

ROMANIAN NON-GOVERNMENTAL ORGANIZATIONS' EVOLUTION

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Abstract: *Although a “core” and non-profit sector, having an important role in the functioning of a democracy, Romanian NGOs are little known to the general public and only rarely addressed by specialists. This article presents a brief history of the Romanian NGOs (from their appearance to date), with the emphasis on specific elements.*

Keywords: *NGOs, association, democracy.*

1. NGOs: THE „CORE” OF THE NONPROFIT SECTOR

Non-governmental organizations (NGOs) have a unique position, being the most visible and most influential component of the civil society, the “core” of the “third sector”, and membership in such organizations is a non-political form of participation (Almondo and Verba, 1996, 267).

At present, the NGOs have globally an accelerated rhythm of numerical growth and of diversification of their fields, developments that create major problems to the typology of these nonprofit entities. Referring to the adopted classification criteria, Vasile Stanescu (2001, 142-143) mentioned: the way the members are recruited (depending or not on membership or profession); membership or coverage area (local, national or international NGOs); types of beneficiaries (the general public, one or more target groups); sources of income; the organization’s size. For the same author, “the most interesting classification of NGOs” is the “*International Classification of Nonprofit Organizations*” – derived from the UN’s international standard of industrial classification – which divides NGOs into nine main categories, according to their main carried out activity (activity to which the most operational expenses are destined).

In Romania there has been a confusion regarding the correct name from which the

abbreviation “NGO” comes. It is used the correct form, “non-governmental organization” (composed of the prefix “non- element of composition, adding the meaning ‘not’ to nouns, adjectives and adverbs” (*Explanatory Dictionary of Romanian Language, DEX, 674*) followed by the adjective “governmental – belonging to government, regarding the government, coming from the government; which represents or supports the government” – *DEX, 439*), as well as the incorrect one, “ungovernmental organization” (composed of the prefix “un- element of composition that adds the meaning “not”, “lacking” before nouns and some adjectives” (*DEX, 698*) followed by “government”). The incorrect use is common, being present especially in the media, but also in public or nongovernmental sources of information.

The main obstacle to the full affirmation of the role of the Romanian NGOs as a central element of “the third sector” is the fact that it is not very well known, a “lack of basic information on the sector and how it works” (Salamon and Anheier, 1998, 6). This statement is fully true for Romania, where the sources of information on NGOs are few and scattered (Stoiciu, 2001, 15): various reports of *the National Institute of Statistics and Economic Studies*, reports published annually by the *Foundation for the Development of Civil Society* (FDSC) or other organizations,

such as *CENTRAS*. Other sources of information can be found in public administration (e.g. publication of the balance sheets by the *Ministry of Public Finance*).

2. BRIEF HISTORY OF ROMANIAN NGOS

Mihaela Vlăsceanu (1996, 13) wrote that the existence of “the third sector” has been known for at least four centuries, as the activities of the church, philanthropic and charitable institutions, mutual aid associations, etc. For Vasile Stanescu (2001, 135) “associations and foundations have a fruitful local tradition”, with a distant origin in the associations of the type of the Roman colleges (attested by inscriptions from the third century AD), then the handicraft professional associations (since the XIIth century) and then the guilds (the XIVth century). The *Calimach Code* (the first form of civil code of Moldova, in force between 1817 and 1865) expressly recognized the legal personality of the guilds, a provision which is found in the *Organic Regulations*.

Daniel Saulean and Carmen Epure (1998, 2-4) present the history of philanthropy and the nonprofit sector in Romania, which began to develop at the border between the XIXth and the XXth centuries. In relation to countries from the Western Europe, this development was delayed by a series of “general inhibitors”:

a) geopolitical factors: the fact that state institutions have emerged later, following the influence of our neighbouring empires; political instability and dependence on foreign leaders;

b) the role of the Orthodox Church: unlike Catholicism, the Orthodox theology “does not stress and promote charity as a means of salvation”. However “in the absence of good administration of the state, the Church was neither more nor less than required to meet several functions of social assistance. The Orthodox monasteries became involved in hosting and supporting the poor”. (Saulean and Epure, 1998, 3) With the secularization of the churches' assets (in 1863), the resources available to the Orthodox Church were

reduced drastically; that was why the monasteries were no longer involved in social activities;

c) the rural character and the community-based organization of the Romanian society: the population consisted largely of peasants in the state of poverty, which provided cheap labour for landowners. The middle class did not make its presence felt during the principalities, which led to the “persistence of the traditional rural mentality, leading to the isolation of rural communities. The society suffered from chronic atomization, manifested at all levels of the community life, maintaining a primitive way of life and thus remaining an impenetrable environment for the progressive ideas”. (Saulean and Epure, 1998, 4)

The NGOs' development was made possible by the occurrence of the Law 21/1924, “*Law for legal persons (associations and foundations)*”, which occurred one year after the Romanian Constitution of 1923, the first Romanian Constitution recognizing the right to free association. Law 12/1924 has an interesting history. It was initiated by the then Justice Minister, G G Marzescu, in order to use the “tools of association and foundation well and clearly regulated” in an effort to connect Romania to the evolution of the “civilized countries, where the expansion of private initiative is ongoing upward” (Stanescu, 2001, 136). The law was not changed for many years (75 years) and resisted the attempts to repeal it, repeals tried by the leadership of the *Romanian Communist Party*, due to the efforts of the *Legislative Council*, which “managed to keep the law under the category of active regulatory acts, using an ingenious solution, that is “by omission”, avoiding its inclusion in both the active track and in the “passive” one, the one of the repealed legislative acts” (Stanescu, 2001, 166).

During the interwar period, NGOs grew substantially, both numerically and by diversifying the scope of their concerns. However, the NGOs' expansion in number was not a spectacular one, given the fact that civic activism and philanthropic activity were generally the preserve of the upper strata of society.

In relation to the interwar Romania, the communist regime meant a “significant step backwards” (Saulean and Epure, 1998, 7) in terms of NGOs' activity. Officially, the party-state controlled any type of organization, including those based on free association, even if their work could hardly become a “subversive” one (for example, the Bee Breeders Association of Romania). Gradually, the communist regime began to “encourage” freedom of association, enabling some associations to set up (according to special laws and not to Law 21/1924, which was in force, but inactive during the communist period) especially those supporting the totalitarian regime particularly in sports, cultural and entertainment fields. This is about the so-called “benign” development of the non-governmental organizations in the ‘70-‘80s (Stoiciu, 2001, 10), a phenomenon common to the other countries of the former “socialist bloc” (Salamon and Anheier, 1998, 19). A case that illustrates the “benign” development of the civil society during the communist period is the *Flame Literary Circle* (Stoiciu, 10-11), who represented “the communist perspective on civil society”. Designed to “reduce social tensions and mobilize youth, the *Flame Literary Circle* encouraged artistic activities, becoming gradually (for its direct participants) an authentic associative movement, providing support for social and cultural changes”, while for the critics it was merely a means of manipulation, due to the Communist leaders’ control (Stoiciu, 2001, 10-11).

3. EVOLUTION AFTER DECEMBER 1989

More stages can be identified in the NGOs’ evolution after December 1989, starting from their approach in several works: Saulean and Epure (1998); Association for Community Relations and Allavida (2003); Burada and Berceanu (2005):

a) the period 1990-1993 is characterized by the predominance of the perception of the civil society as the “public enemy” of the Romanian power structures, opinion which was favoured by the expression of the NGOs with an

advocacy role of a speech highly critical of the new power, who was labelled as a relic of the communist government;

b) between 1993 and 1996 the attitude towards NGOs has improved slowly but surely. The first notable collaboration of the NGOs with public authorities appeared then. The lack of opportunities for obtaining public funding is still felt, and media reports mostly the negative aspects of the non-governmental organizations’ activities (tax fraud, dubious international adoptions, etc.). However, this period is a “good period” for the NGOs’ development; it has proved its ability to attract and produce resources, “among which the human resources have got a special place” (Saulean, 1999, 18);

c) during 1996-2000 Romania has been governed by a coalition that was strongly supported by the civil society’s representatives, and a number of prominent leaders of the NGO’s sector were involved in ruling. The rapid erosion of trust in government (embodied by the fact that after the 2000 elections the coalition that governed had no parliamentary representation) affected the credibility of the civil society’s leaders, who supported it;

d) The year 2000 marked a turning point: renewing the legislative framework related to the NGOs. The Government’s Ordinance 26/2000 (whose text is almost entirely proposed by the participants in the National NGO Forum in 1999) replaced Law 21/1924, providing a more appropriate framework for the NGOs’ activity. The main changes brought by the Ordinance 26 are: the simplification of the procedure for registering an NGO (the number of individuals required for establishing an association is reduced from 21 to 3 and there is no longer needed a ministry’s favourable opinion) allows diverse economic activities, including the foundations (something which was prohibited by Law 21 / 1924); an NGO can have the “public utility status”, which can be obtained by providing public services; this status provides access to grants and partnerships with local authorities; the National Register of NGOs was set up and any NGO must obtain a registration certificate from the court to which it belongs.

e) the period 2001-2006 brought about a decrease in funding opportunities for NGOs. With the consolidation of democracy and the European integration moment coming closer, a number of organizations, which in the past had significant financing programmes designed exclusively for NGOs (*Soros Foundation, USAID, and even the European Commission*), have significantly limited their activity, a trend that can be identified since 1997 (Stoiciu, 2001, 26). On the other hand, a series of government initiatives to fund NGOs appeared with the help of some ministries (*Ministry of Youth and Sport*) while the practice of subsidizing social services expanded (Burada, Berceanu and Petrescu, 2007);

g) after Romania's integration into the EU, the Romanian NGOs have achieved equal status with similar organizations in other Member States, having access to structural funds. However, the NGOs' are still not very well financed, in line with the low rate of absorption of the EU funds into Romania between 2007 and 2009.

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