GOOD GOVERNANCE AND ADMINISTRATIVE MEASURES DURING THE COVID 19 PANDEMIC

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Abstract

Covid19 took us all by surprise, irrespective of whom we are talking about, i.e. smaller or larger and stronger states, giant economies or even those struggling for survival and demonstrated the vulnerability of all state and administrative structures in 2020, whether we are referring to EU member states, Asia or the USA.

Covid 19 was at first regarded superficially by most decision makers. However, it wreaked havoc predominantly on human victims, but also had an important impact on deep and old wounds from various administrations, regardless of the continent, thus showing that no system is neither perfect nor unbeatable, that the time has come to put aside political pride and recognize that irrespective of whom we are, insignificant or noteworthy, rich or poor, we still have a lot of work to be done in terms of citizen protection, the medical system, the real possibility of implementing rapid action in emergency situations, and even the management of fundamental issues such as those related to the organisation of the system of education.

Keywords: COVID, good governance, administration, decision.

1. Introduction

At present, there is no single and exhaustive definition of "good governance", just as there is no delimitation of its objective, a fact that would imply universal acceptance.

Depending on the context and the intended objective, "good governance includes full observance of human rights, ensuring the rule of law, effective participation, partnerships of several actors, efficient and effective public sector, legitimacy, access to knowledge, information and education, granting political powers to the people, equity, sustainable development, attitudes and values that promote responsibility, solidarity and tolerance" (Şaptefraţi, 2015, pp. 21-22). Good governance "is the process by which public institutions carry out public activities, manage public resources and guarantee the observance of human rights in a manner free from any abuse and corruption, paying special attention to the rule of law."³⁵

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³⁵ Tatiana Şaptefraţi, op cit, 2015, pp. 22-23.

The Secretary General of the United Nations, Kofi Annan³⁶, reflects a growing consensus when he states that "good governance is perhaps the single most important factor in eradicating poverty and promoting development". Not surprisingly, governance as a term has progressed from obscurity to widespread usage, particularly in the last decade³⁷.

Theoretically, the concept of governance "may be applied to any form of collective action. Governance is about the more strategic aspects of leadership: the more important decisions about direction and roles". That is, "governance is not only about where to go, but also about who should be involved in deciding, and in what capacity".³⁸

The international community shares the view according to which the principles of good governance stand as the foundation of sustainable development. A first feature refers to the equal participation of all members of society as a key element of good governance, in which everyone has a role in decision-making. Secondly, good governance "involves compliance with the law, which is maintained through the effectiveness and impartiality of the legal system."

This is also synonym with the protection of human rights (particularly the rights of minorities) by strong law enforcement agencies that are legally independent, impartial and incorruptible. Complementary to these characteristics, it is considered that "good governance is also based on the transparency of the decision-making process, which ensures that the information is available free of charge and is accessible to all those involved or affected by the decisions thus taken."

The last element considered, yet not the least one, is the responsibility (of the institutions, but also of the civil society), a key requirement of good governance that concerns all participants in the political, social and economic processes."³⁹ If we are to refer to the meaning that international organizations give to the term, we should note that good governance refers both to the quality of the decision-making process as well as to the process of their implementation, therefore "the concept is valid for all states of the world, regardless of their level of development". ⁴⁰

³⁶ Kofi Annan, *Report of the Secretary General on the work of the organization*, 1998, in www.unu/p&g/wgs, accessed on 30. 03. 2020, time 19, 00.

³⁷ Institute on Governance, John Graham, Bruce, Amos and Tim Plumptre, *Principles for Good Governance in the 21st Century*, Policy Brief No.15, 2003, Ottawa, Canada, pp.1-2. ³⁸Ibidem, pp. 2-3.

³⁹ Oleg Baxan, Aspecte teoretice privind conceptul de bună guvernare, in Administrarea Publică nr. 4/2019, pp. 125.

⁴⁰ Idem.

2. Administrative and economic measures taken by governments in a crisis situation

The White Paper of Good Governance aims to make Community decisions more effective in order to win back the support and confidence of European citizens. Five principles combine to form the basis of good governance:

"-openness: the European institutions should attach more importance to transparency and communication in their decision-making;

-participation: citizens must be more systematically involved in the drafting and implementation of policies;

-accountability: the role of each party in the decision-making process needs to be clarified. Each actor involved should then assume responsibility for the role given to them;

-effectiveness: decisions need to be taken at the appropriate level and time, and deliver what is needed;

-coherence: the EU conducts extremely diverse policies which need to be pursued coherently"⁴¹.

By referring to everything that represents coherence, efficiency and effectiveness, we will attempt to establish to what extent the decisions taken at political and administrative level during the crisis caused by CORONAVIRUS were effective, what measures and strategies could have been improved, what were the obstacles which the administrations have been hit with all this time and which have been the most inspired or uninspired decisions that have been taken worldwide during the crisis.

It is obvious that we will highlight the fact that in addition to the human, administrative and political crisis, a strong economic crisis has also emerged. Such a crisis will have repercussions that will have a greater impact than those experienced in 2008 – 2009 at the level of each state.

In so far as the previous economic crises are concerned, the doctrine points out that, generally speaking "governments typically respond to crises with short-term remedial plans, potentially resulting in a harmful long-term recovery of the economy"⁴² and argued that "governments focus more on economic growth

⁴¹ White paper on Governance, <u>COM(2001) 428</u> final - Official Journal C 287 of 12.10.2001, apud.https://eur-lex.europa.eu/legal-

content/EN/TXT/HTML/?uri=LEGISSUM:110109&from=EN, accessed on 30. 03. 2020, time 19,20.

⁴²Steven M. Davidoff, & David Zaring, Regulation by Deal: The Government's Response to the Financial Crisis, 2008, Retrieved 03-17-2012 from http://ssrn.com/abstract=1306342. and Carmen M. Reinhart & Kenneth S. Rogoff, This Time is Different: Eight Centuries of Financial Folly. Princeton,

than on governance development during economic crises". Thus, if the influence of economic crises on the relationship between governance and growth is understood, "governments can be encouraged to adopt strategies that will enhance governance quality and economic growth in the long run without sacrificing good governance practices in the short run".

2.a. General measures taken at European level

The Covid-19 pandemic has had a very significant impact on social and economic life "by deeply transforming the operating conditions of both people and organizations. However, it seems that many areas of management require a comprehensive analysis of the impact caused by any pandemic on the organizational processes as well as predicting the challenges that managers and organizations face in many sectors"⁴³.

They make decisions on health and public policies regarding the following: the introduction of a state of emergency (e.g. Slovakia), the division of the country into epidemic threat zones (Italy), closing of borders, forced quarantine and isolation of citizens, construction of hospitals, mobilization of health service, army and others services.⁴⁴

Education is one of the many sectors "in which the rapid virtualization process is taking place." Schools and universities are "radically transforming education by switching to online, e-learning forms and launching Learning Management Systems solutions" 6. Similar processes take place in the area of e-administration, where most activities are starting to be conducted online.

World Health Organization (WHO) figures a list of 173,000 infections worldwide and 7,000 deaths⁴⁷. The 26 states that are part of the Schengen

New Jersey: Princeton University Press, 2009, apud. Bassam A. AlBassam, *The Relationship Between Governance and Economic Growth During Times of Crisis*, in European Journal of Sustainable Development nr. 2/2013, pp. 2.

⁴³ Łukasz Sułkowski, *Covid-19 Pandemic; Recession, Virtual Revolution Leading to De-globalization?* In Journal of Intercultural Management Vol. 12 | No. 1 | March 2020 | pp. 1–11, pp. 2. ⁴⁴Ibidem, pp 7.

⁴⁵ Paul Leonardi, *You're Going Digital-Now What?*. MIT Sloan Management Review, 61(2), pp. 28–35, apud. Lukasz Sulkovski, *op. cit*, 2020, pp. 6.

¹⁴ Feng Tian, Quinghua, Zheng, & Kung Ming.Chao, *Current and future of technologies and services in smart e-learning*. SOCA, 14, 1–3., 2020, https://doi.org/10.1007/s11761-020-00288-9., apud. Lukasz Sulkovski, *op. cit*, 2020, pp. 6.

⁴⁷ At the time of writing the article here, Romania alone has reported about 11,000 infected and over 600 deaths, and countries such as Italy, Spain and France have recorded record figures for both infections and deaths, figures that totally contradict the estimates made by WHO. Although initially reluctant to acknowledge the devastating effects of this type of infection, Russia reported

agreement allowed people to move freely between EU countries without border checks, but several countries have unilaterally closed borders in a bid to stop the spread of the coronavirus.

This prompted the commission to propose that the EU member states should act in a more unified fashion and restrict entry to the union as a whole, just as Mr Macron urged to. Citizens of non-Schengen EU member states were also invited to apply the travel ban. Travel with Switzerland and the UK would be preserved⁴⁸.

Initially, The EU has launched a "Corona Response Investment Initiative" that will mobilize up to €37 billion to support national health care systems, SMEs, labour markets and other vulnerable parts of economies. In addition to this, the Commission has adopted a Temporary Framework that allows Member States to use the full flexibility foreseen under State aid rules to support the economy in the context of the Covid-19 outbreak. This ensures that sufficient liquidity remains available to businesses of all types and to preserve the continuity of economic activity during these difficult times.

Then, European Union finance minters have settled on a coronavirus financial support package worth half-a-trillion euros. It includes €200 billion, which The European Investment Bank will lend to companies, and €240 billion in cheap credit, which The European Stability Mechanism bailout fund will make available to governments. The package will bring the EU's total fiscal response to the epidemic to €3.2 trillion (\$3.5 trillion), the biggest in the world. However, the package has yet to be approved by the EU's 27 national leaders⁴⁹.

Another important measure is the creation of a strategic rescue stockpile of medical equipment (such as ventilators and protective masks) to help EU countries in the context of the Covid-19 pandemic. It will count with an initial EU budget of €50 million. The European Commission has also launched an advisory panel on Covid-19 composed of epidemiologists and virologists from different Member States to formulate EU guidelines on science-based and

^{80,000} infections by the end of April. Thus, according to statistics, there are now 1,556,926 confirmed cases of coronavirus infection of which 94,940 deaths. See https://www.cnscbt.ro/, accessed on 27. 04. 2020, time: 15, 50.

⁴⁸ https://www.bbc.com/news/world-europe-51918596, accessed on 31. 03. 2020, time 11, 42. ⁴⁹https://www.weforum.org/agenda/2020/04/european-union-finance-fiscal-money-support-covid-coronavirus/, accessed on 27. 04. 2020, time 16, 10.

coordinated risk management measures. In order to support urgently needed research, the EU will allocate €140 million of public and private funding for promising research projects on vaccines, diagnosis and treatment⁵⁰.

The Commission launched four different calls for tender for medical equipment and supplies on 28 February (gloves and surgical gowns), 17 March (personal protective equipment for eye and respiratory protection, as well as medical ventilators and respiratory equipment), and 19 March (laboratory equipment, including testing kits) - with participation of up to 25 Member States⁵¹.

2.b. Concrete measures taken to fight CORONAVIRUS in different European states

2.b. 1.Germany

It was said that he corona pandemic "will plunge Germany into recession, albeit the exact size of the downturn remains unclear". Based on the model calculations, "Germany can expect to suffer huge economic losses. Given the information available, it is reasonable to assume that economic output will actually be one percentage point lower than recently projected in the winter outlook. As a result, GDP will decline by 0.1 per cent this year. If the higher number of working days this year is factored in, in line with general international practice, economic output will fall by as much as 0.5 per cent⁵²".

In so far as the economic challenges brought about by this disastrous virus, we should note that the Federal Minister of Finance, the Social Democrat Olaf Scholz, warned on March 13th 2020 that the country would be forced to use "bazooka" in the fight against coronavirus. This mainly means "giving up the "Schwarze Null "policy (black zero), which provides Germany with a balanced budget, without taking on new loans."

This principle, increasingly criticized recently by specialists, who have asked the

From EU action against CORONAVIRUS, apud. https://eeas.europa.eu/headquarters/headquarters-homepage/75968/eu-action-against-coronavirus_en, accessed on 31. 03. 2020, time 13, 45.

⁵¹ https://ec.europa.eu/, accessed on 27 04 2020, time 16, 15.

⁵² Claus Michelsen & Marius Clemens & Max Hanisch & Simon Junker & Konstantin A. Kholodilin & Thore Schlaak, "Coronavirus Plunges the German Economy into Recession: DIW Economic Outlook," DIW Weekly Report, DIW Berlin, German Institute for Economic Research, vol. 10(12), 2020, pp. 184-190.

executive to take on new debts and increase investment in the country's infrastructure, has been abandoned. "The state is considering an additional budget of 156 billion euros," the minister said. What is more, "a 400 billion euro stabilization fund is to be approved. This fund will be used to take over stakes in companies affected by the crisis. In addition, a loan program is activated through the KfW German state bank to provide loans to companies in difficulty. Another 100 billion euros are foreseen in this respect".⁵³

With regard to the laws approved by this country, the emergency laws regulate how federal states can assist each other – by sending police officers, for example. The federal government can also assume operational control and the deployment of the German army within the country, which is otherwise forbidden. Federal states can be given centrally-issued instructions. The official distribution of competences between the federation and its states would thus be re-regulated, or, more precisely: centralized⁵⁴.

The German Government adopted laxer rules on rent, benefits, employment status. So, not paying the rent will not be valid grounds for evicting those people whose income has been hit by the coronavirus. Furthermore, the authorities are instructed to "presume" a connection between reduced earnings and the pandemic, rather than compelling the individuals to prove they are affected. The changes made were a compromise reached so that the formal legal requirement to pay rent remains untouched, despite the temporary exception. The requirements to qualify for long-term Hartz IV unemployment benefit and for child support will be temporarily loosened as the government reckons with a sharp uptick in applications. Just proving a short-term dip in income, rather than demonstrating the usual six-month period, will suffice to qualify⁵⁵.

From the administrative point of view, Germany took all the necessary measures to limit the social interaction of people in public areas in order to stop the transmission of the coronavirus (Covid-19). The Federal Government has

⁵³ *Criza coronavirus- o lovitura pentru economie*, apud https:// www.dw.com/ro/criza-coronavirus-o-lovitur% C4 % 83-pentru-economie / a52895906, accessed on 30. 03. 2020, time 19,45.

⁵⁴ Coronavirus and basic rights: What is the German state allowed to do?aApud. https://www.dw.com/en/coronavirus-and-basic-rights-what-is-the-german-state-allowed-to-do/a-52835004, accessed on 31. 03. 2020, time 13, 00.

⁵⁵ Mark Hallam, *What's In Germany 's emergency coronavirus budget?*, apud. https://www.dw.com/en/whats-in-germanys-emergency-coronavirus-budget/a-52917360, accessed on 31. 03. 2020, time 13, 15.

announced that gatherings of any kind, including bars, theatres, or cinemas, are to be banned for the time being. All citizens must put into practice the necessary safety measures, which include proper hand washing and social distancing, among others in order to prevent the number of infected persons from increasing. Universities have postponed the beginning of the summer term until April 20th, 2020 (officially, all universities in the Bavaria and Baden-Württemberg regions). However, some universities still remain open, while research is being carried out with the participating staff. Examinations, on the other hand, are still continuing to take place⁵⁶.

2.b.2. France

Economically speaking, France announced a mobilisation of 45 billion euros (\$50.22bn) in crisis measures to help its companies, with the economy expected to contract 1 per cent this year due to the coronavirus outbreak. Le Maire said "a large part of the 45 billion-euro (\$50.22bn) figure was the deferral of all tax payments and payroll charges that companies were due to pay this month, and the annulment of such payments for firms at risk of collapse" ⁵⁷. Also in terms of measures to support the economy, Édouard Philippe confirmed the intention of the state to nationalize companies in difficulty in order to save them from bankruptcy, including Air France. ⁵⁸.

Twenty-five measures (*ordonnances*) in total - specifically targeting both employers and employees - will aim to lessen the negative repercussions of the epidemic on the French economy. The country went into lockdown on March 17th 2020, with its activity level reduced to the very minimum and all sectors focused on tackling the coronavirus epidemic, which has killed more than 1,300 people and put thousands more in hospital.

The government has allowed employers to declare *chômage partiel* (temporary unemployment) in a bid to prevent companies from laying off staff en masse. According to the government over 100,000 companies representing over one million workers have applied for the status. To encourage those companies, hit

⁵⁶How are German universities responding to coronavirus pandemic, apud. https://www.studying-ingermany.org/, accessed on 25. 04. 2020, time 17, 00.

⁵⁷ France announces 50 billion dollars measures to help virus-hit firms, https://www.aljazeera.com/ajimpact/france-announces-50bn-measures-virus-hit-firms-200317080153073.html, accessed on 31. 03. 2020, time 11, 30.

⁵⁸ Franța adoptă măsuri dure în lupta anticoronavirus, apud https://www.forbes.ro/franta-adopta-masuri-dure-de-interdictie-lupta-cu-epidemia-de-coronavirus-155705, accessed on 31. 03. 2020, time 11, 33.

hard by the coronavirus crisis, making workers redundant, the state has said " it will foot most of the wage bill. If companies qualify for "chômage partiel" their workers will get 84 percent of their net salary during the period they are not working, while those earning minimum wage (€1,201 a month) get their whole salary reimbursed". The measure only covers those earning up to 4.5 times the minimum wage (€5,404 a month). The benefit (indemnité) is paid by the employer who is then reimbursed by the state. Workers on a temporary (CDD) or permanent (CDI) contract whose company hit by the crisis will be covered⁵⁹. From the legislative and administrative point of view, during the Council of Ministers on March 25, 2020, no less than 25 ordinances were presented by the Government as part of the state of health emergency law, adopted three days earlier in Parliament:

- a) an order states the "creation of a solidarity fund for companies particularly affected by the economic, financial and social consequences of the spread of the Covid-19 epidemic and of the measures taken to limit this spread".
- b) another order relates to "various measures to adapt the rules of award, procedure or execution of contracts subject to the Public Order Code and public contracts which do not fall under it during the health crisis born of the Covid-19 "epidemic.
- c) a third ordinance relates to "the adaptation of the deadlines and procedures applicable to the establishment or modification of an electronic communications installation in order to ensure the functioning of electronic communications services and networks .60

Two orders relating to the management of public accounts aim to ensure the continuity of payments by relaxing the rules, in particular with a derogation from the provisions relating to the responsibility of public accountants. An extension of the delegations which are granted to the presidents of regional councils for the granting of aid to companies in difficulty is also planned.

Regarding justice, an order suspends the prescription of public action and the execution of sentences, widens the use of the single judge for correctional hearings, and allows the use of videoconferencing, in particular for the assistance of a lawyer in police custody or the presentation of a suspect before

⁵⁹ Coronavirus: The measures France has taken that impact workers apud https://www.thelocal.fr/20200326/coronavirus-the-measures-france-is-taking-to-shore-up-its-economy, accessed on 31. 03. 2020, time 11, 50.

⁶⁰ Corentin Patrigeon, Coronavirus : les ordonnances adoptées en urgence qui concernent le BTP, apud. https://www.batiactu.com/edito/coronavirus-ordonnances-adoptees-urgence-qui-concernent-59194.php, accessed on 31. 0.3 2020, time 12, 30.

the prosecutor or the judge of liberties and detention .61

The Education Minister Jean-Michel Blanquer announced a non-typical, revolutionary measure in education: due to Coronavirus pandemic crisis the traditional BAC exam would be replaced by other means such as regular progress checks in areas such as coursework and homework, and that France would ramp up classes in June to make up for lost time⁶².

3. Conclusion

All the measures that we have described herein and that have been implemented by various states, have merely been able to momentarily alleviate the disaster caused by the new virus in the health systems, obviously overwhelmed by all this crisis, and maybe to reduce (to a small extent, we consider) the disastrous future economic effects.

The principles of good governance stated at the beginning of our article have only had a small impact upon the issues stated herein due to fact that the epidemic has influenced the social, political and economic environment in such a way that it has constrained decision-makers to take drastic, urgent measures that sometimes contradict everything that embodies equilibrium, the democratic involvement of the society, sometimes questioning the observance of civil rights and freedoms (e.g. restricting travel, isolating and quarantining Coronavirus patients or suspects, controlling the free movement of people by local authorities precisely nominated in this respect and restricting the trips only to the circumstances that are strictly necessary and only on the basis of an affidavit, etc.)

Certainly a pandemic crisis of such a magnitude will have visible and various effects in the long run on all continents and in all areas of activity. This will lead to an obvious weakening of the world economy and will make things difficult for all administrations regardless of their complexity and performance by 2020. Furthermore, this will also act as a milestone characterised by the discrepancy between the eurozone and non-eurozone states, a fact that will further reinforce the existence of a "multi-speed" Europe, a disturbing yet realistic theory that was previously analyzed by specialists in 2019. This means that "the post-pandemic crisis from a political and economic perspective will be more dangerous than

⁶¹ Ce que contiennent les ordonnances prises pour faire face à la crise du coronavirus, apud. https://www.lexpress.fr/actualite/politique/coronavirus-ce-que-contiennent-les-ordonnances-pour-organiser-l-etat-d-urgence-sanitaire_2121914.html, accessed on 31. 03. 2020, time 12, 15.

⁶² France to reformat 2020 highschool BC exam due to Coronavirus, apud. www.france24.com, accessed on 27. 04. 2020, time 17, 05.

the virus itself"63 and will greatly affect us all.

All in all, we should point out that all these issues reveal a general crisis that was difficult to anticipate even by the best systems in the world. This is in fact a though lesson, a lesson in which we had to face our true weaknesses and pride. Nevertheless, we were also reminded that nothing is perfect on Earth and that no economic or military power is neither irrefutable nor invincible as previously thought.

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⁶³ This "All the more so as the EU was caught right at the sensitive moment of negotiating the 2021-2027 budget, thus seriously testing the solidarity of the 27 member states and the solidity of the European Project". See for details, Valentin Naumescu, *Tări bogate, țări sărace, Solidaritatea europeana, corona bondurile și iminenta criză post pandemie a UE*, apud. www.ziare.com, accessed on 27. 04. 2020, time 17, 25.

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