

RESEARCH ARTICLE:

Smart Public Administration

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ABSTRACT

States change their institutional structures and governments change their organisation, practices and processes in response to the political, economical and social transformations that occur in societies.

The main changes in public administration related problems of the rise of information age, in addition to increasing world problems like poverty and inequality, terrorism and security, migration and climate change.

The changes have been different in scope, speed and consistency according to the specific conditions and decisions of each country. Thus, a new public administration process and structure has emerged whose main characteristic is that government depends increasingly on other organizations in both the civil society and private sector, to set and achieve public goals of common interest, to solve public problems and to provide public services.

The interdependency of the constituent parts of the contemporary social system fosters a way of governing which is necessarily less hierarchical and more shared with citizens, through a smart public administration.

KEYWORDS: *smart government, good governance, the right to good administration public affairs focused on results and accountability, new public management, smart policies.*

1. Introduction

It is possible when we have sufficient insight to appreciate the age we are living to think that the last quarter century was one of the maturity of the organization of human society in which we have experienced more than before, new formulas for improvement and effective community leadership at all levels of social aggregation, local, national, European and global. Indeed, studies of governance and public administration emphasized the need to transform the forms of management of public interests in NATO, for example, even instituting a "transformation Task Command" so that we would highlight the importance of reforming the organization through a new concept, that of "smart defence". It would not be first time to rationalize management of public affairs but for the first time reformist intentions are outlined in project proposals consistent policy on increasing accountability of government authority to deal with changes in a comprehensive manner, at the same level as the complexity and speed of threats to the social environment, and to consider the main beneficiaries of government as transforming processes. UN, EU and U.S. are the outpost of scientific research and practical application of new and realistic goals and means of "good governance" and promptly Romania was within this new trend of views and practices of public administration modernization to adapt to the pace of change and achieve standards of

excellence results from my own experience and that of others.¹

2. Continuity and Discontinuity in the art of good governance

Far from being linked to the emergence of a science-based public management technological rationality, the idea of a government arts dates from the early period of the emergence of philosophy, closely related to politics, defined as specialized activity above the laws and consent of citizens.² Only in the last hundred years, the recapitalization of the concept of good governance, policy began to move from art to science, in which, understanding by government participation in public life is all encompassing laws, legality and legitimacy, as well as accountability and efficacy. The requirements of art (science) good governance were not seized suddenly, but through a long historical process of search and social experiences marked by continuity and discontinuity, social policy aimed at putting political grounds 'natural' relatively similar to natural law theory. Even so, the differences between theory and practice, ideals and realities, goals and means have favoured the production by government arts of monsters and totalitarianism of all kinds so that people have rightly asked "who

¹Balan, E., Iftene, C., Varia, G., Vacarelu, M. (coordinators). 2008. Drept administrativ contemporan: Spre o conceptie unitara in doctrina si practica romaneasca. Bucharest: Ed Comunicare.ro, pp. 8 and 12.

²Sennelart, M. 1998. *Artele guvernarii*. Bucharest: Ed.Meridiane, p.8-9.

protects us from bad government" and "who are they and how do we recognize rational government? ".

Impregnated psychology and ethics, good governance theory distinguishes between goals and means of political action, demonstrating that the ultimate goal of management of public affairs is to strengthen the state indefinitely but, by appropriate means, that the right, organizing public order and the use of force, the ethics of public services and public functions, to ensure the effectiveness of confrontation with the evil inherent in society, thus preventing and combating risks, dangers, threats and vulnerabilities "natural" to the public harmony and survival of human communities. Union for good and responsible policy with legal means, appropriate and effective within the art is the essence of good governance to avoid perverse effects of the management of public affairs, the very essence of peace and social peace. In this way we can understand the changes that took place in the arts and government, considering the historical perspective of policies as evil, that reform is not always an event but rather a process that promote "good government practices" are often rhino remedy governance.

As living beings, society and politics, people continuously adapt to changes in natural and socio-economic environment, adopting strategies and tactics to meet the challenges they face, even though there are no preset patterns, and anyway, they have to pass the practice test. So we have rediscovered and redefined in the late twentieth

good governance strategy which is defined only in relation to the state but also involves the private sector or civil society, requiring an appropriate course all the political, economic and administrative aspects of a country.³ Widespread and systemic adoption of the reinvented idea of good governance was due to the success it had in analyzing interdependent values that he promoted, based on premises such as the obligation of the state to defend democracy, rule of law and human rights by creating an effective and accountable administration, or the duty of all citizens and interest groups to resolve disputes, to exercise their freedoms and to fulfil the obligations of the mechanisms, processes and institutions transparent. The global spread over two decades of good governance strategy to influence the policies of both the universal and regional international organizations and the states and non-governmental organizations of civil society in Romania, thus creating, for example, under the inspiration of this strategy a high level course the "security and good governance" (National Defence College), an academic discipline multilevel governance (at several universities) or journal of European Governance studies and Centre for

³Extensively in the Commission OSCE democracy, human rights and humanitarian issues, adopted in Bucharest in 6 to 10 July 2000, entitled "Good Governance: regional cooperation, strengthening democratic institutions, promoting transparency, achieving the rule of law and the fight against corruption".

governance studies⁴ (from Babes-Bolyai University).

New dangers and threats to the existence and functioning of human society in the XXI century gave another meaning of good governance, without changing the essential fundamentals, in particular the differentiation of duties in the governance structure, as was the case with the Lisbon Treaty between European and national institutions or by changing the objectives and the means provided by the new UN strategy, regional organizations and Member States. It was the time when we began to talk about smart power, smart policies, smart regulation and legal engineering or smart sanctions and smart defence. The relatively long gestation of the theory and practice of good governance already allowed the settling of their principles⁵ and the recognition that delimitation from administration from politics is artificial⁶, as well as from the law, if we consider that administrative law, as public law began to borrow from private law methods of negotiation or compromise, an attitude that is contrary to the nature and effect administrative traditionalism⁷. This is how since 2000 declarations and political strategies have proliferated books "white", "green" or "black",

operational programs and action plans that political government gives the necessary impetus for community organizations defining the overall strategic direction and priorities, without exercising also legislative functions, which made accountability mechanisms be complicated fragments and apart in that lower government executive agencies sometimes have more superiors at higher levels, inadmissible situation in classic hierarchical administrations.

In this context, at the end of the first decade and the beginning of the second decade of the XXIst century, they were very concerned for the qualification of previous concepts with the adjective "smart" (smart in English, the kind that seems to indicate rather clever, cleverness, wisdom, understanding), as demonstrated by the following examples: "smart power" held by the Cato⁸ Institute in the U.S. in 2008; the proposal by the U.S. Energy Information Administration in 2009 legislative networking "intelligent"⁹; the establishment in 2010 of a U.S. policy committee Intelligent Global Health¹⁰; adoption in 2011 by the Climate Works Foundation of the "mechanism of regulation-how intelligent vehicle drives innovation policy"¹¹; the publication by Foreign Policy magazine in a 2012 article of the proposal for "smart sanctions" towards Iran, given that previous

⁴Dacian, D., Neamtu, B. Hamlin, R. 2011. *Law in action: case studies in good governance*. Michigan: Institute for Public Policy and Social Research.

⁵Catana, E. M. 2009. *Buna guvernare*. Bucharest: Universul Juridic, p.175.

⁶Balan, E. 2005. *Procedura administrativa*. Bucharest: Ed.Universitara, p.6.

⁷Alexandru, I. 2009. *Despre drept si stiinta administratiei*. Bucharest: Editura Universul Juridic, p.75.

⁸http://www.cato.org/events/smart_power_towa

⁹<http://www.eia.gov/analysis/studies/electricity/pdf>

¹⁰<http://CSIS.org/program/commission-smart-global>

¹¹<http://www.climateworks.org>

policies remain without results¹²; entry into academic circulation and common terms like "smart house", "smart phone" guns and bombs "intelligent" or "smart defence" (Statement by the NATO¹³ Summit in Chicago in May 2, 2012), even though, according to context, the word "intelligent" can mean different things. A continuity argument towards "good governance" through "smart policy" is provided by the European Commission Communication¹⁴ of 8.10.2010 to EP, the Council, the European Economic and Social Committee and the Committee of the Regions, entitled "Smart Regulation in the EU", which indicates that the cycle of the programme for better regulation initiated in 2003 to simplify regulations into a "better" Europe ended, leading to significant changes in how the Commission develops policies, and in 2010 it was time to accelerate the pace, better regulation must become smart regulation integrated into European institutions working culture. From these considerations can be drawn at least two significant conclusions: the first would be that those intentions can be applied *mutatis mutandis*, to all levels of government and the second refers to the relationship between tradition and innovation in public management reforms and the impact of innovation on administration.

¹²<http://www.foreignpolicy.com>

¹³Military Observer no. 17,21,23 and 44/2012.

¹⁴The document COM (2010) 543 final of 08.10.2010, which is added to other evidence of registration of EU smart policies smart, smart strategies, smart specialization etc. towards the development the next decades.

3.Tradition and innovation in the management of public affairs

Considering the reality that government is by nature conservative while being forced to adapt to new realities imposed by the environment in which it exists at the same time, by new threats made against public interests and new opportunities for reform to increase its effectiveness New Public Management theory developed in the last two decades of the last century and continued following the effects to this day greatly contributed by both achievements and the failures, the transformation of public administration and the establishment and development of a new model of governance. Historically, not all scholars and practitioners of public administration were entirely in agreement with the new model but history itself many times has not found valid heresies and heretics in understanding natural phenomena or social. Combining with ethical forms of good governance, New Public Management has favoured the emergence of a new fundamental right of people, believed to be the third generation of human rights, that to good administration, resulting in the EU need to adapt to the pace of change¹⁵ and the need to streamline its administration by bringing together features of efficiency, intelligence and discipline¹⁶.

¹⁵Balan, E., Varia, G., Iftene, C., Troanta, D., Vacarelu, M. 2010. *Dreptul la o bună administrare și impactul său asupra procedurilor administrației publice*, Bucharest: Ed.Comunicare.ro, p.9 and next.

¹⁶Balan, E., Varia, G., Iftene, C., Troanta, D., Vacarelu, M. 2011. *Consolidarea capacității*

Rightly noted that there is a great difference between knowing and understanding¹⁷ and the New Public Management focused on the ideal of the proper administration of the government proved that it knew and understood how to keep the tradition and how to innovate to meet objectives, operating not necessarily revolutionary changes but rather transforming old methods of administration in the context of changes occurring in the world. In this respect, invited to prepare a glossary of basic terminology in governance and public administration, the Division for Public Administration and Development Management of the United Nations in 2007 has defined innovation in the context of ethics as an idea or a correct application of an idea, different from the invention, a new solution to achieve a result and / or to perform a task by the integration of new elements the recombination of existing elements signifying a change into a the elements; showing that it can innovate in terms of products, policies and programs, approaches and processes, the glossary states that public administration innovation can be defined by the public as the development of new formulas and standard operating procedures to address difficulties affecting the action of powers public¹⁸. In a sense that is more radical EU defined in

2011 innovation, after several years of crisis, as the key to remaining in the competition in a rapidly changing world; stimulating a new leap in innovation has led the Commission to develop EU Communication "Regional Policy for smart growth in Europe 2020"¹⁹, which requires Member States to mobilize investments in education, research and innovation, developing new strategies for smart specialization investment. Smart specialization is a tool that will assist in focusing resources on regions of Europe strategic priorities and design appropriate policy to achieve a smart growth which can be unstoppable, ensuring greater coherence of efforts at all levels by maximizing synergies between different policies and funding instruments. On this conceptual basis New Public Management has kept a balance between tradition and innovation, adopting new forms of management of public interests arising from the classics, especially in public policies²⁰ codes of conduct²¹ and good administrative practices²², trends reflected in Romania where exiting the Balkan natural led to impulses consistent with the

administrative în contextul bunei administrări, Bucharest: Ed.Comunicare.ro, p.42, 299 și 366.

¹⁷Balan, E., Varia, G., Ifene, C., Troanta, D., Vacarelu, M. 2011. *Buna administrare: de la viziune la acțiune*. Bucharest: Ed.Comunicare.ro p.41.

¹⁸Document E/C.16/2007/4 .

¹⁹http://ec.europa.eu/regional_policy/inf

²⁰Details in Miulescu, N. 2009. *Politici publice*. Bucharest: Ed. Universul Juridic și Popescu, L. G. 2006. *Administrație și politici publice*. Bucharest: Ed.Economică.

²¹From 1995 to present there have been developed over 30 codes of ethics and conduct of the various categories of civil servants.

²²Outside the 200 strategies, programs and action plans adopted since 1999 until now, the issue of standards of good practice and good governance practices has been the subject of studies in science administrative see in detail *Dreptul la o bună administrare*, Ed.Comunicare.ro, 2010, p.315.

opportunity of joining the Council of Europe, NATO and the EU, still unfinished process if we consider the future prospects of entry into the Schengen area or in that of the euro adoption. Rewarding innovative spirit alongside punishment caused by stagnation and mediocrity sometimes give way to true and sometimes bureaucratic revolution and government orientation towards results and effectiveness. Attaching great importance to the profitability of government action regarded as the supreme value and prime objective of public administration to address the budgetary problems and even of the crisis of the social security system or the same sustainable development the movement for New Public Management Member incited through the implementation of internal reforms characterized mainly by decentralizing decisions and activities, through direct management of independent agencies responsible for precise objectives for specific social groups employee contribution sleek and innovative public services considered as citizens-customers and consumers through more precise delimitation between public and direct delivery or through cyber-governance implementation or evaluation systems and quantification of resource.

Since 2011 the United Nations Committee of Experts suggested that on the basis of New Public Management should develop a "public affairs management focused on results," the new theory²³ predicting structural decisions with

economic effects consisting in reducing the number of government agencies and the transition to a kind of "market economy" through privatization of public administration suppression of budgetary rules, outsourcing of public services and the establishment of independent political core areas of public administration. New Public Management reforms in favour of results-based management and particularly promoted by the IMF and World Bank had two kinds of effects, on the one hand, governments losing some powers, prerogatives and means available before in many spheres of economic and social life and on the other hand, they are obliged to adopt new ways of governance, direction and administration, qualified as 'inter-ways "of managing the public interest that those who govern are partners in decision making and implementation of cooperative policies adopted. We could say that these new methods of participatory governance and public administration give way to intelligent interactive forms the essence of the future, where citizens are more deeply involved in public decision-making processes of state authorities, which means public policy without excluding any component responsible civil society.

We can evade reality influences that various social and political crises and economic and financial have had in coagulation and the development of new theories of public management and results-oriented management which does not mean that the formula proposed "of intelligent government" is exempt from critics, some founded and some

²³Document E/C.16/2011/2.

not so much, as it often happens when innovation outranks tradition; for example, comprehensive action (comprehensive) inevitably leads to fragmentation of government action in separate programs with their own goals regardless of general programs, hence another report about cost effectiveness of public administration, or the fact that reforms do not address in particular to institutions and citizens, which could affect the results of the administrative bodies. It is more than obvious that with management or economics specialists, lawyers can make a vital contribution to improving those theories through legal engineering²⁴ innovation ensuring optimal training to be able to switch from "better regulation" to "smart regulation" as the foundation of law in public administration.

4. Smart public administration in the XXIst century

Previous explanations of the new government models allow us to believe that the intelligent one of current times and those to come represent the motor of transformation before new risks and threats that threaten human communities, manifested at all levels of government and in all areas of management large and small public interests. Based on the dictionary definition of intelligence²⁵ to be able to understand easily and well, to refer

to what is essential and resolve situations and new problems based on prior experience, proposed theory of intelligent government does not deny previous models rather, they distilled together in a new concept and would like to be inter-levels of government, valid for all public authorities as well as for all civil political or administrative agencies that manage public services, emphasizing theoretical and practical intelligence their legal and moral responsibilities as smart sanctions; Obviously, such an assumption of qualities, principles and roles of governance and management of community problems increasingly more complex cannot target the rationalization of administrative activity and effectiveness of public action, not only by eliminating defects but also actively promoting good practices, a process that can be achieved both naturally and in a controlled, extending careers.

It seems more than once, when despite the obvious signs there was a perpetuation of bad governance or maladministration, the new millennium seems to be an age where smart government can impose itself worldwide deliberately by the will of both the government and the governed in areas such as democratization of authoritarian and semi-authoritarian regimes, decentralization of public power and increasing influence of supranational organizations, as well as autonomy and civil society mobilization, low budget deficits along with globalization of markets, economic liberalization and implementation of

²⁴Patulea, V. 2009. *Legal Engineering*. Bucharest: University Publishing House, p.85-96.

²⁵DEX. 1984. Bucharest: Academy Publishing House, p. 433.

neoliberal reforms, improving judicial independence and limiting corruption, computer age and worsening global problems such as poverty, inequality, insecurity, disease, illegal migration, drug trafficking and weapons, terrorism and climate change. We are contemporary with multiple rearrangements, reforms and restructuring in various fields and at various levels of government, from the global to the local. At state level, the extent, continuity and speed of changes varies according to the circumstances of each nation, giving way to a new vision of governance and administration closer to citizens, more effective and efficient and transparent and streamlined. Not only in Romania but in other countries it was observed that the institutional and procedural changes to intelligent public management is characterized by the fact that national governments increasingly depend more than on other political institutions, economic and social, belonging to international organizations, the private sector or civil society in order to establish and achieve objectives of general interest, to regulate matters of a public nature to provide public services; on the other hand, international organizations, private enterprises civil society non-governmental associations depend and will depend on the proper functioning of the state to achieve their own goals to promote civil, public or private causes, which means an operating network administration.

The interdependence of the various elements of contemporary global social system favours certain modes of governance and the force

and power of intelligent government could be itself naturally, less hierarchical and less focused on authority control, rather calling out to citizens and multiple public networks of governance in which they manifest in public-private partnerships in which everyone, including state institutions depend on each other. It may have already been recognized the reality in which government is more than the government (government action), founded on the principle that even a legitimate and competent government alone cannot regulate the complex problems of modern society because their resolution requires joint action from government and citizens, private sector, social networks, academic institutions the supra-national, which together define the objectives to be achieved and the means to achieve their performance for the benefit of all. Intelligent should be called this way of public administration as it involves giving up false pride sovereign power, coercive force instead leaving more room for understanding, knowledge, negotiation and compromise.

In this sense, we define smart government as the process by which human society achieves its self-management and administrative management, that how the government private enterprises and autonomous civil society organizations and citizens working to define, secure and jointly adopt public policies for sustainable development and sustainable community, including its ability to implement them by completing intentions. Note that therefore one

can achieve the necessary link between the various levels of government, which means that in smart government we are dealing with a clear delineation of powers and duties of the various categories of administrative bodies, vertically and horizontally, so that there is overlap and duplication and political responsibility, legal and ethical to ensure both effective use of all types of resources and benefits to serve the public. Indeed, in recent years the balance between essential collective actors, has changed, even if state governments and ministries remain the cornerstone of society governance, receiving the main task in inherent problems of collective action, such as conflict management, opportunity assessment, sanctioning crime, violation of social contracts, parasitism and of administrative failures, but there is unanimity of opinion that when it comes to economic and social problems, governmental and ministerial autonomy must be reduced, decentralizing decisions on proportionality and subsidiarity principles at levels as close to individuals as possible to achieve efficacy.

If we assume that government is not limited to smart governance executive action of nation states, then we could better understand and support the transition from government and argued that governance has already been place for years before us, it being necessary on the grounds that the idea of governance based approach has significant advantages when it comes

to address the complex problems of "barbarism concrete" as even they are essential and delicate for policy making. Moreover, on this basis they have been accepted both the theory in the past decades of good governance and citizens' right to good administration of public interests, although their fundamental principles that become essential guidelines of intelligent government such as the primacy of law and rights, fairness, legitimacy, value on citizen participation and consensus management of public powers, transparency and accountability, the quality of public services performance²⁶, strategic vision and administrative tactics universal access to procedures of correcting defects through rationalization, efficiency and effectiveness. The entire system of intelligent public administration is impregnated with mutual trust between levels of government and between these and the public, without which no government can achieve the desired results, evaluating the quality of the process by previously established indicators relevant for administrative institutions or external organizations including recipients of public services.

Achieving the objectives and effectiveness of intelligent public administration means depend on institutional and procedural and technical skills of each decision-

²⁶Possibly validated using SMART matrix in which S concerns specific objectives M regards the measurability of targets, A refers to ambitious goals followed, R considers them to be realistic and acceptable, and T the time to accomplish the objectives.

maker or the execution and performance of civil servants in global services, European, national and local, a starring role having the establishment and operational processes, standard operating procedures and management, analytical and operational skills of public servants, integrity and their disposal to respect the laws and fair treatment of all citizens. Otherwise, government will definitely not be "intelligent" while risking to be challenged politically and socially inefficient, especially if it is affected by serious institutional problems, organizational and operational that can create great social tensions between administrators and those administered. The coming era of intelligent public administration requires, therefore, the adoption of a performance framework designed to ensure that the results obtained in the management of public affairs within the values commonly recognized in politically organized societies through both objectives and the means used, all providing the achievement of expected peace, security, stability and prosperity.

5. Conclusions

The truth is that Romania, which is in the process of constitution transformation, legislative and administrative changes, it needs the knowledge and application of intelligent administration policies, especially if we consider the traditional mioritic state where we are often through recognition of fault by public management without strong will to change and reform the old state of things, both through Europeanization and through decentralization. Even if there were no universally accepted solutions and remedies, we may learn from our own experiences and results from others and non-governmental organizations such as the Institute of Public Law and Administration or Academic Society of Administrative Sciences which could offer new models of smart governance of public interests which may have the following elements: political will and well-advised public policies; managerial and administrative culture impregnated in all layers of society, a strong and effective communication explaining the objectives and means of action; legitimate administrative structures, evolution, flexible and diversified, including through agencies and commissions; clearly defined mechanisms for implementation of the principle of legal liability and ethics; comprehensive risk management systems with due process, the compulsory and voluntary insurance, strategic planning and tactical action, including evaluation of effectiveness

as well as compliance with local materials and skills.

Before changes of deep constitutional, legislative and institutional resort in connection with the EU administrative and territorial reform implementation, Romania should look at the elements listed above of the public administration in a specific manner adapted to the particularities of our historical, psychological and sociological nature as an interdependent and collaborative vision. And programs of undergraduate, master, doctoral and post doctoral studies in Romania should prepare future advanced knowledge while making intelligent public administration as a prerequisite for the functioning of democracy and the rule of law in concrete social conditions of European and global security environment and governance in which the rights and fundamental freedoms mean more than constitutional but their proclamation and management of their implementation. Beyond further clarification could be made during the discussion and eventual implementation of the concept of intelligent public administration by competent authorities we ought to do a conclusive specification that, although it is not proud as history of public administrations being humanized²⁷ in a much bigger way, smarter government may not be perfect, requiring permanent improvements of administrative

²⁷For differences between 'bureaucratic accountability' and 'organizational humanism' see Henry, N. 2005. Government and public affairs. Chisinau: Ed Cartier, p.1062-1069.

phenomena based on more pronounced reactions and transparent reactions of management of public and public administration so that the image be in people's eyes but not that of a master , more so as a partner.

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