

## STRATEGIC ANALYSIS ON THE ORGANISATION OF PUBLIC ADMINISTRATION IN ROMANIA AND EU COUNTRIES

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### Abstract

*Over the last two decades, European nations have embarked on public administration reforms, facing distinct challenges and exhibiting significant diversity in their approaches. The complexity arises from the heterogeneity among Western European, Central, and Eastern European countries, impacting the outcomes of these reform initiatives. Understanding the variations in administrative systems, human resources structures, governance models, and service provisions across EU member states is crucial for comprehending the broader landscape of public administration reforms in Europe. This article aims to thoroughly investigate the multifaceted nature of public administration reforms in European countries. Additionally, the study aims to scrutinize the transformations witnessed in Romania's public administration landscape, particularly concerning privatization, decentralization, delegation of public services, management of public institutions, and reforms facilitated with the support of the European Commission, pre and post-EU accession. The research methodology incorporates a comprehensive review and synthesis of existing literature, reports, and studies pertaining to public administration reforms in Europe. Through a comparative analysis approach, the study categorizes European administrative systems based on historical, political, and organizational cultures, shedding light on distinctive traditions prevalent in different countries. The study unveils the complexity and diversity inherent in public administration reforms across European countries, highlights the challenges faced by nations in implementing reforms, emphasizing the implications of heterogeneity among EU Member States on the outcomes of these initiatives.*

**Keywords:** public administration; new public management; public services; modern governance.

**JEL Classification:** M11

### I. INTRODUCTION

The dynamics of public administration across European nations have undergone substantial shifts in the past two decades, marked by diverse reforms and unique challenges. This period witnessed an array of transformations, especially within Western European, Central, and Eastern European countries, each grappling with distinct hurdles while pursuing administrative reforms. The complexity of this landscape is underscored by the considerable heterogeneity among these regions, significantly shaping the outcomes of their reform endeavors. Understanding the intricacies and variations in administrative systems, human resources frameworks, governance models, and service provisions among EU member states becomes imperative to grasp the comprehensive panorama of public administration reforms in Europe.

This article seeks to delve deep into the multifaceted nature of public administration reforms in European countries, aiming to dissect the intricacies of these transformations. Of particular focus is Romania's journey in reshaping its public administration landscape, encompassing pivotal changes pre and post-EU accession. The examination zooms in on critical areas such as privatization, decentralization, delegation of public services, and the management of public institutions. Notably, it explores the reforms instigated with the backing of the European Commission, assessing their impact on Romania's administrative framework and functionality.

The research methodology adopted for this comprehensive analysis incorporates an extensive review and synthesis of existing literature, reports, and studies dedicated to the realm of public administration reforms in Europe. Employing a comparative analysis approach, the study categorizes European administrative systems based on historical, political, and organizational cultures. By shedding light on the distinctive traditions prevalent in different countries, this approach aims to unravel the underlying complexity and diversity inherent in public administration reforms across the continent.

The study is poised to unveil the array of challenges confronted by nations while implementing reforms, shedding light on the intricate implications arising from the heterogeneity among EU Member States. This heterogeneity significantly influences and shapes the outcomes of these reform initiatives, underscoring the need for a nuanced understanding of the variances present within the European administrative landscape.

In essence, this article aims to serve as a comprehensive exploration, illuminating the intricacies and

divergences characterizing public administration reforms in Europe. By scrutinizing the multifaceted nature of these reforms and placing a magnifying lens on Romania's transformational journey, this study endeavors to contribute to a deeper comprehension of the ever-evolving dynamics within the field of public administration across the European Union.

## II. LITERATURE REVIEW

Management science can be seen as an interdisciplinary scientific field because it uses information from other scientific fields and applies it to its research and the focus is mainly on the efficiency of administrative structures (Heady, 2001). The earliest comparative models of public administration are based on respect for ancient law and the strong authority of a leader, bound by tradition and cult. Comparative administrative science usually consists of two branches, the first using historically comparative methods and the second, spatial, using geographically comparative methods. The use of historically and geographically comparative methods is the investigation of development associations based on empirical data, thus leading to considerations of the complex systems of public administration and administrative law that are traditionally the task of comparative administrative science (Blondel, 1990; Kuhlmann & Wollmann, 2014). Various comparative models can be traced in the literature, which can be used for comparative purposes of public administration in EU countries. These mainly concern the traditional model of public administration and are based on the type of state system and administrative levels, on the human resources system, on the geographical and geocultural perspectives, on the Nomenclature of Territorial Units for Statistics – NUTS, being models of governmental and territorial organization (Bossaert et al., 2001; Hammerschmid et al., 2013).

Another view on public administration is the level of decentralization (fiscal, revenue and taxes) and its impact on public services in EU countries, territorial reforms and solutions to financial and economic crises (Finžgar & Oplotnik, 2013). However, questions about trends in public administration in the management and delivery of public services in EU countries, the understanding of public service efficiency and standardization possibilities remain open. These issues have received attention, as confirmed by a number of authors (Denhardt & Denhardt, 2000; Meričková et al., 2010) whose work focuses either on specific partial issues (territorial, personal, financial, etc.) or on more detailed analyses of public administration and public services in one or more selected EU countries. The issue of public administration in EU countries cannot be perceived in a comprehensive manner from various comparative perspectives in most cases. Therefore, the aim of this paper is to provide a more detailed view of public administration in the EU-28 countries and to assess selected comparative approaches and the financial dimension according to levels of public administration.

After introducing the methods used, an analysis of selected comparative models in EU countries is presented (traditional model, human resource systems, governance systems and administrative level, local government and structure of sub-national levels of government). In the next part, an analysis of trends and levels of public administration in public service delivery in EU countries is carried out.

The analysis of public administration in Romania is important because it helps us to gain an overview of the current and potential functioning of the administrative system and to have a better understanding on how it could be improved. The analysis can identify problems and barriers that limit the performance of the administration and need to be addressed. This may include functional analysis of the system, including the work carried out and its financing, assessment of policies and strategies, and examination of performance. It can also help to anticipate medium and long-term problems and create solutions to ensure the proper and efficient functioning of public administration.

The traditional mode of PA management is presented in many publications (Robinson, 2015), which identify the dichotomy between politics and administration - an idea promoted by Wilson (1887), as one of its basic characteristics. Traditional public management is also commonly linked to Weber's (1947) 'theory of bureaucracy', being characterized by centralized structures, well-established hierarchies with top-down lines of authority and control, a high degree of division of labor, and a focus on the rule of law, rules and procedures. These characteristics of Traditional Public Management define the public administration sector as a large bureaucratic enterprise, where the state has a monopoly both in the implementation of public policies and in the delivery of public services (Sager & Rosser, 2009).

The doctrine of Traditional Public Management became formalized between 1900 and 1920, and its precepts were largely applied in most Western countries until the last quarter of the 20th century, when a new vision of public administration - the New Public Management - was developed. The concept "New Public Management" was introduced by Hood, but similar theories of New Public Management have been presented under different names, such as: managerialism, entrepreneurial governance, market-based public administration, and "third way" between public and private administration. According to Pollitt, these concepts are not identical, but "share a good deal of conceptual DNA" (Pollitt, 2014).

The definition of New Public Management as a doctrine is based on administrative reforms carried out since the 1970s in some developed countries, starting with the United Kingdom (UK), New Zealand and the United

States of America (USA). The success of these actions has put PA reforms on the agenda of most OECD countries (Keating, 2001; OECD, 2010). The aim of these reforms has been to change the 'machinery' of government to improve the quality of public services, increase the efficiency of government operations and make the implementation of public policies more effective (Mongkol, 2011).

It is worth noting that although reforms in the public administration sector have been in place for over 30 years, there is currently no single model for New Public Management. Many authors consider New Public Management an "umbrella" concept used to label the shift from traditional public management to a new public administration management characterized by the application of market and business style management mechanisms (Hood, 1995).

According to many authors, the New Public Governance model is an extinction of New Public Management, hence the alternative name "post-New Public Management" (Osborne, 2010). The emergence of New Public Governance is a response to the need for better coordination of public activities in the wider global environment. Essentially, this new doctrine focuses on the management of complex networks, consisting of many different actors involved in policy making and service delivery (Pierre & Peters, 2005). According to Xu et al. (2015), New Public Governance is a new way of management in PA, which is not only the responsibility of government, the power being distributed between the government, the market and other organizations in society that participate in solving public problems. The idea of "multi-level governance" is brought into discussion, taking into account the multiple linkages between governance processes at national, subnational and transnational levels.

In the preparation of this paper, analytical methods were applied to examine literature, statistical data and EU documentation focusing on the structure of public expenditure in the EU. From general scientific methods, induction and deduction methods were then used, especially in drawing conclusions. The methodology of the study consists in the analysis of recent publications related to the modern AP approach, both theoretical studies and official documents and programs applied at national level in Romania.

### III. RESEARCH METHODOLOGY

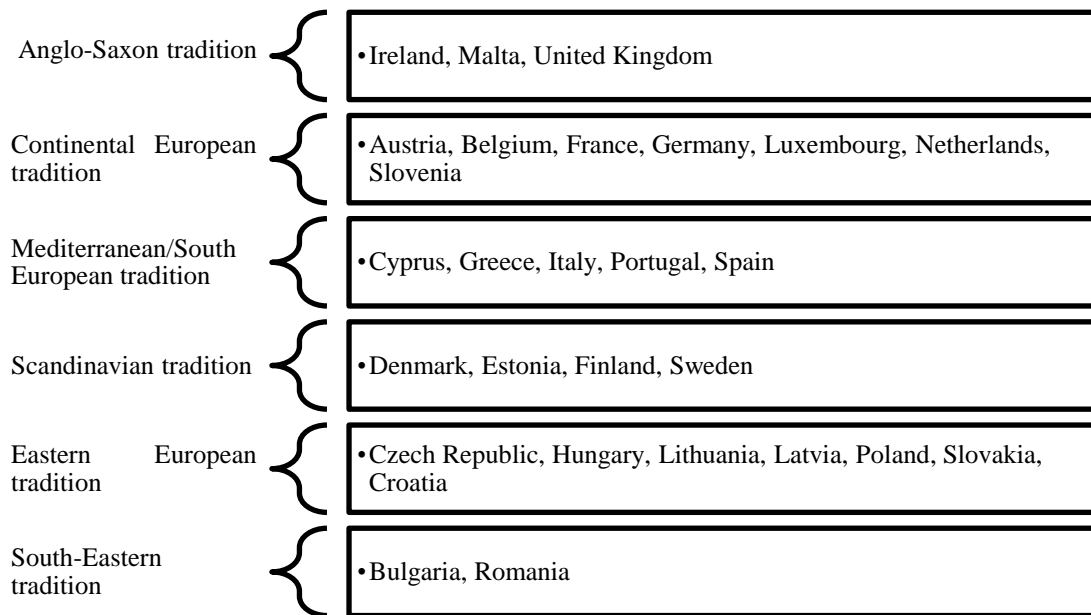
The research methodology involves a comprehensive review and synthesis of existing literature, reports, and studies on public administration reforms, European administrative systems, governance structures, human resources systems, and the provision of public services in EU member states. The study employs a comparative analysis approach, categorizing and contrasting different systems and models prevalent across European countries based on historical and contemporary contexts. Additionally, the research incorporates specific case studies and examples, especially focusing on Romania, to illustrate the practical implications of reforms and their impact on the country's public administration landscape. The findings are derived from a synthesis of diverse sources, offering a comprehensive overview of the complex and multifaceted nature of public administration reforms in Europe.

### IV. RESEARCH RESULTS

As already mentioned, public administration reform efforts initially existed in a few developed countries, but have spread to many OECD countries. In Europe, over the last twenty years, public administration reforms have been a continuous challenge for both Western European and Central and Eastern European countries (Ongaro & Thiel, 2018). Unitary coordination within the EU and the integration of new countries have raised concerns about the convergence of national public reforms, but the high heterogeneity between EU Member States has had substantial implications for public administration reform outcomes (Heichlinger et al., 2018). Some reports on public administration reform in Europe have been published in the last decade.

In the European administrative area, three or four major systems of public administration are considered, which are inextricably intertwined with the traditional development of the countries of origin in terms of different political and organizational cultures and administrative styles. Most often, a distinction can be made between the island and continental tradition, in which the branch of the French and German (Central European) continental tradition stands out. It is also possible to join the Nordic and Scandinavian tradition to these systems. On the basis of these traditions, the following systems can be perceived:

- Anglo-Saxon, taking advantage of the perfect isolation of the British Isles;
- French, or more precisely Napoleonic, taking advantage of the continental tradition of Unitarianism and centralism;
- German (Central Europe), taking advantage of the continental tradition of federalism and decentralization;
- Scandinavian, which combines features of Anglo-Saxon and German branches (Heady, 2001).



**Figure 1 - Public administration traditions by country**

Source: own processing

A significant area of European administrative systems is the institute of public service, which demonstrates several differences in European countries caused by historical development, traditions and social and political situations. EU countries do not possess a common system of public service, as it is part of the sovereignty of the countries and is not further defined by EU legislation. The system of public service in EU countries is based on professionalism and proven specialist qualifications. For acceptance, remuneration and promotion in this sector, qualification and job performance are the decisive factors. The requirements for political impartiality are defined by two terms: neutrality - impartiality in the workplace - and reserve - abstention from distinct political activity.

In both the European and global contexts, two basic public service systems are usually distinguished, with a number of defining characteristic features applied to the human resource system (Bossaert et al., 2001; EIPA, 2008), namely:

- Career-based systems characterized by the dominance of lifelong public service careers, specific criteria for initial entry, a strong emphasis on career development with a high degree of seniority relevance, and relatively strong differentiation between private and public sector employment. This system is typical, for example, in Belgium, France, Ireland, Luxembourg, Germany, Portugal and Hungary;

- Position-based systems, characterized by a focus on selecting candidates for each job, more open access and greater mobility between public and private sector employment. This system is currently exercised in the Nordic countries (Denmark, Finland and Sweden). In addition, the UK, Italy and the Czech Republic have features of this system.

**Table 1 - Human resources systems by country**

Human resources system	Countries
Career-based system	Austria, Belgium, Bulgaria, Cyprus, France, Germany, Greece, Hungary, Malta, Ireland, Luxembourg, Spain, Romania, Poland, Portugal, Lithuania, Slovakia, Croatia
Position-based system	Czech Republic, Denmark, Estonia, Finland, Italy, Latvia, Netherlands, Sweden, Slovenia, United Kingdom

Source: Processing after EIPA (2008)

As this group of human resource (HR) systems (Table 2) is still too broad and does not provide adequate comparisons (e.g. when comparing different career systems in Germany and Romania or different position systems, e.g. in Latvia or Sweden), it is necessary to narrow down the range of these traditional public administration classifications and the position of different groups of career and position-based HR systems. This view can then be used for general comparisons and conclusions across EU countries. More detailed information on the HR system and traditional public administration classification is presented in Table 2.

**Table 2 - Public administration tradition and human resources systems by country**

Public administration tradition and the human resources system	Countries
Continental quarry systems	Austria, Belgium, France, Germany, Luxembourg
Continental position systems	Netherlands, Slovenia
Mediterranean quarry systems	Cyprus, Greece, Spain, Portugal
Mediterranean position systems	Italy
Scandinavian position systems	Denmark, Estonia, Finland, Sweden
Quarry systems in Eastern Europe	Hungary, Slovakia, Poland, Lithuania
Positioning systems in Eastern Europe	Czech Republic, Latvia
Anglo-Saxon position systems	United Kingdom
Anglo-Saxon quarry systems	Malta, Ireland
Quarry systems in the south-east	Bulgaria, Romania, Croatia

Source: Processing after EIPA

In terms of types of government systems, Member States can be divided into two broad groups: federal states (Germany, Austria and Belgium) and unitary states. However, a large number of unitary states can be further divided into decentralized unitary states (e.g. Denmark, Finland, France, Netherlands, Sweden, Poland, Hungary, Slovakia, the Czech Republic and Romania) and with a dominant position of central government (e.g. Ireland, Portugal, Greece, Luxembourg and Bulgaria). In addition, unitary states with a special position can be distinguished (Spain, Italy, UK, Malta and Cyprus). For more detailed information, see Table 3.

**Table 3 - Model according to the system of governance in EU countries**

Governance system	
<b>Federal State</b>	Belgium, Austria, Germany
<b>Unitary states</b>	Decentralized (Denmark, Finland, Sweden, France, Netherlands, Poland, Romania, Hungary, Lithuania, Slovakia, Czech Republic, Slovenia, Latvia, Estonia, Croatia)
	Dominant central government (Ireland, Greece, Portugal, Bulgaria, Luxembourg)
	With a special position (UK, Spain, Italy, Malta, Cyprus)

Source: based on the literature reviewed

The role of public administration is associated with the expansion and delivery of public services in the EU-28 countries. The main trends in public service provision in all EU Member States can be perceived as consisting mainly of two seemingly contradictory trends (Aaberge et al., 2010):

- Europeanisation, i.e. the gradual shift from the traditional national framework for defining and organizing public services to the Community level, the effects of which are felt throughout the EU, but the forms of which vary widely, from harmonization in all major networks to the open method of coordination in education or health;
- Sectoral characteristics and trends, in the sense that, in practice, telecommunications, electricity, water, transport, education or health are not organized in the same way as in the Single Market and on the basis of identical Community rules.

These two trends are interlinked, but the process is gradual and so far, only common ground has been established in the role of each country's public administration at all levels (national, regional and local).

**Table 4 - Administrative levels providing public services in EU countries**

Levels of public service provision	Application in EU Countries
State, regional, local level	Austria, Germany, Belgium, United Kingdom, France, Netherlands, Denmark, Finland, Sweden, Italy, Portugal, Spain, Greece, Czech Republic, Slovakia, Poland, Hungary, Lithuania, Latvia, Romania, Croatia
State and local level	Ireland, Luxembourg, Slovenia, Estonia, Bulgaria
State and regional level	Cyprus
Local level	Malta

Source: Processing after EPSU and CEMR-CEMR

As far as Anglo-Saxon countries are concerned, public services are provided at all levels of government in the UK and at central and local level only in Ireland. In Malta, only the local level (i.e. 68 local units) provides

public services together. At central level in Malta, both Parliament and Government only set the prices of basic and supplementary social security services, maritime transport, university education and care services for elderly citizens. In the Scandinavian countries (Sweden, Finland and Denmark), all levels of government participate in the provision of public services, except in Estonia, where public services are provided only at central and local level. In the Mediterranean countries, or more precisely the Southern European countries (Italy, Portugal, Spain and Greece), all levels of public administration provide public services. Cyprus is the only place where this takes place at central and regional level (and at the wider regional level in six cities). In the countries of Eastern European tradition (Czech Republic, Slovakia, Poland, Hungary, Latvia, Lithuania and Croatia), as well as in Romania, public services are provided at all levels of administration (central, regional and local). In Bulgaria, public services are provided by public administration only at national and local level.

In addition, as regards continental European countries, in France and the Netherlands and in all federal countries (Germany, Austria and Belgium), all public services are provided by all levels of government. In Luxembourg and Slovenia, only the central and local levels of government co-provide public services. The provision of public services in EU countries in terms of levels of government is shown in Table 5.

**Table 5 - Selected public services in EU countries by levels of government**

Levels of government	Categories of public services
Central level	Telecommunications, Postal services, Electricity generation, Electricity transmission/distribution, Gas transmission/distribution, Waste water, Higher education, Vocational training, Supplementary social protection, Hospital health services, Ambulatory health services
Sub-national levels	
Third level (provincial, state, regional)	Regional transport, regional public administration services, territorial development, water services, educational services, health services, cultural services or social housing services.
Second level (districts, regions)	Responsibilities usually include secondary schools, the environment, roads and land use planning.
First level (cities, municipalities, local governments and governments)	The management of local roads, water supply, waste collection, public transport, health and social protection and, in most EU countries, primary and pre-primary education.

Source: Processing after EPSU and CEMR-CEMR

The facets under consideration revolve around pivotal transformations within Romania's public administration domain, both preceding and following its accession to the EU. These transformations notably encompass privatization and decentralization initiatives, the outsourcing of services, the modernization drive within administrative institutions, and the recent alterations in central management methodologies.

*Privatization* emerged prominently in Romania after 1989, aligning with the nation's transition toward a market-driven economy. This process found regulatory grounding in the Law on the Privatization of Commercial Companies, specifically Law no. 58/1991, alongside supplementary directives. Spanning across the entire economic spectrum, privatization extended its reach to public service sectors such as education, healthcare, transportation, and utilities. As per figures disclosed by the Competition Council in 2015, the state's participation in the Romanian economy, accounting for roughly 14% of the Gross Domestic Product (GDP), significantly surpasses the weighted average observed among other OECD-affiliated EU member states.

A qualitative analysis underscores instances of unsuccessful or inefficient privatization endeavors. However, a comprehensive public evaluation of these processes remains absent. Moreover, the privatization trajectory continues, steered by the State Assets Management Authority. From our perspective, this ongoing privatization agenda necessitates a heightened focus on enhancing transparency, rationale, and outcomes. Simultaneously, a pivot towards priorit.

*Decentralization.* The legal landscape, shaped by the Decentralization Framework Law No. 195/2006 and the Law on Community Public Utility Services No. 51/2006, propelled the decentralization of Public Administration (PA). Enshrined within these laws is the delineation of responsibility for provisioning public services, primarily entrusted to local PA authorities—comprising local councils, county councils, and community development associations. These entities are mandated to oversee public services directly or delegate such responsibilities to other organizations. Concomitantly, the legislation led to the establishment of national utility regulators like the National Regulatory Authority for Community Utilities and the National Regulatory Authority for Energy. However, as per an official OECD report, Romania's subnational government spending in 2013 stood below the EU average, representing 15.9% of GDP and 32.8% of public expenditure (UCLG & OECD, 2016). Another report highlights that the autonomy of these subnational units frequently faces constraints due to fiscal measures imposed at the central level.

*Delegation of public services.* The allocation of public services to either public or private operators hinges on delegation contracts, granted through direct assignment or auction processes, in line with regulations outlined in the Law on Community Public Utilities No. 51/2006, Law No. 98/2016 governing public procurement, or, as applicable, Law No. 99/2016 concerning sectoral procurement. Evolving action procedures have seen consistent enhancements, notably with the introduction of the electronic public procurement system. However, trust in this system remains diminished due to recurrent instances of corruption in public procurement.

Another significant challenge pertains to the protracted nature of procurement completions due to appeals lodged in courts or the National Council for the Settlement of Disputes. Recent years have witnessed propositions for various solutions aimed at enhancing the efficacy of public procurement, including the implementation of Law 101/2016 mandating the provision of a guarantee. Simultaneously, efforts have been underway to finalize a new legislative framework on public-private partnerships, expected to conclude by the end of 2018..

*Management of public institutions.* The examination focuses on enhancements within the management structure of public institutions, aiming to foster contemporary management tools encompassing human resources, quality standards, computerization, as well as activity planning and monitoring. Human resource management (HRM) stands as a cornerstone for the efficient operation of any organization. In the realm of public administration (PA), the methodologies and instruments associated with HRM functions are uniformly standardized at the national level.

The actions of civil servants are governed by Law No. 188/1999 concerning the Statute of Civil Servants, a legislation that has undergone several revisions to align Romanian laws with the EU standards. Subsequent legislative measures have also been implemented, including the enactment of the Code of Conduct for Civil Servants (Law No. 7/2004), the Norms governing the Organization and Career Advancement of Civil Servants (GD No. 611/2008), among others.

In tandem with enhancing HRM, combating corruption stands as a vital facet within PA reform. This effort involves the establishment of two entities: the National Anticorruption Directorate (established in 2002) aimed at combating high-level corruption, and the National Integrity Agency (founded in 2007) tasked with scrutinizing assets, conflicts of interest, and incompatibilities. Despite numerous cases being investigated, reports from these entities reveal significant issues regarding procedural adherence, a considerable number of unresolved cases, and limited restitution of damages (Mendelski, 2020).

The ongoing reforms within PA receive substantial backing from the European Commission, taking various forms: outlining strategies and guiding change through documents governing the unified European PA framework; financial backing for transformational projects via the Structural and Cohesion Funds and the European Structural and Investment Fund; consistent monitoring and oversight, complemented by country-specific reports and recommendations. Employing EU-wide plan-do-check-act (PDCA) mechanisms ensures continual improvements in Member States' PAs by addressing identified shortcomings and irregularities and fostering innovative projects.

At the national level, the government assumes a pivotal role in PA reform, responsible for steering public policies and ensuring the coherence and efficacy of governmental endeavors. Presently, emphasis lies in bolstering the government's institutional capacity for policy formulation, communication, inter-ministerial coordination, and enhancing transparency in governmental actions.

## V. CONCLUSIONS

All over the world, public administration is undergoing wide-ranging reforms to adapt to the new context in terms of functions and costs. These transformations are underpinned by new theories of management and governance in public administration, most notably the New Public Management and the New Public Governance. The commentaries in the paper clarify the meaning of the two doctrines, based on information from the reference publications.

In terms of streamlining the public administration system in Romania as a whole, we propose the following:

- Reduction of staff numbers: the number of staff should be reduced and the focus should be on recruiting specialists with experience and excellent skills to respond to development and modernization projects;
- Automation of processes: the use of IT technologies is recommended to facilitate the efficient management of documents and administrative processes;
- Simplification of procedures: Simplifying government procedures and legislation can be done by reducing or eliminating the number of administrative forms and documents and by changing the decision-making model;
- Investment in information technology: implementation of the technology needed to develop administrative capacity and IT processes, including information support and automation of decision-making activities;

- Initiate training and education programs: promote lifelong learning by providing access to specialized training and education for all public sector employees;
- Program offering and concern for employees: it is recommended to initiate employee job satisfaction programs by introducing bonus and incentive plans through pay, creating a safe work environment and offering a limited number of mandatory work hours;
- Reorganization of jobs and procedures: Promote a more efficient approach to work by reorganizing existing jobs and procedures to reduce redundancies and maximize employee efficiency;
- Resource efficiency: More efficient and effective management of resources is recommended so that expenditure and costs are significantly reduced and productivity is increased.

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