

ASPECTS RELATED TO THE AUTONOMY MANIFESTATION IN LOCAL PUBLIC ADMINISTRATION MANAGEMENT

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Abstract:

The smooth running of the activities of local public administration management and proper serving of local needs is impossible without recognition to representatives of the local government management autonomy in making decisions and taking actions regarding local community. Having this as starting point, in this article we aim to clarify the meaning of autonomy to highlight the essential role it occupies in the development of the managerial process in local public administration. Studying the meaning, genesis and the position of autonomy among the rules under which the local administrative system is organized and functions allows us to claim that autonomy can be seen as the backbone of the managerial process in local public administration, without which we cannot speak of good governance, a likelihood which could endanger the satisfaction of the local population's interests.

Key words: local autonomy, local public administration management, local community, local business, local managerial process

JEL classification: H83

INTRODUCTION

Administration in the best conditions of public affairs at the local community level is impossible without the recognition of the autonomy of the management representatives held in this sector. Good local governance is closely related to the recognition of the leaders of local administrative structures of local autonomy in the management of public affairs. An important component in the running of local managerial process, autonomy entitles the management representatives to act and take initiative in solving local problems, thereby serving the growing community and helping to provide local interests.

Having this as starting point, autonomy in local public administration management is not only necessary, but also essential. From this direction, the aim at all stages of our scientific investigation is to highlight the sense of local autonomy in order to show its importance in the local administration.

CONCEPTUAL ISSUES REGARDING LOCAL AUTONOMY

A comprehensive explanation of the meaning of local autonomy leads us to investigate, from a conceptual perspective, the variety of theses formulated by different specialists.

In the work and studies of public organizations, the concept of autonomy is addressed in an organizational sense. I quote here K. Verhoest, G.B. Peters, G. Bouckaert and B. Verschuere who provided us with "a comprehensive conceptual map of autonomy built by making a conceptual distinction between two types of autonomy"[1]:

(1) autonomy regarded as the decision-making skills of the agency (regarding the management, on the one hand and agency policy, on the other hand) and

(2) autonomy regarded as free of constraints in the effective exercise of the agency's decision-making skills (related to structural, financial, legal and interventional constraints, for the decision-making competencies of the agency).

Trying to penetrate the opacity of the sense of local autonomy, G.L. Clark [2] defines it in terms of two principles: *immunity* and *initiative*. By immunity, the author understands the power of

local governments to work without supervision from other levels of government. The second principle relates to the power of local governments to legislate and regulate for the benefit of community members.

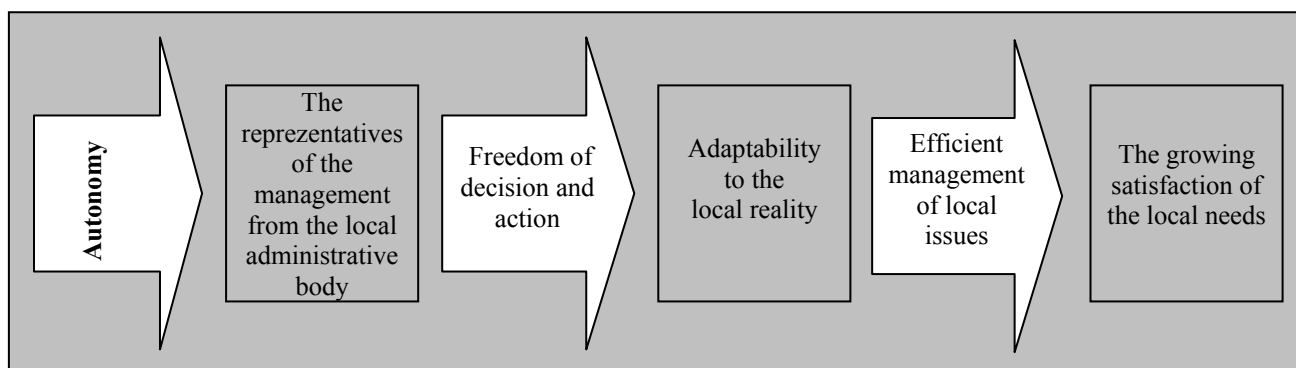
From the regional science perspective, local autonomy has as a component the regional development policy that strengthens the role and responsibilities of local government [...], simultaneously with reduction of involvement of the government institutions [3] in communities problems.

In another approach, local autonomy is “the legal ability of autonomous authorities to decide, independently and under its own responsibility, under the law, on the issues of territorial communities in which it operates” [4].

Managerial autonomy gives the heads of the local administrative system the freedom of decision and action in public affairs management from the level of administrative-territorial units, but also the responsibility for everything that is being done to meet the needs of the local community. If local government problem solving were only based on orders and approvals from the central public administration authorities, this would generate phenomena of bureaucracy, lack of initiative, which would have negative consequences for the administrative and civil society as a whole [5].

Starting from this idea, we believe that autonomy in local public administration management can be conceived as the free power of decision and action enjoyed by the representatives of the management of local administrative structures, by means of adapting the managerial processes to the situation existing in the local community, in order to provide efficient management of local public affairs.

In the schematic representation this approach of autonomy in the management of local public administration is reflected in the following figure (Figure no.1):



Source: own elaboration

Figure no. 1. Autonomy in local public administration management

As shown in the figure, the autonomy in local public administration management enables the adaptability of managerial decisions and actions to the facts found at the local level. Adapting managerial processes allows the development of an efficient management of the administrative apparatus according to the specific needs of local people, which will lead to a higher rate of satisfaction of the local population’s interests.

MARKS ON GENESIS OF AUTONOMY IN ROMANIAN LOCAL PUBLIC ADMINISTRATION

Having as source of investigation history of society, the specialized literature in the field argues that the genesis and development of local public administration took place in conjunction with the economic and political-legal background of the society. Only in this way one can explain

the tendency towards local autonomy which, as any other phenomenon, are subject to influence and reforms of time, and sometimes the moment. [6]

Over time, the history of Romanian local public administration highlights various organizational forms that emphasize trends of administrative centralism, either signs of autonomy or the longing for authority or for freedom. Therefore, for a comprehensive picture of the beginnings and evolution of autonomy, we believe that a concise presentation is required, of some of the most important evidence provided in this regard by local public administration history of our country. [7]

Thus, in the medieval Romanian state there was a local administrative unit belonging to the local community, whose jurisdiction was confined to the following administrative-territorial divisions: counties (in *Tara Romaneasca*), regions (in *Moldova*), villages and cities/markets. The leaders of counties and provinces were representatives of the reign, these bodies having no decisional powers of their own, being mere agents, simple executors of the orders coming from the center. There were many villages in feudal dependence on the Lord, on the one hand, and to the great feudal lords (nobles and church), on the other hand. The cities and markets were communities of free people (they were not in relationships of feudal servitude either to the Lord or to other feudal lords), and autonomous (had the right to self-administer).

In such a framework we can only observe in the feudal local public administration the right functioning of centralism as well as the recognition of the autonomy of some administrative-territorial units, cities and markets respectively.

Another important moment in the history of Romanian local public administration is the radical reform in the form of Organic Rules, which regulated in detail the administrative-territorial organization of the two Principalities, the local authorities and their responsibilities in administering local interests. At the basis of administrative organization was the recognition of the particular interests of cities, which they could solve by elected bodies, thus showing the first influences of the theory of administrative decentralization. Since the essence of local autonomy is local elections, we see the fulfillment of this goal for its manifestation.

Then, throughout the ages of regulations, the vast majority of measures were taken in the spirit of the most perfect administrative centralism. The reserves shown by citizens to establish municipal advice bodies as well as the poor development of a community spirit in the city have contributed to the failure of local liberties.

Another highlight on the scene is the Romanian public administration is the reform proposals of 1848. The "Proclamation of *Islaz*" states "the right of each county to elect its officials as which comes from the right of all people to choose their Lord." After this follows *Mihail Kogalniceanu's* recognition of "the right of each province, city or commune to check their administration by means of municipal, city and communal meetings". At the same time he requires the recognition of the principle of general competence of local public administration in solving local problem: "everything that can be done immediately should be done by the local government". All these cannot but highlight the trend towards autonomy.

In the history of the Romanian public administration, a step forward in the evolution of autonomy is the administrative reforms of *Cuza*. Locally, the most important reform was, in particular, the legislative consecration of administrative-territorial decentralization. Communes, municipalities and counties were recognized the "direct election of board members of Councils, and the competence of the Councils in all provinces, municipalities and communes". Thus it was recognized the administrative autonomy, allowing the promotion of local interests.

We note that over time, in the history of Romanian local public administration there is varied evidence on the organization and functioning of local administrative system which highlight either the centralism or the autonomy in the local administration process. Having mentioned this, we believe that recognition of autonomy for the leaders of local administrative structures is the foundation of the entire local administration, allowing the development of an efficient management of local community affairs that is directly connected to the local community.

THE POSITION OF AUTONOMY IN THE MANAGEMENT OF LOCAL PUBLIC ADMINISTRATION

The importance of autonomy in local public administration management can be put into light in relation to all the rules under which local administrative system is organized and functions. The proper performance of the activities of the local public administration would not be possible without the existence of and compliance with these principles [8].

The constituent legislator establishes directly three basic principles of local public administration - *decentralization*, *local autonomy*, and *deconcentration of public services* (art. 120, paragraph 1), and the framework law on local public administration, transposing the constitutional principles, resumes the principle featured by the latter, to which it adds another three - *eligibility of local public administration authorities*, *legality*, *consulting citizens in solving local problems of special interest* (article 2, paragraph 1).

In an attempt to highlight the position of autonomy in local public administration management, in the following paragraphs we will examine each of these rules, showing how they determine its manifestation.

Decentralization involves shifting powers and responsibilities from the central public administration authorities to local authorities, representatives of the communities of administrative-territorial units. It is considered, however, that decentralization should not be seen in a simplistic way as a moving power from central to local the level of administration; it is rather a process of redefinition of structures, procedures and practices of governance to be closer to citizens [9]. In a regime of administrative decentralization the local interests can be solved in better conditions, the local public services can be better managed by the chosen local authorities, because these do not have the obligation to comply with the orders and the instructions from the centre. [10] With this in mind, we believe that decentralization gives the representatives of the management in local public administration higher autonomy, transfer of powers from central to local level providing and creating support for its manifestation.

Deconcentration occurs by the transfer of administrative tasks from the upper tier to a lower one of the state administration through the establishment of regional offices of state administration [11]. The principle of deconcentration of public services involves moving in the territorial level of central public administration powers that the deconcentrated public services exercise in order to implement the state policy and strategy in various fields of local interest. From the perspective of local autonomy, on the one hand, the principle of deconcentration moves the state authority at territorial level against the autonomy of local public administration authorities, and on the other hand by moving the competencies from the state authority to its territorial derivations leads to the state becoming closer to the communities in the area and therefore an adaptation of decisions to local needs, promoting the expression of local autonomy.

Eligibility refers to the constitution of local authorities through their election by the local community members. In this way, local electoral body participates in the administration of their interests by appointing local government authorities, empowering them through their vote, to manage local issues. We appreciate that the principle of eligibility of authorities in power from the administrative-territorial units highlights their independence in relation to the centre, to manage affairs that concern the community members who gave them the mandate. From this direction, it should be noted that local autonomy gives substance eligibility as one of the prerequisites for its manifestation in local government management.

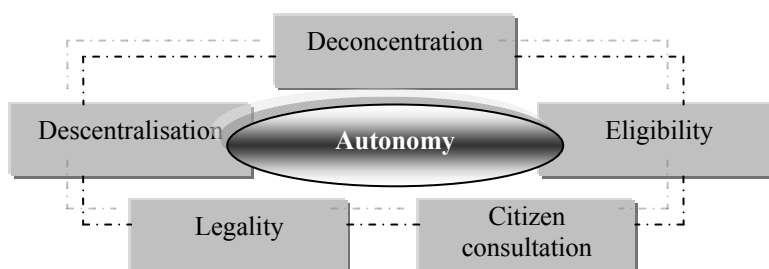
Legality requires that the organization and functioning of local public administration to strictly follow and be in strict compliance with the letter and spirit of the law. From the consecration of legality as a basic principle in the functioning of local public administration derives the requirement for management representatives to rigorously follow in the entire business the legal requirements. When discussing local autonomy, it must be said that its expression is subject to and within the law only [12]. The establishment, composition and powers of local public administration

authorities are prescribed by the law, so that any extension beyond the limits of their legal limits, in relation with local autonomy, violates the principle of legality.

Consulting citizens in solving local problems of special interest regards the fact that the management of the local community' problems is not only the responsibility of local administrative authorities, but also locals' responsibility, who are able to participate directly in the management of affairs of interest. Connecting the principle of consultation and the autonomy one derives from the Law on local public administration according to which the exercise of local autonomy by local councils and mayors, as well as by county councils and their presidents does not reduce the possibility to consult with residents through a referendum or any other form of direct citizen participation in public affairs [13]. Although consultation is set out here to limit local autonomy, the concrete expression of the latter would not be possible without the involvement of community members in solving the problems that concern them directly. In addition, the fact that the legislature does not establish what is meant and which are the "local problems of special interest", leaving this freedom to the local authorities, we are witnessing a situation of local autonomy expression. One "problem" is expressly affirmed, namely changing the boundaries of villages, towns, cities and counties which "can only be done by law and only after consultation with the citizens of administrative-territorial units by referendum" [14].

We appreciate the fact that through the consultation of citizens in solving local problems of special interest local authorities are able to meet the real needs that the community faces, adapting its decisions so that they are perfectly consistent with the interests of local people, thus giving a sense to local autonomy.

With the support of the above, we emphasize that, in relation to all the rules under which the administrative system is organized and functions, autonomy occupies a key position in the development of local managerial process (Figure no. 2):



Source: own elaboration

Figure no. 2. Position of autonomy

According to the figure, it can be argued that all other operating rules of management in local public administration determine, serve and promote expression of autonomy, the latter being essential for the smooth running of the management of local administrative structures.

CONCLUSIONS

In light of the above, we can conclude that local autonomy is the component that makes public administration and its management efficient. Without local autonomy and without its implications in terms of management practices, the good management of local public affairs would suffer and, ultimately, the degree of satisfaction of community interests would diminish.

Proper performance of the activities of the local public administration to properly meet the needs of the local population can take place only by recognizing the autonomy of the representatives of the local public administration management, which allows them to act and take initiative in solving local problems and includes their full responsibility in meeting their prerogatives. Overall, we are not wrong to say that local autonomy is and has to be the "heart" of the local managerial process.

ENDNOTES

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- [11] Wollmann, H., (2007), „*Devolution of public tasks between (political) decentralisation and (administrative) deconcentration - in comparative (European) perspective*”, in Social Science Institute of Tokyo University (ed.) 2007, Social Science Japan, p. 3
- [12] According to article 4, paragraph 1 of Local Public Administration Law no. 215/2001, local autonomy is “exercised on the basis and within the limits prescribed by law”.
- [13] According to article 3, paragraphs 2, 3 of the Law on Local Public Administration no. 215/2001
- [14] According to article 22 of the Law on Local Public Administration no. 215/2001

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