

Romania – a Special Case
– *Corruption, Deficiencies of the Party System, Authoritarianism –*

Not quite two years before local elections, one and a half years before parliamentary elections and two years before presidential elections, Romania seems to be standing at a crossroad. Thus, the ruling post-communists, the Romanian Social Democrats (PSD) of prime-minister and PSD party leader Adrian Năstase have to decide on how to continue the required political, social and economic transformation process. Can they afford social unrest due to required reforms of the economic and social system just one year before local elections, which in turn would lead to the country's accession to the European Union on January 1, 2007? Or should they keep delaying the reform process, thus making sure that the PSD gets reelected? 13 years since the downfall of communism, Romania is faced with yet another question, that of whether or not the country has undergone a socialization process comparable to the other former Eastern bloc states. Does the Romanian population show any interest whatsoever in taking an active part in the future political, social and economic development of the country? Or do Romanians put up with the corruption, excessive red-tapism and weak, politically controlled judiciary dominating the circumstances surrounding their lives and obstructing sustainable economic development as a god-given plight?

According to the Constitution of 1991 which is still in force, joint parliamentary and presidential elections should be held at the end of next year. The debates on the amendment of the Constitution which have been going on for slightly over one year now seem to turn in favor of having these two elections at separate dates, stance backed by both civil society and parties across the Romanian political stage. Early summer 2005 is under consideration as a possible date for the next parliamentary elections. Debates in Parliament should be concluded after the summer recess and the citizens of Romania called to vote on a new draft constitution at some time in fall.

Until November 2002 when Romania was extended the invitation to join the NATO, the PSD-Government had been working with surprising discipline, the party and the factions in the two chambers of Parliament, the Senate and the Chamber of Deputies, had submitted to the Government's objective of leading the country into the Euro-Atlantic defense alliance without putting up any resistance. This aimed at creating the impression of an honest Government serving exclusively the welfare of the country

and a modern, westwardly oriented ruling party as well as at presenting an altogether positive report on the Government's activity in all areas.

But the account of Adrian Năstase's Government should be viewed in the light of different considerations:

Thus, the Romanian foreign policy has produced some positive results, as for instance the lifting of the visa requirement for Romanians traveling to the European Union since January 1, 2002, the invitation received last year in Prague to join the Nato and the visit of US President George W. Bush to Bucharest on November 23, 2002. Furthermore, the Romanian Government has skillfully played its cards close to its chest in as far as comments on last year's strained political circumstances in the Republic of Moldavia are concerned, whose communist government had repeatedly accused Romania of interfering in its internal affairs. When the presidents of Romania and the Republic of Moldavia, Ioan Iliescu and respectively Vladimir Voronim met on the Prut on August 1, 2003 for the festivities organized in connection with the 25th anniversary of the inauguration of the dam in Stânca-Costești, Iliescu seemed to be the one of the two presidents more eager in seeking conciliation. Moreover, the relations to Hungary, which, after the introduction in 2001 of the so-called "Status-Act" regarding Hungarians living abroad, were temporarily subject to particular strain have, again, become more relaxed. Thus, in October 2002, the Hungarian president Ferenc Madl was the first Hungarian head of state to be visiting Romania after the breakdown of the communist Eastern bloc. A few days ago during a meeting with the Romanian Diaspora on the Black Sea coast, the Romanian prime-minister Năstase even referred to the „Status-Act“ as a model to be used in drafting a corresponding Romanian regulation.¹ The various disagreements between Romania and the EU, brought about last year by the signing of the treaty with the USA on the non-extradition of the US citizens to the International Penal Court in The Hague, without previous consultation of the EU and by further support of the USA in matters regarding the war in Iraq, were skillfully smoothed out by the Romanian Government without losing face or exposing the partners USA and EU.

The results of the domestic policy on the other hand need to be tackled from a more skeptical perspective. Since the PSD did not gain the absolute majority in the general elections held in November 2000 it had to form a minority government which, nevertheless, can count on the support of the Union of the Hungarian Minority UDMR (Uniunea Democratică a Maghiarilor din România). Initially, they signed a one year collaboration protocol, which has been extended periodically ever since. On top of that, several MP's of the opposition, especially of the Democratic Party which has the same leftwing political orientation (Partidul Democrat, PD) and the ultranational Greater Romania Party (Partidul România Mare, PRM) have changed sides to the PSD, with the result that the latter is dependant on the votes of the UDMR only in specific instances.

Important domestic decisions such as the urgent reform of the dead-beat health system were delayed up until after the NATO-decision in Prague in order to avoid social unrest. But this half-hearted approach still persists and thus, it is all the more true, that

¹ *Curentul*, 8/11/2003.

the limited economic resources and the economic and social reforms introduced only hesitantly and much too late continue to cause severe problems along the transformation process.

Even if the economy has been on a rising trend ever since 2000, and positive results have become apparent at least in as far as the macroeconomic development is concerned, corruption, legal uncertainty, excessive red-tapism, the underground economy and the very slow progress of the privatization process remain the major impediments in the way of a significant economic upturn. Viewed against this background, it is not at all surprising that foreign investments, which have settled around 1 billion US-dollar per annum since 1999, are at a disappointingly low level measured against the economic potential of the country and its comparatively large market.² They even dropped below 156 million € during the first six month of 2003, which is even less than the figures registered during the same period of the previous year.³

Such deficiencies and shortcomings are constantly criticized by the EU and other supranational and international institutions as well as the foreign businesses. They cannot follow the optimism of the Năstase government, which expects that Romania, as the last of the candidate countries to the EU, be granted the status of a „functional market economy“ in the upcoming country progress report of the European Commission which is due in fall.

It is true that the last country progress report of the European Commission of 2002 has acknowledged that Romania has made significant progress in the transformation process and that the Copenhagen European Council of December 2002 has announced its support for the efforts undertaken by Romania with a view to joining the European Union on January 1, 2007. Thus, in order to solve the problems still lying ahead until the planned date of accession – depending on the progress made according to the roadmaps and „significant improvement of an efficient resource management and employment“⁴ – the country shall be granted 1.023 billion € within the framework of Phare, ISPA and SAPARD and further 2.793 billion €⁵ in the period from 2004 to 2006 inclusively. To what extent, however, these resources are going to be managed accordingly and employed effectively by the Romanian government, remains to be seen. Because the last report of the European Parliament on the status of the accession negotiations⁶ established that the fight against corruption required a special attention.

And it is precisely on this old, apparently never healing wound that US Ambassador Michael Guest and the chairman of the American Chamber of Commerce (AmCham), Obie Moore have placed their finger upon. At an international donor conference on April 15/16, 2003 held in Bucharest on „Investment against Corruption“, organized by the Romanian Ministry of Justice, they have addressed the issue of corruption in Romania in a remarkably open manner.

² See Carola Kaps, „The prospects of joining the EU drive the reform process“, *Frankfurter Allgemeine Zeitung* (FAZ), 8/11/2003.

³ *Allgemeine Deutsche Zeitung* (ADZ, german-language daily newspaper published in Romania), 8/13/2003.

⁴ Commission of the European Community, roadmaps for Bulgaria and Romania, KOM (2002) 624 endg.

⁵ Commission of the European Community, FN 4.

⁶ European Parliament, Status report on accession negotiations (KOM (2001) 700 – C5-0024/2002 – 2002/2023 (COS)), vorl. 2002/2023 (COS), Part I.

Ambassador Guest may have underlined in his address, that there was evidence of unmistakable progress in the fight against corruption over the last two years and that the present government, more than any previous government, has undertaken great efforts in order to tighten up the according legislation and strengthen institutions. However, the Ambassador maintained, „time is running out“. That’s why he urged the government, the opposition and the mass-media to fight corruption together, because „if they failed to do so, corruption will win and this country risks to be forced to declare its moral bankruptcy“. He acknowledged that he was aware of the intricate relationship between the difficult economic situation and corruption as well as the reason why businessmen with insider-connections didn’t want a new, tighter law against corruption. The USA would continue to support Romania in its fight against corruption, but in the end it was up to the country itself to make the required decisions. “Bridge the gap between different political opinions for a positive change. Take less time to study the problems and more time to solve them. Observe and enforce the laws by means of Do not do this for the sake of NATO or the EU. Don’t do it just to comply with some World Bank loan criteria. Do it for your own sake and for the sake of your children. Do it for your country.”

AmCham chairman Moore took a similar stance and underlined, that the Romanian government took action to fight corruption only if forced to do so from outside. Romania would run the risk of not joining the EU in 2007 as planned, unless it produced some quantifiable evidence until the next country progress report of the European Commission.

But it wasn’t only US-Ambassador Michael Guest and AmCham chairman Obie Moore to speak up on this issue during the two-day conference in April, some other representatives of international donor institutions did so as well. Thus, the representative of the World Bank in Romania, Ziad Alahdad, reminded that the so-called roadmap for Romania of the European Commission listed the most important steps to be taken by the country in order to be allowed to join the EU on January 1, 2007. Besides, he stressed the fact that the roadmap reiterated, among other things, the obligations undertaken and the requirements to be met in order to fulfill the criteria established in Copenhagen and Madrid.

The head of the delegation of the European Commission in Bucharest, Jonathan Scheele pointed out, that the fight against corruption could only be won if all Romanians stopped to regard it as an everyday occurrence. Like Alahdad before him, he showed his approval with regard to Guest’s statement: „The US Ambassador has rendered a clear and detailed account of the real problems in Romania.“ With regard to Moore’s statement on corruption and Romania’s accession to the European Union on January 1, 2007, Scheele maintained, that the European Commission would issue a well-balanced country report in November, that would take into account the considerations of the delegation of the European Commission, the Romanian government, the media and the civil society as well as those of international organizations.⁷

Guest, Moore, Alahdad and Scheele have generated with their criticism various reactions and modes of interpretation, especially as the Romanian government had managed, just a few weeks before, to get a highly-controversial law on the fight against

⁷ These addresses and reactions thereto were published in all national daily newspapers. The sources we refer to here are especially the editions of the *ADZ* and the english-language daily newspaper *Nine o’clock* of April 17 to 21, 2003.

corruption to be passed in Parliament.⁸ This law was the target of vehement attacks, especially by MP's of the PSD, who were reluctant to make a choice between their political office and their business operations. The opposition argued against a legislation package to be set up by putting together 17 independent laws, but criticized individual provisions as well, especially the definitions of the „public interest“ and „strategic companies“ which were left open. Hence, the accusation of hypocrisy brought against the PSD government and the speculations that this law too, would not be enforced in the end. Now, upon expiry of the deadline set for those office holders that were subject to such a conflict of interest, who where to chose between their political office and their economic involvement as stipulated by said law, such speculations cannot be fully dismissed. Thus, even though after May 5, 2003 some 50 senators and 100 delegates appeared to be subject to “incompatibility” according to the law against corruption, only very few have taken the required steps by July 3, 2003. Names to be mentioned are only the PNL-delegate Dinu Patriciu, executive director and member on several boards of Rompetrol, the PD-delegate Adrian Videanu, chairman of the board of the Marmosim corporation and also the PSD-delegate Constantin Tecelescu, chairman of the savings bank CEC. They decided to renounce their offices in favor of their business activities. But in the case of many others the required decisions are still pending. It may well be that such decisions were not duly noticed during the parliamentary summer recess, still, its is highly unlikely that decisions of such significance for the public would disappear into the silly season and go unnoticed by the media.

As expected, all opposition parties welcomed the addresses delivered by Guest, Moore, Alahdad and Scheele during the international donor conference and underlined that corruption had increased again particularly over the last two month – that is under the PSD-government – and thus would have to be seriously dealt with by the government.

By contrast, the government and the PSD construed the speeches much to their own liking. On the first day of the conference, the minister of justice, Rodica Stanoiu, replied that she took the address of the US Ambassador as an encouragement rather than as criticism. The then minister for public information, Vasile Dâncu, stated later on, that rumors on businesses turning their backs on Romania because of the existing corruption were unfounded.

The speaker of the Senate, Nicolae Văcăroiu (PSD), underlined that he agreed with the address by Guest, but could not tell whether or not such corrupt persons existed within the PSD or within other parties, because in his opinion, they „were present all over the

⁸ A so-called Law against corruption is in force since April 21, 2003 that was passed at the end of March after an unsuccessful vote of no confidence proceedings initiated by the opposition. This body of law comprising 17 separate individual laws establishes, among other things, the incompatibility of a parliamentary office and the capacity of member on a board of administration of private or state-owned companies as well as trading, financial and insurance companies, banks and credit institutes. In addition, holders of political offices are not allowed to be members or chairpersons of general shareholder assemblies. A derogation may be granted in the case of board members of such private or state-owned enterprises that are of significant „public interest“ or which are considered to be „strategic companies“; such exceptions are established by the standing committee of the Senate or Chamber of Deputies upon a proposal brought forward by the Government, duly approved by the legal commission of the corresponding chamber of Parliament; after the law became effective, the office holders which where subject to such a conflict of interest were required to notify the corresponding standing committee of the respective chamber within two weeks (up until and including May 5, 2003) and remedy such conflict within another 60 days (up until and including June 3, 2003).

place“. Furthermore, as Văcăroiu pointed out, it was impossible to make the phenomenon of corruption disappear by merely passing a law against corruption, but that the ruling party attached great importance to the immediate enforcement of the provisions stipulated therein.

President Iliescu emphasized that Ambassador Guest had been referring to principles and a fundamental outlook because of his „support for our efforts, the efforts undertaken by both government and civil society to fight off this phenomenon that affects our economic and social stability“.

In turn, prime-minister Năstase underscored that the US Ambassador had spoken as a friend of Romania, because „a diplomat could not have used such phrasing abroad“. He added ironically, that „we are impressed when American representatives express their concern about Romania’s integration process into the EU. We believe, that this is proof for the strength of the transatlantic relations.“ On the other hand, the prime-minister thought that it was a little peculiar that of all countries, the USA be the one to worry about Romania’s integration into the European Union, since part of the present difficulties the country was facing in its economic and political relations to the EU were essentially a consequence of the special relations between Romania and the USA. And he added sarcastically that some people would be well advised to learn English better, since the speech delivered by Guest had been very poorly translated in the media. According to Năstase “the Media presented a false assessment of a well-meant initiative”. He also urged the media to use the translation services of the Government for speeches of this kind.

On the other hand the prime minister conceded later on in an interview with Mediafax that corruption was playing a part at all levels in Romania and that only few people acknowledged that. Corruption is both cause and effect. Meaning, a consequence of the poverty, of the fall in production after 1990, of the restructuring process and the way of thinking. According to Năstase “to fight corruption means to normalize and modernize Romania“.⁹

By means of the above mentioned commentaries against the PSD, the opposition parties were referring to the fact that, since the middle of last year at the latest, the accusations of corruption that were brought against the PSD and the PSD backed government were no longer only whispered but spoken out loudly. Thus, the highbrow magazine *Revista 22*¹⁰ published in its July 2002 edition a „map of the local lords and mafiosi of the PSD“ and referred in one of its articles to the system of „legalized corruption“. Ever since then, not a single day passes without certain „PSD-lords“ being mentioned in various newspaper articles.

In this context, such criticism is regularly leveled against Năstase himself and his name is mentioned time and again in connection with certain cases. Thus, at the beginning of 2002, an anonymous report published on the internet, named „Armageddon II“ sent a shock-wave through the entire country. The report provided an overview of Năstase’s and his family’s property, which cannot really be referred to as modest. It also raised the question of its provenance. During the press conference held specifically in response to this report Năstase appeared very irritable and rejected all accusations brought against him. In the further course of events, Mugur Ciuvică, the former head of cabinet of the previous president Constantinescu, turned out to be the author of this

⁹ *Nine o’clock*, 4/25-29/2003.

¹⁰ Edition No. 30, 7/23-29/2002.

report. He was taken into custody pending trial on the charges of libel and defamation, but could not be sentenced in the end.

At present, Hildegard Puwak, the minister in charge of EU-integration and a close collaborator of Iliescu's is under considerable political pressure in connection with the law against corruption and the distribution of EU-grants under the „Leonardo da Vinci“ program. In her declaration of property, Minister Puwak has failed to disclose that she was officially registered as administrator of one of her spouse's companies. On top of that, two of her husband's companies and the company of her son received grants under the „Leonardo da Vinci“ program amounting to 150 000 €. The minister did not contest the accusation brought against her, but pointed out that it was not a case of conflict of interest since the grant applications were submitted prior to her appointment as minister for EU-integration. As for the position of administrator in her husband's company, it's been several years now that she hadn't acted in that capacity anymore.¹¹

Against inner-party corruption and in the case of accusations of corruption brought against members of the cabinet, Năstase, in his capacity as party leader and head of government takes up a firm stand, at least on the surface, but fails to make decisions even in the most obvious cases. Instead he hopes that the controversial persons take the necessary steps on their own. Thus it appears questionable after all, whether an uncompromising action against this, in the case of Romania so ancient evil is even desired. Because the off-stage strings between the ruling party and the economy are too closely knit and Năstase is too much dependent on the support of the regional and local party leaders. This has become all the more apparent when, in response to the numerous accusations against the governing party and its lords – well covered by the media and grouped according to counties - all those accused of corruption as well as the party leaders were summoned to the party headquarters on the fancy Kisseleff avenue. There they had to give explanations to their party leader. But it turned out that all accusations of corruption were allegedly unfounded and that the PSD party executive committee headed by Năstase wouldn't be required to take the consequences.

A new administrative body headed by the so-called anti-corruption prosecutor was established on March 28, 2002 (Parchetul Național Anticorupție, PNA) and a close friend of Năstase's, Ion Amarie was appointed as head of this office. The opposition accuses this new body of bias, because the PNA was not created as an independent body, but as an office reporting to the Ministry of Justice. Overall, during the first 10 month of operation, the PNA is said to have indicted 352 persons and established a total loss in connection with bribery of around 263 Millionen €.¹²

The only spectacular case of the PNA so far was the arrest of Fănel Pavalache last October, and his indictment on the charges of having accepted a bribe of four million US-\$ in order to secure a favorable decision for a third party in a civil action against the winding-up proceedings of the BIR bank (International Bank of Religions). Up to that point Pavalache had been an adviser of the government secretariat. Upon his arrest he was dismissed and expelled, after all, from the PSD (Tulcea). Since then he has been in custody pending trial.

¹¹ *Nine o'clock*, 7/30/.2003, *ADZ*, 7/31/2003.

¹² *ADZ*, 7/15/2003.

Apart from the politicians of the opposition, the media and a few non-governmental organizations, no one seems to have a long-term interest in a serious fight against corruption. Because viewed against the background of history, over the long and checkered past of the country, corruption has grown to be an institution in itself. Thus, the Romanian language carries many words for „bribe“, most of them being of Turkish origin. Having been under foreign occupation time and again, mainly the Turks since the end of the 14th century up until 1829, especially the principalities of Moldavia and Walachia, Romanians were used to buy certain rights and advantages from the occupying powers. And during communism, as Andrei Pleșu, former minister of culture and foreign minister, presently the director and founder of the New Europe College in Bucharest stated in his opening speech to this year's Festival in Salzburg, corruption, „as some kind of joy of being able to cheat on the State has earned a peculiar legitimacy for itself“. This joy was „an act of sabotage, a means to regain what the regime had confiscated arbitrarily as soon as it had come to power“. Thus, according to Pleșu „the irresponsible explosion of corruption in some Eastern-European countries of these days is nothing else but an old mentality surviving due to inertia. Which, of course, cannot be an excuse but explains a few things.“¹³

But the political superiority of the ruling party PSD also gives cause to worry. It plays a part all throughout the country and can no longer be overseen; its hegemony in all important spheres of society is overwhelming and, meanwhile, goes far beyond the number of its voters. Thus, the triangle of power is built of – the formally independent – state president Iliescu, the prime-minister Năstase and the ruling party PSD, and determines nearly all aspects of the social, political and economic life. There are voices stating quite openly that the PSD has grown to be a sole governing party. All in all, it controls almost completely the entire apparatus of state and the administration, both on national and local level, and its power is continuously on the rise. Thus, in the last local election in the summer of 2000, it won merely 35,5 percent of the newly elected mayors, but its share had risen to almost 50 percent by the end of 2001 and counts almost 80 percent today. One or the other of these mayors may have left their original parties of their own free will due to inner party disputes, but it is no secret, that the majority were subject to pressure by the PSD or have simply chosen join in with the stronger in order to cling to the local power structures. Thus, nearly the entire country is in the hands of one party and there is no balance of power between government and opposition. Not even the controversial cabinet reshuffle in mid-July and the new appointments and reshuffle in the PSD leadership have managed to cause any damage for Năstase. Neither could the absorption of two smaller socialist parties, namely the Socialist Labor Party (PSM) and the Socialist Party for National Revival (PSRN) which had been the cause of much controversy inside the party. The PSM has always stood up to its communist origins, the PSRN is a party that had split off the PRM. The enlargement of the PSD with this neo-communist parties can only be explained in connection with the elections scheduled for 2004/2005, for which purpose, the party thought it would be wise to recall its socialist roots. As far as that goes, the anniversary of “110 years of Romanian social democracy” celebrated a few month ago also fits into the overall strategy of the party. On that occasion, the PSD recalled, that the Social Democratic Party of Romanian Laborers (PSDMR) was founded in 1893.

¹³ Andrei Pleșu, „On Joy in the East and in the West“, *ADZ*, 7/29/2003.

Despite all this, prime-minister Năstase and the ruling party PSD continue to meet with the approval of a large majority, even though its popularity was on a falling trend ever since the parliamentary elections: from 58,8 percent early in December 2002¹⁴ to 45 percent in April 2003¹⁵, percentage which has come down to 43% at the beginning of August¹⁶. The opposition can be ruled out as a democratic counterbalance. Not only is it too weak, but it also much too preoccupied with its own internal problems to be able to put some pressure on the Năstase government by offering a reasonable alternative. As the Romanian political scientist and journalist Stelian Tănase stated in a discussion in the spring of 2003, the opposition, even two years after the last parliamentary elections, stays away from all important debates because it holds no alternative propositions that could be implemented under the circumstances.

Only the PRM has an organization and leadership that appears to be almost as disciplined as that of the government party. After several MP's defected to the PSD, the factions in both Senate and Chamber of Deputies, which after all, make up almost a quarter of the members in both chambers are now stable.

The left-oriented PD does not only lose its Members of Parliament and Senators as well as regional and local representatives who change over to the PSD, but the latter has undertaken to woo away members of the PD and thereby hollow out the party as its stated objective. The PD is a member of the Socialist International (SI) that, in the near future is going to admit the PSD, which had only observer status up to this point. Thus, the PSD becomes not only the larger, but, as the governing party, also the more attractive Romanian SI member party, both for international contacts and the leftist electorate in the country. Beyond all this, the PD party leader Traian Băsescu, who is also the Mayor of the capital Bucharest, displays an almost fanatical demeanor in his dogged fight against the leftist sister party, which repels many inside the PD. In addition, Băsescu now faces a possible indictment. The former minister of transport is accused of bribery and embezzlement in connection with the sale of the Romanian merchant fleet. The outcome of this lawsuit will decide not only his future political destiny, but to the same extent, that of the entire party. Because Băsescu stands for the PD like no other and he is the candidate with the best prospects for the elections for Mayor to be held in Bucharest in the spring of 2005. Thus, the PD might turn out to be the big loser on the political stage of the parliamentary opposition. Many observers of the political milieu predict anyway, that, unless it stabilizes itself in due time, the party will break down after the next parliamentary elections at the latest. According to many analysts, the left wing might thus change over to the PSD, while those members with a rather rightist outlook could join the PNL.

The PNL on the other hand establishes itself as *the* alternative on the right wing of the political spectrum. Over the last years, the PNL assimilated all liberal groups and orientations except for one negligible miniature party. Then, in mid-April it also incorporated the right-wing Union of Right Forces (Uniunea Forțelor de Dreapta, UFD). Only time can tell whether the PNL leader, Theodor Stolojan, who was prime minister under president Iliescu for one year - coming into office some time at the end of 1991 – and who therefore is said to be close to the state president, will manage to maintain his opposition to the ruling party in the long run. This was questioned time and again, espe-

¹⁴ ADZ, 12/24/2002.

¹⁵ ADZ, 4/15/2003.

¹⁶ Ziua, 8/12/2003.

cially by a strong group around the deputy party leader Dinu Patriciu, who, a few months ago, even considered a membership of the PNL in the EPP. This wing was strengthened by the recently assimilated members of the UFD. Stolojan, on the other hand, draws his strength from being the only challenger for the PSD candidate for the Romanian presidency, Adrian Năstase who is credited with some prospects of success.

The strength of the PNL on the right wing of the political spectrum is also a result of the rapid downfall of the former Christian-democratic government party PNȚCD (Partidul Național Tărănesc Creștin Democrat) under the leadership of the former prime-minister Victor Ciorbea, who held this office between 1996 and 1998. As a former majority party in the ruling right coalition with the PNL and the PD between 1996 and 2000, the PNȚCD was not only voted out, but also clearly missed out on winning any seats in Parliament.

In 1996, when the democratic opposition won the elections against the post-communists and the PNȚCD was the one to have secured the most votes inside the coalition, many hoped that the country would finally find the way to a democratic, social and economic normality. But the shift to an authentic democracy and social and economic reforms failed to happen. Moreover, the very idea of change, as the journalist Keno Verseck wrote, “was literally discredited”.¹⁷ And democratic socialization was utterly out of the question. The number of supporters of the PNȚCD, even down to the simplest social strata, who had been the victims of the political prisons and labor camps of the communist regime can only compare to the PNL. That’s why the PNȚCD stood for the change in politics and society like no other party. But despite the fact that the ruling coalition displayed an overall inconsistent, estranged and chaotic governance between 1996 and 2000, the PD and the PNL have managed to take an ideological turn just in time for the elections in November 2000 and thus to keep their own disastrous elections results clearly above the catastrophic turnout of the PNȚCD. It was the ministers of the Christian-democratic party in particular, that the voters – because of the tradition and history of the party - could not forgive for their, in part arrogant demeanor and the massive accusations of corruption during their time in office – which, however, could not be unequivocally verified to this very day. The PNȚCD has since been unable to regain its lost credibility and the confidence of the population; it is barely noticed as a party of the opposition and opinion polls place it around one to three percent at the most. On top of this, the separation process that had already set in in 1998 continues to weaken the party, with the result that the christian-democratic segment of the political spectrum is now more inconsistent than ever. The foundation congress of the People's Action (Acțiunea Populară, AP) was held in Bucharest on the 12th and 13th of July and the former state President Emil Constantinescu, in office between 1996 and 2000, was elected as its leader. Even though Constantinescu had repeatedly underlined in a newspaper interview published in February, that it wasn’t the objective of the AP to become a main competitor of the PNȚCD, it wasn’t long before it became obvious that the exact opposite was the case. Constantinescu is said to have been offered by the PNȚCD the candidacy for the presidency as early as December 2002, which he declined. Thereupon he was sharply criticized and proclaimed an enemy of the PNȚCD. Constantinescu launched a determined counterattack, and he and Ciorbea found themselves in a clash that continued over several months. Thus, Ciorbea accused Constantinescu on several occasions of having founded

¹⁷ Keno Verseck, *Romania*, Munich 2001.

the AP only to woo off members of the PNȚCD, to dissolve the party and then merge with another organization. In effect, entire local associations all throughout the country have separated from the PNȚCD since spring to join the AP, and several former ministers of the PNȚCD are presently deputy party leaders of the AP. In addition, the Christian People's Party (Partidul Popular Creștin, PPC) which had split-off the PNȚCD in the summer of 2001 will merge with the AP and a congress for the merger of these two parties is scheduled to take place in September. Seen from this point of view, the AP does indeed appear to be an alternative to the PNȚCD.

Thus, the political situation in Romania is characterized mainly by a much too weak opposition and consequently, the lack of a democratic counterbalance on the one hand, and a governing party that seems to be controlling the entire country with almost no exception and which is developing unmistakably into a sole ruling party on the other hand. To a certain extent, the country displays an authoritarian government which was de facto elected, much rather than a well-balanced pluralistic system. Ironically, the prime-minister himself occasionally complains about the weakness of the opposition. But when the latter, if ever so rarely, manages to put forward an alternative proposition he hardly ever addresses the issue. On top of that, it is Năstase himself who bypasses with his politics the democratically elected Parliament by means of emergency ordinances¹⁸ which are effective immediately and thus regularly wipes out the rules of the democratic game. Consequently, the typical system of *checks and balances* that characterizes democratic countries exists only on paper.

This policy of the PSD government is sporadically criticized by non-governmental organizations on television and in the printed media. On the April 17, 2003 the english-language daily newspaper *Nine o'clock* published a commentary under the title „Ordinances – the evergreen issue“. But the society does not provide any lasting debates on the subject that could force the government to rethink its policy. On the one hand this is a consequence of the fact, that Romania has no culture for doubt and critical inquiry. On the other hand, many Romanians are convinced that a “rule with an iron hand” is the best thing for the country.¹⁹ The social structures are authoritarian up to the present day and subservience to authority continues to be typical. Thus the institutions that enjoy the highest esteem are still the Military and the Romanian-orthodox Church. Even almost 13 years after the revolution, personal and committed involvement for the future economic, political and social development of the country scarcely seem to matter. And democratic socialization is not yet an issue worth mentioning, even though the majority of the Romanian population views democracy positively. The lack of interest to participate actively in the making of society is not only a consequence of the fact that the population is much too preoccupied with mastering the challenges of the daily economic struggle for survival. Instead, the main reason that accounts for this lack of participation is the fact that the dictator Nicolae Ceaușescu

¹⁸ The Romanian Constitution stipulates the separation of powers, according to which the government is invested with an executive and administrative function. However, in exceptional cases, the Constitution also allows the Government to issue so-called emergency ordinances which come into effect immediately, instead of waiting for the results of the parliamentary legislative proceedings. Such ordinances have to be passed in Parliament only afterwards. During the first two years of its term alone, the Năstase government issued 416 urgency ordinances, of which only some 300 were approved by Parliament and another 28 rejected.

¹⁹ Keno Verseck, FN 17.

had turned the communist party and the state into a social pyramid of passive and submissive apparatchiks for whom his word was law. Thus, in Verseck's opinion this may be considered Ceaușescu's most terrible legacy.²⁰ Because where the structures of the state and society were reduced to the mere execution of orders, constitutional and democratic principles were hard to establish after the 1989/1990 revolution. In addition, the supposed new rulers around the present President Iliescu²¹ had not even so much as intended to introduce democratic structures with stable, independent institutions back in 1989/1990. Anyhow, the end of the communist dictatorship in Romania was not followed by a transformation of the system and a change of elites. It was instead a mere replacement of a few persons and the dictator couple Ceaușescu executed. But the old communist elite was clearly the beneficiary of the new system as well. Due to their dominance know-how, the control they exercised and their extensive network of personal connections, some of them managed to seize the power which had become vacant after the death of the dictator couple and to model it to their own liking.²² Thus, no one inquired why it was Iliescu of all people to become the self-proclaimed leader of the revolution, how the „The Front of National Rescue“ came into being and who had legitimated this structure or its members for that matter. And no one really asked what exactly it was that Iliescu meant in January 1990, when he stressed time and again, that Romania should not copy the Western model of democracy, but should instead find “its own, original democracy”.²³ Pleșu offered in Salzburg the following comment: „Romania seemed to have pulled off a huge swindle: it had organized something that looked like a revolution, but in reality the structures of the former dictatorship remained untouched.“²⁴ The period up to 1996 was furthermore characterized by the delay or half-hearted implementation of political and economic reforms; thus, unlike most of the other former countries of the Eastern bloc, Romania lost precious time in carrying through the necessary reform process and as well as on the way to the European Union. But the majority of the population was pleased with Iliescu's formally democratic, half-authoritarian regime. Much too deep-seated was the tradition of authoritarian rule and the lack of a democratic culture and consequently also the lack of participation in the social, political and economic development of the country, even

²⁰ Keno Verseck, FN 17.

²¹ In the period from 1990 to 1996 the country was governed by the PDSR (Party of the Social Democracy in Romania) in its various structures and coalitions, in effect, the precursor of the currently ruling PSD. Legally speaking, the PDSR/PSD is not the successor party of the Romanian Communist Party, but in as far as its members, and at the beginning its ideology is concerned, it can certainly be viewed as such. Moreover, the ex-communist Ion Iliescu was head of state between 1990 and 1996, and had lead together with the former foreign minister Petre Roman the so-called council of the revolution called „The Front of National Rescue“ and had come to power after the fall of the dictator Nicolae Ceaușescu. He ran for president as a candidate of the PSDR. Iliescu's parents had been communist resistance fighters and he himself had studied in the Soviet Union. He was both a man of the old school of the party and a representative of the technocratic party elite. Iliescu was considered to be a possible successor of Ceaușescu for a while and had managed to work his way up to Secretary in charge of ideological issues of the Central Committee. After a conflict with the dictator he was dismissed in 1971 and his party career ended. Iliescu's last position before 1989 was that of director of a technical publishing house. In an article published in 1987 he pronounced himself in favor of the reconstruction of the Romanian society after the model of the Perestrojka, that was vehemently rejected by Ceaușescu. .

²² Anton Sterbling, „Elites in South-Eastern Europe“, in: *Aus Politik und Zeitgeschichte*, B 10-11/2003.

²³ Keno Verseck, FN 17.

²⁴ Andrei Pleșu, FN 13.

during the time before the communist period, so deeply rooted in the Romanian society, that, after Ceaușescu's death, nothing could have countered the spread of the erosion of independent social institutions which had been going on under the communist rule. And today, as Karl-Peter Schwarz has put it in a nutshell in the *Frankfurter Allgemeinen Zeitung* a few days ago, „members of the nomenclature of the communist party and the youth organization, former officers of the Securitate and their descendants are at the core of the establishment that controls politics and the economy.“²⁵ One has to agree with his thesis which was also validated by Pleșu: „Romania is a special case“.

The manuscript was concluded on August 15, 2003. The article will be published in *KAS / Auslandsinformationen* 9/03.

²⁵ Karl-Peter Schwarz, „New Cafés in Old Shacks“, *FAZ*, 8/12/2003.