collectivities are floods and fires, followed by storms, landslides, snowing and high waters (on the average, 4 emergency situations per year), such as approximately 95% of the communes have established the voluntary service for emergency situations. But these services also function with 1-2 employees and 30 volunteers, on average (most of the times only formally).

The absence of endowments, equipment and personnel, as well as the absence of involvement of the volunteers are the main problems of these services.

Also in proportion of 95% we find the cleaning service: the local authorities are responsible for the establishing, organizing and functioning of the service and, often, with the actual provision thereof, but only 75% of the households have access to this service.

The average frequency of collecting the waste is once a week. One commune collects, on the average, approximately 70,000 cm of waste annually, out of which the quantity recycles is negligible. Also, the household appliances are collected separately in only 10% of the communes that supply the service.

Apart from the problem of financing, the problems identified by the local authorities in what concerns cleaning are: the population's reluctance towards selective collection, the high costs for storing the waste, the absence of adequate equipment and machinery.

Public lighting exists in more than 95% of the communes, but the average length of the network is of 20 km/commune, in the conditions in which the roads' average length is of 60-80 km. Hence, less than one third of the roads crossing the communes are lit. The average time in function of the public lighting is of 8 hours, and the annual expenses are, on the average, of 60,000 lei/commune.

The frequent problems of this service are of financial nature (incapacity to sustain such a service), the physical and moral wear and tear of the networks and lighting bodies, the absence of the financial resources for extending the networks.

In 85% of the communes, all villages are connected to the electrical energy supply network, most part having been built in the 1960-1965. Few extension works have been executed in the last 3 years. In matters of electrical energy supply, the main problems are of a technical nature: non-modernized networks, low voltage etc.

The drinkable water supply of localities and the sewerage of waste water are essential from several points of view, namely: the inhabitants' comfort, their health, the increase of the degree of hygiene, the commune's attractiveness for private investors in productive activities or services, the capitalization of the touristic potential and environmental protection. Still, it is well known that the development and maintenance of the transport, water and sewerage distribution networks are extremely costly and exceed by far the commune's capacity to ensure the financing of the respective service. If we add the need to treat the captured waters, to clean the used ones, the wide distances between localities and, often, the level differences between them, we outline a full spectrum of problems faced by the local authorities in the case of this service. Their legal responsibilities refer to the establishing, organizing, management and, in most cases, provision of the service, as well as to the building and maintenance of the afferent infrastructure (including the facilities for treating and storing drinkable water, as well as those of treating waste water). Financing represents a separate problem. The low level of the population's incomes in the rural environment, as well as the traditional use of wells, determine a significant reluctance of users towards the full payment of the service costs, either by means of a rate, or through special fees. Therefore, most times, the local budgets subsidize, at least in part, the respective costs (Agenda of the Communes, 2008, p. 44).

At this moment, more than 60% of the communes supply drinkable water to the inhabitants. The average number of households that have access to water supply is of 750/commune (less than a half of the existing households).

In what concerns sewerage, 40% of the communes supply the waste water sewerage service. The average number of households that have access to sewerage is of 130/commune (less than 15% of the existing households), and the average total length of the sewerage network is of 3 km.

The main problems faced by the local authorities in matters of water supply and sewerage are the lack of financial resources for extending the networks, but also the absence of resources for the potential consumers.

Other public services exist in less than half of the communes in Romania. In only 40% of the communes there is gas supply, services to which have access, on the average, 300 households. The high rate of gas, the population's limited resources and the low pressure of gas are the main problems of this service. Only 40% of the communes are served by a public/private persons transport service, each of these communes having 3 stops and two vehicles covering the service. In 20% of the communes was established a local police service. In the localities in which it functions, this service has 4 employees, on the average, 3 public servants and one contractual employee, the services being endowed with one car.

Therefore, public administration in the rural environment is facing, first of all, an absence of resources: low number of employees, with inadequate training, limited financial resources, compared to the local needs, limited access to specialty information and insufficient material endowments.

To all these, the following are added or derived:

- Low participation of the local communities to the administration's activity (low number of attendees to the local council meetings, low number of consultative groups) but important petitioning activity;
- Inadequate instruments for communicating with the citizens and for promoting the institution (inexistence of websites, inexistence of consultative groups etc.);
- Lack of preoccupation of the local authorities for the rigorous identification of the local expectations and needs;
- Inexistence of adequate contacts between administration and private agents;
- Citizens' unfavorable perception with respect to the activity of public servants;
- Absence of foreign contacts and the lack of integration in the national and international administrative circuit;
- Improperly trained personnel in the field of structural funds, foreign communication, quality – low participation to the professional training programs;
- Low number of employees in the local public administration and a low percentage of young people;
- Reduced useful space for the administrative headquarters;
- Low number of projects with national or international financing, submitted and approved;
- Inefficiency of cooperation among local authorities – high expenses, low number of projects run;
- Formalism of the local development strategies (Dincă and Dumitrica, 2010, p. 255);
- Limited vision of the local public authorities with respect to the local economic development;
- Low budgetary incomes, compared to the investment needs of the communes;
- Weakly represented public services – low percentage of localities benefitting from drinkable water supply, sewerage, gas supply, electrical energy, local police etc.; and
- Non-modernized networks, inadequate endowments for the public services.

3. The administrative reform in the rural space

Public administration, by means of the services it offers, strongly conditions the existence of every human individual, both from the perspective of personality formation, and from that of his/her evolution/expression as citizen. The consequences of this objective fact are deep and target at the same time the part (the individual) and the whole (collectivity, society), their state and evolution. Much more appropriate seems to be the direct, clear correlation of the quality (efficacy and efficiency) of an administration's work, meaning of the expectations of the administered persons, with the level of civilization. Such an understanding of the social phenomena imposes the passing from an arbitrary approach to a scientific, conscious approach. This presupposes the existence of a rigorous assessment of the state and evolution of a local community. If

local development expresses the finality of such an approach, a true equation of state of the local collectivity and, at the same time, the general analysis framework, then the fields of local development are the essential perspectives for measuring and for strategic action. What remains to be settled is only the definition of concepts and the identification of the parameters (variables) (public service, local public administration, decentralization, deconcentration, privatization, local development, development fields, interested factors, etc.) and of the relations between them

The hypotheses of an administrative reform should be the following:

a) The public services determine local development, being the means through which development is achieved.

b) The existence and management (efficacy and efficiency) of public services are conditioned by: (i) the manner in which they cover the development fields; (ii) their decentralization degree; (iii) the adequacy of the ownership regime to the service specificity; and (iv) citizens' direct involvement in the adoption of decisions relevant for the local community.

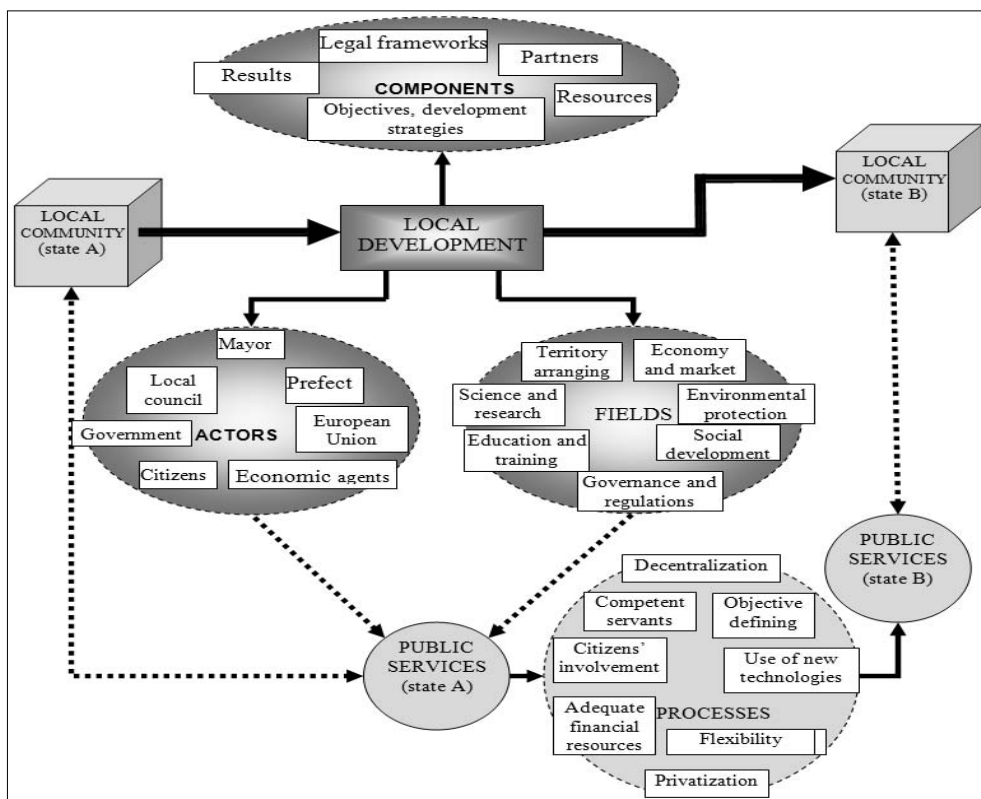


Figure 6: Components, actors, fields and processes of local development

Source: Dincă, 2008, p. 169 and the following

A careful observation of the modalities in which the local public administration ensures the different activities leads to the formulation of a series of questions, benchmarks of

reform, in the sense that the development of the rural space administration must offer positive answers:

- At the level of objectives (mission, policies and strategies):
 - Is there, at the level of the local authorities, the strategic capacity to make choices and to define priorities?
 - Is there a clear vision on the responsibilities that, at the end of the decentralization process, will be transferred to the local public administration and a clear separation of responsibilities between the local and the central administration?
 - Are the principles of the market economy and the reduction of the monopolization degree in providing public services promoted?
 - Are there responsibilities of the local authorities with respect to defining the quality of the services provided to the population?
- At the organizational level (design, operations, and roles):
 - Are there flexibility and adaptability to new tasks?
 - Are there enough resources in order for new tasks to be executed?
 - Are the roles and responsibilities within the specialty apparatus of the local authorities clearly defined?
 - Are the responsibilities uniformly distributed?
 - Is there collaboration between the structure components?
- At the level of technology (information processing, equipment):
 - Are there used new technologies, in order to increase the quality of the public services?
 - Is there an innovation and creativity potential adapted to the new conditions?
 - Is there the capacity to use the new technologies?
- In relation with the users:
 - Is the transparency principle applied?
 - Are there incorporated the expectations of the public services users?
 - Is the degree of access to these services satisfactory?
 - Are the users offered easy access to the public services, are they properly treated?
- At the human resources level:
 - Are there professional managers?
 - Are the public servants motivated?
 - Is merit promoted in recruitment, is the career developed?
 - Is initiative encouraged?
 - Do the employees have the necessary information to fulfill their duties?
 - Do the employees participate in adopting the decisions?
 - Is there specialty personnel (fiscal, technical etc.) with the help of whom public administration would fulfill its duties?
 - Are the employees evaluated depending on results?
 - Are the employees prepared to answer to change?
- At the level of the financial resources:
 - Is the transfer of responsibilities to the local public administration accompanied by the adequate financial resources?

- Is private capital attracted in financing investments?
- Is local credit promoted for financing the communal services?
- Is there a system that stimulates the local public administration authorities in identifying new resources, on the one hand, and in rationalizing expenses, on the other hand?
- Are there evaluation standards for the costs of the different responsibilities of the local public administration?
- Are there clear criteria for balancing the local budgets?
- Is there a resource balance between the urban environment (especially the municipalities which are the county seats) and the rural one?
- Is there an adequate control system over the public management?

At this moment, the answers to the majority of the questions formulated is not a positive one, which offers the overall image of the state of rural administration and the formulation of the conclusion that it needs a dedicated reform process, distinct of that of the central or of the urban administration, the latter having specific particularities and needs.

The responsibility concerning rural administrative development is shared between citizens and state, and concerning the state, between local and central public administration authorities. The state, should provide the framework for everyone to be able to achieve their aspirations by leveraging the capacity, equal opportunities, financial performance in the collection and use of public money, essential public services and goods in quantity and quality allowed by the incomes.

It is necessary to unleash the local initiative and responsibility from the vicious circle maintained by: the resistance against the decentralization of those who, both in politics and in the administrative area, see their powers amputated due to decentralization; disclaimer of the initiative by local leaders, favored by the low participation of other local actors; insufficient administrative capacity at the local level; lack, at a central level, of skills and mechanisms to ensure implementation of policies in decentralized system; lack of necessary intersectoral coordination capacity to satisfy an integrated mood to the needs and local programs development; inadequate monitoring of transfer of power to the local level, resulting in the absence of accompanying support mechanisms and failure of necessary corrections.

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