

## **REFERENDUM BRIEFING NO.15 EUROPE AND ROMANIA'S PRESIDENTIAL IMPEACHMENT REFERENDUM, MAY 2007**

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### **Key points**

- On May 19 2007 Romanian voters backed President Traian Basescu in an impeachment referendum by a margin of three-to-one.
- This result came despite most of Romania's political parties urging a 'Yes' vote in the referendum to impeach, including Basescu's erstwhile partners in the Truth and Justice electoral alliance, the National Liberals.
- The referendum came at a time of considerable tensions within the country's party system and the result is likely to add to the instability.
- Following the referendum result, the president has renewed pressure for constitutional reform and early parliamentary elections.
- Romania's entry to the European Union on January 1 2007 formed a significant backdrop to the campaign and the likely impact on Romania's membership of the Union was widely referred to in campaign rhetoric.

Romanian voters went to the polls on May 19 2007 – and delivered a massive shock to the country's political establishment. Asked to ratify Parliament's impeachment of President Traian Basescu, voters backed the President by a majority of three-to-one despite the impeachment campaign having the support of almost the whole of the party spectrum, other than Basescu's own Democrats and their closest allies.

### **The long road to impeachment**

Post-Communist Romania acquired an early reputation as a laggard in adopting established European democratic norms. A deeply divided political class fed popular

mistrust of political structures.<sup>1</sup> The economic traumas of transition were prolonged and an impoverished populace was suspicious of a newly emerged rich and powerful elite. Nationalist tensions bolstered support for anti-democratic demagogues such as Corneliu Vadim Tudor who secured second place in the 2000 presidential election.

The divide formed by the political transition from Communism has retained a significant resonance over the last 17 years. The National Salvation Front (Frontul Salvării Naționale: FSN) transformed itself from a provisional revolutionary governing body into a political party in January 1990 – a party that was dominated by former Communists. The Front subsequently split between ‘conservatives’ around President Ion Iliescu (who went on to form the Social Democratic Party: PSD) and ‘modernisers’ grouped around former Prime Minister Petre Roman. The modernisers eventually evolved into the Democratic Party (Partidul Democrat: PD) and in 2001 Roman was replaced as party leader by Traian Basescu.

Basescu has rarely shied away from controversy during his time in public life. His background in the merchant navy and his grasp of populist rhetoric have helped to set him apart from contemporaries who had pursued more overtly political careers under the former regime, although he has never hidden the fact that he was a Communist Party member.

Basescu’s first political conjuring act was to come out of the centre-right coalition in 2000 as one of the few government figures with an enhanced political profile.<sup>2</sup> His role as Transport Minister had given him the opportunity to gain national prominence while avoiding association with more turbulent portfolios such as energy, the economy or foreign policy. He was undoubtedly seen as an active trouble-maker within the Government, but his association with agitation against its unpopular leadership was unlikely to damage his standing among the wider electorate.

Basescu was elected mayor of Bucharest in 2000 by the narrowest of margins. He entered the race late after engineering the replacement of the Democrats’ lacklustre candidate – the publicity he received from his eleventh hour intervention being enough to propel him into the run-off ballot with the Social Democrat candidate. Basescu’s mayoral campaign was marked by the use of innovative marketing techniques which focused on his determination to tackle corruption.<sup>3</sup>

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<sup>1</sup> Romania’s unusual path to democracy saw a popular revolution overthrow Communist President Nicolae Ceausescu in December 1989 only for a government of former Communist apparatchiks to emerge which retained power through to 1996. Popular support for politicians, democratic structures and the market economy has remained relatively weak throughout the post-Communist era.

<sup>2</sup> The centre-right Democratic Convention (Convenția Democratia Romana: CDR) had won elections in 1996 but crashed from power in 2000. The largest party in the Democratic Convention failed even to cross the threshold to obtain representation in parliament as part of a revamped grouping. The Convention’s coalition partners – including the Democratic Party – also lost support in the election which came at the end of a period of acute economic instability and a widespread sense of lost opportunities for political and economic reform.

<sup>3</sup> Youthful activism was another feature of Basescu’s mayoral campaign. These elements came together as groups of young Democratic Party members cycled around Bucharest handing out leaflets that carried Romania’s fixture list for the Euro2000 football championship as well as messages supporting Basescu.

After replacing Roman as leader of the Democrats, Basescu set about repositioning the party. Basescu pursued an electoral alliance with the National Liberal Party (Partidul National Liberal: PNL). The National Liberals were a survivor of the 1996-2000 government but significantly they had consistently shown themselves to be pragmatic in their approach to coalition building throughout the post-communist period. The new electoral pact was cemented in time for the general election of 2004. In 2005, the Democrats abandoned membership of the Socialist International and the Party of European Socialists in favour of a re-branding as a 'Popular Party' in the West European mould and membership of the European People's Party umbrella grouping. A gap had opened on the centre-right of Romanian politics which the Democrats – a party of arch political entrepreneurs – were in the process of filling.

## **Romania's 'Orange Revolution'**

In 2004, Basescu repeated his election trick of four years earlier on the national stage. The National Liberal/Democratic Party compact was launched as the Truth and Justice Alliance (Alianta DA) and adopted the orange motif of neighbouring Ukraine's west-oriented revolutionaries. But polls consistently showed that Social Democrat prime minister Adrian Nastase was heading for victory in the Presidential ballot. Shortly before the poll, Alliance presidential candidate and National Liberal leader Teodor Stolojan announced his withdrawal on health grounds leaving Basescu to step in as the new candidate.

Basescu went on to snatch victory in the run-off ballot by the thinnest of margins at a point where the Social Democrats had already begun negotiations to form a government. The result triggered a crisis within the Social Democrats which, at the time of writing, is still unresolved. A new government was formed by National Liberal Calin Popescu-Tariceanu, a coalition of: the National Liberals, the Democrats, the Hungarian minority alliance (Democratic Alliance of Hungarians in Romania: UDMR) and the Humanist Party (later to re-brand as the Conservative Party: Partidul Conservator, PC).<sup>4</sup>

From the beginning tensions between the President (and the Democrats) and the other coalition parties appeared. The reasons for the clashes are varied but they developed a pattern whereby Basescu cast himself as an energetic reformer held back by vested interests. The internal conflict became public when Prime minister Tariceanu backtracked on his agreement with Basescu to resign and call early parliamentary elections. The Alliance had a fragile hold on the parliament and the opposition Social Democrats were able to exert considerable influence.

Revelations that wealthy oil magnate Dinu Patriciu had provided financial backing to both the National Liberals *and* the Social Democrats at the previous election stoked the conflict further. Tariceanu was accused of soliciting Basescu's intervention on Patriciu's behalf in the course of corruption investigations. As the relationship between Basescu and Tariceanu collapsed, the president developed a theme that accused the National Liberal leader of being in the hands of oil barons and oligarchs.

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<sup>4</sup> The Conservative Party's role as a trigger of instability is worth noting. The party had run a joint list with the Social Democrats in the parliamentary elections but had abandoned the Social Democrats when Basescu unexpectedly won the presidential run-off. This led to a perceived lack of legitimacy for the new coalition government, strengthening Basescu's case for early elections.

Basescu's decision to launch a lustration enquiry may well have been the final straw. The failure to fully investigate the country's Communist past had been a significant source of disillusion with the 1996-2000 government. Basescu's determination to promote this issue intensified the power struggle and united his opponents. It provided motivation for prominent figures with long histories – Dan Voiculescu of the Conservatives, Vadim Tudor and former president Ion Iliescu – to move their parties behind the impeachment campaign.

## **Orange divorce: impeachment**

The political temperature had reached an unseasonable high by the autumn of 2006. Impending accession to the European Union meant the scheduling of elections to the European Parliament (EP) which resulted in intensive pre-election manoeuvring. The conflict between Basescu and Tariceanu provided the context but all the main parties were caught up in feverish activity. The Conservative Party attacked the (Democrat) Justice Minister, the Social Democrats suffered sustained internal turbulence, the Hungarian Alliance raised the provocative banner of self government, and the populist Gica Becali “went to war with everyone”.<sup>5</sup>

In December 2006, the National Liberals split. Teodor Stolojan led a break-away faction which opposed Tariceanu's leadership and favoured closer co-operation with the Democratic Party. The new group established the Liberal Democratic Party (Partidul Liberal Democrat: PLD) which sought affiliation to the European People's Party.

The immediate triggers for the impeachment process were the accusation that Tariceanu had sought Basescu's intervention in the Patriciu trial and Basescu's refusal to ratify ministerial appointments proposed by the Prime Minister. The escalating accusations of corruption on both sides led Social Democrat leader Mircea Geoana to announce in mid-January that his party would seek judicial investigation of the president. At the same time the Social Democrats initiated parliamentary procedures towards impeachment. In response, parliament invoked the presidential impeachment process under Article 95 of the Constitution.

Having scheduled the EP elections for mid-May, the government cancelled the poll in March, citing the growing constitutional conflict. Facing a divided Liberal family and a popular President, more cynical analysis suggests the postponement of the elections was due more to likely poor results for the National Liberals.

The breakdown between the Democrats and the National Liberals was complete by the time Justice Minister Monica Macovei spoke out against the decision to cancel the elections. Tariceanu re-structured his government without Democrat Party ministers in April. The re-organised government was formed by the National Liberals and the Hungarian Alliance, sustained by parliamentary backing from the Social Democrats (the Conservative Party had quit the government in December). The referendum

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<sup>5</sup> Becali is the high-profile owner of Steaua Bucharest Football Club. He leads the New Generation Party (Partidul Noua Generatie: PNG) which pursues a populist/nationalist line. The *Romania Libera* newspaper carried a headline in October 2007 which claimed Becali was at “war with everyone”, an illustration of the fevered political climate of the period.

campaign finally became an inevitability when parliament pressed ahead with the impeachment process even after the Constitutional Court had failed to find sufficient cause to recommend the dismissal of the President.

## **The referendum campaign**

Inevitably the campaign was highly charged and highly personalised. The evidence available suggests that Basescu 'won' the campaign as well as the election. Polls taken in April showed him in a strong position but tracking the limited number of surveys published during the campaign showed his position strengthening consistently.

The reasons for the success of Basescu's campaign would seem to be relatively clear. Firstly, the pro-Basescu campaign had the advantage of unity of purpose (defending the President from impeachment) and a relatively tight organisation (based around the Democratic Party and Basescu's 2004 presidential election team). By contrast the supporters of impeachment were a diverse set of parties who apparently struggled to co-ordinate their campaigns.

Secondly, the pro-Basescu campaign was well financed. One senior National Liberal politician claimed that Euro 12 million had been spent on the president's campaign. It certainly had a professional look. Basescu's campaign rallies were generally larger than his opponents and saw a reprise of the orange revolution theme of the Alliance's 2004 election campaign. It also made more imaginative use of new media – Basescu's web-site making full use of video, campaign reports, virals and downloads.<sup>6</sup> The youth wings of the parties opposed to Basescu attempted to inject some dynamism into the 'Yes' campaign. One of the more notorious events of the campaign was the erection of 'Alley 322' – a row of 322 posts put up in Bucharest's Youth Park to represent the 322 parliamentarians who voted for impeachment. The Alley was criticised as inappropriately threatening as representing the stakes on which mediaeval Turkish invaders were impaled by Romanian barons. The National Liberal youth wing countered with a demonstration in the shadow of the Alley, launching over 100 toy boats on to the park's lake – the boats representing merchant ships allegedly sold for nothing by Basescu in his time as a minister!<sup>7</sup>

Probably most significant, though, was the Basescu campaign's ability to focus clearly on a limited set of messages and to dominate the agenda of the campaign as a result. The Basescu campaign focused on three core themes:

- The fight against corrupt political oligarchs who were in effect attempting a coup against the democratically elected president.
- The need for modernisation of Romania's government.
- The threat to Romania's status within the European Union.

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<sup>6</sup> [www.basescu.ro](http://www.basescu.ro) carried a number of 'viral' cartoon ads designed to be forwarded by supporters in emails. It also saw the return of Basescu's 'red pepper' motif used in his presidential campaign – with a downloadable computer game in which the hot pepper chased more mundane vegetables representing his political opponents.

<sup>7</sup> Another stunt which hit headlines beyond Romania was a text message circulated on the eve of poll urging voters to vote for impeachment and which was made to appear as though it came Democratic Party leader Emil Boc.

As the campaign developed and Basescu became increasingly confident of victory he developed the issue of constitutional reform as a major plank in his platform. The president had promoted the idea of a referendum on the introduction of electoral reform earlier in the year (linked to an attempt to break the power of political barons by moving to single member electoral districts rather than closed party lists). This evolved into a significant campaign for modernisation of Romania's system of government.

The attempt to tar all of his leading opponents as part of the same corrupt political class was central to Basescu's campaign - a sensible tactic given the low opinion that the electorate holds of most of its post 1989 political leadership. Much of the disjointed opposition campaign was aimed at countering this attack, mainly by attempting to characterise Basescu himself as corrupt (and later in the campaign as being drunk in charge of the presidency).

The President's line was a reasonably easy hit given the links between the National Liberals and the Social Democrats exposed by the Patriciu affair. A neat twist was added by the use of the term oligarch since it conjured images of links with Russia and of links with the political class's communist past. Basescu pursued this theme even to the extent of accusing businessman Alexandr Kondyakov of close ties to the impeachment campaign, and being part of a Russian network intent on destabilising Romania.

## **The role of Europe in the campaign**

The 'Kondyakov Affair' serves to highlight the significance of Europe as a thread running through the campaign. Both sides attempted to portray the other as risking Romania's status within the European Union by displaying anti-democratic tendencies. To some extent, also, both sides fought the campaign in the international media as they tried to consolidate their own interpretations of the issues at hand. The 'Adevarul' newspaper, for example, reported prime minister Tariceanu as using the foreign media to promote the image of Basescu as an anti-European demagogue. The media within Romania certainly kept a watchful eye on international reaction to the process – regularly reporting comments made in the European press.

Basescu constantly cast himself as the only politician capable of leading Romania on the road to the west – contrasting with the eastern orientation of his opponents. He exploited his position as president to project an image as a statesman on the international stage. Early in the year, for example, he made a high profile visit to the Republic of Moldova to highlight Romania's role as a link between the state and the European Union.

Basescu also drew upon the support of his European political allies in the European People's Party. Pro-impeachment campaigners, too, sought backing from their European sister parties (Tariceanu and the National Liberals more so than the Social Democrats).

Ultimately, Europe provided a back-drop to the campaign – unsurprisingly given the proximity of accession. Fear of reprisals from the EU was exploited by both sides in a way which probably confused public perception of the likely outcome. But more

prosaic, national issues were probably more significant in the final analysis in deciding the outcome of the campaign.

## The results

The results of the referendum stunned the leaders of Romania's main political formations and may have created the conditions for a substantial partisan realignment. As Table 1 shows, the raw results were:

**Table 1: Results of the Romanian Presidential Impeachment Referendum, May 2007**

Turn-out = 44.45%		
<b>Yes</b> (in favour of impeachment)	2,013,099	24.75%
<b>No</b> (against impeachment)	6,059,315	74.48%
<b>Spoilt ballots</b>	62,858	0.77%

Source: [www.becreferendum2007.ro](http://www.becreferendum2007.ro)

The President's victory was so comprehensive that deeper analysis of the results becomes a challenge. Some patterns, though, do emerge. In general, older, more conservative voters were inclined to vote in favour of impeachment. Social Democrat and Greater Romania Party supporters were the only ones to cast a majority of their votes against Basescu.<sup>8</sup> Hungarian Alliance supporters appeared to respond to their party's support for impeachment with a substantial abstention.

As Table 2 shows, partisan loyalties were clearly strained by the referendum. Predictably, 95% of Democrat voters backed the President but a majority of National Liberal and Hungarian Alliance voters did so too despite their parties campaigning for a 'Yes' vote. Social Democrat voters showed the greatest loyalty in the 'Yes' camp with only a quarter of them backing Basescu.

**Table 2: Referendum voting by party preference (%)**

Democrat Party	95	3
Liberal Democrats	88	7
New Generation	69	23
Hungarian Alliance	60	33
National Liberals	57	38
Greater Romania Party	46	48
Social Democrats	26	68

Source: INSOMAR/Metro Media Transylvania exit poll, 19<sup>th</sup> May 2007. [www.insomar.ro](http://www.insomar.ro)

## Explaining the results

The Ovidiu Sincai Institute, which has ties to the Social Democrat Party, was among the first to publish an analysis of the referendum campaign. It rejected the notion that the result can be explained solely by reference to campaign strategies and political marketing. Instead it cast the contest as being a deeper one between democracy and 'centrist-populism'. It identified competing economic oligarchies as being at the core of the conflict, with Basescu and the Democratic Party representing the 'new

<sup>8</sup> The Greater Romania Party is the party of nationalist-populist Corneliu Vadim Tudor

oligarchy' who were seeking to challenge the dominance who gained most from the transition. It is beyond the scope of this paper to fully assess the validity of the Institute's analysis, but the view that Basescu represents a new political landscape is shared by other commentators.

External factors may have played a role. As already mentioned, there were substantial concerns about the impact of the impeachment process on Romania's position within the European Union. Fears were expressed both about the stability of Romania's democracy and the possible impact on the reform process. European Commission President Jose Manuel Barroso was quick to welcome Basescu's victory and to stress his confidence that moves to tackle corruption and reform the judiciary would continue following the result of the referendum.<sup>9</sup>

But factors relating to the campaign itself doubtless contributed too. Basescu is a highly skilled communicator and a charismatic politician. His campaign was better organised, well financed and had a clear message, in contrast to his opponents. The spectrum of views represented by the advocates of impeachment made it difficult to present a united image. And, importantly, the broader national context favoured the president too: Romania has been enjoying a period of sustained economic growth and inward investment; and of course the country has just been admitted to the EU club, a process begun years before but achieved under Basescu's stewardship.

Additionally, though, the number of parties allied against the president does not reflect the level of political capital that they brought together. Each of them was in some way weakened. The Social Democrats remain one of Central and Eastern Europe's most enduring and successful parties but they have been in a state of shock since their defeat in 2004 and the subsequent prosecution of their presidential candidate on corruption charges. The Conservative Party lost much of its authority by abandoning the Social Democrats to join the Alliance government. The Greater Romania Party never re-captured the support it won in the 2000 elections and is threatened by the rise of Becali's New Generation Party. And the National Liberals, of course, were at the centre of the political storm. Added to all of this was the Romanian electorate's lack of belief in its parliament and politicians, making an alliance of them an easy target for a populist campaign.

There were many who backed the campaign for impeachment because they felt Basescu had exceeded his powers and that he was a threat to Romania's democracy. But even the range of interests drawn up to support the campaign could not overcome the political credits that Basescu had accumulated since taking office.

## **Winners and losers**

In the short term the biggest losers from the campaign would appear to be the Social Democrats and the National Liberals.

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<sup>9</sup> The European People's Party enthusiastically welcomed the result of the referendum but post-election reaction from the Party of European Socialists, European Liberal Democrats and Reform Party or Alliance of Liberal Democrats for Europe is harder to find.

Although the Social Democrats retained the loyalty of over two thirds of its supporters who voted 'Yes' in the referendum, the result overall did nothing to heal the divisions within the party.

The National Liberals, on the other hand, face a real crisis. Prior to the impeachment process they had seen the Liberal Democrat Party take relatively few defectors with them into the President's camp. Now, the party is in near meltdown with various factions fighting for control. Tariceanu, who might have been expected to resign in the face of such a massive electoral defeat, is left clinging to office as his only hope of avoiding catastrophe in early parliamentary elections. By the beginning of June Tariceanu was attempting to conjure up the ghost of the Democratic Convention – proposing an electoral alliance with the remnants of the Christian Democrat movement which fell from power in 2000. The boutique size of the parties involved could be taken as a sign of the desperate straights the National Liberal Party finds itself in.

Both the Conservative Party and the Greater Romania were facing declining levels of support prior to the campaign. The referendum results will have done nothing to arrest that decline. Vadim Tudor at least can rely on a more solid party organisation and an established electoral base amongst avowed nationalists and disaffected 'transition losers'. The Conservatives, though, face the prospect of elimination from Parliament unless they can find a bigger partner to run with on a joint list (something the Social Democrats, for instance, will be less likely to consider following The Conservatives' desertion from their joint list after the 2004 poll.)

Amongst the winners, the Democratic Party is clearly in the strongest position. It is dangerous to predict even the near future in the politics of Central and Eastern Europe but the boost they will receive from the outcome of the referendum will be built on firm footings. They have proved flexible enough to survive both government and opposition since 1991. They have retained a consistent line of opposition to the communist successor left while being sufficiently pragmatic to form alliances with a series of other parties. Crucially they have survived a change of leadership and they have an experienced and skilled leadership team. The most obvious bear trap they will encounter is after the next round of parliamentary elections if they fail to win an outright majority. The coalition choices they make will determine the international image of their government and the development of opposition politics in the country. Too heavy a dose of populist nationalism could strain Romania's relations with the EU and push the Social Democrats and National Liberals closer together.

The other significant winners of the referendum campaign could be Becali's New Generation Party. Until now it has looked little different from the string of 'vanity parties' that have been a feature of post-communist politics in the region – disappearing from the scene once their policies and personnel come under sustained scrutiny. However, Becali has a high media profile thanks to his football interests and the party has an obvious target in the significant electorate of the Greater Romania Party. With the Hungarian Alliance having damaged its relationship with Basescu, the New Generation Party may well also have positioned itself as a potential coalition partner for the Democrats and the Liberal Democrats after the next parliamentary elections, despite its nationalistic rhetoric.

## Conclusions

The result of the referendum appears extraordinary given the range of opponents facing President Basescu. Its impact could well be long-lasting. The party system was on the cusp of re-alignment in any case thanks to the strains in the former Truth and Justice Alliance and the internal problems faced by the Social Democrats. But the failed impeachment campaign seems to have caused further damage to the parties that were already weakened by the popularity of the President.

There remains the possibility of a realignment of the political contest with a centre-right block forming around the PD with the PNL drawing closer to the Social Democrats. In some ways this could invite comparisons with Hungarian politics but it is dangerous to be drawn in by superficial similarities.

For the Democrats (and for Romania) the greater long term tests will come if they take on the role of leaders of the Government for the first time. Economic growth has been strong but huge challenges remain. Tackling corruption is an immense task. And Romania's relations with the EU have clearly been tested by the instability of its first few months as a member – damage that will need to be repaired by the government of whichever shade holds power in the months and years ahead.

Finally, the greatest challenge would seem to be the continued need for Romania's political class to invest in shared interests – strengthening civic institutions and popular faith in liberal democracy. The continued tendency to cast political contestation in the starkest terms is potentially damaging to all parties. Narratives that predominantly seek to question each successive government's democratic legitimacy are likely to weaken public faith in the system of government and invite renewed 'anti-system' appeals. Whatever else the referendum achieved it has created interesting times ahead for Romania.

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*This is the latest in a series of election and referendum briefings produced by the European Parties Elections and Referendums Network (EPERN). Based in the Sussex European Institute, EPERN is an international network of scholars that was originally established as the Opposing Europe Research Network (OERN) in June 2000 to chart the divisions over Europe that exist within party systems. In August 2003 it was re-launched as EPERN to reflect a widening of its objectives to consider the broader impact of the European issue on the domestic politics of EU member and candidate states. The Network retains an independent stance on the issues under consideration. For more information and copies of all our publications visit our website at <http://www.sussex.ac.uk/sei/1-4-2.html>.*