

**THE MINISTRY OF EDUCATION, RESEARCH AND INOVATION  
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THE FACULTY OF ECONOMICS SCIENCIES**

# **DOCTORAL THESIS**

**BUGETARY POLITICS IN ECONOMICS DEVELOPMENT  
ROMANIA IN THE POST ADHERENCE PERIOAD**

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## **Contents**

### **INTRODUCTION**

#### **The importance of the theme**

One of the most debated economic themes from the beginning of the XXI<sup>st</sup>, century is the budgetary politics in the need for rapid development context. The past revealed empires' growths and decays due to some changes in the budgetary politics. Many conflicts and alliances between different states were caused by budgetary politics and the progress was a result of the budgetary politics applied by different authorities.

In the globalization era the differences between the development rhythms of different nations will be made by budgetary politics. One can say: tell me what budgetary politics you apply and I will tell you how your future shall be. The budgetary politics show the available resources which represent the grounds for the public authorities through the public budget system.

*The position of the budgetary politics in the post adherence period.*

No matter the place or the role they have in a strategy or another, the budgetary politics interact with the normative system assembly. The administrative Law, The Civil Procedure Law, The Commercial Law and the Constitutional Law, are the main branches of the Law which influence the budgetary politics, and they are approached in this doctoral thesis.

The budgetary politics is mainly a part of an economic decision. It regards the grouping of limited resources for practically unlimited needs. The equilibria help to the unrolling of budgetary politics but they are also influenced by it. Their connection has a powerful bond with the development politics. All these considered it is compulsory to analyse the budgetary politics like any other economic projection.

The budgetary politics into account certain assumptions that it should consider regarding, first of all taxpayers. To change the development trend, the main budgetary politics components must be analysed in their initial form after the post adherence period. When I say that take into account the writs from the main normative acts which give shape to budgetary politics. Fiscal code, Fiscal Procedure Code, annual budgetary Laws, the legislation regarding the expenses made by public institution.

The imperfections are a part of the defining features of any human action feature. Some of them are the results of the hard restrictions which must be taken into accounts and others are classic human errors. We can correct the most important ones.

Nowadays, a personal point of view on budgetary and development politics, from the post adherence period, in the economic theoretical field is missing.

I must also mention that there is a strong interdependence between this fact and the highlighting of Romania's weak and strong points issue don't take into account the recession which affects Romania . Nowadays there aren't enough research works which can find solid solutions to improve the Romania's budgetary and development politics, including as a multidisciplinary approach.

## **The presentation of the Doctoral Thesis**

### **First part. The Theoretical basis of the Budgetary and Development Politics**

The material presented in the first part was divided in four chapters.

In the first named "Definitions and concepts" are presented the definitions and the concepts used in this doctoral thesis. The definitions of the budgetary politics, fiscal politics, revenue authority, market economy, post – adherence development, durable and elaborated from the specialized economic literature or from legislation.

In order to define the theoretical fundamentals of the European Union's politics. I also analysed the development, the equilibrium, the equality of chances, the efficiency, the regional gaps and the competitiveness.

In the second chapter named "The place of the budgetary and fiscal politics in the government's economic development strategy in the post adherence period", I analysed the place, the budgetary politics in the economic governmental development strategy in the post adherence period, should occupy in Romania. I used the historical comparisons method and I referred to the situation between the Two World Wars, to the situation from the transition period from Romania. I also included international comparisons to take into account different successful in development countries.

In this thesis one can find references to the position of the budgetary politics regarding the assembly of the macroeconomic politics, to the inertiality to the budgetary politics also I analysed the rate of the fiscal pressure, one of the important fiscal political parameters and I used arguments taken from the Romanian doctrine.

The Laffer Curve is presented in order to identify the highest limit of intervention a budgetary politics may have. One can find in the paper a list regarding the instruments that can be accessed by the budgetary politics, and dilations on public expenses and on the different use of fiscal concepts other than their use in the economic theory.

In order to identify the budgetary politics' role I analysed one of the instruments which might be continued in an identical formula, the conventions for the avoidance of the double taxation between Romania and other countries.

In the third chapter named "The budgetary politics' interaction with the normative system assembly", I considered firstly the constitution and the Constitutional Law as a fundamental rule in a "de jure" state, then the public finances legislation (including the budgetary principles, the

competences and the responsibilities in the competences process) the restrictions imposed by the fiscal procedure, aspects regarding the connected legislation. In the connected legislation I developed its mutual influences with the budgetary system.

I dwelled on the impact of the legal rules for the public accountancy (especially the accounting principle) and those regarding the Public Domestic Audit on the development, as efficient instruments of information and control of the public resources. Some regulations taken from the transition period are according to the European Standards and must be respected in order to sustain the budgetary politics I presented as application the investiture clause for the privatization contracts and its analysis from the budgetary politics' point of view.

Chapter 4 is named "The place of the budgetary politics in the economic science and their impact on economic equilibrium". In this chapter, I split the documentary material in many paragraphs. The correlation between the budgetary politics and the economic science fundamental at macroeconomic level is the first section. In it I identified many convergent information between the economic science and the budgetary politics (the richness research, the merchandise exchange study, the economic relations between people in the production, distribution and consumption process, the dichotomy positive economy – normative economy, the equilibrium problem or the dilemma equilibrium – disequilibrium).

In some cases I backed up the affirmations appealing to documents which haven't been included in the research field yet. Some of the economic science controversies have also been found in the budgetary politics (free exchange – protectionism, economic efficiency – social justice, etc.).

In order to highlight a connective element between the economic science and the budgetary politics I approached the method input – output, the levels of economic aggregation (areal, national, regional and global). The implementation of the general laws identified by the economic science (the scantiness of the resources law, the diminishing returns law, etc) in the budgetary politics is another connective element between the economic science and the budgetary politics.

I development the use of the general principles of the economic theory in the budgetary politics and I introduced a point of view regarding its explanation with the helps of Bernoulli hypotheses applied in economy.

The second section of the fourth chapter is about the correlation between the budgetary politics and the micro-economy. I dwelled on the possibility to use the private Companies budgeting methods in the public institutions.

To that effect, I tried to clear up the confusion of terms that might show up between the two concepts.

The third section of the fourth chapter focuses on the impact of the budgetary politics on economic equilibria. In the first part it is presented the general frame of the budgetary politics in the insurance of the economic stability mechanism. Furthermore, I insist on the tax consolidation rules made by Adam Smith and partly applied in nowadays budgetary politics. My opinion regarding the multiple ways to treat the economic equilibria is that we should maintain the general and budgetary economic equilibrium for the current activity. In the recession period it is possible and recommended the deficiency, according to the opinions expressed in the recent economic literature. Starting from this hypothesis I analysed the impact of the budgetary politics on the unemployment. The introduction of the unique taxation quota on revenues had a very important role on the budgetary and development politics in Romania and in other European countries.

I have sustained with significant figures the limits of the progressive and the global taxation system for the development promotion since it was the transition period in Romania.

In a further paragraph I analysed the budgetary politics impact on inflation starting with its generational causes. In the last paragraph I evidenced the complex correlation between the budgetary politics, inflation and an employment in the globalization conditions.

I have also emphasized the way in which the unbalancements are maintained. According to the statistics made for Romania the hypothesis about the unemployment diminution for less inflation (or on the contrary, the inflation diminution for less unemployment) aren't applied anymore.

### **The second part. European Union's and Romania's budgetary annual development politic in the post adherence period**

The material presented in the second part was divided into nine chapters.

- The chapter 2.1 is named "The objective assumptions of European Union politics". I started my research with the modern features of the European Union's countries, the most important one being the market economy.

- The chapter 2.2 is named "The content of European Union's development politics at the beginning of XXI<sup>st</sup> century". I started this chapter with the politics regarding the competition in the European Union, as a fundamental element of the European construction. One paragraph refers to a domain which consumes the resources of the community budget the most the agriculture. The agricultural politics is also presented from its historical perspective. The politics regarding the environment protection is talked in a special section from the *acquis communautaire* and from the global phenomena regarding nature perspective.

The content of the development and regional cohesion politics is specific to the European Union constraints and theoretic fundamentals and is developed in another paragraph. The energetic politics is presented taking into account the fiscal system and the accizes applied to the energetic products. Another part of the fiscal politics is related to the development politics and the ecologic taxes presented in a new paragraph.

In the contemporary era a major role is held by the transportation system, which makes an important difference in the development problems issues.

The politics in the transportation field, including the experience acquired by Romania from the works and the history of the European Union, is presented in another paragraph.

- In the chapter 2.3. “The content of European Union’s budgetary politics”, I presented the main categories of budgetary politics developed in the European Union.

- In the first section I referred to the budgetary discipline. Some of the criteria regarding the connection and the function of Economic and Monetary Union are related to the budgetary discipline.

Taking into account the fact that the fiscal politics represent a stimulative or inhibiting factor for certain activities, which have an impact on different development politics, I spoke about the fiscal politics of the European Union in the section 2.3.2 .

The general problems regarding the indirect taxation, the VAT, the accizes, the national and comunitary aspects regarding the direct taxation, other taxes which have an impact on the development (the taxation of groups, commercial societies, revenues from economies, etc.). The paragraph regarding the European Union national politics are the direct taxations contain the essence of the regulations from France and Germany – European Union model states.

- In the chapter 2.4 entitled “Social politics a part and a consequence of the European Union development politics ” I dwell on the social politics as a part but also as a consequence of the development politics in the European Union. There are also presented financial instruments of the social politics.

- The chapter 2.5 is entitled “The perspectives and the future of the European Union’s politics”. This chapter is dedicated to the perspectives and the future for the European Union politics such as the society of knowledge, the globalization evolution and impact, the general economic dinamism.

- The chapter 2.6 is entitled “National politics in the top departments (research and education)”. The information from this chapter has been divided in three parts. In the first section the policy of sustaining the knowledge-based economy by means of entrepreneurship was approached. The period of Romania’s integration into the European Union coincides to the

unprecedented extension of the knowledge-based economy and the European policies aim at shaping this economy under the conditions of entrepreneurship.

The second section describes the policies aimed at actions of financial normative and surveillance support on the new markets of the knowledge-based economy. The characteristics of these new markets and the consequences resulting from the design of the policies of support for the knowledge-based economy are presented.

The third section analyzes the policies in the field of education as an essential component of a medium and long-term development strategy. Especially the actions in the field of education have a longer time span, but that is the reason why they are very important in the projection of the future Romania. We inserted elements of the 2008 debate concerning the policies to follow in the field of education.

- Chapter 2.7 is entitled *National Policies In Line With the EU Requirements in the Field of Production Of Material Goods*. The issue of this chapter was divided in several sections. The first section deals with the agricultural policies focused on the need of food security and efficient management of agricultural markets. A fundamental right of man is thus taken into consideration, that it the right to eat. The possible policies concerning the management of agricultural markets during the post-accession period are described taking into account the Community framework and the reality according to which the future of Romania involves the on-the-go alignment to the most advanced technologies and organizational methods. Reference elements of the policies in the sector of food industry are also included. The agricultural policies, which are an overwhelming part of the Community budget, have to be understood and approached in tight connection to the policies concerning the food industry.

Starting from the reality of an industrial – agrarian economy of Romania of the first post – accession years, we have inserted a section concerning the industry restructuring policies and we have elaborated the sketch of a context and solution analysis for the restructuring policy concerning the automobile industry in Romania.

- Chapter 2.8 is entitled *National Measures of Macro-Economical Policy in the Post-Accession Period* and contains policies concerning the operation of macro-economic mechanisms.

This chapter describes within 4 sections the problems pertaining to the management of public debt, the integration of the national financial market in the one of the European Union and the reduction of possible risks and vulnerabilities, the particularly dynamic field of mortgage loans.

The first section develops the policies of the governmental management as for the administration of public debt referring also to the acknowledged doctrine in the field. A very

important sector of development is the one of financing. The advantages of the integration into EU can be valorized to the maximum degree only after the accomplishment of a real integration of the financial market of Romania into the one of the EU. Such problems are approached in the second section of chapter 3. The process of integration of the financial markets also includes a series of risks and vulnerabilities that may result during this period. In the third section we have described such risks and vulnerabilities in accordance with the doctrine and policies recommended for the diminution or attenuation of the effect thereof. This is how the conditions necessary for funds to become a powerful engine of the development of Romania during the first post-accession years are generated.

During the first two years of the post-accession period a real revolution on the loan market that included the enlargement of the bank network, the reduction of interests and of the difference between the active and passive interest, the considerable extension of the mortgage loan was recorded. The last paragraph of the chapter refers precisely to this type of loan. In parallel, we described the evolutions in the EU and Romania, including the references to the legislation in force in Romania. The content of the policy and current legislation in the field of mortgage loans helps in sustaining the development in Romania, if it is consistently applied.

- Chapter 2.9 is entitled *The Competition Policy in Romania in the Post-Accession Period*. The problems specific to Romania as for the competition legislation and policy are approached.

The paragraph *Another Kind Of Conclusion* provides several cases of regulations in force which resulted into no effect at all due to the lack of sustaining public policies.

In the end, we included the *proposals and recommendation* resulting from the doctoral thesis in a synthetic form. Most are original from the conceptual or operational points of view.

All chapters end with short conclusions on the problems described therein.

## **Documentation and Bibliography**

For the elaboration of the present doctoral thesis we used the bibliography accessible for the most part in libraries in Romania, in the languages Romanian, English and French. Apart from specialized volumes, we also studied materials of scientific events that resulted into published papers. We also surveyed the economy-related periodicals and all type of literature pertaining to the business field. We could thus become aware of the written point of view of researchers, businessmen, government representatives, public opinion leaders.

As we do respect the institution of the Parliament, and we are of the opinion we do have a lot to learn from our predecessors' experience, especially from those who represented us in the two chambers of the Parliament along time, we valorized several representative speeches relevant for our doctoral thesis.

We used as argument a point of view expressed in a meeting of the Council of Ministers of the period 1940-1944. We thus included in the circuit of the economic research the stenographs of the meetings of the Councils of Ministers of Romania of the period 1940-1944, the first act of decisional transparency in the governmental act of Romania, after they had already been partly valorized by historians. We hope that other researchers in the field of economy be able to valorize very important historical evidences and sources.

Information available on the public websites of authorities and organizations of Romania and the European Union has also been taken over and valorized within the doctoral thesis. We also used a material made available on video support by a television channel, also with the hope that other documents specific to the knowledge-based economy enter in the circuit of the scientific economy research.

Taking into consideration the approached topic, it was natural to refer to the legislation applicable in Romania and the European Union. We included an analysis of the dispositions available in the Constitution relevant for the doctoral thesis and from other important regulations: the framework legislation as for public funds, budgetary laws, fiscal code, fiscal procedure code, European Union legislation.

### **Research Method Applied**

In the elaboration of the doctoral thesis we used the method of the *interdisciplinary research* of the problems that were the subject of our study. First of all, we took into consideration the fundamental economy theory. We referred to essential elements in the economic science. We also took into account the classics of political economy. The established topic involved by all means the knowledge of the current state of research in the field of public funds, budgetary policies, and fiscal policies including interferences between them. Aware that an approach of the macroeconomic and regional level only (the European Union) would not be enough to provide the originality of the thesis, we completed the topic with aspects concerning the accountancy of public institutions, and related sciences. In addition, we provided the integration of some legal aspects of the constitutional law, administrative law, and financial law.

Having practical experience in the real economy, our purpose, since the very moment of choosing the title of the doctoral thesis, has been to identify the elements of the private business that can be applied to the regional budgetary and development policies. Due to the fact that during the elaboration of the final form of the thesis, Romania has also been subjected to recession to an aggravated degree, we also included elements of the theory and economy of crises, including the impact on the budgetary and development policies.

We permanently took into account the convergence of the economic problems to the social ones, including the detailed description of the funding methods both for the economic development and for the social policies. The real situation which resulted into Romania becoming a member of the European Union on January 1<sup>st</sup>, 2007 determined us to consider the national economy not as an autonomous entity, but as one operating within mechanisms of nominal and real convergence with the other EU Member States.

We do not think we managed to hide our conviction regarding liberal solutions, which we already had at a young age and which were consolidated by the reading of the PhD bibliography.

### *Acknowledgements*

We would like to give our thanks to the coordination and guidance received from Professor Dan Popescu, PhD in undertaking the present economy research.

We would also like to express our sincere thanks to the whole team of the Economy Doctoral Center of the Faculty of Economy Sciences within the prestigious 'Lucian Blaga' university in Sibiu for the support in the elaboration of the doctoral thesis.

Our sincere thanks go also to the family and friends who trusted us and morally supported our approach.

### **Other Considerations**

We are convinced that the opinions expressed within the thesis are nothing but an effort of clarification of certain present problems from a personal point of view, with a given life experience and a certain intellectual background. We do not consider that the expressed points of view represent the unique or the best solution. We shall express our gratitude to all those that will send remarks and comments on the problems analyzed in the thesis at the email address manescurares@gmail.com.

We consider the completion of the doctoral thesis a first step in the area of economy research. We do hope to become a dignified representative of the economy school of Sibiu.

We also hope that other researchers of the young generation will focus on the study of the economic fundamentals and of the economic history as a first step in the attempt of solving current problems. Many answers to such problems are to be found in the work of our predecessors. We are convinced that thus the most important steps in the larger use of the documents on video support in the circuit of economic research will be made.

We wish that the analysis of the real economic problems should result in an adequate assessment of the role and contribution of the essential State institutions, especially of the Parliament of Romania, of which we were a member during the 2004-2008 legislature.

## **ANOTHER KIND OF CONCLUSION**

*The relation between the implemented policies and the normative system in force* is particularly complex in Romania. As we could see, there are policies in agreement with those of the European Union, sustained by normative deeds. The formalism in the public management of Romania also results in the situations where normative deeds are in force while they have no important effect due to the lack of adequate sustaining policies in the respective fields. In such cases, analysts speak of the lack of political will for those normative deeds to become effective. Among the normative deeds that could have had important effects for the economic development but remained to the level of projects, mention should be made of:

- the scientific organization of the agricultural cooperation in order to reach the optimal dimensions of the agricultural exploitations; the normative deed<sup>1</sup> is dated back to 2004;
- the valorization of the mountainous resources, an important wealth of Romania; the normative paper<sup>2</sup> is dated back to 2004;

Regarding the above two cases, we should point out that the will of the executive power for applying adequate policies for channeling such resources and organizational efforts in the concerned directions is necessary.

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<sup>1</sup> Law 566/2004- the law of agricultural cooperation

<sup>2</sup> Law 347/2004-the mountain law

## **PROPOSALS AND RECOMMENDATIONS**

*From the content of the doctoral thesis the following proposals and recommendations result:*

- The usage for the post-accession phase of the following definition: ‘this phase that naturally follows the transition and which is characterized by irreversible short-term or average-term economic transformations to the market system, the domination of the private ownership in the business field, the consolidation of the institutions of the market economy, the wide operation of the market system as a means of resource allotment, equilibrating the ratio between demand and the offer by market relations, the frequent efficient and effective usage of the incentives for the regulation processes, the reliability of the system of economic interests, the massive rational support by most of the population of the market mechanisms, the considerable decrease of bureaucracy and corruption in the economic life of persons and companies’;
- The usage for the budgetary policy of the following definition: ‘set of conceptions, measures, methods, techniques, instruments and actions of the organisms of the power concerning the public income (from taxes and fees, from the sale or exploitation of the public or private State property and of the public entities), public expenses (including the parafiscal ones), public or private commitments of the State and of the public entities, the administration of the budgetary excess or deficit, the management of the public fund treasury’;
- The establishment of taxes only by law and the consideration of the principle according to which he who spends public funds (the Government first of all) cannot and must not have access to the approval of the threshold of expenses or to the mechanism of taxation, only the propositions of regulations in this field being eventually admissible; the constitutional jurisprudence in Romania has unfortunately admitted erroneously the establishment of taxes by Governmental Deeds under the form of Ordinances or Emergency Ordinances;
- The fiscal policy should permanently take into account the ‘criterion of fiscal efficiency’, that is the necessity of a wider delivery;
- The professional training of the personnel working in the synthesis organisms concerning the budgetary policies in the direction of further studying or restart of the basic economic education and in the field of usage of current instrumentals of computer-assisted data processing;

- It should be necessary that each method for extinguishing debts correspond to adequate formulas for registration in the accountancy of the economical operators and of public institutions that administer budgetary income ;
- For Romania, especially during the first years of the post-accession period, we recommend a ratio of the fiscal pressure under 30% with a tendency of continuous decrease. The compliance with the budgetary equilibrium should start from the reduction of public expenses;
- The efficient usage in the interest of the national development of the advantages resulting from the conventions for avoiding the double taxation already signed (in fact with most of the States worldwide) involves a really liberal fiscal system that can determine companies and persons of other States to legally choose the fiscal quarters in Romania;
- The elimination of the modalities of confiscating the private property by the heavy mechanism of recovering of debts to the public budget; the debts against the budget should equally be treated as priorities;
- The budgetary policies in the area of the sciences independent from economic doctrines may and should be achieved by technocrats;
- We think that for the future the periodic indexing of fines is to be achieved in order to discourage any violation of laws;
- The externalization or internalization of services provided to the public sector should be carried out taking into account the fundamental data in the public accountancy;
- Concerning the dilemma of the national wealth in relation to the budgetary policies, we are of the opinion that the real wealth appears when the strictly necessary resources are taken over to the public budget and this is done in accordance with rules of maximal efficiency;
- Taking into account implications on the competition as a fundamental element of the economic system, especially in the implementation of fiscal procedures;
- Introduction of a constitutional clause concerning the equilibrated budget for the current activity; the momentary disequilibrium of the public budget might be determined by capital expenses (investments) or by expenses in the account of other financial years; in the average and long run, the momentary disequilibrium of the budget must generate a stable dynamic equilibrium;
- The increase of the transparency in the administration of the public patrimony by the constitutional interdiction of confidential contracts concerning major transactions that involve goods or expenses of the State or of other public entities; the creation of an archive as for the privatization in Romania starting from the available documents;

- The inclusion in the Constitution of the legal effects the conclusions of the reports of the Court of Auditors have;
- The inclusion in the Constitution of regulations concerning the budget of the Court of Auditors and of the judges' power;
- The introduction in the activity of the public institutions of Romania, initially as an experiment and later on at a wider scale, of flexible budgets pending on certain performance parameters;
- The economy theory will have to improve incentive methods for the personnel working in the public section, such as the Scalan plan, the Lincoln plan or other similar methods meant to increase the efficiency of such personnel at parameters similar to those specific to the private sector;
- in Romania a dynamic positive correlation between unemployment and inflation will continue to exist;
- the improvement of essential elements of the operational manner of the quality checking organ as applied to education and especially to higher education, by hiring own personnel and elimination of the cases of judgment for the own cause, the connection of the quality checking system to the international market of education by granting the right of the educational units to be subject, as an option, to the quality control by European or international organisms, the elimination of the dependence from the State authority and the connection to the Romanian Academy and professional bodies;
- sustaining any normative deed that is blocked and causes no effects, by means of adequate public policies of all normative deeds approved by the Parliament, Government or other authorities solving complex problems of development and the justification by an yearly report;
- it is necessary to introduce as an express measure in the Code of fiscal procedure, the obligation of the fiscal organ of programming and organizing fiscal controls, so that the concurrency is not disturbed; in addition, urgent measures are necessary for increasing the total number of personnel in the operational fiscal apparatus for several reasons: streamlining the relation between the budgetary personnel that provides income and the one that uses it (as similar as possible to the reasoning of private companies), the reduction to the greatest possible degree of the market distortions due to the unequal distribution of fiscal controls, transformation of the fiscal control into a rule and the modification on such basis of the taxpayers' behaviour;
- in order to eliminate the disloyal competition, by means of the labor market, the public

sector salary law must ensure the alignment to the remunerations paid in the private sector under similar conditions;

- the requirements of the sustainable development concept will have to be considered in the elaboration of budgetary policies (the allotment of resources for the environmental protection and the application of penalties for decaying the natural resources) and of the development ones (intensive usage of fast renewable resources or of the unlimited ones such as knowledge);
- in accordance with recent studies concerning the correlation between the existence of well developed financial systems and the stable long term economic increase by the implementation of productive investments, the financial institutions will be especially stimulated to invest and spend money in Romania;
- like in the case of enterprises, the public institutions should introduce and apply the concept of centre of budget administration that would clarify certain aspects concerning the mechanism of continuous budget forecast or re-budgeting pending on the modified context;
- we sustain the continuation of the application of an unique quota at a lowermost possible level; the arguments behind the unique taxation quota at a lowermost level start from the economic social and national advantages and from the limitations of the global and progressive taxation system;
- establishing objectives pertaining to the usage of structural funds and the elaboration of the necessary documentations for the management contracts of public institutions, the autonomous directions and the national companies in Romania, as a premises for the increasing of the degree of absorbtion by Romania of this funding source

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