

EDITORIAL:

*The Romanian Academic Society of Administrative Sciences. Research and developments in 2017 **

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INTRODUCTION

The Academic Journal of Law and Governance marks a new starting point in Romanian and European research dedicated to public law and administrative sciences.

The Academic Journal of Law and Governance intends to bring forward to the European and international academic scene, the efforts conducted by Romanian researchers and their European counterparts in investigating the developments in public law and administrative sciences with a clear focus on the European continent.

Reflecting the diversity of the fields, the Journal intends to publish peer-reviewed research studies, case and national studies that will grow the scientific knowledge on the European continent from both general and also comparative points of view.

As a first step, the editorial will present important developments registered in Romania in the last years, developments that can contribute to the real affirmation of Romanian doctrine in the international academic arena.

The editorial will present a short introduction (1) of the Romanian Academic Society of Administrative Sciences and a brief presentation (2) of the scientific results obtained in the fields of public law and administrative sciences in the last years by Romanian researchers.

**The Editorial will resume the presentations from the previous numbers of AJLG and will present further developments made by the Romanian Academic Society of Administrative Sciences.*

1.The Romanian Academic Society of Administrative Sciences

Taking in consideration the new evolutions registered in the field of social science research in Romania, most important in the fields of administrative sciences and public law, the need to develop a new academic arena for the dissemination of scientific results in these fields of study in Romania was born.

The founding members¹ of the Society, naming here the research team involved in the national research project “The Right to a Good Administration and its Impact on Public Administration Procedures” envisioned the formation of a new scientific forum at national level, composed of representatives of the Romanian Universities, members of the academia with interests in these fields of research, members of the executive authorities, civil servants and practitioners and members of the judicial power, naming here judges at the highest ranks specialized in administrative contentious.

Having obtained legal personality in March 2008, the Romanian Academic Society of Administrative Sciences is registered in the national Registry for Associations and Foundations of the same year. The Academic Society of Administrative Sciences is a moral person of private law, being regarded as an association established according to the provisions of Government Ordinance no. 26/2000.

Objectives

Based on its legal Statute, the Society has the following five objectives:

- a) Promoting and defending the rights and interests of the academic members in the field of administrative sciences.
- b) Stimulating and developing Romanian higher education and excellent scientific research in the field of administrative

¹ Emil Balan, Cristi Iftene, Dragos Troanta, Gabriela Varia and Marius Vacarelu.

sciences on national, European and international level.

- c) Increase the level of scientific authority and in visibility at a national, European and international level of the professional elites in this field.
- d) Promoting free movement of information between its members.
- e) Defending and promoting other interests of A.S.A.S. members.

As specific objectives the Society intends to:

- a) Focusing, using and putting to good use the human potential of the highest qualification by the academic community in the field of administrative sciences.
- b) Forming and developing a nucleus and of a network of excellence in the field of administrative sciences.
- c) Accumulating knowledge, results and good practice in the field of administrative sciences.
- d) The increase in the administrative capacity of Romania and aligning Romanian administration to the European and international excellence standards.
- e) Disseminating and transferring research results towards the national and international academic members, to the decision makers and the administrative field.
- f) Informing public authorities and civil society about the problems and demands for reform and development of public administration in Romania.

2.The results

Annual Conferences of the Romanian Academic Society of Administrative Sciences

Based on the partnership between the National School of Political Studies and Public Administration, the Romanian Academic Society of Administrative Sciences and the National Council of

Scientific Research a series of annual conferences was launched in 2008.

2008 Annual Conference

The first annual conference was dedicated to the start of the research project "The Right to a Good Administration and its Impact on Public Administration's Procedures". The conference was organised on 28th of March 2008 with the title "*Contemporary Administrative Law: Towards a Unitary Conception in Romanian Doctrine and Practice*".

Based also on the interests manifested by the National School and the Academic Society the conference was structured in three scientific sections, naming here:

1. Evolution of Romanian administrative law after 1990.
2. The Bologna process and the study of administrative law.
3. The relations between national administrative law, European administrative law and global administrative law. The right to good administration.

Taking in consideration the theme of the conference the participants were also invited to reflect on a series of seven questions that were debated during the scientific conference:

1. What were the main factors (internal and external) that generated major changes in Romanian administrative law after 1990?
2. What are the new juridical institutions that appeared in Romanian administrative law after 1990?
3. Jurisprudence role in the evolution of Romanian administrative law after 1990?
4. How has Romanian administrative doctrine reflected the changes in administrative law?
5. The Bologna process and its influence on administrative law as a discipline in the curriculum of law and public administration faculties?
6. Can we speak of the existence of European administrative law? What about

global administrative law? Is there a kind of administrative law specific to each continent?

7. Romanian administrative doctrine: openness or isolation?

2009 Annual Conference

The second annual conference was organised by the National School of Political Studies and Public Administration in partnership with the Romanian Academic Society of Administrative Sciences and with the financial support from the National Council of Scientific Research.

The conference tried to develop the understanding of the right to good administration, stated in article 41 of the Charter of Fundamental Rights of the European Union, trying to cover different perspectives related to the topic and also to present preliminary results obtained by the research team.

The second conference entitled "*The right to good administration – between doctrinal debate and normative regulation*" was organised on the 13th of November 2009, having two scientific sections:

1. Historical and doctrinal research on the right to good administration.
2. Perspectives regarding the normative consecration of the right to good administration.

2010 Annual Conference

The third annual conference was organised by the National School of Political Studies and Public Administration in partnership with the Romanian Academic Society of Administrative Sciences and with the financial support from the National Council of Scientific Research. The third conference marked the partnership with the Romanian Institute of Public Law and Administrative Sciences, autonomous administrative authority

recognised by Romanian law (Law no. 246/2007).

The conference entitled “*The right to good administration and its impact on public administration*” was organised on the 18th of November having four scientific sections:

1. Romanian Constitution revision in the matters regarding public administration:

- The eventual consecration of the right to a good administration in the fundamental text;

- Proposals to found a Superior Administrative Council in Romania.

2. The practice and application of the principles of good administration by Romanian public authorities.

3. Judicial courts practice and the developments in the matter of administrative contentious implications.

4. New regulations in higher education. Implications in the fields of law and public administration.

2011 Annual Conference

The fourth annual conference organised by the National School of Political Studies and Public Administration in partnership with the Romanian Academic Society of Administrative Sciences and the Romanian Institute of Public Law and Administrative Sciences marked a new collaboration with the Romanian National Authority for Scientific Research.

The conference was financed by the Romanian National Authority for Scientific Research, following the success of a research conference project submitted by the organisers² during the 2011 national grants competition, under the title “*Field administrative reforms in the European administrative space in the context of good*

administration– implementation and evaluation”.

The annual conference organized on 18th of November has taken in consideration the possible developments of constitutional nature but also the fundamental changes occurred in 2011 in Romanian legal system, naming the adaptation of the new Civil Code.

The conference was organised in four scientific sections:

1. Administrative-territorial re-organisation and other constitutional reforms.

2. The practice and the application of good administration principles in Romania.

3. The implications of the new Civil Code on Romanian system of law.

4. New regulation in higher education. Implications for the fields of law and public administration.

2012 Annual Conference

The fifth annual conference organised by the National School of Political Studies and Public Administration in partnership with the Romanian Academic Society of Administrative Sciences and the Romanian Institute of Public Law and Administrative Sciences marked the second collaboration with the Romanian National Authority for Scientific Research.

The conference was financed by the Romanian National Authority for Scientific Research, following the success of a research conference project submitted by the organisers³ during the 2012 national grants competition, under the title “*The administration and political power. Trends and evolutions in European Public Space*”.

The annual conference organized on 26th of November was organized in two general scientific sections:

1. Constitutional democracy. Utopia or/and reality.

² Emil Balan, Cristi Iftene, Dragos Troanta, Gabriela Varia and Marius Vacarelu.

³ Emil Balan, Cristi Iftene, Dragos Troanta, Gabriela Varia and Marius Vacarelu.

- The necessity to redefine the concept of democracy.
 - The limits of constitutional democracy.
 - The crisis of parliamentarism and administration.
 - The Status quo of constitutional democracy.
 - The uninominal vote and elective autocracy.
2. National administration and the challenges of today society.
- Legality and efficiency in public administration.
 - The function and public service in the era of reforms.
 - The free administration of local communities.
 - Administrative justice: alternative methods.

2013 Annual Conference

The sixth annual conference organised by the National School of Political Studies and Public Administration in partnership with the Romanian Academic Society of Administrative Sciences and the Romanian Institute of Public Law and Administrative Sciences marked the third collaboration with the Romanian National Authority for Scientific Research.

The conference was financed by the Romanian National Authority for Scientific Research, following the success of a research conference project submitted by the organisers⁴ during the 2013 national grants competition, under the title “*Public Administration. Between missions and budgetary constraints – juridical and managerial dimensions*”.

The annual conference organized on 8th of November was organized in two general scientific sections:

1. State administration analysis.
 2. Local public administration and public contracts.
- The other topics submitted for discussions were:
- The constitutional statute of public administration.
 - Public administration organization and regionalization.
 - Public administration resources. The Economic crisis and its constraints. Possible solutions.
 - Good governance and public service. Meritocracy and stability.
 - Higher education and research developments in administrative sciences and public law.

2014 Annual Conference

The seventh annual conference organised by the National School of Political Studies and Public Administration in partnership with the Romanian Academic Society of Administrative Sciences and the Romanian Institute of Public Law and Administrative Sciences marked the fourth collaboration with the Romanian National Authority for Scientific Research.

The conference was financed by the Romanian National Authority for Scientific Research, following the success of a research conference project submitted by the organisers⁵ during the 2014 national grants competition, under the title “*Public Administration in situations of crisis*”.

The 2014 conference motto was chosen from the book Treaty of Romanian Administrative Law (1925) by the honorable professor Paul Negulescu, member of the Romanian Academy and the founder of the Romanian Institute of Administrative Sciences.

Motto:

⁴ Emil Balan, Cristi Iftene, Dragos Troanta, Gabriela Varia and Marius Vacarelu.

⁵ Emil Balan, Cristi Iftene, Dragos Troanta, Gabriela Varia and Marius Vacarelu.

“...life of a state do not follows all the time a regular course, accidents can happen, dangers may occur, all of which can threaten the integrity and even the existence of the state... All this de facto situations...whether caused by humans or by natural forces, are abnormal... In order for the social organism to resist to danger... it is necessary that the permanent political power, the executive power... to have the possibility to adopt the changes imposed by the necessities... We have to acknowledge then to the executive power one activity for normal situations and another activity for crisis situations, abnormal situations...”

The annual conference organized on the 24th of October was organized in two general scientific sections:

1. Crisis situations and its social manifestations.
2. Changes imposed to normative framework and administrative practice by crisis situations.

Based on the roman dictum *salus rei publicae, suprema lex esto*, that justifies that state power must intervene prompt and clear in exceptional cases, the other topics submitted for discussions were:

- What represents, what content do exceptional situations have?
- How is manifested the exercise of power in exceptional circumstances?
- What consequences are produced upon the fundamental rights and liberties of the people?
- Can we identify an insufficient legitimate legality or a special one, derogatory for the interventions?
- Is the executive power allowed to adopt any measure when the state is at risk?
- Is the system of emergency/crisis situation management articulated, efficient?

- It is possible to identify parallelisms or authority/competence overlay?

2015 Annual Conference

The eighth annual conference organised by the National School of Political Studies and Public Administration in partnership with the Romanian Academic Society of Administrative Sciences and the Romanian Institute of Public Law and Administrative Sciences was conducted in collaboration with the Romanian National Authority for Scientific Research.

The conference was financed by the Romanian National Authority for Scientific Research, following the success of the research conference project submitted by the organisers⁶ during the 2015 national grants competition, under the title *“Institutions, Procedures and Resources of Public Administration.”*

The motto of the Annual Conference NSPSPA was selected from the article published by Emil A. Dandea in the Administrative Journal from 1922:

“Administrative reform in general, but especially with regard to cities, must take into account (...) the fact that there is something that is more than the county and the city, namely, the country. Any scientific theories, any abstract principles must be investigated and From this point of view it would be an unforgivable sin to imitate only the institutions of other advanced countries without considering whether their introduction is favorable to solving the social, cultural and economic problems of our country, that is to achieve the general well-being and the ethical mission of Romania .”(...) For the reasons shown, the administrative reform should not be done in a hasty manner, and especially it would be a real crime to legislate without

⁶ Emil Balan, Cristi Iftene, Dragos Troanta, Gabriela Varia and Marius Vacarelu.

the necessary preparations and studies required for such a great work in any civilized state."

The annual conference organized on the 23rd of October was organized in two general scientific sections:

1. Constitutional perspectives.
2. Mechanisms and resources of public administration.

2016 Annual Conference

The ninth annual conference organised by the National School of Political Studies and Public Administration in partnership with the Romanian Academic Society of Administrative Sciences and the Romanian Institute of Public Law and Administrative Sciences marked again the collaboration with the Romanian National Authority for Scientific Research.

The motto of the Annual Conference NSPSPA was one of the texts of the renowned Romanian public law professor C.G. Dissescu (Course on Romanian Public Law, 1891):

"To breathe as man needs a special body to breathe, the lungs, the same in the state we need a determined organ to exercise legislative power, another executive power, and the judiciary. We could therefore define the function in the social organization like in philosophy, the activity of the organ. The organs are civil servants and their activity is the functions which they fulfil."

The annual conference organized on the 21th of October was organized in two general scientific sections:

1. Public Function administration. Nature; Categories; Professional bodies.
2. Human resources for public administration: Statute; Accountability; Ethics and integrity.

Important topics were addressed and presented directly as the following:

Public function: legislative and institutional priorities; Public function: a new juridical framework; Comparative studies; The Statute of civil servants and other categories of staff; Responsibilities of the officials both at national and international level; Principles of conduct; Responsibility and accountability; Liability of public servants; Principles of ethics and professional deontology of Romanian civil servant.

2017 Annual Conference

The tenth annual conference organised by the National School of Political Studies and Public Administration in partnership with the Romanian Academic Society of Administrative Sciences and the Romanian Institute of Public Law and Administrative Sciences was conducted the collaboration with the Romanian National Authority for Scientific Research.

The annual conference organized on the 20th of October was organized in two general scientific sections:

1. Civil Service administration: Legislation systematization and concentration through Codes: doctrinal approaches.
2. Administrative law norms codification: requirements of the practice.

Important topics were addressed and presented directly as the following:

- Legal norms systematization; legislation simplification; codification concept;
- Impact evaluation of new regulations. Instruments;
- Regulation quality and juridical relations security: requirements of codification;
- Good practices;
- Administrative Code Project in public debate. Science and precariousness;

- Administrative matters that can be codified;
- Normative techniques and solutions in the Administrative Code Project;
- Ne-contentious administrative procedure codification;
- Doctrinal and practical codification at EU level;
- Administrative Code position in Romanian legal sources.

ABOUT THE AUTHOR

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