

**NATIONAL UNIVERSITY OF POLITICAL STUDIES AND PUBLIC
ADMINISTRATION**

DOCTORAL SCHOOL



DOCTORAL THESIS

-ABSTRACT-

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**NATIONAL UNIVERSITY OF POLITICAL STUDIES AND PUBLIC
ADMINISTRATION**

FIELD OF STUDY: PUBLIC ADMINISTRATION

PhD Thesis

**THE NATIONAL EDUCATIONAL SYSTEM – THE PREROGATIVE OF
ASSERTING THE RIGHT TO EDUCATION**

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Introduction

The complexity of the third millennium phenomena has been distinguished itself by a progressive, universal dynamic, that is achievable in all human actions, where education has a substantial contribution. Preceded by a valuable, ideological and active diversity, education is accompanied by an emerging, existential aura of the individual and society itself. The present educational context derives from the perspective of education as an objective of the sustainable development, being a vector to world scientific progress, a provider of the fundamental knowledge to the individual formation, a creative act of knowledge, a continuous process of adjustment and transformation to change.

That is why the present scientific approach put an emphasis on the awareness of the deep mission of education, on the recognition of its indispensable character in human communities self-fulfillment, on the reaffirming the guarantee of the right to education in the context of the national contemporary transformations and challenges and on the desire to respond to a constructive commitment to administer the national education system. As education is a complex field, constantly debated at all levels of learning by practitioners, specialists in the field, its capacity is *"doubled by an ideational framework that emphasizes the direction, strength, need, value"*¹. The highlighted directions are anchored in a *"conscious assumption and free exercise of all fundamental rights and freedoms, in order to effectively fulfill the personality of each individual"*², where *"the right to education occupies a central place in the human rights study"*³.

The foreshadowed interest in education both in the academic literature and in the national and international policy debates encouraged us to start a scientific study in and for the field of education from the perspective of the administrative sciences. Influenced by the scientific and the pragmatic journey of the present, the doctoral thesis is an academic plea for what is contained and at the same time a challenge to debate on a topical issue such as education. Stated by decision-makers around the globe, the right to education *"meets the needs of the present without compromising the ability of the future generations to meet their needs"*⁴. In fact, participation in the act of administering the education system becomes more than an

¹Constantin Cucuș, Introduction, in Education. Experiences. Reflections. Solutions, Polirom Publishing House, Iași, 2013, p. 5.

²Irina Moroianu Zlătescu, Education and the right to education and the right to education for human rights, in Education. The right to education and human rights education, Irina Moroianu Zlătescu (coordinator), IRDO Publishing House, Bucharest, 2016, p. 5.

³*Ibidem.*

⁴Global Citizenship Education: A Teaching Guide, Cap. Global Citizenship Challenges, Published under the direction of Fondation Éducation et Développement, Berna, 2010, p.12.

*exclusively political perspective, being rather a responsibility meant to build an active society*⁵, shaped by the training and education of generations after generations of learners.

Referring to *"a world in which regions and challenges are interdependent"*⁶, the present becomes uncertain, excessively dynamic, raising questions about the possibility of good administration of the national educational system. The exercise of the right to education in the context of the new social, economic and medical challenges must be coupled with the national educational system adjustment and with the increase of the administrative efficiency, decisive factors in improving an education system open to citizens and for citizens. Relevant in this sense is the educational process and its implementation mechanisms, which, from the perspective of public administration, *"seeks to selflessly satisfy the public interest, the public utility, including through the provision of educational public services"*⁷. Constructed in an authentic form, the thesis emphasizes the administrative, normative, economical and managerial interest, marks of the social sciences with obvious fundamental notes on human rights. The issue is consistent with the subject of the thesis, reflecting the deep link between the knowledge of the topic and the analysis itself, sprinkled with particular notes of originality, pragmatism and timeliness in suggestions for foreshadowing the transdisciplinary dimension of education in the national educational administration system.

The theme, ***The National Educational System - the prerogative of asserting the right to education***, is a profound vision of the exercise of the right to education by affirming and streamlining the national education system in relation to the requirements of European education of the last decade. The choice of the theme has arisen as a result of the current challenges in the national educational system, due to the need to assert the right to education for all the actors involved, to increase the administrative capacity of the national education system, to safeguard the entire system of values and educational principles. The integrative scientific approach becomes all the more important as the research topic deals with a fundamental issue of a nation, education; this being *"not only of a personal interest, but also of an every nation one"*⁸ according to the appreciation of the academician, Marian-Traian Gomoiu.

⁵See the U.N.E.S.C.O. for education in the 21st century. Ability to learn. The Treasure in Us, U.N.E.S.C.O. German Commission Publishing House, Berlin, 1997, p. 50.

⁶Anca Moț, Education and global challenges. The role of Unesco in promoting education for world citizenship, in Revista Drepturile Omului, no.1 / 2019, IRDO Publishing House, Bucharest, pp. 31-32.

⁷Emil Bălan, Administrative Institutions, Publishing House, C.H. Beck, Bucharest, 2008, p. 21.

⁸*Ibidem*

The actuality of the subject of this researched topic results from the increase of the degree of the knowledge and of the awareness of the entire mechanism of exercising the right to education through the contemporary educational system. A topical element is the development of the administrative practices, related to the public educational policies established at the European regional level and implemented in a national context, a certification of *"the importance of providing public services in relations between the citizen/beneficiary and public authorities"*⁹. We believe that a good regulation of public education policies would be an *"opportunity to ensure a systematization of the existing rules, a correction of inconsistencies, an elimination of parallels and contradictions between rules"*¹⁰. During the deepening of the research, the defining notes of the doctoral thesis are identified, translated into key concepts such as: *the right to education, transdisciplinary dimensions, universal social system, administrative centralization, administrative decentralization, good administration, education reform, public educational policies, educational strategies, European educational framework, administrative capacity, educational infrastructure, agents of educational change, responsibility and institutional responsibility, management of educational change, cohesion, educational offer, labor market, integrity and institutional transparency, etc.*

The originality of the topic is justified due to a transdisciplinary approach concerning the right to education assertion, that is an innovative element in the specialized scientific research, supported by the radiography of the normative and administrative framework of the national educational system function, based on a research that is compared to other European educational systems education, as a result of the Bologna Process. Among other elements of originality we highlight: the realization of the right to good administration in satisfying the national education service in compliance with the standards of a good administration, the assertion of the administrative capacity of the educational system in the context of the educational change management. The administrative open system outlining facilitates the progress of an inclusive democracy, giving equal opportunities to all citizens to *"formulate their preferences, to make them known and to receive a response to them"*¹¹. Consequently, *"the motive of the activity of the public administration is the satisfaction, regularly and*

⁹Adrian Moraru, Florin Bondar, Violeta Alexandru, Public Policy Manual, 2nd edition, Institute for Public Policy Publishing House, Bucharest, 2019, p.7.

¹⁰Emil Bălan, Prolegomena to a debate on administrative codification, in E. Bălan, C. Iftene, D. Troanț, M. Văcăreanu (editors), Administrative Codification. Doctrinal approaches and practical requirements, Wolters Kluwer Publishing House, Romania, 2017, p. 29.

¹¹*Ibidem.*

continuously, of some essential requirements, common to the whole human community"¹², in our case, the exercise in good faith of the right to education.

The importance of this academic research lies in the concerns of the specialists in the field of education, in assessing how the national educational system through regulations on the right to education has the ability to find useful solutions *"on educational change"*¹³. For these reasons, *"the society that manages to structure a good educational system and ensure the widest possible access of its population to the different levels of the system will progress faster, both due to scientific results and due to the human quality of its members"*¹⁴. The chosen subject is therefore a very complex, versatile, multivalent, transdisciplinary, fact for which it arouses the interest through the *"gnoseological aspects"*¹⁵ and through the *"pragmatic aspects of the research"*¹⁶.

The investigation of the latest research in the field, published in national and international journals have contributed to updating the state of knowledge, providing a starting point for this research, providing opportunities to expand on the scientific knowledge, respectively aspects that were not captured. in previous studies. Today's society, aware of the indispensable role of the academic education, recognized through moral, social and economic investment in education, continues to build a vision unanimously expressed through the educational policies adopted by the makers of the Bologna Process and appropriate to the European academic educational space. In this respect, the statements of the famous academician Dimitrie Gusti are an unquenchable flame of what high quality education represents in the context of academic research and innovation: *"science, rightly considered as a university finality, is not an ornament of refinement or an intellectual support, but is a living social force and is part of the being of society itself"*¹⁷.

¹² *Ibidem*.

¹³ Valerica Anghelache, Educational Change Management. Principles, policies, strategies, European Institute Publishing House, Iași, 2012, p.7.

¹⁴ Elena Mihaela Fodor, Preface, in Elena Mihaela Fodor (editor), Education and Law, Pro Universitaria Publishing House, Bucharest, 2016, p.7.

¹⁵ Ioan Alexandru, Interdisciplinarity, the new paradigm in research and public administration reform, Romanian Academy Publishing House, Bucharest, 2010, p. 25.

¹⁶ *Ibidem*.

¹⁷ Dimitrie Gusti is considered the father of national sociology, being a Member of the Romanian Academy since 1919. Between 1932-1933 he became Minister of Public Instruction, Cults and Arts, exercising his status as a professor at the Universities of Iasi and Bucharest. Through his remarkable didactic activity, he became the president of the Romanian Academy during 1944-1946.

Research methodology

Because education is a priority in ensuring the training and formation of the human capital of a nation, through the applied scientific approach we intend to culminate the prerogatives of asserting the right to education in the national educational system, related to the administrative context and the educational management. In conducting this study, we have identified two central research questions on which the doctoral thesis is based, as a result of constant concerns about the relevance of the right to education in the national educational system, extending to the process of education administration and focusing on the means and mechanisms of efficient management of the institutional resources in the context of educational change. Therefore, the central questions were worded as follows:

- What are the defining elements for the realization of the right to education in the national educational system, seen as a part of the universal social system, related to the challenges of the normative and administrative framework of the European educational area?
- How to ensure the standards of good administration compliance with the national educational service satisfaction and how is the development of the administrative capacity of the national educational system carried on in the context of the educational change management?

The formulation of the questions is fully justified by the areas of the nuanced coverage, which develop a series of specific questions, the answers to which led us to a comprehensive study of our approach. In line with these aspects, various ways of scientific research are outlined, built to provide fertile and efficient forms of knowledge, as a study in the social sciences must contribute to overcoming environmental obstacles and "resolving public conflicts of social structure"¹⁸. Therefore, the central research questions generate subsidiary questions such as:

- What is the role of education in the system of universal values and principles? Are universal values and principles the foundation of the exercise of the right to education in the context of transdisciplinarity?
- Which organisms and structures do take an active part in ensuring the right to education both at the international and regional European level? How do bodies and structures with a fundamental role in ensuring the right to education act both at the international and regional European level ?

¹⁸ Septimiu Chelcea, *Sociological research techniques, Course*, SNSPA, Bucharest, 2001, p. 5.

- What is the framework for the national educational organization and functioning system, when seen as an integral part of the universal social system? How is the internal governance of education ensured, according to the public administration? What are the basic principles in exercising the right to education?
- What is the role of the addressed public educational policies? How do they work for improving the national educational system and implementing the country strategies?
- Does the evolution in the field of education depend on the national educational system way of being governed and administered? How can the standards of good administration in the national educational system be achieved? What is their degree of knowledge and application when satisfying the national educational service?
- How to assert the administrative capacity of the national educational system in the context of educational change management? What are the means to develop it?
- How can the management of educational change act in order to achieve the right to education in the context of contemporary challenges? But in support of the development of the administrative capacity of the national educational system?

This present scientific research is based on documentation and scientific depth, relying on setting priorities in order to identify valuable answers. Thanks to these elements, the main directions of interest of the right to education at the level of the national educational system are foreshadowed with a clear vision towards reporting to the universal human rights system, in order to establish *the general objectives* of the research:

1. Analysis of the realization of the right to education in the national educational system, part of the universal social system and the evaluation of the tendencies regarding the challenges imposed by the normative and administrative framework in the European space of education.

2. Analysis regarding the observance of the standards of good administration in the national education service satisfaction and assessing the level of the administrative capacity of the national educational system development in the context of the educational change management.

Given the importance of the study and the spectrum of the educational phenomenon, being interested in achieving the general objectives connected to a relevant scientific analysis, we identify the following *specific objectives* derived from the deep inclination towards the science of administration and the human rights system:

- Analysis of the transdisciplinary dimension of education from a theoretical perspective;
- Identifying universal values and principles regarding the right to education;

- Examination of organizations with an international and a regional European vocation with a fundamental role in realizing the right to education;
- Capturing the normative and administrative framework of the exercise of the right to education at national level;
- Highlighting the Bologna Process on the achievement of the European space, using the comparative method and the models of good practice at EU Member State level.
- Carrying out a research on the application of good administration standards in satisfaction of the national educational service;
- Carrying out a study on the amplitude of the administrative capacity of the national educational system, analyzing the influence and priorities of the educational change management;
- Statement of pertinent suggestions / proposals, scientifically and practically reasoned regarding the researched topic.

The establishment of *the hypotheses* has a practically significant value in the way we designed this initiated study. The hypotheses support us in delimiting the expectations regarding the results and at the same time in identifying the information necessary for their analysis and processing process. In this respect, the hypotheses are in a reciprocal connection with the research objectives, as follows:

Main hypothesis: If the national education system has a central place in the universal social system, this is due to the good administration of the national educational service, supported by the development of the administrative capacity in the context of the educational change management, related to the international and the regional European directives.

The *secondary hypotheses* built in a structure of problematization and scientific logic:

- if the public administration together with the related disciplines influences the governance of the national educational system and acts for the definition of the educational ideal, then we will find the transdisciplinary dimension of the right to education;
- if the right to education is the pawn of the exercise of all other human rights, then its realization must be in accordance with the directives of the international and regional European bodies;
- whereas the achievement of the European Education Area has been made possible by the adoption of the Bologna Process, then it is imperative to show its means of implementation, as well as the elements of similarity and differentiation in EU Member States, using the comparative method and models of good practice;

- noting that developments in education depend on how the education system is governed and administered, so it is imperative that we focus on the implementation of standards of good administration and their application to the satisfaction of the national education service;
- if the administrative capacity of the national educational system is influenced by the management of the educational change, then we will find that the development of institutional infrastructure depends on resources - agents of educational change and the level of efficiency of change management, a key point in the evolution of the education system.

In accordance with the researched topic and for a much deeper understanding of our study, we drew from the unity of general objectives with specific ones, from the content of formulated hypotheses, the methodological principles applied in the empirical research of the social sciences: "*unity between theoretical and empirical, the unity between understanding and explanation, the unity between quantitative and qualitative, the unity between ascertaining and evaluative judgments*"¹⁹. Against this background of ideas, this paper discusses both how to realize the right to education in the national educational system that is a branch of the socio-cultural subsystem connected to the normative and administrative framework of the Europeanization of education and the analysis of the administrative capacity of the national educational system in the context of the educational change management.

Aware of the complex nature of the public administration science methodology and recognizing the status of the social science, we used a series of multidimensional research methods and techniques such as: the documentary study, the historical analysis method, the sociological method, the comparative method, the statistical method. In terms of the transdisciplinary dimension of education, we find that, for a good predictability and applicability of this research, it is useful to use sociological methods of a qualitative and quantitative nature, conducting a scientific analysis at the macro and micro level. Used precisely to support the main means of studying the inverse links in the interaction between the administration system and the society²⁰, sociological methods provide a much more generous quality and quantity of information. In this direction, sociological research highlights the instrumental, technical character, foreshadowed in a mechanism of "social engineering", often offering ways to solve problems and empirical evaluation, directly involving the social agent.

¹⁹ Septimiu Chelcea, *Sociological research techniques*, Course, p.20.

²⁰ See Antonio Sandu, *Professional Ethics and Transparency in Public Administration*, Didactic and Pedagogical Publishing House, Bucharest, 2014, pp. 20-22; online edition available at https://www.academia.edu/36350867/ETICA_PROFESIONALA_SI_TRANSPAREN%C8%9AA_IN_ADMINISTRATIA_PUBLICA

If we were to analyze sociological knowledge from the *Kantian perspective - the distinction between "is" and "must" - the rationalization of social practice, must be built through "is"*²¹, which prefigures the objectives of knowledge, its position being supported by the pragmatism of the present, but promoted by its "must" predictability.

Being at an important stage for the development of the educational system, its positioning at the center of the universal social system for the realization of all the other fundamental human rights and freedoms is related to the way in which the coordination of the administration of the national educational system takes place within the dynamics of the educational change. In this context, this study is part of a scientific research pertinent achieved through sociological research methods, specific to the academic environment. During the course of the study, we recurrently and formally twinned various research methods and techniques. In fact, in this initiated research we used various methods, which are classified as it follows in the opinion of the famous sociologist Septimiu Chelcea:

- **case studies methods** through the in-depth study of the socio-human phenomena / processes that facilitate the consultation of specialized legislation, jurisprudence, studies in the field of education and science of public administration, administrative practices, consultation of the doctrine on schools of thought in the field of research;
- **methods of gathering information** for the good empirical investigation of the elements of interest, comparative methods for the efficiency of the interpretation of the chosen data (comparative analysis of the implementation of the Bologna Process);
- **qualitative and quantitative methods** (application of good administration standards to satisfy the national educational service and affirmation of the administrative capacity of the national educational system under the influence of educational change management) in order to process the collected information. Among the research tools applicable to qualitative and quantitative methods we used the semi-structured interview, which has both *advantages and disadvantages, the advantages being superior to the latter*²² and the questionnaire as a method /technique of data collection, provides data with *informative value, which allows a psychosociological analysis*²³.

If we refer to the purpose of the research, descriptive and explanatory studies are obvious for the social sciences. As a result, any social science begins with descriptive notes, then performs an explanatory analysis of the relevant data and facts. In accordance with the

²¹ Septimiu Chelcea, *Sociological research techniques, Course*, p.126

²² *Ibidem*.

²³ Lăcrămioara Seciu, *Management of school units*, Rovimed Publishers Publishing House, Bacău, 2016, p.5.

defining elements regarding the scientific study at the academic level, the undertaken research methodology aims at the process of collecting and analyzing information in order to identify how the right to education is exercised within the national educational system, connected to the normative and administrative framework of the Europeanization of the education. The vision of the research reflects the interferences of education with all fields of the human activity and the probity of the actions of education in the approach of a good administration of the national education system, integral part of the universal social system and branch of the socio-cultural subsystem. All the key elements identified for a topical and augmented research generated relevant information necessary for a thorough understanding of the field studied, in line with the above mentioned methods and tools, a wide spectrum of scientific analysis is generated, energized by numerous systemic challenges in the sphere of exercising the right to education and administration of the national educational system, profiled by a logic of doctoral thesis contents, a conclusive historical analysis and of a projected foundation for the future. The administration of the national public sector also develops in the sphere of the education process major changes defined by a management of the educational change that determines the redefinition of the pursued objectives, of the educational ideal, of the entire institutional activity for a safe institutional path and a developed administrative capacity. In this context, the management mechanisms of the education process must be prepared to respond positively to change in order to "improve the quality of services, to contribute to the satisfaction of social needs to a large extent"²⁴.

Starting from the methodological considerations, the doctoral thesis is organized so as to present a more open and complete vision of the subject with visible interferences for the field of the human rights and administrative sciences. With a balanced scope, the thesis deals theoretically and methodologically with the entire content of the functioning of the educational system at the national level. Providing in-depth detail of the conceptual, scientific framework of the right to education and of education as a goal and means of the human development, the application perspective of this paper is revealed, as being focused on improving the basic components of governance and administration of the educational system in terms of good administration standards, through examples of good practices regarding the implementation of the public educational policies supported by the European national and regional strategic instruments, on the development of the administrative capacity of the national educational

²⁴ See Article 3 of the Charter of Transdisciplinarity, adopted at the First World Congress of Transdisciplinarity, Convento da Arrábida, Portugal, 2-7 November 1994; available at <https://ciret-transdisciplinarity.org/chart.php#ro>, accessed on 8.02.202.

system in the tireless practice of the educational change management. Structured in seven chapters, the brief presentation of the doctoral thesis harmonizes with the directions stated as follows:

Chapter I – The education in the context of transdisciplinarity presents the scientific, logical and epistemic aspects of the transdisciplinary dimension of education in the social sciences. The detailing of the elements related to transdisciplinarity begins with the doctrinal visions highlighted in complex, innovative and interesting forms for a new approach to contemporary education. Based on an integrated knowledge, the education of the third millennium is supported by cognitive fields that transcend the boundaries "*intra-, inter-, multidisciplinary*" and that, through a semantic and operational unification, open the key to knowledge "*between and beyond different disciplines*"²⁵. The way in which the transdisciplinary dimension of the right to education is outlined defines the arc of knowledge between what is inside, between and beyond any disciplinary scope. It is obvious to outline the postulate of the Nicolian reality, because, according to him, "*transdisciplinarity does not seek to develop a superdiscipline encompassing all disciplines, but to open all disciplines to what they have in common and to what is beyond their borders*"²⁶. In this integrated framework, the key to transdisciplinarity is "*the semantic and operative unification of meanings between and beyond the different disciplines*"²⁷. Treated as a new *paradigm*²⁸, the finality of transdisciplinarity presupposes "*the understanding of the present world, one of its imperatives being the unity of knowledge*" So, the mission of education from a transdisciplinary perspective is supported by the complexity of "*the requirements of the socio-economic life, designed to rationally and efficiently meet the citizens' growing demands*"²⁹, where science and technology visibly improve the national educational system.. Thus, education acquires edifying values with the science of administration, law, political science, management, economics, sociology, humanitarianism, technology, etc. The transdisciplinary relationship between the social sciences is based on the study of the administrative activity as a whole, but also on the specific

²⁵ Article 3 of the Charter of Transdisciplinarity, adopted at the First World Congress of Transdisciplinarity, Convento da Arrábida, Portugal, 2-7 November 1994; available at <https://ciret-transdisciplinarity.org/chart.php#ro>, accessed on 8.02.2021 ;

²⁶ *Ibidem*.

²⁷ Solomon Marcus in *Universal Paradigms*, vol. I, 2005, p. 23, apud Thomas S. Kuhn, in *The Structure of Scientific Revolutions*, 1976, p. 14. According to Solomon, paradigms are "very comprehensive ideas that have the capacity to cross all existing disciplines". In this case, we can also refer to the definition given by the American philosopher Thomas S. Kuhn: "exemplary scientific achievements that, for a period, offer problems and model solutions to a community of practitioners".

²⁸ Basarab Nicolescu, *Transdisciplinarity: Manifesto*, p. 53

²⁹ *Ibidem*

one, related to the implications, interests, correlations between the executive and the human communities. This perspective emerges from the object of the administration science represented by the *"global study of the administrative activity of the state and local authorities, with all its implications, relationships and correlations with other elements of the social system, in order to streamline it, in order to perform its functions. within the social-global system"*³⁰. So, the mission of education from a transdisciplinary perspective is supported by the complexity of *"the requirements of the socio-economic life, designed to rationally and efficiently meet the growing demands of the citizens"*³¹, where science and technology visibly improve the national educational system.

Chapter II - The right to education in the universal social system opens the framework for the manifestation and positioning of the education systems in the universal social system, as a branch of the socio-cultural subsystem. A systemic analysis of this fact allows the transition from general to particular, from the universal to the national system, from globalization to internationalization, being highlighted by the connection between the subsystems-parts and the system generating effects and the real implications of education. A system of education is outlined holistically under *"the participation of the administrative system in the social edifice and its integration in the social content"*³². In this order of ideas, the universal social system in terms of component elements and systemic analysis encompasses *"inter and transdisciplinary"* features, being *"irreducible to its components insofar as it is constituted as a totality of interdependent elements"*³³. This format refers to the entire universal social system and the evolution of society as a whole, with fundamental notes on the genesis of concepts and theories on the right to education, its evolution in the universal human rights system and its relation to the globalization of education and the contemporary humanism values. So, in order to mark the importance of the right to education within the socio-cultural subsystem and to emphasize the elements that interfere in the consolidation and the development of the social system of universal values, it is scrutinized the way of asserting the right to education as individual freedom, human resources, the means used in the process of educational globalization and the achievement of well-being, of the common good by guaranteeing the objectives of sustainable development by the state decision-makers. In this

³⁰ Mihaela Onofrei, *Elements of Administration Science, Public Administration Basics, Course Support*.

³¹ Ani Matei, *Analysis of public administration systems*, Economic Publishing House, 2003, p. 90.

³² Ionuț Bogdan Berceanu, *Emerging Administrative Systems*, p.26, apud Vlăsceanu L., *Introduction to the methodology of sociological research. Course support*, University of Bucharest, Faculty of Sociology and Social Work, 2018, p.44.

³³ Irina Moroianu Zlătescu, Emil Marinache (coord.), *Human Rights. Documentary for teaching knowledge in the field of human rights in pre-university education*, IRDO Bucharest Publishing House, 1995, p. 8.

sense, educational systems act indefinitely by interfering with the other components of the universal social system. In this respect, the "educational society", as stated by Paul Lengrand, employs organizational, normative, administrative, economic and social responsibilities, based on the ideology that education is the main vector in the evolution of all existing fields of activity and the path to rebuilding a worlds of well-being and understanding between nations.

Chapter III – The European international and regional organizations with a fundamental role in the realization of the right to education contributes to the integration of education as a promoter of knowledge and respect for human rights. At the same time, it prefaces the mechanisms for guaranteeing the right to education, with a legitimate role in assuming a universal and effective commitment by organizations with an international vocation and with a European regional vocation. The research emphasizes both the fundamental and common role of United Nations and European Union organisms in knowing and asserting human rights through national education systems. Moreover, the actions taken by them highlight the catalytic role in ensuring and protecting the right to education, supporting education systems through international and transnational policies, administrative-economic and social recovery programs. Characterized by an international and regional European vocation, organizations with a fundamental role in fulfilling the right to education addressed in the thesis, strengthen the ideal carried by the peoples of the world in the *"upward spiral of freedom and human progress"*³⁴. Driven by great aspirations that promote peace and prosperity in the world, they need political will, the creator of a model of equality, to outline utopian visions of fundamental human rights and freedoms. The significant contribution of the United Nations society as well as of the European regional organizations is reflected by the initiation of unitary and coherent strategies, which aim at *"continuous improvement of the quality of life for present and future generations, for the creation of sustainable communities capable of managing and using resources. effectively and capitalize on the economic and social innovation potential of the economy, in order to ensure prosperity, environmental protection and social cohesion"*³⁵. Indeed, the clarifications set out in European international and regional legal instruments, in the reports and regulations presented in the scientific approach, lead us to affirm the right to education and the consideration of education - a sine qua non element for

³⁴ Romania's National Strategy for Sustainable Development 2030, adopted by H.G. nr.877 / 2018, p.17.

³⁵ See Irina Moroianu Zlătescu, Claudia Elena Marinică, Restrospectives and Perspectives Concerning The European Convention on Human Rights 70 Years after Its Adoption, in Supplement of Valahia University Law Study, Bibliotheca Publishing House, Târgoviște, 2020, p. 19.

*the continuous evolution of society*³⁶, for sustainable development and for *human rights to be able to become legal realities*³⁷.

Chapter IV - The educational system in Romania - member state of the European Union

enshrines through its content the national normative framework on guaranteeing and exercising the right to education and highlights the functioning of the national educational system, in accordance with the dynamics of the universal social system. The normative perspective of the national educational system captures the treatment of the constitutional prerogatives and of the provisions of the National Education Law no. 1/2011 with the amendments and completions in force. In this respect, the coordinates regarding the organization and functioning of the national educational system are drawn. Thus, the dominant principles regarding the organization of the public administration and which ensure the internal governance of the national educational system are analyzed: the principle of centralization and the principle of decentralization. The two principles are committed to ensuring the foundation of the *"organization of the public administration system"*³⁸, involving the provision of distinct public services, for the citizen's benefit and for the construction of a *"high-performance administrative system"*³⁹. A viable model of the management of the educational system is configured, where the stated principles are in a relationship of complementarity, a fundamental relationship in the construction of the socio-cultural subsystem. It is obvious the multilateral role played by the national education system in the formation and the *"full manifestation of its human potentials"*⁴⁰, favoring social actions, which *"mediate and diversify the relations between man and society"*⁴¹. Against this background, the sphere of action of public educational policies is outlined, with a role in *"improving knowledge, necessary to improve the practice of democracy"*⁴². Therefore, the process of implementing public policies in the national educational system is highlighted, the key elements necessary in the implementation of policies are identified and made explicit and obviously, examples of good practices in their application in terms of educational strategies and programs are made explicit, too. In this respect, the implementation of the educational policies is a modern and responsible construction of national state actors, a multidimensional

³⁶ See Irina Moroianu Zlătescu, *Human Rights - An Evolving System*, Publishing House IRDO, București, p.35.

³⁷ *Ibidem*.

³⁸ Marius Văcărelu, *Research on the phenomenon of public administration and its effects on the position of the citizen in public law*, in Emil Bălan, Dragoș Troanț, Marius Văcărelu, *Regulations and practices of public administration*, Wolters Kluwer Publishing House, Bucharest, 2020, p.100.

³⁹ Ani Matei, *Analysis of public administration systems*, Economic Publishing House, 2003, p. 90.

⁴⁰ Ioan Jinga, *Leadership of Education*, Didactic and Pedagogical Publishing House, Bucharest, 1993., p.13.

⁴¹ Adrian Miroiu, *Introduction to public policy analysis*, Paideia Publishing House, Bucharest, 2001, p. 23..

⁴² Laurențiu Șoitu, Steliana Toma, Ioan Neacșu, Liliana Romaniuc (coordinators), *Preface*, in *Centennial Education. Ideas. Institutions. Personalities*, Polirom Publishing House, Iași, 2018, p.11.

approach with immediate effects on the evolution of today's society, because "no one is educated, trained or learned, only for themselves"⁴³. Being products of the activity of public authorities *invested with governmental legitimacy*⁴⁴, the public policies, by their complex nature and comprehensive role determine transformations, which at administrative and social level produce changes made with a precise purpose in order to achieve a problem of public interest. Therefore, the educational policies are a proof of conscience, of the responsibility of states by the simple fact that they permanently generate two goals: "compatibility and competitiveness"⁴⁵ at the level of the national educational system, while also including the impact at the societal level.

Chapter V - Educational systems in the European Union. Benchmarking. It includes examining the strategic framework for the creation of the European area of education and evaluating the mechanisms for carrying out the Bologna Process, a defining tool in strengthening the building of academic education in the Member States of the European Union. In this context, we identified the strategic objectives of shaping the European education area, as well as the principles on which the construction of a qualitative higher education was based: the European cooperation for lifelong learning, Member States' political commitment, setting out benchmarks and methods. The research approach in this chapter focused mainly on the comparative analysis of the educational systems in EU Member States. Comparative law notes were used to highlight the reform of educational systems brought about by the Bologna Process in countries such as Romania and France. By applying this method, the evolution is highlighted, the fluctuations appeared at the level of the two states, emphasizing the whole process of achieving the European space of education, the elements of similarity and differentiation of the way the reform was carried out in the field of higher education. „The main coordinates of analysis"⁴⁶ started the means of carrying out comparative education, developed at the border between *comparative law, education sciences, public administration, history, economics*⁴⁷ etc. And, due to the fact that the academic education through the Bologna Process has accelerated competitiveness and access to the European education space, its usefulness and effects on

⁴³See Marius Profiroiu, *Public Policy. Theory, analysis, practice*, Economic Publishing House, Bucharest, 2006, pp.18-19.

⁴⁴Andrei Marga, *Towards the University of Post-Bologna*, in L. Șoitu, S. Toma et al (coord), *Centennial Education. Ideas. Institutions. Personalities*, Polirom Publishing House, Iași, 2018, p.166.

⁴⁵Daniela Mihaela Neamțu, *Statistical analysis of education. Vector of socio-economic development*, Economic Publishing House, 2018, p.19.

⁴⁶See https://www.researchgate.net/publication/330263116_SISTEME_DE_EDUCATIE, accessed on 15.05.2021.

⁴⁷Roland Drago, *Droit comparè*, in *Dictionnaire de la culture juridique*, P.U.F., Paris, 2003, pp. 454 ff.

social determinism, the re-signification of the educational reality, where the comparative law is “a process of education and research, but and knowledge ”⁴⁸are re-enabled.

Chapter VI - The national educational system and the standards of good administration continues the scientific approach, regarding the efficient administration of the national educational system, in order to maintain the connection between *the institutional component and the cultural-value*⁴⁹ one, by respecting the standards of good administration. In this direction, the institutional component stands out by respecting the principles of public administration in the educational system, reaffirming through the cultural-value component the administration-citizen relationship. Building an effective relationship between citizens and public administration is relevant through the conduct of public administration authorities in guaranteeing citizens' rights, with the support of respecting the principles applicable to public administration. This explains the purpose of good administration: “a better and more constructive connection of citizens with the authorities in the executive and legislative spheres”⁵⁰. At the same time, this construction supports the representative body of the central public administration specialized in “executing the policy of the government program in the field of education, in ensuring the right to education, training, research and scientific innovation”⁵¹. Referring to the competence held by the specialized central public administration in the field of education and to the specific principles of the national public administration harmonized with the European ones regarding the legitimate and democratic organization and functioning of all the educational entities at all levels and forms of education in Romania, allocated to this chapter, elucidates the level of knowledge and compliance with the standards of good administration in satisfying the national educational service. Therefore, the quality of public administration in the field of education is reflected by a good administration facilitated by the application of the principle of legality, the principle of satisfying the public interest in education, the principle of continuity and adaptability of the educational approach, and the principle of transparency and decision motivation. The main directions summarized following the qualitative research propose the perspectives of the good

⁴⁸See Valentin Bădescu, *Some considerations regarding the normative framework and practice of public administration in Romania*, in Emil Bălan, Dragoș Troanț, Marius Văcărelu (coordinators), *Regulations and Practices of Public Administration: Between the Vision of Scientific Research and Avatars of Reality*, Wolters Kluwer Publishing House, Bucharest, 2020, pp. 102-110.

⁴⁹Bogdan Dima, Simina Tănăsescu, *Democracy, good governance and state reform. A complicated relationship, necessary and not at all impossible*, in Emil Bălan, Cristi Iftene, Marius Văcărelu, *State Reform. Institutions, procedures, public administration resources*, Wolters Kluwer Publishing House, Bucharest, p. 23.

⁵⁰See H. G. no. 44/2016 regarding the organization and functioning of the Ministry of National Education and Scientific Research.

⁵¹*Ibidem*, p.33

administration of the national educational system and implicitly the satisfaction of the national educational service. The effort undertaken to analyze the observance of the standards of good administration of the educational system must be channeled "*on the formation and implementation of the solutions for citizen's communication and co-optation*"⁵², respectively of the education beneficiaries, in identifying trends and reforming suggestions. Based on these considerations, the national educational service must focus on the status of citizens - *partners of the government and not customers*⁵³, leaving room for a level of social and economical well-being.

Chapter VII – The administrative capacity and management of educational change strengthens the need for efficiency of the national educational system by giving a major interest to the development of the administrative capacity of the national educational system by accelerating the management of the educational change, thus contributing to "*the organizational development, a modern current of great significance, including education*"⁵⁴. The guiding idea of the research undertaken in this chapter started from the obvious dynamics of the transformations that exist in the national educational process and from the imminent challenges to which the entire educational system is subjected. Also, the inclination on the phenomenon of change is due to the complex role played by it in the process of evolution of the educational management, where the educational entities become organizations both as structure, mode of administration and as vision, mission, relationships and climate. The management of the educational change must relate to the dynamics of change, taking into account „*the new social, economic and political challenges: the development of strategic capacity; increasing flexibility and adaptability to external environmental factors*"⁵⁵, found in "*increasing the potential for innovation and creativity adapted to the new conditions; practicing an efficient, scientifically based management*"⁵⁶. All these aspects refer to an efficient management of the administrative capacity possible only through a management oriented towards change and adaptation. It is obvious that the management of educational change becomes support for the imminent challenges for the public service by modeling the educational system in a flexible vision based on "*confidence in openness, continuity of*

⁵² Dennis Linders, *From e-government to we-government: Defining a typology for citizen coproduction in the age of social media*, *Government Information Quarterly*, 2012.

⁵³ Valerica Anghel, *Management of educational change. Principles, Policies, Strategies*, European Institute Publishing House, Iași, 2012, p.67.

⁵⁴ Dana Alexandru, *Local authorities and their role in the European administrative space in the context of administrative decentralization*, Pro Universitaria Publishing House, Bucharest, 2013. p.302

⁵⁵ *Ibidem*.

⁵⁶ Mihaela V. Căraușan, *Structures, Mechanisms and Administrative Institutions in the European Union*, p. 102.

adaptation"⁵⁷. Analyzing the two relevant aspects, the management of the educational change involves *the organization and the use of the human and material resources in a creative way to achieve a high degree of achievement of target objectives*⁵⁸. In this order of ideas, the connection between the administrative capacity and the management of change is made through the prism of the efficiency of the above mentioned resources and of the way they are administered on the whole educational process. So, the administrative phenomenon "*is a real transmission belt between the impulses of the political power and meeting the citizens' needs*"⁵⁹. The possibility of an efficient administration of the national educational system is confirmed by strengthening the relationship between the administrative capacity and the management of the educational change, more precisely the correct management of educational change and the organization/coordination of institutional resources - agents of educational change management: human resource and educational infrastructure resource. From these considerations, springs an innovative theory of a subjective nature through the boldness of the vision and future aspirations based on the statement: "*material is the means and the necessary condition for the development of the intellectual*"⁶⁰.

Therefore, the endowment and rational use of the institutional resources to ensure the entire educational process, as well as the structuring of the means and techniques of qualitative functioning of the entire educational system are indispensable components for developing the administrative capacity of the educational system under the influence of the educational change. Thus, in order to demonstrate the causal relationship between the administrative capacity and the educational change management, but also to find creative answers for streamlining the educational change in the national educational system, we undertook quantitative research in the form of a questionnaire. The importance of the questionnaire in the scientific research is seen by the determinism of knowing the truth from the scientific perspective of phenomena, group and individual behaviors, as the methods allocated to the social sciences, "*ensures the desubjectivization of knowledge, giving an image of the world around it as it really is*"⁶¹. Based on an in-depth research expertise, the approach brings a real change not only in the educational paradigm, but also in the repositioning of the administrative

⁵⁷A.M. Huberman, *How changes occur in education: contribution to the study of innovation*, Didactic and Pedagogical Publishing House, Bucharest, 1978, p. 16.

⁵⁸ Elisabeta Slabu, *op.cit.*, Pp. 5., apud Corneliu. Manda, *Theory of Public Administration*, Foreword, Ed. C.H. Beck, Bucharest, 2013, pp. 21-29;

⁵⁹ Xenopol, A.D. (1967, p.79), near Rogojanu A., Badea L., Șerban Oprescu G.L., 2012, *The spread of economic ideas among Romanians. Case study: Alexandru D. Xenopol*, *Theoretical and Applied Economics*, vol. XIX, No. 1 (566), pp.73-85.

⁶⁰ Septimiu Chelcea, Septimiu Chelcea, *Sociological research techniques, Course*, pp. 30-35.

⁶¹ Mihaela V. Căraușan, *Structures, Mechanisms and Administrative Institutions in the European Union*, p.101.

capacity along with the fundamental elements necessary to streamline the management of the educational change. Visible elements specifically make their mark on the interferences between the resources of the educational system and the management process: the adjustment to change followed by an innovation strategy supported by the landmarks of the institutional responsibility and accountability, the cohesion of the educational offer - labor market, transparency and institutional integrity. Just as the approach is nuanced by the reflections of the researcher's responsibility, so the educational action is incumbent on the elements of the responsibility and duty of all actors involved in developing the administrative capacity of the educational system and improving the management of the educational change. Therefore, the development of the national educational system connected to the European regional trends is strongly supported by good administration, but also by stimulating investments in educational infrastructure. Following these considerations, we turned our attention to the real actions regarding the institutional resources, agents of the management of the educational change, with a decisive role in the alignment of the educational infrastructure to the standards of the European space of education.

As such, we consider it essential to develop the administrative capacity of the educational system to solve the social and economical problems facing the national space and therefore argue that the central and subsidiary objectives of our research converge towards a dynamic of the educational change applicable through a strategic and adaptive educational management and a greater inclination on the standards of good administration. These guiding ideas become priorities in charge of the specialized central public administration, but also notes of the “*modernization of the public administration*”⁶². In this context, beyond being subject to the fundamental legal norms, the public administration must act and strengthen the management of educational change in order to increase the *adaptation*⁶³ to new challenge in the future.

⁶² Ibidem.

⁶³ Daniela Mihaela Neamțu, Statistical Analysis of education, Vector of socioeconomic development, p. 309.