Romanian Civil Society and Its Active Role in the 2004

Elections: From Monitoring to Blackmail Potential

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Abstract

Civil society has proven outstanding capacities of involvement in 2004 general elections in Romania, and put a remarkable pressure on the political society. This paper aims to discuss the consequences of such involvement for both the political and civil society. We also investigate the conditions that have favoured a successful challenge of the main political actors by the most visible civic advocacy organizations. Further, we search how far can go an actor from the civil society into the lands of the political society. In the end, we hang in a balance the achievements and the failures of the civil society active involvement in the game of elections.

1.1. Civil society – general considerations

Twenty five years ago civil society began to attract the spotlights of international and regional (from Eastern Europe) specialists and governments. It was more and more clear that civil society has the capacity to promote interests and ideas different from the official ones in totalitarian or autocratic regimes. Eastern Europe was about to experiment how movements generated and organized by civil society organizations (trade unions and churches) are dynamically generating the regime change.

Civil society is a widely used concept not only in political science but also in politicians' discourses and media analyses. In East Central Europe civil society importance was assessed since Solidarity Polish trade union creation and opposition activities in the '80s. The role of civil society as a catalyst in 1989 communist regime fall is widely recognized. During the transition period civil society was considered almost a panacea for consolidation of democracy. Although the concept of civil society is very used, its meanings are not always clearly underlined. In our paper we consider civil society as the realm of "all social groups that are or can be understood as voluntary and noncoercive, thus excepting only the family whose members are not volunteers, and the state, which, even if its legitimacy rests on the consent of its members, wields coercive power over them" (Walzer, 2002: 35). Thus, civil society embraces organizations like trade unions, religious organizations – including churches, political interest groups unorganized as parties, civil rights NGOs. Often, in a very restrictive approach, usually endorsed by international assistance for the

development of democracy, civil society is limited especially or even only to the civic advocacy NGOs. This is the case of US assistance for democracy in former communist Europe (Carothers, 1996: 65).

One of the features of civil society is constituted by the space where individuals and institutions that represent their interests have the opportunity to develop the basis of different powers: power to influence the outcomes of policy-making process, power to legitimate collective actions in front governors, power to demand a specific direction for the official decisions or the power to threat state's officials and to determine the adoption of certain measures (Dryzek, 1996, 481-482). It is hard to believe that in a democratic regime the state (its official, empowered institutions) can be threatened so easily by civil society institutions. In fact a sounder explanation would be the capacity of bargaining that is shared by state institutions and civil society institutions. This partnership between state and civil society might be seen as a social "checks and balances" between the rulers and the ruled.

Which are the limits of civil society, concerning the component institutions? To answer to this question one must see what kinds of institutions are commonly considered as being part of the civil society. Diamond (1999) adopted an inclusive view. He argued that civil society comprises institutions from the following areas: economic, cultural, informational and educational, interest developmental, issue-oriented and civic. Civil society has specific features that particularize it from other arenas of society. It is different from the parochial society that Diamond sees as being concerned only with private aims not public one. Also, it does not try to get the political power inside the state but to influence the political power. Further, civil society is seen as being based on plurality and diversity of actions inside the framework of social life. Moreover, it does not monopolize the representation of interests in favor of a single organization, but represents them through a multitude of associations, groups and organizations. At the same time, civil society's component institutions tend to be specialized in representation of certain groups and interests.

In this paper we will concentrate our attention on two groups of civil society organizations: civic advocacy organizations and trade unions. They were the most active parts of civil society during elections. However, their activity had different

aims and means to achieve them. Civic advocacy organizations joined in a coalition and concentrated on "cleaning" the party lists from "Dalmatians" - spotted candidates judged by civil society organizations to be unfit for being elected in the Parliament. Trade unions (part of them) aimed to pursue their interests directly in Parliament by promoting union leaders on party lists. In the next parts of the paper we will analyze both strategies in order to unveil the outcomes.

1.2. Civil society and trade unions

In order to influence the state policies, citizens have to be members in "politically relevant groups", which refer to the capacity to influence politics in the direction of group's interests. (Lipset, Trow and Coleman, 1956: 15). Trade unions, as well as other independent organizations in society, have institutional roles. They serve as arenas in which new ideas are generated, networks through which citizens get acquainted with political attitudes, means for training future political leaders, means to get citizens to participate in political activities and bases of opposition to the central authority (Lipset, Trow and Coleman, 1990: 80). Claus Offe and Helmut Wiesenthal (1985, 184) argued that workers tend to organize themselves in trade unions because their potential for mobilizing sanctions (the principal tool to accomplish interests) is very weak as individuals by reason of their atomization. Instead, the construction of this tool inside unions is more feasible and more effective.

The post-communist changes influenced the positioning of trade unions in society. From a "transmission belt role" during communism, they switched to class interest organization and promotion. Trade unions moved from politically captured to opposition to political and economic interests of parties and state. Economic reforms impacted unions' basis – the membership – and determined trade unions to identify new means for influencing the political agenda, as well as to change their interest creation strategies in order to combine the interest of leaders and members. Trade unions are organized around collective social and economic interests, opposed to the political interests of the political sphere. Their most important resource is membership. This resource is transformed into power through the capacity of mobilization. During transition trade unions manifested as very active associative organizations: strikes, petitions and demonstrations are the principal high public

impact actions; while personal contact with politicians and informal bargainings are highly used methods but with less impact on public opinion.

However, trade unions' power decreased during transition.[1] The increase of unemployment declined the membership of trade unions. The decline was influenced also by property change in the economy: in private companies the workers are not at all encouraged to join trade unions, although the legislative framework supports association in trade unions. In greenfield companies trade unions have fewer chances to organize collective action and the employees cannot joint such organizations, mainly because of the employers' reluctance towards unionization. This reluctance is partly explained by the early report between trade unions and employers' associations: in the first ten years of transition trade unions were far better organized compared to employers' associations. The civil society organizations' relations with the state were dominated by trade unions. The pressure that unions have putted on government was higher than that used by other civil society organizations. Methods like strikes, demonstrations, meetings were of high impact in media and the politicians took very seriously all the trade unions pressures during bargainings. Some trade unions were used by various politicians as a pressure group to determine certain changes in the political status-quo. The miners' marches towards Bucharest in the '90s (the first march took place in June 1990, the last march took place in February 1999) had a deep impact on public opinion attitudes towards trade unions. They were ever since 1990 considered less than a "civic" part of the civil society, and more a "mass for political manoeuvers". The decline of trade unions in terms of power, membership, capacity to mobilize people, is not as surprising as some authors argue[2]. In fact, there are several factors that might explain this decline: (1) individuals had enough of false voluntary association in trade unions, since before 1989 unions were known as being an extension to the single party, and being a union member would increase the chances to receive a larger apartment, half-priced spa's tickets and even advances on professional hierarchy – all of these benefits vanished after 1989; (2) the

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[1] For a general assessment of decline of trade unions during transitions in Eastern Europe but also in other regions and time space, see Victor Perez Diaz, 1993, *The Return of Civil Society,* Cambridge: Harvard University Press; David Ost, 1993, "The Politics of Interest in Post-Communist East Europe", in *Theory and Society*, Vol. 22, No. 4. 453-485; Elena Iankova, 2002, *Eastern European Capitalism in the Making,* Cambridge, UK: Cambridge University Press

[2] See for example David Ost, 1993, "The Politics of Interest in Post-Communist Eastern Europe", in *Theory and Society*, Vol. 22, No. 4: 453-485.

changes in the economy increased uncertainty – legal, institutional, social, welfare – thus, creating a "wild" incipient capitalism, in which trade unions barely tried to adapt themselves rather than focus on collective materialistic and post-materialistic issues; while individuals had to concentrate on personal welfare and securing their owns' interests rather than pursuing collective ones, in an unpredictable environment; (3) fragmentation of unionism, accompanied by chaotic union strategies as concerns political and economic issues; (4) emergence of different possibilities to engage in collective associations different from trade unions; (5) structural incapacity of groups to identify collective common interests because of the reminiscent over-controlling and repressive/bureaucratic state as David Ost argues (1993: 456); (6) trade unions are regarded as "relics of the past" (Ost and Crowley 2001: 219), and "Sleeping Beauties" that lost the contact with changes in society and cannot find their place in the current state of industrial relations (Kubicek 2004: 3).

We can identify three trajectories that determine the perception of post-communist unions as being civil society organizations moreover closer to the political society than to the civil society: (1) violence as a result of social unrests and political influences determining the miners marches towards Bucharest; (2) trade unions struggle to promote their political interests either by forming their own parties – like in 1992 and 2004 elections, or by promoting union leaders on party lists; (3) union opposition towards economic reforms, coupled with support for populist policies – these strategies were seen by civil society organizations as an Achilles' heel in relation with the government, taking into account the fact that the majority of civil society organizations promoted straightforward liberal or at least center-moderate attitudes, while the majority if not all the major trade unions support left or center-left policies.

Other civil society organizations like civic advocacy ones were reluctant to cooperate with trade unions in civic actions (for example in the 2004 Coalition for a Clean Parliament). Trade unions were regarded with suspicion by civic organizations. A widespread opinion inside civic advocacy NGOs is that trade unions are "sold" to government, and they cannot be trusted in advocacy campaigns. It must be underlined that in spite of these attitudes trade unions managed to cooperate with other civil society organizations in actions like promotion of an Electoral Code (project of Pro

Democracy Association) or the Constitutional Forum (civil society meetings with politicians in order to discuss the project to change the Constitution in 2003). The untrustful attitude is not entirely wrong: trade unions have the image presented above, and even while co-opted in civic actions they did not manage to change the general impression about their capacity to take sides with civil society organizations. It is the case of Electoral Code Project that required two hundred fifty thousands signatures from citizens to be put on the Parliament's agenda – trade unions were informally accused by the civic advocacy partners in the project not to enough active and to mobilize their members in order to collects their signatures. Collecting only 180,000 signatures while trade unions promote the idea that they have more than 3 millions members, helps understand the frustration of their civic partners that unions did not manage (or bother) to collect signatures.

However, trade unions are considered to have a blackmail potential, as a result of their actions' reflection in media. Since the government high ranking officials pay attention to what trade unions demand "on streets" sustained by thousands of workers and backed-up by the millions of members unions pretend to have, attaching to unions a high pressure power seems rational. Unions are typical civil society organizations that interact very often with the government, while pursuing collective (union) interests. Apart from the personal contacts union leaders have with governmental officials, trade unions have a privileged position being represented in the Social and Economic Council (the other members of the council represent employers' associations and the government). No other civil society organizations (apart from employers' associations) are represented in such consultative national councils. This position gives trade unions a specific power of bargaining with the government and influencing decision-making process.

1.3. Civil society and elections

Civil society organizations do not resume to merely influencing the decision-making process through specific methods like contacting officials, drafting and promoting laws, organizing strikes, demonstrations and boycotts or signing petitions. Their interaction with the political society is more complex and is based on historical legacies and precedents, international assistance and replication of more or less

successful models of activities and strategies of behavior. Thus, apart from general activities aimed to pursue interests, like the ones mentioned above, we identify three types of interaction between civil society and political society during elections. Free and universal elections represent a procedural requirement for establishing a democratic regime. In democracy they are necessarily based on competition open to every citizen and organized groups of citizens, and on lack of control over individuals' political preferences and voting strategy.

The first type of interaction is represented by direct involvement in elections, support and promotion of "anti-political politics" – mass mobilization and political representation of interests through forums and organized movements that behave like large "umbrella organizations". Ever since the beginning of regime change in early 1989, civil society in Eastern Europe was very active in shaping the forthcoming founding elections. The interaction between civil society and political society at the electoral level impacted not only civil society's paths development during the transition, but also political parties' emergence. It is widely accepted that the civil society organizations opposing the communist regime in the '80s determined the path of regime change, institutional arrangements and even political competition. The first post-communist large political organizations in Hungary, Poland, Czechoslovakia, Bulgaria, and Lithuania were acting in the first instance as civic organizations interested in politics, but keeping their organization away from party discipline, office seeking and bureaucracy (Tóka, 2004: 124; Elster et all., 1998: 132-140). These civic-based political organizations dominated the first free elections. Two of the reasons for the initial success of these organizations were the domination of regime change process by round table negotiations, dominated by civic opposition, and the need to organize free elections in the shortest time, which impeded political organizations to develop genuine programs and ideologies (Elster et all., 1998: 134).

Involvement of civil society in election monitoring programs is the second type of interaction with the political society. Election monitoring can be defined as "purposeful gathering of information about an electoral process and public assessment of that process against universal standards for democratic elections by foreign or international organizations [and domestic civil society organizations] committed to neutrality and to democratic process for the purpose of building public and

international confidence about the election's integrity or documenting and exposing the ways in which the process falls short [and intervening in the electoral process to correct imperfections caused by violation and ignoring of laws and standard procedures, while making recommendations for action]" (Bjornlund, 2004: 40-41).

Monitoring elections is a fairly new form of civic activity during the elections. Its impact is in the same time hardly measurable but very important for different types of elections. We can identify several types of democratic elections assessed (1) in relation to the moment they are taking place vis-à-vis the point of regime change and (2) in relation to their importance and structural effects on democracy's development. The categories of elections are: regular, transitional, postconflict and consolidating[3]. Identifying the types of elections is very important in order to asses the importance of election monitoring organizations (henceforth EMOs) both from the monitored (authorities) and from the monitoring (domestic and foreign EMOs) point of view. The first election monitoring was organized in the mid '80s in Africa and South America. However, the boom in these activities took place in 1990 when the founding elections took place in Eastern Europe.

Romanian domestic civil society organizations, which are the focal point of our paper, got involved in election monitoring campaigns starting with the 1992 local and general elections. Their impact was often greater than that of international monitoring missions, due to the much higher number of observers mobilized by domestic EMOs (LADO and Pro Democracy Association) compared to the international EMOs (OSCE and US based organizations); a deeper observation of problems in polling stations; and can "stir up stronger feelings: positive and negative" about monitoring (Carothers, 1996: 51).

Finally, the third type of interaction between civil society and political society is the straightforward supporting of certain political parties by civil society organizations, like trade unions, churches and NGOs. Trade unions develop ties with political parties because of the ideological approach and with the aim of better promoting union

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[3] For an excellent presentation of categories see Eric Bjornlund, 2004, *Beyond Free and Fair. Monitoring Elections and Building Democracy*, Washington D.C.: Woodrow Wilson Center Press, 35-36.

interests. Historically trade unions are closer to the left-wing parties, but after the Second World War some unions established close connections with center right parties, especially the Christian Democrats. The Catholic Church has an important ascendant upon the Christian Democratic parties. However, other denominations, especially the Orthodox Churches in Eastern European Orthodox majoritarian countries, tended to manifest as supporter of the governmental parties. This can be explained not as much as ideological and values similar orientations, but as a reminiscent strategy of supporting the state and its institutions through a "symphony" between the church and the state, dating from the communist period. There are cases when NGOs manifested as open supporters of specific candidates and political parties, as it was the case of the Coalition for Return, a Bosnian NGO that advised citizens to vote for certain candidates during the 1997 municipal elections (Chandler, 2003: 232-233).

2. Civil society in Romania: social relevance and future development

Since 1989, the point of regime change and starting of redemocratization process, Romania organized six simultaneous general and presidential elections. Foreign and domestic civil society organizations were involved in monitoring elections since 1990[4]. During every election process the opinions of NGOs involved in monitoring about the fairness of the process were highly debated in mass-media.

Civil society developed after 1989, although is far from reaching the level of civic involvement, organization and activities that characterize the western civil societies (Howard, 2003: ch. 4). The voice of NGOs began to be more powerful and the politicians started to take the NGOs more seriously, (Carothers, 1996: 68). There is no current evaluation on the number of total civil society organizations, how many of them are active, how many were registered during a specific period of time and the number of organizations that disappeared in the same period. There are only two partial evaluations of the overall number of civil society NGOs in databases of two resource NGOs: Civil Society Development Foundation (FDSC) and Centras. FDSC collected information about organizations starting with the year 2000, using auto

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[4] See also Thomas Carothers, 1996, *Assesing Democracy Assistance: The Case of Romania*. Washington D.C.: Carnegie Endowment for International Peace, p 45.

filling questionnaires. The database was updated the most recently in 2003. It uses a very detailed set of categories. Centras has developed an online database of NGOs ordered according to several basic categories. Both databases are based on voluntary sending of the information, thus selecting in a certain degree the active organizations from the inactive ones. In Centras database there are 1773 NGOs registered. 118 are registered within the primary or secondary field of advocacy while 194 are registered within the primary or secondary field of civil rights protection. An exact proportion is difficult to obtain due to scarce possibility to use combined search inside the database. As well, the lack of control (the information is entered in database online by each NGO) hampers the reliability of information inputted as concerns the domains of activity; many organizations are inputted in multiple domain fields, thus the overall numbers if added for the two domains (advocacy and civil rights protection) might easily lead to inflated totals. Thus, we could estimate that about 12-14% of the total number of NGOs have as primary domain of activity the civil rights protection and advocacy.

The case of FDSC database is clearer because of the more strict control over the placing inside specific domains. The total number of NGOs registered in the database in 2003 is 4190. From the total number, 483 NGOs are registered to be active in the field of civil rights and civic education (the closest domain to the categories mentioned above in the Centras database), which represents 11.5%.

In conclusion, the pool to offer civic advocacy organizations that might get involved in activities like election monitoring, public awareness or anti-corruption campaigns represents roughly 11-12% of the total number of civil society organizations. Of course, only a small part of this percent is active and finally gets involved in such activities, making it harder to develop powerful monitoring NGOs.

Civil society benefited from large financial, logistic, human and organizational assistance from international donors like USAID, IRI, NDI, NED, The German Marshall Fund, UNDP, Soros Foundation or IFES. It is recognized by NGOs that without such important assistance the activity of civic advocacy organizations might

have been endangered or even inexistent[5]. The effects of international assistance for civic advocacy NGOs were beneficial in terms of training and technical assistance for NGOs, but also in terms of development of new attitudes and opinions inside the society. Politicians and public authorities started "to give more consideration to certain basic rights such as free speech and due process, and to recognize publicly that oppositional politics and human rights advocacy are not the same" (Carothers, 1996: 68-69). Nonetheless, as Thomas Carothers underlines (1996: 69-70) the general impact of civic advocacy groups on public awareness and democratic civic consciousness is limited to the urban, educated, and political power-related groups.

The lack of alternative domestic financial assistance makes it very difficult for civic advocacy groups to develop organically and to secure a relative financial independence. Such time, human and financial consuming campaigns as the Coalition for a Clean Parliament in 2004 would be impossible to exist in their current extension without the international assistance. Even though the partners of the Coalition have different fields of activity (civic awareness, think tank, media monitoring, human rights protection, student organization, journalism), thus increasing the expectation to be able to access different financial resources through grants, it is obvious that the limited number of grant givers for advocacy campaigns reduces very much the fundraising field.

Civic advocacy groups are based often on voluntary activity of the mass of members. Instead, in Romania, voluntary activity in this sort of organizations is very scarce. Recent analyses[6] and opinion polls show that Romanians are not highly participative in voluntary associations. This is not the case that Romanians are an exception compared to other Eastern Europeans. Instead Romanians place above the average membership and active participation in civil society organizations (Howard, 2003: 65-66).

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[5] Interviews of the authors with Ioana Avădani, executive director of the Center for Independent Journalism; Adrian Sorescu, executive director of the Pro Democracy Association; Cristian Pîrvulescu, president of the Pro Democracy Association; and Cristian Ghinea, journalist at Dilema weekly journal and former expert and program coordinator at the Romanian Academic Society.
[6] See Gabriel Bădescu, 2003, "Social Trust and Democratization in Post-Communist Societies", in *Social Capital and the Transition to Democracy*, edited by Gabriel Bădescu and Eric M. Uslaner, New York; Routledge.

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3. Civil society involvement in the 2004 elections. A general framework

The 2004 general elections were dominated by the corruption issue. According to the Media Monitoring Agency (http://www.mma.ro), mass media generally concentrated on events, news, and political discourses that touched mainly the issue of political corruption. Other salient issues were the diplomatic successes like accession to the NATO and temporary closing of the negotiation chapters for the accession process to the EU; the reforms in major fields like public administration, justice and economics (free competition). The governing party – Social Democratic Party (PSD) – concentrated its campaign on the diplomatic and political successes, while the opposition – mainly the Truth and Justice Alliance (DA) focused on the corruption of the governmental party and the lack of reforms in major fields. During elections the major competitors accused each other of unfair competition and illegal actions with negative impact on the fairness of elections.

At the same time, the 2004 campaign came in a very tensed general political environment, after successive accusations of freedom of speech limitation and media control against the governing Social Democratic Party (PSD). Such accusations had been expressed not only by the opposition, but also by external actors and by the civil society. In this general framework, a vigorous implication of the civil society in the electoral competition came as a must, since the long-term political development and stability of the country were severly related to the results of the elections. It was not a matter of who wins or who loses, but of *how to win*. In the following sections, we shall focus on the mechanisms of electoral involvement chosen by the Romanian civil society. In each case, we shall discuss the consequences and implications of each program both for the political society and the civil society.

3.1. Civil society as involved arbiter

The Coalition for a Clean Parliament (CPC) was probably the most complex politically-oriented initiative ever developed inside the Romanian civil society. It was designed as an anti-corruption awareness campaign, focused on the entire specter of relevant political elites competing in parliamentary elections. On a first level, the complexity of such an initiative is easy to evaluate in numbers: ten of the most important civic NGOs[7] have continuously worked together for over one year, assuming the role of arbitering an electoral campaign foreseen as particularly dirty. On a second level, its complexity is given by the mix of actions involved: fund-raising, investigation, negotiation, public information campaign, all in an environment of sharp political pressures.

Briefly, the Coalition for a Clean Parliament aimed to promote the idea of integrity in politics, by the means of a broad public information campaign, "Vote with your eyes wide open!". Mainly, the campaign was a matter of highlighting the candidates considered unfit for public offices because of morality reasons. In such a démarche, civil society was intended to become a public arbiter that should make the rules of political integrity in the competition for the Romanian parliament and then point to those that do not fit such rules. However, this was not an easy job, since the general political context could be easily described in terms of predatory networked elites, generalized state capture, and media ownership control.

The CCP anti-corruption awareness campaign was designed as a sequence of six steps, conceived to offer the program legitimacy, visibility, and a remarkably high blackmail potential.

(1) The first step was to set the rules of the game. As a result of an open public debate inside the civil society, six criteria that would make a candidate unfit for "a clean Parliament" emerged: (a) having repeatedly shifted from one political party to another in search of personal profit; (b) having been accused of corruption on the basis of published and verifiable evidence; (c) having been revealed as an agent of the

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[7] The Romanian Academic Society (SAR), The Group for Social Dialogue (GDS), The Association of Political Science Students (APSS), Association for the Defence of Human Rights in Romania – Helsinki Committee (APADOR-CH), Pro Democracy Association (APD), Freedom House Romania, Center for Independent Journalism (CJI), Civic Alliance (AC), Media Monitoring Agency (MMA), and Open Society Foundation (OSF).

Securitate; (d) being the owner of a private firm with important arrears to the state budget; (e) being unable to account for the discrepancy between one's officially stated assets and his/her income; and (f) turning a profit from conflicts of interest involving one's public position (Mungiu-Pippidi, 2005: 7).

(2) Once the rules set, they needed a formal legitimacy from the main actors involved. Here came a series of discussions with the leadership of the parties represented in the parliament. The result has been the expected one, since the most important political parties publicly agreed with the criteria of the CCP and announced their support for the initiative – we should mention here the governing Social Democratic Party (PSD), the Humanist Party (PUR), electoral ally of PSD, the opposition National Liberal Party (PNL) and Democratic Party (PD),[8] and finally the Democratic Union of Hungarians from Romania (UDMR). CCP's offer was rejected by the radical Greater Romania Party (PRM), the second important party in terms of parliamentary representation, but only a marginal competitor in the 2004 elections.

(3) The third step was to gather information about the candidates of the six main parties. The task of investigation at local level was assumed by one local journalist of investigation for each county, double-checked by a staff member of a local NGO branch and a senior journalist with responsibilities at regional level. The names of the investigators and reviewers remained anonymous, even for the organizations making part of the coalition. At this level, the result was a series of four 'black lists' with the names of the candidates considered unfit to hold a seat in the future parliament, because of meeting one or more criteria. The four lists corresponded to the two main electoral blocks – PSD+PUR National Union and PNL-PD Justice and Truth Aliance (DA) – and to the two remaining parties represented in parliament, Democratic Union of Hungarians from Romania (UDMR) and Greater Romania Party (PRM).

(4) The fourth step was to send the resulting 'black lists' to the corresponding political parties. It is the first point where the civil society makes use of its blackmail potential over the political society. Parties were demanded to examine the case of each candidate and to decide whether to maintain or eliminate the candidates in question.

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[8] The National Liberal Party (PNL) and the Democratic Party (PD) were the constituents of the electoral alliance called Justice and Truth (DA).

The proposed exchange is clear: withdraw them or their 'sins' will go public once more.[9] CPC clearly and publicly stated its availability for re-analyzing any cases where individual candidates contested its findings.

(5) The next step is mainly a non-step for the CPC, since it assumes only a passive role. It is a period left for the political parties to re-analyze their initial candidates, with only three options available: withdraw, maintain, or appeal to CPC. For a short period, the civil society dominates the pre-electoral scene, turning itself into some kind of a commission of discipline for the main political actors. Parties seem unable or unwilling to react other way than conforming to the pressure from the civil society, and any form of appeal or contestation comes from the individual candidates. With what results? PSD-PUR National Union withdrew about 30 candidates out of 143 from its electoral lists, some appeals from the candidates were accepted, so the final count of PSD-PUR Dalmatians[10] was 95. DA Alliance withdrew 18 of 28 unfit candidates, and PRM and UDMR none (Mungiu-Pippidi, 2005: 8) (Table 3).

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(6) The last step in the activity of CPC was to print and distribute the final black lists (containing exclusively the names of the remaining 'spotted' candidates) in the form of 1.6 million leaflets in most of the 41 counties of Romania. It's been an enormous information campaign that involved more than 2,000 volunteers. The real dimensions of this campaign are obvious if we think that print press readership in Romania is below 20% (Mungiu-Pippidi, 2005: 8).

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Briefly, this has been the schedule of actions put into practice by the Coalition for a Clean Parliament. Though up to this level, the succession of activities has already shown a remarkable and rather unique strategic effort from the civil society, there is a

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[9] The listed information brought nothing new, since CPC's accusations had been extracted from press materials published over the years or public sources of various state authorities.

[10] The term ,Dalmatian' has been commonly used for the ,spotted' candidates, which did not pass the CPC's test of moral integrity.

strong need to perceive this effort in the complex system of interactions with the other actors involved in the electoral campaign, namely the political parties/candidates and the media.

3.1.1. Relationship with political parties

We have a self-nominated arbiter, namely a significant part of the civil society. But who are the players? We should distinguish between parties as strategic players and candidates as contextual players. A clear bi-directional relation between CCP and the main parties is easily identifiable in four moments of the "Vote with your eyes wide open!" campaign.

Firstly, there was a moment of quasi-general agreement, with the occasion of CCP's *step two*. Seeking for a formal legitimacy, the actors from the civil society asked for a feed-back from the political actors on the list of criteria employed. Of course, such a broad legitimacy was easy to receive at that very moment, since it wouldn't have been a good signal for a party to reject the desireable goal of having a moral political elite. At the same time, at that moment, the capacity of the civil society to put into practice such an ambitious program was really questionable. The result was that most political parties transmitted public statements of support for the CPC initiative, with the notable exception of the Greater Romania Party (PRM). No clear reaction is identifiable from the part of individual candidates, no matter their political origins.

The second phase comes when main political parties were asked to withdraw from their lists the spotted candidates (CCP's *step five*). At this level, different patterns of reaction are distinguishable.

The Truth and Justice (DA) Alliance had a particularly favourable behavior. It was a normal strategic option for two parties in opposition, with less involvement within the corrupt networks of power. Further, it was obvious for both party leaders that the DA Alliance would score much better than the government party in any comparison. There was also a second reason for one of the parties (PD) to agree and support CCP's initiative – the cleaning campaign was a perfect opportunity to force several internal opponents to do 'the step back' and, hence, to refresh the party's top leadership.

In this second phase, the National Union PSD+PUR reacted very incoherently. The first reaction was to announce the exclusion from the lists of a certain number of candidates and the self-withdrawal of others for 'personal reasons'. A few days later, a significant change in the Union's strategy occurred, exactly one month before the parliamentary elections. This change took the shape of an incredibly aggressive campaign against the CCP's initiative in every form of media. CCP was accused of being part of a larger conspiracy of the opposition and also of intending to violate the fundamental political right of a citizen to be elected. The Union's candidates were publicly encouraged to sue the authors of the 'black lists' and to ask the courts to ban the distribution of the CCP's leaflets.

The Democratic Union of Hungarians from Romania (UDMR) invoked its particular status of ethnic political party in demanding to be excepted from the CCP's procedures, but with no result. No candidate was dropped out from the lists by UDMR.

The Greater Romania Party (PRM) continued to ignore all the inputs from the CCP.

Reactions from individual candidates are a particularly interesting aspect that deserves to be emphasized in this second phase. Typical patterns of behavior related to:

(a) appeals, contestations, justifications, having as a unique goal the drop out from the black lists;
(b) public appeal in justice for defamation or contestation of CPC's initiative legal character – there are famous cases, all coming from National Union PSD+PUR candidates: a former head of a secret service, a former minister of Justice, a former minister of Defense, the president of the Senate etc.;
(c) different pressures against the senior staff of the Coalition;
(d) frequent cases of intra-party denouncements in an attempt to eliminate candidates better placed on the party lists.

The third phase in the CCP-parties relationship is related to the national information campaign, by the means of voluntary leaflet distribution (*step six*). It is a period of intense anti-CCP campaign on behalf of the National Union PSD+PUR. Media turned

into a battlefield between the government party and its allies and the representatives of CCP. The Coalition was constantly accused of 'conspiracy', 'ill intentions', 'pseudo-civic terrorism' and its members were called 'a bunch of criminals'.[11] Government-controlled media developed formats very similar to bolshevik tribunals, with the only reason to attack the CCP. Beyond the declarative level, the National Union PSD+PUR asked the Central Electoral Bureau and ordinary courts to ban the CCP leaflets, but all judicial decisions were taken in favor of the Coalition.

On a third level, unidentified forces launched a broad campaign of fake leaflets distribution. These 'poisoned' leaflets used the CCP format, the CCP members' signatures, but the names of the PSD candidates had been replaced with DA Alliance candidates.

This virulent anti-CCP campaign of the government party and its allies has mainly had a reverse effect, by offering more visibility to the Coalition and raising the stake for its pro-integrity in politics campaign. What in normal conditions would have been just a marginal initiative from the part of the civil society, turned to an unexpected success in terms of visibility and public awareness. And mostly all because of the excessive (and unreasonable) reaction of the National Union PSD+PUR to the CCP initiative, correlated to a positive and mature behavior of the opposition parties.

3.1.2. Relationship with the media

Two perspectives should be considered in the media-CCP relationship: the perspective of the involved media and that of the uninvolved media. By *involved* we refer to the presence of actions that are far beyond the limits of the mass communication function assumed by the media, such as implication in the activities of or against the CCP.

So, at the level of involved media, a striking dichotomy arose, *individual journalists versus media groups*. On the one side, we have *individual journalists* that took effective part in the actions of CCP as investigators or reviewers in the elaboration of

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[11] „Open letter to the Coalition for a Clean Parliament", from Dan Voiculescu, president of the Humanist Party (PUR), November 9th 2004.

the unfit candidate lists. Most of them worked for the coalition under the strict reserve of anonymousness and have finally been paid for their investigations. At the same time, on the CCP side, we have two media-oriented (and media-originated) NGOs[12] that assumed the recruitment and networking function for the local investigators.

On the other side, we have *media groups* (especially the Intact Group, belonging to the family of Dan Voiculescu, head of the Humanist Party) that developed a coherent and aggressive campaign against the initiative of CCP, in virtue of media ownership interests. It is mainly about national or local media groups owned by members of the PSD+PUR National Union or by groups with related interests.

If we think of uninvolved media, comments and materials on the Coalition activities have been regarded rather favourable or neutral. As one of the interviewees remarked, uninvolved media reflected CCP's actions more or less favorable according to previously generated trust or mistrust in the actions of the Coalition partners.

3.1.3. The CCP experience. What to learn?

The Coalition for a Clean Parliament has been an outstanding effort of the Romanian civil society, both in terms of complexity and logistics. It is not easy to assess its success with relation to its declared goals. However, 98 black-listed candidates holding eligible positions haven't been elected to the parliament, as a result of having been either withdrawn by their parties or 'defeated by the voters' (Mungiu-Pippidi, 2005: 8). This means an aggregated success (direct and possibly indirect) of about 48.5%. The real success should probably be described in terms of reassessing the role, strength and opportunities of civil society to control and challenge the political society.

There are a few conditions that have largely contributed to the visibility of the program.[13] Some of them are related to the general socio-political environment – we should mention here (*a*) a general feeling of frustration and insatisfaction related to

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[12] The Center for Independent Journalism (CJI) and the Media Monitoring Agency (MMA), both partners in the Coalition for a Clean Parliament.
[13] See also Mungiu-Pippidi, 2005: 16-18.

the 'political class' among the population; (*b*) a continuous external (EU, US) pressure towards effective anti-corruption programs, that has continuously highlighted the issue of political corruption.

The others are related to the specific campaign environment of 2004: (*c*) the visible contrast in the public reactions of the main political forces in front of a campaign pro-integrity in politics; (*d*) the governing party's (and its allies) extremely aggressive reaction against the CCP, leaving a general impression of 'guilt covering'. This overreaction did nothing than highlighting the actions and issues of the CCP and raising the stake of the anti-corruption game (that wasn't favorable at all to a governing party); (*e*) the ability of the main opposition force (DA Alliance) to manipulate the game of withdrawals into its own favor.

But what are the drawbacks of the CCP campaign?
First, it has feebly reached its target (the average citizen) in a direct manner. By the time the leaflets have reached the public, the general opinion had already been framed by the main actors (parties, mass media).

Second, the reached target (political elite) was different from the target aimed or declared (average citizen). The CCP took the things into its own hands, and only secondarily left the final voting decision to the citizen. Its relation to the political parties along *steps 4 and 5* can easily be characterized as a 'moral blackmail'.

Third, the means employed cannot be easily accepted as specific to the civil society. In fact, the CCP largely performed as a political actor with extra-powers due to its civil society origins. Nevertheless, it added more weapons in the electoral battleground that have easily reached the hands of the opposition. Unintentionally, the CCP transformed itself into a strengthener of campaign issues.

Fourth, the Coalition's démarche is not entirely moral with respect to its declared target, the public, since its leaflets presented only the pieces of information that had failed the test of political blackmail before. Though this has been a strategic effect-maximizer decision, its moral character is questionable.

Fifth, the CCP did not always succeed in insuring a perfectly objective and equidistant application of integrity criteria at local level.

3.2. Civil society as a watchdog of fair elections

Domestic election monitoring has a rather longstanding tradition in post-communist Romania. And this tradition is largely associated with the names of two non-governmental organizations, Pro Democracy Association (APD) and the League for the Defense of Human Rights (LADO) that emerged in the early 1990s. During their first years of existence, both organizations have had rather similar evolutions, but, in the late 1990s the latter one's existence followed a rather descendent curve. Usually, this involution is explained in terms of organizational incapacity of attracting external funding. Such a situation has normally translated into an increasing share of governmental funding which set serious limitations in its activities. In reverse, Pro Democracy had a stronger capacity of implementing viable external-funded programs and successfully set an extensive network of local county-level 'clubs'.

The 2004 electoral year set a premiere in the field of domestic election monitoring, since the previous NGO bipolarity has been broken. LADO did not succeed in the effort of setting up a network of volunteer observers for the general elections and played only a marginal role in the pre-electoral legislative negotiations. Under these circumstances, Pro Democracy assumed the pole position in the list of election monitoring organizations (EMOs).

In the second half of 2004, the Romanian parliament has been the scene of a largely-supported attempt to modify the electoral legislation. This was not an unusual situation, since modifications of the electoral rules became a tradition of every pre-electoral period. The novelty was that APD, as a representative of the civil society with a respectable tradition in election monitoring, was invited to take part in the activity of the parliamentary commission designated to prepare the legislative modifications. As it is easy to anticipate, APD was not intended to play an effective role in the commission's activity, but mainly to fulfil a need of extra-legitimacy for the decisions of the legislator.

Pro Democracy was involved actively in the work of the commission by reassessing the need for a new Electoral Code and introduced a coherent project that was not very well received. In spite of APD's efforts (with the support of a few leaders of the main opposition force, the DA PNL-PD Alliance), in the end, all the provisions of the civil society-originated code had been rejected or ignored by the parliamentary commission. Thus, the commission preferred to work on the existing laws and introduced only conjunctural changes.

Unsatisfied with the result of the commission vote, Pro Democracy adopted a different strategy in its effort of influencing the parliament's decision. The next step translated into an open letter addressed to every MP indicating seven broad categories of reasons that made the law project incapable to secure the fairness and the transparency of the elections for the Senate and the House of Deputies. More, the letter's provisions have been publicly presented in front of the deputies by a representative of the DA Alliance, but without any success. The law has been adopted in the form proposed by the commission.

Once all possible paths of conventional influence exhausted, Pro Democracy decided to take advantage of its privileged position of unique generally accepted non-partisan EMO. Both APD and the Government were aware that the lack of internal observers would have had severe consequences upon the legitimacy of the election results. This is why Pro Democracy was in the position of having a significant blackmail potential upon the Government. About two month before the elections APD decided to make use of it.

How did that happen? The General Assembly of the Association publicly announced its decision to observe the electoral process only if the Law nr. 373/2004[14] became subject to changes in order to correct or eliminate the aspects that might have lead to fraud. The only public institution able to initiate such changes was at that moment the Government. Pro Democracy sent an open letter to the Prime Minister Adrian Năstase in which it presented its point of view.

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[14] Concerning the organization of elections for the House of Deputies and the Senate.

For the first time, APD's aggressive style of negotiation seemed to be a winning decision (at least partially), since the Năstase Government took the Emergency Decision nr. 80/2004 that modified the Law nr. 373/2004. It was not a radical change (only two of the seven problems highlighted by the APD were solved), but it was a gain in the effort of setting up more fair and transparent rules for the elections. The most important change was the 'liberalization' of electoral observation.[15] Under these circumstances, APD announced its decision to observe the elections.

The first round of elections took place on November 28th and gave birth to an enormous scandal related to the frauds occurred. Pro Democracy accredited 3,565 observers in Bucharest and 32 counties,[16] mainly targeting polling stations placed in rural areas, usually more vulnerable to fraud attempts.[17] Observers' reports have been extremely negative, suggesting that every weak point of the electoral legislation had been frequently speculated. Multiple voting, electoral tourism,[18] threaten or aggressed observers were only the top of the iceberg. Under these circumstances, the APD report emphasized the large probability for the election results to be biased by the increased level of fraud, estimated at about 3 to 5%.

Signals coming from the opposition (DA Alliance) confirmed the APD reports, and the public discourse of the main civil society or political opposition leaders violently accused the government of electoral fraud. This whole debate, correlated with repeated errors in the process of vote counting, generated a general state of nervousness in the population. And the top of the cake was the rather small difference in the electoral scores of the National Union PSD+PUR (first placed) and of the opposition DA Alliance (second placed), placed in the limits of the electoral fraud previously stated by the civil society and the opposition.

This proved to be the right moment for the Pro Democracy Association to put more pressure on the Government in the issue of electoral legislation. It was a moment when APD's blackmail potential was at the highest level. So, the organization

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[15] Since 1996, the successive election laws provided that internal observers could be accredited only for a single polling station and that each polling station could have only one observer.
[16] From a total of 41 counties.
[17] About 2,500 observers reached rural areas.
[18] People transported with buses in order to vote in multiple polling stations.

publicly announced its decision not to observe the second round of the elections, since the legislative framework was unable to ensure a reasonable level of fairness for the elections. Under these circumstances, considered APD, "the monitoring process is not able to contribute to the fairness of the elections, but only to the legitimization of the winners".[19] During the first two days after, the Government reaction to the APD announcement has been extremely feeble. Vigorous demands for APD to change its decision came from external actors, as the Delegation of the European Commission in Bucharest or the Embassy of the United States, which did nothing than to put more pressure on the Government.

All these developments forced the Government to do a step back and the Prime Minister Adrian Năstase to formulate similar demands to the APD. Pro Democracy conditioned its acceptance to observe the second round of elections on a change in the legislation that could limit the possibilities of electoral fraud, especially the case of multiple voting. Five days before the elections, at the end of a meeting of APD with the staff of the Central Electoral Bureau (BEC)[20] and with the representatives of the PSD+PUR Union and of the DA Alliance, it was adopted the Decision nr. 105. This BEC decision stated (*a*) the possibility of transit voters to vote only in special polling stations and (*b*) offered free access for the EMOs to the voters' lists, in order to investigate the cases of multiple voting. This was a real success (though partial) for the Pro Democracy and the following (natural) decision was its acceptance to monitor the second round of the general elections.

The second round of the presidential elections took place on December 12th. Though the stake of the game was extremely high, the frequency of illegal behaviors decreased compared to the first round. APD observers faced similar challenges, but less frequent, as the organization's report mentioned.

Pro Democracy continued its monitoring effort in the post-election period, with the clear intention to 'set an example' for the future electoral processes. It set up the basis for a systematic process of identification of multiple voters (people who fraudulently

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[19] „Alegeri la limita democrației. Analiza procesului electoral din România, octombrie-decembrie 2004" (APD report), p. 52.
[20] The leading electoral authority in Romania.

cast their votes more than once, in different locations). As part of the pilot program, APD introduced in a large database the names and personal information of 9,322 electors located in the Ilfov county.[21] The results were astonishing, since 351 of them (about 3.76%) cast their votes at least twice on the territory of the county. Pro Democracy instituted/started legal proceedings against all the 351 fraudulent voters in the late spring of 2005. Since APD's financial and human resources were limited, the organization challenged the official institutions of the state to continue its démarche in order to identify and punish all the cases of multiple voting. By now, APD's challenge remained unanswered.

3.2.1. Indirect relationship with political parties

Pro Democracy was not alone in observation of the 2004 elections. There were a few other NGOs able to send impressive numbers of observers. But APD was the only EMO with a clear non-partisan status. Since 1996, the legislative limitations in the number of observers accredited for one polling station has stimulated the emergence of the so-called "ghost organizations", EMOs with "a questionable commitment to an impartial, democratic process" (Bjornlund, 2004: 227). In fact, these organizations were initiated 'in the proximity' of the political parties (mainly of the Social Democratic Party), with a clear intention to disrupt the activities of legitimate organizations and to reduce their presence at polling stations (OSCE/ODIHR Report, *apud*. Bjornlund, 2004: 227).

This tradition of 'ghost organizations' continued in the elections of 2004, in spite of the changes in the electoral legislation.[22] It is rather unclear the continuity in such practices, except for a questionable intention to legitimate frauds in the electoral process. However, these organizations turned to a marginal role in the 2004 elections.

-- Table 5 – about here --

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[21] The county where the biggest number of fraud attempts and observer aggressions had been reported.
[22] Government Emergency Decision Nr. 80/2004 had liberalized the observation of elections by eliminating the restrictions in the number of observers per polling station, previously limited to one.

Another attempt from the political parties to influence (or control) the observation process was by the placement of partisan observers on the lists of non-partisan EMOs, the so-called 'poisoned observers'. Pro Democracy had faced this problem before and in time developed self-protection mechanisms. However, no matter how severly filtered the observers are, there is never a 100% certainty about the independent status of them.

3.2.2. The monitoring experience. What to learn?

Pro Democracy Association invested a lot of effort in the electoral observation in 2004. It should be emphasized here that APD's effort was a mature one and has largely crossed the borders of ordinary observation. The Association put into practice a complex program of *electoral monitoring*, with all the connected implications. It is remarkable that APD has successfully become a first rank legislative actor, in spite of the sharp resistance from the political society. However, if its means can hardly be considered moral, it is certain that they were appropriate and effective.

It is also clear that APD was significantly more successful in putting pressure on the Government than on the Legislative. There are a few possible explanations for this state of things.

First, the Government was more aware of the external consequences of an APD decision not to observe the elections, mainly in terms of the legitimacy of results. Elections followed an extensive period of critiques addressed to the party in government by the US Embassy, the British Embassy or the Delegation of the European Commission in Bucharest, related to issues like the freedom of expression, media control etc.

Second, APD's blackmail potential reached its highest quotas when it became the only experienced and legitimate non-partisan EMO. There was no alternative of negotiation from the real civil society for the Government, so all has become a one-to-one game, where APD successfully played its cards.

Third, APD's pressure came in a particularly tensed electoral environment. In such an environment, a no-step-back position of the Government would have produced severe damages for the image of the party, with a high potential of being speculated by the opposition. At the level of Parliament, responsibilities are more diffuse and, in consequence, the image damages less significant.

3.3. Alternative programs of continuous monitoring

Our review of the strategies and practices employed by the civil society in relating to the political society in the particular electoral moment of 2004 would not be complete without a short look on two other monitoring programs, Media Monitoring Reports and "Money and Politics".

Media Monitoring Reports was a program developed by the Media Monitoring Agency (MMA) and financed by the National Endowment for Democracy and Reporters sans Frontieres. The program monitored the way Romanian media reflected the presidential candidates in the pre-electoral period. MMA's analysis was structured along both quantitative and qualitative criteria. Briefly, the report emphasized the presence of clear partisan positions in the content of news reflecting the electoral campaign. The explanation of such deviations is usually related to the media ownership interests.

Money and Politics was a program developed by the Pro Democracy Association (APD) and funded by the Canadian International Development Agency. The program did an external monitoring of the expenses of the main electoral actors for political advertising in relation to the declared incomes and to the legal expense thresholds. APD's report emphasized the huge discrepancies between the official incomes and the advertising expenses for the PSD+PUR National Union, but also for the PNL-PD Alliance (DA) and the extra-parliamentary New Generation Party (PNG). The report also indicated a general trend of directing more than half of the advertising expenditures towards the presidential candidates, in an attempt to speculate a supposed leadership effect.

3.4. Crossing the border: trade unions become political actors

A part of the civil society, namely trade unions, did not join the above mentioned campaigns. Some of the trade unions (Cartel-Alfa and CSDR) kept a distance from the electoral competition and the election monitoring, swinging between involvement and observation of these two processes. Other trade unions were already involved in electoral campaigns. CNSLR-Frăția, a long term collaborator of the left-wing governmental party promoted union leader on the party lists as it did in 2000 in the previous elections.

BNS (the National Union Bloc) was attracted by the political competition and decided to establish its own party. Capturing an older and unknown party (National Democratic Party) BNS transformed it into the National Democratic Bloc Party (PBND) and after several negotiations with various other political parties joined the national extremist Greater Romania Party (PRM) during the elections. BNS managed to negotiate with PRM a joint list to be promoted during the 2004 general elections. The coalition between PBND and PRM passed the 5% threshold. Thus, part of the civil society and of trade unions became political competitor.

It was not a singular case during the post-communist electoral process. In 1992 elections trade unions organized a political party that unsuccessfully entered the competition by establishing the Party of the Social Solidarity. It was the first large failure of trade unions in the tentative promotion of their interest directly at the decision-making level. A second case of unsuccessful civil society involvement in political competition was the 1996 participation of the Civic Alliance Party (PAC). The party emerged as a political arm of the Civic Alliance, the most known and active civil society organization in the early transition years. In spite of promoting highly professional intellectuals PAC did not managed to pass the 3 percent threshold in order to send representatives in the Parliament.

The latest tentative political involvement of BNS raises the questions about the impact of trade unions involvement in the 2004 electoral competition and whether trade unions do have the capacity to help parties gaining more votes if electoral agreements are signed. During every post-communist election, Romanian political parties searched for electoral support that could be received from different groups, trade

unions included. Trade unions augment their presence in political-like issues and tend to extend to the maximum the benefits they could receive in the electoral years as a result of their interaction with the parties. During electoral years political parties tend to be more opened to issues defended by unions – governmental parties need social stability, while the opposition parties tend to use the unions in order to acquire larger electoral support. Still, the idea of bilateral benefits appears to be doubtful due to lack of empirical evidence of the electoral support that trade unions finally offer to political parties. There is no evidence of the electoral benefits for parties as a result of electoral protocols signed with trade unions.

Romanian trade union confederations often argue in their interaction with the political actors that they represent their members' interests. Even when union leaders call for negotiations with the government and employers, or call for protest movements they call these in the name of "members' interest" or of "union's interest". Still, as the public opinion polls revealed after 1989, people see themselves moreover distant from unions and capitalize very few trust in trade unions as organizations.

-- Table 6 – about here --

In spite of the collaborative behavior between parties an trade unions it seems that political parties do not obtain the pursued aims: mass electoral support fails to be collected; the visibility at the level of voters/union members does not increase; the relation with electorate is not better because of the fact that none of the two partners – union or party – is perceived by the electorate as having close relations with it and being concerned with voters' issues; the institutional trust did not increased during the years of electoral cooperation, moreover decreased. The only benefit seems to be the social stability, which might be sufficient enough for parties to pursue electoral protocols with unions. On the other hand, unions do not gain much more, but even less, with the exception of very few union leaders that receive offices or eligible positions on party lists. Signing electoral agreements between unions and parties does not influence the voting preference for that particular party. The electoral agreements would have a contrary effect – the voters might consider the union-party agreement a top level affair that does not pursue members' interests/problems, but only the leaders' ones. Such cooperations would produce either a lose-lose outcome, in which

both the parties and the trade unions lose trust, or win–lose outcome, in which office seeking trade union leaders win places in Parliament or in government, while the parties lose places on their lists, that could otherwise be filled with their own candidates, and furthermore lose places inside the Parliament in case that trade union representatives decide to deject the coalition they formed with the party, as it was the case in January 2005, when the union representatives of PBND in parliament broke their coalition with Greater Romania Party and got out of its parliamentary group joining informally the governmental right-wing coalition.

4. Conclusions

Civil society has proven outstanding capacities of involvement in the 2004 general elections in Romania, that haven't been anticipated by any of the political actors. No matter the success or the morality of its actions, this experience emphasized the need to reassess civil society's role, strength and opportunities to control and challenge the political society in an electoral environment. It is obvious that neither the political society, nor the civil society were prepared to fully manage the new situation.

On the one side, the civic advocacy organizations succeeded to put into practice their blackmail potential in relation to the political elite. This result was facilitated by the convergence between the objectives of the external actors and those of the civil society. More, their success should be closely related to the continuous experience of public visibility and political contacting of the involved organizations, experience that maximized their capacity of bargaining.

However, these organizations have failed to a certain degree to reach the masses with their message, failure that might have consequences for the future basis of support of them. Especially in the case of the Coalition for a Clean Parliament, there is a non-negligible potential for the initiative to be interpreted as a political one by the citizens, with the connected consequences. In spite of all these reserves, the civic advocacy organizations' initiatives have put a supplementary pressure for accountability on the shoulders of the political elite, which might turn transition politics into a new era.

On the other side, BNS's electoral involvement was another failure in the attempt to reassess the role of the trade unions in supporting collective rights. The electoral protocol with the Greater Romania Party (PRM) was certainly an initiative with a clear lose-lose outcome. It is very plausible that BNS's adventure might have a negative effect in terms of public trust and support for the trade unions. It is also plausible to have consequences on the trade unions' bargaining and blackmail potential in relation to the government, since the cooperation with an anti-system, marginalized party as PRM is not at all a good label.

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Table 1. *Membership and active participation in civil society organizations*

Membership	Public Opinion Barometer May 2005 (percentages)	Active participation BOP May 2005 (percentages)	Panel survey* November-December 2004 (percentages)	Active participation Panel survey* 2004 (percentages)
Trade unions	7.9	6.9	9.6	3.0
Religious organizations	1.2	1.0	3.6	N/A
Sport associations	0.9	0.9	1.5	0.8
NGO	1.1	0.9	1.7	1.1
Environmental groups	0.1	0.2	0.8	0.1
Condominium owners' associations	7.6	4.2	10.3	N/A
Professional associations	0.7	0.4	3.1	1.3
Church choirs	0.9	0.8	2.8	N/A

Table 2. *Trust in civil society organizations and in public institutions*

Trust very much and a lot in...	Public Opinion Barometer May 2005 (percentages)	Panel survey* November-December 2004 (percentages)
Trade unions	N/A	20.8
NGOs	28	N/A
Church	83	83
Parliament	21.7	20.1
President	45.5	37.7
Government	30.6	N/A
Army	61.6	N/A
Juridical system	24.9	28.2
Police	36	N/A
Mass media	61.3	53.9
Political parties	12.4	16.1
Mayor of the respondent's residence place	43	N/A

* The panel survey was organized by Gabriel Bădescu, Grigore-Pop Elecheş, Marina Popescu, Paul E. Sum and Aurelian Muntean through a joint-financing from University of Princeton, International Policy Fellowship Budapest, and Romanian National Council for Scientific Research in Higher Education.

Table 3: *Initial black lists and final black lists of the CPC*

Party / Alliance	Initial list count	Final list count
PSD+PUR National Union	143	95
PNL-PD Justice and Truth (DA) Alliance	28	10
Greater Romania Party (PRM)	46	46
Democratic Union of Hungarians (UDMR)	3	3

Table 4. *Press consumption in Romania*

In general, how often do you....	Daily or almost daily (percentages)	About monthly (percentages)	Very rarely or not at all (percentages)
Read political information and political comments from newspapers or journals?	25	16.1	57.8

Source: *Open Society Foundation Public Opinion Barometer, May 2005*.

Table 4.1 *Press consumption in Romania (top three national newspapers)*

In general, how often do you read political news in ...	At least one per week (percentages)	Rarely (percentages)	Not at all (percentages)
Adevărul	10.1	18.8	68.9
Evenimentul Zilei	9.3	18.8	69.6
Libertatea	20.1	11.3	62.5

Source: *November 2005 wave of the panel survey organized by Gabriel Bădescu, Grigore-Pop Elecheş, Marina Popescu, Paul E. Sum and Aurelian Muntean through a joint-financing from University of Princeton, International Policy Fellowship Budapest, and Romanian National Council for Scientific Research in Higher Education.*

Table 5: *Internal observers accredited in the Romanian 2004 general elections*

EMO	Number of accredited observers	% of total observers
Pro Democracy Association (APD)	3,565	37.6%
Organisation for the Defense of Human Rights (OADO)	1,731	18.2%
"Mihai Viteazul" Foundation	1,179	12.4%
"Millenium" Foundation for Human Rights	784	8.3%
Civil Society Club	766	8.1%
EuroDEMOS	445	4.7%
Romanian Youth Association for the United Nations	298	3.1%
Others (22 other organisations)	722	7.6%

Source: *"Alegerile parlamentare şi prezidenţiale 2004" (Institute for Public Policy Report), p. 121.*

Table 6: *Trust in trade unions (percentage of respondents)*

mar 97	jun 97	sep 97	dec 97	jun 98	nov 98	may 99	nov 99	may 00	nov 00	may 01	nov 01	jun 02	oct 02	may 03	oct 03	
28	21	24	26	23	29	30	15	14	19	24	21	24	25	17	17	+
50	53	49	57	57	55	60	66	69	65	55	58	63	63	65	63	-

Source: *Open Society Foundation Public Opinion Barometer*.

Note: The numbers in each cell represent percentages. "+" stands for "a lot" and "very much" trust in trade unions; "-" stands for "few", "very few" and "not at all" trust in trade unions.