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el for the Romanian Administrative Space

Abstract

The Romanian administrative system needs to enhance its ability to face the challenges brought about by the still fresh accession into the European Union. One of the latter deals with the metropolitan areas is a concept with rather recent use in Romanian literature and the practice of local self-government. So far, the implementation of the metropolitan concept has been put into practice in terms of different administrative territories, associating and co-operating to achieve efficiency in local development processes.

This paper, however, builds upon the existing European and American literature on metropolitan areas and aims at designing a new partnership-based model of metropolitan areas suitable for the Romanian environment. In this respect, based on the European principles (namely: economic and social cohesion, specialisation, exclusivity and subsidiary), this model will analyse the mutations emerging with the changes in the local decision-making processes. The transfers of competences, as well as the manner in which the administrative system resists change, will be taken completely into consideration.

The objective of this paper is to analyse the application of those principles inside the Bucharest Metropolitan Area ï an area which is still under construction. The conditions that must be implemented inside the Metropolitan Area, the objectives and domains of co-operation, and the solutions that must be applied in order to obtain the compatibility and performance of the administrative units which make up this metropolitan area will also be taken into consideration.

The formation of metropolitan areas replies to a need determined by the organic development of settlements. The process of urbanisation in Europe has led to the interdependent development of metropolises with the settlements in their area of influence, already forming primary metropolitan realities, which, even if not known as metropolitan areas, virtually operate as unitary areas, relatively independently. Thus, we can look at the first features of metropolitan areas as representing distinct forms of human settlements, consisting of a large number of people living within or around a high density centre. (Miles 1970)

Many of the strategic urban planning issues at the European level cannot be treated directly, except at the level of metropolitan areas, which facilitate the production, trade and consumption of goodsô development in Europe, so as to avoid not only the barriers due to excessive localism, but also to centralism at the national level. It is, in essence, a matter of the formation of the metropolitan areas as growth or development poles and regions in Europe, included within national and trans-national strategies. The development of the metropolitan areas facilitates the integrated territorial planning at the regional level, so as to reduce the imbalances between the centre and adjacent zone, caused by the dispersion or marginalisation generated by the isolation of settlements lacking opportunities and by the removal or reduction of such imbalances leading to the improvement of quality of life.

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of development and co-operation of settlements in the orms of institutional organisation and administration, of ill strengthen their ability to cope with competition. Therefore, increasing the economic competitiveness of localities in the metropolitan area, compared to neighbouring regions, will be assured. Performing development policies is usually achieved through good co-operation between localities in the fields of territorial planning, housing, infrastructure, economic development, environmental protection and use of human resources. The most efficient measures are, usually, those related to public transportation, water supply, waste processing and implementation of investment projects.

The political, social and economic life of the city and that of the surrounding region have always been connected. The symbiotic relationship between the compact city and the low demographic density suburbs consists of the manner in which the economic and political destiny of the suburban areas, caused by economic growth, influences the economic and political success of the city (Ledebur and Barnes 1993, 45). The construction of the metropolitan area in the Romanian administrative space presupposes the emergence of a series of administrative ñmutationsò, in the light of the administrative model adopted, as well as a series of implications regarding the local and regional development process.

The use of the concept of metropolitan areas or metropolitan regions entails the clarification of notions such as ñzoneò, ñareaò, ñregionò.

In 1973, Stanislaw Czamanski made a clear distinction between these terms as follows:

"Zone" is the generic term for any part of the bi-dimensional space, which is useful in a socio-economical analysis, for example the concept of a zone of attraction for a market, meaning the geographic space in which a manufacturerôs production is sold;

"Area" was, in the beginning, just a technical term, representing a transversal strip cut off a sphere; now, this term is used to define a surface with different characteristics in relation to the surrounding space, for example, the administrative and business area (so-called Central Business District) in a large metropolis;

"Region" is a much more precise term, implying a surface within the national economic space, sufficiently structurally comprehensive to work independently, although, in reality, it has, of course, close links with the rest of the economy. (Nicolae and Constantin 1998, 16)

From an administrative point of view, metropolitan structures are dependent on political, social, economic, historical and geographical factors and, therefore, cannot be designed and executed as a finite form in a laboratory/office. The administration of metropolitan areas may raise a number of challenges, thus assuming a series of ñchanges in development patterns of low density territories by voluntary co-operation between the existing local administrations, by state intervention in the provision of some urban services, through public-private coordination, through the existence of regional agencies, in addition to the administrative structures, and by providing public facilities aimed at stimulating regional institutionalisation.ò (Downs 1994)

In the structure of the metropolitan areas, three major components can be identified: ñcultural identity, an economic and social basis necessary for the support of the area development and a form of power regarding the decision-makingò, which are only several of the elements

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private ñdevelopment coalitionsò (Keating 2008, 157), al relations and development strategies.

The functioning of metropolitan areas requires a careful analysis of the administrative implications as regards metropolitan coordination, as well as an analysis of the economic implications that such a structure may generate.

Based on these clarifications, the metropolitan areas[2] represent urban agglomerations formed on the basis of partnerships between municipalities and cities, together with urban and rural localities within the area of influence. Metropolitan areas are private law co-operation structures with a legal personality, established, under the law, by the administrative-territorial units, for the joint execution of development projects of local or regional interest or for the joint provision of public services.[3]

A metropolitan area refers to a territory that contains a number of autonomous administrative units, placing equal emphasis on metropolitan independence and metropolitan affairsô coordination. (Mello 1993)

The term ñmetropolitan areaò, conurbation, or large urban areas, are defined as a continuous urban territory of large dimensions, working as a single multi-functional region. The metropolitan area is a single physical urban reality with numerous sub-systems and with a population of over one million inhabitants. (Nientied 1996, 5)

Together with the territory and the administrative organisation, a new metropolitan element is identified ï the population.[4]

In accordance with French legislation, ñan agglomeration of communities represents a public entity which regroups several municipalities that form a geographical zone occupied by at least 50,000 inhabitants. At least one of these localities must be occupied by a minimum of 15,000 inhabitants. The entityôs mission is to formulate a joint programme of urban development and planning of the use of land.ò[5]

In Romania, the definition of a metropolitan area is regulated in the legislation as: ñAn area established through the association, based on voluntary partnerships, between the major urban centres (the capital of Romania and level I municipalities[6]) and urban and rural

[2] The concept of metropolitan area covered by the Romanian legislation as ñIntercommunitary Development Associationsò ï Art. 1, letter b of the Law on local public administration no. 215/2001, published in the Official Gazette, Part I, on 13 September 2006.
[3] Art. 1, letter c of the Law on local public administration no. 215/2001 published in the Official Gazette, Part I, on 13 September 2006.
[4] Current standards require that each new metropolitan area statistically includes at least: one city with a minimum of 50,000 inhabitants and a metropolitan population of over 100,000 inhabitants.
[5] Chevenement Law. 1999. France.
[6] *Rank* ï expression of the current and immediate perspective importance of a city within the network, from the administrative, political, social, economic, cultural etc. point of view, in relation to the size of the polarised area of influence and with the decision level the allocation of resources implies. This importance should also find its correspondent in the level of modernisation. Municipalities of rank 0 and I are development centres that have a significant number of inhabitants: at least 200,000 (except Bacau), direct access to the major pan-European communications network (road, rail, maritime and air), a high technological level and flexible economic bases (secondary sector, manufacturing, socio-cultural and informatics services), universities, institutes of higher education and a rich cultural life.

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uring area, at distances of up to 30 km, among co-multiple plansò[7]. The legislation also indicates the n areas, stating that: ñMetropolitan areas work as independent entities without a legal personality.ò[8]

The configuration of the metropolitan areas can be achieved through: ñamalgamation; main city boundariesô expansion; local administration organised on two levels; voluntary co-operation; creation of partnerships on programmes/services; creation of metropolitan authorities in the planning and development domains and contracting of private companies for the provision of public services of metropolitan interestò.(Davey 1993, 14.) The organising of the metropolitan areas can also be achieved from the perspective of co-operation achieved at the level of development agencies. In essence, these can be classified as follows: ñforms of administration formed as a result of voluntary agreements between autonomous administrative entities; forms of administration that put emphasis on the functional aspects and delegate to an agency the implementation of these functions; administrative structures organised on two levels of decision and administrative forms under a single authority created through a merger of the existing local authoritiesò. (Mello 1993)

Beginning from the nature of the relations established and developed in the metropolitan areas, three types of metropolitan area can be identified:

Å ñhomogeneous metropolitan areas ï characterised by uniform internal structure; the economic activities carried out within them being similar to one anotherò (DincŁ 2005, 23);
Å ñnodal metropolitan areas ï nodal regions (polarised), when interest in uniformity is minimal and cohesion is the result of internal flows, the relationships and interdependencies are usually polarised by a dominant centre (node);
Å metropolitan area for planning (programming), where the unit derives from a particular institutional-administrative framework and from the application of specific regional development policies and programmesò. (Nicolae and Constantin 1998, 16)

The metropolitan area thus represents a favourable environment for the application and development of what François Perroux called ñthe Theory of growth polesò. According to this theory, the emergence and development of metropolitan areas occurs as an imbalanced, yet hierarchical process within the development region, in which a certain number of economic units play a crucial role, which makes them stand out. These units which manage to stand out are called ñgrowth polesò, in the category of those units belonging to large enterprises, industrial platforms, important infrastructure elements such as harbours and airports, which succeed, through their mere existence, to attract and facilitate the emergence and existence of numerous activities or even the emergence of an urban centre that has its own activity. It is presumed that the existence of these growth poles will carry forward the entire metropolitan area or even the entire economy. Acting like a magnet, the growth poles will be able to attract the existing innovation and development capacity.

However, the quality of the diffusion from the poles to the centre areas must be analysed. In the case of metropolitan areas, the quality of such diffusion effects can lead to a

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Also, municipalities of rank 0 and I are the only municipalities that can establish metropolitan areas in Romania, together with the urban and rural localities in their immediate vicinity, at distances of up to 30 km, among which are co-operative relations developed on multiple plans.
[7] Law no. 351/2001, Annex 1, section 11, published in the Official Gazette Part I, no. 408, 24 July 2001.
[8] Law no. 351/2001, through Art. 7, para. 2, published in the Official Gazette Part I, no. 408, 24 July 2001.

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mbalances and to the cumulative increase of inequalities of the growth poles, there is a higher innovation and d areas can create a type of continuously polarised development. At the same time, there is a possibility of the occurrence of filtering phenomena regarding the activities diffusing regional development, so that imbalances will persist. The metropolitan area thus becomes an economic-administrative development model, based on the central places theory.[9]

Christaller believes that the main function of the city is to distribute goods and services for the space that it is part of. Extrapolating, the metropolitan area can meet all the requirements necessary to satisfy metropolitan general interest. The existence of metropolitan determinants[10] is vital if one wishes it to be functional. The existence of this market facilitates the emergence of a theory that claims that each point of the theoretical territory (rural, homogeneous, and on which the population is uniformly distributed) has access to all possible goods and services. However, the goods and services offered by the metropolitan area are not all of equal importance, but they are ranked, according to the consumersô demands and the daily, weekly, monthly, and occasional needs. Their hierarchy brings forth the central places hierarchy, as well as that of the corresponding areas of influence.

Metropolitan areas will accumulate items of value, whilst having a tendency to outsource to the less-developed areas within the region the uncomfortable, embarrassing and unwanted activities, involving tiring, crude work, in decline, with low skill levels and outdated technologies. The filtering of these activities may be determined by environmental considerations or performance criteria.

In the absence of barriers on the population and labour force migration, significant movements of the population, which constitute other economic-demographic issues, may accompany the emergence of such ñgrowth polesò. In most cases, the direction of the movements of population is from the weakly developed areas to the developed ones, and concerns the young and average age population, as well as the highly trained. From here, it is obvious that the developed areas impose filtering processes of the work force input streams.

A de-population, especially qualitative, of the weakly developed areas around the metropolitan area occurs, influencing and changing the pace of **demographic evolution, birth rate, number of marriages**, stressing **demographic aging** and, implicitly, a decrease in the regionôs competitiveness.

The main contribution of this to the development of economic theory consists of the conception of spaces, not only as a restriction, the distance between two places and a cost generating source for economic agents, but especially as a territory on which people live, who have the right to decide on their own development.

[9] The central places theory is one of the most developed models of space analysis. It is claimed that without this theory ñit would not have been possible to speak of a theoretical geography, independent of other sciences.ò In the development models focusing on the central spaces theory, we would like to mention ï Christallerôs Model, Loschôs Model, Zipfôs Model

[10] By determinants understanding access to transport infrastructures, service provision and the possibility of private agents to conduct economic activities.

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sis for the development of the endogenous theory, based ch may not exceed a certain utopia because isolationism oductivity and, ultimately, to the slowing down of the development pace, with direct, negative repercussions on the peopleôs standard of living.

Based on the configuration and association modality, three models of governance for the metropolitan area can be identified:

a) metropolitan authorities who have **full powers** as regards the social, economic, infrastructure, environment and territorial planning fields. These authorities are responsible for effectively and completely planning and implementing harmonious development strategies in the metropolitan areas;
b) appointed or elected authorities, with **selective powers,** with which to plan and apply strategies to resolve key issues;
c) appointed or **complementary organised** metropolitan agencies, empowered with strategic planning responsibilities and consultative application functions. (www.eurometrex.org)

The option for one of the governance models proposed by the ñMetrexò must be consistent with a series of characteristics revealing the organisation and functioning of public administration in Romania. The complexity of the social requirements poses the administration a series of problems to be solved. Society has seen a continuous process of multiplication and diversification of the administration tasks, which imposes continuous improvements in the structure and activity of the administration, by using modern methods and techniques. Public administration decisions are binding, without the consent of those to whom they apply. Public administration, unlike the private sector, may use, when necessary, state means of coercion. Public administration is part of the public activities sphere, being a social activity, carried out in the general public interest and under the public power regime. Professor Antonie Iorgovan defines public administration not only as an activity consisting mainly of organising and ensuring performance, but also as the direct execution of the provisions of the Constitution, of all regulations and other legal acts issued by the authorities of the rule of law, and activities performed by the public administration authorities. We notice, on the one hand, the position of public administration within the various activities of state or local communitiesô authorities, and on the other hand, we can see the two indispensible elements of public administration, namely: the structural-organic element, and the functional element. (Iorgovan 1993, 1ï 3, 80ï 83)

Beginning with general observations, the following functions of public administration within the global social system can be found (Gournay 1978):

a) In the foreground (determined by the position that the administration has in relation to political power) is the function of intermediary execution mechanism, which has the mission of organising and ensuring execution ï ultimately, using its authority or even coercion. This primary function has several sides, namely:
   Å the function of preparing political decisions or even of collaborating in their adoption;
   Åthe function of organising the execution of political decisions;
   Åthe function of direct, material execution of political decisions;

[11] Policy through which one tends to the creation of a closed national economy, isolated from the economy of other countries; state that practices autarchy; economic self-isolation condition of a state.

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execution of political decisions, which is achieved either , using constrained force;
for the demands, wishes and needs of society before the authorities competent to adopt decisions regarding them.

All of these features, which represent nothing more than multiplications of the primary function that the public administration has, of intermediary mechanism for the execution of political values, underline the role of public administration as a collaborator of the political power in an organisation society, regulating its functioning.

b) In the background, the derivate functions of public administration can be outlined, which refer to the aims of the actions performed by it. Under conditions of the rule of law, public administration has as its purpose the achievement of political decisions, reflected in laws and the other normative acts of state and local communitiesô authorities. In this plan, we can distinguish:
Åthe function of a conservation instrument for the material and spiritual values of society. This function provides the continuity and durability of society. Through this feature, theoretically, the administration may be subjected to a certain inertia and immobility tendency, in the sense that it may manifest a refractory spirit against novelty, being in favour of maintaining the established order;
Åthe function of organisation and coordination of the adaptations necessary because of the transformations that inherently occur in the evolution of different society components, especially in its economic structure.

The characteristics of public administration in Romania, as well as the functions exercised, make the option in favour of one of the governance models proposed by ñMetrexò to be a particularly difficult one. The option for the first model would entail a restructuring of the form of organising the current administrative system, composed of communes, towns, and counties. The third model is already functional in the Romanian administrative space, having been applied in Oradea, Baia Mare, Iasi and Constanta metropolitan areas, but its focus on voluntary association makes it insufficient for the Bucharest Metropolitan Area.

The model of the French legislation: ñThe Association of Local Communitiesò[12] offers us a new example of the applicability of the third model of metropolitan administration which supports the association action of local authorities in metropolitan structures having as their main objective the development of an economically, socially and culturally solid territorial community. The manner through which the association will achieve these objectives is project-based territorial co-operation. This objective requires the existence of a form of

[12] This model is inspired by the French administration practice. In the French practice, from 1890 until 1996, 4 modes of communal co-operation were developed, which attempted to overcome the problems generated by the needs for investment and equipment for communal territorial development. The first model, known as ñInter-communal Syndicate with Single Vocationò, was established by law on 22 March 1890, for the purpose of investing in water supply, electrification, etc. Through the decree of 20 May 1955, ñJoint Syndicatesò were established, which allowed the association of public interest companies. Through the Ordinance of 5 January 1959, ñInter-communal Syndicate with Multiple Vocationsò were created and open to the association of communes on the basis of the possibilities of joint execution of several works of a distinct character. A special category was the inter-communities with own fiscality. Through the law of 5 January 1988, ñà la carte Syndicatesò were created, offering the communes the opportunity to associate on certain services performed by the syndicate. In 1992, through the Law of the Territorial Administration of the Republic, the process of achieving regional co-operation through the creation of public territorial associations was expedited, registering an increase from 250 associations, to 1,241, during 1998.

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t of the contracts on the basis of which projects are vide the localitiesô responsibilities, the competences l Communities and the associationôs budget, constituted from transfers from the government, the county and the localities in the metropolitan area.

Taking into account the characteristics of the Bucharest Metropolitan Area, its size and nature of economic and social relations that can be developed, we believe that the Bucharest Metropolitan Area could be functional through the creation of a model of metropolitan area that could be located at the intersection between governance model numbers (2) and (3), thus facilitating the emergence of a metropolitan structure focused on the right to voluntary association of local authorities, but which have a series of authorities appointed or elected, to exercise several selective powers, on the basis of competencies which have been delegated by the authorities of local public administration. Such a metropolitan structure may constitute an approach towards a new administrative system in which the metropolitan areas would have greater administrative competences, exercised by metropolitan administrative bodies.

The option for a model characterised by the emergence of intermediate bodies with selective powers, requires a careful analysis of the coordination relations that must be developed in order to avoid administrative-managerial failures. The nature of relations between the authorities of the local public administration and the new metropolitan structures will constitute a challenge for this new form of metropolitan governance.

This metropolitan structure will develop the role of mediator, acting as an intermediary institution or as a ñmiddle governmentò that guides and shapes central policy into local versions and vice versa, representing the needs of the local communities at the level of central government. The existence of such a metropolitan structure will have as its primary objective the achievement of a connection between the various spheres of government and the private sector, in shaping common strategies.

In the model proposed, the competences regarding the implementation of concrete projects are decentralised to local authorities. The main advantage of such a metropolitan structure consists in the development of planning strategies and the coordination of administrative activities with a series of simultaneous decisions within major projects of metropolitan interest, with impact on the local level, as well as in the organisation of communication between all stakeholders.

The advantage of this type of model consists of the avoidance of failures generated by a series of misunderstandings that may occur between the local level and the central administration.

The Romanian legislation model for the metropolitan area is that of ñAssociations for Regional Developmentò, in accordance with the provisions of Law no. 215/2001[13], Government Ordinance no. 26/2000[14]).

From this perspective, the definition of the Bucharest metropolitan area represents the surface defined through PATN[15] and PATJ[16] as being urban or rural, composed of legally established

[13] Law on local public administration in Romania, published in the Official Gazette no. 204/23 April 2001.
[14] Government Ordinance regarding the associations and foundations published in the Official Gazette, Part I, no. 39 of 31 January 2000.
[15] The plan for development of the national territory, acronym in original.

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own general urban plans and within which relationships circumstances or conditions, or mutual public interest socio-economic, infrastructure, public services and environmental protection fields.

The model of the Development Agency is used as a form of coordination of administrative fragmentation (management forms) with the functional one (of public services), for the purpose of finding an answer to the increase in the size of economic services and of the metropolitan territory equipment. This model provides continuity of projects run on the medium-term, regardless of changes generated by the electoral cycles. The Development Agency represents an organised form, through which local authorities delegate to an organisation outside the local administrative structure, certain competences of local interest. This organisation can be a newly created one or an existing public organisation that has gone through the privatisation process. During its operation, the Development Agency observes the international statutory conditions containing the legislation, the forms of local authority and the stateôs de-concentrated organisations in the territory. The Agency for Zonal Development capitalises on the local economic potential of the metropolitan area for which it is created and attracts financing sources external to the area, for the purpose of promoting its economic and social development. The manner through which this organisational structure is created is that of public-private partnership, through which an organisation with private legal status is obtained, but which acts, through the structure of the Board of Directors, in the public interest. The weight of the vote of the administrationôs representatives is determined by the importance of the economic development strategy of the area.

The Agency for Zonal Development is an organisation resulting from a public-private partnership and is made up of members belonging to the public and private sector, having common development goals. From a legal point of view, the Agency for Zonal Development can function as a stock company, as a limited liability company, or as an association, depending on the mission of the agency.

The functioning of the Agencies for Zonal Development has the main purpose of reducing the separate management of localities in the metropolitan area, which produces a series of imbalances in costs for the public services provision, against the city, and consumptions of natural resources and pollution to the detriment of the communes. Lack of joint planning, based on active collaboration and a joint decision-making process by the local councils, determines the irrational use of natural resources and may lead to unjustified migration. The lack of coordination of local sectoral policies may lead to inefficiency in the functioning of the labour market and in the coordination of policies on education and research.

The functioning of metropolitan areas is achieved within the existing legislative framework, under conditions of preserving the administrative and political autonomy of each locality in the area. The collaboration manner is regulated through acts and administrative procedures developed, seen and approved within the legislative context.

The organisation and functioning of the Bucharest metropolitan area cannot lead to: ñthe creation of enclaves of an economic, social, cultural or ethnic character; the emergence of forms of segregation, of an economic, social, cultural or ethnic type and to unequal

[16] The plan for development of the county territory, acronym in original.

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benefits of the programmes/projects executed in the co-

Relationships of mutual interest are defined through the plan of territorial co-operation policies/programmes/projects defined by PATZ ï Bucharest Metropolitan Area. From the economic point of view, the relations of mutual interest represent the ñsupply-demandò of metropolitan public services which will be provided by an organisation of metropolitan interest, determined by the composing administrative-territorial units, and which will provide distinct services on the basis of a price analysis per service/public utility.

From the point of view of the relations established in the fields of infrastructure and public services, the limits of the metropolitan area will not represent a border set on the limits of the administrative territory of the settlements that make up the area, but which it will be able to develop in the future, on the basis of certain economic, social and environmental analysis (the economic and social cohesion principle). The local councils in the metropolitan area, empowered to perform certain competences within the area, will not be able to act, except in the field/fields of competence transferred by the member local councils (principle of specialisation). When a council transfers one or several competences to the metropolitan area management, this council will immediately and completely cease exercising that competence (the exclusivity principle). The local councils will not transfer to other councils/organisations other competences than those which they are not able to provide themselves (the principle of subsidiary). From the organisational point of view, the metropolitan area can operate in one of the following forms: association, public-private partnership with legal status or an administrative form. In any of these situations, a metropolitan area is defined as the voluntary will, of associative nature, between local councils, for the purpose of achieving joint development objectives.

Organisation and operation of metropolitan structures, based on the four principles mentioned, require some conceptual demarcations regarding the terminology of ñadministrative competencesò.

The competences of public administration are defined as being the entirety of tasks established by the Constitution or law, which confers rights and obligations to carry out, in its own name and in performing public power, a certain administrative activity. Competence is thus characterised by legality, obligation, and autonomy. The successful operation of metropolitan structures depends on outlining, as clearly as possible, the main three types of competences: ñterritorial, material, and temporalò.

Territorial competence designates the territorial limits of action of the public administration bodies, i.e. the limits in space, within which the tasks conferred by law can be exercised. This competence delimits the scope of application of competences in the metropolitan areas. The territorial competence of the public administration authorities can be local or general. The general territorial competence manifests itself when the territorial area of action of the authority is not limited depending on the state administrative-territorial organisation, hence, when acting throughout the state territory. As regards the local territorial competence, it must be stated that depending on the human community to which the activity of public administration is addressed, and on the principles of organisation of public administration, this form of competence manifests itself differently in the territory and, respectively, at the level of the territorial-administrative units.

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scope and nature of the tasks of a public administration
ce is the basis of the division of public administration
eral competence and public administration authorities with specialised competence. General competence allows action in any field or branch of activity, while the special or specialised competence is assigned to actions in a particular area or field of activity, for which the type of competence the metropolitan structures are responsible.

Temporal competence represents that limitation in time of the exercising of certain tasks or duties. In the case of metropolitan structures, this competence is unlimited in time because of the organisation and functioning on the basis of the exclusivity principle, which no longer permits the exercising of duties and tasks already delegated at the level of the metropolitan structures by the bodies that have initially delegated them.

From the perspective of the delimitation of competences, the fourth principle is perhaps the most representative. Subsidiarity is currently one of the words that are used by everyone, giving it different meanings depending on the circumstances and the political will. The term thus varies between defining it as a criterion for delimitating the powers and legitimacy of power-levels, on the one hand, and as an ambiguous form used in evasion of any kind of obligations on the other. (Alexandru 2002)

The concept of subsidiarity is a political-legal philosophy that has as its foundation the idea that the state power should not intervene, except where society as a whole or at its different levels cannot satisfy its various requirements. This concept is considered to be an institutional organising principle that applies first and foremost to the relations between the individual and society and then to the relations between society and institutions, in view of assigning the competences on the institutional scale, between the base and the top.

Therefore, this principle, asserted especially at the European and local level, finds its definition in the European Charter of local autonomy, according to which the exercising of public responsibility must preferably belong to those authorities which are the closest to the citizens. The assignment of responsibilities to another authority should take into account the extent and nature of the task and the efficiency and economy requirements.

Thus defined, the principle of subsidiarity appears as a general principle of institutional organisation which tends to favour the base, compared to the top. Subsidiarity presupposes that the focus and the weight, in making a public interest decision, goes down towards the base level as much as possible, and to the extent to which a series of competences have been delegated, they have to be exercised by the organisations assigned in this sense.

The application of the subsidiarity principle at the level of the Romanian public administration is expressly stated in art 7. para. (1) and (2) of Law no. 215/2001[17], according to which ñthe exercising of the competences and tasks assigned by law, is due to the authorities of the local public administration which are the closest to the citizen.ò

Taking into account the special competences that can be delegated at the level of metropolitan structures this allows them, on the basis of the subsidiarity principle, to act in

[17] Law of local public administration in Romania, published in the Official Gazette no. 204/23 Apr 2001.

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basis of the tasks and duties that have been delegated to

The subsidiarity principle, defined by the ñLocal autonomy Chartò, is a viable and real solution, already applied, to a certain extent, in the Romanian local public administration in a constitutional context and the context of the legislation in effect in this field, even more so since it does not presuppose anything other than the ample development of local autonomy in favour of the local communities, with direct influence on the local economic development process.

Subsidiarity analysed from this perspective must be seen as the answer to the citizensô wishes to participate more and more in the elaboration of the decisions that directly affect them. These decisions, in which civil society is encouraged to take part, may influence, when they rely on the populationôs support, the possible directions of local development.

The principle can also be understood as an invitation to change the stateôs manner of intervention, in the sense that it must not only help or aid local communities, but also favour the initiative to settle problems at the adequate level, rather than the state settling them.

The Council of Europe offers a series of recommendations and interpretations with respect to the application of the subsidiarity principle. According to the recommendations, the subsidiarity principle is a permanent principle which must guide the legislators and the leaders, especially with regard to foreseeing a sectoral reform. At the moment of applying the subsidiarity principle the existence of the other principles of the stateôs organisation and functioning must be taken into consideration, especially its unity of action, efficacy, unity of application and solidarity. The subsidiarity principle is an essentially political principle, since it aims to bring decisions as close to the citizen as possible. This underlines the necessarily political character of administrative decentralisation, which can only be expanded in favour of the elected authorities, endowed with their own competences, preferred to the competences through delegation.

Beyond stating the principle in itself, certain consequences are worthy of note, especially at the level of the assignment of competences in their direct application.

The subsidiarity principle also implies a less formal vision, in the sense that the initiative can be left at the level of each local community, through the participation of local and regional authorities in defining their own powers (competences). The principle contributes in this way to the delimitation of the local competences and to the delegation of certain competences to the metropolitan structures, for their better functioning.

In conclusion, we can say that regardless of the form of organisation of the ñBucharest Metropolitan Areaò, metropolitan structures can contribute to the development of the co-operation fields at the level of the metropolitan area, depending on the needs existing at the moment of its establishment, as well as according to the development strategy for the metropolitan area. The general objective of co-operation is that through the functioning of the metropolitan area, the local entities create, and later use, an institutional advantage for improving the quality of life, for increasing the development of the area and to offer, by redistribution, to disadvantaged groups, access to the benefits of economic and social development.

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at the metropolitan level can be territorial, economic, nd are part of the PATZ-Bucharest Metropolitan Area. tropolitan area cooperate, for the purpose of removing the disparities between localities in conditions of indicators, elements and the endowment level indicated in Law no. 351/2001, for the improvement of the quality of life and for increasing the economic competitiveness of the localities in the metropolitan area, compared to the neighbouring regions.

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